



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

N\$4.00

WINDHOEK - 2 April 2012

No. 4919

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## Government Notices

### MINISTRY OF LABOUR AND SOCIAL WELFARE

No. 95

2012

#### AMENDMENT OF REGULATIONS: EMPLOYEES' COMPENSATION ACT, 1941

Under section 107 of the Employees' Compensation Act, 1941 (Act No. 30 of 1941), I have amended the regulations set out in the Schedule.

**I. NGATJIZEKO**

**MINISTER OF LABOUR AND SOCIAL WELFARE**

Windhoek, 14 March 2012

#### SCHEDULE

#### Definitions

1. In these regulations "the Regulations" mean the regulations published under Government Notices No. R.581 of 1 September 1961, as amended by Government Notices Nos. R.1580 of 16 October 1964, R.1474 of 22 September 1967, R.1480 of 11 September 1970, R.143 of 11 February 1972, R. 1354 of 18 July 1975, R.837 of 20 May 1977, R.908 of 2 May 1980, R.1802 of 28 August 1981, R.1551 of 15 July 1983, R. 2187 of October 1984, R.223 of 19 February 1988, R.1 134 of June 1989 and 47 of 15 March 2004.

### Substitution of regulation 4 of Regulations

2. The Regulations are amended by the substitution for regulation 4 of the following regulation:

- “4. For purposes of assessment in terms of section 69 of the Act, wages -
- (a) include all payment in money or in kind or both in money or in kind, made or owing to an employee and arising out of employment in any way, including commission, cost of living allowances, the value of food and quarters supplied by an employer free of charge, incentive and other bonuses as well as overtime payments of a constant character;
  - (b) do not include overtime payment for intermittent overtime, travel and subsistence allowances or other payments of a reimbursable nature and casual or grace payments; and
  - (c) may not exceed the maximum amount of N\$66 000,00 per year.”.

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### MINISTRY OF LABOUR AND SOCIAL WELFARE

No. 96

2012

#### DETERMINATION OF HIGHER AMOUNTS OF COMPENSATION: EMPLOYEES' COMPENSATION ACT, 1941

Under sections 38, 39 and 40 of the Employees' Compensation Act, 1941 (Act No. 30 of 1941), I have -

- (a) determined the higher amounts of compensation for temporary, partial, total and permanent disablement and death of an employee as set out in the Table; and
- (b) repealed Government Notice No. 46 of 15 March 2004.

TABLE

Section	Amount prescribed in the Act	Higher amount determined
38(1)(a)	N\$ 5000,00	N\$ 5500,00
38 (4)	N\$ 5000,00	N\$ 5500,00
39(1)(a) and (b)	N\$ 3000,00	N\$ 3300,00
39(1)(c) and (d)	N\$ 5000,00	N\$ 5500,00
39 (2)	N\$ 5000,00	N\$ 5500,00
40(1)(a)	N\$ 3750,00	N\$ 4500,00
40 (1) (b)	N\$ 5000,00	N\$ 5500,00
40 (1) (e)	N\$ 2500,00	N\$ 4000,00
40(2)	N\$ 3120,00	N\$ 3450,00

**I. NGATJIZEKO**  
**MINISTER OF LABOUR AND SOCIAL WELFARE**

Windhoek, 14 March 2012

**MINISTRY OF LABOUR AND SOCIAL WELFARE**

No. 97

2012

**AMENDMENT OF REGULATIONS MADE UNDER THE SOCIAL SECURITY ACT, 1994**

Under section 47 of the Social Security Act, 1994 (Act No. 34 of 1994), I have amended the regulations set out in the Schedule.

**I. NGATJIZEKO****MINISTER OF LABOUR & SOCIAL WELFARE**

Windhoek, 14 March 2012

**SCHEDULE****Definitions**

**1.** In these regulations “the Regulations” means the Regulations made under the Social Security Act, 1994 (Act No. 34 of 1994), and published under Government Notice No. 198 of 01 1996, 244 of December 1997, 235 of 16 September 1998, 101 of 11 May 2001, 101 of 1 June 2001 and 227 of 15 November 2003, 53 of 29 February 2008, 49 of 1 April 2009, 147 of 30 July 2010 and 69 of 1 June 2011.

**Amendment of regulation 9 of Regulations**

**2.** Regulation 9 of the Regulations is amended by the substitution for subregulation (1) of the following subregulation:

“(1) Maternity leave benefits shall be equal to 100 per cent of the basic wage of the female employee concerned, up to an amount of N\$10 500 per month.”

**Amendment of regulation 10 of Regulations**

**3.** Regulation 10 of the Regulations is amended by the substitution for subregulation (1) of the following subregulation:

“(1) Sick leave benefits shall be equal to 75 per cent of the basic wage of the employee concerned, up to an amount of N\$7 875 per month, for the first period of twelve months of sick leave and thereafter be reduced to 65 per cent of such basic wage, up to an amount of N\$6 825 per month.”

**Amendment of regulation 11 of Regulations**

**4.** Regulation 11 of the Regulations is amended by the substitution for subregulation (1) of the following subregulation:

“(1) The death benefit shall amount to a single payment of N\$5 515.”

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