

No. 473

12 June 2014

**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, Mildred Nelisiwe Oliphant, Minister of Labour, hereby amend Schedule 4 to read as follows with effect from 1 April 2014.

**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. | R20 780 | R2 909 |
| 2. | 49(1) | Permanent disablement of 30% | Lump sum | 15 times the monthly earnings of the employee at the time of the accident. | R232 761 | R58 174 |
| 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%. | | |
| | | 8um mmm | m, | | | |
| 4. | 49(1) | Permanent disablement of 100% | Monthly pension | 75% of and employee's monthly earnings at the time of the accident | R20 780 | R2 909 |
| 5. | 49(1) | Permanent disablement of less than 100% | 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%. | | |

| | | | | | | |
|----|----------|-------------------------------|-------------------|--|---------|----------|
| | | but 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. | R41 560 | R5 817 |
| 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. | R8 312 | R1 163 |
| 8. | 28 | Constant Attendance Allowance | Monthly Allowance | Minimum amount of R1550.00 per month | | R1550.00 |

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

INCREASE IN MONTHLY PENSIONS

| | | | | | | |
|-----|--------------|------------------------------------|----------------------------|---|----------|------|
| 9. | 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. | R4 156 | R582 |
| 10. | 54(1)(d)(ii) | Fatal | Lump sum | Percentage dependence as portion of R119 729 | R119 729 | |
| 11. | 54(2) | Fatal | Funeral costs | A reasonable amount for funeral costs to a maximum of R15 470 or the actual amount, whichever is the lesser. | R15 470 | |
| 12. | 63(1)(a) | Minimum for free food and quarters | To be included in earnings | Minimum for free food R213 per month and minimum for free quarters R95 per month. | | |


M N OLIPHANT

MINISTER OF LABOUR

DATE: 30/5/2014