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235 Compensation for Occupational Injuries and Diseases Act (130/1993): Amendment of Schedule 3 of the Act

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GENERAL NOTICE

NOTICE 235 OF 2012



labour

Department:
Labour
REPUBLIC OF SOUTH AFRICA

COMPENSATION FUND

P O Box 955, Pretoria, 0001 Tel: (012) 319 9111, Fax: (012) 323 6627/326 7889/325 6666/323 6986
Compensation House, Cnr. Hamilton and Soutpansberg Road, Website: <http://www.labour.co.za>

DEPARTMENT OF LABOUR

COMPENASTION FOR OCCUPATIONAL INJURIES AND DISEASES

ACT No.130 of 1993, AS AMENDED

AMENDMENT OF SCHEDULE 3 OF ACT No.130 OF 1993

I, Nelisiwe Mildred Oliphant, Minister of Labour, intend to amend Schedule 3 in terms of Section 69 of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No.130 of 1993)

Any person, who wishes to comment on the proposed amendments, should submit such comments, not later than 60 days from the date of publication of this notice, in writing to:

The Compensation Commissioner or
P O Box 955
Pretoria
0001

The Compensation Commissioner
Compensation House
Soutpansberg Road and Hamilton Street
Arcadia, Pretoria
0001

Fax : (012) 357-1812

E-mail: cf-enquiries@labour.gov.za

N M OLIPHANT, MP
MINISTER OF LABOUR
07/02/2012

SCHEDULE 3

In this Schedule the following general concepts have been defined and clarified as set out below.

General

1. **Schedule 3** deals with the List of Occupational Diseases which depicts diseases that are occupational and compensable on the benefits of an explicit presumption referred to in terms of section 66 of Compensation for Occupational Injuries and Diseases Act, 1993
2. The amended Schedule 3 is issued to align the list of diseases mentioned in the first column of Schedule 3 of the Compensation for Occupational Injuries and Diseases Act, 1993. The revised 2010 list of occupational diseases, replaces the preceding one in the annex of Recommendation No 194 which was adopted in 2002
3. The amended Schedule 3 is issued in conformity with section 65(a) and 66 of the Compensation for Occupational Injuries and Diseases Act, 1993
4. The list of Occupational Diseases appended to this amended Schedule 3 shall supersede the list of diseases mentioned in the first column of Schedule 3 in terms 65(a) of the Compensation for Occupational Injuries and Diseases Act, 1993
5. **Work shall be defined as:**
 - All work involving the handling of and/or exposure to any agents(s) mentioned in the List of Occupational Diseases; and or/
 - Any occupation involving the handling of and/or exposure to specify agent/work processes mentioned in the list of Occupational Diseases.
6. Work as defined in the amended Schedule 3 shall supersede all previous work(s) mentioned in Schedule 3 and in section 66 of the Compensation for Occupational Injuries and Diseases Act, 1993.

In the application of this list the degree and type of exposure and the work or occupation involving a particular risk of exposure should be taken into account when appropriate

A. LIST OF OCCUPATIONAL DISEASES**(revised 2010)**

- 1. Occupational diseases caused by exposure arising from work activities**
- 1.1. Diseases caused by chemical agents**
 - 1.1.1. Diseases caused by beryllium or its compounds
 - 1.1.2. Diseases caused by cadmium or its compounds
 - 1.1.3. Diseases caused by phosphorus or its compounds
 - 1.1.4. Diseases caused by chromium or its compounds
 - 1.1.5. Diseases caused by manganese or its compounds
 - 1.1.6. Diseases caused by arsenic or its compounds
 - 1.1.7. Diseases caused by mercury or its compounds
 - 1.1.8. Diseases caused by lead or its compounds
 - 1.1.9. Diseases caused by fluorine or its compounds
 - 1.1.10. Diseases caused by carbon disulfide
 - 1.1.11. Diseases caused by halogen derivatives of aliphatic or aromatic hydrocarbons
 - 1.1.12. Diseases caused by benzene or its homologues
 - 1.1.13. Diseases caused by nitro-and amino-derivatives of benzene or its homologues
 - 1.1.14. Diseases caused by nitroglycerine or other nitric acid esters
 - 1.1.15. Diseases caused by alcohols, glycols or ketones
 - 1.1.16. Diseases caused by asphyxiants like carbon monoxide, hydrogen sulfide, hydrogen cyanide or its derivatives
 - 1.1.17. Diseases caused by acrylonitrile
 - 1.1.18. Diseases caused by oxides of nitrogen
 - 1.1.19. Diseases caused by vanadium or its compound
 - 1.1.20. Diseases caused by antimony or its compound
 - 1.1.21. Diseases caused by hexane
 - 1.1.22. Diseases caused by mineral acid
 - 1.1.23. Diseases caused by pharmaceutical agents
 - 1.1.24. Diseases caused by nickel or its compounds

