



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 448

Pretoria, 1 October 2002
Oktober

No. 23882



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

CONTENTS • INHOUD*No.**Page
No. Gazette
No.***GOVERNMENT NOTICES****Labour, Department of***Government Notices*

1220	Compensation for Occupational Injuries and Diseases Act (130/1993): Increase in monthly pensions	3	23882
1224	Compensation for Occupational Injuries and Diseases Act (130/1993): Amendment of Schedule 4.....	4	23882

GOVERNMENT NOTICES

DEPARTMENT OF LABOUR**No. 1220****1 October 2002****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 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), by 6,1% in respect of accidents which occurred before 1 March 2002 as well as occupational diseases which were diagnosed before 1 March 2002 with effect from 1 March 2003.

Any person who wishes to comment on the proposed amendments, should submit such comments in writing to the Compensation Commissioner, P O Box 955, Pretoria, 0001, not later than 30 November 2002.



M M S MDLADLANA
MINISTER OF LABOUR

No. 1224

1 October 2002

**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 March 2003.

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 R9 321,00 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 R104 445,00 and R20 385,00.
3.	49(1)	Permanent disablement of less than 30%	Lump sum	An amount which bears to a lump sum calculated under item 2 of 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 R9 321,00 and R1 019,25.

(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 R7 395,00 or the actual amount, whichever is the lesser.

Any person who wishes to comment on the proposed amendments, should submit such comments in writing to the Compensation Commissioner, P O Box 955, Pretoria, 0001, not later than 30 November 2002.


M M S MDLADLANA
MINISTER OF LABOUR

No. 1220

1 October 2002

LEFAPHA LA MESEBETSI**MOLAO WA DITLHAPISO TSA DIKOTSI LE MAFU A MOSEBETSING,****1993****(MOLAO WA No. YA 130 WA 1993) JWALO KA HA O FETOTSWE****NYOLLO YA DIPENSHENE TSA KGWEDI LE KGWEDI**

Ka ho ya ka dipehelo tsa karolo ya 57(1) ya Molao wa Ditlhapiso tsa Dikotsi le Mafu a Mosebetsing, 1993 (Molao wa No. ya 130 wa 1993), Letona la Mosebetsi le batla ho nyolla dipenshene tsa kgwedi le kgwedi tse leshwang ka ho ya ka dipehelo tsa dikarolo tsa 39(1) (c) le (d) le 40(1)(a), (b), (c) le (d) tsa Molao wa Ditlhapiso tsa Basebetsi, 1941 (Molao wa No. ya 30 wa 1941), le ka ho ya ka dipehelo tsa dikarolo tsa 49(1)(a) le 54(1)(a), (b), (c) le (d) tsa Molao wa Ditlhapiso tsa Dikotsi le Mafu a Mosebetsing, 1993 (Molao wa No. ya 130 wa 1993), ka 6,1% bakeng sa dikotsi tse hlahileng pele ho la 1 Hlakubele 2002 ekasitana le mafu a mosebetsing a fumanweng a tshwere basebetsi pele ho la 1 Hlakubele 2002, mme hona ho tla qala ho tloha ka la 1 Mmesa 2003.

Motho ofe kapa ofe ya batlang ho tshwaela ka diphetolo tse sisintsweng, o tla tshwanela ho romela ditshwaelo tseo ho Mokhomishenara wa Ditlhapiso, P.O. Box 955, Pretoria, 0001, ho eso fete la 30 Pudungwana 2002.



M M S MDLADLANA
LETONA LA MESEBETSI

No. 1224

1 October 2002

LEFAPHA LA MESEBETSI**MOLAO WA DITLHAPISO TSA DIKOTSI LE MAFU A MOSEBETSING,
1993****(MOLAO WA No. 130 WA 1993) JWALO KA HA O FETOTSWE****PHETOLO YA SHEJULU YA 4 YA MOLAO WA No. YA 130 WA 1993**

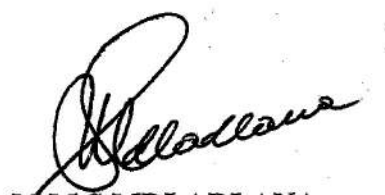
Letona la Mesebetsi le rata ho fetola Shejulu ya 4 ya karolo ya 55 ya Molao wa Ditlhapiso tsa Dikotsi le Mafu a Mosebetsing, 1993 (Molao wa No. ya 130 wa 1993) ho tloha ka la 1 Mmesa 2003.

