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[No. 2364

PROCLAMATION

*by the State President of the
Republic of South Africa*

No. R. 102, 1969

OILSEEDS CONTROL SCHEME.—AMENDMENT

Whereas the Minister of Agriculture has in terms of section 15 (3), read with section 9 (2) (c) of the Marketing Act, 1968 (No. 59 of 1968), accepted the proposed amendment, as set out in the Schedule hereto, to the Oilseeds Control Scheme, published by Proclamation R. 55 of 1968, and has, in terms of section 12 (1) (b) of the said Act recommended the approval of the said proposed amendment;

Now, therefore, under the powers vested in me by section 15 (3), read with section 14 (1) (a) of the said Act, I do hereby declare that the said amendment shall come into operation on the date of publication hereof.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Ninth day of April, One thousand Nine hundred and Sixty-nine.

J. J. FOUCHÉ,
State President.

By Order of the State President-in-Council.
D. C. H. UYS.

SCHEDULE

1. Proclamation R. 55 of 1968 is hereby amended by the substitution for the expression "Oilseed Control Scheme" of the expression "Oilseeds Control Scheme".

2. The Schedule to Proclamation R. 55 of 1968 is hereby amended—

(a) by the substitution in section 3 (1) (c) for the word "expressives" of the word "expressers";

(b) by the substitution in section 4 (2) (a) for the word "West" of the word "East";

(c) by the substitution in section 15 (b) for the word "of" where it occurs for the second time of the word "to";

(d) by the substitution in section 28 (a) for the words "to over" of the words "over to"; and

PROKLAMASIE

*van die Staatspresident van die
Republiek van Suid-Afrika*

No. R. 102, 1969

OLIESADEBEHEERSKEMA.—WYSIGING

Nademaal die Minister van Landbou kragtens die bepalings van artikel 15 (3), gelees met artikel 9 (2) (c) van die Bemerkingswet, 1968 (No. 59 van 1968), die voorgestelde wysiging soos in die Bylae hiervan uiteengesit, van die Oliesadebeheerskema, afgekondig by Proklamasie R. 55 van 1968, aangeneem het en kragtens artikel 12 (1) (b) van genoemde Wet, goedkeuring van genoemde wysiging aanbeveel het;

So is dit dat ek kragtens die bevoegdheid my verleen by artikel 15 (3), gelees met artikel 14 (1) (a) van genoemde Wet, hierby verklaar dat genoemde wysiging op die datum van publikasie hiervan in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Negende dag van April Eenduisend Negehonderd Nege-en-sestig.

J. J. FOUCHÉ,
Staatspresident.

Op las van die Staatspresident-in-rade.
D. C. H. UYS.

BYLAE

1. Proklamasie R. 55 van 1968 word hierby gewysig deur in die Engelse teks die uitdrukking "Oilseed Control Scheme" deur die uitdrukking "Oilseeds Control Scheme" te vervang.

2. Die Bylae van Proklamasie R. 55 van 1968 word hierby gewysig—

(a) deur in die Engelse teks van artikel 3 (1) (c) die woord "expressives" deur die woord "expressers" te vervang;

(b) deur in die Engelse teks van artikel 4 (2) (a) die woord "West" deur die woord "East" te vervang;

(c) deur in die Engelse teks van artikel 15 (b) die woord "of" waar dit die tweede keer voorkom deur die woord "to" te vervang;

(d) deur in die Engelse teks van artikel 28 (a) die woorde "to over" te vervang met die woorde "over to"; en

(e) by the substitution for the expressions "Oilseed Control Scheme" and "Oilseed Control Board" wherever it occurs of the expressions "Oilseeds Control Scheme" and "Oilseeds Control Board" respectively.

GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 661 25 April 1969
DRIED FRUIT SCHEME

MAXIMUM PRICES OF DRIED FRUIT.— AMENDMENT

In terms of section 79 (1) of the Marketing Act, 1968 (No. 59 of 1968), I, Dirk Cornelis Hermanus Uys, Minister of Agriculture, hereby make known that the Dried Fruit Board, referred to in section 3 of the Dried Fruit Scheme, published by Proclamation R. 302 of 1962, as amended, has, in terms of section 20 of that Scheme, with my approval and with effect from the date of publication hereof, amended the prohibition in connection with the sale of dried fruit, published by Government Notice R. 510 of 28 March 1969.

D. C. H. UYS,
Minister of Agriculture.

SCHEDULE

The Annexure to the Schedule of Government Notice R. 510 of 28 March 1969, is hereby amended by the addition after paragraph (d) of clause 3 of the following paragraph:—

"(e) If the fruit is sold and delivered in the Cape Peninsula, $\frac{1}{2}$ c per lb may be added to the prices as determined above."

DEPARTMENT OF HEALTH

No. R. 635 25 April 1969
THE SOUTH AFRICAN MEDICAL AND DENTAL COUNCIL

AMENDMENT OF THE REGULATIONS REGARDING THE REGISTRATION OF CERTAIN CLASSES OF MEDICAL PRACTITIONERS, INTERNS AND DENTISTS

The State President has been pleased, under the powers vested in him by section 22 (2) and (3) of the Medical, Dental and Pharmacy Act, 1928 (Act 13 of 1928), as amended, read with section 94 (1) of the said Act, and after consideration of a recommendation by the South African Medical and Dental Council, further to amend the regulations published under Government Notice R. 1690, dated 30 October 1964, as amended, by Government Notice R. 146, dated 29 January 1965 and R. 742, dated 21 May 1965—

(i) by the insertion in regulation 2 (a) after the words "medical practitioners" of the words "or dentists";

(ii) by the insertion in regulation 5 after the words "medical practitioner" of the words "or dentist".

(e) deur in die Engelse teks die uitdrukkings "Oilseed Control Scheme" en "Oilseed Control Board" waar dit ook al voorkom deur die uitdrukkings "Oilseeds Control Scheme", en "Oilseeds Control Board" onderskeidelik te vervang.

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING

No. R. 661 25 April 1969
DROËVRUGTESKEMA

MAKSIMUM PRYSE VAN DROËVRUGTE.— WYSIGING

Ingevolge artikel 79 (1) van die Bemarkingswet, 1968 (No. 59 van 1968), maak ek, Dirk Cornelis Hermanus Uys, Minister van Landbou, hierby bekend dat die Droëvrugte-raad, genoem in artikel 3 van die Droëvrugteskema, afgekondig by Proklamasie R. 302 van 1962, soos gewysig, kragtens artikel 20 van daardie Skema met my goedkeuring en met ingang van die datum van publikasie hiervan die verbod in verband met die verkoop van droëvrugte, afgekondig by Goewermentskennisgewing R. 510 van 28 Maart 1969, gewysig het soos in die Bylae hiervan uiteengesit.

D. C. H. UYS,
Minister van Landbou.

BYLAE

Die Aanhangsel tot die Bylae van Goewermentskennisgewing R. 510 van 28 Maart 1969, word hierby gewysig deur na paragraaf (d) van klousule 3 die volgende paragraaf by te voeg:—

"(e) Wanneer die vrugte in die Kaapse Skiereiland verkoop en afgelewer word, kan $\frac{1}{2}$ c per lb by die pryse, soos hierbo bepaal, gevoeg word."

DEPARTEMENT VAN GESONDHEID.

No. R. 635 25 April 1969
DIE SUID-AFRIKAANSE GENEESKUNDIGE EN TANDHEELKUNDIGE RAAD

WYSIGING VAN DIE REGULASIES BETREFFENDE DIE REGISTRASIE VAN SEKERE KLASSE GENEESHERE, INTERNS EN TANDARTSE

Dit het die Staatspresident behaag om kragtens die bevoegdheid hom verleen by artikel 22 (2) en (3) van die Wet op Geneeshere, Tandartse en Aptekers, 1928 (Wet 13 van 1928), soos gewysig, gelees met artikel 94 (1) van genoemde Wet, en na oorweging van 'n aanbeveling van die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad, die regulasies afgekondig by Goewermentskennisgewing R. 1690 van 30 Oktober 1964, soos gewysig, by Goewermentskennisgewings R. 146 van 29 Januarie 1965 en R. 742 van 21 Mei 1965, verder te wysig—

(i) deur die invoeging in regulasie 2 (a) na die woord "geneeshere" van die woorde "of tandartse";

(ii) deur die invoeging in regulasie 5 na die woord "geneesheer" van die woorde "of tandarts".

DEPARTMENT OF LABOUR

No. R. 632

25 April 1969

INDUSTRIAL CONCILIATION ACT, 1956
ELECTRICAL INDUSTRY, EAST LONDON
AMENDMENT OF AGREEMENT

I, Marais Viljoen, Minister of Labour, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that all the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Electrical Industry, shall be binding from the second Monday after the date of publication of this notice and for the period ending 17 March 1970, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement shall be binding from the second Monday after the date of publication of this notice and for the period ending 17 March 1970, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industry in the Magisterial District of East London; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the Magisterial District of East London and from the second Monday after the date of publication of this notice and for the period ending 17 March 1970, the provisions of the Amending Agreement shall *mutatis mutandis* be binding upon all Bantu employed in the said Industry by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of Bantu in their employ.

M. VILJOEN,
Minister of Labour.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE ELECTRICAL
INDUSTRY, EAST LONDON
AGREEMENT

in accordance with the Industrial Conciliation Act, 1956, made and entered into between the

Electrical Contractors' Association of South Africa (hereinafter referred to as "the employers" or "the employers' organisation") of the one part, and the

South African Electrical Workers' Association (hereinafter referred to as "the employees" or "the trade union") of the other part,

being the parties to the Industrial Council for the Electrical Industry, East London, to amend the Agreement published under Government Notice R. 341, dated 8 March 1968, as specified hereunder:—

By the addition in clause 3 under the definition of "labourer" the following new subparagraphs:—

"(i) Laying of cables under direct supervision of an artisan in trenches, ducts and racks;

(j) cleating, including the placing of the wires in the cleats, provided no tensioning is done;

(k) fitting of light electrical trunking up to medium voltage containing medium and low voltage circuits, providing no wiring is done."

Signed at East London on behalf of the Council on this 1st day of July 1968.

G. C. H. ROBERTS, *Chairman*E. BUCHHOLTZ, *Vice-Chairman*A. T. HARTLAND, *Secretary*

DEPARTEMENT VAN ARBEID

No. R. 632

25 April 1969

WET OP NYWERHEIDSVERSOENING, 1956
ELEKTROTEGNIJSE NYWERHEID, OOS-LONDEN
WYSIGING VAN OOREENKOMS

Ek, Marais Viljoen, Minister van Arbeid, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat al die bepalings van die Ooreenkoms (hieronder die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Elektrotegniese Nywerheid betrekking het, vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 17 Maart 1970 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 17 Maart 1970 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerheid in die landdrosdistrik Oos-Londen; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 17 Maart 1970 eindig, in die landdrosdistrik Oos-Londen *mutatis mutandis* bindend is vir alle Bantoes in diens in genoemde Nywerheid by die werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is, en vir daardie werkgewers ten opsigte van Bantoes in hul diens.

M. VILJOEN,
Minister van Arbeid.

BYLAE

NYWERHEIDSRAAD VIR DIE ELEKTROTEGNIJSE
NYWERHEID, OOS-LONDEN
OOREENKOMS

ingevolge die bepalings van die Wet op Nywerheidsversoening, 1956, gesluit en aangegaan deur en tussen die

Electrical Contractors' Association of South Africa (hieronder die "werkgewers" of die "werkgewersorganisasie" genoem), aan die een kant, en die

South African Electrical Workers' Association (hieronder die "werknemers" of die "vakvereniging" genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Elektrotegniese Nywerheid, Oos-Londen, om die Ooreenkoms gepubliseer by Goewermentskennisgewing R. 341 van 8 Maart 1968, soos volg te wysig:—

Deur die byvoeging van onderstaande nuwe subparagrafe onder die omskrywing van "arbeider" in klousule 3:—

"(i) Kables onder die regstreekse toesig van 'n ambagsman aanleë in slote, leidings en rakke;

(j) klampwerk, met inbegrip van die plasing van die drade in die klampe, mits die drade nie ook styf gespan word nie;

(k) elektriese hoofdrade vir ligte aansluit by geleidings van middelslagspanning wat middelslag- en laespanningstroombane bevat, mits geen bedradingswerk verrig word nie."

Op hede die 1ste dag van Julie 1968 namens die Raad te Oos-Londen onderteken.

G. C. H. ROBERTS, *Voorsitter*.E. BUCHHOLTZ, *Ondervoorsitter*.A. T. HARTLAND, *Sekretaris*.

No. R. 633

25 April 1969

INDUSTRIAL CONCILIATION ACT, 1956

WORK RESERVATION DETERMINATION 13.—
BUILDING INDUSTRY, CAPE PROVINCE AND
NATALEXEMPTION IN RESPECT OF THE CAPE
PROVINCE

It is hereby notified for general information that the Minister of Labour has, in terms of section 77 (10) of the Industrial Conciliation Act, 1956, granted exemption from the provisions of Determination 13, published under Government Notice R. 1861 of 9 November 1962, with effect from the second Monday after the date of publication of this notice and for the period ending 17 March 1970, to all employers and employees bound by the Agreement relating to the Electrical Industry, East London, published under Government Notice R. 341 of 8 March 1968, as amended, by Government Notice R. 632 of 25 April 1969, to the extent that persons who are not White persons may perform any work in the said Industry specified in the definition of "labourer" in clause 3 of the said Agreement.

The exemption has been granted on condition that it shall cease to operate in respect of any employer immediately such employer replaces a White person employed by him on work in respect of which exemption has been granted, by a person who is not a White person.

No. R. 634

25 April 1969

INDUSTRIAL CONCILIATION ACT, 1956

BAKING AND/OR CONFECTIONERY INDUSTRY
(CAPE)AMENDMENT OF PROVIDENT FUND
AGREEMENT

I, Marais Viljoen, Minister of Labour, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that all the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Baking and/or Confectionery Industry, shall be binding from the second Monday after the date of publication of this notice and for the period ending on 30 June 1971, upon the employer's organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement shall be binding from the second Monday after the date of publication of this notice and for the period ending on 30 June 1971, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industry in the Magisterial Districts of Bellville, the Cape, Paarl, Simonstown, Somerset West, Strand, Stellenbosch, Wellington and Wynberg; and

No. R. 633

25 April 1969

WET OP NYWERHEIDSVERSOENING, 1956

WERKRESERVERINGVASTELLING 13.—BOU-
NYWERHEID, KAAPPROVINSIE EN NATALVRYSTELLING TEN OPSIGTE VAN DIE
KAAPPROVINSIE

Hierby word vir algemene inligting bekendgemaak dat die Minister van Arbeid kragtens artikel 77 (10) van die Wet op Nywerheidsversoening, 1956, vrystelling van die bepalings van Vastelling 13 wat by Goewermentskennisgewing R. 1861 van 9 November 1962 gepubliseer is, aan alle werkgewers en werknemers vir wie die Ooreenkoms in verband met die Elektrotegniese Nywerheid, Oos-Londen, gepubliseer by Goewermentskennisgewing R. 341 van 8 Maart 1968, soos gewysig by Goewermentskennisgewing R. 632 van 25 April 1969 bindend is, verleen het vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 17 Maart 1970 eindig, in dié mate dat persone wat nie Blanke persone is nie, toegelaat mag word om in genoemde Nywerheid enige werk te verrig wat in die omskrywing van "arbeider" in klousule 3 van genoemde Ooreenkoms gespesifiseer is.

Die vrystelling is verleen op voorwaardes dat dit ten opsigte van enige werkgewer sal verval sodra sodanige werkgewer 'n Blanke wat by hom in diens is in werk ten opsigte waarvan vrystelling verleen is, vervang deur 'n persoon wat nie 'n Blanke persoon is nie.

No. R. 634

25 April 1969

WET OP NYWERHEIDSVERSOENING, 1956

BAK- EN/OF BANKETNYWERHEID (KAAP)

WYSIGING VAN VOORSORGFONDS-
OOREENKOMS

Ek, Marais Viljoen, Minister van Arbeid, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat al die bepalings van die Ooreenkoms (hieronder die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Bak- en/of Banketnywerheid betrekking het, vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1971 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangeaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1971 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerheid in die landdrosdistrikte Bellville, die Kaap, Paarl, Simonstad, Somerset-Wes, Strand, Stellenbosch, Wellington en Wynberg; en

(c) in terms of section 48 (3) (a) of the said Act, declare that in the Magisterial Districts of Bellville, the Cape, Paarl, Simonstown, Somerset West, Strand, Stellenbosch, Wellington and Wynberg and from the second Monday after the date of publication of this notice and for the period ending on 30 June 1971, the provisions of the Amending Agreement shall *mutatis mutandis* be binding upon all Bantu employed in the said Industry by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of Bantu in their employ.

M. VILJOEN,
Minister of Labour.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE BAKING AND/OR CONFECTIONERY INDUSTRY (CAPE)

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, as amended, made and entered into between the

Cape Master Bakers' and/or Confectioners' Association

(hereinafter referred to as "the employers" or "the employers' organisation"), of the one part, and the

Bakery Employees Industrial Union

(hereinafter referred to as "the employees" or "trade union"), of the other part,

being parties to the Industrial Council for the Baking and/or Confectionery Industry (Cape), to amend the Council's Provident Fund Agreement published under Government Notice 293 of 17 February 1961, and extended by Government Notices 901 of 28 June 1963, R. 941 of 25 June 1965, R. 1956 of 10 December 1965, R. 987 of 24 June 1966 and R. 965 of 23 June 1967, as follows:—

1. CLAUSE 6.—CONTRIBUTIONS

By the deletion of paragraphs (a) and (b) of subclause (1) and the substitution thereof of the following:—

(a) *Group I.*—In the case of an employee earning an inclusive wage of R16 per week or less, the sum of 20 cents per week.

(b) *Group II.*—In the case of an employee earning an inclusive wage in excess of R16 per week, the sum of 40 cents per week.

2. CLAUSE 10.—AMOUNT OF BENEFITS

By the deletion of the whole of clause 10 and the substitution thereof of the following:—

"10. Amount of Benefits.

(1) *Withdrawal benefits.*—Subject to the provisions of clause 11 (1) of the Agreement the minimum benefits that shall be paid to contributors who, for reasons other than those provided for under subclauses (2), (3) and (4) of this clause, cease to be employed in the Baking and/or Confectionery Industry within the area specified in clause 1 of the Agreement, shall be as follows:—

(a) When the contributor has been a member of the Fund for less than two years—the amount of the member's own contributions;

(b) when the member has contributed to the Fund for two years or more—the amount of the member's own contributions plus five per cent of the employer's contributions on his behalf in respect of each completed year of membership with a maximum of 100 per cent of such employer's contribution.

(2) *Retirement benefits.*—(a) When the member retires on or after reaching the normal retiring age the benefit payable to him shall be as set out in subclause (1), provided, however, that if such member has been employed in the Baking and/or Confectionery Industry within the area specified in clause 1 of the Agreement for a period of 10 years or more and has reached retiring age, the benefit payable to him shall be:—

(c) kragtens artikel 48 (3) (a) van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1971 eindig, in die landdrostdistrikte Bellville, die Kaap, Paarl, Simonstad, Somerset-Wes, Strand, Stellenbosch, Wellington en Wynberg *mutatis mutandis* bindend is vir alle Bantoes in diens in genoemde Nywerheid by dié werkgevers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgevers ten opsigte van Bantoes in hul diens.

M. VILJOEN,
Minister van Arbeid.

BYLAE

NYWERHEIDSRAAD VIR DIE BAK- EN/OF BANKET-NYWERHEID (KAAP)

OOREENKOMS

ingevolge die bepalings van die Wet op Nywerheidsversoenig, 1956, soos gewysig, gesluit en aangegaan tussen die

Cape Master Bakers' and/or Confectioners' Association

(hieronder "die werkgevers" of "die werkgeversorganisasie" genoem), aan die een kant, en die

Bakery Employees Industrial Union

(hieronder "die werknemers" of die "vakvereniging" genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Bak- en/of Banketnywerheid (Kaap), om die Raad se Voorsorgfondsooreenkoms, gepubliseer kragtens Goewermentskennisgewing 293 van 17 Februarie 1961 en verleng by Goewermentskennisgewings 901 van 28 Junie 1963, R. 941 van 25 Junie 1965, R. 1956 van 10 Desember 1965, R. 987 van 24 Junie 1966 en R. 965 van 23 Junie 1967, soos volg te wysig:—

1. KLOUSULE 6.—BYDRAES

Deur die skapping van paragrawe (a) en (b) van subklousule (1) en die vervanging daarvan deur:—

(a) *Groep I.*—In die geval van 'n werknemer wat 'n insluitende loon van R16 per week of minder verdien, die bedrag van 20 sent per week.

(b) *Groep II.*—In die geval van 'n werknemer wat 'n insluitende loon van meer as R16 per week verdien, die bedrag van 40 sent per week.

2. KLOUSULE 10.—BEDRAG VAN BYSTAND

Deur die skapping van die hele klousule 10 en die vervanging daarvan deur:—

"10. Bedrag van Bystand.

(1) *Terugbetalingsbystand.*—Behoudens die bepalings van klousule 11 (1) van die Ooreenkoms is die minimum bystand wat betaal moet word aan bydraers wat om ander redes as dié bepaal in subklousules (2), (3) en (4) van hierdie klousule, ophou om in diens te wees in die Bak- en/of Banketnywerheid binne die gebied gespesifiseer in klousule 1 van die Ooreenkoms, soos volg:—

(a) Wanneer die bydraer lid van die Fonds vir minder as twee jaar was—die bedrag van die lid se eie bydraes;

(b) wanneer die lid vir twee jaar of langer tot die Fonds bygedra het—die bedrag van die lid se eie bydraes plus vyf persent van die werkgever se bydraes ten behoeve van hom met betrekking tot elke voltooide jaar lidmaatskap, met 'n maksimum van 100 persent van sodanige werkgever se bydrae.

(2) *Aftreebystand.*—(a) As die lid aftree wanneer hy die normale aftreeleeftyd bereik, of daarna, is die bystand wat aan hom betaalbaar is, dié wat in subklousule (1) uiteengesit word; met dien verstande egter dat indien sodanige lid in diens was in die Bak- en/of Banketnywerheid binne die gebied gespesifiseer in klousule 1 van die Ooreenkoms vir 'n tydperk van 10 jaar, of langer, en die aftreeleeftyd bereik het, die bystand wat aan hom betaalbaar is, soos volg is:—

A return of twice the member's contributions plus the following percentage allowances for interest for each completed year of combined contributions made by the employee and the employer on his behalf:—

Number of completed years of combined contributions	Allowance for interest for each year of combined contributions Per cent
Up to 5.....	—
6 and 7.....	$\frac{1}{2}$
8 and 9.....	1
10 to 13.....	$1\frac{1}{2}$
14 to 17.....	2
18 to 23.....	$2\frac{1}{2}$
24 to 29.....	3
30 to 35.....	$3\frac{1}{2}$
36 to 39.....	4
40 to 43.....	$4\frac{1}{2}$
44 and over.....	5.

(b) When a member who has been employed in the Industry within the area specified in clause 1 of the Agreement for a period of 10 years or more retires within five years prior to reaching the normal retiring age, the benefits payable to such member shall be calculated as set out in paragraph (a) of this subclause.

(3) *Ill-health retirement.*—Where a contributor is compelled by serious ill-health, or incapacity, to leave the Industry before reaching the retiring age, the Management Committee may on production of suitable medical evidence authorise benefits as follows:—

A return of twice the member's contributions plus the following allowance for interest for each completed year of combined contributions:—

Number of completed years of combined contributions	Allowance for interest for each year of combined contributions Per cent
Up to 5.....	—
6 and 7.....	$\frac{1}{2}$
8 and 9.....	1
10 to 13.....	$1\frac{1}{2}$
14 to 17.....	2
18 to 23.....	$2\frac{1}{2}$
24 to 29.....	3
30 to 35.....	$3\frac{1}{2}$
36 to 39.....	4
40 to 43.....	$4\frac{1}{2}$
44 and over.....	5

(4) *Death benefits.*—On production of satisfactory proof of death the benefits payable to the deceased's nominee or his estate shall be as follows:—

A return of twice the member's contributions plus the following allowances for interest for each completed year of combined contributions:—

Number of completed years of combined contributions	Allowance for interest for each year of combined contributions Per cent
Up to 5.....	—
6 and 7.....	$\frac{1}{2}$
8 and 9.....	1
10 to 13.....	$1\frac{1}{2}$
14 to 17.....	2
18 to 23.....	$2\frac{1}{2}$
24 to 29.....	3
30 to 35.....	$3\frac{1}{2}$
36 to 39.....	4
40 to 43.....	$4\frac{1}{2}$
44 and over.....	5.

provided that a minimum benefit of R100 shall be payable in the case where the deceased's contributions had been at the rate of 20 cents per week and a minimum benefit of R200 where the deceased's contributions had been at the rate of 40 cents per week."

Signed at Cape Town on behalf of the parties this 10th day of January 1969.

E. C. DUNNE, *Chairman.*

S. B. LOTTER, *Vice-Chairman.*

W. P. COTTEN, *Secretary.*

'n Terugbetaling van twee keer die lid se bydraes plus ondergemelde persentasietoelaes vir rente vir elke voltooide jaar van gekombineerde bydraes gemaak deur die werknemer en die werkgever ten behoeve van hom:—

Getal voltooide jare van gekombineerde bydraes	Toelae vir rente vir elke jaar van gekombineerde bydraes Persent
Tot 5.....	—
6 en 7.....	$\frac{1}{2}$
8 en 9.....	1
10 tot 13.....	$1\frac{1}{2}$
14 tot 17.....	2
18 tot 23.....	$2\frac{1}{2}$
24 tot 29.....	3
30 tot 35.....	$3\frac{1}{2}$
36 tot 39.....	4
40 tot 43.....	$4\frac{1}{2}$
44 en meer.....	5.

(b) Wanneer 'n lid wat vir 'n tydperk van 10 jaar of langer in diens was in die Nywerheid binne die gebied gespesifiseer in klousule 1 van die Ooreenkoms, aftree binne vyf jaar voordat hy die normale aftreeleefyd bereik, word die bystand wat aan sodanige lid betaalbaar is, bereken soos in paragraaf (a) van hierdie subklousule uiteengesit.

(3) *Aftrede weens swak gesondheid.*—Wanneer 'n bydraer deur ernstige swak gesondheid, of ongeskiktheid, gedwing word om die Nywerheid te verlaat voordat hy die aftreeleefyd bereik, mag die Bestuurskomitee, by voorlegging van aanneemlike mediese getuienis, bystand soos volg magtig:—

Getal voltooide jare van gekombineerde bydraes	Toelae vir rente vir elke jaar van gekombineerde bydraes Persent
Tot 5.....	—
6 en 7.....	$\frac{1}{2}$
8 en 9.....	1
10 tot 13.....	$1\frac{1}{2}$
14 tot 17.....	2
18 tot 23.....	$2\frac{1}{2}$
24 tot 29.....	3
30 tot 35.....	$3\frac{1}{2}$
36 tot 39.....	4
40 tot 43.....	$4\frac{1}{2}$
44 en meer.....	5.

(4) *Sterftebystand.*—By voorlegging van bevredigende bewys van afsterwe, is die bystand wat aan die oorledene se benoemde of sy boedel betaalbaar is, soos volg:—

'n Terugbetaling van twee keer die lid se bydraes plus ondergemelde toelaes vir rente vir elke voltooide jaar van gekombineerde bydraes:—

Getal voltooide jare van gekombineerde bydraes	Toelae vir rente vir elke jaar van gekombineerde bydraes Persent
Tot 5.....	—
6 en 7.....	$\frac{1}{2}$
8 en 9.....	1
10 tot 13.....	$1\frac{1}{2}$
14 tot 17.....	2
18 tot 23.....	$2\frac{1}{2}$
24 tot 29.....	3
30 tot 35.....	$3\frac{1}{2}$
36 tot 39.....	4
40 tot 43.....	$4\frac{1}{2}$
44 en meer.....	5;

met dien verstande dat 'n minimum bystand van R100 betaalbaar is in die geval waar die oorledene se bydraes teen 20 sent per week gemaak is en 'n minimum bystand van R200 waar die oorledene se bydraes teen 40 sent per week gemaak is."

Namens die partye op hede die 10de dag van Januarie 1969 in Kaapstad onderteken.

E. C. DUNNE, *Voorsitter.*

S. B. LOTTER, *Ondervoorsitter.*

W. P. COTTEN, *Sekretaris.*

No. R. 650

25 April 1969

No. R. 650

25 April 1969

**INDUSTRIAL CONCILIATION ACT, 1956
CLOTHING INDUSTRY, TRANSVAAL
AMENDMENT OF MAIN AGREEMENT**

I, Marais Viljoen, Minister of Labour, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that all the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Clothing Industry, shall be binding from the second Monday after the date of publication of this notice and for the period ending 30 June 1971, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement shall be binding from the second Monday after the date of publication of this notice and for the period ending 30 June 1971, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industry in the Province of Transvaal; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the Province of Transvaal and from the second Monday after the date of publication of this notice and for the period ending 30 June 1971, the provisions of the Amending Agreement shall *mutatis mutandis* be binding upon all Bantu employed in the said Industry by the employer and upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of Bantu in their employ.

