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PROKLAMASIES

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

No. R. 50, 1972

AANGELEENTHEID AANGAANDE DIE INSTELLING VAN EN BEHEER OOR OPENBARE OORDE, RUSOORDE, STRANDOORDE, VAKANSIEPLEKKE, VAKANSIEKAMPE, WOONWAPARKE, TENTKAMPE EN PIEKNIEKPLEKKE, AAN DIE PROVINSIE TRANSVAAL OPGEDRA INGEVOLGE ARTIKEL 13 VAN DIE KONSOLIDASIE- EN WYSIGINGSWET OP FINANSIËLE VERHOUDINGS, 1945 (WET 38 VAN 1945), SOOS GEWYSIG

Nademaal by artikel 13 (1) (a) van die Konsolidasie- en Wysigingswet op Finansiële Verhoudings, 1945 (Wet 38 van 1945), soos gewysig, die Staatspresident die bevoegdheid het om, met die toestemming van die uitvoerende komitee van 'n provinsie, te beslis of 'n aangeleentheid genoem in die Tweede Bylae van genoemde Wet aan daardie provinsie opgedra moet word;

En nademaal by artikel 13 (2) van genoemde Wet bepaal word dat wanneer 'n aangeleentheid ingevolge artikel 13 (1) (a) deur die Staatspresident aan 'n provinsie opgedra is, kennis daarvan by proklamasie in die Staatskoerant gegee moet word;

So is dit dat ek kragtens voornoemde bevoegdheid my verleen, hierby verklaar dat ek met die toestemming van die Uitvoerende Komitee van die provinsie Transvaal beslis het dat die aangeleentheid genoem in paragraaf 24 van die Tweede Bylae van genoemde Wet, soos ingevoeg deur artikel 2 van die Wysigingswet op Finansiële Verhoudings, 1967 (Wet 45 van 1967), te wete, die instelling van en beheer oor openbare oorde, rusoorde, strandoorde, vakansieplekke, vakansiekampe, woonwaparke, tentkampe en picknickplekke met ingang van die datum van publikasie hiervan aan die provinsie Transvaal opgedra word.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Vier-en-twintigste dag van Februarie Eenduisend Negehoenderd Twee-ensewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

T. J. A. GERDENER.

A—72625

PROCLAMATIONS

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

No. R. 50, 1972

MATTER RELATING TO THE ESTABLISHMENT OF AND CONTROL OVER PUBLIC RESORTS, PLACES OF REST, SEASIDE RESORTS, HOLIDAY CENTRES, HOLIDAY CAMPS, CARAVAN PARKS, TENT CAMPS AND PICNIC PLACES, ENTRUSTED TO THE PROVINCE OF THE TRANSVAAL IN TERMS OF SECTION 13 OF THE FINANCIAL RELATIONS CONSOLIDATION AND AMENDMENT ACT, 1945 (ACT 38 OF 1945), AS AMENDED

Whereas by section 13 (1) (a) of the Financial Relations Consolidation and Amendment Act, 1945 (Act 38 of 1945), as amended, the State President may with the concurrence of the executive committee of a province, determine whether a matter specified in the Second Schedule to the said Act, shall be entrusted to that province;

And whereas it is provided by section 13 (2) of the said Act that when any matter shall have been entrusted to a province by the State President as provided by section 13 (1) (a), notice thereof shall be given by proclamation in the Gazette;

Now, therefore, in terms of the powers vested in me as aforesaid, I do hereby declare that I have determined with the concurrence of the Executive Committee of the Province of the Transvaal that the matter specified in paragraph 24 of the Second Schedule to the said Act, as inserted by section 2 of the Financial Relations Amendment Act, 1967 (Act 45 of 1967), namely, the establishment of and control over public resorts, places of rest, seaside resorts, holiday centres, holiday camps, caravan parks, tent camps and picnic places, shall be entrusted to the Province of the Transvaal with effect from the date of publication hereof.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Twenty-fourth day of February, One Thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

T. J. A. GERDENER.

1—3418

No. R. 51, 1972

CISKEISE REGERING.—VEREISTES VIR DIE ONTTREKING VAN GELDE UIT DIE INKOMSTEFONDS

Kragtens die bevoegdheid my verleen by artikel 8 van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971), verklaar ek hierby dat, met ingang van 1 April 1972—

