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GOVERNMENT NOTICES

DEPARTMENT OF LABOUR

No. 199

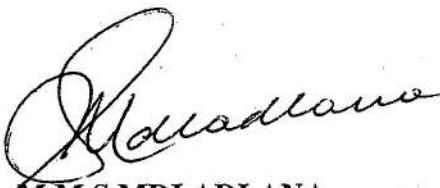
11 March 2005

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993

(ACT No. 130 OF 1993), AS AMENDED

INCREASE OF MAXIMUM AMOUNT OF EARNINGS ON WHICH THE ASSESSMENT OF AN EMPLOYER SHALL BE CALCULATED

Under section 83(8) of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby prescribe the amount of R 179 088 per annum as the maximum amount of earnings with effect from 1 April 2005.



M M S MDLADLANA
MINISTER OF LABOUR

No. 200

11 March 2005

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993**(ACT No. 130 OF 1993), AS AMENDED****INCREASE IN MONTHLY PENSIONS**

Under section 57(1) of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby prescribe an increase in 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 in terms of 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), as follows:

- For accidents which have occurred before 1 April 1960 and occupational diseases which were diagnosed before 1 April 1960 by 22.1%;
- For accidents which have occurred from 1 April 1960 up to 31 March 1961 and occupational diseases which were diagnosed from 1 April 1960 up to 31 March 1961 by 21.9%;
- For accidents which have occurred from 1 April 1961 up to 31 March 1962 and occupational diseases which were diagnosed from 1 April 1961 up to 31 March 1962 by 21.8%;
- For accidents which have occurred from 1 April 1962 up to 31 March 1963 and occupational diseases which were diagnosed from 1 April 1962 up to 31 March 1963 by 21.6%;
- For accidents which have occurred from 1 April 1963 up to 31 March 1964 and occupational diseases which were diagnosed from 1 April 1963 up to 31 March 1964 by 21.4%;

- For accidents which have occurred from 1 April 1964 up to 31 March 1965 and occupational diseases which were diagnosed from 1 April 1964 up to 31 March 1965 by 21.0%;
- For accidents which have occurred from 1 April 1965 up to 31 March 1966 and occupational diseases which were diagnosed from 1 April 1965 up to 31 March 1966 by 20.6%;
- For accidents which have occurred from 1 April 1966 up to 31 March 1967 and occupational diseases which were diagnosed from 1 April 1966 up to 31 March 1967 by 20.2%;
- For accidents which have occurred from 1 April 1967 up to 31 March 1968 and occupational diseases which were diagnosed from 1 April 1967 up to 31 March 1968 by 19.9%;
- For accidents which have occurred from 1 April 1968 up to 31 March 1969 and occupational diseases which were diagnosed from 1 April 1968 up to 31 March 1969 by 19.6%;
- For accidents which have occurred from 1 April 1969 up to 31 March 1970 and occupational diseases which were diagnosed from 1 April 1969 up to 31 March 1970 by 19.1%;
- For accidents which have occurred from 1 April 1970 up to 31 March 1971 and occupational diseases which were diagnosed from 1 April 1970 up to 31 March 1971 by 17.8%;
- For accidents which have occurred from 1 April 1971 up to 31 March 1972 and occupational diseases which were diagnosed from 1 April 1971 up to 31 March 1972 by 17.0%;
- For accidents which have occurred from 1 April 1972 up to 31 March 1973 and occupational diseases which were diagnosed from 1 April 1972 up to 31 March 1973 by 16.0%;
- For accidents which have occurred from 1 April 1973 up to 31 March 1974 and occupational diseases which were diagnosed from 1 April 1973 up to 31 March 1974 by 15.0%;