M. VILJOEN,
Minister of Labour.

**WET OP NYWERHEIDSVERSOENING, 1956
KLERASIENYWERHEID, TRANSVAAL
WYSIGING VAN HOOFOOREENKOMS**

Ek, Marais Viljoen, Minister van Arbeid, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat al die bepalings van die Ooreenkoms (hieronder die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Klerasienywerheid betrekking het, vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1971 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1971 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerheid in die provinsie Transvaal; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1971 eindig, in die provinsie Transvaal *mutatis mutandis* bindend is vir alle Bantoes in diens in genoemde Nywerheid by dié werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van Bantoes in hul diens.

M. VILJOEN,
Minister van Arbeid.

ANNEXURE B.

INDUSTRIAL COUNCIL FOR THE CLOTHING INDUSTRY (TRANSVAAL)

Phones: 23-8321/2/3/4/5, P. O. Box 5101, Johannesburg.

Garment Centre, cor. of Kerk and End Streets, Johannesburg.

(WEEKLY RETURN)

(This form must be completed and return within seven days of the week in which the deductions fell due)

Name of Factory _____

Address _____

Contribution for the week of _____ 19__

Transvaal Clothing Industry Medical Aid Society

			R	c
Number of deductions made during the week:				
(a) from Male Employees earning R19.00 per week or more.....	—	(at 36c. each)		
(b) from both Male and Female Employees earning R11.51 per week or more, but excluding (a) above.....	—	(at 26c. each)		
(c) from both Male and Female employees earning less than R11.51 per week but excluding (a) and (b) above.....	—	(at 21c. each)		
Employers' Contribution: Grand Total of Number of Deductions made from all Employees.....	—	(at 20c. each)		
Add: Underpayment on previous return/s—M.A.S.....				
Add: Underpayment on previous return/s—S.F.....				
TOTAL CONTRIBUTION FOR T.C.I.M.A.S.....				

The Slack Pay Fund for the Clothing Industry (Tvl.)

Number of deductions made during the week:		Rates	R	c
(a) from Employees earning R13.42 or more per week.....	—	(at 7c. each)		
(b) from Employees earning less than R13.42 per week.....	—	(at 5c. each)		
(c) Additional from Non-contributors to U.I.F. earning less than R6.00 per week.....	—	(at 2c. each)		
(d) Additional from Non-contributors to U.I.F. earning R6.00 or more per week.....	—	(at 3c. each)		
Employers' Contribution: Total of (a) and (b) above.....				
Add: Underpayment on previous return/s.....				
TOTAL CONTRIBUTION FOR T.C.I.S.P.F.....				

Industrial Council for the Clothing Industry (Tvl.)

Number of deductions made during the week:		Rates	R	c
From all Employees, for whom wages are prescribed in the Agreement.....	—	(at 4c. each)		
Employers' Contribution: An amount equal to the amount above.....				
Add: Underpayment on previous return/s.....				
TOTAL CONTRIBUTION FOR THE I.C.C.I.....				

The Provident Fund for the Clothing Industry (Tvl.)

Employees' Contribution, as per Annexures.....	
Employers' Contribution, as per Annexures.....	
Add: Underpayment on previous return/s.....	
TOTAL CONTRIBUTION P.F. FOR THE C.I. (TVL.).....	

Stabilisation Insurance Fund

Number of Employees:		Rates	R	c
Employers' Contribution.....	—	(at 25c. each)		
Add: Underpayment on previous return/s.....				
TOTAL CONTRIBUTION FOR STABILISATION FUND.....				

Training Fund for the Clothing Industry (Tvl.)

Number of deductions made during the week:		Rates	R	c
From all Employees, for whom wages are prescribed in the Agreement.....	—	(at 1c. each)		
Employers' Contribution: An amount equal to the amount above.....				
Add: Underpayment on previous return/s.....				
TOTAL CONTRIBUTION FOR THE T.F.C.I.....				

Total Contribution Payable to all Funds

Deduct overpayment on previous return/s: M.A.S.....	
Deduct overpayment on previous return/s: S.F.....	
Deduct overpayment on previous return/s: S.P.F.....	
Deduct overpayment on previous return/s: Council.....	
Deduct overpayment on previous return/s: P.F.....	
TOTAL AMOUNT OVERPAID.....	

CHEQUE/POSTAL ORDER/CASH enclosed for.....
Please Note: Post-dated Cheques will not be accepted.

AANHANGSEL B.

NYWERHEIDSRAAD VIR DIE KLERASIENYWERHEID (TRANSVAAL)

Telefoon: 23-8321/2/3/4/5, Posbus 5101, Johannesburg.

Garment Centre, hoek van Kerk- en Endstraat, Johannesburg.

(WEEKLIKSE OPGAWES)

(Hierdie vorm moet ingevul en teruggestuur word binne sewe dae vanaf die laaste dag van die week waarin die bedrae afgetrek moet word)

Naam van fabriek.....

Adres.....

Bydraes vir die week geëindig.....

19.....

Mediese Hulpfonds van die Transvaalse Klerasienywerheid

		Tarief	R	c
Getal bedrae gedurende die week afgetrek:				
(a) Van manlike werknemers wat R19.00 per week of meer verdien.....	—	(teen 36c elk)		
(b) Van sowel manlike as vroulike werknemers wat R11.51 per week of meer verdien, maar uitgesonderd (a) hierbo.....	—	(teen 26c elk)		
(c) Van sowel manlike as vroulike werknemers wat minder as R11.51 per week verdien maar uitgesonderd (a) en (b) hierbo.....	—	(teen 21c elk)		
Werkgewer se bydrae: Groot totaal van getal aftrekkings van alle werknemers se lone...	—	(teen 20c elk)		
Voeg by: Tekortbetaling op vorige opgawe/s—M.H.V.....				
Voeg by: Kortbetaling op vorige opgawe/s—S.F.....				
TOTALE BYDRAE VIR M.H.T.K.....				

Slaptesoldigingsfonds van die Klerasienywerheid (Tvl.)

		Tarief	R	c
Getal bedrae gedurende die week afgetrek:				
(a) Van werknemers wat R13.42 per week of meer verdien.....	—	(teen 7c elk)		
(b) Van werknemers wat minder as R13.42 per week verdien.....	—	(teen 5c elk)		
(c) Voeg by dié van nie-bydraers tot W.V.F. wat minder as R6.00 per week verdien.....	—	(teen 2c elk)		
(d) Voeg by dié van nie-bydraers tot W.V.F. wat R6.00 of meer per week verdien.....	—	(teen 3c elk)		
Werkgewer se bydrae: Totaal van (a) en (b) hierbo.....				
Voeg by: Kortbetaling op vorige opgawe/s.....				
TOTALE BYDRAE VIR S.T.K.....				

Nywerheidsraad vir die Klerasienywerheid (Tvl.)

		Tarief	R	c
Getal bedrae gedurende die week afgetrek:				
Van alle werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf is.....	—	(teen 4c elk)		
Werkgewers se bydrae: 'n Bedrag gelyk aan die bedrag hierbo.....				
Voeg by: Kortbetaling op vorige opgawe/s.....				
TOTALE BYDRAE VIR N.R.K.N.....				

Voorsorgfonds van die Klerasienywerheid (Tvl.)

Werknemers se bydraes, soos per aanhangsels.....				
Werkgewers se bydraes, soos per aanhangsels.....				
Voeg by: Kortbetaling op vorige opgawe/s.....				
TOTAAL VAN BYDRAE BETAALBAAR AAN V.F.K.N. (TVL.).....				

Stabilisasieversekeringsfonds

Getal werknemers:

Werkgewer se bydrae.....

Tarief	R	c
(teen 25c elk)		

Voeg by: Kortbetaling op vorige opgawe/s.....

TOTALE BYDRAE VIR STABILISASIEFONDS.....

Opleidingsfonds vir die Klerasierywerheid (Tvl.)

Getal bedrae gedurende die week afgetrek:

Van alle werknemers vir wie lone in die Ooreenkoms voorgeskryf is.....

Tarief	R	c
(teen 1c elk)		

Werkgewers se bydrae: 'n Bedrag gelyk die bedrag hierbo.....

Voeg by: Kortbetaling op vorige opgawe/s.....

TOTALE BYDRAE VIR O.F.K.N.....

Totale bedrae betaalbaar aan alle Fondse

Trek af: Oorbetalings op vorige opgawe/s: M.H.V.....

Trek af: Oorbetalings op vorige opgawe/s: S.F.....

Trek af: Oorbetalings op vorige opgawe/s: S.T.K.....

Trek af: Oorbetalings op vorige opgawe/s: Raad.....

Trek af: Oorbetalings op vorige opgawe/s: V.F.....

TOTALE BEDRAG VAN OORBETALING.....

TJEK/POSORDER/KONTANT ingesluit vir.....

Let Wel: Vooruitgedateerde tjeks word nie aangeneem nie.

ANNEXURE C

CONTRIBUTION LIST

Month

Members' Contribution.....	R.....
Employer's Contributions.....	R.....
TOTAL.....	R.....

Receipt No. _____ R _____
Date _____ R _____

Checking for receipting.....		
Receipting.....		
Statistics.....		
Provident record check.....		
Adds.....		
Lefts.....		
Preparing for posting.....		
Posting.....		
Filing.....		

Before filing, check that list has been through all departments

[illegible]

The doctors' cards of workers whose services have been terminated must be returned herewith.
This form must be completed and returned within two weeks of the last day of the month in which the deductions were made.

DIE VOORSORGFONDS VAN DIE KLERASIENYWERHEID (TVL.)

BYDRAELYS

Fabriek.....

Maand _____

Telephone: 23-8321/2/3/4/5, Posbus 5101, Johannesburg

**SLEGS VIR GEBRUIK DEUR VOORSORGFONDS-
KANTOOR**

Lid se bydraes..... R.....

Werkgewer se bydraes..... R

TOTAAL..... R.....

Kwitansienommer R

Datum

Nagaan vir kwitering.....		
Kwitering.....		
Statistieke.....		
Nagaan van voorsorgregister....		
Byvoegings.....		
Weglatings.....		
Voorberei vir pos.....		
Pos.....		
Liassering.....		
Voor liassering, gaan eers na of lys deur alle afdelings was		

[illegible]

Die dokterskaarte van werknemers wie se dienste beëindig is, moet saam hiermee teruggestuur word. Hierdie vorm moet ingevul en binne twee weke vanaf die laaste dag van die maand waarin die aftrekkings gedoen is, teruggestuur word.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE CLOTHING
INDUSTRY (TRANSVAAL)

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, made and entered into between the

Transvaal Clothing Manufacturers' Association
(hereinafter called "the employers" or "employers' organisation") of the one part, and the

Garment Workers' Union of South Africa

(hereinafter called "the employees" or the "trade union") of the other part,

being the parties to the Industrial Council for the Clothing Industry (Transvaal), to amend the Agreement, between the said parties, dated 9 October 1956, and published under Government Notice 2360 of 21 December 1956 as amended by Government Notices 1119, 1337, 1938, 2130, 591, R. 562, R. 1944 and R. 2133, dated 8 August 1958, 28 August 1959, 27 November 1959, 30 December 1960, 26 April 1963, 23 April 1965, 10 December 1965 and 22 November 1968, respectively, as follows:—

Clause 1

By the deletion of subclause 22 (3) and the substitution of the following subclause:—

(3) (a) Each employer shall, on the pay-day of each week and from the first pay-day after this Agreement comes into operation, deduct the amounts as set out hereunder, from the wages of each of his employees for whom minimum wages are prescribed in this Agreement; provided that no deductions shall be made from the wages of an employee who has worked for less than 20 hours in the week in which the deductions fall due:—

(i) five cents in the case of employees earning less than R13.42 per week.

(ii) seven cents in the case of employees earning R13.42 per week or more.

(iii) In addition to the amounts specified in paragraphs (i) and (ii) of this subclause, from the weekly wages of each employee who is not a contributor to the Unemployment Insurance Fund established under the Unemployment Insurance Act, 1946, an amount of two cents shall be deducted in the case of an employee earning less than R6 per week, and three cents in the case of any other employee.

(b) The employer shall forward the total amounts deducted under subparagraphs (i), (ii) and (iii) of paragraph (a) together with an amount equal to the amounts deducted under subparagraphs (i) and (ii) of paragraph (a) which shall be contributed by him and a statement in the form of Annexure "B" of this Agreement to the Secretary of the Council, P.O. Box 5101, Johannesburg, within seven days of the end of the week in which the deductions fall due.

Clause 2

By the addition of the following clause 32:—

32. Training Fund for the Clothing Industry (Tvl)

(1) There is hereby established a Fund to be known as the Training Fund for the Clothing Industry (Transvaal), hereinafter referred to as "the Training Fund", for the purpose of financing a training college which is to be established for the purpose of training and development or retraining prospective employees and other personnel and employees already employed in the Clothing Industry and other personnel and for the purpose of recruiting suitable persons for employment in the Clothing Industry and/or undertaking research.

(2) The funds of the Training Fund shall consist of—

(a) contributions paid in terms of subclause (3) of this clause;

(b) interest earned on moneys invested;

(c) any donations made by the Garment Workers' Union of South Africa and the Transvaal Clothing Manufacturers' Association and donations and moneys received from patrons or any other source;

(d) any fees paid for attending training or development courses.

BYLAE

NYWERHEIDSRAAD VIR DIE KLERASIE-
NYWERHEID (TRANSVAAL)

OOREENKOMS

ingevoelge die bepalings van die Wet op Nywerheidsversoening, 1956, gesluit en aangegaan deur die

Transvaal Clothing Manufacturers' Association

(hieronder die "werkgewers" of "werkgewersorganisasie" genoem), aan die een kant, en die

Garment Workers' Union of South Africa

(hieronder die "werknemers" of die "vakvereniging" genoem), aan die ander kant,

wat die partye by die Nywerheidsraad vir die Klerasiennywerheid (Transvaal) is, om die Ooreenkoms tussen genoemde partye van 9 Oktober 1956, en gepubliseer by Goewermentskennisgewing 2360 van 21 Desember 1956, soos gewysig by Goewermentskennisgewings 1119, 1337, 1938, 2130, 591, R. 562, R. 1944 en R. 2133 onderskeidelik van 8 Augustus 1958, 28 Augustus 1959, 27 November 1959, 30 Desember 1960, 26 April 1963, 23 April 1965, 10 Desember 1965 en 22 November 1968 soos volg te wysig:—

Klousule 1

Deur die skrapping van subklousule 22 (3) en die vervanging daarvan deur die volgende subklousule:—

(3) (a) Elke werkgewer moet op die betaaldag van elke week en vanaf die eerste betaaldag na die inwerkingtreding van hierdie Ooreenkoms, die ondergenoemde bedrae aftrek van die loon van elk van sy werknemers vir wie minimum lone in hierdie Ooreenkoms voorgeskryf word; met dien verstande dat geen afrekkings gemaak mag word van die loon van 'n werknemer wat minder as 20 uur gewerk het in die week waarin die afrekkings gemaak moet word nie:—

(i) vyf sent in die geval van werknemers wat minder as R13.42 per week verdien.

(ii) sewe sent in die geval van werknemers wat R13.42 per week of meer verdien.

(iii) Benewens die bedrae gespesifiseer in paragrawe (i) en (ii) van hierdie subklousule, moet van die weekloon van elke werknemer wat nie 'n bydraer is nie tot die Werkloosheidsversekeringsfonds ingestel ingevolge die Werkloosheidsversekeringswet, 1946, 'n bedrag van twee sent afgetrek word in die geval van 'n werknemer wat minder as R6 per week verdien, en drie sent in die geval van elke ander werknemer.

(b) Die werkgewer moet die totale bedrae ingevolge subparagrafe (i), (ii) en (iii) van paragraaf (a) saam met 'n bedrag gelyk aan die bedrae afgetrek ingevolge subparagrafe (i) en (ii) van paragraaf (a), wat deur hom bygedra moet word, en saam met 'n staat in die vorm van Aanhangsel "B" van hierdie Ooreenkoms binne sewe dae van die einde van die week waarin die afrekkings gedoen moet word, aan die Sekretaris van die Raad, Posbus 5101, Johannesburg, stuur.

Klousule 2

Deur die byvoeging van die volgende klousule 32:—

32. Opleidingsfonds vir die Klerasiennywerheid (Tvl)

(1) Hierby word 'n Fonds ingestel wat bekend staan as die Opleidingsfonds vir die Klerasiennywerheid (Transvaal), hieronder die "Opleidingsfonds" genoem, vir die doel om 'n opleidingskollege te finansier wat gestig moet word vir die doel van opleiding en ontwikkeling of heropleiding van voornemende werknemers en ander personeel en werknemers wat alreeds in die Klerasiennywerheid in diens is en ander personeel en vir die doel om geskikte persone vir indiensneming in die Klerasiennywerheid te werk en/of om navorsing te onderneem.

(2) Die bates van die Opleidingsfonds bestaan uit—

(a) bydraes betaal ingevolge subklousule (3) van hierdie klousule;

(b) rente ontvang op geld belê;

(c) skenkings gemaak deur die Garment Workers' Union of South Africa en die Transvaal Clothing Manufacturers' Association en skenking en geld ontvang van donateurs of enige ander bron;

(d) gelde betaal vir die bywoning van opleidings- of ontwikkelingskursusse.

(3) (a) Every employer shall, on the pay-day of each week and from the first pay-day after this Agreement comes into operation, deduct one cent from the wages of each of his employees for whom minimum wages are prescribed in this Agreement; provided that no deductions shall be made from the wages of an employee who has worked for less than 20 hours in the week in which the deductions fall due.

(b) The employer shall forward the total amounts so deducted together with an equal amount which shall be contributed by him together with a statement in the form of Annexure B, to the Secretary of the Council, P.O. Box 5101, Johannesburg, within seven days of the end of the week in which the deductions fall due.

(4) The training Fund shall be administered by a Board of Management consisting of four representatives of the employers' organisation and four representatives of the trade union appointed by the Council.

(5) The Board of Management shall, subject to the approval of the Council, have power to establish a training college, to be known as the "Training College for the Clothing Industry (Tvl)" and shall have power to—

(a) appoint a principal and such other staff members as may be required for the successful conduct of the training college;

(b) draw up in consultation with and on the recommendation of the principal of the training college, training and development programmes for the students attending the training college;

(c) draw up such rules and regulations as may be required for the successful conduct of a training college;

(d) determine the fees to be paid by prospective employees or employees in the Industry or other personnel or by the employers of such employees in respect of any training course attended at the training college;

(e) attend to any other matter incidental to the operation of a training college, such as the issuing of certificates of competency to successful students, the promotion of public relations, the hiring or acquisition by purchase of suitable equipment and premises and any other matters which in the opinion of the Board of Management is essential for the successful conduct of the training college and/or the recruiting of employees and/or other personnel for the Clothing Industry in the Transvaal and the undertaking of research;

(f) the Board of Management shall have the right to co-opt in an advisory capacity such other persons as it may deem fit.

(6) All moneys received by the Secretary of the Council on behalf of the Training Fund shall be deposited into a banking account opened by the Council in the name of the Training Fund. An official receipt shall be issued for all moneys received into the Training Fund and withdrawals from the Fund shall be by cheque signed by such persons as may, from time to time, be authorised by the Council. All moneys not required to meet current payments shall be invested by the Board of Management, in terms of the provisions of section 21 (3) of the Industrial Conciliation Act (Act 28 of 1956).

(7) The Council shall appoint a public accountant as auditor whose remuneration shall be paid out of the funds of the Training Fund. The accounts shall be audited annually for the annual periods ending 31 December. The audited statement and balance sheet shall thereafter lie for inspection at the office of the Industrial Council and copies thereof shall be transmitted to the Secretary for Labour, Pretoria, the Transvaal Clothing Manufacturers' Association and the Garment Workers' Union of South Africa.

(8) In the event of the expiry of this Agreement by effluxion of time or cessation or any other cause, the Training Fund shall continue to be administered by the Board of Management until it be either liquidated or transferred by the Council to any other fund or funds or other body constituted for substantially the same purposes for which this Training Fund was created, provided that if no new agreement providing for the continuation of the Fund is entered into within one year after the expiry of this Agreement or the Fund not being transferred as aforesaid within such period the Fund shall be liquidated.

(3) (a) Elke werkgewer moet, op die betaaldag van elke week en met ingang van die eerste betaaldag na die inwerkingtreding van hierdie Ooreenkoms, een sent aftrek van die loon van elke een van sy werknemers vir wie minimum lone in hierdie Ooreenkoms voorgeskryf word; met dien verstande dat geen aftrekking gemaak moet word van die loon van 'n werknemer wat minder as 20 uur gewerk het gedurende die week waarin die aftrekkings gedoen moet word nie.

(b) Die werkgewer moet die totale bedrae wat aldus afgetrek is tesame met 'n gelyke bedrag wat deur hom moet bygedra word, saam met 'n staat in die vorm van Aanhangsel B, binne sewe dae van die einde van die week waarin die aftrekkings gedoen moet word, aan die Sekretaris van die Raad, Posbus 5101, Johannesburg, stuur.

(4) Die Opleidingsfonds moet geadminestreer word deur 'n Bestuurskomitee bestaande uit vier verteenwoordigers van die werkgewersorganisasie en vier verteenwoordigers van die vakvereniging, deur die Raad aangestel.

(5) Onderworpe aan die goedkeuring van die Raad, beskik die Bestuurskomitee oor die bevoegdheid om 'n opleidingskollege te stig, wat bekend sal staan as die "Opleidingskollege vir die Klerasiennywerheid (Tvl.)" en oor die bevoegdheid om—

(a) 'n hoof en dié ander personele wat nodig mag wees vir die suksesvolle bestuur van die opleidingskollege aan te stel;

(b) in oorlegpleging met en op die aanbeveling van die hoof van die opleidingskollege, opleidings- en ontwikkelingsprogramme vir die studente wat die opleidingskollege bywoon, op te stel;

(c) dié reëls en regulasies op te stel wat nodig mag wees vir die suksesvolle bestuur van 'n opleidingskollege;

(d) die gelde vas te stel wat deur voornemende werknemers of werknemers in die Nywerheid of ander personeel of deur die werkgewers van sodanige werknemers betaal moet word ten opsigte van 'n opleidingskursus wat by die opleidingskollege bygewoon word;

(e) aandag te skenk aan enige ander aangeleentheid wat in verband staan met die bedryf van 'n opleidingskollege, soos die uitreiking van sertifikate van bevoegdheid aan suksesvolle studente, die bevordering van openbare betrekings, die huur of verkryging deur aankoop van geskikte uitrusting en personele en enige ander aangeleenthede wat na die mening van die Bestuurskomitee noodsaaklik is vir die suksesvolle bestuur van die opleidingskollege en/of die werwing van werknemers en/of ander personeel vir die Klerasiennywerheid in die Transvaal en die onderneming van navorsing;

(f) die Bestuurskomitee beskik oor die reg om dié ander persone in 'n raadgevende hoedanigheid te koöpteer, soos hy raadsaam ag.

(6) Alle geld wat deur die Sekretaris van die Raad namens die Opleidingsfonds ontvang word, moet gestort word in 'n bankrekening wat deur die Raad in die naam van die Opleidingsfonds geopen is. 'n Ampelike kwitansie moet uitgereik word ten opsigte van alle geld wat in die Opleidingsfonds ontvang word en onttrekkings uit die Fonds moet geskied deur middel van 'n tjek wat deur dié persone onderteken is wat van tyd tot tyd deur die Raad daartoe gemagtig word. Alle geld wat nie benodig word om lopende uitgawes te dek nie, moet deur die Bestuurskomitee belê word ingevolge die bepaling van artikel 21 (3) van die Wet op Nywerheidsversoening (Wet 28/1956).

(7) Die Raad moet 'n openbare rekenmeester as ouditeur aanstel en sy besoldiging moet uit die gelde van die Opleidingsfonds betaal word. Die rekenings moet jaarliks vir die jaarlikse tydperke geëindig 31 Desember geouditeer word. Die geouditeerde staat en balansstaat moet daarna in die kantoor van die Nywerheidsraad ter insae lê en kopieë daarvan moet gestuur word aan die Sekretaris van Arbeid, Pretoria, die Transvaal Clothing Manufacturers' Association en die Garment Workers' Union of South Africa.

(8) Ingeval hierdie Ooreenkoms weens verloop van tyd of om enige ander rede verstryk, moet die Opleidingsfonds steeds geadminestreer word deur die Bestuurskomitee totdat dit of gelikwider of oorgeplaas word deur die Raad na 'n ander fonds of fondse of ander liggaam wat in die lewe geroep is vir hoofsaaklik dieselfde doeleindes waarvoor hierdie opleidingsfonds gestig is, met dien verstande dat as geen nuwe ooreenkoms wat voorsiening maak vir die voortsetting van die Fonds, aangegaan word binne een jaar na verstryking van hierdie Ooreenkoms, of die Fonds nie soos voornoem oorgeplaas word binne sodanige tydperk nie, die Fonds gelikwider moet word.

(9) In the event of the dissolution of the Council or, in the event of its ceasing to function during any period in which this Agreement is binding, the Fund shall be administered by a committee consisting of four representatives of the Transvaal clothing Manufacturers' Association appointed by the Association and four representatives of the Garment Workers' Union of South Africa appointed by the Union, which committee shall continue to administer the affairs of the Training Fund. In the event of such committee being unable or unwilling to discharge its duties or a deadlock arising therefrom which renders the administration of the Fund impracticable or undesirable in the opinion of the Industrial Registrar he may appoint a trustee or trustees to carry out the duties of the Committee and who shall possess all the powers of the Committee for such purposes. In the event of the expiration of this Agreement after the dissolution of the Council, the Training Fund shall be liquidated by the committee appointed in terms of this subclause or the trustee or trustees appointed by the Industrial Registrar as the case may be, provided that if upon such expiration the affairs of the Council have already been wound up and its assets distributed the balance of the assets of the Training Fund shall be distributed as provided for in section thirty-four (4) of the Act as if it formed part of the general funds of the Council.

(10) Upon liquidation of the Fund in terms of subclause (8) of this clause, or for any other reason provided that the funds of the Training Fund have not been transferred to another body, the moneys remaining to the credit of the Fund after payment of all claims against the Fund including the administration and liquidation expenses shall be paid into the general funds of the Council.

(11) All administration and liquidation charges shall be a charge against the funds of the Training Fund.

Clause 3

Annexure B to be replaced by Annexure B of this Agreement.

Clause 4

Annexure C to be replaced by Annexure C of this Agreement.

Signed at Johannesburg on behalf of the parties this 29th day of November, One thousand Nine hundred and Sixty-eight.

MELVILLE FESTENSTEIN, *Chairman.*

A. SCHEEPERS, *Vice Chairman.*

J. H. THOMAS, *Secretary of the Council.*

(9) Ingeval die Raad ontbind word of ingeval dit ophou om te funksioneer gedurende 'n tydperk waarin hierdie Ooreenkoms bindend is, moet die Fonds geadminestreer word deur 'n komitee, bestaande uit vier verteenwoordigers van die Transvaal Clothing Manufacturers' Association deur die Organisasie benoem en vier verteenwoordigers van die Garment Workers' Union of South Africa deur die Vereniging benoem, welke komitee moet voortgaan om die sake van die Opleidingsfonds te administreer. Ingeval die komitee nie in staat is nie of onwillig is om sy pligte uit te voer of as 'n doojie punt daardeur ontstaan wat die administrasie van die Fonds na die mening van die Nywerheids-registrateur ondoenlik of onwenslik maak, mag hy 'n trustee of trustees aanstel om die pligte van sodanige komitee uit te voer, en sodanige trustee of trustees het vir dié doel al die bevoegd-hede van die Komitee. Ingeval hierdie Ooreenkoms na die ont-binding van die Raad versryk, moet die Opleidingsfonds gelikwi-deer word deur die komitee wat ingevolge hierdie subklousule aangestel is of die trustee of trustees wat deur die Nywerheids-registrateur aangestel is, na gelang van die geval, met dien verstande dat indien die sake van die Raad by sodanige ver-stryking alreeds gelikwiede en sy bates verdeel is, die saldo van die Opleidingsfonds ooreenkomstig die bepalings van artikel vier-en-dertig (4) van die Wet verdeel moet word asof dit deel van die algemene fondse van die Raad uitgemaak het.

(10) By die likwidasië van die Fonds ooreenkomstig die be-palings van subklousule (8) van hierdie klousule, of om enige ander rede, met dien verstande dat die gelde van die Opleidingsfonds nie na 'n ander liggaam oorgedra is nie, moet die gelde wat in die krediet van die Fonds staan nadat alle eise teen die Fonds, met inbegrip van die administrasie- en likwidasiëkoste, betaal is, in die algemene fondse van die Raad gestort word.

(11) Alle administrasie- en likwidasiëkoste is 'n las teen die gelde van die Opleidingsfonds.

Klousule 3

Aanhangsel B word deur Aanhangsel B van hierdie Oor-eenkoms vervang.

Klousule 4

Aanhangsel C word deur Aanhangsel C van hierdie Oor-eenkoms vervang.

Namens die partye op hede die 29ste dag van November, Eenduisend Negenhonderd Agt-en-sestig in Johannesburg onder-teken.

