

Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 491

Pretoria, 5 May
Mei 2006

No. 28808

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

421	Compensation for Occupational Injuries and Diseases Act (130/1993): Increase in monthly pensions	3	28808
422	do.: Increase of maximum amount of earnings on which the assessment of an employer shall be calculated	5	28808
423	do.: Amendment of Schedule 4 of the Act	7	28808

GOVERNMENT NOTICES

DEPARTMENT OF LABOUR

No. 421**5 May 2006****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), 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 by 2%.



M M S MDLADLANA
MINISTER OF LABOUR

UMNYANGO WEZABABEREGI

No. 421

5 May 2006

UMNYANGO WEZOKUNCEPHEZELISA UKULIMALA NEZIFO EZITHOLAKALA
EMBEREGWENI EDINYANENI

1993

(ACT NO 130 OF 1993) KUYANGETJHUGHULULO

UKUNGEZELELWA KWEPENTJENI YENYANGA

Ngaphasi komthetho wediyana isigaba 57(1) sokuncephezelisa malungana nokuliliswa ekulimaleni nezifo emthethweni ka 1993 (Act no 130 of 1993). Mina Membhathisi Mphumzi Shepherd Mdladlana, Ngqongqotjhe weendaba zababeregi, ngikhuphula imali yokuncephezelisa malungana nepentjheni ebhadalwa ngenyanga ngaphasi komthetho wediyana 39(i) (c) ne 40(1) (a), (b), (c) ne (d) ye-Workmen's Compensation Act wonyaka ka 1941, (Act no 30 of 1941), kandi ke ngaphasi komthetho we 49(1)(a) ne 54(1) (a), (b), (c) ne (d) emthethweni wokuncephezelisa ekulimaleni nezifo ka 1993 (Act no 130 of 1993), ngamaphesente amabili (2%), kubalwa neengozi ezenzeka ngaphambi kwamhla ilanga lilinye enyangeni ka-April 2005, kubalwa nezifo ezafunyanwa ngaphambi kwamhla ilanga lilinye enyangeni ka-April 2005 kuthoma mhla ilanga lilinye enyangeni ka-April 2006.



M M S MDLADLANA
UNGQONGQOTJHE WEENDABA ZABABEREGI

DEPARTMENT OF LABOUR

No. 422

5 May 2006

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 189 840 per annum as the maximum amount of earnings with effect from 1 April 2006.



M.M.S MDLADLANA
MINISTER OF LABOUR

UMNYANGO WEZABABEREGI

No. 422

5 May 2006

UMNYANGO WEZOKUNCEPHEZELISA UKULIMALA NEZIFO EZITHOLAKALA
EMBEREGWENI EDINYANENE 1993

(ACT NO.130 OF 1993) KUYANGETJHUGHULULO

UKUKHUTSHULIWA KWESILINGANISO SENANI LERHOLO MAQONDANA
NEMALI EBHADALWA NGABAQATSHI IZAKUBALWA, NGENDLELA LE:

Ngaphasi komthetho wediyana isigaba 83 (8) wokuncephezelisa malungana nokuliliswa ekulimaleni nezifo emthethweni ka 1993 (Act No. 130 of 1993), Mina Membathisi Mphumzi Shepherd Mdladlana, Ngqongqotjhe weendaba zababeregi, ngibeka isilinganiso semali yerholo engange R 189 840 ngonyaka, ezokuthoma ngomhla ilanga lilinye ku April 2006.


M M S MDLADLANA

UNGQONGQOTJHE WEENDABA ZABABEREGI

No. 423

5 May 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

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 2006.

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 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.


M M S MDLADLANA
MINISTER OF LABOUR

UMNYANGO WEZABABEREGI**No. 423****5 May 2006****UMNYANGO WEZOKUNCEPHEZELISA UKULIMALA NEZIFO EZITHOLAKALA****EMBEREGWENI EDINYANENE 1993****(ACT NO.130 OF 1993) KUYANGETJHUGHULULO****ITJHUGHULULO LEHLELO LESINE NGAPHASI KOMTHETHO WEDINYANA
ENOMBHORWENI, 130 KA 1993**

Ngaphasi kwedinyana isigaba 55 sokuncephezela malungana nokuliliswa ekulimaleni nezifo komthetho ka 1993 (Act no 130 of 1993) Mina Membathisi Mphumzi Shepherd Mdladlana, Ngqongqotjhe weendaba zababeregi ngitjhugulula ihlelo lesine bombana lifundeke ngendlela le ukuthoma kwamhla ilanga lilinye ku April 2006.

IHLELO LESINE**INDLELA YOKUBALA IZINCEPHEZELO**

	ISIGABA	ISIMO NESIBALO SOKUKHUBA ZEKA	ISIMO SEMIVUZO	INDLELA YOKUBALA IMIVUZO
1.	47(1)(a)	Ukukhubazeka kwesikhatshana	Ukuncephezela kwamalanga isiberegi singekho emberegweni.	Inani elingange 75% emholweni wesiberegi ngesikhathi sokulumala kuyangesilinganiso somnyango wababeregi iza kuncepheziswa 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% lomrholo wesiberegi ngesikhathi sokulimala izakuphindwa phindwa kuya ngesilinganiso sababeregi 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 encephezeliswe ngaphasi kwesigaba sesine ilingana nobungakho bokukhubazeka isitho esibalelwa ku 100%.
6.	54(1)(a)	Ukuhlongakala	Ipentjheni yenyanga	Ipentjheni yenyanga incephezeliswa kabili kuyangendlela yepentjheni yesiberegi ebeyizabe incephezelwa ngayo ngaphasi kwesigaba sesine uma isiberegi sikhubazeke isitho.
7.	54(1)(b)	Ukuhlongakala	Ipentjheni yenyanga	Inani elingange 40% kupentjheni yenyanga izakuncephezelisa isiberegi ngaphasi kwesigaba sesine uma sihlongakele.
8.	5(1)(c)	Ukuhlongakala	Ipentjheni Yenyanga	Inani elingange 20% lincephezelisa umtrwana ngamunye wesiberegi uma sihlongakele.
9.	54(1)(e)	Ukuhlongakala	Ipentjheni Yenyanga	Uma isiberegi sihlongakele singenamtrwana namkha singenamfazi. Labo abondlwa yisiberegi bazakuncephezeliswa inani lemali engekhe idlule u R28 680,00.

10.	54(2)	Ukuhlongakala	Indleko zokungcwaba	Izindleko zomngcwabo zincephezeliswa inani elibaliweko elingadluli u R9 200,00.
-----	-------	---------------	---------------------	---



M.M.S MDLADLANA

UNGQONGQOTJHE WEENDABA ZABABEREGI