



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Employees' Compensation Act 30 of 1941
section 107

General Regulations

Government Notice 581 of 1961
(RSA GG 73)
came into force on 1 September 1961

as amended by

- Government Notice 1580 of 1964 (RSA GG 922)**
came into force on date of publication: 16 October 1964
- Government Notice 1474 of 1967 (RSA GG 1851)**
came into force on date of publication: 22 September 1967
- Government Notice 1480 of 1970 (RSA GG 2808)**
came into force on date of publication: 11 September 1970
- Government Notice 143 of 1972 (RSA GG 3380)**
came into force on date of publication: 11 February 1972
- Government Notice 1354 of 1975 (RSA GG 4790)**
came into force on date of publication: 18 July 1975
- Government Notice 837 of 1977 (RSA GG 5549)**
came into force on date of publication: 20 May 1977
- Government Notice 908 of 1980 (RSA GG 6969)**
came into force on date of publication: 02 May 1980
- Government Notice 1802 of 1981 (RSA GG 7741)**
came into force on date of publication: 28 August 1981
- Government Notice 1551 of 1983 (RSA GG 8814)**
came into force on date of publication: 15 July 1983
- Government Notice 2187 of 1984 (RSA GG 9449)**
came into force on date of publication: 5 October 1984
- Government Notice 223 of 1988 (RSA GG 11140)**
came into force on date of publication: 19 February 1988
- Government Notice 1134 of 1989 (RSA GG 11909)**
came into force on date of publication: 2 June 1988

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Government Notice 47 of 2004 (GG 4919)
came into force on date of publication: 15 March 2004
Government Notice 95 of 2011 (GG 3169)
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

ARRANGEMENT OF REGULATIONS

[The individual regulation headings are reproduced
as they appear in the *RSA Government Gazette*.]

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ANNEXURE 1

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ANNEXURE 1A

REGISTRATION OF EMPLOYERS ENGAGED IN AGRICULTURE

ANNEXURE 2

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WAGE RETURN

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

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Interpretation

1. In these regulations, unless inconsistent with the context -
“Act” means the Workmen’s Compensation Act, 1941, as amended;
“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

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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 -

- (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 GN 1474/1967, GN 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 Pretoria.

(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.

8.

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

Notice of accident

9. (1) Written notice under subsection (1) of section *fifty* of the Act by a workman (other than a Native workman) of an accident shall be in the form of Annexure 8, and

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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.

(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) inserted by GN 1580/1964, substituted by GN 143/1972 amended by GN 1802/1981]

(a) In the case of employers whose place of business is situated in the undermentioned areas, the necessary forms must be forwarded to the Divisional Inspector, Department of Labour at the address given below and *not* to the Commissioner direct -

(i) The Magisterial Districts of -	
The Cape	} P.O. Box 872, Cape Town.
Wynberg	
Bellville	
Simonstown	
(ii) The Municipal Areas of -	
Port Elizabeth	} Private Bag 3908, Port Elizabeth.
Uitenhage	
(iii) The Municipal Areas of -	
Durban	} P.O. Box 940, Durban.
Pinetown	
Queensburgh	
Westville	
Amanzimtoti and New Germany. }	
(iv) The Territory of	} P.O. Box 1885, Windhoek.
South West Africa	

[Paragraph (a) amended by GN 1580/1964, GN 1474/1967, GN 1474/1967 and GN 1480/1970.

(b)

[paragraph (b) deleted by GN 1480/1970]

(3) In the case of an employer whose place of business is situated in any of the undermentioned areas the notice under, subregulation (2) must be forwarded to the appropriate Divisional Inspector, Department of Manpower or in the case of South-West Africa, the Local Representative of the Commissioner, at the address given below and not to the Commissioner direct:

(i) Business in the magisterial districts of-
The Cape; Wynberg; Bellville; Simonstown; Goodwood and Kuilsrivier : P.O. Box 872, Cape Town, 8000.

(ii) Business in the municipal areas of-
Port Elizabeth and Uitenhage: Private Bag X3908, Port Elizabeth, 6000.

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(iii) Business in the magisterial districts of-
Durban and Pinetown: P.O. Box 940, Durban, 4000.

(iv) Business in the Territory of South-West Africa-
Private Bag X13200, Windhoek, 9000.

[subregulation (3) deleted by GN 1580/1964, substituted by
GN 1802/1981, amended by GN 223/1988 and GN 1134/1989]

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-

(a) the employer; of

(b) (i) the Regional Director in those areas mentioned in paragraphs (i), (ii) and (iii) of subregulation (3) of regulation 9 where the employer's place of business is situated in such area;

(ii) the Local Representative of the Commissioner in the Territory of South-West Africa;

(ii) the Commissioner in any other area;

and shall be deemed to have been lodged on the date of receipt of the claim by the Divisional Inspector, the Secretary: Civic Affairs and Manpower, the Commissioner, or the employer as the case may be.