MELVILLE FESTENSTEIN, *Voorsitter.*

A. SCHEEPERS, *Ondervoorsitter.*

J. H. THOMAS, *Sekretaris van die Raad.*

No. R. 654

25 April 1969

BANTU LABOUR (SETTLEMENT OF DISPUTES) ACT, 1953.—ESTABLISHMENT OF REGIONAL BANTU LABOUR COMMITTEES

I, Marais Viljoen, Minister of Labour, hereby in terms of section 4 (1) of the Bantu Labour (Settlement of Disputes) Act, 1953, establish the following regional Bantu labour committees:—

1. Klerksdorp Regional Bantu Labour Committee: In respect of the Magisterial Districts of Klerksdorp and Potchefstroom.

Address: Department of Labour, P.O. Box 461, Klerksdorp.

2. Pietermaritzburg Regional Bantu Labour Committee: In respect of the Magisterial Districts of Camperdown, Lions River and Pietermaritzburg.

Address: Department of Labour, Private Bag 9048, Pietermaritzburg.

M. VILJOEN,
Minister of Labour.

No. R. 654

25 April 1969

WET OP BANTOE-ARBEID (BESLEGTING VAN GESKILLE), 1953.—INSTELLING VAN STREEKS-KOMITEES VIR BANTOE-ARBEID

Ek, Marais Viljoen, Minister van Arbeid, stel hierby kragtens artikel 4 (1) van die Wet op Bantoe-arbeid (Beslegting van Geskille), 1953, die volgende streeks-komitees vir Bantoe-arbeid in:—

1. Klerksdorpse Streekskomitee vir Bantoe-arbeid: Ten opsigte van die landdrosdistrikte Klerksdorp en Potchefstroom.

Adres: Departement van Arbeid, Posbus 461, Klerksdorp.

2. Pietermaritzburgse Streekskomitee vir Bantoe-arbeid: Ten opsigte van die landdrosdistrikte Camperdown, Lionsrivier en Pietermaritzburg.

Adres: Departement van Arbeid, Privaatsak 9048, Pietermaritzburg.

M. VILJOEN,
Minister van Arbeid.

No. R. 660. 25 April 1969

INDUSTRIAL CONCILIATION ACT, 1956
HAIRDRESSING TRADE, PORT ELIZABETH,
UITENHAGE AND WALMER

I, Marais Viljoen, Minister of Labour, hereby in terms of section 48 (4) (a) (i) of the Industrial Conciliation Act, 1956, extend the periods fixed in Government Notices R. 553 of 21 April 1967 and R. 1121 of 28 June 1968, by a further period of two years ending on 30 April 1971.

M. VILJOEN,
Minister of Labour.

No. R. 669 25 April 1969

INDUSTRIAL CONCILIATION ACT, 1956
BUILDING INDUSTRY, PORT ELIZABETH
EXTENSION OF PERIOD OF OPERATION OF
MAIN AGREEMENT

I, Marais Viljoen, Minister of Labour, hereby in terms of section 48 (4) (a) (i) of the Industrial Conciliation Act, 1956, extend the periods fixed in Government Notices 1667 of 25 October 1963, R. 1581 of 16 October 1964, R. 856 of 3 June 1966, R. 1174 of 5 July 1968, R. 1567 of 6 September 1968 and R. 1568 of 6 September 1968, by a further period of six months ending on 29 October 1969.

M. VILJOEN,
Minister of Labour.

No. R. 670 25 April 1969

INDUSTRIAL CONCILIATION ACT, 1956
BUILDING INDUSTRY, PORT ELIZABETH
AMENDMENT OF MAIN AGREEMENT

I, Marais Viljoen, Minister of Labour, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that all the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Building Industry shall be binding from the second Monday after the date of publication of this notice and for the period ending 29 October 1969, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement shall be binding from the second Monday after the date of publication of this notice and for the period ending 29 October 1969, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industry in the Magisterial District of Port Elizabeth and in that portion of the Magisterial District of Hankey which prior to 1 November 1963, fell within the Magisterial District of Port Elizabeth; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the Magisterial District of Port Elizabeth and in that portion of the Magisterial District of Hankey which prior to 1 November 1963, fell within the Magisterial District of Port Elizabeth, and from the second Monday after the date of publication of this

No. R. 660. 25 April 1969

WET OP NYWERHEIDSVERSOENING, 1956
HAARKAPPERSBEDRYF, PORT ELIZABETH,
UITENHAGE EN WALMER

Ek, Marais Viljoen, Minister van Arbeid, verleng hierby kragtens artikel 48 (4) (a) (i) van die Wet op Nywerheidsversoening, 1956, die tydperke vasgestel in Goewermmentskennisgewings R. 553 van 21 April 1967 en R. 1121 van 28 Junie 1968, met 'n verdere tydperk van twee jaar wat op 30 April 1971 eindig.

M. VILJOEN,
Minister van Arbeid.

No. R. 669 25 April 1969

WET OP NYWERHEIDSVERSOENING, 1956
BOUNYWERHEID, PORT ELIZABETH
VERLENGING VAN GELDIGHEDSDUUR VAN
HOOFOOREENKOMS

Ek, Marais Viljoen, Minister van Arbeid, verleng hierby kragtens artikel 48 (4) (a) (i) van die Wet op Nywerheidsversoening, 1956, die tydperke vasgestel in Goewermmentskennisgewings 1667 van 25 Oktober 1963, R. 1581 van 16 Oktober 1964, R. 856 van 3 Junie 1966, R. 1174 van 5 Julie 1968, R. 1567 van 6 September 1968 en R. 1568 van 6 September 1968 met 'n verdere tydperk van ses maande wat op 29 Oktober 1969 eindig.

M. VILJOEN,
Minister van Arbeid.

No. R. 670 25 April 1969

WET OP NYWERHEIDSVERSOENING, 1956
BOUNYWERHEID, PORT ELIZABETH
WYSIGING VAN HOOFOOREENKOMS

Ek, Marais Viljoen, Minister van Arbeid, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat al die bepalings van die Ooreenkoms (hieronder die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Bounywerheid betrekking het, vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 29 Oktober 1969 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 29 Oktober 1969 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerheid in die landdrosdistrik Port Elizabeth en in daardie gedeelte van die landdrosdistrik Hankey wat voor 1 November 1963 binne die landdrosdistrik Port Elizabeth geval het; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 29 Oktober 1969 eindig, in die landdrosdistrik Port Elizabeth en in daardie gedeelte van die landdrosdistrik

notice and for the period ending 29 October 1969, the provisions of the Amending Agreement shall *mutatis mutandis* be binding upon all Bantu employed in the said Industry by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of Bantu in their employ.

M. VILJOEN,
Minister of Labour.

**SCHEDULE
INDUSTRIAL COUNCIL FOR THE BUILDING
INDUSTRY, PORT ELIZABETH
AGREEMENT**

in accordance with the provisions of the Industrial Conciliation Act, 1956, made and entered into between the

Port Elizabeth Master Builders' and Allied Trades Association
and

The Electrical Contractors' Association (South Africa)
(hereinafter referred to as "the employers" or "the employers' organisations"), of the one part, and the

Amalgamated Society of Woodworkers of South Africa

Amalgamated Union of Building Trade Workers of
South Africa

Operative Plumbers' Association of Port Elizabeth
and the

South African Electrical Workers' Association
(hereinafter referred to as "the employees" or "the trade unions")
of the other part,

being the parties to the Industrial Council for the Building Industry, Port Elizabeth.

The Agreement published under Government Notice 1667 dated 25 October 1963, as amended by Government Notice R. 1581 dated 16 October 1964, Government Notice R. 856 dated 3 June 1966, Government Notice R. 1174 dated 5 July 1968, and as extended by Government Notice R. 1567 dated 6 September 1968, and further amended by Government Notice R. 1568 dated 6 September 1968, and further extended by Government Notice R. 669 dated 25 April 1969 is hereby further amended as follows:—

1. *Clause 4 of Part I—Wages*

By the deletion in subclause 1 (a) of the following:—

"(x) Watchmen: R8 per six-day week."

and the substitution therefor of the following:—

"(x) Watchmen: R10 per six-day week."

2. *Clause 4 of Part II—Wages*

By the deletion in subclause (1) of the following:—

"(ix) Watchmen: R8 per six-day week."

and the substitution therefor of the following:—

"(ix) Watchmen: R10 per six-day week."

F. G. BLACK, *Chairman*.

T. D. DU PLESSIS, *Vice-Chairman*.

J. KRUGER, *Secretary*.

18 February 1969.

No. R. 671

25 April 1969

**INDUSTRIAL CONCILIATION ACT, 1956
BAKING AND CONFECTIONERY INDUSTRY,
PRETORIA
RENEWAL OF AGREEMENT**

I, Marais Viljoen, Minister of Labour, hereby in terms of section 48 (4) (a) (ii) of the Industrial Conciliation Act, 1956, declare the provisions of Government Notices R. 374 of 17 March 1967 and R. 1128 of 28 June 1968, to be effective as from the date of publication of this notice and for the period ending 24 months from the said date.

M. VILJOEN,
Minister of Labour.

Hankey, wat voor 1 November 1963 binne die landdrosdistrik Port Elizabeth geval het, *mutatis mutandis* bindend is vir alle Bantoes in diens in genoemde Nywerheid by dié werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van Bantoes in hul diens.

M. VILJOEN,
Minister van Arbeid.

**BYLAE
NYWERHEIDSRaad VIR DIE BOUNYWERHEID,
PORT ELIZABETH
OOREENKOMS**

ingevolge die bepalings van die Wet op Nywerheidsversoening, 1956, gesluit en aangegaan deur en tussen die

Port Elizabeth Master Builders' and Allied Trades Association
en

The Electrical Contractors' Association (South Africa)
(hieronder "die werkgewers" of "die werkgewersorganisasies" genoem), aan die een kant, en die

Amalgamated Society of Woodworkers of South Africa

Amalgamated Union of Building Trade Workers of
South Africa

Operative Plumbers' Association of Port Elizabeth
en die

South African Electrical Workers' Association
(hieronder "die werknemers" of "die vakverenigings" genoem),
aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Bounywerheid, Port Elizabeth.

Die Ooreenkoms gepubliseer by Goewermentskennisgewing 1667 van 25 Oktober 1963, soos gewysig by Goewermentskennisgewing R. 1581 van 16 Oktober 1964, Goewermentskennisgewing R. 856 van 3 Junie 1966 en Goewermentskennisgewing R. 1174 van 5 Julie 1968, en soos verleng by Goewermentskennisgewing R. 1567 van 6 September 1968, en verder gewysig by Goewermentskennisgewing R. 1568 van 6 September 1968, en verder gewysig by Goewermentskennisgewing R. 669 van 25 April 1969 word hiermee verder gewysig en wel soos volg:—

1. *Klousule 4 van Deel I—Lone*

Deur onderstaande in subklousule 1 (a) te skrap:—

"(x) Wagte: R8 vir 'n werkweek van ses dae"

en dit deur onderstaande te vervang:—

"(x) Wagte: R10 vir 'n werkweek van ses dae."

2. *Klousule 4 van Deel II—Lone*

Deur onderstaande in subklousule (1) te skrap:—

"(ix) Wagte: R8 vir 'n werkweek van ses dae."

en dit deur onderstaande te vervang:—

"(ix) Wagte: R10 vir 'n werkweek van ses dae."

F. G. BLACK, *Voorsitter*.

T. D. DU PLESSIS, *Ondervoorsitter*.

J. KRUGER, *Sekretaris*.

18 Februarie 1968.

No. R. 671

25 April 1969

**WET OP NYWERHEIDSVersoening, 1956
BAK- EN BANKETNYWERHEID, PRETORIA
HERNUWING VAN OOREENKOMS**

Ek, Marais Viljoen, Minister van Arbeid, verklaar hierby kragtens artikel 48 (4) (a) (ii) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van Goewermentskennisgewings R. 374 van 17 Maart 1967 en R. 1128 van 28 Junie 1968 van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat 24 maande vanaf genoemde datum eindig.

M. VILJOEN,
Minister van Arbeid.

No. R. 672

25 April 1969

FACTORIES, MACHINERY AND BUILDING WORK ACT, 1941

EXEMPTION FROM SICK LEAVE PROVISIONS BAKING AND CONFECTIONERY INDUSTRY, PRETORIA

I, Marais Viljoen, Minister of Labour, hereby in terms of section 54 (1) of the Factories, Machinery and Building Work Act, 1941, as amended, exempt all employers who are subject to the provisions of the Agreement published under Government Notice R. 374 of 17 March 1967, as amended and renewed, from the provisions of section 21A of the said Act as from the date of publication of this notice and for such period or periods as the said Agreement may be binding in terms of the Industrial Conciliation Act, 1956, in respect of employees who are entitled to sick leave in terms of clause 13 of the said Agreement.

M. VILJOEN,
Minister of Labour.

No. R. 672

25 April 1969

WET OP FABRIEKE, MASJINERIE EN BOUWERK, 1941

VRYSTELLING VAN SIEKTEVERLOFBEPALINGS BAK- EN BANKETNYWERHEID, PRETORIA

Ek, Marais Viljoen, Minister van Arbeid, stel hierby kragtens artikel 54 (1) van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, soos gewysig, alle werkgewers wat onderworpe is aan die bepalings van die Ooreenkoms gepubliseer by Goewermentskennisgewing R. 374 van 17 Maart 1967, soos gewysig en hernieu, vanaf die datum van publikasie van hierdie kennisgewing en vir sodanige tydperk of tydperke as wat genoemde Ooreenkoms kragtens die Wet op Nywerheidsversoenig, 1956, bindend mag wees, vry van die bepalings van artikel 21A van eersgenoemde Wet vir sover dit werknemers betref wat ingevolge klousule 13 van genoemde Ooreenkoms op siekteverlof geregtig is.

M. VILJOEN,
Minister van Arbeid.

DEPARTMENT OF POSTS AND TELEGRAPHS

No. R. 653

25 April 1969

The following amendments of the regulations made by the Board of Governors of the South African Broadcasting Corporation, and approved by the Minister of Posts and Telegraphs, are published for general information.

M. C. STRAUSS,
Postmaster General.
General Post Office,
Cape Town, 31 March 1969.

SOUTH AFRICAN BROADCASTING CORPORATION

AMENDMENT OF THE REGULATIONS GOVERN- ING THE FEES WHICH SHALL BE PAID FOR THE LICENCES REFERRED TO IN SECTION EIGHT OF THE RADIO ACT, 1952 (ACT 3 OF 1952)

Made by the Board of Governors of the South African Broadcasting Corporation under the powers vested in it by sections twenty-five (1) (f) and twenty-five (2) of Act 22 of 1936, as amended.

(i) Regulation 1 (c): —

Add the following subsections: —

(Lxxiii) The following places served by the Graaff-Reinet V.H.F./F.M. transmitting station: Jansenville, Klipplaat, Mount Stewart, Baroe, Sapkamma and Greystone.

(Lxxiv) The following place served by the Kareedouw V.H.F./F.M. transmitting station: Steytleville.

(ii) These amendments come into force from the date of publication in the *Government Gazette*.

DEPARTEMENT VAN POS-EN- TELEGRAAFWESE

No. R. 653

25 April 1969

Onderstaande wysigings van die regulasies wat deur die Raad van Bestuurders van die Suid-Afrikaanse Uitsaaikorporasie uitgevaardig en deur die Minister van Pos-en-Telegraafwese goedgekeur is, word vir algemene inligting gepubliseer.

M. C. STRAUSS,
Posmeester-generaal.
Hoofposkantoor,
Kaapstad, 31 Maart 1969.

DIE SUID-AFRIKAANSE UITSAAIKORPORASIE

WYSIGING VAN DIE REGULASIES BETREFFENDE DIE GELDE WAT BETAAL MOET WORD VIR DIE LISENSIES WAT IN ARTIKEL 18 VAN DIE RADIOWET, 1952 (WET 3 VAN 1952), GENOEM WORD

Uitgevaardig deur die Raad van Bestuurders van die Suid-Afrikaanse Uitsaaikorporasie kragtens die bevoegdhede hom verleen by artikels vyf-en-twintig (1) (f) en vyf-en-twintig (2) van Wet 22 van 1936, soos gewysig.

(i) Regulasie 1 (c): —

Voeg die volgende subseksies by: —

(Lxxiii) Die volgende plekke bedien deur die Graaff-Reinette B.H.F./F.M.-sendstasie: Jansenville, Klipplaat, Mount Stewart, Baroe, Sapkamma en Greystone.

(Lxxiv) Die volgende plek bedien deur die Kareedouwse B.H.F./F.M.-sendstasie: Steytleville.

(ii) Hierdie wysigings tree in werking vanaf die datum van publikasie in die *Staatskoerant*.

DEPARTMENT OF SOCIAL WELFARE AND PENSIONS

No. R. 636

25 April 1969

GOVERNMENT SERVICE PENSIONS ACT, 1965 (PUBLIC SERVICE PENSION FUND)

The Minister of Social Welfare and Pensions has, under section 5 of the Government Service Pensions Act, 1965 (Act 62 of 1965), amended with effect from the first day of April 1968, the regulations promulgated by Government Notice R. 1969 of 15 December 1965, and amended by Government Notices R. 472 of 25 March 1966, R. 641 of 29 April 1966, R. 1966 of 9 December 1966, R. 621 of 17 April 1968, R. 631 of 19 April 1968, R. 1075 of 21 June 1968, R. 1176 of 5 July 1968 and R. 1363 of 9 August 1968, as follows:—

1. By the insertion in regulation 1 after the definition of "excess contributions" of the following definitions:—

"Government Employees' Provident Fund" means the Government Employees' Provident Fund referred to in section 2 (3) of the Act;

"Government Non-White Employees' Pension Fund" means the Government Non-White Employees' Pension Fund established in terms of section 2 (2) of the Government Non-White Employees' Pensions Act, 1966 (Act 42 of 1966);".

2. By the insertion after regulation 1 of the following regulation:—

"Special Formula"

1A. For the purpose of calculating any amount payable to or from the Fund in respect of a member in terms of regulation 8 (2) (a) (i) or (3) (i), 9 (2) (a), 10 (1) (i), 11 (2) (a) or (3) (a) or 18 (3) (a), 'special formula' in these regulations means the formula—

$$R \times Z \times N \times \frac{(10,000 - D)}{10,000}$$

in which—

R is the rate at which the member contributes to the Fund;

Z is the member's average annual pensionable emoluments during the last seven years of his pensionable service or during the whole period of such service, whichever is the lesser period;

N is the period of the member's pensionable service; and

D is determined in accordance with the following table:—

Completed months of pensionable service	D
0 to 84.....	0;
85 to 120.....	0 plus 26 for each completed month of pensionable service in excess of 84 months;
121 to 240.....	936 plus 22 for each completed month of such service in excess of 120 months;
241 to 360.....	3,576 plus 17 for each completed month of such service in excess of 240 months;
361 to 480.....	5,616 plus 14 for each completed month of such service in excess of 360 months;
481 and over.....	7,296 plus 12 for each completed month of such service in excess of 480 months."

DEPARTEMENT VAN VOLKSWELSYN EN PENSIOENE

No. R. 636

25 April 1969

REGERINGSDIENSPENSIOENWET, 1965 (STAATSDIENS-PENSIOENFONDS)

Die Minister van Volkswelsyn en Pensioene het kragtens artikel 5 van die Regeringsdienspensioenwet, 1965 (Wet 62 van 1965), die regulasies wat by Goewermmentskennisgewing R. 1969 van 15 Desember 1965 afgekondig en by Goewermmentskennisgewings R. 472 van 25 Maart 1966, R. 641 van 29 April 1966, R. 1966 van 9 Desember 1966, R. 621 van 17 April 1968, R. 631 van 19 April 1968, R. 1075 van 21 Junie 1968, R. 1176 van 5 Julie 1968 en R. 1363 van 9 Augustus 1968 gewysig is, met ingang van die eerste dag van April 1968 soos volg gewysig:—

1. Deur in regulasie 1 die volgende omskrywings na die omskrywing van "meerdere bydraes" in te voeg:—

"Regerings-werknemersondersteuningsfonds" die Regerings-werknemersondersteuningsfonds in artikel 2 (3) van die Wet bedoel;

"Pensioenfonds vir Nie-Blanke Regeringswerknemers" die Pensioenfonds vir Nie-Blanke Regeringswerknemers wat kragtens artikel 2 (2) van die Wet op Pensioene vir Nie-Blanke Regeringswerknemers, 1966 (Wet 42 van 1966), ingestel is;".

2. Deur na regulasie 1 die volgende regulasie in te voeg:—

"Spesiale Formule"

1A. By die berekening van 'n bedrag wat ingevolge regulasie 8 (2) (a) (i) of (3) (i), 9 (2) (a), 10 (1) (i), 11 (2) (a) of (3) (a) of 18 (3) (a) ten opsigte van 'n lid uit of aan die Fonds betaalbaar is, beteken "spesiale formule" in hierdie regulasies die formule—

$$R \times Z \times N \times \frac{(10,000 - D)}{10,000}$$

waarin—

R die koers is waarteen die lid tot die Fonds bydra;

Z die gemiddelde jaarlikse pensioengewende verdienste van die lid is gedurende die laaste sewe jaar van sy pensioengewende diens of gedurende die volle tydperk van sodanige diens, naamlik die kortste tydperk;

N die lid se pensioengewende dienstydperk is; en

D bepaal word ooreenkomstig onderstaande tabel:—

Voltooide maande pensioengewende diens	D
0 tot 84.....	0;
85 tot 120.....	0 plus 26 vir elke voltooide maand van pensioengewende diens bo 84 maande;
121 tot 240.....	936 plus 22 vir elke voltooide maand van sodanige diens bo 120 maande;
241 tot 360.....	3,576 plus 17 vir elke voltooide maand van sodanige diens bo 240 maande;
361 tot 480.....	5,616 plus 14 vir elke voltooide maand van sodanige diens bo 360 maande;
481 en meer.....	7,296 plus 12 vir elke voltooide maand van sodanige diens bo 480 maande."

3. By the substitution for subregulation (1) of regulation 6 of the following subregulation:—

“(1) Any person—

(a) who is not a person to whom paragraph (b) applies and who, on the removal of a disqualification referred to in regulation 2, becomes a contributor to the Fund; or

(b) who is a member of the Government Non-White Employees' Pension Fund and—

(i) is transferred to employment, in respect of which he is liable to contribute to the Fund; or

(ii) is appointed directly without a break in his service to such employment; or

(iii) without a break in his service becomes liable to contribute to the Fund; and

(iv) becomes a contributor to the Fund as from the date of such transfer or appointment or the date on which he so becomes liable;

shall, subject, in the case of a person to whom paragraph (a) applies, to the provisions of subregulation (2), contribute to the Fund, in respect of the period of his past continuous employment approved by the Secretary: Provided that any person to whom paragraph (a) applies may within a period of 90 days after the removal of such a disqualification or within such further period as the Secretary may in special circumstances allow, elect, in writing, not so to contribute.”

4. By the substitution for regulation 8 of the following regulation:—

“Transfers from and to Another Pension or Provident Fund Administered under the Act or the Pension Fund Administered under Act 42 of 1966

8. (1) If a contributor to the Permanent Force Pension Fund or the South African Police and Prisons Service Pension Fund is transferred to employment in respect of which he becomes liable to contribute to the Fund, he shall, as from the date of such transfer, become a member of and contribute to the Fund, and any pension payable from the Fund to or in respect of such contributor shall be calculated upon the whole period of his pensionable service under these regulations and the law governing the said Permanent Force Pension Fund or the said South African Police and Prisons Service Pension Fund, as the case may be.

(2) (a) There shall be payable to the Fund in respect of the prior pensionable service of any such contributor an amount equal to the sum of—

(i) 3·29 times an amount calculated according to the special formula, in respect of the period of his pensionable service prior to the date of his transfer, as if during that period he had been a member of the Fund and had contributed at the rate of contributions in force on the date on which he became a member of the Fund, in terms of subregulation (1); and

(ii) in respect of each completed year of the whole period of such service, an amount equal to two per cent of the amount payable in terms of subparagraph (i), and in respect of any remaining portion of such service, an amount equal to a percentage of the amount so payable which bears to two per cent the same ratio as the number of days in that portion bears to 365.

3. Deur subregulasie (1) van regulasie 6 deur die volgende subregulasie te vervang:—

“(1) Enige persoon—

(a) wat nie 'n persoon is op wie paragraaf (b) van toepassing is nie en wat met die verwydering van 'n diskwalifikasie in regulasie 2 genoem, 'n bydraer tot die Fonds word; of

(b) wat 'n lid is van die Pensioenfonds vir Nie-Blanke Regeringswerknemers en—

(i) oorgeplaas word na diens ten opsigte waarvan hy onder die verpligting kom om tot die Fonds by te dra; of

(ii) regstreeks in sodanige diens aangestel word sonder 'n onderbreking in sy diens; of

(iii) sonder 'n onderbreking in sy diens onder die verpligting kom om tot die Fonds by te dra; en

(iv) 'n bydraer tot die Fonds word met ingang van die datum van sodanige oorplasing of aanstelling of die datum waarop hy aldus onder die verpligting kom;

moet, in die geval van 'n persoon op wie paragraaf (a) van toepassing is, behoudens die bepalings van subregulasie (2) tot die Fonds bydra ten opsigte van die tydperk van sy vorige ononderbroke diens wat deur die Sekretaris goedgekeur word: Met dien verstande dat 'n persoon op wie paragraaf (a) van toepassing is, binne 'n tydperk van 90 dae na die verwydering van so 'n diskwalifikasie of binne 'n verdere tydperk wat die Sekretaris in besondere omstandighede toelaat, skriftelik kan kies om nie aldus by te dra nie.”

4. Deur regulasie 8 deur die volgende regulasie te vervang:—

“Oordragte uit en na 'n ander Pensioen- of Voorsorg- of Ondersteuningsfonds ingevolge die Wet bestuur of die Pensioenfonds ingevolge Wet 42 van 1966 bestuur

8. (1) As 'n bydraer tot die Staandemag-pensioenfonds of die Suid-Afrikaanse Polisie- en Gevangensdiens-pensioenfonds oorgeplaas word na diens ten opsigte waarvan hy onder die verpligting kom om tot die Fonds by te dra, moet hy met ingang van die datum van sodanige oorplasing 'n lid word van en bydra tot die Fonds, en enige pensioen wat aan of ten opsigte van sodanige bydraer uit die Fonds betaalbaar is, word bereken op die hele tydperk van sy pensioengewende diens kragtens hierdie regulasies en die wet betreffende vermeldde Staandemag-pensioenfonds of vermeldde Suid-Afrikaanse Polisie- en Gevangensdienspensioenfonds, na gelang van die geval.

(2) (a) Daar is ten opsigte van die vorige pensioengewende diens van so 'n bydraer 'n bedrag aan die Fonds betaalbaar gelyk aan die som van—

(i) 3·29 maal 'n bedrag bereken ooreenkomstig die spesiale formule ten opsigte van die tydperk van sy pensioengewende diens voor die datum van sy oorplasing, asof hy gedurende daardie tydperk 'n lid van die Fonds was en bygedra het teen die bydraekoers van krag op die datum waarop hy ingevolge subregulasie (1) 'n lid van die Fonds geword het; en

(ii) ten opsigte van elke volle jaar van die hele tydperk van sodanige diens, 'n bedrag gelyk aan twee persent van die bedrag wat ingevolge subparagraaf (i) betaalbaar is, en ten opsigte van enige oorblywende gedeelte van sodanige diens, 'n bedrag gelyk aan 'n persentasie van die aldus betaalbare bedrag, wat in dieselfde verhouding tot twee persent staan as wat die getal dae in daardie gedeelte tot 365 staan.

(b) The amount payable in terms of paragraph (a) shall be paid in full from the amount payable from the Permanent Force Pension Fund or the South African Police and Prisons Service Pension Fund, as the case may be, in accordance with the law governing such fund: Provided that if any amount owed by the contributor to such a fund at the date of his transfer was unpaid at that date and the amount available for transfer to the Fund is for that reason less than the amount payable in terms of paragraph (a), the deficiency shall be made good by the contributor in such manner as the Secretary may determine.

(c) Any amount payable in terms of paragraph (a) (ii) shall for the purpose of these regulations be deemed to be interest.

(3) If a member—

(a) is transferred to employment, in respect of which he is required to contribute to the Permanent Force Pension Fund or the South African Police and Prisons Service Pension Fund; or

(b) becomes liable to contribute to the Government Employees' Provident Fund; or

(c) is transferred to employment, in respect of which he becomes liable to contribute to the Government Non-White Employees Pension Fund; or

(d) is appointed directly without a break in his service to employment referred to in paragraph (c); or

(e) without a break in his service becomes liable to contribute to the last-mentioned fund; and

(f) in the case of a member referred to in paragraph (b), (c), (d) or (e), contributes to the fund concerned, in respect of his prior pensionable service;

there shall, subject to the provisions of subregulation (4), be paid from the Fund to the other fund an amount equal to the sum of—

(i) 3.29 times an amount calculated according to the special formula;

(ii) in respect of each completed year of the whole period of the member's pensionable service prior to the transfer date, an amount equal to two per cent of the amount payable in terms of subparagraph (i), and in respect of any remaining portion of such service, an amount equal to a percentage of the amount so payable which bears to two per cent the same ratio as the number of days in that portion bears to 365; and

(iii) interest at the rate of four per cent per annum, compounded annually at 31 March, on the total of the amounts payable in terms of subparagraphs (i) and (ii) from the transfer date up to the date of payment.

