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GOVERNMENT NOTICES

DEPARTMENT OF LABOUR**No. 693****22 June 2009****COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT,
1993
(ACT No. 130 OF 1993), AS AMENDED****INCREASE IN MONTHLY PENSIONS**

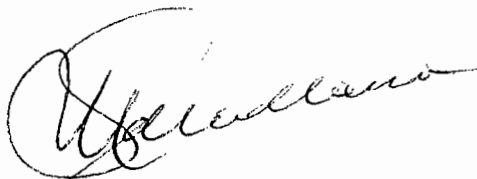
Under section 57(1) of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, prescribes an increase in monthly pensions payable in terms of sections 39(1) (c) and (d) and 40(1)(a), (b), (c) and (d) of the 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)(ii) of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), by 6.0% in respect of accidents which occurred before 1 April 2007 as well as occupational diseases which were diagnosed before 1 April 2008 with effect from 1 July 2009.



**M M S MDLADLANA
MINISTER OF LABOUR**

NDZAWULO YA VATIRHI**No. 693****22 June 2009****NAWU WA NDZIRISO WA KU VAVISEKA NA MAVABYI EMITIRHWENI,
1993****(NAWU WA No. 130 WA 1993), HILAHA WU CINCIWEKE HAKONA****NTLAKUSO WA TIPHENXENI TA N’HWETI NA N’HWETI**

Ehansi ka xiyenge xa 57(1) xa Nawu wa Ndziriso wa ku Vaviseka na Mavabyi Emitirhweni, 1993 (Nawu wa No. 130 wa 1993), mina, Membathisi Shepherd Mdladlana, Holobywa wa Vatirhi, ndzi lawula leswaku ku va na ntlakuso eka tiphenxeni ta n’hweti na n’hweti leti faneleke ku hakeriwa ku ya hi swiyenge swa 39(1) (c) na (d) na 40(1)(a), (b), (c) na (d) swa Nawu wa Ndziriso wa Vatirhi (Workmen’s Compensation Act), 1941 (Nawu wa No. 30 wa 1941), na hi ku landza swiyenge swa 49(1)(a) na 54(1)(a), (b), (c) na (d)(ii) swa Nawu wa Ndziriso wa ku Vaviseka na Mavabyi Emitirhweni, 1993 (Nawu wa No. 130 wa 1993), hi 6.0% eka tinghozi leti humeleleke ku nga si fika siku ra 1 Dzivamisoko 2007 xikan’we na mavabyi ya le mitirhweni lama fembiweke/paluxiweke ku nga si fika siku ra 1 Dzivamisoko 2008 ku sukela hi siku ra 1 Mawuwani 2009.

**M M S MDLADLANA****HOLOBYE WA VATIRHI**

No. 694

22 June 2009

**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 as follows with effect from 1 July 2009.

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 R14 948, 25 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 R167 445,00 and R41 850,00.
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 R14 948,25 and R2 092,50.

(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)(d)(ii)	Fatal	Lump sum	Percentage dependence as portion of R86 930,00.
10.	54(2)	Fatal	Funeral costs	A reasonable amount for funeral costs to a maximum of R11 155,00 or the actual amount, whichever is the lesser.
11.	63(1)(a)	Minimum for free food and quarters	To be included in earnings	Minimum for free food R147.00 per month and minimum for free quarters R68.00 per month.
12.	28	Constant attendance allowance	Monthly allowance	Fixed amount of R1 166,00 per month



M.M.S MDLADLANA
MINISTER OF LABOUR

NDZAWULO YA VATIRHI

No. 694

22 June 2009

NAWU WA NDZIRISO WA KU VAVISEKA NA MAVABYI EMITIRHWENI,

1993

(NAWU WA No. 130 WA 1993), HILAHA WU CINCIWEKE HAKONA

KU CINCA KA XEDULU YA 4 YA NAWU WA No. 130 WA 1993

Ehansi ka xiyenge xa 55 xa Nawu wa Ndziriso wa ku Vaviseka na Mavabyi Emitirhweni, 1993 (Nawu wa No. 130 wa 1993), mina, Membathisi Shepherd Mdladlana, Holobywa wa Vatirhi, ndzi ndzi cinca Xedulu ya 4 hi ndlela leyi landzelaka ku sukela hi siku ra 1 Mawuwani 2009.

