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REPORT

OF THE BLACK AFFAIRS AUTHORITY IN RESPECT OF THE BLACK COMPENSATION FUND ESTABLISHED IN TERMS OF SECTION 109 (2) OF THE OCCUPATIONAL DISEASES IN MINES AND WORKS ACT, 1973 (ACT 78 OF 1973)

for the period 1 April 1979 to 31 March 1980.

TO THE HONOURABLE THE MINISTER OF MINERAL AND ENERGY AFFAIRS
TO THE HONOURABLE THE MINISTER OF CO-OPERATION AND DEVELOPMENT
TO THE COMPENSATION COMMISSIONER FOR OCCUPATIONAL DISEASES

I have the honour to present, in terms of Section 119 (1) of Act 78 of 1973, my report for the period 1 April 1979 to 31 March 1980.

DIRECTOR-GENERAL : CO-OPERATION AND DEVELOPMENT
DATE: 11/3/1981

LEGISLATION

1. In terms of section 109 (1) of the Occupational Diseases in Mines and Works Act, 1973 (Act 78 of 1973) which repealed the Pneumoconiosis Compensation Act, 1962 (Act 64 of 1962) as amended, the Black Affairs Authority, defined as the Director-General : Co-operation and Development, is charged with the payment of a benefit or any other amount awarded by the Compensation Commissioner for Occupational Diseases in terms of the Act, or the previous Act, to or in respect of a Black person.

COMPENSATION TO BLACK PERSONS

2. Benefits for compensatable diseases are awarded as follows by the Compensation Commissioner, after the certification committee has found that a Black person is suffering from a compensatable disease which he contracted as a result of employment at or in connection with a controlled mine or a controlled works:-

(i) in the case of a compensatable disease other than tuberculosis if a benefit was not previously awarded, a one-sum benefit of R1 331;

(ii) in the case of tuberculosis together with any other compensatable disease, if a benefit was not previously awarded, a one-sum benefit of R1 598;

(iii) in the case where a benefit was previously awarded in respect of tuberculosis or any other compensatable disease, an additional one-sum benefit equal to the difference between R1 598 and the benefit previously awarded; and

(iv) in the case of tuberculosis with which the person concerned was in the opinion of the certification committee already affected while he was performing risk work, or at any time within twelve months as from the date on which he performed risk work if he had worked not less than 200 shifts and if a benefit was not previously awarded in respect of tuberculosis, a one-sum benefit of R799.

BENEFITS IN RESPECT OF DECEASED BLACK PERSONS

3. When the certification committee has found that a deceased Black person who performed risk work, at or in connection with a controlled mine or a controlled works, was at the time of his death suffering from a

compensatable disease in respect of which he would have been entitled to a benefit, had he not died, the Commissioner shall award benefits as follows:-

(i) in the case of a compensatable disease other than tuberculosis, or of such other compensatable disease together with tuberculosis if the deceased did not before his death become entitled to a benefit, two thirds of the benefit to which he would have been entitled had he not died;

(ii) in the case of tuberculosis, if he did not before his death become entitled to a benefit, one-half of the benefit to which the deceased would have been entitled had he not died;

(iii) in the case of tuberculosis together with any other compensatable disease, if the deceased became entitled before his death to a benefit, two thirds of the additional benefit to which the deceased would have been entitled had he not died.

SPECIAL AWARD TO A BLACK PERSON

4. If a Black person within the Republic, to whom a benefit was awarded has been paid in full, and is in necessitous circumstances and unable, by reason of old age or continous poor health, to earn sufficient means of subsistence, the Department may in its discretion, out of moneys in the Black Compensation Fund not required for the payment of benefits under this Act, make special awards to such person. Special awards have been increased from R285 to R330 with effect from 1 October 1979. Moneys not required for the payment of benefits consist of unpaid benefits in respect of which the beneficiary after a period of 24 months made no withdrawals and can not be traced.

