



Republic of Namibia  
Annotated Statutes

**REGULATIONS**

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REGULATIONS MADE IN TERMS OF

**Employees' Compensation Act 30 of 1941**  
section 107

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**Regulations under the Workmen's  
Compensation Act, 1941, as amended**

RSA Government Notice R.581 of 1961

[\(RSA GG 73\)](#)

came into force on 1 September 1961 (regulation 24)

The Employees' Compensation Act 30 of 1941  
was known as the "Workmen's Compensation Act" until 1995.

**as amended by**

**RSA Bantu Laws Amendment Act 42 of 1964** [\(RSA GG 801\)](#)

read together with section 16(1) of the Native Laws Amendment Act 46 of 1962 (RSA) [\(RSA GG 240\)](#); brought into force on 1 January 1965 by RSA Proc. 339/1964 [\(RSA GG 967\)](#); no explicit mention of South West Africa, but incorporated by reference to section 16 of Act 46 of 1962 (amends racial terminology)

**RSA Government Notice R.1580 of 1964** [\(RSA GG 922\)](#)

came into force on 1 January 1965 (RSA GN. R.1580/1964, paragraph 5)

**RSA Government Notice R.1474 of 1967** [\(RSA GG 1851\)](#)

came into force on 1 October 1967 (RSA GN R.1474/1967, paragraph 10)

**RSA Government Notice R.1480 of 1970** [\(RSA GG 2808\)](#)

came into force on date of publication: 11 September 1970

**RSA Government Notice R.143 of 1972** [\(RSA GG 3380\)](#)

came into force on date of publication: 11 February 1972

**RSA Government Notice R.1354 of 1975** [\(RSA GG 4790\)](#)

came into force on date of publication: 18 July 1975

**RSA Government Notice R.837 of 1977** [\(RSA GG 5549\)](#)

came into force on 1 June 1977 (RSA GN R.837/1977, paragraph 5)

**RSA Second Bantu Laws Amendment Act 102 of 1978** [\(RSA GG 6095\)](#)

brought into force in relevant part on 1 August 1978 by RSA Proc R.198/1978 (RSA GG 6120) (amends racial terminology); see also the Native Laws Amendment Proclamation, AG 3 of 1979 (OG

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3898) and section 3A of the SA South West Africa Native Affairs Administration Act 56 of 1954, as inserted by section 4 of the RSA Black Laws Amendment Act 23 of 1972 (originally the "Bantu Laws Amendment Act") ([RSA GG 3447](#)) and substituted by AG 3 of 1979

**RSA Government Notice R.908 of 1980** ([RSA GG 6969](#))

came into force on date of publication: 2 May 1980

**RSA Government Notice R.1802 of 1981** ([RSA GG 7741](#))

came into force on date of publication: 28 August 1981

**RSA Government Notice R.1551 of 1983** ([RSA GG 8814](#))

came into force on date of publication: 15 July 1983

**RSA Government Notice R.2187 of 1984** ([RSA GG 9449](#))

came into force on date of publication: 5 October 1984

**RSA Government Notice R.223 of 1988** ([RSA GG 11140](#))

came into force on date of publication: 19 February 1988

**RSA Government Notice R.1134 of 1989** ([RSA GG 11909](#))

came into force on date of publication: 2 June 1989

**RSA Proclamation 45 of 1990** ([RSA GG 12328](#))

deemed to have come into operation on 1 February 1990 (section 47 of the Proclamation); section 34 of the Proclamation amends the regulations as they apply in South West Africa

**Government Notice 47 of 2004** ([GG 3169](#))

came into force on date of publication: 15 March 2004

**Government Notice 95 of 2011** ([GG 4919](#))

came into force on date of publication: 2 April 2011

**Government Notice 251 of 2013** ([GG 5291](#))

came into force on date of publication: 20 September 2013

Note: GN 251/2013 refers to a previous amendment of the regulations by Government Notice 4919 of 2 April 2012. This appears to refer to Government Notice 95 of 2 April 2012, which was published in *Government Gazette* 4919.

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23. [no heading]  
24. [no heading]

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SECTION 43 OF THE ACT

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### Interpretation

1. In these regulations, unless inconsistent with the context -

“Act” means the Workmen's Compensation Act, 1941, as amended;

[The Employees' Compensation Act 30 of 1941  
was known as the “Workmen's Compensation Act” until 1995.]

“Annexure” means an Annexure to these regulations and any expression to which a meaning has been assigned in the Act shall bear the same meaning.

### Registration of employers

2. The particulars which an employer is required to furnish in terms of subsection (1) of section *ninety-six* of the Act shall, in the case of -

- (a) an employer, other than an employer engaged in agriculture; and  
(b) an employer engaged in agriculture;

be furnished in the form of and disclose the information required in Annexures 1 and 1A respectively.

### Wage returns

3. The statement which shall be transmitted to the Commissioner in terms of subsection (1) of section *sixty-eight* of the Act shall in the case of -

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- (a) an employer, other than an employer engaged in agriculture, be in the form of and contain the information required in Annexures 2 and 3;
- (b) an employer engaged in agriculture be in the form of and contain the information required in Annexures 4 and 5.

**Wages for purposes of assessment**

- 4. For the purposes of assessment in terms of section 69 of the Act, wages -
  - (a) include all the payments 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, costs of living allowances, the value of food and quarters supplied by an employer free of charge, incentive and other business as well as overtime payments of a constant character;
  - (b) do not include overtime payments 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\$70 600 per year.

[regulation 4 substituted by RSA GN R.1474/1967, RSA GN R.223/1988,  
GN 47/2004, GN 95/2012 and GN 251/2013]

**Payment of assessment and other moneys due**

5. (1) Assessments, penalties and other amounts payable to the Commissioner shall be paid at his office in Windhoek.

[subregulation (1) amended by RSA Proc. 45/1990]

(2) Whenever payment of an assessment or penalty is tendered, the Notice of Assessment shall be submitted with the amount so tendered.

**Order for the payment of moneys due to the commissioner**

6. An order under subsection (4) of section *seventy-three* of the Act shall be in the form of Annexure 6.

**Order for the payment of compensation**

7. An order under section *sixty-two* of the Act for the payment of any compensation or other pecuniary benefit to a workman shall be in the form of Annexure 7.

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8.

[regulation 8 amended by RSA GN R.1474/1967 and deleted by RSA GN R.2187/1984]

**Notice of accident**

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9. (1) Written notice under sub-section (1) of section *fifty* of the Act by a workman of an accident shall be in the form of Annexure 8, and shall be handed in or posted to the employer of the injured workman or to any person to whom the management or charge of the branch or department of the business in which the workman is employed, has been entrusted by the employer or to any person who has the right to engage or discharge the workman on behalf of the employer.

[subregulation 9(1) amended by RSA Act 42/1964, RSA Act 102/1978 and RSA GN R.2187/1984]

(2) Written notice under section 51(1) of the Act by an employer of an accident shall be in the form of Annexure 10 and shall be completed and dealt with in accordance with the instructions contained therein.

[subregulation (2) amended by RSA GN R.1580/1964, substituted by RSA GN R.143/1972, and amended by RSA GN R.1802/1981]

(3) A notice referred to in subregulation (2) must be forwarded to the Commissioner, Private Bag 13223, Windhoek.

[The text that was initially contained in subregulation (2)(a) and (b) was amended by RSA GN R.1580/1964 and RSA GN R.1480/1970, and then replaced by subregulation (3) pursuant to RSA GN R.143/1972. This new subregulation (3) was then amended by RSA GN R.837/1977, substituted by RSA GN R.1802/1981, amended by RSA GN R.223/1988 and by RSA GN R.1134/1989, and substituted by RSA Proc. 45/1990.]