[subregulation (2) substituted by GN 1802/1981]

(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) An employer with whom the claim is lodged, or to whom any information or document referred to in subregulation (3) is furnished or transmitted, shall forthwith forward such claims or information or document to the Commissioner except in those cases where the employer's place of business is situated in an area mentioned in subregulation (3) of regulation 9 when it shall be forwarded to the Regional Director for that area or the Local Representative of the Commissioner as the case may be.

Any employer who fails to comply with this regulation shall be guilty of an offence.

[regulation 10 amended by GN 1480/1970, GN 1354/1975,
GN 1802/1981, GN 223/1988 and GN 1134/1989]

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 GN 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, ten rand 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)

[regulation 3(a) amended by GN 1580/1964 and GN 1474/1967]

- (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

[paragraph (a)(iii) substituted by GN 1480/1970, GN 908/1980, GN 2187/1984 and GN 223/1988]

Provided that in the case of a professional witness the allowances shall be the same as the subsistence allowances at the maximum rate applicable to public servants.

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[proviso inserted by GN 1580/1964]

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

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.

[regulation 14(1) amended by GN 1474/1967, GN 1354/1975,
GN 837/1977, GN 1802/1981, GN 2187/1984 and GN 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 and one hundred and twelve rand and fifty cent;
- (ii) where the degree of disablement is under thirty per cent a lump sum bearing the same proportion to twelve thousand six hundred rand and one hundred and twelve rand and fifty cent as the degree of disablement bears to thirty per cent;

[paragraph (b)(ii) amended by GN 1354/1975, GN 837/1977,
GN 1802/1981, GN 2187/1984 and GN 223/1988]

- (iii) where the degree of disablement is one hundred per cent a monthly pension of one thousand five hundred and eighty rand and 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 five hundred and eighty rand and one thousand one hundred and twenty-five rand as the degree of disablement bears to one hundred per cent.

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[paragraph (b)(iii) amended by GN 1474/1967, GN 1354/1975,
GN 837/1977, GN 1802/1981, GN 2187/1984 and GN 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 of eight hundred and forty rand and a monthly pension four hundred and fifty assessor leaves as a dependant a widow and no children the award to the widow of a lump sum rand;

[paragraph (c)(i) amended by GN 1474/1967, GN 1354/1975,
GN 837/1977, GN 1802/1981, GN 2187/1984 and GN 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;

[paragraph (c)(iii) amended by GN 1474/1967, GN 1354/1975,
GN 837/1977, GN 1802/1981, GN 2187/1984 and GN 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;

[paragraph (c)(iv) amended by GN 1474/1967, GN 1354/1975,
GN 837/1977, GN 1802/1981, GN 2187/1984 and GN 223/1988]

(v) if the assessor leaves na 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;

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

[paragraph (vi) amended by GN 1474/1967, GN 837/1977,
GN 1802/1981, GN 2187/1984 and GN 223/1988]

(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 GN 1474/1967, GN 1354/1975, GN 837/1977, GN 1802/1981, GN
2187/1984 and GN 223/1988]

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

(b) A widow who remarries shall be paid a lump sum of two thousand two hundred and twenty-three rand.

[subregulation (3) substituted by GN 837/1977 amended by GN 1474/1967 and GN 1354/1975]

(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

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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 -

- (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 *RSA 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 State shall be entitled to the following remuneration travelling allowances in connection with the performs 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)

[subregulation (5)(a)(i) substituted by GN 1474/1967, amended by GN 1354/1975,
GN 908/1980, GN 1802/1981, GN 1551/1983, GN 2187/1984 and GN 1134/1989]

(ii)

[subregulation 5(a)(ii) substituted by GN 1474/1967, amended by GN 1354/1975,
GN 1802/1981, GN 1551/1983, GN 2187/1984 and deleted by GN 1134/1989]

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

(iv) the cost of transport.

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(b) An assessor shall be required to travel by the most convenient public conveyance provided that where the 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.

(c) In the event of an assessor travelling by a road 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 rate includes the supply of food and sleeping accommodation, the allowances provided for in paragraph (a)(iii) of subregulation shall not be payable in addition to such fare, but an assessor may be reimbursed any reasonable expenditure necessarily incurred on account of stowage 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 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, relevance, 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 GN 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 record of any proceedings before the Commissioner up to the hearing of any claim shall be one rand, increased twenty cents for every hundred words contained therein, 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 GN 837/1977]

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Disposal of unclaimed moneys

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) Provided that unclaimed moneys of less than two rand shall be paid directly into the Reserve Fund without publication in the *Government 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

[paragraph (a) substituted by GN 1354/1975]

- (b) Unpaid moneys payable to workmen outside the Republic 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 Republic and any subsequent claim for the payment of such an amount shall be referred to the government concerned for consideration.

[paragraph (b) substituted by GN 2187/1984]

- (i) in the case of a Native to whom the Mozambique Convention applies, to the Representative of the Portuguese Institute of Labour in terms of the said Convention; and

[paragraph (b)(i) amended by GN 1474/1967]

- (ii) in the case of any other Native from outside the Republic, to the Government of the Territory in which such Native is domiciled, or to the Local Representative in the Republic of such Government;

and any subsequent claim for payment of any such amount shall be referred to the Government concerned for consideration.