PAYMENT OF BENEFITS

5. Benefits are paid as follows to or on behalf of beneficiaries:-

(a) Blacks inside the Republic - mainly in bi-monthly instalments of R55-00, and in certain circumstances, partly in a one-sum and partly in bi-monthly instalments of R55-00

(b) Blacks outside the Republic - In a single payment to the beneficiary or to the representative of the country of origin.

6. The books of the Black Compensation fund reflect a balance of R10 178 931 as at 31 March 1980 computed as follows:-

Investment with the Public Debt Commissioners			R10 016 917
Moneys in transit			434 928
Cash in Bank: Overdraft			(17 082)
Claims paid but not yet allocated against Fund			46 665
Advances to Sub-Accountants			1 526
Outstanding claims			-
			R10 482 954
LESS	:	Black Governments Suspence	102 467
Less	:	Outstanding claims still to be paid	201 556
			R10 178 931

7. Investments as at 31 March 1980 with Public Debt Commissioners are made up as follows:-

Immediate on call	452 142
Stock	9 564 775
	R10 016 917

8. Particulars of the number of beneficiaries as at 31 March 1980 are as follows:-

	Active	Inactive	Total
Current benefits	3 020	5 805	8 825
Special awards	60	179	239
Total	3 080	5 984	9 064

UNCLAIMED BENEFITS

9. Benefits in respect of Blacks who have after a lapse of two years not yet claimed their awards and who cannot be traced, are credited to an unclaimed benefits account from which special awards are made in terms of Section 115 of the Act. On 31 March 1980 the balance in this account amounted to R5 351 048. Payment of benefits is reinstated when a beneficiary or his depandants are traced.

VERSLAG

VAN DIE SWART SAKE-OWERHEID TEN OPSIGTE VAN DIE SWART VERGOEDINGSFONDS INGESTEL KRAGTENS ARTIKEL 109 (2) VAN DIE WET OP BEDRYFSIEKTES IN MYNE EN BEDRYWE, 1973 (WET 78 VAN 1973)

Vir die tydperk 1 April 1979 tot 31 Maart 1980.

AAN SY EDELE DIE MINISTER VAN MINERAAL- EN ENERGIESAKE
AAN SY EDELE DIE MINISTER VAN SAMEWERKING EN ONTWIKKELING
AAN DIE VERGOEDINGSKOMMISSARIS VIR BEDRYFSIEKTES

Ek het die eer om, ingevolge artikel 119 (1) van Wet 78 van 1973, my verslag vir die tydperk 1 April 1979 tot 31 Maart 1980 voor te lê.

DIREKTEUR-GENERAAL : SAMEWERKING EN ONTWIKKELING
DATUM: 11 Maart 1981

WETGEWING

1. Kragtens artikel 109 (1) van die Wet op Bedryfsiektes in Myne en Bedrywe, 1973 (Wet 78 van 1973), wat die Pneumokoniose-vergoedingswet, 1962 (Wet 64 van 1962), soos gewysig, herroep het, is die Swart sake-owerheid, omskryf as die Direkteur-generaal : Samewerking en Ontwikkeling, belas met die betaling van 'n voordeel of ander bedrag, wat ingevolge die Wet of die vorige Wet, aan of ten opsigte van 'n Swart persoon deur die Vergoedingskommissaris vir Bedryfsiektes toegeken is.

VERGOEDING AAN SWART PERSONE

2. Voordele vir vergoedbare siektes word soos volg deur die Vergoedingskommissaris toegeken nadat die sertifiseringskomitee bevind het dat 'n Swart persoon aan 'n vergoedbare siekte ly wat hy opgedoen het as gevolg van sy werk by of in verband met 'n beheerde bedryf:

(i) in die geval van 'n ander vergoedbare siekte as tuberkulose, indien daar nie voorheen 'n voordeel toegeken is nie, 'n enkelbedragvoordeel van R1 331;

(ii) in die geval van tuberkulose saam met 'n ander vergoedbare siekte, indien daar nog nie voorheen 'n voordeel toegeken is nie, 'n enkelbedragvoordeel van R1 598;

