

## DEPARTMENT OF LABOUR

No. 86

2 February 2007

## 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 to read as follows with effect from 1 April 2007.

## 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 R12 624,00 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 R141 420,00 and R32 535,00. |
| 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 R12 624,00 and R1 626,75.               |

| (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 R73 416,00.   |
| 10. | 54(2)    | Fatal   | Funeral costs   | A reasonable amount for funeral costs to a maximum of R9 550,00 or the actual amount, whichever is the lesser.                                |



**M.M.S MDLADLANA**  
**MINISTER OF LABOUR**