(3) The provisions of subregulation (2) shall also apply to any unpaid moneys due to any person under the Workmen's Compensation Act, 1934, or the Workmen's Compensation (Accidents and Industrial Diseases) Proclamation, 1924 (Proclamation No. 27 of 1924 of the territory).

(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 Republic, 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) inserted by GN 1354/1975 and substituted by GN 2187/1984 and GN 223/1988]

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Advocates' and attorneys' fees

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 GN 1354/1975 and deleted by GN 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

[paragraph (b)(i) amended by GN 223/1988]

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

Specialist: R300,00

[paragraph (b)(ii) amended by GN 1474/1967, GN 1480/1970, GN 908/1980, GN 1551/1983, GN 223/1988 and GN 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 GN 1580/1964, 1474/1967 and substituted by GN 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:

<i>Kilometres</i>	<i>Specialist</i> (per kilometre from starting point) R	<i>General Practitioner</i> (per kilometre from starting point) R
10 up to 40.....	0,80	0,46

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more than 40 up to 50..... 0,48 0,31

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 GN 1354/1975, GN 908/1980 and amended by GN 1551/1983]

Penalties

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 regulation 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.

ANNEXURE 1

[Annexure 1 substituted by GN 1580/1964 and GN 1480/1970]

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

**REGULATIONS
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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.

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.	Bantu.
(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

ANNEXURE 1A

[Annexure 1A substituted by GN 1580/1964 and GN 1480/1970]

W.As. 2.(E).

REGULATIONS
Employees' Compensation Act 30 of 1941
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(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.
<u>MAINLY STOCK FARMING.</u>		
(Any kind of livestock including poultry and bees.)
.....
INDICATE SPECIFIC KIND
.....
.....

OR (b)

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

OR (c)

	NAME OF FARM(S).	MAGISTERIAL DISTRICT.
<u>MIXED FARMING.</u>		

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(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
BANTU		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 of his duly authorised agent.

Date:

ANNEXURE 2

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

W.As. 3.

ACCIDENT FUND.

(Workmen's Compensation Act, 1941.)
(Section 68 - Regulation 3 - Annexure 2.)

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

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-
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 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.

s	Europeans, Asiatics, Coloureds.	Bantu
(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.....		

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

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

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Employees' Compensation Act 30 of 1941
General Regulations

Date

ANNEXURE 3

[Annexure 3 substituted by GN 1580/1964, GN 1480/1970 and GN 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:-

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..... R

..... R

..... R

*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 (he last day of February 19..... R

.....

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**VOLUNTARY PERSONAL COVER FOR EMPLOYER WHOSE PERSONAL WAGES
PERSONAL 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 R
14

I/We certify that the above particulars are correct.

Date Signature of employer or his duly authorised agent.

ANNEXURE 4

[Annexure 4 substituted by GN 1580/1964 and GN 1480/1970]

W.As. 12.

ACCIDENT FUND.

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

RETURN 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

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BANTU		R
TOTAL.....		R

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

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

Date

ANNEXURE 5

[Annexure 5 substituted by GN 1580/1964 and GN 1480/1970]

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.)
---------	---

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EUROPEANS, ASIATICS, COLOUREDS		R
BANTU.....		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.....

I/We certify that the above particulars are correct.

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

Date.....

ANNEXURE 6

[Annexure 6 substituted by GN 143/1972 and GN 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.

ANNEXURE 7

W.Ac. 61.

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

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**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.

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.

ANNEXURE 9

[Annexure 9 substituted by GN 1580/1964, GN 143/1972 and deleted by GN 1802/1981]

ANNEXURE 10

REGULATIONS
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[Annexure 10 substituted by GN 1580/1964, GN 1474/1967, GN 1480/1970,
GN 143/1972, GN 1354/1975, GN 1802/1981 and GN 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

.....

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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:

Per week
R

Per month
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

.....
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?

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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?.....

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, 10 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?

(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

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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

.....
.....

2. Workman:(Indicate race with an X)

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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) Brute 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?

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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?.....

ANNEXURE 11
[Annexure 11 substituted by GN 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.

1. WORKMAN-	Date of Birth.	Sex	Married or Single.	Race of Workman.
	Surname (Block letters)			
First names (Block letters)	Occupation			
Residential address				

2. Earnings:-		If paid per <i>Week.</i> R	If paid per <i>Month.</i> R
(a) Wages (excluding allowances)		
(b) Cost of living allowance		

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(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.

ANNEXURE 12

W.G. 28.
Annexure 12

**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

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ANNEXURE 13
[Annexure 13 substituted by GN 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:.....
.....
.....
.....
.....
.....

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)

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- (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

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

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- (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 -

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)

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.....

(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.
.....
.....
.....

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

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

Representation

(17) Slate 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

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Republic of Namibia 38 Annotated Statutes
REGULATIONS
Employees' Compensation Act 30 of 1941
General Regulations

Witness

Signature