(a) totdat 'n bewilliging volgens wet gemaak is soos in artikel 8 van bedoelde Wet bepaal en vir 'n tydperk van hoogstens drie maande na die aanvang van 'n boekjaar, gelde onttrek kan word uit die Inkomstefonds vir die gebied van die Ciskeise Wetgewende Vergadering ten einde uitgawes aan dienste ten opsigte waarvan 'n bewilliging in die onmiddellik voorafgaande boekjaar gemaak is, of ten opsigte waarvan 'n ander statutêre magtiging bestaan, te dek;

(b) geen uitreiking uit bedoelde Inkomstefonds gemaak word nie behalwe ooreenkomstig 'n volmag deur die Hoof- Uitvoerende Raadslid van die gebied van die Ciskeise Wetgewende Vergadering onderteken;

(c) bedoelde Hoof- Uitvoerende Raadslid met die goedkeuring van die Uitvoerende Raad vir bedoelde gebied by spesiale volmag deur hom onderteken die uitreiking van gelde uit bedoelde Inkomstefonds kan magtig—

(i) om onvoorsiene uitgawes van 'n besondere aard te dek waarvoor daar nie in 'n begrotingswet voorsiening gemaak is nie en wat nie sonder ernstige nadeel vir die publieke belang uitgestel kan word totdat toereikende voorsiening deur bedoelde Wetgewende Vergadering daarvoor gemaak kan word nie; of

(ii) om 'n oorskryding onder enige uitgawehoof in 'n begrotingswet te dek:

Met dien verstaande dat die totale bedrag wat die Hoof- Uitvoerende Raadslid kan magtig op geen tydskop 'n bedrag gelykstaande met een persent van die totale bedrag in 'n begrotingswet bewillig, te bowe mag gaan nie, en dat bedoelde bedrag aan die Wetgewende Vergadering vir bewilliging tydens sy eersvolgende sitting voorgelê moet word.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Agtste dag van Maart Eenduisend Negehoonderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

No. R. 52, 1972

FINANSIËLE REGULASIES VIR DIE REGERING VAN DIE GEBIED WAARVOOR DIE CISKEISE WETGEWENDE VERGADERING INGESTEL IS

Kragtens die bevoegdheid my verleen by artikel 24 (1) van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971)—

(a) vaardig ek hierby, met ingang van 1 April 1972, die regulasies vervat in die Bylae hiervan uit met betrekking tot die finansiële administrasie van die sake van die Regering van die gebied waarvoor die Ciskeise Wetgewende Vergadering ingestel is; en

No. R. 51, 1972

CISKEIAN GOVERNMENT.—REQUIREMENTS FOR THE WITHDRAWAL OF MONEYS FROM THE REVENUE FUND

Under and by virtue of the powers vested in me by section 8 of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby declare that, with effect from 1 April 1972—

(a) until an appropriation has been made as provided in section 8 of the said Act and for a period not exceeding three months after the beginning of a financial year, moneys may be withdrawn from the Revenue Fund for the area of the Ciskeian Legislative Assembly, in order to meet expenditure on services in respect of which there has been an appropriation in the immediately preceding financial year or for which there is other statutory authority;

(b) no issue shall be made out of the said Revenue Fund except in pursuance of a warrant signed by the Chief Executive Councillor for the area of the Ciskeian Legislative Assembly; and

(c) the said Chief Executive Councillor may with the approval of the Executive Council for the said area by special warrant under his hand authorise the issue of moneys from the said Revenue Fund—

(i) to defray unforeseen expenditure of a special character which is not provided for in an appropriation act and which cannot without serious injury to the public interest be postponed until adequate provision can be made therefor by the said Legislative Assembly; or

(ii) to meet an excess on any head of expenditure in an appropriation act:

Provided that the total sum which the Chief Executive Councillor may authorise shall not at any time exceed an amount equal to one per cent of the total amount provided in an appropriation act, and that the said sum shall be submitted to the Legislative Assembly for appropriation at its next ensuing session.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Eighth day of March, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