### Claim for compensation

10. (1) A claim for compensation submitted under subsection (1) of section *fifty-four* of the Act shall be in the form of and contain the particulars required in Annexure 11, and may be accompanied by any documents which the person making the claim deems necessary to substantiate it.

(2) Every such claim shall be handed or posted to the employer or the Commissioner and shall be deemed to have been lodged on the date of receipt of the claim by the employer or the commissioner, as the case may be.

[subregulation (2) amended by RSA GN R.1480/1970 and by RSA GN R.1354/1975, substituted by RSA GN R.1802/1981, amended by RSA GN R.223/1988 and by RSA GN R.1134/1989, and substituted by RSA Proc. 45/1990]

(3) If, after a claim has been lodged but before it has been determined, the claimant or the person who lodged, the claim on his behalf, becomes aware of any material information or becomes possessed of any document relevant to the claim which was not transmitted with the claim or has not otherwise been brought to the notice of the Commissioner, he shall forthwith furnish such information or transmit such document to the Commissioner or to the workman's employer.

(4)

[subregulation (4) amended by RSA GN R.1480/1970 and by RSA GN R.1354/1975, substituted by RSA GN R.1802/1981, amended by RSA GN R.223/1988 and by RSA GN R.1134/1989, and deleted by RSA Proc. 45/1990]

### Formal hearings

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**11.** (1) Notice to a claimant and his employer of the time and place of a formal hearing in terms of subsection (2) of section *fifty-six* of the Act shall be given by means of a written communication and the provisions of subregulation (2) of regulation 12 shall *mutatis mutandis* apply to every such communication.

(2) A claimant or an employer subpoenaed under subsection (3) of section *fifty-six* of the Act shall be entitled to the allowances prescribed for a witness.

(3) A claimant or his employer who attends a formal hearing in response to a notice under subregulation (1) may, in the discretion of the Commissioner, be paid the allowances prescribed for a witness.

**Witnesses**

**12.** (1) A subpoena under subsection (1) of section *sixteen* or under subsection (3) of section *fifty-six* of the Act shall be in the form of Annexure 12.

(2) Any such subpoena may be served on the person subpoenaed -

- (a) by delivering it to him; or
- (b) by leaving it at his place of abode or business or employment with some person apparently not less than sixteen years of age and apparently residing or employed there; or
- (c) by despatching it to him by certified post to his place of abode or business or employment or to his post office box number.

**[paragraph (c) amended by RSA GN R.1474/1967]**

(3) (a) The allowances payable under subsection (7) of section *sixteen* of the Act shall be -

- (i) in respect of transport, the actual cost of transport;
- (ii) in respect of pecuniary loss, 43 rand and 50 cents per diem, or the actual pecuniary loss, whichever is the lesser: Provided that a registered medical practitioner shall be paid the fees prescribed in regulation 21(1)(c).;

**[subparagraph (ii) amended by RSA GN R.1580/1964, RSA GN R.1474/1967  
(which adds the proviso), RSA GN R.908/1980, RSA GN R.1802/1981 and RSA GN R.1551/1983]**

- (iii) in respect of other expenses: R43,50 for every 24 hours and R1,81 for every full hour thereafter or the actual reasonable expenses: Provided that in the case of a professional witness the allowance shall be R53,00 for every 24 hours and R2,20 for every full hour thereafter or the actual reasonable expenses.

**[subparagraph (iii) amended by RSA GN R.1580/1964 and by RSA GN R.1474/1967, substituted by RSA GN R.1480/1970 and by RSA GN R.908/1980, amended by RSA GN R.1802/1981 and by RSA GN R.1551/1983, and substituted by RSA GN R.2187/1984 and by RSA GN R.223/1988]**

(b) The provisions of subregulation (5)(b), (c) and (d) of regulation 15 shall *mutatis mutandis* apply to a witness.

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### **Lodging of objections and applications**

**13.** (1) An objection in terms of section *twenty-five* of the Act shall be in the form of and contain the information required in Annexure 13, and shall be deemed to have been lodged on the date of receipt by the Commissioner of the said form, duly completed in respect of every relevant item.

(2) An application for additional compensation under section *forty-three* of the Act shall be lodged in the form of and shall contain the information required in Annexure 14 and shall be deemed to have been lodged on the date of receipt by the Commissioner of the said form, duly completed in respect of every relevant item. Six copies of the application and of every supporting document shall be lodged; provided that the Commissioner may accept fewer copies of any particular document.

### **Benefits payable to assessors**

**14.** (1) The benefits payable in terms of section *thirty-four* of the Act shall be as follows -

- (a) In respect of temporary disablement - The payment of an amount equal to the loss of income suffered by the assessor as a result of the accident but not exceeding the rate of one thousand one hundred and twenty-five rand per month.

**[paragraph (a) amended by RSA GN R.1474/1967, RSA GN R.1354/1975,  
RSA GN R.837/1977, RSA GN R.1802/1981, RSA GN R.2187/1984 and RSA GN R.223/1988]**

- (b) In respect of permanent disablement - Benefits shall be fixed according to the degree of disablement and in accordance with the following rules -

- (i) where the degree of disablement is thirty per cent a lump sum of twelve thousand six hundred rand;
- (ii) where the degree of disablement is under thirty per cent a lump sum bearing the same proportion to twelve thousand six hundred rand as the degree of disablement bears to thirty per cent;
- (iii) where the degree of disablement is one hundred per cent a monthly pension of one thousand one hundred and twenty-five rand;
- (iv) where the degree of disablement is under one hundred per cent, but more than thirty per cent, a monthly pension bearing the same proportion to one thousand one hundred and twenty-five rand as the degree of disablement bears to one hundred per cent.

**[paragraph (b) amended by RSA GN R.1474/1967, RSA GN R.1354/1975,  
RSA GN R.837/1977, RSA GN R.1802/1981, RSA GN R.2187/1984 and RSA GN R.223/1988]**

- (c) In respect of the death of an assessor: Where the assessor dies from an injury caused by an accident: -

- (i) If the assessor leaves as a dependant a widow and no children the award to the widow of eight hundred and forty rand and a monthly pension of four hundred and fifty rand;

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**[Subparagraph (i) is amended by RSA GN R.1474/1967, RSA GN R.1354/1975, RSA GN R.837/1977, RSA GN R.1802/1981, RSA GN R.2187/1984 and RSA GN R.223/1988.]**

- (ii) if the assessor leaves as dependants a widow and one or more children the award to the widow of the benefits specified in subparagraph (i) and in respect of the children the benefits as specified in subparagraph (iii);
- (iii) if the assessor leaves as dependants one or more children the award of a monthly pension of two hundred and twenty five rand in respect of each child; provided that -
  - (aa) the pension payable in respect of each child shall cease when the child attains the age of eighteen years, or dies or marries before reaching that age;
  - (bb) the Commissioner may direct that the pension awarded in respect of a child shall continue after he attains the age of eighteen years, or that a similar pension be awarded in respect of any son or daughter not being a child as defined in the Act, if he or she is unable by reason of mental or physical disability to earn an income, for so long as it might reasonably have been expected that the deceased assessor would have continued to contribute towards his or her support;
  - (cc) subject to the provisions of subregulation (2) the Commissioner may increase the pension or pensions awarded in respect of one or more of the children;

**[Subparagraph (iii) is amended by RSA GN R.1474/1967, RSA GN R.1354/1975, RSA GN R.837/1977, RSA GN R.1802/1981, RSA GN R.2187/1984 and RSA GN R.223/1988.]**

- (iv) if the assessor leaves no dependants of any class referred to in subparagraph (i), (ii) or (iii), a monthly pension to any dependants wholly dependent upon the assessor of four hundred and fifty rand for so long as it might reasonably have been expected that the deceased assessor would have continued to contribute towards their support;

**[Subparagraph (iv) is amended by RSA GN R.1474/1967, RSA GN R.1354/1975, RSA GN R.837/1977, RSA GN R.1802/1981, RSA GN R.2187/1984 and RSA GN R.223/1988.]**

- (v) if the assessor leaves no dependants of any class referred to in paragraphs (i), (ii), (iii) or (iv), to the dependants partly dependent upon the assessor, a lump sum not exceeding a sum which bears the same proportion to two thousand five hundred rand as the degree of dependency bears to total dependency;

**[Subparagraph (v) is amended by RSA GN R.837/1977. The word "no" in the phrase "no dependents" is misspelt as "na" in the *Government Gazette*, as reproduced above.]**

- (vi) the payment of burial expenses in respect of the assessor actually incurred but not exceeding nine hundred rand.