(iii) in die geval waar daar voorheen 'n voordeel ten opsigte van tuberkulose of 'n ander vergoedbare siekte toegeken is, 'n bykomende enkelbedragvoordeel gelyk aan die verskil tussen R1 598 en die voordeel wat voorheen toegeken is; en

(iv) in die geval van tuberkulose waardeur die betrokke persoon volgens die sertifiseringskomitee se oordeel reeds aangetas was, terwyl hy risikowerk verrig het, of te eniger tyd binne twaalf maande van die datum waarop hy die laaste keer risikowerk verrig het indien hy minstens 200 skofte gewerk het, en indien daar nie voorheen 'n voordeel ten opsigte van tuberkulose toegeken is nie, 'n enkelbedragvoordeel van R799.

<u>VOORDELE TEN OPSIGTE VAN OORLEDE SWART PERSONE</u>

3. Wanneer die sertifiseringskomitee bevind dat 'n oorlede Swart persoon, wat risikowerk by of in verband met 'n beheerde myn of 'n beheerde bedryf verrig het, ten tye van

sy dood aan 'n vergoedbare siekte gely het ten opsigte waarvan hy op 'n voordeel geregtig sou gewees het indien hy nie gesterf het nie, ken die Vergoedingskommissaris voordele soos volg toe:-

(i) in die geval van 'n ander vergoedbare siekte as tuberkulose, indien die oorledene nie voor sy dood op 'n voordeel geregtig geword het nie, tweederdes van die voordeel waarop hy geregtig sou gewees het indien hy nie gesterf het nie;

(ii) in die geval van tuberkulose, indien hy nie voor sy dood op 'n voordeel geregtig geword het nie, die helfte van die voordeel waarop die oorledene geregtig sou gewees het indien hy nie gesterf het nie;

(iii) in die geval van tuberkulose saam met 'n ander vergoedbare siekte, indien die oorledene voor sy dood op 'n voordeel geregtig geword het, tweederdes van die bykomende voordeel waarop die oorledene geregtig sou gewees het indien hy nie gesterf het nie.

SPESIALE TOEKENNING AAN 'n SWART PERSOON

4. Indien 'n Republiek Swart persoon, aan wie 'n voordeel toegeken is, ten volle betaal is, in behoeftige omstandighede verkeer en weens ouderdom of swak gesondheid nie in staat is om voldoende lewensmiddele te verdien nie, kan die Department na goeddunke uit gelde in die Swart Vergoedingsfonds wat nie vir betaling van voordele ingevolge die Wet nodig is nie, aan die betrokke persoon spesiale toekennings maak. Spesiale toekennings is met ingang van 1 Oktober 1979 van R285 na R330 verhoog. Gelde wat nie vir betaling van voordele nodig is nie, bestaan

uit onuitbetaalde voordele ten opsigte waarvan die begunstigde na verloop van 24 maande nog nie enige opvragings gedoen het en nie gespoor kan word nie.

UITBETALING VAN VOORDELE

5. Voordele word soos volg aan of ten behoewe van begunstigdes betaal:-

(a) Republiek-Swartes - Hoofsaaklik in paaiemente van R55-00 elke tweede maand en in sekere omstandighede gedeeltelik in 'n enkele bedrag en in tweemaandelikse paaiemente van R55-00.

(b) Swartes buite die Republiek - In 'n enkele bedrag aan die begunstigde of aan die verteenwoordiger van die land van herkoms.

6. Die Swart Vergoedingsfonds weerspieël 'n saldo van R10 178 931 op 31 Maart 1980 soos volg saamgestel:

Beleggings by Staatskuldkommissarissse	R10 016 917
Gelde in transito	434 928
Kontant in Bank: Oortrokke Saldo	(17 082)
Eise betaal wat nog nie teen Fonds toegewys is nie	46 665
Voorskotte aan Onderrekenmeesters	1 526
Uitstaande eise	-
	R10 482 954
MIN : Swart Regerings Afwag	102 467
Min : Uitstaande eise wat nog vereffen moet word	201 556
	R10 178 931

7. Die beleggings by die Staatskuldkommissarisse soos op 31 Maart 1980 is soos volg saamgestel:-

Onmiddellik opvraagbaar	R 452 142
Effekte	9 564 775
	R10 016 917

8. Besonderhede van die aantal begunstigdes soos op 31 Maart 1980 is soos volg:-

	Aktief	Onaktief	Totaal
Lopende voordele	3 020	5 805	8 825
Spesiale toekennings	60	179	239
Totaal	3 080	5 984	9 064

ONOPGEËISTE VOORDELE.