No. R. 52, 1972

FINANCIAL REGULATIONS FOR THE GOVERNMENT OF THE AREA FOR WHICH THE CISKEIAN LEGISLATIVE ASSEMBLY HAS BEEN ESTABLISHED

Under and by virtue of the powers vested in me by section 24 (1) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby, with effect from 1 April 1972—

(a) make the regulations contained in the Schedule hereto, in respect of the financial administration of the affairs of the Government of the area for which the Ciskeian Legislative Assembly has been established; and

(b) verklaar ek hierby dat met ingang van bedoelde datum die finansiële regulasies afgekondig by Proklamasie R. 316 van 1968, herroep word vir sover hulle betrekking het op die Ciskeise Gebiedsoverheid.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Agtste dag van Maart Eenduisend Neghonderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

BYLAE

FINANSIËLE REGULASIES VIR DIE REGERING VAN DIE GEBIED WAARVOOR DIE CISKEISE WETGEWENDE VERGADERING INGESTEL IS

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

“bank” ’n bank wat op die betrokke tydstop ’n gemagtigde bank van die Ciskeise Regering is;

“boekjaar” die tydperk vanaf 1 April in enige jaar tot 31 Maart in die daaropvolgende jaar;

“departement” ’n departement ingestel kragtens artikel 5 (2) van die Wet;

“die Wet” die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971);

“Direkteur” die administratiewe hoof van ’n departement;

“Inkomstefonds” die Inkomstefonds, bedoel in artikel 6 (1) van die Wet, vir die Ciskeise gebied;

“rekenpligtige beampte” ’n persoon deur die Tesourie benoem en wetlik belas met die verantwoordings van ’n diens waarvoor daar in ’n Begrotingswet voorsiening gemaak word, of enige persoon aan wie uitbetalings uit die Skatkisrekening gedoen word;

“Skatkisrekenings” die Skatkisrekening van die Ciskeise Regering voorgeskryf in regulasie 3 (1);

“Tesourie”—

(a) behoudens die bepalinge van paragraaf (b), die Sekretaris van Bantoe-administrasie en -ontwikkeling en ook enige adjunk- en ondersekretaris of administratiewe beheerbeampte of enige beampte van gelyke of hoër rang as dié van administratiewe beheerbeampte in die Departement van Bantoe-administrasie en -ontwikkeling, wat deur bedoelde Sekretaris aangewys is of, ten opsigte van daardie aangeleenthede wat deur bedoelde Sekretaris bepaal word, die Direkteur van Owerheidsake en Finansies;

(b) vanaf ’n datum deur die Minister van Bantoe-administrasie en -ontwikkeling in ooreenstemming met die Uitvoerende Raad bepaal, die kantoer of afdeling van die Departement van Owerheidsake en Finansies, wat belas is met die koördinering van die finansiële administrasie en die handhawing van finansiële reëlmatigheid en orde in die sake van die Ciskeise Regering;

“Ciskeise gebied” die gebied waarvoor die Ciskeise Wetgewende Vergadering ingestel is;

“Ciskeise Regering” die Regering van die Ciskeise gebied;

“Uitvoerende Raad” die Uitvoerende Raad van die Ciskeise gebied, kragtens artikel 5 van die Wet saamgestel.

Toepassing van Regulasies en Instruksies Uitgereik kragtens Artikel 61 van Wet 23 van 1956

2. (1) Die Finansiële Regulasies en Tesourie-instruksies uitgereik kragtens artikel 61 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), is *mutatis mutandis* van toepassing op die administrasie van en beheer oor die Inkomstefonds vir sover dit toegepas kan word en nie met die Wet en hierdie regulasies onbestaanbaar is nie.