**[Subparagraph (vi) is amended by RSA GN R.1474/1967, RSA GN R.837/1977, RSA GN R.1802/1981, RSA GN R.2187/1984 and RSA GN R.223/1988.]**



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(2) The monthly pensions payable under paragraph (c) of subregulation (1) arising out of the death of an assessor shall not in all exceed an amount of one thousand one hundred and twenty-five rand.

**[subregulation (2) amended by RSA GN R.1474/1967, RSA GN R.1354/1975, RSA GN R.837/1977, RSA GN R.1802/1981, RSA GN R.2187/1984 and RSA GN R.223/1988]**

(3) The pension payable to a widow under this regulation shall cease if she dies.

**[subregulation (3) amended by RSA GN R.1474/1967 and by RSA GN R.1354/1975, and substituted by RSA GN R.837/1977]**

(4) If any person entitled to benefits under this regulation applies therefor the Commissioner may in lieu of any pension awarded, pay such lump sum as may be agreed upon in which event such person shall have no further claim under these regulations.

(5) An assessor who claims benefits or to whom benefits have been paid or are payable shall when so required by the Commissioner, and after reasonable notice, submit himself for examination by a medical practitioner nominated by the Commissioner, at the time and place notified; provided such time and place are reasonable. Any necessary expenses incurred by the assessor in complying with the provisions of this regulation as determined by the Commissioner, shall be paid by the Commissioner. In the event of the assessor being, in the opinion of any medical practitioner, not in a fit state to attend on the medical practitioner named in the notice, the assessor or some person on his behalf shall notify the Commissioner, of that fact, and the medical practitioner so named may be required to attend on the assessor at a reasonable time and place to be agreed upon. The assessor shall be entitled at his own expense to have a medical practitioner nominated by himself present at such examination.

(6) In the event of an accident happening to an assessor which necessitates his removal to a hospital or his residence the Commissioner shall defray the reasonable expenses incurred.

(7) (a) The Commissioner shall for a period not exceeding two years of the date of the accident defray the reasonable expenses incurred by or on behalf of the assessor in respect of medical aid necessitated by an accident.

(b) Where, in the opinion of the Commissioner, further or special medical aid in addition to that referred to in paragraph (a) will reduce the disablement from which the assessor suffers, he may defray the expenses incurred in respect of such medical aid.

(8) Where any person who has been awarded benefits in terms of this regulation arising from an injury due to an accident recovers damages in a court of law in respect of such accident the Commissioner shall be entitled to claim from such person the amount of damages awarded or the total of the amounts of benefits and/or expenses paid or awarded in terms of this regulation, whichever is the lesser. The amount of any pension or pensions paid or awarded shall for the purposes of this subregulation be the capitalised value thereof as determined by the Commissioner.

#### **Assessors**

**15.** (1) An assessor or an alternate assessor appointed under section *thirteen* of the Act shall, upon notification in writing by the Commissioner -

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- (a) attend a meeting at the place and time specified in the notice for the consideration or hearing of any matter under the Act; or
- (b) undertake any investigation under subsection (1) of section *seventeen* of the Act which the Commissioner may authorise him to undertake.

If an assessor or his alternate is unable to attend a meeting or undertake an investigation, he shall, as soon as possible, notify the Commissioner in writing.

(2) The Commissioner may, if he deems it expedient, amend or cancel any notice issued under subregulation (1).

**[The words "Commissioner" and "subregulation" are misspelt  
in the *Government Gazette*, as reproduced above.]**

(3) Whenever an assessor is authorised under section *seventeen* of the Act to investigate any matter, he shall submit to the Commissioner a report, in writing, on the matter investigated, and shall keep a true record of the proceedings of such investigation and shall transmit such record to the Commissioner at the conclusion of the investigation.

(4) The Commissioner may, if he deems it unnecessary to hold a meeting, consult the assessors verbally or in writing in respect of any matter.

- (5) (a) An assessor who is not in the employ of the State shall be entitled to the following remuneration and travelling allowances in connection with the performance of his duties under the Act: -
  - (i) two hundred and six rand and thirty seven cents rand per day for every day or part of a day spent in attending a meeting or undertaking an investigation, including travelling time, in terms of subregulation (1) hereof: Provided that a registered medical assessor shall be paid the fees prescribed in regulation 21 (1)(c);

**[subparagraph (i) substituted by RSA GN R.1474/1967, and amended by RSA GN R.1354/1975,  
RSA GN R.908/1980, RSA GN R.1802/1981, RSA GN R.1551/1983,  
RSA GN R.2187/1984 and RSA GN R.1134/1989]**

(ii)

**[subparagraph (ii) amended by RSA GN R.1474/1967, RSA GN R.1354/1975,  
RSA GN R.1802/1981, RSA GN R.1551/1983 and RSA GN R.2187/1984,  
and deleted by RSA GN R.1134/1989]**

(iii) subsistence allowances at the maximum applicable to public servants;

(iv) the cost of transport.

- (b) An assessor shall be required to travel by the most convenient public conveyance provided that where Commissioner is satisfied that a journey cannot conveniently be so performed, he may authorise the use of motor transport and the payment of an allowance at tariffs applicable for the use of privately-owned transport on government business for such journey.

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- (c) In the event of an assessor travelling by a route occupying longer time or involving greater cost for transport than was necessary in the opinion of the commissioner, he may, at his discretion, reduce the claim for transport and for reimbursement of out-of-pocket expenses to an amount which he considers reasonable.
- (d) In cases of travelling by ship, in which the fare includes the supply of food and sleeping accommodation, the allowances provided for in paragraph (a)(iii) of this subregulation shall not be payable in addition to such fare, but an assessor may be reimbursed any reasonable expenditure necessarily incurred on account of stewards fees and portage.

### **Meetings of commissioner and assessors**

**16.** (1) Whenever the Commissioner deems it necessary to hold a meeting with assessors, or is required to hold such a meeting, the date, time and place of meeting shall be determined by him.

(2) Any such meeting shall be presided over by the Commissioner, and may be adjourned by him from time to time to a time and place determined by him, after consultation with the assessors present.

(3) A meeting of the Commissioner and assessors shall be deemed to be duly constituted if the Commissioner and the assessors or alternates to whom notice of the meeting was sent are present.

(4) Any question as to the right of any alternate assessor to attend a meeting shall be decided by the Commissioner.

(5) Meetings shall be conducted with such formality as the Commissioner deems necessary. The ruling of the Commissioner on all points of order, explanation, relevancy, decorum and procedure at any meeting shall be final and not open to discussion.

### **Commutation of pension**

**17.** The prescribed amount for the purposes of section (1) of section *forty-nine* of the Act shall be seven hundred and twenty rand per annum.

