

No. 497

29 April 2008

**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, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby amend Schedule 4 as follows with effect from 1 April 2008.

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 R13 394,06 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 R150 045,00 and R37 500,00.
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 R13 394,06 and R1 875,00.
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)(d)(ii)	Fatal	Lump sum	Percentage dependence as portion of R77 894,00.
10.	54(2)	Fatal	Funeral costs	A reasonable amount for funeral costs to a maximum of R10 132,00 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 R130.00 per month and minimum for free quarters R62.00 per month.



M M S MDLADLANA

MINISTER OF LABOUR