(4) (a) The total of the amounts payable in terms of subregulation (3) (f) (i) and (ii) shall be reduced by any arrear contributions or other amount which was due to the Fund by the member but which was unpaid at the transfer date, and any interest payable in terms of subregulation (3) (f) (iii) shall be calculated on the reduced total.

(b) If, in the case of a member referred to in subregulation (3) (b), (c), (d) or (e), the total of the amounts to be paid to the Government Employees' Provident Fund or the Government Non-White Employees' Pension Fund, in terms of subregulation (3) (f) (i) and (ii), unreduced by

(b) Die bedrag wat ingevolge paragraaf (a) betaalbaar is, word ten volle betaal uit die bedrag betaalbaar uit die Staandemag-pensioenfonds of die Suid-Afrikaanse Polisie- en Gevangenisdienspensioenfonds, na gelang van die geval, ooreenkomstig die wet betreffende sodanige fonds: Met dien verstande dat indien 'n bedrag wat die bydraer aan so 'n fonds verskuldig was op die datum van sy oorplasing, op daardie datum nog onbetaal was en die bedrag wat vir oordrag na die Fonds beskikbaar is, om daardie rede minder is as die bedrag wat ingevolge paragraaf (a) betaalbaar is, die tekort deur die bydraer aansuiwer moet word op die wyse wat die Sekretaris mag bepaal.

(c) Enige bedrag wat ingevolge paragraaf (a) (ii) betaalbaar is, word vir die toepassing van hierdie regulasies geag rente te wees.

(3) As 'n lid—

(a) oorgeplaas word na diens ten opsigte waarvan hy tot die Staandemag-pensioenfonds of die Suid-Afrikaanse Polisie- en Gevangenisdienspensioenfonds moet bydra; of

(b) onder die verpligting kom om tot die Regerings-werknemersondersteuningsfonds by te dra; of

(c) oorgeplaas word na diens ten opsigte waarvan hy onder die verpligting kom om tot die Pensioen-fonds vir Nie-Blanke Regeringswerknemers by te dra; of

(d) regstreeks sonder 'n onderbreking in sy diens aangestel word in diens in paragraaf (c) bedoel; of

(e) sonder 'n onderbreking in sy diens onder die verpligting kom om tot laasgenoemde fonds by te dra; en

(f) in die geval van 'n lid in paragraaf (b), (c), (d) of (e) bedoel, tot die betrokke fonds bydra ten opsigte van sy vorige pensioengewende diens;

word daar, behoudens die bepalings van subregulasie (4), uit die Fonds aan die ander fonds 'n bedrag betaal gelyk aan die totaal van—

(i) 3.29 maal 'n bedrag bereken ooreenkomstig die spesiale formule;

(ii) ten opsigte van elke volle jaar van die hele tydperk van die lid se pensioengewende diens voor die oorplatingsdatum, 'n bedrag gelyk aan twee persent van die bedrag wat ingevolge subparagraaf (i) betaalbaar is, en ten opsigte van enige oorblywende gedeelte van sodanige diens, 'n bedrag gelyk aan 'n persentasie van die aldus betaalbare bedrag wat in dieselfde verhouding tot twee persent staan as wat die getal dae in daardie gedeelte tot 365 staan; en

(iii) rente op die totaal van die bedrae wat ingevolge subparagrafe (i) en (ii) betaalbaar is, teen die koers van vier persent per jaar, jaarliks op 31 Maart saamgestel, vanaf die oorplatingsdatum tot die datum van betaling.

(4) (a) Die totaal van die bedrae wat ingevolge subregulasie (3) (f) (i) en (ii) betaalbaar is, moet verminder word met enige agterstallige bydraes of ander bedrag wat die lid aan die Fonds verskuldig was maar wat op die oorplatingsdatum nog onbetaal was, en rente wat ingevolge subregulasie (3) (f) (iii) betaalbaar is, moet op die verminderde totaal bereken word.

(b) Indien, in die geval van 'n lid in subregulasie (3) (b), (c), (d) of (e) bedoel, die totaal van die bedrae wat ingevolge subregulasie (3) (f) (i) en (ii) aan die Regerings-werknemersondersteuningsfonds of die Pensioenfonds vir Nie-Blanke Regeringswerknemers betaal moet word,

any contributions or other amount referred to in paragraph (a) of this subregulation, is more than the amount required by such a fund, in respect of his pensionable service prior to the transfer date, the surplus shall be disposed of in such manner as the Secretary may determine.

(c) Any amount payable in terms of subregulation (3) (f) (ii) shall be deemed to be interest.

(5) If a member to whom subregulation (1) of regulation 6 relates and who in terms of that subregulation contributes to the Fund, in respect of the whole or part of his past continuous period of employment, was immediately prior to the date on which he became a contributor to the Fund or became liable to contribute to the Fund, a contributor to the Government Employees' Provident Fund or the Government Non-White Employees' Pension Fund, any amount which, in accordance with the law governing the said Provident Fund or the said Pension Fund, is payable from such a fund to the Fund, in respect of the member, shall be utilized as follows:—

(a) The arrear contributions payable by the member, in respect of such period shall be reduced by the amount paid by the member to the said Provident Fund or the said Pension Fund, as determined according to a formula prescribed by the law governing such a fund: Provided that if the said amount exceeds the amount of the arrear contributions so payable, the excess shall be disposed of in such manner as the Secretary may determine;

(b) the amount payable from revenue, in respect of the member in terms of regulation 18 (1) (b) (i) and (iii) or (b) (ii) and (iv) shall be reduced by the amount (other than interest) paid from revenue, in respect of the member to the said Provident Fund or the said Pension Fund, as determined according to the said formula: Provided that if the last-mentioned amount exceeds the amount so payable from revenue, the excess shall be disposed of in such manner as the Secretary may determine;

(c) the interest and amount payable from revenue, in respect of the member in terms of regulation 18 (1) (c) (i) and (d) (i) or (c) (i) and (d) (ii) shall be reduced by any amount which, in terms of the law governing the said Provident Fund or the said Pension Fund, is or is deemed to be interest and which is included in the amount paid to the Fund: Provided that if the amount which is or is deemed to be interest, exceeds the interest and amount so payable from revenue, the excess shall be disposed of in such manner as the Secretary may determine.”.

5. In regulation 9—

(i) by the substitution in subregulation (1) for all the words preceding paragraph (a) of the following words:—

“If any person who is subject to a pension law administered by a provincial administration or the administration of the territory or a department of education (whether in the Republic or the territory) or who is a member of a pension or provident fund [other than a pension or provident fund referred to in section 2 (1) or (3) of the Act or the Government Non-White Employees' Pension Fund] in accordance with a pension law administered by the Minister—”; and

onverminder met enige bydraes of ander bedrag in paragraaf (a) van hierdie subregulasie bedoel, meer is as die bedrag wat so 'n fonds vereis ten opsigte van sy pensioengewende diens voor die oorplasingsdatum, moet daar oor die surplus beskik word op die wyse wat die Sekretaris mag bepaal.

(c) Enige bedrag wat ingevolge subregulasie (3) (f) (ii) betaalbaar is, word geag rente te wees.

(5) As 'n lid op wie subregulasie (1) van regulasie 6 betrekking het en wat ingevolge daardie subregulasie tot die Fonds bydra ten opsigte van die hele of 'n deel van sy vorige ononderbroke diens tydperk, onmiddellik voor die datum waarop hy 'n bydraer tot die Fonds geword het of onder die verpligting gekom het om tot die Fonds by te dra, 'n bydraer was tot die Regerings-werknemers-ondersteuningsfonds of die Pensioenfonds vir Nie-Blanke Regeringswerknemers, word enige bedrag wat ooreenkomstig die wet betreffende genoemde Ondersteuningsfonds of genoemde Pensioenfonds ten opsigte van die lid, uit so 'n fonds aan die Fonds betaalbaar is, soos volg aangewend:—

(a) Die agterstallige bydraes deur die lid ten opsigte van sodanige tydperk betaalbaar, word verminder met die bedrag wat die lid aan genoemde Ondersteuningsfonds of genoemde Pensioenfonds betaal het, soos bepaal ooreenkomstig 'n formule voorgeskryf deur die wet betreffende sodanige fonds: Met dien verstande dat as genoemde bedrag groter is as die bedrag van die aldus betaalbare agterstallige bydraes, daar oor die oorskot beskik moet word op die wyse wat die Sekretaris mag bepaal;

(b) die bedrag wat ingevolge regulasie 18 (1) (b) (i) en (iii) of (b) (ii) en (iv) ten opsigte van die lid uit inkomste betaalbaar is, word verminder met die bedrag (uitgesonderd rente) wat ten opsigte van die lid uit inkomste aan genoemde Ondersteuningsfonds of genoemde Pensioenfonds betaal is, soos bepaal ooreenkomstig genoemde formule: Met dien verstande dat as laasgenoemde bedrag groter is as die bedrag wat aldus uit inkomste betaalbaar is, daar oor die oorskot beskik moet word op die wyse wat die Sekretaris mag bepaal;

(c) die rente en bedrag wat ingevolge regulasie 18 (1) (c) (i) en (d) (i) of (c) (i) en (d) (ii) ten opsigte van die lid uit inkomste betaalbaar is, word verminder met enige bedrag wat ingevolge die wet betreffende genoemde Ondersteuningsfonds of genoemde Pensioenfonds, rente is of geag word rente te wees en wat ingesluit is by die bedrag wat aan die Fonds betaal is: Met dien verstande dat as die bedrag wat rente is of geag word rente te wees, meer is as die rente en bedrag wat aldus uit inkomste betaalbaar is, daar oor die oorskot beskik moet word op die wyse wat die Sekretaris mag bepaal.”.

5. In regulasie 9—

(i) deur in subregulasie (1) al die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:—

“As 'n persoon wat onderworpe is aan 'n pensioenwet wat deur 'n provinsiale administrasie of die administrasie van die gebied of 'n departement van onderwys (hetsy in die Republiek of die gebied) geadminestreer word, of wat lid is van 'n pensioen- of voorsorg- of ondersteuningsfonds [uitgesonderd 'n pensioen- of ondersteuningsfonds bedoel in artikel 2 (1) of (3) van die Wet of die Pensioenfonds vir Nie-Blanke Regeringswerknemers] ooreenkomstig 'n pensioenwet wat deur die Minister geadminestreer word—”; en

(ii) by the substitution for paragraph (a) of subregulation (2) of the following paragraph:—

“(a) an amount equal to 3.29 times an amount calculated according to the special formula, in respect of the period of such person's past pensionable services as if during that period he had been a member of the Fund and had contributed at the rate of contributions in force on the date on which he became a member of the Fund in terms of subregulation (1); and”.

6. In regulation 10—

(i) by the substitution for paragraph (a) of subregulation (1) of the following paragraph:—

“(a) is transferred to employment, in respect of which he becomes subject to a pension law administered by a provincial administration or the administration of the territory or a department of education (whether in the Republic or the territory) or to any pension law (other than any regulation made under section 5 of the Act or section 2 of the Government Non-White Employees' Pensions Act, 1966), administered by the Minister; or”; and

(ii) by the substitution for paragraph (i) of subregulation (1) of the following paragraph:—

“(i) an amount equal to 3.29 times an amount calculated according to the special formula;”.

7. In regulation 11—

(i) by the substitution for paragraph (a) of subregulation (2) of the following paragraph:—

“(a) an amount equal to 3.29 times an amount calculated according to the special formula, in respect of the period of his pensionable service under the Railway Administration as if during that period he had been a member of the Fund and had contributed at the rate of contributions in force on the date on which he became a member of the Fund in terms of subregulation (1); and”; and

(ii) by the substitution for paragraph (a) of subregulation (3) of the following paragraph:—

“(a) an amount equal to 3.29 times an amount calculated according to the special formula; and”.

8. In regulation 18—

(i) by the substitution in subregulation (1) for the expression “8 (4)” of the expression “8 (5)”; and

(ii) by the substitution for paragraph (a) of subregulation (3) of the following paragraph:—

“(a) an amount equal to 3.29 times an amount calculated according to the special formula; and”.

(ii) deur paragraaf (a) van subregulasie (2) deur die volgende paragraaf te vervang:—

“(a) 'n bedrag gelyk aan 3.29 maal 'n bedrag bereken ooreenkomstig die spesiale formule ten opsigte van die tydperk van sodanige persoon se vorige pensioengewende diens asof hy gedurende daardie tydperk 'n lid van die Fonds was en bygedra het teen die bydraekers van krag op die datum waarop hy ingevolge subregulasie (1) 'n lid van die Fonds geword het; en”.

6. In regulasie 10—

(i) deur paragraaf (a) van subregulasie (1) deur die volgende paragraaf te vervang:—

“(a) oorgeplaas word na diens ten opsigte waarvan hy onderworpe word aan 'n pensioenwet wat deur 'n provinsiale administrasie of die administrasie van die gebied of 'n departement van onderwys (hetsy in die Republiek of die gebied) geadministreer word of aan 'n pensioenwet (uitgesonderd 'n regulasie uitgevaardig kragtens artikel 5 van die Wet of artikel 2 van die Wet op Pensioene vir Nie-Blanke Regeringswerknemers, 1966), wat deur die Minister geadministreer word; of”; en

(ii) deur paragraaf (i) van subregulasie (1) deur die volgende paragraaf te vervang:—

“(i) 'n bedrag gelyk aan 3.29 maal 'n bedrag bereken ooreenkomstig die spesiale formule;”.

7. In regulasie 11—

(i) deur paragraaf (a) van subregulasie (2) deur die volgende paragraaf te vervang:—

“(a) 'n bedrag gelyk aan 3.29 maal 'n bedrag bereken ooreenkomstig die spesiale formule ten opsigte van die tydperk van sy pensioengewende diens onder die Spoorwegadministrasie asof hy gedurende daardie tydperk 'n lid van die Fonds was en bygedra het teen die bydraekers van krag op die dag waarop hy ingevolge subregulasie (1) 'n lid van die Fonds word; en”; en

(ii) deur paragraaf (a) van subregulasie (3) deur die volgende paragraaf te vervang:—

“(a) 'n bedrag gelyk aan 3.29 maal 'n bedrag bereken ooreenkomstig die spesiale formule; en”.

8. In regulasie 18—

(i) deur in subregulasie (1) die uitdrukking “8 (4)” deur die uitdrukking “8 (5)” te vervang; en

(ii) deur paragraaf (a) van subregulasie (3) deur die volgende paragraaf te vervang:—

“(a) 'n bedrag gelyk aan 3.29 maal 'n bedrag bereken ooreenkomstig die spesiale formule; en”.

No. R. 637

25 April 1969

GOVERNMENT SERVICE PENSIONS ACT, 1965

(PERMANENT FORCE PENSION FUND)

The Minister of Social Welfare and Pensions has, under section 5 of the Government Service Pensions Act, 1965 (Act 62 of 1965), amended with effect from the first day of April 1968, the regulations promulgated by Government Notice R. 1968 of 10 December 1965, and amended by Government Notices R. 470 of 25 March 1966, R. 640 of 29 April 1966, R. 1967 of 9 December 1966, R. 620 of

No. R. 637

25 April 1969

REGERINGSDIENSPENSIOENWET, 1965 (STAANDEMAG-PENSIOENFONDS)

Die Minister van Volkswelsyn en Pensioene het kragtens artikel 5 van die Regeringsdienspensioenwet, 1965 (Wet 62 van 1965), die regulasies wat by Goewermmentskennisgewing R. 1968 van 10 Desember 1965 afgekondig en by Goewermmentskennisgewings R. 470 van 25 Maart 1966, R. 640 van 29 April 1966, R. 1967 van 9 Desember 1966, R. 620 van 17 April 1968, R. 630 van 19 April 1968, R. 1076 van 21 Junie 1968, R. 1177 van 5 Julie

17 April 1968, R. 630 of 19 April 1968, R. 1076 of 21 June 1968, R. 1177 of 5 July 1968 and R. 1365 of 9 August 1968, as follows:—

1. By the insertion in regulation 1 after the definition of "excess contributions" of the following definitions:—

"Government Employees' Provident Fund" means the Government Employees' Provident Fund referred to in section 2 (3) of the Act;

"Government Non-White Employees' Pension Fund" means the Government Non-White Employees' Pension Fund established in terms of section 2 (2) of the Government non-White Employees Pensions Act, 1966 (Act 42 of 1966);"

2. By the insertion after regulation 1 of the following regulations:—

"Special Formula"

1A. For the purpose of calculating any amount payable to or from the Fund in respect of a member in terms of regulation 7 (2) (a) (i) or (3) (i), 8 (2) (a), 9 (1) (i), 10 (2) (a) or (3) (a) or 16 (3) (a), "special formula" in these regulations means the formula—

$$R \times Z \times N \times \frac{(10,000 - D)}{10,000}$$

in which—

R is the rate at which the member contributes to the Fund;

Z is the member's average annual pensionable emoluments during the last seven years of his pensionable service or during the whole period of such service, whichever is the lesser period;

N is the period of the member's pensionable service; and

D is determined in accordance with the following table:—

Completed months of pensionable service	D
0 to 84.....	0;
85 to 120.....	0 plus 26 for each completed month of pensionable service in excess of 84 months;
121 to 240.....	936 plus 22 for each completed month of such service in excess of 120 months;
241 to 360.....	3,576 plus 17 for each completed month of such service in excess of 240 months;
361 to 480.....	5,616 plus 14 for each completed month of such service in excess of 360 months;
481 and over.....	7,296 plus 12 for each completed month of such service in excess of 480 months."

3. By the substitution for subregulation (1) of regulation 6 of the following subregulation:—

"(1) Any person—

(a) who is not a person to whom paragraph (b) applies and who, on the removal of a disqualification referred to in regulation 2, becomes a contributor to the Fund; or

(b) who is a member of the Government Non-White Employees' Pension Fund and—

(i) is transferred to employment in respect of which he is liable to contribute to the Fund; or

(ii) is appointed directly without a break in his service to such employment; or

(iii) without a break in his service becomes liable to contribute to the Fund; and

1968 en R. 1365 van 9 Augustus 1968 gewysig is, met ingang van die eerste dag van April 1968 soos volg gewysig:—

1. Deur in regulasie 1 die volgende omskrywings na die omskrywing van "meerdere bydraes" in te voeg:—

"Regerings-werknemersondersteuningsfonds" die Regerings-werknemersondersteuningsfonds in artikel 2 (3) van die Wet bedoel;

"Pensioenfonds vir Nie-Blanke Regeringswerknemers" die Pensioenfonds vir Nie-Blanke Regeringswerknemers wat kragtens artikel 2 (2) van die Wet op Pensioene vir Nie-Blanke Regeringswerknemers, 1966 (Wet 42 van 1966), ingestel is;"

2. Deur na regulasie 1 die volgende regulasie in te voeg:—

"Speciale Formule"

1A. By die berekening van 'n bedrag wat ingevolge regulasie 7 (2) (a) (i) of (3) (i), 8 (2) (a), 9 (1) (i), 10 (2) (a) of (3) (a) of 16 (3) (a) ten opsigte van 'n lid uit of aan die Fonds betaalbaar is, beteken "speciale formule" in hierdie regulasies die formule—

$$R \times Z \times N \times \frac{(10,000 - D)}{10,000}$$

waarin—

R die koers is waarteen die lid tot die Fonds bydra;

Z die gemiddelde jaarlikse pensioengewende verdienste van die lid is gedurende die laaste sewe jaar van sy pensioengewende diens of gedurende die volle tydperk van sodanige diens, naamlik die kortste tydperk;

N die lid se pensioengewende dienstydsperk is; en

D bepaal word ooreenkomstig onderstaande tabel:—

Voltooide maande pensioengewende diens	D
0 tot 84.....	0;
85 tot 120.....	0 plus 26 vir elke voltooide maand van pensioengewende diens bo 84 maande;
121 tot 240.....	936 plus 22 vir elke voltooide maand van sodanige diens bo 120 maande;
241 tot 360.....	3,576 plus 17 vir elke voltooide maand van sodanige diens bo 240 maande;
361 tot 480.....	5,616 plus 14 vir elke voltooide maand van sodanige diens bo 360 maande;
481 en meer.....	7,296 plus 12 vir elke voltooide maand van sodanige diens bo 480 maande."

3. Deur subregulasie (1) van regulasie 6 deur die volgende subregulasie te vervang:—

"(1) Enige persoon—

(a) wat nie 'n persoon is op wie paragraaf (b) van toepassing is nie en wat met die verwydering van 'n diskwalifikasie in regulasie 2 genoem, 'n bydraer tot die Fonds word; of

(b) wat 'n lid is van die Pensioenfonds vir Nie-Blanke Regeringswerknemers en—

(i) oorgeplaas word na diens ten opsigte waarvan hy onder die verpligting kom om tot die Fonds by te dra; of

(ii) regstreeks in sodanige diens aangestel word sonder 'n onderbreking in sy diens; of

(iii) sonder 'n onderbreking in sy diens onder die verpligting kom om tot die Fonds by te dra; en

(iv) becomes a contributor to the Fund as from the date of such transfer or appointment or the date on which he so becomes liable,

shall, subject, in the case of a person to whom paragraph (a) applies, to the provisions of subregulation (2), contribute to the Fund in respect of the period of his past continuous employment approved by the Secretary: Provided that any person to whom paragraph (a) applies may within a period of 90 days after the removal of such a disqualification or within such further period as the Secretary may in special circumstances allow, elect in writing not so to contribute."

4. By the substitution for regulation 7 of the following regulation:—

"Transfers from and to Another Pension or Provident Fund Administered under the Act or the Pension Fund Administered under Act 42 of 1966

7. (1) If a contributor to the Public Service Pension Fund or the South African Police and Prisons Service Pension Fund is transferred to employment in respect of which he becomes liable to contribute to the Fund, he shall, as from the date of such transfer, become a member of and contribute to the Fund, and any pension payable from the Fund to or in respect of such contributor shall be calculated upon the whole period of his pensionable service under these regulations and the law governing the said Public Service Pension Fund or the said South African Police and Prisons Service Pension Fund, as the case may be.

(2) (a) There shall be payable to the Fund in respect of the prior pensionable service of any such contributor an amount equal to the sum of—

(i) 2·88 times an amount calculated according to the special formula in respect of the period of his pensionable service prior to the date of his transfer, as if during that period he had been a member of the Fund and had contributed at the rate of contributions in force on the date on which he became a member of the Fund in terms of subregulation (1); and

(ii) in respect of each completed year of the whole period of such service, an amount equal to two per cent of the amount payable in terms of subparagraph (i) and in respect of any remaining portion of such service an amount equal to a percentage of the amount so payable which bears to two per cent the same ratio as the number of days in that portion bears to 365.

(b) The amount payable in terms of paragraph (a) shall be reduced by any amount payable from either the Public Service Pension Fund or the South African Police and Prisons Service Pension Fund, as the case may be, in accordance with the law governing such fund.

(c) If any amount owed by the contributor to such a fund at the date of his transfer was unpaid at that date and the amount which would otherwise have been available for payment to the Fund is for that reason reduced by the amount unpaid, the right to receive payment of the amount so due shall vest in the Fund and, subject to such conditions as the Secretary may determine, the contributor shall become liable to pay that amount to the Fund.

(iv) 'n bydraer tot die Fonds word met ingang van die datum van sodanige oorplasing of aanstelling of die datum waarop hy aldus onder die verpligting kom,

moet, in die geval van 'n persoon op wie paragraaf (a) van toepassing is, behoudens die bepalings van subregulasie (2) tot die Fonds bydra ten opsigte van die tydperk van sy vorige ononderbroke diens wat deur die Sekretaris goedgekeur word: Met dien verstande dat 'n persoon op wie paragraaf (a) van toepassing is, binne 'n tydperk van 90 dae na die verwydering van so 'n diskwalifikasie of binne 'n verdere tydperk wat die Sekretaris in besondere omstandighede toelaat, skriftelik kan kies om nie aldus by te dra nie."

4. Deur regulasie 7 deur die volgende regulasie te vervang:—

"Oordragte uit en na 'n ander Pensioen- of Voorsorg- of Ondersteuningsfonds ingevolge die Wet bestuur of die Pensioenfonds ingevolge Wet 42 van 1966 bestuur

7. (1) As 'n bydraer tot die Staatsdienspensioenfonds of die Suid-Afrikaanse Polisie- en Gevangenisdienspensioenfonds oorgeplaas word na diens ten opsigte waarvan hy onder die verpligting kom om tot die Fonds by te dra, moet hy met ingang van die datum van sodanige oorplasing 'n lid word en bydra tot die Fonds, en enige pensioen wat aan of ten opsigte van sodanige bydraer uit die Fonds betaalbaar is, word bereken op die hele tydperk van sy pensioengewende diens kragtens hierdie regulasies en die Wet betreffende vermeldde Staatsdienspensioenfonds of vermeldde Suid-Afrikaanse Polisie- en Gevangenisdienspensioenfonds, na gelang van die geval.

(2) (a) Daar is ten opsigte van die vorige pensioengewende diens van so 'n bydraer 'n bedrag aan die Fonds betaalbaar gelyk aan die som van—

(i) 2·88 maal 'n bedrag bereken ooreenkomstig die spesiale formule ten opsigte van die tydperk van sy pensioengewende diens voor die datum van sy oorplasing, asof hy gedurende daardie tydperk 'n lid van die Fonds was en bygedra het teen die bydraekers van krag op die datum waarop hy ingevolge subregulasie (1) 'n lid van die Fonds geword het; en

(ii) ten opsigte van elke volle jaar van die hele tydperk van sodanige diens, 'n bedrag gelyk aan twee persent van die bedrag wat ingevolge subparagraaf (i) betaalbaar is, en ten opsigte van enige oorblywende gedeelte van sodanige diens, 'n bedrag gelyk aan 'n persentasie van die aldus betaalbare bedrag wat in dieselfde verhouding tot twee persent staan as wat die getal dae in daardie gedeelte tot 365 staan.

(b) Die bedrag wat ingevolge paragraaf (a) betaalbaar is, moet verminder word met enige bedrag betaalbaar uit die Staatsdiens-pensioenfonds of die Suid-Afrikaanse Polisie- en Gevangenisdiens-pensioenfonds, na gelang van die geval, ooreenkomstig die wet betreffende sodanige Fonds.

(c) Indien 'n bedrag wat die bydraer aan so 'n Fonds verskuldig was op die datum van sy oorplasing, op daardie datum nog onbetaal was en die bedrag wat anders vir betaling aan die Fonds beskikbaar sou gewees het, om daardie rede verminder word met die onbetaalde bedrag, berus die reg om betaling van die bedrag aldus verskuldig te ontvang, by die Fonds en word die bydraer behoudens die voorwaardes wat die Sekretaris mag bepaal, aanspreeklik om daardie bedrag aan die Fonds te betaal.

(d) Any deficiency, exclusive of any amount referred to in paragraph (c), shall be paid by the member and from revenue in such manner and in such proportions as the Secretary may determine.

(e) Any amount payable in terms of paragraph (a) (ii) shall for the purpose of these regulations be deemed to be interest.

(3) If a member—

(a) is transferred to employment in respect of which he is required to contribute to the Public Service Pension Fund or the South African Police and Prisons Service Pension Fund; or

(b) becomes liable to contribute to the Government Employees' Provident Fund; or

(c) is transferred to employment in respect of which he becomes liable to contribute to the Government Non-White Employees' Pension Fund; or

(d) is appointed directly without a break in his service to employment referred to in paragraph (c); or

(e) without a break in his service becomes liable to contribute to the last-mentioned fund; and

(f) in the case of a member referred to in paragraph (b), (c), (d) or (e), contributes to the fund concerned in respect of his prior pensionable service,

there shall, subject to the provisions of subregulation (4), be paid from the Fund to the other Fund an amount equal to the sum of—

(i) 2.88 times an amount calculated according to the special formula;

(ii) in respect of each completed year of the whole period of the member's pensionable service prior to the transfer date, an amount equal to two per cent of the amount payable in terms of subparagraph (i), and in respect of any remaining portion of such service, an amount equal to a percentage of the amount so payable which bears to two per cent the same ratio as the number of days in that portion bears to 365; and

(iii) interest at the rate of four per cent per annum, compounded annually at the 31st day of March, on the total of the amounts payable in terms of subparagraphs (i) and (ii) from the transfer date up to the date of payment.

(4) (a) The total of the amounts payable in terms of subregulation (3) (f) (i) and (ii) shall be reduced by any arrear contributions or other amount which was due to the Fund by the member but which was unpaid at the transfer date, and any interest payable in terms of subregulation (3) (f) (iii) shall be calculated on the reduced total.

(b) If the total of the amount to be paid to the other Fund in terms of subregulation (3) (f) (i) and (ii), unreduced by any contributions or other amount referred to in paragraph (a) of this subregulation, is more than the amount required by such a fund in respect of his pensionable service prior to the transfer date, the surplus shall be disposed of in such manner as the Secretary may determine.

(c) Any amount payable in terms of subregulation (3) (f) (ii) shall be deemed to be interest.

(5) If a member to whom subregulation (1) of regulation 6 relates and who in terms of that subregulation contributes to the Fund in respect of the whole or part of

(d) Enige tekort, uitgesonderd enige bedrag in paragraaf (c) genoem, moet deur die lid en uit inkomste betaal word op die wyse en in die verhouding wat die Sekretaris mag bepaal.