[regulation 17 amended by RSA GN R.837/1977]

### **Copies of records**

**18.** The fee payable in terms of section *fifty-eight* of the Act for a copy of the record or any portion of the record of any proceedings before the Commissioner upon the hearing of any claim shall be one rand, increased by twenty cents for every hundred words contained therein. For the purpose of calculating the fee payable any fraction of one hundred words in excess of twenty-five words shall be deemed to be one hundred words and any fraction less than twenty-five words shall not be included.

[regulation 18 amended by RSA GN R.837/1977]

### **Disposal of unclaimed moneys**

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**19.** (1) All moneys payable under the Act to any person shall be paid as soon as possible after the date on which they become payable.

(2) If the Commissioner, or the employer individually liable, as the case may be, is unable to trace the payee, and any such moneys accordingly remain unpaid after the expiration of twelve months of the date on which they became payable, the following procedure shall be adopted -

- (a) Details of all such amounts payable to persons other than workman from outside the territory, shall be notified in the *Official Gazette* by the Commissioner, both in respect of moneys payable from the Accident Fund and moneys payable by employers individually liable, who shall advise and pay to the Commissioner such moneys every quarter. Such notice shall call upon any person claiming payment of any such amount to lodge his claim with the Commissioner within a period of one month of the date thereof. If, at the expiration of the said period, no claim has been lodged, or if any claim has been lodged and rejected by the Commissioner, the amount shall be paid into the Reserve Fund; Provided that unclaimed moneys of less than R5,00 shall be paid directly into the Reserve Fund without publication in the *Official Gazette* and that, if at any subsequent date a claim is lodged with the Commissioner and proved to his satisfaction, he shall pay the amount of the said claim;

[The proviso in paragraph (a) is substituted by RSA GN R.1354/1975. Paragraph (a) is further amended by RSA Act 42/1964, RSA Act 102/1978, RSA GN R.2187/1984 and RSA Proc. 45/1990.]

- (b) Unpaid moneys payable to workmen outside the territory shall be paid to the government of the territory where a workman is domiciled or to the local representative of such a government in the territory and any subsequent claim for the payment of such an amount shall be referred to the government concerned for consideration.

[paragraph (b) amended by RSA GN R.1474/1967, substituted by RSA GN R.2187/1984, and amended by RSA Proc. 45/1990]

- (3)

[subregulation (3) deleted by RSA Proc. 45/1990]

(4) Subject to the provisions of this regulation the Commissioner may in his discretion transfer such part of the unclaimed moneys payable to injured workmen, other than workmen outside the territory, at such intervals and on such conditions as the Commissioner may determine after consultation with a government institution or a welfare organisation registered as such in terms of section 13 (1) of the National Welfare Act, 1978 (Act 100 of 1978), to such government institution or welfare organisation for application for the general welfare of workmen

[Subregulation (4) is inserted by RSA GN R.1354/1975, substituted by RSA GN R.2187/1984 and by RSA GN R.223/1988, and amended by RSA Proc. 45/1990. The National Welfare Act 100 of 1978 (RSA GG 6094) was not made applicable to South West Africa; the National Welfare Act 79 of 1965 remains the operative law in Namibia.]

**Advocates' and attorneys' fees**

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

---

**20.** The taxation of advocates' and attorneys' fees under section *fifty-nine* of the Act shall be in the discretion of the Commissioner, who shall have regard to the amount involved, the nature of the case and the tariffs of fees prescribed in the civil courts.

**Fees payable to registered medical practitioners**

**21.** (1) The fees payable to registered medical practitioners for services (other than medical aid) rendered in connection with any matter under the Act shall be as follows -

(a)

[paragraph (a) substituted by RSA GN R.1354/1975 and deleted by RSA GN R.908/1980]

(b) For medical examination (including furnishing a report) of a workman in terms of section sixty of the Act-

(i) in connection with an application for commutation of a pension or portion thereof under section forty-nine of the Act:

General practitioner: R11,00;  
Specialist: R27,00; or

(ii) for the purpose of establishing the extent of injuries or disablement suffered by a workman:

Specialist: R300,00

[paragraph (b) amended by RSA GN R.1474/1967, RSA GN R.1480/1970 and RSA GN R.1354/1975, then substituted by RSA GN R.908/1980, with the amounts referred to in subparagraphs (i) and (ii) then being further amended by RSA GN R.1551/1983, RSA GN R.223/1988 and RSA GN R.1134/1989]

(c) For any other services -

Medical Practitioner      R125,00 per hour or part thereof with  
a maximum of R375,00 per day

[paragraph (c) amended by RSA GN R.1580/1964, RSA GN R.1474/1967, RSA GN R.1354/1975, RSA GN R.908/1980 and RSA GN R.1551/1983, and substituted by RSA GN R.1134/1989.]

(2) The travelling fee payable to a medical practitioner who is required to examine a workman at a place which is situated 8 kilometres or more, measured in a straight line from the consulting rooms of the medical practitioner concerned, is as follows:

The cost of public transport or R0,25 per kilometre for each kilometre in excess of 16 kilometres in total, travelled in own car.

[subregulation (2) substituted by RSA GN R.1354/1975 and by RSA GN R.908/1980, and amended by RSA GN R.1551/1983]

**Penalties**

**REGULATIONS**

**Employees' Compensation Act 30 of 1941**

**Regulations under the Workmen's Compensation Act, 1941, as amended**

---

**22.** Any person convicted of an offence under these regulations shall be liable to a fine not exceeding one hundred rand or in default of payment, to imprisonment for a period not exceeding three months, or to both such fine and such imprisonment.

**23.** The regulations published by Government Notice No. 1580 of the 31st August, 1956, are hereby rescinded.

**24.** These regulations shall come into operation on the first day of September, 1961.

**REGULATIONS**

**Employees' Compensation Act 30 of 1941**

**Regulations under the Workmen's Compensation Act, 1941, as amended**

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**NOTES ON ANNEXURES**

**[RSA GN R.1580/1964 (paragraph 4) states that RSA GN R.581/1961, is amended:**

“By the deletion of Annexures 1, 1A, 2, 3, 4, 5, 9 and 10 to the regulations and by the substitution of the even-numbered Annexures contained in the Schedule”.

**However, the Schedule to RSA GN R.1580/1964 contains versions of Annexures 1, 1A, 2,3,4,5, 9 and 10. The English text of this direction appears to be in error. The Afrikaans text directs the substitution of *all* of the listed Schedules:**

“Aanhangsels 1, AA, 2, 3-4, 5, en 10 van die regulasies word hierby geskrap en vervang deur die eendersgenommerde Aanhangsels in die Bylae vervat.”

**This can be translated as follows:**

“Annexures 1, 1A, 2, 3-4, 5, and 10 of the regulations are hereby deleted and replaced by the similarly-numbered Annexures contained in the Schedule.”

**Similarly, RSA GN R.1474/1967 (paragraph 4) states that:**

“Annexures 9, 10 and 11 of the regulations are hereby deleted and substituted by the even-numbered Annexures appearing in the schedule hereto.”

**However, the Schedule to RSA GN R.1474/1967 contains versions of Annexures 9, 10 and 11. The English text of this direction appears to be in error. The Afrikaans text directs the substitution of *all* of the listed Schedules:**

“Aanhangsels 9, 10 en 11 van die regulasies word hierby geskrap en vervang deur die eendersgenommerde Aanhangsels in die bylae vervat.”

**This can be translated as follows:**

“Annexures 9, 10 and 11 of the regulations are hereby deleted and replaced by the similarly numbered Annexures contained in the schedule.”

**Similarly, RSA GN R.1480/1970 (paragraph 5) states that:**

“Annexures 1, 1A, 2, 3, 4, 5 and 10 of the regulations are hereby deleted and substituted by the even-numbered annexures contained in the schedule.”