- For accidents which have occurred from 1 April 1974 up to 31 March 1975 and occupational diseases which were diagnosed from 1 April 1974 up to 31 March 1975 by 13.5%;
- For accidents which have occurred from 1 April 1975 up to 31 March 1976 and occupational diseases which were diagnosed from 1 April 1975 up to 31 March 1976 by 12.3%;
- For accidents which have occurred from 1 April 1976 up to 31 March 1977 and occupational diseases which were diagnosed from 1 April 1976 up to 31 March 1977 by 11.1%;
- For accidents which have occurred from 1 April 1977 up to 31 March 1978 and occupational diseases which were diagnosed from 1 April 1977 up to 31 March 1978 by 10.1%;
- For accidents which have occurred from 1 April 1978 up to 31 March 1979 and occupational diseases which were diagnosed from 1 April 1978 up to 31 March 1979 by 8.9%;
- For accidents which have occurred from 1 April 1979 up to 31 March 1980 and occupational diseases which were diagnosed from 1 April 1979 up to 31 March 1980 by 23.6%;
- For accidents which have occurred from 1 April 1980 up to 31 March 1981 and occupational diseases which were diagnosed from 1 April 1980 up to 31 March 1981 by 10.5%;
- For accidents which have occurred from 1 April 1981 up to 31 March 1982 and occupational diseases which were diagnosed from 1 April 1981 up to 31 March 1982 by 20.4%;
- For accidents which have occurred from 1 April 1982 up to 31 March 1983 and occupational diseases which were diagnosed from 1 April 1982 up to 31 March 1983 by 18.8%;
- For accidents which have occurred from 1 April 1983 up to 31 March 1984 and occupational diseases which were diagnosed from 1 April 1983 up to 31 March 1984 by 17.7%;

- For accidents which have occurred from 1 April 1984 up to 31 March 1985 and occupational diseases which were diagnosed from 1 April 1984 up to 31 March 1985 by 16.0%,
- For accidents which have occurred from 1 April 1985 up to 31 March 1986 and occupational diseases which were diagnosed from 1 April 1985 up to 31 March 1986 by 9.3%, and
- All pensions payable in respect of accidents which occurred before 1 April 2004 as well as occupational diseases which were diagnosed before 1 April 2004 with effect from 1 April 2005 by 4.8%.

NOTE

The following benefit increases will apply for all Federated Employers' Mutual Assurance Company Limited (FEMA) pensioners:

- For accidents prior to 1 April 2003 and occupational diseases which were diagnosed before 1 April 2003 compensation below the 2003 minimum will be increased to the minimum compensation with effect from 1 April 2004. (based on the 2003 minimum wages per week of R313.62).
- All pensions payable in respect of accidents which occurred before 1 April 2004 as well as occupational diseases which were diagnosed before 1 April 2004 with effect from 1 April 2005 will be increased by 4.8%.



M M S MDLADLANA
MINISTER OF LABOUR

No. 201

11 March 2005

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**

Under section 55 of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby amend Schedule 4 to read as follows with effect from 1 April 2005.

SCHEDULE 4**MANNER OF CALCULATING COMPENSATION**

(i) Item	(ii) Section	(iii) Nature and degree of disablement	(iv) Nature of benefits	(v) 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 R11 193,00 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 the maximum and minimum compensation of R125 400,00 and R24 480,00.
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 R11 193,00 and R1 224,00.

(i)	(ii)	(iii)	(iv)	(v)
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.
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 R8 880,00 or the actual amount, whichever is the lesser.



M M S MDLADLANA
MINISTER OF LABOUR

KGORO YA TŠA MOŠOMO**No. 199****11 March 2005**

**MOLAO WA HLATSWADIATLA YA DIKGOBADI TŠA MOŠOMONG LE
MALWETŠI, 1993
(MOLAO WA NOMORO YA 130 WA 1993), BJALO KA GE OFETOTŠWE**

**KOKETŠO YA MOPUTSO WA KA GODIMODIMO WO TSHEKASEKO YA MONG
MOŠOMO E TLA AKANYWAGO GODIMO GA WONNA**

Ka tlase ga karolo ya 83(8) ya Molao wa Hlatswadiatla ya Dikgobadi tša Mošomong le Malwetši, 1993 (Molao wa Nomoro ya 130 wa 1993), Nna, Membathisi Mphumzi Shepherd Mdladlana, Letona la tša Mošomo, ke laela gore tšhelete yeo e lekanago

R 179 088 ka ngwaga e be yona ya ka godimo ya meputso go tloga ka la 1 Aporele 2005.



