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GOVERNMENT GAZETTE

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DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1370.

27 June 1979.

No. 1370.

27 Junie 1979.

It is hereby notified that the Acting State President has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die Waarnemende Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 83 of 1979: Occupational Diseases in Mines and Works Amendment Act, 1979.

No. 83 van 1979: Wysigingswet op Bedryfsiektes in Myne en Bedrywe, 1979.

Act No. 83, 1979

OCCUPATIONAL DISEASES IN MINES AND WORKS
AMENDMENT ACT, 1979.

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the provisions of the Occupational Diseases in Mines and Works Act, 1973, so as to provide for the further increase of benefits and special awards; to make different provision regarding the restrictions relating to the performance of work subject to which certain certificates of fitness may be issued; and to provide for matters incidental thereto.

*(Afrikaans text signed by the Acting State President.)
(Assented to 15 June 1979.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Increase of
benefits and
special awards.

1. (1) Subject to the provisions of subsection (2), a benefit as defined in section 1, and a special award referred to in section 101 or 115, of the Occupational Diseases in Mines and Works Act, 1973 (Act No. 78 of 1973) (hereinafter referred to as the principal Act), which are payable in terms of the principal Act but have not yet been paid, and which were increased by the Occupational Diseases in Mines and Works Amendment Act, 1974 (Act No. 67 of 1974), the Occupational Diseases in Mines and Works Amendment Act, 1975 (Act No. 45 of 1975), and the Occupational Diseases in Mines and Works Amendment Act, 1977 (Act No. 117 of 1977), shall be further increased—

- (a) in the case of any such benefit, by ten per cent; 15
- (b) in the case of a special award referred to in section 101 of the principal Act, by an amount which the commissioner may in his discretion determine, but not exceeding ten per cent of any such special award payable immediately prior to the commencement of this section; and
- (c) in the case of a special award referred to in section 115 of the principal Act, by an amount which the authority referred to in that section may in its discretion determine in accordance with the availability of moneys in the Fund referred to in that section not required for the payment of benefits under the principal Act or this Act: 25

Provided that any pension or any such special award so increased shall be calculated to the next complete rand.

(2) The provisions of this section shall not apply with reference to any one-sum benefit, as defined in section 1 of the principal Act, to which a person became entitled before the commencement of this section. 30

Act No. 83, 1979

OCCUPATIONAL DISEASES IN MINES AND WORKS
AMENDMENT ACT, 1979.

Amendment of
section 30 of
Act 78 of 1973.

2. Section 30 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

“(3) If the certification committee is satisfied that any White male or Coloured male who has been found by that committee to be suffering from tuberculosis, has received 5 treatment for tuberculosis and that the disease has been completely cured, the director may issue to such person a certificate of fitness restricting the holder thereof to the performance, at a controlled mine or a controlled works, of work of a nature **[and]** or at a place or for a period or 10 periods specified in the certificate **[, and for a period or periods so specified but not exceeding in the aggregate one hundred hours in any period of thirty days].**”.

Short title and com-
mencement.

3. This Act shall be called the Occupational Diseases in Mines and Works Amendment Act, 1979, and shall come into operation 15 on 1 October 1979.