**However, the Schedule to RSA GN R.1480/1970 contains versions of Annexures 1, 1A, 2, 3, 4, 5 and 10. The English text of this direction appears to be in error. The Afrikaans text directs the substitution of *all* of the listed Schedules:**

“Aanhangsels 1, 1A, 2, 3, 4, 5 en 10 van die regulasies word hierby geskrap en vervang deur die eendersgenommerde aanhangsels in die bylae vervat.”

**This can be translated as follows:**

“Annexures 1, 1A, 2, 3, 4, 5 and 10 of the regulations are hereby deleted and replaced by the similarly numbered Annexures contained in the schedule.”

**RSA Proc. 45/1990 (section 34(2)) gives the Commissioner the authority to adjust any form prescribed by the regulations in so far as it is necessary to give effect to the provisions of section 33 and subsection 34(1) of that Proclamation (which respectively amend the Act and the regulations in preparation for Namibian independence).]**

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

**ANNEXURE 1**

[Annexure 1 substituted by RSA GN R.1580/1964 and by RSA GN R.1480/1970  
and amended by RSA Act 102/1978]

W.As.1.(E).

WORKMEN'S COMPENSATION ACT, 1941.  
(Section 96-Regulation 2-Annexure 1.)

REGISTRATION OF EMPLOYERS *NOT* ENGAGED IN AGRICULTURE.

Part I.

Particulars to be furnished in terms of section 96(1) of the Workmen's Compensation Act, 1941, to the Workmen's Compensation Commissioner, P.O. Box 955, PRETORIA.

1. Name of business.....
2. Address where business premises are. situated .....
3. Address to which correspondence must be sent .....
4. Name of owner of business .....
5. If business is a partnership or a limited liability company, please state the names and addresses of the partners or directors.  
.....
6. Nature of business (describe fully).....
7. State any process involving the use of gas, explosives, acids or power-driven machinery.  
.....
8. Date on which the first workman was employed .....
9. If the business was taken over state the previous trading name  
.....
10. Branches. If the business is divided into separate branches, plants or departments give the name and address of each and indicate the nature of the operations carried on thereat: -

Name.	Address.	Nature of Operations.



**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

Part II.

Particulars of workmen and wages to be furnished in terms of section 68. The particulars must be furnished in respect of the period 1st March to the last day of February or, if business is commenced after the 1st March, in respect of the balance of the period.

(a) Give the names of, and the respective salaries expected to be paid to, working directors earning fixed salaries:-

..... R.....  
 ..... R.....  
 ..... R.....

The total amount of wages calculated at the rate of not more than R..... per working director per annum, must be included in part (d) hereunder.

	Europeans, Asiatics, Coloureds.	Blacks.
(b) Number of workmen expected to be employed during the period 1st March to the last day of February	.....	.....
(c) Estimated total amount of wages (including the cash value of free food and/or free quarters) expected to be paid to the above workmen during the above period	Wages. R.....	Wages. R.....
(d) Working directors. Number	R.....	R.....
TOTAL.....	R..... (x)	R..... (y)

TOTAL WAGES (x) PLUS (y) R.....

.....  
 Signature of employer or his duly  
 authorised agent.

Date .....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

**ANNEXURE 1A**

[Annexure 1A substituted by RSA GN R.1580/1964 and by RSA GN R.1480/1970,  
and amended by RSA Act 102/1978]

W.As.2.(E).

WORKMEN'S COMPENSATION ACT, 1941.  
(Section 96-Regulation 2-Annexure 1A).

REGISTRATION OF EMPLOYERS ENGAGED IN AGRICULTURE.

Particulars to be furnished in terms of section 96 (1) of the Workmen's Compensation Act, 1941,  
to:

THE WORKMEN'S COMPENSATION COMMISSIONER,  
P.O. Box 955, PRETORIA.

1. EMPLOYER;
  - (a) Full name .....
  - (b) Identity card number.....
  - (c) Postal address .....
  
2. Year in which you commenced farming operations .....
  
3. MACHINERY:
  - (a) Have you any tractors? (answer yes or no).....  
(if yes, state number) .....
  - (b) Have you any lorries? (Answer yes or no) .....
  - (If yes, state number).....
  - (c) Have you any power-driven saws? (Answer yes or no) .....
  - (If yes, state number).....

4. NATURE OF FARMING OPERATIONS CARRIED ON:  
Make a cross (X) only in that square which is applicable to your kind of farming.

(a)

	NAME OF FARM(S).	MAGISTERIAL DISTRICT.
MAINLY STOCK FARMING.		
(Any kind of livestock including poultry and bees.)	.....	.....
INDICATE SPECIFIC KIND	.....	.....
.....	.....	.....
.....	.....	.....

OR (b)

	NAME OF FARM(S).	MAGISTERIAL DISTRICT.
MAINLY CROP FARMING.		
Horticulture and Forestry.	.....	.....
(tillage-any kind of crop).	.....	.....
INDICATE SPECIFIC KIND	.....	.....
.....	.....	.....

**REGULATIONS  
Employees' Compensation Act 30 of 1941**

**Regulations under the Workmen's Compensation Act, 1941, as amended**

OR (c)		
	NAME OF FARM(S).	MAGISTERIAL DISTRICT.
MIXED FARMING.		
(Livestock and tillage on more or less equal scale.)		
DESCRIBE BRIEFLY:		

**5. PARTICULARS OF WORKMEN AND WAGES:**

The estimated number of workmen you expect to employ in connection with your fanning activities and their estimated wages including the cash value of any other remuneration, e.g. rations, free quarters, etc. for the period 1st March of the current year to the last day of February of the following year.

	NUMBER.	WAGES. (Cash, rations, quarters, etc.)
EUROPEANS, ASIATICS, COLOUREDS.....		R
BLACKS.....		R
TOTAL.....		R

6. State whether any operations such as the sinking of boreholes, dam construction, etc. are undertaken for other persons; if so furnish full particulars  
 .....

.....  
 Signature of employer or his duly authorised agent.

Date: .....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

**ANNEXURE 2**

[Annexure 2 substituted by RSA GN R.1580/1964 and by RSA GN R.1480/1970]

W.As. 3.

RETURN OF ESTIMATED WAGES.

To be rendered by employers in respect of all workmen NOT engaged in AGRICULTURE to -

The Workmen's Compensation Commissioner,  
P.O. Box 955,  
PRETORIA.

1. Name of business .....
2. Address where business premises are situated .....
3. Address to which correspondence must be sent .....
4. Name of the owner of business .....
5. If business is a partnership or a limited liability company, please state the names and addresses of the partners or directors.  
.....  
.....  
.....
6. Nature of business operations .....
7. State whether main business or separate branch .....
8. (a) Give the names of and the respective salaries expected to be paid to, working directors earning fixed salaries:-

..... R.....  
 ..... R.....

The total amount of wages, calculated at the rate of not more than R.....per working director per annum, must be include in part (d) hereunder.

	Europeans, Asiatics, Coloureds.	Blacks
(b) Number of workmen expected to be employed during the period 1st March to the last day of February.....	.....	.....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

(c) Estimated total amount of wages (including the cash value of free food and/or free quarters) expected to be paid to the above workmen during the above period.....	Wages. R .....	Wages. R .....
(d) Working directors. Number .....	R .....	R .....
TOTAL .....	R .....(x)	R..... (y)

Total Wages (x) plus (y) R\_\_\_\_\_

I/We certify that the above estimates are fair and reasonable.

.....  
 Signature of employer or his duly authorised agent.

Date: .....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

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**ANNEXURE 3**

[Annexure 3 substituted by RSA GN R.1580/1964,  
RSA GN R.1480/1970 and RSA GN R.143/1972]

W.As. 8.

ACCIDENT FUND.

WORKMEN'S COMPENSATION ACT, 1941  
(Section 68, Regulation 3, Annexure 3)

WAGE RETURN, 19 .....