9. Swartes wat na verloop van twee jaar nog geen voordele opgeëis het nie en nie gespoor kan word nie, se voordele word na 'n onuitbetaalde voordelerekening gekrediteer waaruit spesiale toekennings ingevolge artikel 115 van die Wet gemaak word. Op 31 Maart 1980 het die saldo in hierdie rekening op R5 351 048 te staan gekom. Betaling van voordele word heringestel sodra 'n begunstigde of sy afhanklikes opgespoor word.

DEPARTEMENT VAN SAMEWERKING EN ONTWIKKELING
DEPARTMENT OF CO-OPERATION AND DEVELOPMENT

SWART VERGOEDINGSFONDS IN[illegible]STEL KRAGTENS DIE WET OP BEDRYFSIEKTES IN [illegible]E EN BEDRYWE, 1973 (WET 78 VAN 1973)
BLACK COMPENSATION FUND ESTABLISHED IN TERMS OF THE OCCUPATIONAL DISEASES IN MINES AND WORKS ACT, 1973 (ACT 78 OF 1973)

BALANSSTAAT SOOS OP 31 MAART 1980
BALANCE SHEET AS AT 31 MARCH 1980

1978/79	LASTE/LIABILITIES		1979/80
R		R	R
4 794 954	Saldo van Fonds/Balance of Fund :		
	Lopende voordele/Current benefits	4 401 095	
25 053	Spesiale toekennings/Special awards	28 847	
4 059 754	Onuitbetaalde voordele/Unpaid benefits	5 351 048	9 780 990
	Toekennings nog nie betaal nie /Benefits not paid :		
379 047	Lopende voordele/Current benefits	380 321	
13 174	Spesiale toekennings/Special awards	17 620	397 941
-	Uitstaande eise/Outstanding claims		102 467
88 966	Swart Regeringsafwag/Black Governments Suspense		201 556
236 797	Uitstaande skatkisorders/Uncashed warrant vouchers		143 134
9 597 740			10 626 088

1978/79	BATES/ASSETS		1979/80
R		R	R
9 017 776	By die Staatskuldkommissarisse belê/Invested with Public Debt Commissioners	10 016 917	
230 610	Plus : Toekennings in transito/Awards in transit	434 928	10 451 845
285 983	Kontant by Betaalmeester-generaal/Cash with the Paymaster-General		126 05[illegible]
15 219	Betaalde eise nog nie toegewys/Paid claims not yet allocated		46 66[illegible]
14 244	Voorskotte aan Onderrekenmeesters/Advances to Sub-accountants		1 526
33 908	Uitstaande eise/Outstanding claims		-
9 597 740			10 626 088

ADJUNK-DIREKTEUR-GENERAAL SAMEWERKING EN ONTWIKKELING
DEPUTY DIRECTOR-GENERAL CO-OPERATION AND DEVELOPMENT

DATUM : 2-01-1981
DATE : ....

Bostaande Balansstaat is ingevolge die bepalings van artikel 42(4) van die Skatkis- en Ouditwet, No. 66 van 1975, gelees met artikel 118(3) van die Wet op Bedryfsiektes in Myne en Bedrywe, No. 78 van 1973, geouditeer en is na my mening opgestel sodat dit 'n ware en juiste weergawe van die geldelike sake van die Swart Vergoedingsfonds gee.

The above Balance Sheet has been audited in accordance with the provisions of section 42(4) of the Exchequer and Audit Act, No. 66 of 1975, read with section 118(3) of the Occupational Diseases in Mines and Works Act, No. 78 of 1973, and in my opinion it has been drawn up so as to reflect a true and fair view of the financial affairs of the Black Compensation Fund.