XEDULU YA 4

MAHLAYELELO/MAKHAKHULETELO YA NDZIRISO

(i)	(ii)	(iii)	(iv)	(v)
Mhaka ya	Xiyenge xa	Muxaka na xiyimo xa vulamari	Muxaka wa mpfuno/ ku vuyeriwa	Ndlela yo hlayelela mpfuno
1.	47(1)(a)	Vulamari byo hetiseka bya nkarhinyana	Tihakelo hi mikarhi yo karhi	75% ya muholo wa mutirhi hi nkarhi wa ku humelela ka nghozi ntsena loko ndziriso wu ta ka wu nga hundzi R14 948, 25 hi n'hwetl.
2.	49(1)	Vulamari bya nkarhi hinkwawo hi 30%	Mali hinkwayo xikan'we	Ku hundza muholo wa mutirhi wa n'hwetl na n'hwetl ka 15 hi

				<p>ntkarhi wa ku humelela ka nghozi, ntsena loko ndziriso wu ta ka wu nga hundzi na ku va ehansi ka ndziriso wa R167 445, 00 na R41 850, 00.</p>
3.	49(1)	Vulamari bya nkarhi hinkwawo bya le hansi ka 30%	Mali hinkwayo xikan'we	<p>Ntsengo lowu yelanaka na mali leyi hakeriwaka hinkwayo xikan'we leyi hlayeleriweke ehansi ka mhaka ya 2 ku va yi ringana na xiyimo xa vulamari bya nkarhi hinkwawo bya 30%.</p>
4.	49(1)	Vulamari bya nkarhi hinkwawo bya 100%	Phenxeni ya n'hweti na n'hweti	<p>75% ya muholo wa mutirhi ya n'hweti na n'hweti hi nkarhi lowu nghozi yi endlekeke ha wona, ntsena loko ndziriso wu nga hundzi kumbe ku va ehansi ka R14 948,25 na R2 092.50</p>
(i)	(ii)	(iii)	(iv)	(v)
5.	49(1)	Vulamari bya nkarhi hinkwawo bya le hansi ka 100% kambe bya le henhla ka 30%	Phenxeni ya n'hweti na n'hweti	<p>Phenxeni ya n'hweti leyi yelanaka na phenxeni leyi hlayeleriweke ehansi ka mhaka ya 4 ku va</p>

				yi ringana na xiyimo xa vulamari bya nkarhi hinkwawo bya 100%.
6.	54(1)(a)	Byo dlyaya	Mali hinkwayo xikan'we	Phenxeni ya mutirhi hikambirhi leyi a yi ta va yi hakeriwile mutirhi ehansi ka mhaka ya 4 loko a swi lo endleka leswaku a lamalela makumu hi ku hetiseka.
7.	54(1)(b)	Byo dlaya	Phenxeni ya n'hweti na n'hweti	40% ya phenxeni ya n'hweti na n'hweti ya mutirhi leyi a yi ta va yi hakeriwile mutirhi ehansi ka mhaka ya 4 loko a swi lo endleka leswaku a lamalela makumu hi ku hetiseka.
8.	54(1)(c)	Byo dlaya	Phenxeni ya n'hweti na n'hweti	20% ya phenxeni ya n'hweti na n'hweti leyi a yi ta va yi hakeriwile mutirhi ehansi ka mhaka ya 4 loko a swi lo endleka leswaku a lamalela makumu hi ku hetiseka, eka n'wana un'wana na un'wana.
9.	54(1)(d)(ii)	Byo dlaya	Mali	Ku ya hi phesente

			hinkwayo xikan'we	tanihi xiphemu xa R86 930,00
10.	54(2)	Byo dlaya	Ndhurho wa nkosi	Ntsengo lowu amukelekaka wa ndhurho wa nkosi lowu nga hundziki R11 155, 00 kumbe ntsengo hi woxe lowu vekiweke, wolowu wu nga ta va wu ri ehansinyana.
11.	63(1)(a)	Ntsengotsongo/Vugimutsongo bya swakudya na vutshamo bya mahala	Swi fanele ku katsiwa eka muholo	Ntsengotsongo wa swakudya swa mahala i R147, 00 hi n'hweti kasi ntsengotsongo wa vutshamo bya mahala i R68.00 hi n'hweti.
12.	28	Malimpfuneto ya ku va kona nkarhi na nkarhi	Malimpfuneto ya n'hweti na n'hweti	Ntsengo lowu nga cinciki wa R1 166.00 hi n'hweti



M M S MDLADLANA
HOLOBYE WA VATIRHI

No. 695

22 June 2009

**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 R239 172 per annum as the maximum amount of earnings with effect from 1 July 2009.



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

NDZAWULO YA VATIRHI**No. 695****22 June 2009****NAWU WA NDZIRISO WA KU VAVISEKA NA MAVABYI EMITIRHWENI,
1993****(NAWU WA No. 130 WA 1993), HILAHA WU CINCIWEKE HAKONA****NTLAKUSO WA VUGIMUNKULU BYA NTSENGO WA MUHOLO LOWU KU
NGA TA HLANGANISERIWA/KHAKHULETERIWA EHENHLA KA WONA
KU HLERIWA KA MUTHORI**

Ehansi ka xiyenge xa 83 (8) xa Nawu wa Ndziriso wa ku Vaviseka na Mavabyi Emitirhweni, 1993 (Nawu wa No. 130 wa 1993), mina, Membathisi Shepherd Mdladlana, Holobye wa Vatirhi, ndzi veka ntsengo wa R239 172 hi lembe ku va vugimunkulu bya muholo ku sukela hi siku ra 1 Mawuwani 2009.



**M M S MDLADLANA
HOLOBYE WA VATIRHI**