(e) Enige bedrag wat ingevolge paragraaf (a) (ii) betaalbaar is, word vir die toepassing van hierdie regulasies geag rente te wees.

(3) As 'n lid—

(a) oorgeplaas word na diens ten opsigte waarvan hy tot die Staatsdiens-pensioenfonds of die Suid-Afrikaanse Polisie- en Gevangenisdiens-pensioenfonds moet bydra; of

(b) onder die verpligting kom om tot die Regerings-werknemersondersteuningsfonds by te dra; of

(c) oorgeplaas word na diens ten opsigte waarvan hy onder die verpligting kom om tot die Pensioenfonds vir nie-Blanke Regeringswerknemers by te dra; of

(d) regstreeks sonder 'n onderbreking in sy diens aangestel word in diens in paragraaf (c) bedoel; of

(e) sonder 'n onderbreking in sy diens onder die verpligting kom om tot laasgenoemde Fonds by te dra; en

(f) in die geval van 'n lid in paragraaf (b), (c), (d) of (e) bedoel, tot die betrokke Fonds bydra ten opsigte van sy vorige pensioengewende diens, word daar, behoudens die bepalings van subregulasie (4), uit die Fonds aan die ander Fonds 'n bedrag betaal gelyk aan die totaal van—

(i) 2.88 maal 'n bedrag bereken ooreenkomstig die spesiale formule;

(ii) ten opsigte van elke volle jaar van die hele tydperk van die lid se pensioengewende diens voor die oorplatingsdatum, 'n bedrag gelyk aan twee persent van die bedrag wat ingevolge subparagraph (i) betaalbaar is en ten opsigte van enige oorblywende gedeelte van sodanige diens, 'n bedrag gelyk aan 'n persentasie van die aldus betaalbare bedrag wat in dieselfde verhouding tot twee persent staan as wat die getal dae in daardie gedeelte tot 365 staan; en

(iii) rente op die totaal van die bedrae wat ingevolge subparagraph (i) en (ii) betaalbaar is, teen die koers van vier persent per jaar, jaarliks op die 31ste dag van Maart saamgestel, vanaf die oorplatingsdatum tot die datum van betaling.

(4) (a) Die totaal van die bedrae wat ingevolge subregulasie (3) (f) (i) en (ii) betaalbaar is, moet verminder word met enige agterstallige bydraes of ander bedrag wat die lid aan die Fonds verskuldig was maar wat op die oorplatingsdatum nog onbetaal was, en rente wat ingevolge subregulasie (3) (f) (iii) betaalbaar is, moet op die verminderde totaal bereken word.

(b) Indien die totaal van die bedrae wat ingevolge subregulasie (3) (f) (i) en (ii) aan die ander Fonds betaal moet word, onverminder met enige bydraes of ander bedrag in paragraaf (a) van hierdie subregulasie bedoel, meer is as die bedrag wat so 'n fonds vereis ten opsigte van sy pensioengewende diens voor die oorplatingsdatum, moet daar oor die surplus beskik word op die wyse wat die Sekretaris mag bepaal.

(c) Enige bedrag wat ingevolge subregulasie (3) (f) (ii) betaalbaar is, word geag rente te wees.

(5) As 'n lid op wie subregulasie (1) van regulasie 6 betrekking het en wat ingevolge daardie subregulasie tot die Fonds bydra ten opsigte van die hele of 'n deel van

his past continuous period of employment, was immediately prior to the date on which he became a contributor to the Fund or became liable to contribute to the Fund, a contributor to the Government Employees' Provident Fund or the Government Non-White Employees' Pension Fund, any amount which, in accordance with the law governing the said Provident Fund or the said Pension Fund, is payable from such a fund to the Fund in respect of the member shall be utilized as follows:—

(a) The arrear contributions payable by the member in respect of such period shall be reduced by the amount paid by the member to the said Provident Fund or the said Pension Fund, as determined according to a formula prescribed by the law governing such a fund;

(b) the amount payable from revenue in respect of the member in terms of regulation 16 (1) (b) (i) and (iii) or (b) (ii) and (iv) shall be reduced by the amount (other than interest) paid from revenue in respect of the member to the said Provident Fund or the said Pension Fund, as determined according to the said formula;

(c) the interest and amount payable from revenue in respect of the member in terms of regulation 16 (1) (c) (i) and (d) (i) or (c) (i) and (d) (ii) shall be reduced by any amount which, in terms of the law governing the said Provident Fund or the said Pension Fund, is or is deemed to be interest and which is included in the amount paid to the Fund.”

5. In regulation 8—

(i) by the substitution in subregulation (1) for all the words preceding paragraph (a) of the following words:—

“If any person who is subject to a pension law administered by a provincial administration or the administration of the territory or a department of education (whether in the Republic or the territory) or who is a member of a pension or provident fund [other than a pension or provident fund referred to in section 2 (1) or (3) of the Act or the Government Non-White Employees' Pension Fund] in accordance with a pension law administered by the Minister—”; and

(ii) by the substitution for paragraph (a) of subregulation (2) of the following paragraph:—

“(a) an amount equal to 2.88 times an amount calculated according to the special formula in respect of the period of such person's past pensionable service as if during that period he had been a member of the Fund and had contributed at the rate of contributions in force on the date on which he became a member of the Fund in terms of subregulation (1); and”

6. In regulation 9—

(i) by the substitution for paragraph (a) of subregulation (1) of the following paragraph:—

“(a) is transferred to employment in respect of which he becomes subject to a pension law administered by a provincial administration or the administration of the territory or a department of education (whether in the Republic or the territory) or to any pension law (other than any regulation made under section 5 of the Act or section 2 of the Government Non-White Employees' Pensions Act, 1966), administered by the Minister; or”; and

sy vorige ononderbroke dienstydperk, onmiddellik voor die datum waarop hy 'n bydraer tot die Fonds geword het of onder die verpligting gekom het om tot die Fonds by te dra, 'n bydraer was tot die Regeringswerknemers-ondersteuningsfonds of die Pensioenfonds vir Nie-Blanke Regeringswerknemers, word enige bedrag wat ooreenkomstig die Wet betreffende genoemde Ondersteuningsfonds of genoemde Pensioenfonds ten opsigte van die lid uit so 'n fonds aan die Fonds betaalbaar is, soos volg aangewend:—

(a) Die agterstallige bydraes deur die lid ten opsigte van sodanige tydperk betaalbaar, word verminder met die bedrag wat die lid aan genoemde Ondersteuningsfonds of genoemde Pensioenfonds betaal het, soos bepaal ooreenkomstig 'n formule voorgeskryf deur die wet betreffende sodanige Fonds;

(b) die bedrag wat ingevolge regulasie 16 (1) (b) (i) en (iii) of (b) (ii) en (iv) ten opsigte van die lid uit inkomste betaalbaar is, word verminder met die bedrag (uitgesonderd rente) wat ten opsigte van die lid uit inkomste aan genoemde Ondersteuningsfonds of genoemde Pensioenfonds betaal is, soos bepaal ooreenkomstig genoemde formule;

(c) die rente en bedrag wat ingevolge regulasie 16 (1) (c) (i) en (d) (i) of (c) (i) en (d) (ii) ten opsigte van die lid uit inkomste betaalbaar is, word verminder met enige bedrag wat ingevolge die wet betreffende genoemde Ondersteuningsfonds of genoemde Pensioenfonds rente is of geag word rente te wees en wat ingesluit is by die bedrag wat aan die Fonds betaal is.”

5. In regulasie 8—

(i) deur in subregulasie (1) al die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:—

“As 'n persoon wat onderworpe is aan 'n pensioenwet wat deur 'n provinsiale administrasie of die administrasie van die gebied of 'n departement van onderwys (hetsy in die Republiek of die gebied) geadmineistreer word, of wat 'n lid is van 'n pensioen- of voorsorg- of ondersteuningsfonds (uitgesonderd 'n pensioen- of ondersteuningsfonds bedoel in artikel 2 (1) of (3) van die Wet of die Pensioenfonds vir Nie-Blanke Regeringswerknemers) ooreenkomstig 'n pensioenwet wat deur die Minister geadmineistreer word—”; en

(ii) deur paragraaf (a) van subregulasie (2) deur die volgende paragraaf te vervang:—

“(a) 'n bedrag gelyk aan 2.88 maal 'n bedrag bereken ooreenkomstig die spesiale formule ten opsigte van die tydperk van sodanige persoon se vorige pensioengewende diens asof hy gedurende daardie tydperk 'n lid van die Fonds was en bygedra het teen die bydraekoeers van krag op die datum waarop hy ingevolge subregulasie (1) 'n lid van die Fonds geword het; en”

6. In regulasie 9—

(i) deur paragraaf (a) van subregulasie (1) deur die volgende paragraaf te vervang:—

“(a) oorgeplaas word na diens ten opsigte waarvan hy onderworpe word aan 'n pensioenwet wat deur 'n provinsiale administrasie of die administrasie van die gebied of 'n departement van onderwys (hetsy in die Republiek of die gebied) geadmineistreer word of aan 'n pensioenwet (uitgesonderd 'n regulasie uitgevaardig kragtens artikel 5 van die Wet of artikel 2 van die wet op Pensioene vir Nie-Blanke Regeringswerknemers, 1966), wat deur die Minister geadmineistreer word; of”; en

(ii) by the substitution for paragraph (i) of subregulation (1) of the following paragraph:—

“(i) an amount equal to 2·88 times an amount calculated according to the special formula; and”.

7. In regulation 10—

(i) by the substitution for paragraph (a) of subregulation (2) of the following paragraph:—

“(a) an amount equal to 2·88 times an amount calculated according to the special formula in respect of the period of his pensionable service under the Railway Administration as if during that period he had been a member of the Fund and had contributed at the rate of contributions in force on the date on which he became a member of the Fund in terms of subregulation (1); and”;

(ii) by the substitution for paragraph (a) of subregulation (3) of the following paragraph:—

“(a) an amount equal to 2·88 times an amount calculated according to the special formula; and”.

8. In regulation 16—

(i) by the substitution in subregulation (1) for the expression “7 (4)” of the expression “7 (5)”; and

(ii) by the substitution for paragraph (a) of subregulation (3) of the following paragraph:—

“(a) an amount equal to 2·88 times an amount calculated according to the special formula; and”.

No. R. 638 25 April 1969
GOVERNMENT SERVICE PENSIONS ACT, 1965
(SOUTH AFRICAN POLICE AND PRISONS
SERVICE PENSION FUND)

The Minister of Social Welfare and Pensions has, under section 5 of the Government Service Pensions Act, 1965 (Act 62 of 1965), amended with effect from the first day of April 1968, the regulations promulgated by Government Notice R. 2031 of 22 December 1965, and amended by Government Notices R. 469 of 25 March 1966, R. 642 of 29 April 1966, R. 1968 of 9 December 1966, R. 619 of 17 April 1968, R. 629 of 19 April 1968, R. 1077 of 21 June 1968, R. 1178 of 5 July 1968, R. 1362 of 9 August 1968 and R. 1364 of 9 August 1968, as follows:—

1. By the insertion in regulation 1 after the definition of “excess contributions” of the following definitions:—

“Government Employees’ Provident Fund” means the Government Employees’ Provident Fund referred to in section 2 (3) of the Act;

“Government Non-White Employees’ Pension Fund” means the Government Non-White Employees’ Pension Fund established in terms of section 2 (2) of the Government Non-White Employees’ Pensions Act, 1966 (Act 42 of 1966);”.

2. By the insertion after regulation 1 of the following regulation:—

“Special Formula

1A. For the purpose of calculating any amount payable to or from the Fund in respect of a member in terms of regulation 7 (2) (a) (i) or (3) (i), 8 (2) (a), 9 (1) (i), 10 (2) (a) or (3) (a) or 17 (3) (a), ‘special formula’ in these regulations means the formula—

$$R \times Z \times N \times \frac{(10,000 - D)}{10,000}$$

(ii) deur paragraaf (i) van subregulasie (1) deur die volgende paragraaf te vervang:—

“(i) ’n bedrag gelyk aan 2·88 maal ’n bedrag bereken ooreenkomstig die spesiale formule; en”.

7. In regulasie 10—

(i) deur paragraaf (a) van subregulasie (2) deur die volgende paragraaf te vervang:—

“(a) ’n bedrag gelyk aan 2·88 maal ’n bedrag bereken ooreenkomstig die spesiale formule ten opsigte van die tydperk van sy pensioengewende diens onder die Spoorwegadministrasie asof hy gedurende daardie tydperk ’n lid van die Fonds was en bygedra het teen die hydraekers van krag op die dag waarop hy ingevolge subregulasie (1) ’n lid van die Fonds geword het; en”;

(ii) deur paragraaf (a) van subregulasie (3) deur die volgende paragraaf te vervang:—

“(a) ’n bedrag gelyk aan 2·88 maal ’n bedrag bereken ooreenkomstig die spesiale formule; en”.

8. In regulasie 16—

(i) deur in subregulasie (1) die uitdrukking “7 (4)” deur die uitdrukking “7 (5)” te vervang; en

(ii) deur paragraaf (a) van subregulasie (3) deur die volgende paragraaf te vervang:—

“(a) ’n bedrag gelyk aan 2·88 maal ’n bedrag bereken ooreenkomstig die spesiale formule; en”.

No. R. 638 25 April 1969
REGERINGSDIENSPENSIOENWET, 1965
(SUID-AFRIKAANSE POLISIE- EN GEVANGENIS-
DIENSPENSIOENFONDS)

Die Minister van Volkswelsyn en Pensioene het kragtens artikel 5 van die Regeringsdienspensioenwet, 1965 (Wet 62 van 1965), die regulasies wat by Goewermentskennisgewing R. 2031 van 22 Desember 1965 afgekondig en by Goewermentskennisgewings R. 469 van 25 Maart 1966, R. 642 van 29 April 1966, R. 1968 van 9 Desember 1966, R. 619 van 17 April 1968, R. 629 van 19 April 1968, R. 1077 van 21 Junie 1968, R. 1178 van 5 Julie 1968, R. 1362 van 9 Augustus 1968 en R. 1364 van 9 Augustus 1968 gewysig is, met ingang van die eerste dag van April 1968 soos volg gewysig:—

1. Deur in regulasie 1 die volgende omskrywings na die omskrywing van “meerdere bydraes” in te voeg:—

“Regerings - werknemersondersteuningsfonds” die Regerings-werknemersondersteuningsfonds in artikel 2 (3) van die Wet bedoel;

“Pensioenfonds vir Nie-Blanke Regeringswerknemers” die Pensioenfonds vir Nie-Blanke Regeringswerknemers wat kragtens artikel 2 (2) van die Wet op Pensioene vir Nie-blanke Regeringswerknemers, 1966 (Wet 42 van 1966), ingestel is;”.

2. Deur na regulasie 1 die volgende regulasie in te voeg:—

“Spesiale Formule

1A. By die berekening van ’n bedrag wat ingevolge regulasies 7 (2) (a) (i) of (3) (i), 8 (2) (a), 9 (1) (i), 10 (2) (a) of (3) (a) of 17 (3) (a) ten opsigte van ’n lid uit of aan die Fonds betaalbaar is, beteken “spesiale formule” in hierdie regulasies die formule—

$$R \times Z \times N \times \frac{(10,000 - D)}{10,000}$$

in which—

R is the rate at which the member contributes to the Fund;

Z is the member's average annual pensionable emoluments during the last seven years of his pensionable service or during the whole period of such service, whichever is the lesser period;

N is the period of the member's pensionable service; and

D is determined in accordance with the following table:—

Number of completed months of contributory service	D
0 to 84.....	0;
85 to 120.....	0 plus 26 for each completed month of contributory service in excess of 84 months;
121 to 240.....	936 plus 22 for each completed month of such service in excess of 120 months;
241 to 360.....	3,576 plus 17 for each completed month of such service in excess of 240 months;
361 to 480.....	5,616 plus 14 for each completed month of such service in excess of 360 months;
481 and over.....	7,296 plus 12 for each completed month of such service in excess of 480 months;

3. By the substitution for subregulation (1) of regulation 6 of the following subregulation:—

“(1) Any person—

(a) who is not a person to whom paragraph (b) applies and who, on the removal of a disqualification referred to in regulation 2, becomes a contributor to the Fund; or

(b) who is a member of the Government Non-White Employees' Pension Fund and—

(i) is transferred to employment in respect of which he is liable to contribute to the Fund; or

(ii) is appointed directly without a break in his service to such employment; or

(iii) without a break in his service becomes liable to contribute to the Fund; and

(iv) becomes a contributor to the Fund as from the date of such transfer or appointment or the date on which he so becomes liable,

shall, subject, in the case of a person to whom paragraph (a) applies, to the provisions of subregulation (2), contribute to the Fund in respect of the period of his past continuous employment approved by the Secretary: Provided that any person to whom paragraph (a) applies may within a period of 90 days after the removal of such a disqualification or within such further period as the Secretary may in special circumstances allow, elect, in writing, not so to contribute.”

4. By the substitution for regulation 7 of the following regulation:—

“Transfers from and to Another Pension or Provident Fund administered under the Act or the Pension Fund administered under Act 42 of 1966

7. (1) If a contributor to the Public Service Pension Fund or the Permanent Force Pension Fund is transferred to employment in respect of which he becomes liable to contribute to the Fund, he shall, as from the date of such transfer, become a member of and contribute to the Fund, and any pension payable from the Fund to or in respect of such contributor shall be calculated upon the whole

waarin—

R die koers is waarteen die lid tot die Fonds bydra; Z die gemiddelde jaarlikse pensioengewende verdienste van die lid is gedurende die laaste sewe jaar van sy pensioengewende diens of gedurende die volle tydperk van sodanige diens, naamlik die kortste tydperk;

N die lid se pensioengewende dienstydperk is; en

D bepaal word ooreenkomstig onderstaande tabel:—

Voltooide maande pensioengewende diens	D
0 tot 84.....	0;
85 tot 120.....	0 plus 26 vir elke voltooide maand van pensioengewende diens bo 84 maande;
121 tot 250.....	936 plus 22 vir elke voltooide maand van sodanige diens bo 120 maande;
241 tot 360.....	3,576 plus 17 vir elke voltooide maand van sodanige diens bo 240 maande;
361 tot 480.....	5,616 plus 14 vir elke voltooide maand van sodanige diens bo 360 maande;
481 en meer.....	7,296 plus 12 vir elke voltooide maand van sodanige diens bo 480 maande.”

3. Deur subregulasie (1) van regulasie 6 deur die volgende subregulasie te vervang:—

“(1) Enige persoon—

(a) wat nie 'n persoon is op wie paragraaf (b) van toepassing is nie en wat met die verwydering van 'n diskwalifikasie in regulasie 2 genoem, 'n bydraer tot die Fonds word; of

(b) wat 'n lid is van die Pensioenfonds vir Nie-Blanke Regeringswerknemers en—

(i) oorgeplaas word na diens ten opsigte waarvan hy onder die verpligting kom om tot die Fonds by te dra; of

(ii) regstreeks in sodanige diens aangestel word sonder 'n onderbreking in sy diens; of

(iii) sonder 'n onderbreking in sy diens onder die verpligting kom om tot die Fonds by te dra; en

(iv) 'n bydraer tot die Fonds word met ingang van die datum van sodanige oorplasing of aanstelling of die datum waarop hy aldus onder die verpligting kom,

moet, in die geval van 'n persoon op wie paragraaf (a) van toepassing is, behoudens die bepalings van subregulasie (2) tot die Fonds bydra ten opsigte van die tydperk van sy vorige ononderbroke diens wat deur die Sekretaris goedgekeur word: Met dien verstande dat 'n persoon op wie paragraaf (a) van toepassing is, binne 'n tydperk van 90 dae na die verwydering van so 'n diskwalifikasie of binne 'n verdere tydperk wat die Sekretaris in besondere omstandighede toelaat, skriftelik kan kies om nie aldus by te dra nie.”

4. Deur regulasie 7 deur die volgende regulasie te vervang:—

“Oordragte Uit en Na 'n Ander Pensioen- of Voorsorg- of Ondersteuningsfonds Ingevolge die Wet Bestuur of die Pensioenfonds Ingevolge Wet 42 van 1966 Bestuur

7. (1) As 'n bydraer tot die Staatsdiens-pensioenfonds of die Staandemag-pensioenfonds oorgeplaas word na diens ten opsigte waarvan hy onder die verpligting kom om tot die Fonds by te dra, moet hy met ingang van die datum van sodanige oorplasing 'n lid word van en bydrae tot die Fonds, en enige pensioen wat aan of ten opsigte van sodanige bydraer uit die Fonds betaalbaar is, word

period of his pensionable service under these regulations and the law governing the said Public Service Pension Fund or the said Permanent Force Pension Fund, as the case may be.

(2) (a) There shall be payable to the Fund in respect of the prior pensionable service of any such contributor an amount equal to the sum of—

(i) 3·01 times an amount calculated according to the special formula in respect of the period of his pensionable service prior to the date of his transfer, as if that period he had been a member of the Fund and had contributed at the rate of contributions in force on the date on which he became a member of the Fund in terms of subregulation (1); and

(ii) in respect of each completed year of the whole period of such service, an amount equal to 2 per cent of the amount payable in terms of subparagraph (i) and in respect of any remaining portion of such service an amount equal to a percentage of the amount so payable which bears to 2 per cent the same ratio as the number of days in that portion bears to 365.

(b) The amount payable in terms of paragraph (a) shall be reduced by or paid in full from the amount payable from the Public Service Pension Fund or the Permanent Force Pension Fund, as the case may be, in accordance with the law governing such fund.

(c) If any amount owed by the contributor to such a pension fund at the date of his transfer was unpaid at that date and the amount available for transfer to the Fund from the Public Service Pension Fund is for that reason reduced by the amount due and unpaid, or the amount available for transfer to the Fund from the Permanent Force Pension Fund is for that reason reduced by the amount due and unpaid to an amount less than that payable in terms of paragraph (a), the reduction in the one case or the deficiency created in the other shall be made good by the contributor in such manner as the Secretary may determine.

(d) Any deficiency, exclusive of any amount referred to in paragraph (c), shall be paid by the member and from revenue in such manner and in such proportions as the Secretary may determine.

(e) Any amount payable in terms of paragraph (a) (ii) shall for the purpose of these regulations be deemed to be interest.

(3) If a member—

(a) is transferred to employment in respect of which he is required to contribute to the Public Service Pension Fund or the Permanent Force Pension Fund; or

(b) becomes liable to contribute to the Government Employees Provident Fund; or

(c) is transferred to employment in respect of which he becomes liable to contribute to the Government Non-White Employees' Pension Fund; or

(d) is appointed directly without a break in his service to employment referred to in paragraph (c); or

(e) without a break in his service becomes liable to contribute to the last-mentioned fund; and

(f) in the case of a member referred to in paragraph (b), (c), (d) or (e), contributes to the fund concerned in respect of his prior pensionable service,

bereken op die hele tydperk van sy pensioengewende diens kragtens hierdie regulasies en die Wet betreffende vermelde Staatsdiens-pensioenfondse of vermelde Staandemag-pensioenfondse, na gelang van die geval.

(2) (a) Daar is ten opsigte van die vorige pensioengewende diens van so 'n bydraer 'n bedrag aan die Fonds betaalbaar gelyk aan die som van—

(i) 3·01 maal 'n bedrag bereken ooreenkomstig die spesiale formule ten opsigte van die tydperk van sy pensioengewende diens voor die datum van sy oorsplasing, asof hy gedurende daardie tydperk 'n lid van die Fonds was en bygedra het teen die bydraekoers van krag op die datum waarop hy ingevolge subregulasie (1) 'n lid van die Fonds geword het; en

(ii) ten opsigte van elke volle jaar van die hele tydperk van sodanige diens, 'n bedrag gelyk aan 2 persent van die bedrag wat ingevolge subparagraaf (i) betaalbaar is, en ten opsigte van enige oorblywende gedeelte van sodanige diens, 'n bedrag gelyk aan 'n persentasie van die aldus betaalbare bedrag wat in dieselfde verhouding tot 2 persent staan as wat die getal dae in daardie gedeelte tot 365 staan.

(b) Die bedrag wat ingevolge paragraaf (a) betaalbaar is word verminder met of ten volle betaal uit enige bedrag betaalbaar uit die Staatsdienspensioenfondse of die Staandemag-pensioenfondse, na gelang van die geval, ooreenkomstig die Wet betreffende sodanige fondse.

(c) Indien 'n bedrag wat die bydraer aan so 'n pensioenfondse verskuldig was op die datum van sy oorsplasing, op daardie datum nog onbetaal was en die bedrag wat vir oordrag na die Fonds uit die Staatsdiens-pensioenfondse beskikbaar is, om daardie rede verminder word met die bedrag wat verskuldig en onbetaal is, of die bedrag wat vir oordrag na die Fonds uit die Staandemag-pensioenfondse beskikbaar is, om daardie rede met die bedrag wat verskuldig en onbetaal is, verminder word tot 'n bedrag wat minder is as dié wat ingevolge paragraaf (a) betaalbaar is, moet die vermindering in die een geval of die tekort wat in die ander geval geskep is, deur die bydraer goedgemaak word op die wyse wat die Sekretaris mag bepaal.

(d) Enige tekort, uitgesonderd enige bedrag in paragraaf (c) genoem, moet deur die lid en uit inkomste betaal word op die wyse en in die verhouding wat die Sekretaris mag bepaal.

(e) Enige bedrag wat ingevolge paragraaf (a) (ii) betaalbaar is, word vir die toepassing van hierdie regulasies geag rente te wees.

(3) As 'n lid—

(a) oorgeplaas word na diens ten opsigte waarvan hy tot die Staatsdiens-pensioenfondse of die Staandemag-pensioenfondse moet bydra; of

(b) onder die verpligting kom om tot die Regerings-werknemersondersteuningsfondse by te dra; of

(c) oorgeplaas word na diens ten opsigte waarvan hy onder die verpligting kom om tot die Pensioenfondse vir Nie-Blanke Regeringswerknemers by te dra; of

(d) regstreeks sonder 'n onderbreking in sy diens aangestel word in diens in paragraaf (c) bedoel; of

(e) sonder 'n onderbreking in sy diens onder die verpligting kom om tot laasgenoemde fondse by te dra; en

(f) in die geval van 'n lid in paragraaf (b), (c), (d) of (e) bedoel, tot die betrokke fondse bydra ten opsigte van sy vorige pensioengewende diens,

there shall, subject to the provisions of subregulation (4), be paid from the Fund to the other fund an amount equal to the sum of—

(i) 3·01 times an amount calculated according to the special formula;

(ii) in respect of each completed year of the whole period of the member's pensionable service prior to the transfer date, an amount equal to 2 per cent of the amount payable in terms of subparagraph (i), and in respect of any remaining portion of such service, an amount equal to a percentage of the amount so payable which bears to 2 per cent the same ratio as the number of days in that portion bears to 365; and

(iii) interest at the rate of 4 per cent per annum, compounded annually at the thirty-first day of March, on the total of the amounts payable in terms of subparagraphs (i) and (ii) from the transfer date up to the date of payment.

(4) (a) The total of the amounts payable in terms of subregulation (3) (f) (i) and (ii) shall be reduced by any arrear contributions or other amount which was due to the Fund by the member but which was unpaid at the transfer date, and any interest payable in terms of subregulation (3) (f) (iii) shall be calculated on the reduced total.

(b) If, in the case of a member who is required to contribute to the Public Service Pension Fund or in the case of a member referred to in subregulation (3) (b), (c), (d) or (e), the total of the amounts to be paid to that fund or the Government Employees' Provident Fund or the Government Non-White Employees' Pension Fund in terms of subregulation (3) (f) (i) and (ii), unreduced by any contributions or other amount referred to in paragraph (a) of this subregulation, is more than the amount required by such a fund in respect of his pensionable service prior to the transfer date, the surplus shall be disposed of in such manner as the Secretary may determine.

(c) Any amount payable in terms of subregulation (3) (f) (ii) shall be deemed to be interest.

(5) If a member to whom subregulation (1) of regulation 6 relates and who in terms of that subregulation contributes to the Fund in respect of the whole or part of his past continuous period of employment, was immediately prior to the date on which he became a contributor to the Fund or became liable to contribute to the Fund, a contributor to the Government Employees' Provident Fund or the Government Non-White Employees' Pension Fund, any amount which, in accordance with the law governing the said Provident Fund or the said Pension Fund, is payable from such a fund to the Fund in respect of the member, shall be utilized as follows:—

(a) The arrear contributions payable by the member in respect of such period shall be reduced by the amount paid by the member to the said Provident Fund or the said Pension Fund, as determined according to a formula prescribed by the law governing such a fund: Provided that if the said amount exceeds the amount of the arrear contributions so payable, the excess shall be disposed of in such manner as the Secretary may determine;

(b) the amount payable from revenue in respect of the member in terms of regulation 17 (1) (b) (i) and (iii) or (b) (ii) and (iv) shall be reduced by the amount (other than interest) paid from revenue in respect of the member to the said Provident Fund or the said Pension Fund, as

word daar, behoudens die bepaling van subregulasie (4), uit die Fonds aan die ander fonds 'n bedrag betaal gelyk aan die totaal van—

(i) 3·01 maal 'n bedrag bereken ooreenkomstig die spesiale formule;

(ii) ten opsigte van elke volle jaar van die hele tydperk van die lid se pensioengewende diens voor die oorpasingsdatum, 'n bedrag gelyk aan 2 persent van die bedrag wat ingevolge subparagraaf (i) betaalbaar is en ten opsigte van enige oorblywende gedeelte van sodanige diens, 'n bedrag gelyk aan 'n persentasie van die aldus betaalbare bedrag wat in dieselfde verhouding tot 2 persent staan as wat die getal dae in daardie gedeelte tot 365 staan; en

(iii) rente op die totaal van die bedrae wat ingevolge subparagrafe (i) en (ii) betaalbaar is, teen die koers van 4 persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, vanaf die oorpasingsdatum tot die datum van betaling.

