

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Vol. 403

PRETORIA, 8 JANUARY 1999
JANUARIE

No. 19667

GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

No. 42

8 January 1999

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993 (ACT No. 130 OF 1993), AS AMENDED

INCREASE IN MONTHLY PENSIONS

The Minister of Labour intends to increase in terms of section 57 (1) of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), the monthly pensions payable in terms of sections 39 (1) (c) and (d) and 40 (1) (a), (b), (c) and (d) of the Workmen's Compensation Act, 1941 (Act No. 30 of 1941), and sections 49 (1) (a) and 54 (1) (a), (b), (c) and (d) of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), by 8% in respect of accidents which occurred before 1 April 1998 as well as occupational diseases which were diagnosed before 1 April 1998 with effect from 1 April 1999.

Any person who wishes to comment on the proposed amendment, should submit such comment in writing to the Compensation Commissioner, P.O. Box 955, Pretoria, not later than 8 March 1999.

M. M. S. MDLADLANA
Minister of Labour

No. 42**8 Januarie 1999**

WET OP VERGOEDING VIR BEROEPSBESERINGS EN -SIEKTES, 1993 (WET No. 130 VAN 1993), SOOS GEWYSIG

VERHOOGING VAN MAANDELIKSE PENSIOENE

Die Minister van Arbeid is van voorneme om kragtens artikel 57 (1) van die Wet op Vergoeding vir Beroepsbeserings en -siektes, 1993 (Wet No. 130 van 1993), die maandelikse pensioene betaalbaar ingevolge artikels 39 (1) (c) en (d) en 40 (1) (a), (b), (c) en (d) van die Ongevallewet, 1941 (Wet No. 30 van 1941), en ingevolge artikels 49 (1) (a) en 54 (1) (a), (b), (c) en (d) van die Wet op Vergoeding vir Beroepsbeserings en -siektes, 1993 (Wet No. 130 van 1993), ten opsigte van ongelukke wat voor 1 April 1998 plaasgevind het asook beroepsiektes wat voor 1 April 1998 gediagnoseer was, met 8% te verhoog met ingang van 1 April 1999.

Enige persoon wat kommentaar op die voorgestelde wysiging wil lewer, moet sodanige kommentaar skriftelik by die Vergoedingskommissaris, Posbus 955, Pretoria, nie later nie as 8 Maart 1999, indien.

M. M. S. MDLADLANA**Minister van Arbeid****No. 43****8 January 1999**

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993 (ACT No. 130 OF 1993), AS AMENDED

AMENDMENT OF SCHEDULE 4 OF ACT No. 130 OF 1993

The Minister of Labour intends to amend Schedule 4 in terms of section 55 of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), with effect from 1 April 1999 to read as follows:

SCHEDULE 4**MANNER OF CALCULATING COMPENSATION**

(i)	(ii)	(iii)	(iv)	(v)
Item	Section	Nature and degree of disablement	Nature of benefits	Manner of calculating benefits
1.	47 (1) (a)	Temporary total disablement	Periodical payments	75% of an employee's monthly earnings at the time of the accident subject to maximum compensation of R7 205,25 per month
2.	49 (1)	Permanent disablement of 30%	Lump sum	15 times the monthly earnings of the employee at the time of the accident subject to maximum and minimum compensation of R80 730,00 and R16 215,00
3.	49 (1)	Permanent disablement of less than 30%	Lump sum	An amount which bears to a lump sum calculated under item 2 the same proportion as the degree of permanent disablement to 30%
4.	49 (1)	Permanent disablement of 100%	Monthly pension	75% of an employee's monthly earnings at the time of the accident subject to maximum and minimum compensation of R7 205,25 and R810,75
5.	49 (1)	Permanent disablement of less than 100% but more than 30%	Monthly pension	A monthly pension which bears to a pension calculated under item 4 the same proportion as the degree of permanent disablement to 100%
6.	54 (1) (a)	Fatal	Lump sum	Twice the employee's monthly pension that would have been payable to the employee under item 4 had he been totally permanently disabled
7.	54 (1) (b)	Fatal	Monthly pension	40% of the monthly pension that would have been payable to the employee under item 4 had he been totally permanently disabled

(i)	(ii)	(iii)	(iv)	(v)
Item	Section	Nature and degree of disablement	Nature of benefits	Manner of calculating benefits
8.	54 (1) (c).....	Fatal	Monthly pension	20% of the monthly pension that would have been payable to the employee under item 4 had he been totally permanently disabled to each child
9.	54 (1) (e)	Fatal	Lump sum	Percentage dependence as portion of R28 680,00
10.	54 (2).....	Fatal	Funeral costs	A reasonable amount for funeral costs to a maximum of R5 778,00 or the actual amount, whichever is the lesser

Any person who wishes to comment on the proposed amendment, should submit such comment in writing to the Compensation Commissioner, P.O. Box 955, Pretoria, not later than 8 March 1999.