To be rendered by employers in respect of all workmen not engaged in AGRICULTURE to-

The Workmen's Compensation Commissioner,  
P.O. Box 955,  
Pretoria.

on or before 31 March, 19 .....

1. Name of business.....
2. (a) Address where business premises are situated.....  
(b) Magisterial district.....
3. Address to which correspondence must be sent.....
4. Name of owner of business.....
5. If business is a partnership or a limited liability company, state names and addresses of partners or directors.  
.....
6. Nature of operations.....
7. State whether main business or separate branch.....
8. Give the names and the respective salaries of working directors earning fixed salaries not exceeding R..... per annum:-

.....	R.....
.....	R.....
.....	R.....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

\*E.A.C. - Europeans, Asiatics and Coloureds.

COMPULSORY COVER. (ALL WORKMEN EARNING UP TO R.....PER ANNUM.)

	*E.A.C.	Bantu.
9. Monthly average number of workmen employed during the period 1 March 19.. to the last day of February 19..		
10. Wages for the above period:		
(a) Total cash remuneration paid to the above workmen.....	R.....	R.....
(b) Cash value of free food and/or free quarters .....	R.....	R.....
(c) Total salaries of working director .....	R.....	R.....
(d) Total wages (a) plus (b) plus (c) .....	R.....	R.....
(e) Total excess wages .....	R.....	R.....
(f) Net total wages (d) minus (e).....	R.....	R.....
11. Net total wages.....	R.....	

VOLUNTARY COVER FOR PERSONS EARNING MORE THAN R.....PER ANNUM  
 (To be completed only by employers who have entered into a special arrangement)

12. Monthly average number employed.....
13. Total amount of wages actually paid, calculated at the rate of R..... per person per month during the period 1 March 19..... to the last day of February 19..... R.....

VOLUNTARY PERSONAL COVER FOR EMPLOYER WHOSE PERSONAL WAGES  
 AND PROFITS DO NOT EXCEED R .....PER ANNUM

Actual personal wages and profits for the period 1 March 19... to the last day of February 19...

14. Name..... R .....
15. Total wages, items 11, 13 and 14..... R .....

I/We certify that the above particulars are correct.

Date..... Signature of employer or his duly authorised agent.

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

**ANNEXURE 4**

[Annexure 4 substituted by RSA GN R.1580/1964 and by RSA GN R.1480/1970,  
and amended by RSA Act 102/1978]

W.As.12.

ACCIDENT FUND.

(Workmen's Compensation Act, 1941.)  
(Section 68-Regulation 3-Annexure 4.)

RETURN OF ESTIMATED WAGES.

To be rendered by employers in respect of workmen employed in Agriculture to:

The Workmen's Compensation Commissioner.  
P.O. Box 955,  
PRETORIA.

1. Full name of employer .....

2. Address to which correspondence should be sent.....  
.....

3. NAME OF FARM(S).	MAGISTERIAL DISTRICT.	TYPE OF FARMING
.....	.....	.....
.....	.....	.....

4. PARTICULARS OF WORKMEN AND WAGES:  
The estimated number of workmen you expect to employ in connection with your farming activities and their estimated wages including the cash value of any other remuneration e.g. rations, free quarters, etc. for the period 1st March of the current year to the last day of February of the following year.

	NUMBER.	WAGES. (Cash, rations, quarters, etc.)
EUROPEANS, ASIATICS, COLOUREDS .....		R
BLACKS .....		R
TOTAL.....		R

I/We certify that the above estimates are fair and reasonable.

.....  
Signature of employer or duly authorised  
agent.

Date .....



**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

**ANNEXURE 5**

[Annexure 5 substituted by RSA GN R.1580/1964 and by RSA GN R.1480/1970,  
and amended by RSA Act 102/1978]

W.As.17.

ACCIDENT FUND.

(Workmen's Compensation Act, 1941.)  
(Section 68-Regulation 3-Annexure 5.)

WAGE RETURN, 19.....

To be rendered by employers in respect of workmen employed in Agriculture to-

The Workmen's Compensation Commissioner,  
P.O. Box 955,  
PRETORIA.

On or before the 31st January, 19 .....

1. Full name of employer .....
2. Address to which correspondence must be sent.....
3.

NAME OF FARM(S).	MAGISTERIAL DISTRICT.	TYPE OF FARMING.
.....	.....	.....
.....	.....	.....
.....	.....	.....
4. State number: (a) tractors.....; (b) power-driven saws .....  
in use in connection with your farming.

PARTICULARS OF WORKMEN AND WAGES.

5. State the average number of workmen employed on the farm(s) and the *total*, according to your wage records, including the cash value of any other remuneration, e.g. rations and/or free quarters, the yield from free land, etc., paid to *all* workmen, during the period 1st March, 19..... to the last day of February, 19 .....

	NUMBER.	WAGES. (Cash, rations, quarters, etc.)
EUROPEANS, ASIATICS, COLOUREDS .....		R
BLACKS.....		R
TOTAL .....		R

6. State whether any operations such as the sinking of boreholes, dam construction, etc. are undertaken for other persons; if so, furnish full particulars.....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

---

.....  
.....

I/We certify that the above particulars are correct.

.....  
Signature of employer on his duly authorised  
agent.

Date.....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

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**ANNEXURE 6**

[Annexure 6 substituted by RSA GN R.143/1972 and by RSA GN R.908/1980]

W.Ac.60.

WORKMEN'S COMPENSATION ACT, 1941

ORDER UNDER SECTION 73(4): REGULATION 6-ANNEXURE 6

Rate R	Wages	Year	Final assessment	Section	Plus penalty/interest	Minus provisional assessment	Plus provisional assessment	Amount due
.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....

Office of the Workmen's Compensation Commissioner  
P.O. Box 955  
Pretoria

ORDER FOR THE PAYMENT OF MONEY DUE TO THE COMMISSIONER

WHEREAS .....  
of .....  
has failed to pay the Workmen's Compensation Commissioner the amount as indicated above, NOW,  
THEREFORE, it is hereby ordered that the said debtor do forthwith pay the Commissioner the amount  
due plus interest on the assessment at .....  
percent per annum from the date of this order to date of payment.

Given under my hand at PRETORIA, this ..... day of..... 19 .....

.....  
Workmen's Compensation Commissioner.

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

---

**ANNEXURE 7**

W.Ac.61.

WORKMEN'S COMPENSATION ACT, 1941  
(section 62-Regulation 7.)

ORDER FOR THE PAYMENT OF COMPENSATION OR OTHER PECUNIARY BENEFIT  
DUE TO A WORKMAN

Claim No ..... District of .....

Whereas .....  
of .....  
is liable to pay to .....  
the sum of ..... being money due as .....  
in respect of .....

Now, therefore, it is hereby ordered that the said .....  
do forthwith pay to the Workmen's Compensation Commissioner the sum specified above.

Given under my hand at Pretoria, this ..... day of  
of ..... 19 .....

.....  
Workmen's Compensation Commissioner.

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

---

**ANNEXURE 8**

W.C1.1.

WORKMEN'S COMPENSATION ACT, 1941  
[section 50(1)-Regulation 9(1)]

WORKMAN'S NOTICE OF ACCIDENT

To .....

(Name of Employer)

.....

(Address)

Notice is hereby given that on the ..... day of  
..... 19 ..... at ..... a.m./p.m,  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

(Name of Workman)

met with an accident at .....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

(Place where Accident occurred)

resulting in injury/death.\*

Date .....

.....  
Signature of Workman, or Person  
acting on behalf of Workman.

\* Delete whichever is not applicable.

