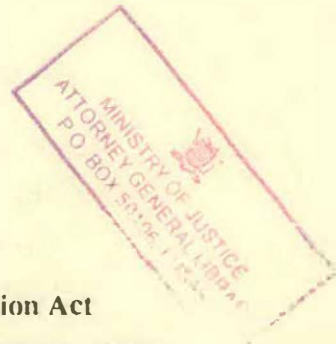


GOVERNMENT OF ZAMBIA

ACT

No. 27 of 1994



Date of Assent: 29th September, 1994

An Act to amend the Workmen's Compensation Act

[21st October, 1994

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Workmen's Compensation (Amendment) Act, 1994, and shall be read as one with the Workmen's Compensation Act, hereinafter referred to as the principal Act.

Short title
Cap. 509

2. The long title and short title of the principal Act are amended by the deletion of " Workmen's " wherever it appears and the substitution therefor of " Workers' ".

Amendment
of long and
short title

3. Section *two* and subsequent provisions of the principal Act are amended—

Amendment
of other
provisions

(a) by the deletion of " workman " wherever it appears and the substitution therefor of " worker ";

(b) by the deletion of " workmen " wherever it appears and the substitution therefor of " workers ";

(b) by the addition of " Workmen's " wherever it appears and the substitution therefor of " workers ".

4. Section *thirty-four* of the principal Act is amended by the deletion from subsection (1) and (3) of " fifty kwacha " wherever it appears and the substitution therefor of " twenty-five thousand kwacha ".

Amendment
of section 34

5. Section *thirty-six* of the principal Act is amended by the deletion of " fifty kwacha " and the substitution therefor of " twenty-five thousand kwacha ".

Amendment
of section 36

Amendment
of section 566. Section *fifty-six* of the principal Act is amended—

(a) by the deletion of subsection (1) and the substitution therefor of the following subsection:

(1) Compensation in the case of total disablement shall be made by periodical payments during the period of disablement and shall be calculated at fifty per centum of the assessed earnings of the worker.

(b) by the deletion of subsection (3).

Amendment
of section 577. Section *fifty-seven* of the principal Act is amended by the deletion from subsection (3) of " subsections (2) and (3) " and the substitution therefor of " subsection (2) ".Amendment
of section 598. Section *fifty-nine* of the principal Act is amended—

(a) by the deletion of subsection (1) and the substitution therefor of the following subsection:

(1) Compensation in the case of permanent disablement shall be according to the degree of disablement, and shall be calculated as follows:

(a) where the degree of disablement is one hundred per centum, a monthly pension calculated at fifty per centum of the assessed earnings of the worker;

(b) where the degree of disablement is under one hundred per centum but exceeds ten per centum, a monthly pension bearing the same proportion to the pension calculated in accordance with paragraph (a) as the degree of such disablement bears to one hundred per centum;

(c) where the degree of disablement does not exceed ten per centum, a lump sum so calculated on such basis as the Ministry may prescribe;

Provided that in any case where the lump sum so calculated exceeds thirty-one thousand kwacha, compensation shall not be payable as such a lump sum, but shall be payable in accordance with paragraph (b), as though that paragraph applied to every degree of disablement under one hundred per centum.

(b) by the deletion of subsection (2).

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9. Section *sixty-one* of the principal Act is amended—
- Amendment
of section 61
- (a) in paragraph (b) of subsection (1) by the deletion of " Part II of the Third Schedule " and the substitution therefor of " the Third Schedule ";
- (b) in paragraph (d) in the proviso to paragraph (e) and in paragraph (f) of subsection (1) by the deletion of " two thousand eight hundred and eighty kwacha " wherever it appears and the substitution therefor of " thirty thousand kwacha ";
- (c) in subsection (2) by the deletion of " two thousand eight hundred and eighty kwacha " and the substitution therefor of " thirty thousand kwacha ";
- (d) in subsection (5) by the deletion of " fifty kwacha " and the substitution therefor of " ten thousand kwacha "
10. Section *sixty-two* is amended in subsection (1) by the deletion of " Part II of the Third Schedule " and the substitution therefor of " the Third Schedule ".
- Amendment
of section 62
11. Section *sixty-nine* of the principal Act is amended in the proviso to subsection (2) by the deletion of " two kwacha " and the substitution therefor of " three hundred kwacha "
- Amendment
of section 69
12. Section *seventy-three* of the principal Act is amended by the deletion of " one hundred and fifty kwacha " and the substitution therefor of " twenty thousand kwacha ".
- Amendment
of section 73
13. Section *eighty-seven* of the principal Act is amended in subsection (2)—
- Amendment
of section 87
- (a) in paragraph (a) by the deletion of " one thousand and five hundred kwacha " and the substitution therefor of " thirty thousand kwacha ";
- (b) in paragraph (b) by deletion of " five hundred kwacha " and the substitution therefor of " twenty thousand kwacha ".
14. Section *ninety-five* of the principal Act is amended in subsection (6), in the proviso thereto and in subsection (10) by the deletion of " four kwacha, twenty ngwee " wherever it appears and the substitution therefor of " two thousand kwacha ".
- Amendment
of section 95
15. Section *one hundred and nine* of the principal Act is amended in subsection (1) by the deletion of " one thousand kwacha " and the substitution therefor of " sixty thousand kwacha ".
- Amendment
of section
109

Amendment
of section
113

16. Section *one hundred and thirteen* of the principal Act is amended by the deletion of " four hundred kwacha " and the substitution therefor of " two hundred and fifty thousand kwacha ".

Amendment
of section
126

17. Section *one hundred ad twenty-six* of the principal Act is amended by the deletion of " two hundred kwacha " and the substitution therefor of " one hundred thousand kwacha ".

Repeal and
substitution
of Third and
Fourth
Schedules

18. The principal Act is amended by the deletion of the Third and Fourth Schedules thereto and the substitution therefor of the following Schedules:

THIRD SCHEDULE
(Section 61 and 62)

MONTHLY ALLOWANCES IN RESPECT OF CHILDREN

	<i>Percentage of Worker's Pension</i>
In respect of one child	15
In respect of two children	20
In respect of three children	25
In respect of four children	30
In respect of five children	35
In respect of six children	40
In respect of seven children	45
In respect of more than seven children	50

FOURTH SCHEDULE
(Section 61 and 62)

MONTHLY ALLOWANCES IN RESPECT OF CHILDREN

	<i>Percentage of Worker's Pension</i>
In respect of one child	30
In respect of two children	40
In respect of three children	50
In respect of four children	60
In respect of five children	70
In respect of six children	80
In respect of seven children	90
In respect of more than seven children	100