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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF LABOUR**

NO. 1577

19 DECEMBER 2016

**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 the amount of earnings 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 R403 500 per annum with effect from 1 April 2017.

Any person, who wishes to comment on the proposed amendments, should submit such comments in writing within 60 days as from date of publishing to the Compensation Commissioner, P O Box 955, Pretoria, 0001 or email to [pinkie.sihlangu@labour.gov.za](mailto:pinkie.sihlangu@labour.gov.za) not later than 30 November 2016.

**NM OLIPHANT****MINISTER OF LABOUR**

29/11/2016

**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 monthly pensions 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 7% in respect of accidents which occurred before 1 April 2016 as well as occupational diseases which were diagnosed before 1 April 2016, with a pro-rata increase applicable for accidents that occurred and occupational diseases that were diagnosed from 1 April 2016 to 31 March 2017 with effect from 1 April 2017.

Schedule of Pension Increases effective 1 April 2016

| <b>Date at which accident occurred or occupational disease diagnosed</b> | <b>100% CPI Catch-up Increase</b> | <b>Basic increase of 7,0%</b> | <b>Total Increase effective 1 April 2017</b> |
|--|-----------------------------------|-------------------------------|--|
| - to 30/4/2016   | 0.000%                            | 7.00%                         | 7.00%  |
| 01/5/2016 To 31/5/2016   | 0.000%                            | 6.416%                        | 6.416%                                       |
| 01/06/2016 to 30/06/2016   | 0.000%                            | 5.833%                        | 5.833%                                       |
| 01/07/2016 to 31/07/2016   | 0.000%                            | 5.250%                        | 5.250%                                       |
| 01/08/2016 to 31/08/2016   | 0.000%                            | 4.670%                        | 4.670%                                       |
| 01/09/2016 to 30/09/2016   | 0.000%                            | 4.083%                        | 4.083%                                       |
| 01/10/2016 to 31/10/2016   | 0.000%                            | 3.500%                        | 3.500%                                       |
| 01/11/2016 to 30/11/2016   | 0.000%                            | 2.917%                        | 2.917%                                       |
| 01/12/2016 to 31/12/2016   | 0.000%                            | 2.333%                        | 2.333%                                       |
| 01/01/2017 to 31/01/2017   | 0.000%                            | 1.750%                        | 1.750%                                       |
| 01/02/2017 to 28/02/2017   | 0.000%                            | 1.167%                        | 1.167%                                       |
| 01/03/2017 to 31/03/2017   | 0.000%                            | 0.583%                        | 0.583%                                       |

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**NM OLIPHANT**  
**MINISTER OF LABOUR**

*29/11/2016*

**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 2017.

**SCHEDULE 4  
MANNER OF CALCULATING COMPENSATION**

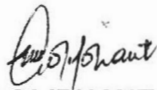
| (i)  | (ii)     | (iii)                                       | (iv)                | (v)  | (vi)                             | (vii)                            |
|------|----------|---|---------------------|--|----------------------------------|----------------------------------|
| Item | Section  | 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.   | R25 219                          | R3 531                           |
| 2.   | 49(1)    | Permanent disablement of 30%                | Lump sum            | 15 times the monthly earnings of the employee at the time of the accident.   | R282 470                         | R70 613                          |
| 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   | R25 219                          | R3 531                           |
| 5.   | 49(1)    | Permanent disablement of less than 100% but | 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%. |                                  |                                  |



| (i) | (ii)         | (iii)                              | (iv)                       | (v)   | (vi)     | (vii)   |
|-----|--------------|------------------------------------|----------------------------|---|----------|---|
|     |              | more than 30%                      |                            |   |          |   |
| 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.      | R50 438  | R7 061  |
| 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.                | R10 088  | R1 412  |
| 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. | R5044    | R706  |
| 9.  | 54(1)(d)(ii) | Fatal                              | Lump sum                   | Percentage dependence as portion of R145 302  | R145 302 |   |
| 10. | 54(2)        | Fatal                              | Funeral costs              | A reasonable amount for funeral costs to a maximum of R18 251 or the actual amount, whichever is the lesser.                                  | R18 251  |   |
| 11. | 63(1)(a)     | Minimum for free food and quarters | To be included in earnings | Minimum for free food R251 per month and minimum for free quarters R112 per month.  |          | R251 per month for free food and R112 per month for free quarters |
| 12. | 28           | Constant attendance allowance      | Monthly allowance          | Minimum amount of R1 881 per month  |          | R1 881  |



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