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

---

**ANNEXURE 9**

[Annexure 9 substituted by RSA GN R.1580/1964, RSA GN R.1474/1967,  
RSA GN R.143/1972 and RSA GN R.1354/1975, and deleted by RSA GN R.1802/1981]

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

---

**ANNEXURE 10**

[Annexure 10 substituted by RSA GN R.1580/1964, RSA GN R.1474/1967, RSA GN R.1480/1970,  
RSA GN R.143/1972, RSA GN R.1354/1975, RSA GN R.1802/1981 and RSA GN R.223/1988]

W.C1.2(E).

WORKMEN'S COMPENSATION ACT, 1941 PART A  
(Section 51-Regulation 9(2)-Annexure 10)

(For official use only)

Claim number .....

**DECLARATION BY EMPLOYER**

I hereby declare that the particulars, shown in items 1 to 13 of this report, of an alleged injury on duty, are to the best of my knowledge and belief true and accurate.

Signed on this ..... day of ..... 19

.....

.....

*Signature of employer*

**1. Employer:**

Registered name with Workmen's Compensation Commissioner (block letters)

.....

Address

.....

.....

Telegraphic address.....

Postal code.....

Telephone.....

Telex number.....

Nature of business, trade or industry .....

.....

Plant, or particular section in which workman is employed .....

.....

Situation of business/farm.....

.....

Registration number allocated by the Workmen's Compensation Commissioner to this  
business/farming undertaking.....

.....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

**2. Workman:** (Indicate race with an X)

White..... Asian..... Coloured..... Black.....

Surname (block letters) ..... Citizen of.....

First names (block letters).....

Residential address .....

..... Postal code .....

Identity number ..... Company number.....

Date of birth ..... Sex .....

Married or single .....

Occupation.....

**Earnings:**

	<i>Per week</i>	<i>Per month</i>
	R	R
(a) Gross cash earnings including average payments for overtime and or commission of a constant character .....	.....	.....
(b) Allowance of a recurrent nature		
(i) *Bonuses.....	.....	.....
(ii) *Other allowances.....	.....	.....
*(specify).....	.....	.....
(c) Cash value of free food .....	.....	.....
(d) Cash value of free quarters .....	.....	.....

**3. Accident:**

(a) Date of accident ..... 19 ..... Time.....

(b) Place of accident ..... District .....

(c) Date workman reported the accident .....

..... 19 ..... Time.....

(d) How did the accident occur and what was the workman doing at the time? .....

.....

(Describe the accident fully, stating whether the injured person fell or was struck, etc., and all the factors contributing to the accident).

(e) Was his action at the time of the accident in connection with your trade or business? .....



**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

---

(f) Are you satisfied that the workman was injured in the manner alleged by him? (if not, give reasons) .....

(g) Nature of injury sustained by the workman (e.g. broken left leg, index finger of right hand crushed, cut to head or piece of metal in eye).....

4. Is the injured person a working director or the owner of, or a partner in the business?.....

5. Was the accident caused by the workman's -

(a) deliberate non-compliance with directions? .....

(b) reckless disregard of the terms of any law or statutory regulation designed to ensure safety or health of workmen or the prevention of accidents? .....

(c) drunkenness?.....

*N.B.* - If any reply is in the affirmative the workman must furnish an explanatory statement which must be attached hereto together with your comments thereon.

6. (a) Name and address of anybody who witnessed the accident .....

(b) Name and address of any other person who was aware of the accident at the time .....

7. (a) How long has the workman been in your employ?.....

(b) Did he, to your knowledge, have any physical defect, or did he suffer from any serious disease prior to the accident for has he previously received compensation for permanent disablement? If so, give full particulars .....

8. Will the workman during temporary disablement continue to receive from you -

(a) free food? (yes or no).....

(b) free quarters?(yes or no).....

*N.B.* - Ensure that item 2(c) and (d) is completed.

9. (a) Are you prepared to make cash payments during temporary disablement in terms of the Act? .....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

---

- (b) If you have already paid cash to the workman, state the total amount R .....
- (c) For what period were payments made? From..... to .....
10. (a) Date on which the workman ceased work .....  
..... 19..... Time.....
- (b) Number of days per week worked by the workman .....
- (c) Did the workman complete his shift on the day of the accident?  
.....
- (d) Date on which the workman resumed work .....  
..... 19..... Time.....
- (If workman has not yet resumed work, a Resumption Report (W.C1.6) must be submitted as soon as he resumes duty.)
11. (a) If accident was investigated by the Police, state name of the police station .....
- (b) If motor vehicles were involved please furnish registration number(s), if known to you .
- (c) How many other workmen were injured in the same accident?  
.....
12. (a) Was first aid given by the employer in this case?.....  
.....
- (b) Name of medical practitioner who treated the workman.....  
Dr.....
- (c) Name of the hospital where the workman received treatment.....  
.....
- 13 *N.B.* - Name and address of dependents or next-of-kin of the workman .....  
.....  
.....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

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W.Cl.2(E)

WORKMEN'S COMPENSATION ACT, 1941 PART B  
[Section 51-Regulation 9(2)-Annexure 10]

(For official use only)

Claim number .....

**DECLARATION BY EMPLOYER**

I hereby declare that the particulars, shown in items 1 to 13 of this report, of an alleged injury on duty, are to the best of my knowledge and belief true and accurate.

Signed on this ..... day of ..... 19  
.....

.....  
*Signature of employer*

**1. Employer:**

Registered name with Workmen's Compensation Commissioner (block letters)  
.....

Address  
.....  
.....

Telegraphic address..... Postal  
code.....

Telephone..... Telex  
number.....

Nature of business, trade or industry .....  
.....

Plant, or particular section in which workman is employed .....  
.....

Situation of business/farm:.....  
.....

Registration number allocated by the Workmen's Compensation Commissioner to this  
business/farming undertaking.....  
.....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

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**2. Workman:** (Indicate race with an X)

White..... Asian..... Coloured..... Black.....

Surname (block letters) ..... Citizen of.....

First names (block letters).....

Residential address .....

..... Postal code .....

Identity number ..... Company number.....

Date of birth ..... Sex.....

Married or single .....

Occupation.....

**Earnings:**

	<i>Per week</i>	<i>Per month</i>
	R	R
(a) Gross cash earnings including average payments for overtime and or commission of a constant character .....	.....	.....
(b) Allowance of a recurrent nature		
(i) *Bonuses.....	.....	.....
(ii) *Other allowances.....	.....	.....
*(specify).....	.....	.....
(c) Cash value of free food .....	.....	.....
(d) Cash value of free quarters .....	.....	.....

**3. Accident:**

(a) Date of accident .....19.... Time .....

(b) Place of accident ..... District .....

(c) Date workman reported the accident  
 .....19.... Time .....

(d) How did the accident occur and what was the workman doing at the time? .....

(Describe the accident fully, stating whether the injured person fell or was struck, etc., and all the factors contributing to the accident).

**REGULATIONS**

**Employees' Compensation Act 30 of 1941**

**Regulations under the Workmen's Compensation Act, 1941, as amended**

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- (f) Are you satisfied that the workman was injured in the manner alleged by him? (If not, give reasons) .....  
.....
- (g) Nature of injury sustained by the workman (e.g. broken left leg, index finger of right hand crushed, cut to head or piece of metal in eye).....  
.....
- 4. Is the injured person a working director or the owner of, or a partner in the business?.....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

**ANNEXURE 11**

[Annexure 11 substituted by RSA GN R.1474/1967]

W.Cl.3.

Claim No .....

WORKMEN'S COMPENSATION ACT, 1941.  
 (Section 54-Regulation 10-Annexure 11.)

**CLAIM FOR COMPENSATION**

This form must be completed by or on behalf of the injured workman and sent to the Workmen's Compensation Commissioner, P.O. Box 955, Pretoria.