**MMS MDLADLANA
LETONA LA TŠA MOŠOMO**

No. 200

11 March 2005

MOLAO WA PHUMULAKELEDI YA DIKGOBADI TŠA MOŠOMONG LE**MALWETŠI, 1993****(MOLAO WA NOMORO YA 130 WA 1993), BJALO KA GE OFETOTŠWE****KOKETŠO YA DIPHENŠENE TŠA KGWEDI KA KGWEDI**

Ka tlase ga karolo ya 57(1) ya Molao wa Phumulakeledi ya Dikgobadi tša Mošomong le Malwetši, 1993 (Molao wa Nomoro ya 130 wa 1993), Nna, Membathisi Mphumzi Shepherd Mdlalana, Letona la tša Mosomo, ke laela gore go lefelwe koketšo ya diphenšene tša kgwedi ka kgwedi go ya ka karolo ya 39(1) (c) le (d) le 40(1)(a), (b), (c) le (d) ya Molao wa Phumulakeledi ya Bašomi, 1941 (Molao wa Nomoro ya 30 wa 1941), le go ya ka dikarolo tša 49(1)(a) le 54(1)(a), (b), (c) le (d) tša Molao wa Phumulakeledi ya Dikgobadi tša Mošomong le Malwetši, ao a amanago le tša Mešomo, 1993 (Molao wa Nomoro ya 130 wa 1993), ka tsela yeo e latelago:

- Go dikotsi tšeo di diregilego pele go la 1 Aporele 1960 le malwetši ao a hlahlobilwego pele go la 1 Aporele 1960 ka 22.1%;
- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1960 go fihla go la 31 Matšhe 1961 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1960 go fihla go la 31 Matšhe 1961 ka 21.9%;
- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1961 go fihla 31 Matšhe 1962 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1961 go fihla go la 31 Matšhe 1962 ka 21.8%;
- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1962 to fihla go la 31 Matšhe 1963 le malwetši ao a hlahlobilwego go la 1 Aporele 1962 go fihla go la 31 Matšhe 1963 ka 21.6 %;

- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1963 go fihla go la 31 Matšhe 1964 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1963 go fihla go la 31 Matšhe 1964 ka 21.4%;
- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1964 go fihla go la 31 Matšhe 1965 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1964 go fihla go la 31 Matšhe 1965 ka 21.0%;
- G dikotsi tšeo di diregilego go tloga go la 1 Aporele 1965 go fihla go la 31 Matšhe 1966 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1965 go fihla go la 31 Matšhe 1966 ka 20.6%;
- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1966 go fihla go la 31 Matšhe 1967 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1966 go fihla go la 31 Matšhe 1967 ka 20.2%;
- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1967 go fihla go la 31 Matšhe 1968 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1967 go fihla go la 1 Matšhe 1968 ka 19.9%;
- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1968 go fihla go la 31 Matšhe 1969 le malwetsi ao a hlahlobilwego go tloga go la 1 Aporele 1968 go fihla go la 31 Matšhe 1969 ka 19.6%;
- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1969 go fihla go la 31 Matšhe 1970 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele go fihla go la 31 Matšhe 1970 ka 19.1%;
- Go dikotsi tšeo di diregilego tloga go la 1 Aporele 1970 go fihla go la 31 Matšhe 1971 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1970 go fihla 31 Matšhe 1971 ka 17.8%;
- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1971 go fihla go la 31 Matšhe 1972 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele go fihla go la 31 Matšhe 1972 ka 17.0%;
- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1972 go fihla go la 31 Matšhe 1973 le malwetsi ao a hlahlobilwego go tloga go la 1 Aporele 1972 go fihla go la 31 Matšhe 1973 ka 16.0%;