(b) declare that the financial regulations published under Proclamation R. 316 of 1968, are repealed in so far as they relate to the Ciskeian Territorial Authority.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Eighth day of March, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

SCHEDULE

FINANCIAL REGULATIONS FOR THE GOVERNMENT OF THE AREA FOR WHICH THE CISKEIAN LEGISLATIVE ASSEMBLY WAS ESTABLISHED

Definitions

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

“accounting officer” means a person nominated by the Treasury and lawfully charged with the duty of accounting for any service provided for in an appropriation act, or any person to whom issues are made from the Exchequer Account;

“bank” means any bank which is for the time being an authorised bank of the Ciskeian Government;

“department” means a department established under section 5 (2) of the Act;

“Director” means the administrative head of a department;

“Exchequer Account” means the Exchequer Account of the Ciskeian Government as prescribed in regulation 3 (1);

“Executive Council” means the Executive Council of the Ciskeian area constituted in terms of section 5 of the Act;

“financial year” means the period from 1 April in any year to 31 March of the next ensuing year;

“Revenue Fund” means the Revenue Fund referred to in section 6 (1) of the Act, for the Ciskeian area;

“the Act” means the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971);

“Treasury” means—

(a) subject to the provisions of paragraph (b), the Secretary for Bantu Administration and Development and includes any deputy and under-secretary or administrative control officer or any officer of a rank equivalent to or higher than the rank of administrative control officer in the Department of Bantu Administration and Development designated by the said Secretary, or in respect of such matters as determined by the said Secretary, the Director of Authority Affairs and Finance;

(b) as from a date determined by the Minister of Bantu Administration and Development in consultation with the Executive Council, the office or division of the Department of Authority Affairs and Finance charged with the co-ordination of the financial administration and the maintenance of financial regularity and order in the affairs of the Ciskeian Government;

“Ciskeian area” means the area for which the Ciskeian Legislative Assembly has been established;

“Ciskeian Government” means the Government of the Ciskeian area.

Application of Regulations and Instructions Issued under Section 61 of Act 23 of 1956

2. (1) The Financial Regulations and Treasury Instructions issued under section 61 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall apply *mutatis mutandis* to the administration and control of the Revenue Fund in so far as they can be applied and are not inconsistent with the Act and these regulations.

(2) By die toepassing van bedoelde Regulasies en Instruksies—

(a) word 'n verwysing na die Parlement geag 'n verwysing te wees na die Ciskeise Wetgewende Vergadering;

(b) word 'n verwysing na 'n Minister geag 'n verwysing te wees na die betrokke lid van die Uitvoerende Raad;

(c) word 'n verwysing na die Sekretaris van 'n departement of 'n ander persoon of liggaam geag 'n verwysing te wees na die persoon of liggaam wat soortgelyke bevoegdhede, gesag en werksaamhede in die Ciskeise gebied uitoefen;

(d) word 'n verwysing na artikels 19, 30 en 36 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), geag 'n verwysing te wees na onderskeidelik regulasies 3, 4 en 8 hiervan;

(e) word 'n verwysing na artikel 24 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), geag 'n verwysing te wees na paragraaf (c) van Proklamasie R. 51 van 1972.

Skatkisrekening

3. (1) Daar word by die bank 'n rekening gehou genoem die "Skatkisrekening van die Ciskeise Regering" waarin sowel alle inkomste wat aan die Inkomstefonds toeval as alle ander inkomste uit watter bron ook al, wat daarop betrekking het, gestort moet word, en waaruit alle betalings aan rekenpligtige beamptes getrek moet word.

(2) Ten einde die openbare saldo's te bespaar, moet die Tesourie die bedrae wat van tyd tot tyd uitbetaal of oorgeplaas word in die krediet van die rekenings van rekenpligtige beamptes tot die totale bedrae beperk wat die Tesourie nodig ag vir die betaling van die lopende uitgawes aan die openbare dienste waarvoor die rekenpligtige beamptes verantwoordelik is.

(3) Elke rekenpligtige beampte moet die bedrae wat aldus op sy rekening oorgeplaas word, as deel van sy algemene treksaldo beskou en al sodanige bedrae moet in die boeke van die rekenpligtige beampte in die krediet gehou word van die dienste waarvoor dit uitbetaal mag word soos in subregulasie (2) bepaal: Met dien verstande dat 'n rekenpligtige beampte nie betaling mag doen van uitgawes wat nie kragtens die Wet of 'n Begrotingswet of 'n ander wetsbepaling ingevolge waarvan dienste ten laste van die Inkomstefonds kom, gemagtig word nie.