<b>1. WORKMAN-</b>	Date of Birth.	Sex	Married or Single.	Race of Workman.
Surname..... (Block letters)				
First names..... (Block letters)				
Identity No. ....	Occupation.....			
Residential address.....				

<b>2. Earnings:-</b>	If paid per <i>Week</i> .	If paid per <i>Month</i> .
	R	R
(a) Wages (excluding allowances).....		
(b) Cost of living allowance.....		
(c) Other allowances (specify nature).....		
(d) Value of free food.....		
(e) Value of free quarters.....		
R		

**3. ACCIDENT:-**

(i) When and where did the accident occur?    Date..... Time..... Place.....

(ii) What was the workman doing at the time and how did the accident occur?.....  
 .....  
 .....

(iii) Describe in detail the nature and extent of the injury.....  
 .....  
 .....

(iv) (a) Did anybody see accident happen?  
 If so, specify

Name.....  
 Address.....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

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(b) Was any other person aware of its occurrence at the time?

If so, specify..... Name.....  
Address.....

4. EMPLOYER:-

(i) Name .....

(ii) Address.....

5. (a) If the accident resulted in the DEATH of the workman, the following information relating to his dependants, on whose behalf the claim is made, should be given:-

Full name.	Address.	Date of birth.	Relationship to workman.

(b) In the case of all OTHER accidents, the following information should be furnished in regard to next-of-kin of the workman:-

Full name.	Address.	Relationship.

6. Compensation in terms of the Workmen's Compensation Act, 1941, is hereby claimed in respect of the accident described above.

Date.....

.....  
*Signature of claimant or person acting on his behalf.*

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

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**ANNEXURE 12**

W.G.28.

WORKMEN'S COMPENSATION ACT, 1941  
(section 16-Regulation 12.)

SUBPOENA

To .....

.....

You are hereby required to appear in person before the Workmen's Compensation Commissioner or his duly authorised representative at.....  
on the..... day of..... 19 ..... at the hour of  
..... a.m./p.m. to give evidence in the matter of and to bring  
with you and then produce to the Commissioner or his duly authorised representative the several  
documents specified in the list hereunder -

List of documents to be produced -

Date.	Description.	Original or Copy.
.....	.....	.....
.....	.....	.....
.....	.....	.....

Given under my hand at ..... on this .....  
day of ..... 19 .....

.....  
Workmen's Compensation Commissioner



**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

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**ANNEXURE 13**

**[Annexure 13 substituted by GN R.2187/1984]**

W.G.29

WORKMEN'S COMPENSATION ACT, 1941  
[Section 25-regulation 13(1)]

(This objection must be lodged with the Workmen's Compensation Commissioner, P.O. Box 955, Pretoria, 0001, within 60 days of the Commissioner's decision.)

(N.B. – "lodged within 60 days" means that the objection must reach the Commissioner within 60 days from the date of his decision.)

NOTICE OF OBJECTION

Name of workman .....

Name of employer .....

1. State name of objector .....  
Address ..... Postal Code: .....

2. State whether objector is  
(a) the workman ..... or  
(b) the employer ..... or  
(c) an employer's organisation or trade union of which the person in respect of whom the decision was given, was at the times a concerned a member .....

[Note. - The word "Yes" should be written against (a), or (b), or (c), whichever is applicable.]

3. Quote the reference number and date of the document containing the Commissioner's decision against which the objection is lodged.

Reference number ..... Date .....

4. State fully what portion of the Commissioner's decision you object to:  
.....  
.....  
.....

5. Give your reasons in full for lodging the objection:.....  
.....  
.....  
.....  
.....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

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6. Any documentary evidence (or copies thereof) that you wish to submit in support of your contention(s) as stated in paragraph 5 should be attached and enumerated hereunder:

<i>Number</i>	<i>Title or description of document</i>
(i) .....	.....
(ii) .....	.....
(iii) .....	.....
(iv) .....	.....

7. Give names and addresses of persons whom you wish to be called as witnesses to give evidence in support of your objection:

<i>Name</i>	<i>Address</i>
(i) .....	.....
(ii) .....	.....
(iii) .....	.....
(iv) .....	.....
.....	.....
.....	.....
.....	.....
.....	.....

8. State briefly the points on which they will give evidence:

- (i) .....
- (ii) .....
- (iii) .....
- (iv) .....
- .....
- .....
- .....
- .....
- .....

Place .....

Date .....

*Signature of objector*

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

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**ANNEXURE 14**

W.G.30.

WORKMEN'S COMPENSATION ACT, 1941  
[section 43-Regulation 13(2).]

APPLICATION FOR ADDITIONAL COMPENSATION UNDER  
SECTION 43 OF THE ACT

*N.B.* - If the space on this form is inadequate for the reply to any question, the words "statement attached" may be inserted under the relative item and a statement containing the required particulars should be attached. Every such statement should bear sufficient details to identify it with the application and with the item to which it refers.

PARTICULARS OF APPLICANT

- (1) Name of applicant .....
- .....
- (2) Address of applicant .....
- .....
- (3) (To be completed only if the accident resulted in death).  
State the relationship of the applicant to the deceased workman.....

PARTICULARS OF ACCIDENT

- (4) Name of workman .....
- (5) Name of employer .....
- (6) Date of accident .....
- (7) Place of accident .....

PARTICULARS OF COMPENSATION AWARDED

- (8) Has any compensation already been awarded in respect of -  
(a) Permanent disablement? .....; or  
(b) Death? .....  
If so, give details .....

GROUNDS OF APPLICATION

*Negligence-section 43(1)(a).*

- (9) Is it alleged that the accident was due to the negligence of a person referred to in section 43(1)(a)? (Yes or No) .....
- (10) If so furnish the following particulars in respect of the person(s) whose negligence is alleged to have caused the accident -

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
**Regulations under the Workmen's Compensation Act, 1941, as amended**

Name.	Capacity in which Employed.	State whether this person falls under subparagraph (i), (ii), (iii), (iv) or (v) of section 43(1)(a) of the Act.
.....	.....	.....
.....	.....	.....
.....	.....	.....

(11) Give details of the alleged negligence of the above person(s).

Name.	Details.
.....	.....
.....	.....
.....	.....

*Patent Defect. - section 43(1)(b).*

(12) Is it alleged that the accident was due to a patent defect as set out in section 43(1)(b)? (Yes or No) .....

(13) If so -

(a) Did the patent defect exist in the premises, works, plant, material or machinery used in the business of the employer? (State which and give details) .....

(b) Furnish the following particulars in respect of the person(s) alleged to have knowingly or negligently caused or failed to remedy the patent defect -

Name.	Capacity in which Employed.	State whether this person falls under subparagraph (i), (ii), (iii), (iv) or (v) of section 43(1)(a) of the Act.
.....	.....	.....
.....	.....	.....
.....	.....	.....

(14) State on what grounds it is alleged that the above person(s) knowingly or negligently caused or failed to remedy the patent defect -

Name.	Grounds.
.....	.....
.....	.....
.....	.....

WITNESSES

(15) Give the following particulars in respect of witnesses whom the applicant wishes to be subpoenaed to give evidence in support of the application should a formal hearing be held -

Names.	Addresses.
.....	.....

**REGULATIONS**  
**Employees' Compensation Act 30 of 1941**  
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.....	.....
.....	.....

(16) State briefly the nature of the evidence which each witness will be able to give -

Name.	Evidence.
.....	.....
.....	.....
.....	.....

REPRESENTATION

(17) State the name and address of the trade union, attorney or other representative (if any) who will act for the applicant in the matter .....

DECLARATION

I, ....., being the applicant in the matter, do hereby declare that the above particulars are correct to the best of my knowledge and belief.

Signed at ..... on this .....  
day of ..... 19 .....

Witness **[Witness]** .....

.....  
Signature