- Go dikotsi tseo di diregilego go tloga go la 1 Aporele 1973 go fihla go la 31 Matšhe 1974 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1973 go fihla go la 31 Matšhe 1974 ka 15.0%;
- Go dikotsi tseo di diregilego go tloga go la 1 Aporele 1974 go fihla go la 31 Matšhe 1975 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1974 go fihla go la 31 Matšhe 1975 ka 13.5%;
- Go dikotsi tseo di diregilego go tloga go la 1 Aporele 1975 go fihla go la 31 Matšhe 1976 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1975 go fihla go la 31 Matšhe 1976 ka 12.3%;
- Go dikotsi tseo di diregilego go tloga go la 1 Aporele 1976 go fihla go la 31 Matšhe 1977 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1976 go fihla go la 31 Matšhe 1977 ka 11.1%;
- Go dikotsi tseo di diregilego go tloga go la 1 Aporele 1977 go fihla go la 31 Matšhe 1978 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1977 go fihla go la 31 Matšhe 1978 ka 10.1%;
- Go dikotsi tseo di diregilego go tloga go la 1 Aporele 1978 go fihla go la 31 Matšhe 1979 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1978 go fihla go la 31 Matšhe 1979 ka 8.9%;
- Go dikotsi tseo di diregilego go tloga go la 1 Aporele 1979 go fihla go la 31 Matšhe 1980 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1979 go fihla go la 31 Matšhe 1980 ka 23.6%;
- Go dikotsi tseo di diregilego go tloga go la 1 Aporele 1980 go fihla go la 31 Matšhe 1981 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1980 go fihla go la 31 Matšhe 1981 ka 10.5%;
- Go dikotsi tseo di diregilego go tloga go la 1 Aporele 1981 go fihla go la 31 Matšhe 1982 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1981 go fihla go la 31 Matšhe 1982 ka 20.4%;
- Go dikotsi tseo di diregilego go tloga go la 1 Aporele 1982 go fihla go la 31 Matšhe 1983 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1982 go fihla go la 31 Matšhe 1983 ka 18.8%;

- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1983 go fihla go la 31 Matšhe 1984 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1983 go fihla go la 31 Matšhe 1984 ka 17.7%;
- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1984 go fihla go la 31 Matšhe 1985 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1984 go fihla go la 31 Matšhe 1985 ka 16.0%;
- Go dikotsi tšeo di diregilego go tloga go la 1 Aporele 1985 go fihla go la 31 Matšhe 1986 le malwetši ao a hlahlobilwego go tloga go la 1 Aporele 1985 go fihla go la 31 Matšhe 1986 ka 9.3%;
- Di phensene kamoka tša mabapi le dikotsi tšeo di diregilego pele go la 1 Aporele 2004 le malwetši ao a hlahlobilwego pele go la 1 Aporele 2004 di tlile go ba 4.8% go tloga go la 1 Aporele 2005.

TEMOŠO:

Ditefelo tša dipenshene tša kgwedi ka kgwedi tša Federated Employers' Mutual Assurance Company (FEMA) di tla fetolwa ka mokgwa wo o la telago.

- Go dikotsi tšeo di hlolegilego le malwetši ao a hlahlobilwego pele ga la 1 Aporele 2003, phumulakeledi eo e lego ka fase ga bonnyane ba mogolo wa ngwaga wa 2003 e tlo oketšwa go fihla go bonnyane bja phumulakeledi (go lebišitšwe mo bonnyaneng bja mogolo ya 2003 e lego R313.62 ka beke) go tloga go la 1 Aporele 2005.
- Di phensene kamoka tša mabapi le dikotsi tšeo di diregilego pele go la 1 Aporele 2004 le malwetši ao a hlahlobilwego pele go la 1 Aporele 2004 di tlile go ba 4.8% go tloga go la 1 Aporele 2005.



