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**CONTENTS**

<i>No.</i>	<i>Page No.</i>	<i>Gazette No.</i>
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**GOVERNMENT NOTICES****Labour, Department of***Government Notices*

70 Compensation for Occupational Injuries and Diseases Act (130/1993): Increase in monthly pensions .....	3	28432
71 do.: Amendment of Schedule 4 of the Act .....	4	28432

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**GOVERNMENT NOTICES**

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**DEPARTMENT OF LABOUR****No. 70****27 January 2006****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 2% in respect of accidents which occurred before 1 April 2005 as well as occupational diseases which were diagnosed before 1 April 2005 with effect from 1 April 2006.

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 10 February 2006.



**M M S MDLADLANA**  
**MINISTER OF LABOUR**

No. 71

27 January 2006

**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 2006.

**SCHEDULE 4****MANNER OF CALCULATING COMPENSATION**

<b>(i)</b>	<b>(ii)</b>	<b>(iii)</b>	<b>(iv)</b>	<b>(v)</b>
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 R11 865,00 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 R132 930,00 and R28 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 R11 865,00 and R1 410,75.

(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 R9 200,00 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 10 February 2006.



**M M S MDLADLANA**  
**MINISTER OF LABOUR**

**UMNYANGO WEZABABEREGI**

No. 70

27 January 2006

**UMNYANGO WEZOKUNCEPHEZELISA UKULIMALA NEZIFO  
EZITHOLAKALA EMBEREGWENI EDINYANENI**

1993

**(ACT NO 130 OF 1993) KUYANGETJHUGHULULO****UKUNGEZELELWA KWEPENTJENI YENYANGA**

Ungqongqotjhe weendaba zababeregi uhlongosa ukukhuphula imali yokuncephezela malungana nokuliliswa ekulimaleni nezifo ngaphasi komthetho wediyana sigaba 57(1) yomthetho ka1993 (Act no 130 of 1993) okuyimali yepentjheni ebhadalwa ngenyanga ngaphasi komthetho wediyana 39 (i)(c) and 40(1) (a), (b), (c) and (d) ye-Workmen's Compensation Act womnyaka ka1941, (Act no 30 of 1941), kandi ke ngaphasi komthetho we49 (1)(a) and 54(1) (a), (b), (c) and (d) yomthetho wokuncephezela kokulimala nezifo ka 1993 (Act no 130 of 1993), ngamaphesente amabili (2%), kubalwa neengozi ezenzeka ngaphambi kwamhla ilanga linye enyangeni ka-April 2005, kubalwa nesifo esafunyanwa ngaphambi kwamhlanga ilanga lilinye enyangeni ka-April 2005 kuthoma mhla ilanga lilinye enyangeni ka-April 2006.

Nanoma ngubani ofuna ukuphawula ngesiphakamiso samatjhughuluko la, kufanele anikele ngeemphakamiso ngokukholela i Compensation Commissioner, P O Box 955, Pretoria, 0001, ngaphambi kwamhla amalanga amasumi amathathu enyangeni ka Feberwari 2006.



**M M S MDLADLANA**  
**UNGQONGQOTJHE WEENDABA ZABABEREGI**

No. 71

27 January 2006

**UKUBHADALWA KOKULIMALA NEZIFO NGAPHASI KOMTHETHO****WEDINYANA, KA 1993****(ACT NO. 130 OF 1993) KUYANGOETJU GHULULO****ITJHUGHULULO LEHLELO LESINE NGAPHASI KOMTHETHO WEDINYANA  
ENOMBHORWENI, 130 KA 1993**

Ungqongqotjhe weendaba zababeregi uhlongose ukutjhughulula ihlelo lesina ngaphasi kwedinyana yesigaba 55 yomthetho wokuncephezela kokulimala nezifo ka 1993 (Act No. 130 of 1993), ezakuthoma mhla lilinye enyangeni ka April 2006.

**IHLELO LESINE****INDLELA YOKUBALA IZINCEPHEZELO**


	<b>ISIGABA</b>	<b>ISIMO NESIBALO SOKUKHUBA ZEKA</b>	<b>ISIMO SEMIVUZO</b>	<b>INDLELA YOKUBALA IMIVUZO</b>
1.	47(1)(a)	Ukukhubazeka kwesikhatshana	Ukuncephezela kwamalanga isiberegi singekho emberegweni	Inani elingange 75% emrholweni wesiberegi ngesikhathi sokulumala kuyangesilinganiso somnyango wababeregi iza kuncephezeliwa ingabi ngaphezu kuka R11 865,00 ngenyanga.
2.	49(1)	Isitho esikhubazekile kulingana no 30%	Isamba semali	Irhola lenyanga lesiberegi lizakuphindwa phindwa nge 15 kuyangesikhathi sokulimala ngaphasi kwesilinganiso sokuncephezela sika R132 930,00 ne R28 215,00.

3.	49(1)	Isitho esikhubazekile ngaphasi kwe 30%	Isamba semali	Inani elilingana naleli elingaphasi kwesigaba sesibili Lizakuncephe zeliswa okokufana kuyangokulimala isitho esilinganiswa ne 30%.
4.	49(1)	Isitho esikhubazekile ku 100%.	Ipentjheni yenyanga	Inani elingange 75% lomrhlo wesiberegi ngesikhathi sokulimala izakuphindwa phindwa kuya ngesilinganiso sabareregi esilingana ne R11 865.00 ne R1 410.75.
5.	49(1)	Ukukhubazeka kwesitho somzimba ngaphasikwe 100% kodwa ngaphezu kwe 30%.	Ipentjheni yenyanga	Ipentjheni yenyanga encepheziswe ngaphasi kwesigaba sesine ilingana nobungakho bokukhubazeka isitho esibalelwa ku 100%.
6.	54(1)(a)	Ukuhlongakala	Ipentjheni yenyanga	Ipentjheni yenyanga incepheziswa Kabili kuyangendlela yepentjheni yesiberegi ebeyizabe incephezilwa ngayo ngaphasi kwesigaba sesine uma isiberegi sikhubazeke isitho.
7.	54(1)(b)	Ukuhlongakala	Ipentjheni yenyanga	Inani elingange 40% kupentjheni yenyanga izakuncephezilisa isiberegi ngaphasi kwesigaba sesine uma sihlongakele.
8.	5(1)(c)	Ukuhlongakala	Ipentjheni Yenyanga	Inani eligange 20% incepheziliswa umtrwana ngamunye wesiberegi uma sihlongakele.
9.	54(1)(e)	Ukuhlongakala	Ipentjheni Yenyanga	Uma isiberegi sihlongakele singenamtrwana namkha singenamfazi. Labo abondlwa yisiberegi bazakuncepheziliswa inani lemali engekhe idlule u R28 680,00.



10.	54(2)	Ukuhlongakala	Indleko zokungcwaba	Izindleko zomngcwabo zincephezeliswa inani elibaliweko elingadluli u R9 200,00.
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Nanoma ngubani ofuna ukuphawula ngesiphakamiso samatjhughululo la, ufanele anikele noma aklolele e Compensation Commissioner, P O Box 955, Pretoria, 0001. Ngaphambi kwamhla amalanga amasumi amathathu enyangeni ka Feberwari 2006.



M.M.S MDLADLANA

UNGQONGQOTJHE WEENDABA ZABABEREGI