

No. 1347

25 September 2003

**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), to read as follows with effect from 1 April 2004.

**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 R10 481,25 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 R117 450,00 and R22 923,00. |
| 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 R10 481,25 and R1 146,15. |

| (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 R8 316,00 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 30 November 2003.



M M S MDLADLANA
MINISTER OF LABOUR