(4) (a) Die totaal van die bedrae wat ingevolge subregulasie (3) (f) (i) en (ii) betaalbaar is, moet verminder word met enige agterstallige bydraes of ander bedrag wat die lid aan die Fonds verskuldig was maar wat op die oorpasingsdatum nog onbetaal was, en rente wat ingevolge subregulasie (3) (f) (iii) betaalbaar is, moet op die verminderde totaal bereken word.

(b) Indien, in die geval van 'n lid wat tot die Staatsdiens-pensioenfonds moet bydra, of in die geval van 'n lid in subregulasie (3) (b), (c), (d) of (e) bedoel, die totaal van die bedrae wat ingevolge subregulasie (3) (f) (i) en (ii) aan daardie fonds of die Regerings-werknemersondersteuningsfonds of die Pensioenfonds vir Nie-Blanke Regeringswerknemers betaal moet word, onverminder met enige bydraes of ander bedrag in paragraaf (a) van hierdie subregulasie bedoel, meer is as die bedrag wat so 'n fonds vereis ten opsigte van sy pensioengewende diens voor die oorpasingsdatum, moet daar oor die surplus beskik word op die wyse wat die Sekretaris mag bepaal.

(c) Enige bedrag wat ingevolge subregulasie (3) (f) (ii) betaalbaar is, word geag rente te wees.

(5) As 'n lid op wie subregulasie (1) van regulasie 6 betrekking het en wat ingevolge daardie subregulasie tot die Fonds bydra ten opsigte van die hele of 'n deel van sy vorige ononderbroke dienstydperk, onmiddellik voor die datum waarop hy 'n bydraer tot die Fonds geword het of onder die verpligting gekom het om tot die Fonds by te dra, 'n bydraer was tot die Regeringswerknemers-ondersteuningsfonds of die Pensioenfonds vir Nie-Blanke Regeringswerknemers, word enige bedrag wat ooreenkomstig die Wet betreffende genoemde Ondersteuningsfonds of genoemde Pensioenfonds ten opsigte van die lid uit so 'n fonds aan die Fonds betaalbaar is, soos volg aangewend:—

(a) Die agterstallige bydraes deur die lid ten opsigte van sodanige tydperk betaalbaar, word verminder met die bedrag wat die lid aan genoemde Ondersteuningsfonds of genoemde Pensioenfonds betaal het, soos bepaal ooreenkomstig 'n formule voorgeskryf deur die wet betreffende sodanige fonds: Met dien verstande dat as genoemde bedrag groter is as die bedrag van die aldus betaalbare agterstallige bydraes, daar oor die oorskot beskik moet word op die wyse wat die Sekretaris mag bepaal;

(b) die bedrag wat ingevolge regulasie 17 (1) (b) (i) en (iii) of (b) (ii) en (iv) ten opsigte van die lid uit inkomste betaalbaar is, word verminder met die bedrag (uitgesonderd rente) wat ten opsigte van die lid uit inkomste aan genoemde Ondersteuningsfonds of genoemde Pensioenfonds betaal is, soos bepaal ooreenkomstig genoemde

determined according to the said formula: Provided that if the last-mentioned amount exceeds the amount so payable from revenue, the excess shall be disposed of in such manner as the Secretary may determine;

(c) the interest and amount payable from revenue in respect of the member in terms of regulation 17 (1) (c) (i) and (d) (i) or (c) (i) and (d) (ii) shall be reduced by any amount which, in terms of the law governing the said Provident Fund or the said Pension Fund, is or is deemed to be interest and which is included in the amount paid to the Fund: Provided that if the amount which is or is deemed to be interest, exceeds the interest and amount so payable from revenue, the excess shall be disposed of in such manner as the Secretary may determine.”

5. In regulation 8—

(i) by the substitution in subregulation (1) for all the words preceding paragraph (a) of the following words:—

“If any person who is subject to a pension law administered by a provincial administration or the administration of the territory or a department of education (whether in the Republic or the territory) or who is a member of a pension or provident fund [other than a pension or provident fund referred to in section 2 (1) or (3) of the Act or the Government Non-White Employees' Pension Fund] in accordance with a pension law administered by the Minister—”; and

(ii) by the substitution for paragraph (a) of subregulation (2) of the following paragraph:—

“(a) an amount equal to 3.01 times an amount calculated according to the special formula in respect of the period of such person's past pensionable service as if during that period he had been a member of the Fund and had contributed at the rate of contributions in force on the date on which he became a member of the Fund in terms of subregulation (1); and”.

6. In regulation 9—

(i) by the substitution for paragraph (a) of subregulation (1) of the following paragraph:—

“(a) is transferred to employment in respect of which he becomes subject to a pension law administered by a provincial administration or the administration of the territory or a department of education (whether in the Republic or the territory) or to any pension law (other than any regulation made under section 5 of the Act or section 2 of the Government Non-White Employees' Pensions Act, 1966), administered by the Minister; or” and

(ii) by the substitution for paragraph (i) of subregulation (1) of the following paragraph:—

“(i) an amount equal to 3.01 times an amount calculated according to the special formula;”.

7. In regulation 10—

(i) by the substitution for paragraph (a) of subregulation (2) of the following paragraph:—

“(a) an amount equal to 3.01 times an amount calculated according to the special formula in respect of the period of his pensionable service under the Railway Administration as if during that period he had been a member of the Fund and had contributed at the rate of contributions in force on the date on which he became a member of the Fund in terms of subregulation (1); and”;

formule: Met dien verstande dat as laasgenoemde bedrag groter is as die bedrag wat aldus uit inkomste betaalbaar is, daar oor die oorskot beskik moet word op die wyse wat die Sekretaris mag bepaal;

(c) die rente en bedrag wat ingevolge regulasie 17 (1) (c) (i) en (d) (i) of (c) (i) en (d) (ii) ten opsigte van die lid uit inkomste betaalbaar is, word verminder met enige bedrag wat ingevolge die wet betreffende genoemde Ondersteuningsfonds of genoemde Pensioenfonds, rente is of geag word rente te wees en wat ingesluit is by die bedrag wat aan die Fonds betaal is: Met dien verstande dat as die bedrag wat rente is of geag word rente te wees, meer is as die rente en bedrag wat aldus uit inkomste betaalbaar is, daar oor die oorskot beskik moet word op die wyse wat die Sekretaris mag bepaal.”.

5. In regulasie 8—

(i) deur in subregulasie (1) al die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:—

“As 'n persoon wat onderworpe is aan 'n pensioenwet wat deur 'n provinsiale administrasie of die administrasie van die gebied of 'n departement van onderwys (hetsy in die Republiek of die gebied) geadminestreer word, of wat lid is van 'n pensioen- of voorsorg- of ondersteuningsfonds [uitgesonderd 'n pensioen- of ondersteuningsfonds bedoel in artikel 2 (1) of (3) van die Wet of die Pensioenfonds vir Nie-Blanke Regeringswerknemers] ooreenkomstig 'n pensioenwet wat deur die Minister geadminestreer word—”; en

(ii) deur paragraaf (a) van subregulasie (2) deur die volgende paragraaf te vervang:—

“(a) 'n bedrag gelyk aan 3.01 maal 'n bedrag bereken ooreenkomstig die spesiale formule ten opsigte van die tydperk van sodanige persoon se vorige pensioengewende diens asof hy gedurende daardie tydperk 'n lid van die Fonds was en bygedra het teen die bydraekoers van krag op die datum waarop hy ingevolge subregulasie (1) 'n lid van die Fonds geword het; en”.

6. In regulasie 9—

(i) deur paragraaf (a) van subregulasie (1) deur die volgende paragraaf te vervang:—

“(a) oorgeplaas word na diens ten opsigte waarvan hy onderworpe word aan 'n pensioenwet wat deur 'n provinsiale administrasie of die administrasie van die gebied of 'n departement van onderwys (hetsy in die Republiek of die gebied) geadminestreer word of aan 'n pensioenwet (uitgesonderd 'n regulasie uitgevaardig kragtens artikel 5 van die Wet of artikel 2 van die Wet op Pensioene vir Nie-Blanke Regeringswerknemers, 1966), wat deur die Minister geadminestreer word; of”; en

(ii) deur paragraaf (i) van subregulasie (1) deur die volgende paragraaf te vervang:—

“(i) 'n bedrag gelyk aan 3.01 maal 'n bedrag bereken ooreenkomstig die spesiale formule;”.

7. In regulasie 10—

(i) deur paragraaf (a) van subregulasie (2) deur die volgende paragraaf te vervang:—

“(a) 'n bedrag gelyk aan 3.01 maal 'n bedrag bereken ooreenkomstig die spesiale formule ten opsigte van die tydperk van sy pensioengewende diens onder die Spoorwegadministrasie asof hy gedurende daardie tydperk 'n lid van die Fonds was en bygedra het teen die bydraekoers van krag op die dag waarop hy ingevolge subregulasie (1) 'n lid van die Fonds geword het; en”; en

(ii) by the substitution for paragraph (a) of subregulation (3) of the following paragraph:—

“(a) an amount equal to 3·01 times an amount calculated according to the special formula; and”.

8. In regulation 17—

(i) by the substitution in subregulation (1) for the expression “7 (4)” of the expression “7 (5)”; and

(ii) by the substitution for paragraph (a) of subregulation (3) of the following paragraph:—

“(a) an amount equal to 3·01 times an amount calculated according to the special formula; and.”

No. R. 651

25 April 1969

GOVERNMENT NON-WHITE EMPLOYEES' PENSIONS ACT, 1966

The Minister of Social Welfare and Pensions has, by virtue of the power vested in him by section 2 of the Government non-White Employees' Pensions Act, 1966 (Act 42 of 1966), amended the regulations promulgated by Government Notice R. 828, dated 10 May 1968, with retrospective effect from 1 April 1968, as follows:—

1. Regulation 10 has been amended by the substitution for subregulation (5) of the following subregulation:—

“(5) Every person who is required to contribute to the Fund in terms of these regulations shall so contribute at the rate of four per cent of his pensionable emoluments.”.

2. Regulation 13 has been amended—

(a) by the substitution in subregulation (2) for paragraphs (a) and (b) of the following paragraphs:—

“(a) an amount equal to two and one-half times the amount calculated according to the formula in respect of the period of his prior pensionable service, as if during that period he had been a member of the Fund and had contributed at the rate of contributions in force on the date of such transfer or appointment or the date on which he so becomes liable; and

(b) in respect of each completed year of the whole period of such contributor's prior pensionable service, an amount equal to two per cent of the amount payable in terms of paragraph (a), and in respect of any portion of a year in such period, an amount equal to a percentage of the amount so payable which bears to two per cent the same ratio as the number of days in that portion bears to 365, and any amount payable in terms of this paragraph shall be deemed to be interest.”;

(b) by the substitution in subregulation (4) for paragraphs (a) and (b) of the following paragraphs:—

“(a) an amount equal to two and one-half times the amount calculated according to the formula; and

(b) in respect of each completed year of the period of such pensionable service, an amount equal to two per cent of the amount payable in terms of paragraph (a), and in respect of any portion of a year in such period, an amount equal to a percentage of the amount so payable which bears to two per cent the same ratio as the number of days in that portion bears to 365, and any amount payable in terms of this paragraph shall be deemed to be interest.”.

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(ii) deur paragraaf (a) van subregulasie (3) deur die volgende paragraaf te vervang:—

“(a) 'n bedrag gelyk aan 3·01 maal 'n bedrag bereken ooreenkomstig die spesiale formule; en”.

8. In regulasie 17—

(i) deur in subregulasie (1) die uitdrukking “7 (4)” deur die uitdrukking “7 (5)” te vervang; en

(ii) deur paragraaf (a) van subregulasie (3) deur die volgende paragraaf te vervang:—

“(a) 'n bedrag gelyk aan 3·01 maal 'n bedrag bereken ooreenkomstig die spesiale formule; en”.

No. R. 651

25 April 1969

WET OP PENSIOENE VIR NIE-BLANKE REGERINGSWERKNEMERS, 1966

Die Minister van Volkswelsyn en Pensioene het, kragtens die bevoegdheid hom verleen by artikel 2 van die Wet op Pensioene vir Nie-Blanke Regeringswerknemers, 1966 (Wet 42 van 1966), die regulasies by Goewermmentskennisgewing R. 828 van 10 Mei 1968 afgekondig, met terugwerkende krag vanaf 1 April 1968 soos volg gewysig:—

1. Regulasie 10 is gewysig deur subregulasie (5) deur die volgende subregulasie te vervang:—

“(5) Iedereen wat ingevolge hierdie regulasies tot die Fonds moet bydra, dra aldus by teen 4 persent van sy pensioengewende verdienste.”.

2. Regulasie 13 is gewysig—

(a) deur die vervanging, in subregulasie (2), van paragrawe (a) en (b) deur die volgende paragrawe:—

“(a) 'n bedrag wat gelyk is aan twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken, ten opsigte van sy vorige pensioengewende dienstydperk asof hy gedurende daardie tydperk lid van die Fonds was en tot die Fonds bygedra het teen die skaal van bydraes van krag op die datum van sodanige oorplasing of aanstelling of die datum waarop hy aldus onder verpligting kom; en

(b) ten opsigte van elke voltooide jaar van so 'n bydraer se hele vorige pensioengewende dienstydperk, 'n bedrag gelyk aan 2 persent van die bedrag betaalbaar ingevolge paragraaf (a) en, ten opsigte van enige deel van 'n jaar in daardie tydperk, 'n bedrag gelyk aan 'n persentasie van die aldus betaalbare bedrag wat in dieselfde verhouding tot 2 persent staan as wat die getal dae in daardie deel tot 365 staan, en enige bedrag betaalbaar kragtens hierdie paragraaf word geag rente te wees.”;

(b) deur die vervanging, in subregulasie (4), van paragrawe (a) en (b) deur die volgende paragrawe:—

“(a) 'n bedrag gelyk aan twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken; en

(b) ten opsigte van elke voltooide jaar van sodanige pensioengewende dienstydperk, 'n bedrag gelyk aan 2 persent van die bedrag ingevolge paragraaf (a) betaalbaar en, ten opsigte van 'n deel van 'n jaar in sodanige tydperk, 'n bedrag gelyk aan 'n persentasie van die bedrag aldus betaalbaar wat in dieselfde verhouding tot 2 persent staan as wat die getal dae in daardie deel tot 365 staan, en enige bedrag ingevolge hierdie paragraaf betaalbaar, word geag rente te wees.”.

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3. Regulation 14 (2) has been amended by the substitution for paragraphs (a) and (b) of the following paragraphs:—

“(a) an amount equal to two and one-half times the amount calculated according to the formula in respect of the period of his past pensionable service, as if during that period he had been a member of the Fund and had contributed in accordance with the rate of contributions in force at the date of such transfer or appointment or at the date on which he so becomes liable; and

(b) in respect of each completed year of the whole period of such person's past pensionable service, an amount equal to $2\frac{1}{2}$ per cent of the amount payable in terms of paragraph (a), and in respect of any portion of a year in such period, an amount equal to a percentage of the amount so payable which bears to $2\frac{1}{2}$ per cent the same ratio as the number of days in that portion bears to 365, and any amount payable in terms of this paragraph shall be deemed to be interest.”.

4. Regulation 15 (1) has been amended by the substitution for paragraphs (i) and (ii) of the following paragraphs:—

“(i) an amount equal to two and one-half times the amount calculated according to the formula;

(ii) in respect of each completed year of the whole period of such contributor's pensionable service, an amount equal to $2\frac{1}{2}$ per cent of the amount payable in terms of paragraph (i), and in respect of any portion of a year in such period, an amount equal to a percentage of the amount so payable which bears to $2\frac{1}{2}$ per cent the same ratio as the number of days in that portion bears to 365, and any amount payable in terms of this paragraph shall for the purpose of the payment to be made from the Fund be deemed to be interest; and”.

5. Regulation 17 has been amended—

(a) by the substitution in subregulation (1) for paragraph (a) of the following paragraph:—

“(a) two and one-half times the amount calculated according to the formula; and”;

(b) by the substitution in subregulation (2) for paragraph (b) of the following paragraphs:—

“(b) if he has had not less than 10 but less than 15 years of pensionable service, a gratuity equal to two and one-half times the amount calculated according to the formula.”

6. Regulation 18 (1) has been amended by the substitution for paragraph (a) of the following paragraph:—

“(a) any annuity which shall be based on the annual average of his pensionable emoluments during the last four years of his pensionable service and which shall be calculated at the rate of one ninety-sixth of such average for each year of his pensionable service; and”.

7. Regulation 20 (1) has been amended—

(a) by the substitution for paragraph (b) of the following paragraph:—

“(b) if such member has had not less than 10 but less than 15 years of pensionable service, equal to two and one-half times the amount calculated according to the formula;”;

(b) by the substitution in paragraph (c) for subparagraph (i) of the following subparagraphs:—

“(i) two and one-half times the amount calculated according to the formula; and”.

3. Regulasie 14 (2) is gewysig deur die vervanging van paragrawe (a) en (b) deur die volgende paragrawe:—

“(a) 'n bedrag gelyk aan twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken ten opsigte van die tydperk van sy vorige pensioengewende diens asof hy gedurende daardie tydperk lid van die Fonds was en bygedra het ooreenkomstig die toepaslike skaal van bydraes van krag op die datum van sodanige oorpasing of aanstelling of op die datum waarop hy aldus onder verpligting kom; en

(b) ten opsigte van elke voltooide jaar van die hele tydperk van sodanige persoon se vorige pensioengewende diens, 'n bedrag gelyk aan $2\frac{1}{2}$ persent van die bedrag wat ingevolge paragraaf (a) betaalbaar is en, ten opsigte van 'n deel van 'n jaar in sodanige tydperk, 'n bedrag gelyk aan 'n persentasie van die bedrag aldus betaalbaar, wat in dieselfde verhouding tot $2\frac{1}{2}$ persent staan as wat die getal dae in daardie deel tot 365 staan, en enige bedrag wat ingevolge hierdie paragraaf betaalbaar is, word geag rente te wees.”.

4. Regulasie 15 (1) is gewysig deur die vervanging van paragrawe (i) en (ii) deur die volgende paragrawe:—

“(i) 'n bedrag gelyk aan twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken;

(ii) ten opsigte van elke voltooide jaar van die hele tydperk van sodanige bydraer se pensioengewende diens, 'n bedrag gelyk aan $2\frac{1}{2}$ persent van die bedrag wat ingevolge paragraaf (i) betaalbaar is en, ten opsigte van 'n deel van 'n jaar in sodanige tydperk, 'n bedrag gelyk aan 'n persentasie van die bedrag aldus betaalbaar, wat in dieselfde verhouding tot $2\frac{1}{2}$ persent staan as wat die getal dae in daardie deel tot 365 staan, en enige bedrag wat ingevolge hierdie paragraaf betaalbaar is, word vir die doel van die betaling wat uit die Fonds gedoen moet word, geag rente te wees; en”.

5. Regulasie 17 is gewysig—

(a) deur die vervanging, in subregulasie (1), van paragraaf (a) deur die volgende paragraaf:—

“(a) twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken; en”;

(b) deur die vervanging, in subregulasie (2), van paragraaf (b) deur die volgende paragraaf:—

“(b) as hy minstens 10 maar minder as 15 jaar pensioengewende diens gehad het, 'n gratifikasie gelyk aan twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken.”.

6. Regulasie 18 (1) is gewysig deur die vervanging van paragraaf (a) deur die volgende paragraaf:—

“(a) 'n jaargeld gebaseer op die jaarlikse gemiddelde van sy pensioengewende verdienste oor die laaste vier jaar van sy pensioengewende diens en bereken teen een ses-en-negentigste van daardie gemiddelde vir elke jaar van sy pensioengewende diens; en”.

7. Regulasie 20 (1) is gewysig—

(a) deur die vervanging van paragraaf (b) deur die volgende paragraaf:—

“(b) as sodanige lid minstens 10 maar minder as 15 jaar pensioengewende diens gehad het, gelyk aan twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken;”;

(b) deur die vervanging, in paragraaf (c), van subparagraph (i) deur die volgende subparagraph:—

“(i) twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken; en”.

8. Regulation 21 has been amended—

(a) by the substitution in subregulation (1) for paragraph (a) of the following paragraph:—

“(a) at the end of each month an amount equal to 150 per cent of the aggregate current contributions which have been paid by contributors to the Fund during that month; and”;

(b) by the substitution in subregulation (2) for paragraphs (a) and (b) of the following paragraphs:—

“(a) two and one-half times the amount calculated according to the formula; and

(b) in respect of each completed year of his pensionable service up to and including the date of his retirement or death an amount equal to two per cent of the amount payable in terms of paragraph (a) and, in respect of any portion of such year an amount equal to a percentage of the amount so payable which bears to two per cent the same ratio as the number of days in that portion bears to 365, and any amount payable in terms of this paragraph shall be deemed to be interest accrued.”.

9. Regulation 26 has been amended—

(a) by the substitution in subregulation (1) (b) for subparagraph (i) of the following subparagraph:—

“(i) two and one-half times the amount calculated according to the formula; and”;

(b) by the substitution in subregulation (2) (b) for subparagraph (ii) of the following subparagraph:—

“(ii) out of the Fund, a gratuity equal to two and one-half times the amount calculated according to the formula.”;

(c) by the substitution in subregulation (3) (b) for subparagraph (i) of the following subparagraph:—

“(i) two and one-half times the amount calculated according to the formula; and”.

10. Regulation 27 (1) has been amended—

(a) by the substitution for paragraph (a) of the following paragraph:—

“(a) out of revenue, an annuity which shall be based on the annual average of his pensionable emoluments during the last four years of his qualifying service and which shall be calculated at the rate of one per cent of such average for each completed year of his reckonable service; and”;

(b) by the substitution in paragraph (b) for subparagraph (i) of the following subparagraph:—

“(i) an annuity which shall be based on the annual average of his pensionable emoluments during the last four years of his pensionable service or during the whole period of such service, whichever is the lesser period, and which shall be calculated at the rate of one ninety-sixth of such average for each year of his pensionable service; and”.

11. Regulation 28 has been amended—

(a) by the substitution in subregulation (1) (b) for subparagraph (ii) of the following subparagraph:—

“(ii) out of the Fund, a gratuity equal to two and one-half times the amount calculated according to the formula;”;

(b) by the substitution in subregulation (1) (c) (ii) for subparagraph (aa) of the following subparagraph:—

“(aa) two and one half times the amount calculated according to the formula; and”.

8. Regulاسie 21 is gewysig—

(a) deur die vervanging, in subregulasie (1), van paragraaf (a) deur die volgende paragraaf:—

“(a) aan die end van elke maand 'n bedrag gelyk aan 150 persent van die totaalbedrag van die lopende bydraes wat bydraes gedurende daardie maand aan die Fonds betaal het; en”;

(b) deur die vervanging, in subregulasie (2), van paragrafe (a) en (b) deur die volgende paragrawe:—

“(a) twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken; en

(b) ten opsigte van elke voltooid jaar van sy pensioengewende diens tot en met die datum van sy uitdienstreding of dood, 'n bedrag gelyk aan 2 persent van die bedrag ingevolge paragraaf (a) betaalbaar en, ten opsigte van 'n deel van sodanige jaar, 'n bedrag gelyk aan 'n persentasie van die bedrag aldus betaalbaar wat in dieselfde verhouding tot twee persent staan as wat die getal dae in daardie deel tot 365 staan, en enige bedrag ingevolge hierdie paragraaf betaalbaar, word geag opgelope rente te wees.”.

9. Regulاسie 26 is gewysig—

(a) deur die vervanging, in subregulasie (1) (b), van subparagraaf (i) deur die volgende subparagraaf:—

“(i) twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken; en”;

(b) deur die vervanging, in subregulasie (2) (b), van subparagraaf (ii) deur die volgende subparagraaf:—

“(ii) uit die Fonds, 'n gratifikasie gelyk aan twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken.”;

(c) deur die vervanging, in subregulasie (3) (b), van subparagraaf (i) deur die volgende subparagraaf:—

“(i) twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken; en”.

10. Regulاسie 27 (1) is gewysig—

(a) deur die vervanging van paragraaf (a) deur die volgende paragraaf:—

“(a) uit inkomste, 'n jaargeld gebaseer op die jaarlikse gemiddelde van sy pensioengewende verdienste gedurende die laaste vier jaar van sy kwalifiserende diens en bereken teen een persent van sodanige gemiddelde vir elke voltooid jaar van sy rekenbare diens; en”;

(b) deur die vervanging, in paragraaf (b), van subparagraaf (i) deur die volgende subparagraaf:—

“(i) 'n jaargeld gebaseer op die jaarlikse gemiddelde van sy pensioengewende verdienste gedurende die laaste vier jaar van sy pensioengewende diens of gedurende die volle tydperk van daardie diens, naamlik die kortste tydperk, en bereken teen een-ses-en-negentigste van sodanige gemiddelde vir elke jaar van sy pensioengewende diens; en”.

11. Regulاسie 28 is gewysig—

(a) deur die vervanging, in subregulasie (1) (b), van subparagraaf (ii) deur die volgende subparagraaf:—

“(ii) uit die Fonds, 'n gratifikasie gelyk aan twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken;”;

(b) deur die vervanging, in subregulasie (1) (c) (ii), van sub-subparagraaf (aa) deur die volgende sub-subparagraaf:—

“(aa) twee-en-'n-half maal die bedrag ooreenkomstig die formule bereken; en”.

12. Regulation 34 (1) (i) has been amended by the substitution for subparagraphs (aa) and (bb) of the following subparagraphs:—

“(aa) an amount equal to two and one-half times the amount calculated according to the formula;

(bb) in respect of each completed year of his pensionable service as a contributor to the Fund, an amount equal to $2\frac{1}{2}$ per cent of the amount payable in terms of subparagraph (aa), and in respect of any portion of a year of such service an amount equal to a percentage of the amount so payable which bears to $2\frac{1}{2}$ per cent the same ratio as the number of days in that portion bears to 365, and any amount payable in terms of this subparagraph shall for the purpose of the payment from the Fund be deemed to be interest; and”.

13. Regulation 35 (2) has been amended by the substitution for paragraphs (a) and (b) of the following paragraphs:—

“(a) an amount equal to two and one-half times the amount calculated according to the formula, in respect of the period of such past pensionable service as if he had been a member of the Fund and had contributed in accordance with the rate of contributions in force at the date of such transfer or appointment or at the date on which he so becomes liable; and

(b) in respect of each completed year of the whole period of such past pensionable service, an amount equal to $2\frac{1}{2}$ per cent of the amount payable in terms of paragraph (a), and in respect of any portion of a year in such period, an amount equal to a percentage of the amount so payable which bears to $2\frac{1}{2}$ per cent the same ratio as the number of days in that portion bears to 365, and any amount payable in terms of this paragraph shall for the purposes of these regulations be deemed to be interest.”.

No. R. 652

25 April 1969

GOVERNMENT SERVICE PENSIONS ACT, 1965

The Minister of Social Welfare and Pensions has, in terms of section 5 of the Government Service Pensions Act 1965 (Act 62 of 1965), revoked the regulations promulgated by Government Notice R. 2032, dated 24 December 1965, as amended by Government Notice 713 of 26 April 1968, and made the following regulations:—

GOVERNMENT EMPLOYEES' PROVIDENT FUND REGULATIONS

Definitions

1. (1) In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in section 1 of the Act, bears, when used in these regulations, the same meaning, and—

(i) “annuity” means an amount which is payable each year;

(ii) “contingency account” means the contingency account referred to in regulation 10;

(iii) “contributions” means the amounts, other than interest, paid or due by a member or a dormant member to the Fund;

(iv) “contributory service” shall, subject to regulation 4, mean any period of employment, in respect of which contributions have been paid or are payable to the Fund in terms of these regulations including any period referred to in regulation 9 (5);

12. Regulasie 34 (1) (i) is gewysig deur die vervanging van subparagraphe (aa) en (bb) deur die volgende subparagraphe:—

“(aa) ’n bedrag gelyk aan twee-en-’n-half maal die bedrag ooreenkomstig die formule bereken; en

(bb) ten opsigte van elke voltooide jaar van sy pensioengewende diens as ’n bydraer tot die Fonds, ’n bedrag gelyk aan $2\frac{1}{2}$ persent van die bedrag ingevolge subparagraaf (aa) betaalbaar, en ten opsigte van ’n deel van ’n jaar van sodanige diens ’n bedrag gelyk aan ’n persentasie van die bedrag aldus betaalbaar wat in dieselfde verhouding tot $2\frac{1}{2}$ persent staan as wat die getal dae in daardie deel tot 365 staan, en enige bedrag wat ingevolge hierdie subparagraaf betaalbaar is, word vir die doel van die betaling wat uit die Fonds gedoen word, geag rente te wees; en”.