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- 1.1.25. Diseases caused by thallium or its compounds
- 1.1.26. Diseases caused by osmium or its compounds
- 1.1.27. Diseases caused by selenium or its compounds
- 1.1.28. Diseases caused by copper or its compounds
- 1.1.29. Diseases caused by platinum or its compounds
- 1.1.30. Diseases caused by tin or its compounds
- 1.1.31. Diseases caused by zinc or its compounds
- 1.1.32. Diseases caused by phosgene
- 1.1.33. Diseases caused by corneal irritants like benzoquinone
- 1.1.34. Diseases caused by ammonia
- 1.1.35. Diseases caused by isocyanates
- 1.1.36. Diseases caused by pesticides
- 1.1.37. Disease caused by sulphur oxides
- 1.1.38. Diseases caused by organic solvents
- 1.1.39. Diseases caused by latex or latex-containing products
- 1.1.40. Diseases caused by chlorine
- 1.1.41. Diseases caused by other chemical agents at work not mentioned in the preceding items where a direct link is established scientifically, or determined by methods appropriate to national conditions and practice, between the exposure to these chemical agents arising from work activities and the disease(s) contracted by the worker

1.2 Diseases caused by physical agents

- 1.2.1. Hearing impairment caused by noise
- 1.2.2. Diseases caused by vibration (vibration of muscles, tendons, bones, joints, peripheral blood vessels or peripherals nerves)
- 1.2.3. Diseases caused by compressed or decompressed or decompressed air
- 1.2.4. Diseases caused by ionizing radiations
- 1.2.5. Diseases caused by optical (ultraviolet, visible light, infrared) radiations

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including laser

- 1.2.6. Diseases caused by exposure to extreme temperatures
- 1.2.7. Diseases caused by other physical agents at work not mentioned in the preceding items where a direct link is established scientifically, or determined by methods appropriate to national conditions and practice, between the exposure to these physical agents arising from work activities and the disease(s) contracted by the worker

1.3 Biological agents and infectious or parasitic diseases

- 1.3.1. Brucellosis
- 1.3.2. Hepatitis viruses
- 1.3.3. Human immunodeficiency virus (HIV)
- 1.3.4. Tetanus
- 1.3.5. Tuberculosis
- 1.3.6. Toxic or inflammatory syndromes associated with bacterial or fungal contaminants
- 1.3.7. Anthrax
- 1.3.8. Leptospirosis
- 1.3.9. Diseases caused by other biological agents at work not mentioned in the preceding items where a direct link is established scientifically, or determined by methods appropriate to national conditions and practice, between the exposure to these biological agents arising from work activities and the disease(s) contracted by the worker

2 Occupational diseases by target organ system

2.1. Respiratory diseases

- 2.1.1. Pneumoconioses caused by fibrogenic mineral dust (silicosis, anthraco-silicosis, asbestosis)
- 2.1.2. Silicotuberclulosis

In the application of this list the degree and type of exposure and the work or occupation involving a particular risk of exposure should be taken into account when appropriate