KANTOOR VAN DIE OUDITEUR-GENERAAL
OFFICE OF THE AUDITOR-GENERAL

Wnd / Acting OUDITEUR-GENERAAL
AUDITOR-GENERAL

PRETORIA, 5/1/81.

DEPARTEMENT VAN SAMEWERKING EN ONTWIKKELING

DEPARTMENT OF CO-OPERATION AND DEVELOPMENT

SWART VERGOEDINGSFONDS INGESTEL KRAGTENS DIE WET OP BEDRYFSIEKTES IN MYNE EN BEDRYWE, 1973 (WET 78 VAN 1973)

BLACK COMPENSATION FUND ESTABLISHED IN TERMS OF THE OCCUPATIONAL DISEASES IN MINES AND WORKS ACT 1973 (ACT 78 OF 1973)

STAAT VAN ONTVANGSTES EN BETALINGS VIR DIE JAAR GEëINDIG 31 MAART 1980

STATEMENT OF RECEIPTS AND PAYMENTS FOR THE YEAR ENDED 31 MARCH 1980

1978/79	ONTVANGSTES/RECEIPTS		1979/80
R		R	R
8 276 412	Saldo in Beleggingsrekening soos op 1 April 1979/Balance in Investment Account as at 1 April 1979	9 017 776	
346 928	Plus : Toekennings in transito/ Awards in transit	230 610	9 248 386
8 158	Kontant voorhande soos op 1 April 1979/Cash on hand as at 1 April 1979		49 216
3 772 640	Voordele ontvang van die Vergoedingskommissarisse/Benefits received from the Compensation Commissioner		3 664 430
719 156	Rente ontvang/Interest received		819 586
	Diverse ontvangstes/Miscellaneous receipts :		
46 495	Voordele/Benefits	49 900	
15 104	Afwag/Suspense	5 905	
-	Voorskotte/Advances	8 108	63 913
13 184 893			13 845 531

1978/79	BETALINGS/PAYMENTS		1979/80
R		R	R
1 929 725	Voordele betaal/Benefits paid ...	1 829 779	
1 851 966	Voordele oorgeplaas na Swart Regerings/Benefits transferred to Black Governments	1 533 716	3 363 495
	Diverse betalings/Miscellaneous payments :		
-	Afwag/Suspense	4 273	
105 600	Voorskotte/Advance	43 000	47 273
9 017 776	Saldo's soos op 31 Maart 1980/ Balances as at 31 March 1980 : Beleggings by die Staatskuldkommissarisse/Investments with Public Debt Commissioners	10 016 917	
230 610	Plus : Toekennings in transito/ Awards in transit	434 928	10 451 845
285 983	Kontant by die Betaalmeestergeneraal/Cash with the Paymaster-General	126 052	
236 767	Min : Ongewisselde skatkisorders/ Less : Uncashed warrant vouchers	143 134	Kt. 17 082
13 184 893			13 845 531

ONUITBETAALDE VOORDELEREKENING/UNPAID BENEFITS ACCOUNT

1978/79		1979/80
3 696 604	Saldo soos op 1 April 1979/Balance as at 1 April 1979	4 059 754
398 353	Rente ontvang/Interest received ..	576 732
297	Ontvangstes/Receipts	774 600
4 095 254		5 411 086

1978/79		1979/80
24 375	Spesiale toekennings/Special awards	28 862
8 485	Bedrag oorgeplaas na Voordelerekening/Amount transferred to Benefits account	27 891
2 012	Bedrag oorgeplaas na Swart Regerings/ Amount transferred to Black Governments	3 285
4 059 754	Saldo soos op 31 Maart 1980/Balance as at 31 March 1980	5 351 048
628	Bedrag oorgeplaas na afwag/Amount transferred to suspense	-
4 095 254		5 411 086

ADJUNK- DIREKTEUR-GENERAAL SAMEWERKING EN ONTWIKKELING
DEPUTY DIRECTOR-GENERAL CO-OPERATION AND DEVELOPMENT

DATUM :
DATE : 2 -01- 1981