SHEJULU YA 4**MOKGWA WA HO BALA DITLHAPISO**

(i) Ntlha	(ii) Karolo	(iii) Mofuta le bonabo ba kgolofalo	(iv) Mofuta wa dithuso	(v) Mokgwa wa ho bala dithuso
1	47(1)(a)	Ho holofala ka botlalo bakeng sa nakwana	Ditefello tsa nako le nako	75% ya moputso wa mosebeletsi wa kgwedi nakong eo ya kotsi, mme hona ho tla ya ka bohobo ba tlhapiso ya R9 321,00 ka kgwedi
2	49(1)	Ho holofala saruri bonabong bo ka etsang 30%	Shwahla ya tjhelete	Moputso wa mosebeletsi o menahane ha 15 nakong ya kotsi, mme hona ho tla ya ka bohobo le bonyane ba ditlhapiso ya R104 445,00 le R20 385,00
3	49(1)	Ho holofala saruri bonabong bo ka tlase ho 30%	Shwahla ya tjhelete	Palo e fihlang hohwahla ya tjhelete e tla balwa ka tlasa ntlha ya 2 e le tekanyetso e tshwanang le ya bonabo ba ho holofala saruri ho fihlang bonabong ba 30%.
4	49(1)	Ho holofala saruri bonabong bo ka etsang 100%	Penshene ya kgwedi le kgwedi	75% ya moputso wa mosebeletsi wa kgwedi nakong eo ya kotsi, mme hona ho tla ya ka bohobo le bonyane ba ditlhapiso ya R9 321,00 le R1 019,25

(i)	(ii)	(iii)	(iv)	(v)
5.	49(1)	Ho holofala saruri bonabong bo ka tlase ho 100% epma bo le ka hodimo ho 30%	Penshene ya kgwedi le kgwedi	Penshene ya kgwedi le kgwedi e nang le penshene e badilweng tlasa ntlha ya 4 ka tekanyetso e tshwanang le ya bonabo ba kgolofalo ya saruri ya bonabo ba 100%.
6.	54(1)(a)	E bolayang	Shwahla ya tjhelete	Penshene ya mosebeletsi ya kgwedi e menahane habedi e leng eo e neng e tla leshwa mosebeletsi tlasa ntlha ya 4 ha a ne a holofetse ka botlalo bakeng saruri.
7.	54(1)(b)	E bolayang	Penshene ya kgwedi le kgwedi	40% ya penshene ya kgwedi le kgwedi e leng eo e neng e tla leshwa mosebeletsi tlasa ntlha ya 4 ha a ne a holofetse ka botlalo bakeng saruri.
8.	54(1)(c)	E bolayang	Penshene ya kgwedi le kgwedi	20% ya penshene ya kgwedi le kgwedi e leng eo e neng e tla leshwa mosebeletsi tlasa ntlha ya 4 ha a ne a holofetse ka botlalo bakeng saruri, e fuwa ngwana e mong le e mong.
9.	54(1)(e)	E bolayang	Shwahla ya tjhelete	Persente e tla itshetleha hodima karolo ya R28 680,00
10.	54(2)	E bolayang	Ditjeo tsa lepato	Palo e bonahalang bakeng sa lepato ho fihlela boholong ba R7 395,00 kapa palo eo e leng yona hantlentle, mme ho tla ya ka hore ke hofe ho ka tlase.

Motho ofe kapa ofe ya batlang ho tshwaela ka diphetolo tse sisintsweng, o tla tshwanela ho romela ditshwaelo tseo ho Mokhomishenara wa Ditlhapiso, P.O. Box 955, Pretoria, 0001, ho eso fete la 30 Pudungwana 2002.


M M S MDLADLANA
LETONA LA MESEBETSI