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GOVERNMENT NOTICES

DEPARTMENT OF LABOUR

No. 1021

7 December 2012

**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**

The Minister of Labour intends to increase under section 83 (8) of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), the maximum amount of earnings to an amount of R312 480 per annum with effect from 1 April 2013.

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 31 December 2012.

**M OLIPHANT****MINISTER OF LABOUR**

25/10/2012

No. 1022

7 December 2012

**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 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)(i) of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993), by 6.0% + 100 % catch up purchasing power in respect of accidents which occurred before 1 April 2012 as well as occupational diseases which were diagnosed before 1 April 2012, with a pro-rata increase applicable for accidents that occurred and occupational diseases that were diagnosed from 1 April 2012 to 31 March 2013 with effect from 1 April 2013.

Schedule of Pension Increases effective 1 April 2013

| Date accident occurred or occupational disease diagnosed. | 100% CPI Catch-up Increase | Basic increase of 6.0% | Total Increase effective 1 April 2013 |
|---|----------------------------|------------------------|---------------------------------------|
| Up to 2/29/2000 | 0.00% | 6.00% | 6.00% |

**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

| | | | |
|---------------------------|--------|-------|--------|
| 3/01/2000 to 2/28/2001 | 7.04% | 6.00% | 13.04% |
| 3/01/2001 to 2/28/2002 | 6.07% | 6.00% | 12.07% |
| 3/01/2002 to 2/28/2003 | 7.39% | 6.00% | 13.39% |
| 3/1/2003 to 3/31/2004 | 6.10% | 6.00% | 12.10% |
| 4/01/2004 to 3/31/2005 | 12.45% | 6.00% | 18.45% |
| 4/01/2005 to 3/31/2006 | 6.79% | 6.00% | 12.79% |
| 4/01/2006 to 3/31/2007 | 6.00% | 6.00% | 12% |
| 4/01/2007 to 3/31/2008 | 6.40% | 6.00% | 12.40% |
| 4/01/2008 to 3/31/2009 | 6.10% | 6.00% | 12.10% |
| 4/01/2009 to 3/31/2010 | 11.60% | 6.00% | 17.60% |
| 4/01/2010 to 3/31/2011 | 9.50% | 6.00% | 15.5% |
| 4/01/2011 to 3/31/2012 | 6.10% | 6.00% | 12.10% |
| 4/1/2012 to 3/31/2013 | 5.10% | 6.00% | 11.10% |

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 31 December 2012.


M OLIPHANT

MINISTER OF LABOUR

25/10/2012

No. 1023

7 December 2012

**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 2013.

**SCHEDULE 4
MANNER OF CALCULATING COMPENSATION**

| (i) | (ii) | (iii) | (iv) | (v) | (vi) | (vii) |
|------------|-------------|----------------------------------|---------------------|--|----------------------------------|----------------------------------|
| Item | Section | Nature and degree of disablement | Nature of benefits | Manner of calculating benefits | Recommended maximum compensation | Recommended minimum compensation |
| 1. | 47(1)(a) | Temporary total disablement | Periodical payments | 75% of an employee's monthly earnings at the time of the accident. | R19 530.00 | R2 733.75 |
| 2. | 49(1) | Permanent disablement of 30% | Lump sum | 15 times the monthly earnings of the employee at the time of the accident. | R218 760 | R54 675 |

**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

| | | | | | | |
|----|----------|---|-----------------|--|-------------|-----------|
| 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 and employee's monthly earnings at the time of the accident | R19 530.00 | R2 733.75 |
| 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. | R 39 060.00 | R5 467.50 |
| 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. | R7 812.00 | R1 093.50 |

**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

| | | | | | | |
|-----|--------------|------------------------------------|----------------------------|---|------------|---------|
| 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. | R 3 906.00 | R546.75 |
| 9. | 54(1)(d)(ii) | Fatal | Lump sum | Percentage dependence as portion of R112 527 | | |
| 10. | 54(2) | Fatal | Funeral costs | A reasonable amount for funeral costs to a maximum of R14 539 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 R200 per month and minimum for free quarters R89 per month. | | |
| 12. | 28 | Constant attendance allowance | Monthly allowance | Minimum amount of R1 550 per month | | R1 550 |

**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

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 31 December 2012.



M OLIPHANT

MINISTER OF LABOUR

25/10/2012

No. 1024

7 December 2012

**COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993
(ACT No. 130 OF 1993), AS AMENDED**

**TO INCREASE THE MONTHLY PENSION OF INJURED EMPLOYEES AND
THEIR DEPENDANTS (WIDOWS/WIDOWERS) IN THE CASE OF DEATH TO
A MINIMUM PENSION OF R1 000 PER MONTH**

The Minister of Labour intends to prescribe in terms of Section 57(1) of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No 130 of 1993) a minimum level of pension of R1 000 per month with immediate effect to the following beneficiaries:

Employees whose degree of permanent disablement was assessed between 31-100% in receipt of monthly pension less than R1 000.00

Dependants (widows/widowers) who are receiving less than R1 000 per month proportionally shared, irrespective of the number of dependants (widows/widowers).

Beneficiaries who commuted their pensions should not be eligible, and their pensions should not be adjusted.

Any person who wishes to comment on the proposed minimum pension should submit such comments in writing to the Compensation Commissioner, P.O.Box 955, Pretoria, 0001 or Dineo.Matabane@labour.gov.za not later than 31 January 2013.


N M OLIPHANT

MINISTER OF LABOUR

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