M. M. S. MDLADLANA

Minister of Labour

No. 43

8 Januarie 1999

WET OP VERGOEDING VIR BEROEPSBESERINGS EN -SIEKTES, 1993 (WET No. 130 VAN 1993), SOOS GEWYSIG

WYSIGING VAN BYLAE 4 VAN WET No. 130 VAN 1993

Die Minister van Arbeid is van voorneme om kragtens artikel 55 van die Wet op Vergoeding vir Beroepsbeserings en -siektes, 1993 (Wet No. 130 van 1993), Bylae 4 met ingang van 1 April 1999 te wysig om soos volg te lui:

BYLAE 4

WYSE VAN BEREKENING VAN VERGOEDING

(i)	(ii)	(iii)	(iv)	(v)
Item	Artikel	Aard en graad van arbeidsongeskiktheid	Aard van voordele	Wyse van berekening van voordele
1.	47 (1) (a)	Tydlike algehele arbeidsongeskiktheid	Periodieke uitbetalings	75% van 'n werknemer se maandelike verdienste ten tyde van die ongeval onderhewig aan 'n maksimum vergoeding van R7 205,25 per maand
2.	49 (1)	Blywende arbeidsongeskiktheid van 30%	Enkele geldsom	15 maal die maandelike verdienste van die werknemer ten tyde van die ongeval onderhewig aan 'n maksimum en minimum vergoeding van R80 730,00 en R16 215,00
3.	49 (1)	Blywende arbeidsongeskiktheid van minder as 30%	Enkele geldsom	'n Bedrag wat tot 'n enkele geldsom kragtens item 2 bereken in dieselfde verhouding staan as die graad van blywende arbeidsongeskiktheid tot 30%
4.	49 (1)	Blywende algehele arbeidsongeskiktheid van 100%	Maandelike pensioen	75% van 'n werknemer se maandelike verdienste ten tyde van die ongeval onderhewig aan 'n maksimum en minimum vergoeding van R7 205,25 en R810,75

(i)	(ii)	(iii)	(iv)	(v)
Item	Artikel	Aard en graad van arbeidsongeskiktheid	Aard van voordele	Wyse van berekening van voordele
5.	49 (1)	Blywende arbeidsongeskiktheid van minder as 100% maar meer as 30%	Maandelikse pensioen	'n Maandelikse pensioen wat tot 'n pensioen kragtens item 4 bereken in dieselfde verhouding staan as die graad van blywende arbeidsongeskiktheid tot 100%
6.	54 (1) (a)	Noodlottig	Enkele geldsom	Twee maal die werknemer se maandelikse pensioen wat aan die werknemer kragtens item 4 betaalbaar sou gewees het as hy algeheel blywend arbeidsongeskik was
7.	54 (1) (b)	Noodlottig	Maandelikse pensioen	40% van die maandelikse pensioen wat aan die werknemer kragtens item 4 betaalbaar sou gewees het as hy algeheel blywend arbeidsongeskik was
8.	54 (1) (c)	Noodlottig	Maandelikse pensioen	20% van die maandelikse pensioen wat aan die werknemer kragtens item 4 betaalbaar sou gewees het as hy algeheel blywend arbeidsongeskik was, aan elke kind
9.	54 (1) (e)	Noodlottig	Enkele geldsom	Persentasie afhanklikheid as gedeelte van R28 680,00
10.	54 (2)	Noodlottig	Begrafniskoste	'n Redelike bedrag vir begrafnis-koste, met 'n maksimum van R5 778,00 of die werklike koste, watter bedrag ook al die minste is

Enige persoon wat kommentaar op die voorgestelde wysiging wil lewer, moet sodanige kommentaar skriftelik by die Vergoedingskommissaris, Posbus 955, Pretoria, nie later nie as 8 Maart 1999, indien.

M. M. S. MDLADLANA

Minister van Arbeid

CONTENTS

INHOUD

No.		Page No.	Gazette No.
GOVERNMENT NOTICES			
Labour, Department of			
<i>Government Notices</i>			
42	Compensation for Occupational Injuries and Diseases Act (130/1993): Amendment: Increase in monthly pensions	1	19667
43	do.: Amendment of Schedule 4	2	19667

No.		Bladsy No.	Koerant No.
GOEWERMENSKENNISGEWINGS			
Arbeid, Departement van			
<i>Goewermentskennisgewings</i>			
42	Wet op Vergoeding vir Beroepsbeserings en siektes (130/1993): Wysiging: Verhoging van maandelikse pensioene ..	2	19667
43	do.: Wysiging van Bylae 4	3	19667

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Tel: (012) 334-4507, 334-4511, 334-4509, 334-4515
Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaat Sak X85, Pretoria, 0001
Tel: (012) 334-4507, 334-4511, 334-4509, 334-4515