13. Regulasie 35 (2) is gewysig deur die vervanging van paragrafe (a) en (b) deur die volgende paragrafe:—

“(a) ’n bedrag gelyk aan twee-en-’n-half maal die bedrag ooreenkomstig die formule bereken ten opsigte van die tydperk van sodanige vorige pensioengewende diens asof hy lid van die Fonds was en bygedra het ooreenkomstig die toepaslike skaal van bydraes van krag op die datum van sodanige oorpasing of aanstelling of op die datum waarop hy aldus onder verpligting kom; en

(b) ten opsigte van elke voltooide jaar van die hele tydperk van sodanige vorige pensioengewende diens, ’n bedrag gelyk aan $2\frac{1}{2}$ persent van die bedrag ingevolge paragraaf (a) betaalbaar, en ten opsigte van enige deel van ’n jaar in sodanige tydperk, ’n bedrag gelyk aan ’n persentasie van die bedrag aldus betaalbaar wat in dieselfde verhouding tot $2\frac{1}{2}$ persent staan as wat die getal dae in daardie deel tot 365 staan, en enige bedrag wat ingevolge hierdie paragraaf betaalbaar is, word vir die toepassing van hierdie regulasie geag rente te wees.”.

No. R. 652

25 April 1969

REGERINGSDIENSPENSIOENWET, 1965

Die Minister van Volkswelsyn en Pensioene het kragtens artikel 5 van die Regeringsdienspensioenwet, 1965 (Wet 62 van 1965), die regulasies afgekondig by Goewermentskennisgewing R. 2032 van 24 Desember 1965, soos gewysig, by Goewermentskennisgewing 713 van 26 April 1968, ingetrek en die volgende regulasies uitgevaardig:—

REGULASIES VIR DIE REGERINGS-WERK-NEMERSONDERSTEUNINGSFONDS

Woordbepaling

1. (1) In hierdie regulasies, tensy uit die samehang anders blyk, het enige uitdrukking waaraan ’n betekenis in artikel 1 van die Wet geheg is dieselfde betekenis wanneer dit in hierdie regulasies gebruik word, en beteken—

(i) “afhanklike” met betrekking tot ’n rustende lid of ’n lid—

(a) die weduwee of minderjarige kind of stiefkind of wettig aangenome minderjarige kind van sodanige rustende lid of lid; en

(b) enige ander familiebetrekking of persoon wat van sodanige rustende lid of lid vir onderhoud afhanklik is;

(ii) “bydraes” die bedrae, uitgesonderd rente, deur ’n rustende lid of lid aan die Fonds betaal of verskuldig;

(v) "dependant", in relation to any member or dormant member, means—

(a) the widow or minor child or step-child or legally adopted minor child of such member or dormant member; and

(b) any other relative or person dependent upon such member or dormant member for maintenance;

(vi) "dormant member" means a person who ceased to be a contributor—

(a) on attaining the age of 65 years;

(b) in accordance with the provisions of section 64 of the Government Service Pensions Act, 1936, or section 85 (2) of the Pensions Act;

(c) in terms of section 70 *bis* of the Government Service Pensions Act, 1936;

(d) by virtue of section 86 (1) (g) of the Pensions Act, or regulation 2 (d),

but who has not retired or been retired or discharged from the service of the Government;

(vii) "full benefit", in relation to a member or a dormant member or the dependants of a member or dormant member, means the aggregate of—

(a) the sum of—

(i) twice the amount calculated in accordance with the formula, in respect of the contributory service of the member or dormant member concerned preceding 1 April 1968; and

(ii) 2.41 times the amount calculated in accordance with the formula in respect of the contributory service of the member or dormant member concerned, rendered after 31 March 1968;

(b) two per cent of the amount calculated in terms of paragraph (a) for each completed year of the period during which the member or dormant member concerned actually contributed to the Fund [including any period in respect of which he so contributed in terms of regulation 9 (6)] and for any portion of a year in that period, an amount equal to a percentage of the amount calculated in terms of paragraph (a), which bears the same ratio to two per cent as the number of days in such portion bears to 365; and

(c) in the case of a dormant member, a member referred to in regulation 8 (9) or 9 (4), and of a member who, owing to his absence from duty without pay did not contribute to the Fund for any period ending on the date of the termination of his service, interest at the rate of four per cent per annum (compounded annually as at 31 March) and calculated on the sum of the amounts calculated in terms of paragraphs (a) and (b) from the date of his last contribution to the Fund and up to the date, as the case may be, of the termination of his service or of his death;

(viii) "member" means—

(a) any person who is contributing to the Fund;

(b) any person who is absent from duty whether on leave of absence, or, if his conditions of employment do not provide for the grant of leave of absence to him, without such leave, where such person was contributing to the Fund immediately before the commencement of such absence; and

(iii) "bydraepligtige diens", behoudens regulasie 4, 'n tydperk van diens ten opsigte waarvan bydraes ingevolge hierdie regulasies aan die Fonds betaal is of betaalbaar is, en ook 'n tydperk in regulasie 9 (5) genoem;

(iv) "die Fonds" die Regerings-werknemersondersteuningsfonds in artikel 2 (3) van die Wet genoem;

(v) "die formule" met betrekking tot 'n lid of 'n rustende lid en 'n saak wat volgens 'n formule bepaal moet word, die formule—

$$R \times Z \times N \times \frac{(10,000 - D)}{10,000}$$

waar—

R die koers is waarteen die betrokke lid gedurende die betrokke tydperk ooreenkomstig regulasie 3 tot die Fonds bygedra het;

Z die gemiddelde jaarlikse pensioengewende verdienste van die betrokke lid gedurende die laaste sewe jaar van sy bydraepligtige diens of gedurende die hele tydperk van sodanige diens is, naamlik die kortste tydperk;

N die tydperk van sy bydraepligtige diens is; en

D ooreenkomstig onderstaande tabel bepaal word:—

Voltooide maande bydraepligtige diens	D
0 tot 84....	0;
85 tot 120....	0 plus 26 vir elke voltooide maand bydraepligtige diens bo 84 maande;
121 tot 240....	936 plus 22 vir elke voltooide maand sodanige diens bo 120 maande;
241 tot 360....	3,576 plus 17 vir elke voltooide maand sodanige diens bo 240 maande;
361 tot 480....	5,616 plus 14 vir elke voltooide maand sodanige diens bo 360 maande;
481 en meer...	7,296 plus 12 vir elke voltooide maand sodanige diens bo 480 maande."

(vi) "die Nuwe Superannuasiefonds" die Nuwe Spoorweg- en Hawesuperannuasiefonds in artikel 3 van die Wet op die Spoorweg- en Hawesuperannuasiefonds, 1960 (Wet 39 van 1960), genoem;

(vii) "die Wet" die Regeringsdienspensioenwet, 1965 (Wet 62 van 1965);

(viii) "gebeurlikheidsrekening" die gebeurlikheidsrekening in regulasie 10 genoem;

(ix) "gesubsidieerde werknemer" 'n werknemer ten opsigte van wie se diens 'n subsidie deur die Departement van Arbeid betaal word uit gelde wat deur die Parlement vir daardie doel bewillig is;

(x) "jaargeld" 'n bedrag wat elke jaar betaalbaar is;

(xi) "kwalifiserende diens" by die toepassing van hierdie regulasies, die tydperk vanaf die aanvangsdatum van die diens van 'n Blanke werknemer tot en met die laaste dag van die maand waarin hy twee jaar ononderbroke diens voltooi het, en omvat enige tydperk van afwesigheidsverlof sonder besoldiging wat aan sodanige werknemer kragtens enige wet betreffende sy diensvoorwaardes toegestaan is, of, waar sodanige werknemer nie vir sodanige afwesigheidsverlof in aanmerking kom nie, 'n tydperk van afwesigheid van diens sonder besoldiging van hoogstens 90 dae, of 'n langer tydperk wat die Sekretaris in besondere omstandighede kan goedkeur, maar omvat nie 'n tydperk van diens ingevolge 'n kontrak wat uitdruklik vir die betaling van 'n voordeel by verstryking daarvan voorsiening maak nie;

(c) any person, other than a dormant member, to whom a benefit is payable from the Fund;

(ix) "pensionable emoluments" means—

(a) a person's pay and any special allowance attached to a particular office or forming part of the remuneration paid to the employee, if such allowance be declared by the Commission to be pensionable;

(b) so much of any personal allowance granted to a person in consideration of his pay being reduced otherwise than as a penalty, or of any ration allowance or the value of free rations, or of any allowance for quarters or the value of free quarters but not exceeding one-sixth of the person's other pensionable emoluments, or of any fuel, light or washing allowance or the value of free fuel, light or washing, as may be declared by the Commission to be pensionable,

but does not include—

(i) any cost-of-living or climatic allowance;

(ii) any special remuneration which a person may receive for performing special duties or while acting in any capacity;

(iii) any transport or subsistence allowance;

(iv) any fees, honoraria or bonuses of any kind;

(v) any overtime payments; or

(vi) any other allowance not herein specified;

(x) "qualifying service" for the purposes of these regulations, means the period from the date of commencement of the service of a White employee up to and including the last day of the month in which he has completed two years' continuous service and includes any period of leave of absence without pay granted to such employee under any law relating to his conditions of employment, or, where such employee is not eligible for such leave of absence, any period of absence from duty without pay not exceeding 90 days or such longer period as the Secretary may approve in special circumstances, but does not include any period of service under a contract which provides specifically for the payment of a benefit on the expiry of such contract;

(xi) "subsidised employee" means an employee, in respect of whose employment a subsidy is paid by the Department of Labour out of moneys appropriated by Parliament for the purpose;

(xii) "the Act" means the Government Service Pensions Act, 1965 (Act 62 of 1965);

(xiii) "the formula", in relation to a member or a dormant member and any matter to be determined in accordance with a formula, means the formula—

$$R \times Z \times N \times \frac{(10,000 - D)}{10,000}$$

where—

R represents the rate at which the member concerned contributed to the Fund in terms of regulation 3 during the period concerned;

Z represents the average annual pensionable emoluments of the member concerned during the last seven years of his contributory service or during the whole period of such service, whichever is the lesser period;

N represents the period of his contributory service; and

(xii) "lid"—

(a) iemand wat tot die Fonds bydra;

(b) iemand wat van diens afwesig is hetsy met afwesigheidsverlof, of, indien sy diensvoorwaardes nie voorsiening maak dat afwesigheidsverlof aan hom toegestaan kan word nie, sonder sodanige verlof, waar so iemand onmiddellik voor die aanvang van sodanige afwesigheid tot die Fonds bygedra het; en

(c) iemand anders as 'n rustende lid, aan wie 'n voordeel uit die Fonds betaalbaar is;

(xiii) "pensioengewende verdienste"—

(a) iemand se besoldiging en enige spesiale toelae wat verbonde is aan 'n bepaalde betrekking of deel uitmaak van die besoldiging aan die werknemer betaal, as sodanige toelae deur die Kommissie verklaar word pensioengewend te wees;

(b) soveel van enige persoonlike toelae wat aan 'n persoon toegeken is uit oorweging daarvan dat sy besoldiging op 'n ander wyse as 'n straf verminder is, of van enige rantsoentoelae of die waarde van vry rantsoene, of van enige toelae vir kwartiere of die waarde van vry kwartiere maar hoogstens een-sesde van die persoon se ander pensioengewende verdienste, of van enige brandstof-, lig- of wasgoedtoelae, of die waarde van vry brandstof, lig of wasgoed, as wat die Kommissie verklaar pensioengewend te wees, maar omvat nie—

(i) enige lewenskoste- of klimaattoelae;

(ii) enige spesiale besoldiging wat 'n persoon ontvang vir die uitvoering van spesiale pligte of terwyl hy in enige betrekking waarneem;

(iii) enige vervoer- of verblyftoelae;

(iv) enige gelde, honoraria of bonusse van watter aard ook al;

(v) enige oortydbetalings; of

(vi) enige ander toelae nie hierin gespesifiseer nie;

(xiv) "rustende lid" iemand wat opgehou het om 'n bydraer te wees—

(a) by bereiking van die leeftyd van 65 jaar;

(b) ooreenkomstig die bepalings van artikel 64 van die Regeringsdienspensionwet, 1936, of artikel 85 (2) van die Pensioenwet;

(c) ingevolge artikel 70 *bis* van die Regeringsdienspensionwet, 1936;

(d) uit hoofde van artikel 86 (1) (g) van die Pensioenwet of regulasie 2 (d),

maar wat nie uit die diens van die Regering afgetree het of afgedank of ontslaan is nie;

(xv) "volle voordeel" met betrekking tot 'n lid of rustende lid of die afhanklikes van 'n lid of rustende lid die totaalbedrag van—

(a) die som van—

(i) twee maal die bedrag ooreenkomstig die formule bereken ten opsigte van die betrokke lid of rustende lid se bydraeplegtige diens wat 1 April 1968 voorafgegaan het; en

(ii) 2.41 maal die bedrag ooreenkomstig die formule bereken ten opsigte van bydraeplegtige diens wat die betrokke lid of rustende lid na 31 Maart 1968 gelewer het;

D is determined in accordance with the following table:—

Completed months of pensionable service	D
0 to 84.....	0;
85 to 120.....	0 plus 26 for each completed month of pensionable service in excess of 84 months;
121 to 240.....	936 plus 22 for each completed month of such service in excess of 120 months;
241 to 360....	3,576 plus 17 for each completed month of such service in excess of 240 months;
361 to 480....	5,616 plus 14 for each completed month of such service in excess of 360 months;
481 and over..	7,296 plus 12 for each completed month of such service in excess of 480 months."

(xiv) "the Fund" means the Government Employees' Provident Fund referred to in section 2 (3) of the Act;

(xv) "the New Superannuation Fund" means the New Railways and Harbours Superannuation Fund referred to in section 3 of the Railways and Harbours Superannuation Act, 1960 (Act 39 of 1960).

(2) Paragraph (c) of the definition "full benefit" in subregulation (1) shall come into operation with retrospective effect from 26 April 1968.

Disqualification for Membership

2. No person shall be permitted to contribute to the Fund—

(a) until he has completed his qualifying service, unless—

(i) he is a person to whom regulation 9 (5) or (6) relates;

(ii) he was previously a member; or

(iii) he receives an annuity in terms of the regulations applicable to any fund referred to in section 2 (1) of the Act, or, as a result of his retirement or discharge owing to bodily injury or permanent illhealth arising out of and in the course of his employment, he in terms of any regulation, receives an annuity from revenue in lieu of any benefit from such fund;

(b) if he is remunerated solely by fees and allowances;

(c) if his whole time is not at the disposal of the Government;

(d) while he is employed under a contract which makes specific provision for the payment of a benefit on the expiry of such contract;

(e) if his employment is of a casual nature or of the nature of relief employment;

(f) if he is a subsidised employee unless he became such an employee after he had become a member of and a contributor to the Fund and while he was such a contributor;

(g) if his total salary or wages are not payable from revenue or loan funds appropriated for the purpose: Provided that if his salary or wages are paid from a source which has not been so appropriated but which is subject to Treasury control he may contribute to the Fund if he is remunerated on a basis of Public Service scales as distinct from contract or trade rates of pay;

(h) if he is a dormant member.

(b) twee persent van die bedrag ingevolge paragraaf (a) bereken vir elke voltooide jaar van die tydperk waarin die betrokke lid of rustende lid werklik tot die Fonds bygedra het [met inbegrip van 'n tydperk ten opsigte waarvan hy ingevolge regulasie 9 (6) aldus bygedra het] en vir 'n deel van 'n jaar van daardie tydperk, 'n bedrag gelyk aan 'n persentasie van die bedrag ingevolge paragraaf (a) bereken, wat in dieselfde verhouding tot twee persent staan as wat die getal dae in so 'n deel tot 365 staan; en

(c) in die geval van 'n rustende lid, 'n lid in regulasie 8 (9) of 9 (4) genoem, en 'n lid wat gedurende 'n tydperk, wat eindig op die datum van die beëindiging van sy diens, weens sy afwesigheid van diens sonder besoldiging nie tot die Fonds bygedra het nie, rente teen die koers van vier persent per jaar (jaarliks saamgestel soos op die 31ste dag van Maart) bereken op die som van die bedrae ingevolge paragrafe (a) en (b) bepaal, vanaf die datum van sy laaste bydrae tot die Fonds en tot op die datum na gelang van die geval van die beëindiging van sy diens of van sy afsterwe.

(2) Paragraaf (c) van die woordbepaling "volle voordeel" in subregulasie (1) tree met terugwerkende krag van 26 April 1968 in werking.

Onbevoegdheid vir Lidmaatskap

2. Niemand word toegelaat om tot die Fonds by te dra nie—

(a) voordat hy sy kwalifiserende diens voltooi het tensy—

(i) hy iemand is op wie regulasie 9 (5) of (6) betrekking het;

(ii) hy voorheen 'n lid was; of

(iii) hy, ingevolge die regulasies wat op 'n Fonds in artikel 2 (1) van die Wet genoem, van toepassing is, 'n jaargeld ontvang, of, as gevolg van sy afdanking of ontslag weens liggaamlike besering of blywende swak gesondheid wat uit en in die loop van sy diens ontstaan het, hy in plaas van 'n voordeel uit sodanige Fonds, ingevolge 'n regulasie 'n jaargeld uit inkomste ontvang;

(b) as hy uitsluitlik by wyse van gelde en toelaes besoldig word;

(c) as al sy tyd nie tot die beskikking van die Regering is nie;

(d) terwyl hy in diens is onder 'n kontrak wat uitdruklik voorsiening maak vir die betaling van 'n voordeel by verstryking van daardie kontrak;

(e) as sy diens van 'n los aard of onderstandsaard is;

(f) as hy 'n gesubsidieerde werknemer is, tensy hy so 'n werknemer geword het nadat hy 'n lid geword het van en 'n bydraer geword het tot die Fonds, en terwyl hy so 'n bydraer was;

(g) as sy totale salaris of loon nie uit inkomste of leningsfondse wat vir die doel bewillig is, betaal word nie: Met dien verstande dat as sy salaris of loon uit 'n bron wat nie aldus bewillig is nie, maar wat aan Tesouriebeheer onderworpe is, betaal word, hy tot die Fonds kan bydra as hy besoldig word op 'n basis van Staatsdiensskale in teenstelling met kontrak- of ambagskale van besoldiging;

(h) as hy 'n rustende lid is.

Membership

3. (1) Every person who was either a member or a dormant member of the Fund immediately prior to the commencement of these regulations shall continue to be a member or a dormant member thereof.

(2) Every White person employed by the Government to whom no benefit in terms of any other law is payable upon his retirement or discharge, shall, subject to the provisions of regulation 2 and to the approval of the Secretary, contribute to the Fund in relation to the respective periods of such employment set out in the table hereunder at the appropriate rate reflected opposite each such period for male and female contributors:—

Period	Percentage of pensionable emoluments to be contributed by	
	Males	Females
(a) Any period preceding 1 April 1968...	5	5
(b) 1 to 25 April 1968.....	4	4
(c) Any period following 25 April 1968..	5½	4:

Provided that for purposes of the formula, the rate for male contributors for the period 1 to 25 April 1968, shall be deemed to be 5½ per cent.

Contributory Service

4. (1) Contributory service shall be continuous and its continuity shall be deemed not to be interrupted by—

(a) absence on leave with or without pay;

(b) absence from duty without leave for a period not exceeding 90 days (or such longer period as the Secretary may in special circumstances approve) in the case of a member whose conditions of service do not provide for the grant of leave to him; or

(c) suspension, if followed by return to duty.

(2) Contributory service shall be calculated in years and portions of a year and such portions shall be expressed as the ratio which the number of days therein bears to 365.

Contributions

5. (1) Contributions by a member shall be made by deductions from his pensionable emoluments at the end of each month or at such other times as the Treasury may determine.

(2) If a member is remunerated at a weekly, daily or hourly rate of pay, his pensionable emoluments shall be assessed on the basis of the annual equivalent of such rate calculated to the nearest rand.

(3) A member to whom leave of absence may be granted under any law relating to the conditions of his employment shall continue to contribute to the Fund while on sick or other leave with full or less than full pay and may elect to contribute, in respect of any period of sick or other leave without pay and a member to whom leave of absence cannot be so granted, may elect to contribute in respect of any period of absence without pay not exceeding 90 days, or in respect of such longer period of such absence as the Secretary may in special circumstances approve.

Lidmaatskap

3. (1) Iedereen wat onmiddellik voor die inwerking-treding van hierdie regulasies of 'n lid of 'n rustende lid van die Fonds was, gaan voort om 'n lid of rustende lid daarvan te wees.

(2) Elke Blanke persoon wat in diens van die Regering is en aan wie geen voordeel ingevolge enige ander wet by sy uitdienstreding of ontslag betaalbaar is nie, moet, behoudens die bepalinge van regulasie 2 en die goedkeuring van die Sekretaris, tot die Fonds bydra met betrekking tot die onderskeie tydperke van sodanige diens wat in onderstaande tabel uiteengesit word, teen die toepaslike koers wat teenoor iedere sodanige tydperk vir mans- en vrouebydraers aangegee word:—

Tydperk	Persentasie van pensioengewende verdienste wat bygedra moet word deur	
	Mans	Vroue
(a) 'n Tydperk wat 1 April 1968 voorafgaan.....	5	5
(b) 1 tot 25 April 1968.....	4	4
(c) 'n Tydperk wat volg op 25 April 1968.	5½	4:

Met dien verstande dat by die toepassing van die formule, die koers vir mansbydraers vir die tydperk 1 tot 25 April 1968 geag word 5½ persent te wees.

Bydraeplegtige Diens

4. (1) Bydraeplegtige diens moet ononderbroke wees en die deurlopendheid daarvan word geag nie onderbreek te word nie deur—

(a) afwesigheidsverlof met of sonder besoldiging;

(b) afwesigheid van diens sonder verlof vir 'n tydperk van hoogstens 90 dae (of vir 'n langer tydperk wat die Sekretaris in besondere omstandighede kan goedkeur) in die geval van 'n lid wie se diensvoorwaardes nie voorsiening maak dat verlof aan hom toegestaan kan word nie; of

(c) skorsing, as dit deur terugkeer na diens gevolg word.

(2) Bydraeplegtige diens word in jare en dele van 'n jaar bereken en sodanige deel word uitgedruk as die verhouding waarin die getal dae daarin tot 365 staan.

Bydraes

5. (1) Bydraes deur 'n lid word gedoen by wyse van aftrekkings van sy pensioengewende verdienste aan die end van elke maand of op ander tye wat die Tesourie mag bepaal.

(2) As 'n lid per week, per dag of per uur besoldig word, word sy pensioengewende verdienste bereken op die basis van die jaarlikse ekwivalent van sodanige besoldiging tot die naaste rand bereken.

(3) 'n Lid aan wie afwesigheidsverlof ingevolge enige wet betreffende sy diensvoorwaardes toegestaan kan word, moet voortgaan om tot die Fonds by te dra terwyl hy met siekte- of ander verlof met volle of minder as volle besoldiging is en kan kies om ten opsigte van enige tydperk van siekte- of ander verlof sonder besoldiging by te dra, en 'n lid aan wie afwesigheidsverlof nie aldus toegestaan kan word nie, kan kies om by te dra ten opsigte van enige tydperk van afwesigheid sonder besoldiging maar hoogstens 90 dae of ten opsigte van 'n langer tydperk van sodanige afwesigheid wat die Sekretaris in besondere omstandighede goedkeur.

(4) A member who has been suspended and who is permitted to return to duty shall, on such conditions as the Secretary may determine, contribute to the Fund, in respect of the period of suspension.

(5) Any contributions made under subregulation (3) shall be based upon the member's full pensionable emoluments.

Contributions on Secondment of Members

6. A member who is seconded to the service of any other government or of any board, institution or body established by law, or of any other employer approved by the Secretary may, subject to the approval of the Secretary, continue while so seconded to make contributions to the Fund: Provided that the said government, board, institution, body or employer to whose service such member has been seconded, or the member himself, shall repay to revenue an amount equal to any contributions paid from revenue, in respect of the member: Provided further that the contributions so continued to be made shall be based upon such an amount, not being less than the pensionable emoluments which such member would have drawn had he not been seconded, as may be determined by the Treasury from time to time, and any amount so determined shall, for the purposes of these regulations, be deemed to be the pensionable emoluments of the member during the period concerned.

Benefits upon Retirement or Discharge

7. (1) A member or a dormant member who—

(a) being a female who immediately prior to the first day of July 1955, was a member or a dormant member of the Fund or was liable to contribute to the Fund, retires voluntarily before she has attained the age of 55 years;

(b) not being a female referred to in paragraph (a), retires voluntarily before attaining the age of 60 years;

(c) is retired or discharged on account of ill-health not occasioned without his own default,

shall be paid 50 per cent of the full benefit, together with 1 per cent of the full benefit in respect of every completed year of contributory service in excess of five years.

(2) A member or a dormant member who is discharged on account of misconduct or unsatisfactory service or who resigns or is called upon to resign to avoid such discharge, shall receive an amount calculated in accordance with the formula.

(3) A member or a dormant member who is a female and who is discharged on her marriage or who retires voluntarily in contemplation of marriage after having notified the head of her department, in writing, to that effect and marries within three months of such retirement, shall be paid an amount equal to twice the amount calculated in accordance with the formula.

(4) If a dormant member, or a member who has completed less than 10 years' contributory service retires or is retired or discharged in circumstances other than those referred to in subregulations (1), (2) and (3) he shall be paid the full benefit.

(5) If a member who has completed at least 10 years' contributory service retires or is retired or discharged after 25 April 1968, in circumstances other than those

(4) 'n Lid wat geskors is en wat toegelaat word om tot diens terug te keer, moet ten opsigte van die tydperk van skorsing tot die Fonds bydra op die voorwaardes wat die Sekretaris kan bepaal.

(5) Enige bydraes ingevolge subregulasie (3) gedoen, word gebaseer op die lid se volle pensioengewende verdienste.

Bydraes as Lede Afgestaan Word

6. 'n Lid wat afgestaan word aan die diens van 'n ander regering of van 'n raad, inrigting of liggaam wat by Wet ingestel is of van enige ander werkgever wat deur die Sekretaris goedgekeur is, kan, behoudens die goedkeuring van die Sekretaris, voortgaan om tot die Fonds by te dra solank hy aldus afgestaan is: Met dien verstande dat genoemde regering, raad, inrigting, liggaam of werkgever aan wie se diens sodanige lid afgestaan is, of die lid self, 'n bedrag wat gelyk is aan die bydraes wat uit inkomste ten opsigte van die lid betaal is, aan inkomste moet terugbetaal: Met dien verstande voorts dat die bydraes waarmee aldus voortgegaan word, gebaseer moet word op 'n bedrag wat die Tesourie van tyd tot tyd bepaal, maar nie minder nie as die pensioengewende verdienste wat sodanige lid sou getrek het as hy nie afgestaan was nie, en enige bedrag wat aldus bepaal word, word vir die toepassing van hierdie regulasies geag die pensioengewende verdienste van die lid gedurende die betrokke tydperk te wees.

Voordele by Uitdienstreding of Ontslag

7. (1) Aan 'n lid of 'n rustende lid wat—

(a) 'n vrou is wat onmiddellik voor die eerste dag van Julie 1955 'n lid of rustende lid van die Fonds was of onder die verpligting was om tot die Fonds by te dra, en wat vrywillig uit diens tree voordat sy die leeftyd van 55 jaar bereik;

(b) nie 'n vrou in paragraaf (a) genoem is nie, en vrywillig uit diens tree voordat hy die leeftyd van 60 jaar bereik;

(c) weens swak gesondheid nie sonder sy eie toedoen veroorsaak nie afgedank of ontslaan word,

word 50 persent van die volle voordeel, tesame met een persent van die volle voordeel ten opsigte van elke voltooiende jaar bydraeplegtige diens bo vyf jaar, betaal.

(2) 'n Lid of 'n rustende lid wat ontslaan word weens wangedrag of onbevredigende diens of wat bedank of aangesê word om te bedank ten einde sodanige ontslag te vermy, ontvang 'n bedrag ooreenkomstig die formule bereken.

(3) Aan 'n lid of rustende lid wat 'n vrou is en wat by haar huwelik ontslaan word of wat met die voorneme om in die huwelik te tree vrywillig uit diens tree nadat sy die hoof van haar departement skriftelik daarvan in kennis gestel het, en binne drie maande na sodanige uitdienstreding in die huwelik tree, word twee maal die bedrag ooreenkomstig die formule bereken, betaal.

(4) As 'n rustende lid of 'n lid wat minder as 10 jaar bydraeplegtige diens voltooi het, aftree of afgedank of ontslaan word in ander omstandighede as dié in subregulasies (1), (2) en (3) genoem, word die volle voordeel aan hom betaal.

(5) Indien 'n lid wat minstens 10 jaar bydraeplegtige diens voltooi het, na 25 April 1968 uit diens tree of afgedank of ontslaan word in ander omstandighede as dié

referred to in subregulations (1), (2) and (3) the full benefit in respect of such member shall be paid into revenue, and there shall be paid to him out of revenue—

(a) an annuity based on the annual average of his pensionable emoluments over the last four years of his contributory service and calculated at the rate of one ninety-sixth of such average, in respect of each year of his contributory service; and

(b) a gratuity based on such average and calculated at the rate of four per cent of such average, in respect of each year of his contributory service.