- 2.1.3. Pneumoconiosis caused by non-fibrogenic dust
- 2.1.4. Siderosis
- 2.1.5. Bronchopulmonary diseases caused by hard-metal dust
- 2.1.6. Bronchopulmonary diseases caused by dust of cotton (byssinosis), flax, hemp, sisal or sugar cane (bagassos)
- 2.1.7. Asthma caused by recognized sensitizing agents or irritants to the work process
- 2.1.8. Extrinsic allergic alveolitis caused by the inhalation of organic dusts or microbially contaminated aerosols arising from work activities
- 2.1.9. Chronic obstructive pulmonary diseases caused by inhalation of coal dust, dust from stone quarries, woods dust, dust from cereals and agricultural work, dust in animal stables, dust from textiles, and paper dust, arising from work activities
- 2.1.10. Diseases of the lung caused by aluminum
- 2.1.11. Upper airways disorders caused by recognized sensitizing agents or irritants inherent to the work process
- 2.1.12. Other respiratory diseases not mentioned in the preceding items where a direct link established scientifically, or determined by methods appropriate to national conditions and practice, between the exposure to risk factors arising from work activities and the disease(s) contracted by the worker

2.2 Skin diseases

- 2.2.1. Allergic contact dermatoses and contact urticaria caused by the other recognized Allergy- provoking agents from work activities not included in other items
- 2.2.2. Irritant contact dermatoses caused by other recognized irritant agents arising from work activities not included in other items
- 2.2.3. Vitiligo caused by other recognized agents arising from work activities not activities
- 2.2.4. Other skin diseases caused by physical, chemical or biological agents at work not included under other items where a direct link is established scientifically, or determined by methods appropriate to national conditions and practice, between

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the exposure to risk factors arising from activities and the skin disease(s) contracted by the worker

2.3 Musculoskeletal disorders

- 2.3.1 Radial styloid tenosynovitis due to repetitive movements, forceful exertions and extreme postures of the wrist
- 2.3.2 Chronic tenosynovitis of hand and wrist due to repetitive movements, forceful exertions and extreme postures of the wrist
- 2.3.3 Olecranon bursitis due to prolonged pressure of the elbow region
- 2.3.4 Prepatellar bursitis due to prolonged stay in kneeling position
- 2.3.5 Epicondylitis due to repetitive forceful work
- 2.3.6 Meniscus lesions following extended periods of work in a kneeling or squatting position
- 2.3.7 Carpal tunnel syndrome due to extended periods of repetitive forceful work, work involving vibration, extreme posture of the wrist, or a combination of three
- 2.3.8 Other musculoskeletal disorders not mentioned in the preceding items where a direct link is established scientifically, or determined by methods appropriate to national conditions and practice, between the exposure to risk factors arising from work activities and the musculoskeletal disorder(s) contracted by the worker

2.4 Mental and behavioral disorders

- 2.4.1 Post-traumatic stress disorder
- 2.4.2 Other mental or behavioral disorders not mentioned in the preceding item where a direct link is established scientifically, or determined by methods appropriate to national conditions and practice, between the exposure to risk factors arising from work activities and the mental behavioral disorder(s) contracted by the worker

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3. Occupational Cancer**3.1 Cancer caused by the following agents**

- 3.1.1 Asbestos
- 3.1.2 Benzidine and its salts
- 3.1.3 Bis-chloromethyl ether (BCME)
- 3.1.4 Chromium VI compounds
- 3.1.5 Coal tars, coal tar pitches or soots
- 3.1.6 Beta-naphthylamine
- 3.1.7 Vinyl chloride
- 3.1.8 Benzene
- 3.1.9 Toxic nitro and amino-derivatives of benzene or its homologues
- 3.1.10 Ionizing radiations
- 3.1.11 Tar pitch, bitumen, mineral oil, anthracene, or the compounds, products or residues of these substances
- 3.1.12 Coke oven emissions
- 3.1.13 Nickel compounds
- 3.1.14 Wood dust
- 3.1.15 Arsenic and its compounds
- 3.1.16 Beryllium and its compounds
- 3.1.17 Cadmium and its compounds
- 3.1.18 Erionite
- 3.1.19 Ethylene oxide
- 3.1.20 Hepatitis B virus (HBV) and hepatitis C virus (HCV)
- 3.1.21 Cancers caused by other agents at work not mentioned in the preceding items where a direct link established scientifically, or determined by methods appropriate to national conditions and practice between the exposure to these agents arising from work activities and the cancer(s) contracted by the worker

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4. Other diseases

4.1 Miners' nystagmus

4.2 Other specific diseases caused by occupations or processes not mentioned in this list where a direct link is established scientifically, or determined by methods appropriate to national conditions and practice, between the exposure arising from work activities and the diseases(s) contracted by the worker

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