M M S MDLADLANA
LETONA LA TŠA MOŠOMO

No. 201

11 March 2005

MOLAO WA HLATSWADIATLA YA DIKGOBADI TŠA MOŠOMONG LE**MALWETŠI, 1993****(MOLAO WA NOMORO YA 130 WA 1993), BJALO KA GE OFETOTŠWE****PHETOLO YA LENANEO LA 4 LA MOLAO WA NOMORO YA. 130 YA 1993**

Ka tlase ga karolo ya 55 ya Molao wa Hlatswadiatla ya Dikgobadi tša Mošomong le Malwetši, 1993 (Molao wa Nomoro ya 130 wa 1993), Nna, Membathisi Mphumzi Shepherd Mdladlana, Letona la tša Mošomo, ke fetola Lenaneo la 4 go balega ka mokgwa wo o latelago go tloga ka la 1 Aporele 2005.

LENANEO LA 4**MOKGWA WA GO ŠOMA HLATSWADIATLA**

(i) Ntlha	(ii) Karolo	(iii) Mohuta le bogolo bja tšhitišego	(iv) Mohuta wa hlatswadiat la	(v) Mokgwa wa go bala hlatswadiatla
1.	47(1)(a)	Tšhitišego ya lebakanyana la ya go ya go ile	Ditefelo tša nako yeo e kgaoganego	75% ya meputso ya mošomi ya kgwedi ka kgwedi ka nako ya kotsi go ya ka hlatswadiatla ya ka godimo ya R11 193,00 kgwedi ka kgwedi.
2.	49(1)	Tšhitišego ya go ya go ile ya 30%	Palomoka ya tšhelete	Makga a 15 meputso ya mošomi ya kgwedi ka kgwedi ka nako ya kotsi go ya ka hlatswadiatla ya ka godimo ya le ka fase ya R125 400,00 le R24 480,00.
3.	49(1)	Tšhitišego ya go ya go ile ya ka tlase ga 30%	Palomoka ya tšhelete	Tšhelete yeo e lekanago le palomoka ya tšhelete yeo e šomilwego ka tlase ga ntlha 2 karolo ya go lekana le ya bogolo bja tšhitišego ya go ya go ile go 30%.

(i)	(ii)	(iii)	(iv)	(v)
4.	49(1)	Tšhitišego ya go ya go ile ya 100%	Phenšene ya kgwedi ka kgwedi	75% ya meputso ya mošomi ya kgwedi ka kgwedi ka nako ya kotsi go ya ka hlatswadiatla ya ka godimo ya le ka fase ya R11 193,00 le R1 224,00.
5.	49(1)	Tšhitišego ya go ya go ile ya ka tlase ga 100% fela e le ka godimo ga 30%	Phenšene ya kgwedi ka kgwedi	Phenšene ya kgwedi ka kgwedi yeo e lego phenšene yeo e šomilwego ka tlase ga ntlha ya 4 karolo yeo e lekanago le ya bogolo bja tšhitišego ya go ya go ile go 100%.
6.	54(1)(a)	Lehu	Palomoka ya tšhelete	Phenšene ya mošomi ya kgwedi ka kgwedi gabedi, yeo e bego e tla lefša mošomi ka tlase ga ntlha ya 4 ge nkabe a ile a golofalela sa ruri.
7.	54(1)(b)	Lehu	Phenšene ya kgwedi ka kgwedi	40% ya phenšene ya mošomi ya kgwedi ka kgwedi gabedi, yeo e bego e tla lefša mošomi ka tlase ga ntlha ya 4 ge nkabe a ile a golofalela sa ruri.
8.	54(1)(c)	Lehu	Phenšene ya kgwedi ka kgwedi	20% ya phenšene ya mošomi ya kgwedi ka kgwedi gabedi, yeo e bego e tla lefša mošomi ka tlase ga ntlha ya 4 ge nkabe a ile a golofalela sa ruri disabled go ngwana yo mongwe le yo mongwe.
9.	54(1)(e)	Lehu	Palomoka ya tšhelete	Peresente ya thušo bjalo ka karolo ya R28 680.00.
10.	54(2)	Lehu	Ditshenyegel o tša poloko	Tšhelete yeo e amogelelegago ya ditshenyegelo tša poloko go fihla go R8 880,00 goba tšhelete yeo e swanetšego yeo e ka bago ka tlase ga yeo.


M M S MDLADLANA
LETONA LA TŠA MOŠOMO