(6) The Secretary may deduct from any sum payable under this regulation, the amount of any loss certified by the Controller and Auditor-General or a provincial auditor to have been sustained by the Government through theft, fraud, negligence or any misconduct on the part of such member or dormant member.

Benefits on Death

8. (1) If a dormant member, or a member who has completed less than 10 years' contributory service, dies before his retirement from the service of the Government, the full benefit shall, subject to the provisions of subregulation (6), be paid to or for the benefit of such of his dependants as the Secretary may determine.

(2) If a member who has completed at least 10 years' contributory service dies before his retirement from the service of the Government the full benefit, in respect of such member shall be paid into revenue, and there shall be paid out of revenue—

(a) subject to the provisions of subregulation (6), to such of his dependants as the Secretary may determine, an amount equal to the gratuity which would have been payable to him in terms of the provisions of regulation 7 (5) (b), had he, on the day immediately preceding the day on which he died, been retired by reason of ill-health occasioned without his own default; and

(b) to his widow (if any) an annuity equal to 40 per cent of the annuity which would have been payable to him in terms of the provisions of regulation 7 (5) (a), had he, on the day immediately preceding the day on which he died, been retired by reason of ill-health occasioned without his own default.

(3) If a member to whom on his retirement an annuity in terms of the provisions of regulation 7 (5) (a) has been awarded, dies, and leaves a widow to whom he was married before the date of his retirement, such widow shall be paid from revenue an annuity equal to 40 per cent of the annuity awarded to the member on his retirement.

(4) If a member to whom on his retirement or discharge an annuity has been awarded under regulation 7 (5) (a), dies within five years of the date of his retirement or discharge, and does not leave a widow as referred to in subregulation (3), there shall subject to subregulation (6) be paid to such of his dependants as the Secretary may determine, a gratuity equal to the total amount of the annuity which would have been paid to him from the first day of the month following the month in which he dies to the last day of the month in which the said five years would have expired had he not died.

in subregulasies (1), (2) en (3) genoem, word die volle voordeel ten opsigte van sodanige lid in inkomste gestort, en word aan hom uit inkomste betaal—

(a) 'n jaargeld wat op die jaarlikse gemiddelde van sy pensioengewende verdienste oor die laaste vier jaar van sy bydraeplygtige diens gebaseer word, en wat bereken word teen die koers van een ses-en-negentigste van daardie gemiddelde ten opsigte van elke jaar van sy bydraeplygtige diens; en

(b) 'n gratifikasie wat op sodanige gemiddelde gebaseer word, en wat bereken word teen die koers van vier persent van daardie gemiddelde ten opsigte van elke jaar van sy bydraeplygtige diens.

(6) Die Sekretaris kan van enige som ingevolge hierdie regulasie betaalbaar die bedrag aftrek van enige verlies wat die Regering, volgens 'n verklaring van die Kontroleur en Ouditeur-generaal of 'n provinsiale ouditeur, as gevolg van diefstal, bedrog, nalatigheid of enige wangedrag van die kant van sodanige lid of rustende lid gelyk het.

Voordele by Afsterwe

8. (1) As 'n rustende lid of 'n lid wat minder as 10 jaar bydraeplygtige diens voltooi het voor sy uittrede uit die diens van die Regering sterf, word die volle voordeel, behoudens die bepalinge van subregulasie (6), betaal aan of ten voordele van dié van sy afhanklikes wat die Sekretaris kan aanwys.

(2) As 'n lid wat minstens 10 jaar bydraeplygtige diens voltooi het, vóór sy uittrede uit die diens van die Regering sterf, word die volle voordeel ten opsigte van sodanige lid in inkomste gestort, en word uit inkomste betaal—

(a) behoudens die bepalinge van subregulasie (6), aan dié van sy afhanklikes wat die Sekretaris mag bepaal, 'n bedrag gelyk aan die gratifikasie wat ingevolge die bepalinge van regulasie 7 (5) (b) aan hom betaalbaar sou gewees het as hy op die dag onmiddellik vóór die dag waarop hy gesterf het, afgedank was weens swak gesondheid wat sonder sy eie toedoen ontstaan het; en

(b) aan sy weduwee (as daar een is) 'n jaargeld gelyk aan 40 persent van die jaargeld wat ingevolge regulasie 7 (5) (a) aan hom betaalbaar sou gewees het as hy op die dag onmiddellik voor die dag waarop hy gesterf het, afgedank was weens swak gesondheid wat sonder sy eie toedoen ontstaan het.

(3) As 'n lid aan wie by sy uitdienstreding 'n jaargeld ingevolge regulasie 7 (5) (a) toegeken is, sterf en 'n weduwee nalaat met wie hy voor die datum van sy uitdienstreding in die huwelik getree het, word uit inkomste aan sodanige weduwee 'n jaargeld betaal gelyk aan 40 persent van die jaargeld wat by sy uitdienstreding aan die lid toegeken was.

(4) As 'n lid aan wie by sy uitdienstreding of ontslag 'n jaargeld ingevolge regulasie 7 (5) (a) toegeken is binne vyf jaar na die datum van sy uitdienstreding of ontslag sterf, en nie 'n weduwee soos in subregulasie (3) genoem nalaat nie, word daar, behoudens subregulasie (6), aan dié van sy afhanklikes wat die Sekretaris mag aandui 'n gratifikasie betaal gelyk aan die totaalbedrag van die jaargeld wat aan hom betaal sou gewees het vanaf die eerste dag van die maand wat volg op die maand waarin hy gesterf het tot die laaste dag van die maand waarin genoemde vyf jaar sou verstryk het as hy nie gesterf het nie.

(5) An annuity referred to in subregulation (2) (b) or (3) shall be payable during widowhood, and shall lapse with effect from the first day of the month immediately following the month during which the widow dies or re-marries.

(6) The benefit referred to in subregulation (1), (2) (a) or (4) shall be allocated to the said dependants in such manner as the Secretary may determine and the Secretary may, in the case of any dependant other than the widow of a member, reduce any such benefit to an extent which, having regard to the circumstances of such dependant, appears to him to be reasonable.

(7) If a member or a dormant member dies before his retirement and leaves no dependants, an amount calculated in accordance with the formula shall be paid to his estate, and there shall be no further claim on the Fund.

(8) Any amount which may be due to the Fund by a member, in respect of contributions and which was unpaid at the date of his death shall be recovered from any benefit payable in terms of this regulation, and such benefit shall, where applicable, be calculated on the whole period of contributory service.

(9) If a member referred to in regulation 9 (4) dies before his retirement from the employment therein referred to, or after such retirement but before the benefit referred to in the proviso to that regulation has become payable to him, the appropriate benefit under this regulation shall be paid to or for the benefit of his dependants or to his estate, and the last-named benefit shall be calculated as if he had died on the day on which he ceased contributing to the Fund, and if the benefit so payable is the full benefit, the interest calculated in terms of paragraph (c) of the definition of "full benefit" in regulation 1 shall be payable.

Members becoming Members of other Funds and Members of other Funds becoming Members of the Fund

9. (1) If a member without a break in the continuity of his employment becomes liable to contribute to the Public Service Pension Fund, the Permanent Force Pension Fund or the South African Police and Prisons Service Pension Fund and, in terms of the regulations governing that pension fund, becomes liable to contribute in respect of the period during which he was a member of the Fund and does so contribute, the full benefit shall be paid out of the Fund to the pension fund to which he becomes liable to contribute.

(2) If a member—

(a) without interruption of the continuity of his service, or after such interruption as the Secretary may deem necessary and reasonable, becomes liable, in terms of any pension law (other than the Act) administered by the Minister or by any provincial administration or the administration of the territory, to contribute to any pension or provident fund, contributes thereto with effect from the date on which he has thus become liable, and is permitted and elects to contribute to such fund in respect of the period of his continuous employment prior to the said date; or

(b) is, on competent authority, transferred to service under the Railway Administration and becomes a member of and contributes to the New Superannuation Fund,

(5) 'n Jaargeld in subregulasie (2) (b) of (3) genoem, is gedurende weduweeskap betaalbaar, en vervel met ingang van die eerste dag van die maand wat onmiddellik volg op die maand waarin die weduwee sterf of weer in die huwelik tree.

(6) Die voordeel in subregulasie (1), (2) (a) of (4) genoem, word toegewys aan genoemde afhanklikes op die wyse wat die Sekretaris mag bepaal, en die Sekretaris kan, in die geval van enige ander afhanklike as die weduwee van 'n lid, enige sodanige voordeel verminder in die mate wat hy, met inagneming van die omstandighede van sodanige afhanklike, redelik beskou.

(7) As 'n lid of 'n rustende lid voor sy uitdienstreding sterf en geen afhanklikes nalaat nie, word 'n bedrag ooreenkomstig die formule bereken aan sy boedel betaal, en is daar geen verdere eis teen die Fonds nie.

(8) Enige bedrag wat 'n lid ten opsigte van bydraes aan die Fonds verskuldig mag wees, en wat op die dag van sy dood nog nie betaal is nie, word van enige voordeel ingevolge hierdie regulasie betaalbaar, verhaal, en soanige voordeel word, waar toepaslik, op die volle tydperk van bydraeplygtige diens bereken.

(9) As 'n lid in regulasie 9 (4) genoem, sterf voor sy uittreding uit die daarin vermelde diens of na sodanige uittreding maar voordat die voordeel in die voorbehoudsbepaling van daardie regulasie genoem, aan hom betaalbaar geword het, word die toepaslike voordeel ooreenkomstig hierdie regulasie aan of ten voordele van sy afhanklikes of aan sy boedel betaal en laasgenoemde voordeel word bereken asof hy gesterf het op die dag waarop hy opgehou het om tot die Fonds by te dra, en indien die aldus betaalbare voordeel die volle voordeel is, is die rente ooreenkomstig paragraaf (c) van die woordbepaling "volle voordeel" in regulasie 1 bereken, betaalbaar.

Lede wat Lede van Ander Fondse Word en Lede van Ander Fondse wat Lede van die Fonds Word

9. (1) As 'n lid sonder 'n onderbreking in die aanloopendheid van sy diens onder die verpligting kom om tot die Staatsdiens-pensioenfonds, die Staandemag-pensioenfonds of die Suid-Afrikaanse Polisie- en Gevangensdiens-pensioenfonds by te dra en, ingevolge die regulasies betreffende daardie pensioenfonds, onder die verpligting kom om by te dra ten opsigte van die tydperk waarin hy 'n lid van die Fonds was en wel aldus bydra, word die volle voordeel uit die Fonds aan die pensioenfonds waartoe hy onder die verpligting kom om by te dra, betaal.

(2) As 'n lid—

(a) sonder onderbreking van die deurlopendheid van sy diens, of na so 'n onderbreking wat die Sekretaris nodig en redelik ag, ingevolge 'n pensioenwet (uitgesonderd die Wet), wat geadministreer word deur die Minister of deur 'n provinsiale administrasie of die administrasie van die gebied, onder die verpligting kom om tot 'n pensioen- of voorsorgsfonds by te dra, daartoe bydra met ingang van die datum waarop hy aldus onder verpligting gekom het, en toegelaat word en kies om tot sodanige fonds by te dra ten opsigte van die tydperk van sy deurlopende diens voor sodanige datum; of

(b) op bevoegde gesag oorgeplaas word na diens by die Spoorwegadministrasie en 'n lid word van en bydra tot die Nuwe Superannuasiefonds,

the full benefit in respect of the member concerned shall be paid out of the Fund to the fund concerned referred to in paragraph (a) or (b): Provided that if the full benefit is more or less than the amount required by such fund, the excess shall be disposed of in such manner or the deficiency paid by such member and from revenue in such proportions as the Secretary may determine.

(3) To the amount payable in terms of subregulation (1) or (2), interest shall be added, calculated at the rate of four per cent per annum (annually compounded on 31 March) from the date on which the member concerned became liable to contribute to the other fund concerned up to the date of payment.

(4) If a member referred to in subregulation (1) or (2) is not permitted or elects not to contribute in respect of the period of his membership of the Fund to the pension or provident fund to which he has become liable to contribute he shall remain a member of the Fund, but shall not contribute thereto, and if for any reason whatsoever he eventually retires or is retired or discharged from the employment, in respect of which he has so become liable, he shall be paid from the Fund the benefit to which he would have been entitled in terms of regulation 7 on the date on which he ceased contributing to the Fund, had he on that date retired or been retired or discharged for the same reason, and if the benefit so payable is the full benefit or 50 per cent of the full benefit it shall include interest calculated in terms of paragraph (c) of the definition of "full benefit" in regulation 1: Provided that if he so retires or is so retired or discharged by reason of the age he has attained, a benefit in terms of regulation 7 (5) shall not be payable from an earlier date than the date on which such member attains the age referred to in regulation 7 (1) in respect of persons of the category to which he belongs.

(5) If any person—

(a) who is a member of any pension or provident fund referred to in subregulation (1) or (2) (a), without interruption in the continuity of his service or after such interruption as the Secretary may deem reasonable and necessary becomes liable to contribute to the Fund; or

(b) who is a member of the New Superannuation Fund, is transferred on competent authority to service under the Government in respect of which he is liable to contribute to the Fund,

he shall contribute to the Fund in terms of subregulation (6), in respect of the period of his pensionable service as a member of a fund referred to in paragraph (a) or (b) and such service shall be deemed to be contributory service.

(6) The amount payable to the Fund as a contribution, in respect of the period of pensionable service referred to in subregulation (5) shall be the aggregate of—

(a) 2.41 times an amount calculated in accordance with the formula as if the person concerned had been a member of the Fund during such period and had contributed thereto at the rate of contributions applicable to him on the date on which he became liable to contribute to the Fund; and

word die volle voordeel ten opsigte van die betrokke lid uit die Fonds betaal aan die betrokke fonds in paragraaf (a) of (b) genoem: Met dien verstande dat as die volle voordeel meer of minder is as die bedrag wat deur sodanige fonds vereis word, daar oor die oorskot beskik word op die wyse of die tekort deur sodanige lid en uit inkomste betaal moet word in die verhouding wat die Sekretaris bepaal.

(3) By die bedrag ingevolge subregulasie (1) of (2) betaalbaar, word rente gevoeg teen die koers van vier persent per jaar (jaarliks saamgestel op 31 Maart) bereken van die datum af waarop die betrokke lid onder die verpligting gekom het om tot die betrokke ander fonds by te dra tot op die datum van betaling.

(4) Indien 'n lid in subregulasie (1) of (2) genoem, ten opsigte van die tydperk van sy lidmaatskap van die Fonds nie toegelaat word of kies om nie by te dra nie tot die pensioen- of voorsorgfonds waartoe hy onder die verpligting gekom het om by te dra, bly hy 'n lid van die Fonds maar dra hy nie daartoe by nie, en word aan hom, indien hy om watter rede ook al uiteindelik aftree of afgedank of ontslaan word uit die diens ten opsigte waarvan hy aldus onder verpligting gekom het, dié voordeel uit die Fonds betaal waarop hy ingevolge regulasie 7 geregtig sou gewees het op die datum waarop hy opgehou het om tot die Fonds by te dra as hy op daardie datum om dieselfde rede afgetree het of afgedank of ontslaan is, en indien die aldus betaalbare voordeel die volle voordeel of 50 persent van die volle voordeel is, sluit dit rente ooreenkomstig paragraaf (c) van die woordbepaling "volle voordeel" in regulasie 1 bereken, in: Met dien verstande dat as hy aldus aftree of afgedank of ontslaan word weens die leeftyd wat hy bereik het, 'n voordeel ingevolge regulasie 7 (5) nie betaalbaar is van 'n vroeëre datum af nie as die datum waarop sodanige lid die leeftyd bereik wat in regulasie 7 (1) genoem word ten opsigte van die kategorie van persone waaronder hy ressorteer.

(5) As enigiemand—

(a) wat 'n lid is van 'n pensioen- of voorsorgfonds in subregulasies (1) of (2) (a) genoem, sonder onderbreking van die deurlopendheid van sy diens of na so 'n onderbreking wat die Sekretaris nodig en redelik ag, onder die verpligting kom om tot die Fonds by te dra; of

(b) wat 'n lid van die Nuwe Superannuasiefonds is, op bevoegde gesag oorgeplaas word na Regeringsdiens ten opsigte waarvan hy onder die verpligting staan om tot die Fonds by te dra,

moet hy, ooreenkomstig subregulasie (6), tot die Fonds bydra ten opsigte van die tydperk van sy pensioengewende diens as 'n lid van 'n fonds in paragraaf (a) of (b) genoem en sodanige diens word geag bydraeplytige diens te wees.

(6) Die bedrag aan die Fonds as bydrae betaalbaar ten opsigte van die tydperk van pensioengewende diens in subregulasie (5) genoem, is die totaalbedrag van—

(a) 2.41 maal 'n bedrag ooreenkomstig die formule bereken asof die betrokke persoon gedurende daardie tydperk 'n lid van die Fonds was en daartoe bygedra het teen die koers van bydraes wat op hom van toepassing was op die datum waarop hy onder die verpligting gekom het om tot die Fonds by te dra; en

(b) two per cent of the amount payable in terms of paragraph (a) for each completed year of such period, and for any portion of such year a percentage of the amount payable in terms of paragraph (a), which bears the same ratio to two per cent as the number of days in such portion bears to 365,

and any amount payable in respect of a person referred to in subregulation (5), by the Railway Administration or out of the pension or provident fund concerned, shall be applied in payment of the amount so payable to the Fund in terms of this subregulation: Provided that if the amount payable by any such fund is more or less than the amount so required by the Fund the excess shall be disposed of in such manner or the deficiency paid by the member and from revenue in such proportions as the Secretary may determine.

Contingency Account

10. (1) The Secretary shall continue to keep the contingency account referred to in section 94 of the Pensions Act.

(2) There shall be placed to the credit of the contingency account—

(a) the amount by which the full benefit exceeds any amount which is paid or due to a member or a dormant member, which is payable to or for the benefit of the dependants of a member or a dormant member or which is paid to his estate;

(b) so much of the amount by which the assets of the Fund on 31 March in any year exceed the aggregate of the full benefits standing to the credit of members and dormant members at that date, as the Secretary may determine;

(c) any unclaimed benefit referred to in regulation 11.

(3) If the interest on deposits referred to in regulation 15 (2) during any year is less than four per cent per annum, the amount of the deficiency shall be debited to the contingency account.

(4) If at any time the amount standing to the credit of the contingency account is, in the opinion of the Secretary, more than the present or future requirements for the purposes of subregulation (3), so much of the said amounts as the Secretary may determine shall be paid into the Consolidated Revenue Fund.

Disposal of Unclaimed Benefits

11. If a benefit due to or in respect of a member in terms of these regulations, other than an amount due to the estate of a deceased member in terms of regulation 8 (7), has not been claimed, such benefit shall be paid into the contingency account, and if payment thereof is subsequently claimed by the member or his dependants, an amount equal to the said benefit shall be paid out of the contingency account to or for the benefit of the person entitled to such benefit.

Payments from Revenue to the Fund

12. There shall be paid to the Fund—

(a) out of revenue, at the end of each month up to and including March, 1968, an amount equal to the aggregate of the contributions which have been paid to the Fund by members during that month;

(b) twee persent van die bedrag, ingevolge paragraaf (a) betaalbaar, vir elke voltooid jaar van sodanige tydperk, en vir 'n deel van sodanige jaar 'n persentasie van die bedrag ingevolge paragraaf (a), betaalbaar, wat in dieselfde verhouding tot twee persent staan as wat die getal dae in sodanige deel tot 365 staan,

en 'n bedrag wat ten opsigte van iemand in subregulasie (5) genoem, deur die Spoorwegadministrasie of uit die betrokke pensioen- of voorsorgfonds betaalbaar is, moet aangewend word ter betaling van die bedrag wat ingevolge hierdie subregulasie aan die Fonds betaalbaar is: Met dien verstande dat indien die bedrag wat deur enige sodanige fonds betaalbaar is, meer of minder is as die bedrag wat aldus deur die Fonds vereis word, daar oor die oorskot beskik word op die wyse, of die tekort deur die lid en uit inkomste betaal moet word in die verhoudings wat die Sekretaris bepaal.

Gebeurlikheidsrekening

10. (1) Die Sekretaris moet voortgaan om die gebeurlikheidsrekening in artikel 94 van die Pensioenwet genoem, te hou.

(2) Die gebeurlikheidsrekening moet gekrediteer word met—

(a) die bedrag wat die volle voordeel meer is as enige bedrag wat betaal word of verskuldig is aan 'n lid of 'n rustende lid, wat aan of ten voordele van 'n lid of rustende lid se afhanklikes betaalbaar is of wat aan sy boedel uitbetaal word;

(b) soveel van die bedrag waarmee die bates van die Fonds op 31 Maart in enige jaar meer is as die totaalbedrag van die volle voordele wat op daardie datum in die kredit van lede en rustende lede staan, as wat die Sekretaris mag bepaal;

(c) enige onopgeëiste voordeel in regulasie 11 genoem.

(3) As die rente op deposito's in regulasie 15 (2) genoem gedurende enige jaar minder is as vier persent per jaar, moet die bedrag van die tekort teen die gebeurlikheidsrekening gedebiteer word.

(4) As die bedrag wat in die kredit van die gebeurlikheidsrekening staan, te eniger tyd, na die mening van die Sekretaris, meer is as die huidige of toekomstige vereistes vir die toepassing van subregulasie (3) moet soveel van genoemde bedrag as wat die Sekretaris bepaal, in die Gekonsolideerde Inkomstefonds gestort word.

Beskikking oor Onopgeëiste Voordele

11. As 'n voordeel verskuldig aan of ten opsigte van 'n lid ingevolge hierdie regulasies, uitgesonderd 'n bedrag verskuldig aan die boedel van 'n afgestorwe lid ingevolge regulasie 8 (7), nie opgeëis is nie, moet sodanige voordeel op die gebeurlikheidsrekening inbetaal word en as betaling daarvan daarna deur die lid of sy afhanklikes geëis word, moet 'n bedrag gelyk aan genoemde voordeel uit die gebeurlikheidsrekening aan of ten voordele van die persoon wat op daardie voordeel geregtig is, betaal word.

Betalings uit Inkomste aan die Fonds

12. Daar moet aan die Fonds onderstaande betaal word—

(a) uit inkomste, aan die end van elke maand, tot en met Maart 1968, 'n bedrag gelyk aan die totaalbedrag van die bydraes wat lede gedurende daardie maand aan die Fonds betaal het;

(b) out of revenue, at the end of April, 1968, and thereafter at the end of each month, an amount equal to 141 per cent of the aggregate of the contributions which have been paid to the Fund by members during the month concerned;

(c) out of the Consolidated Revenue Fund on 31 March in each year, the amount required in respect of the 12 months ending upon that date to balance the contingency account after the amount referred to in regulation 10 (4) has been debited to that account.

Payments from the Fund to Revenue

13. If a member or dormant member is retired or discharged by reason of bodily injury or permanent ill-health arising out of and in the course of his employment, or if before his retirement or discharge, a member or dormant member dies by reason of such injury or such ill-health and if a compensatory pension which is payable from revenue in lieu of any benefits payable to him or his dependants, as the case may be, in terms of these regulations and the Workmen's Compensation Act, 1941 (Act 30 of 1941), is awarded to him or his dependants under any regulations made under the Act to provide for such a pension, there shall be paid out of the Fund to revenue an amount equal to the full benefit: Provided that the amount to payable shall be reduced by any amount which the member or dormant member concerned owed to the Fund and which was unpaid at the date of his retirement, discharge or death, and that any amount so owing shall cease to be payable.

Accounts

14. (1) The Secretary shall cause full and true accounts of the Fund to be kept showing particulars in connection with any matter for which it is necessary to keep any account for the purposes of these regulations.

(2) The Secretary shall cause the books and the accounts of the Fund to be balanced up to 31 March in every year and a balance sheet to be prepared showing the assets and liabilities of the Fund as at that date.

Management of the Fund

15. (1) The business of the Fund shall be conducted by the Secretary and the cost in connection therewith shall be paid out of the Consolidated Revenue Fund.

(2) All amounts paid to the Fund shall be lodged in the Treasury to the credit of the Fund and so much of the amount standing to the credit of the Fund as is not required for current purposes shall be a deposit for the purposes of the Public Debt Commissioner's Act, 1911 (Act 18 of 1911), and shall be invested accordingly.

(3) All benefits payable under these regulations shall, unless otherwise provided, be paid out of the Fund.

Cessation of Annuity on Death

16. An annuity payable under these regulations shall be paid up to the last day of the month in which the recipient thereof dies.

Title

17. These regulations shall be called the Government Employees' Provident Fund Regulations.

(b) uit inkomste, aan die end van April 1968 en daarna aan die end van elke maand, 'n bedrag gelyk aan 141 persent van die totaalbedrag van die bydraes wat lede gedurende die betrokke maand aan die Fonds betaal het;

(c) uit die Gekonsolideerde Inkomstefonds op 31 Maart in elke jaar, die bedrag wat ten opsigte van die 12 maande eindigende op daardie datum vereis word om die gebeurlikheidsrekening te balanseer nadat die bedrag in regulasie 10 (4) genoem, teen daardie rekening gedebiteer is.

Betalings uit die Fonds aan Inkomste

13. As 'n lid of rustende lid afgedank of ontslaan word weens liggaamlike besering of blywende swak gesondheid wat uit en in die loop van sy diens ontstaan het, of as 'n lid of rustende lid voor sy uitdienstreding of ontslag, as gevolg van sodanige besering of sodanige swak gesondheid te sterwe kom, en as 'n vergoedingspensioen wat uit inkomste betaalbaar is in plaas van enige voordele wat aan hom of sy afhanklikes, na gelang van die geval, ingevolge hierdie regulasies en die Ongevalwet, 1941 (Wet 30 van 1941), betaalbaar is, aan hom of sy afhanklikes ingevolge enige regulasies ingevolge die Wet gemaak om vir so 'n pensioen voorsiening te maak, toegeken word, moet daar uit die Fonds aan inkomste 'n bedrag betaal word wat gelyk is aan die volle voordeel: Met dien verstande dat die bedrag aldus betaalbaar verminder moet word met enige bedrag wat die betrokke lid of rustende lid aan die Fonds geskuld het en wat op die datum van sy uitdienstreding, ontslag of dood, nog nie betaal was nie, en dat dié verskuldigde bedrag nie meer betaalbaar is nie.

Rekening

14. (1) Die Sekretaris moet volledige en juiste rekening van die Fonds laat hou wat besonderhede toon in verband met enige aangeleentheid waarvoor dit nodig is om 'n rekening vir die toepassing van hierdie regulasies te hou.

(2) Die Sekretaris moet die boeke en die rekening van die Fonds laat balanseer tot en met 31 Maart in elke jaar en 'n balansstaat laat opstel wat die bates en laste van die Fonds soos op daardie datum toon.

Bestuur van die Fonds

15. (1) Die sake van die Fonds word deur die Sekretaris behartig en die koste daaraan verbonde word uit die Gekonsolideerde Inkomstefonds bestry.

(2) Alle bedrae wat aan die Fonds betaal word, moet by die Tesourie vir kredit van die Fonds gestort word en soveel van die bedrag wat in die kredit van die Fonds staan as wat nie vir lopende doeleindes nodig is nie, is 'n deposito vir die toepassing van die Openbare Schuld Kommissarissen Wet, 1911 (Wet 18 van 1911), en moet dienooreenkomstig belê word.

(3) Alle voordele wat ingevolge hierdie regulasies betaalbaar is, moet, tensy anders bepaal, uit die Fonds betaal word.

Staking van Jaargeld by Afsterwe

16. 'n Jaargeld kragtens hierdie regulasies betaalbaar, word betaal tot op die laaste dag van die maand waarin die ontvanger daarvan sterf.

Titel

17. Hierdie regulasies heet die Regulasies vir die Regerings-werknemersondersteuningsfonds.

DEPARTMENT OF TOURISM

No. R. 662

25 April 1969

HOTELS ACT, 1965 (ACT 70 OF 1965)—SECTION 33 (2) (a).—REGULATION TO PRESCRIBE A DATE FOR THE COMING INTO OPERATION OF THE PROHIBITION ON THE USE OF CERTAIN DESIGNATIONS OR TERMS

In terms of the powers vested in him by section 34 of the Hotels Act, 1965 (Act 70 of 1965), the Minister of Tourism issued the following regulation:—

The first day of May 1970 is hereby prescribed for the purposes of section 33 (2) (a) of the Hotels Act, 1965 (Act 70 of 1965).

DEPARTEMENT VAN TOERISME

No. R. 662

25 April 1969

WET OP HOTELLE, 1965 (WET 70 VAN 1965)—ARTIKEL 33 (2) (a).—REGULASIE OM 'N DATUM VOOR TE SKRYF VIR DIE INWERKINGTREDING VAN DIE VERBOD OP DIE GEBUIK VAN BENAMINGS OF UITDRUKKINGS

Die Minister van Toerisme het kragtens die bevoegdheid hom verleen by artikel 34 van die Wet op Hotelle, 1965 (Wet 70 van 1965), die volgende regulasie uitgevaardig:—

Die eerste dag van Mei 1970 word hierby vir die doeleindes van artikel 33 (2) (a) van die Wet op Hotelle, 1965 (Wet 70 van 1965) voorgeskryf.

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