(4) (a) Ondanks andersluidende wetsbepalings, word die bewilliging by 'n Begrotingswet van gelde vir enige diens of die magtiging verleen by 'n spesiale volmag kragtens paragraaf (c) van Proklamasie R. 51 van 1972 vir die uitkering van gelde vir enige doel, uitgelê as sou dit bloot die maksimum bedrag wat vir die betrokke diens of doel aangewend mag word, spesifiseer, en het die Tesourie die bevoegdheid om die betalings uit gelde wat aldus bewillig is of gemagtig is om uitgekeer te word, te beperk tot die bedrae wat die Tesourie nodig ag vir die betaling van die lopende uitgawes ten opsigte van sodanige diens of doel of om die betalings uit gelde wat aldus bewillig is of gemagtig is om uitgekeer te word, terug te hou of op te skort indien, na die mening van die Tesourie, die finansiële toestand sodanige terughouding of opskorting wenslik maak.

(b) Indien, uit hoofde van die bepalinge van paragraaf (a), bedrae vir 'n diens betaal word wat gesamentlik minder is as die bedrag wat vir sodanige diens by 'n Begrotingswet bewillig is, word die som van die bedrae aldus betaal, behoudens die bepalinge van paragraaf (c), vir alle doeleindes geag die bedrag te wees wat by sodanige Wet bewillig is.

(c) Waar die som van die bedrae aldus vir 'n diens betaal minder is as die bedrag aldus vir sodanige diens bewillig, word die verskil tussen sodanige som en sodanige bedrag

(2) In the application of the said regulations and instructions—

(a) any reference to Parliament shall be deemed to be a reference to the Ciskeian Legislative Assembly;

(b) any reference to a minister shall be deemed to be a reference to the relative member of the Executive Council;

(c) any reference to the Secretary of a department or any other person or body shall be deemed to be a reference to the person or body exercising similar powers, authority and functions in the Ciskeian area;

(d) any reference to sections 19, 30 and 36 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall be deemed to be a reference to regulations 3, 4 and 8 hereof, respectively;

(e) any reference to section 24 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall be deemed to be a reference to paragraph (c) of Proclamation R. 51 of 1972.

Exchequer Account

3. (1) There shall be kept with the bank an account entitled the "Exchequer Account of the Ciskeian Government" into which shall be paid all revenue accruing to the Revenue Fund and also all other receipts appertaining thereto from whatever source arising, and from which all issues to accounting officer shall be withdrawn.

(2) With a view to economising the public balances the Treasury shall restrict the sums to be issued or transferred from time to time to the credit of the accounts of accounting officers to such total sums as the Treasury may consider necessary for the payment of current expenditure on the public services for which the accounting officers are responsible.

(3) Each accounting officer shall consider the sums so transferred to his account as constituting part of his general drawing balance and all such sums shall be carried in the books of the accounting officer to the credit of the services for which the same may be issued as determined in sub-regulation (2): Provided that an accounting officer shall not make payment of expenditure which is not authorised under the Act or by an Appropriation Act or by any other law whereby services are charged on the Revenue Fund.

4. (a) Notwithstanding anything to the contrary in any law contained, the appropriation by an Appropriation Act of moneys for any service or the authorisation by special warrant granted under paragraph (c) of Proclamation R. 51 of 1972 of the issue of moneys for any purpose shall be construed merely as specifying the maximum amount that may be devoted to the service or purpose in question, and the Treasury shall have the power to limit the issues out of moneys so appropriated or authorised to be issued to the sums which the Treasury considers are required for the payment of current expenditure in respect of such service or purpose or to withhold or suspend the issues out of moneys so appropriated or authorised to be issued if, in the opinion of the Treasury, the financial situation renders such withholding or suspension desirable.

(b) If, by virtue of the provisions of paragraph (a), amounts are issued for any service which together amount to less than the amount appropriated for such service by an Appropriation Act, the sum of the amounts so issued shall, subject to the provisions of paragraph (c), for all purposes be regarded as the amount appropriated by such Act.

(c) Where the sum of the amounts so issued for any service is less than the amount so appropriated for such service, the difference between such sum and such amount

vir die toepassing van die betrokke Begrotingswet as 'n besparing ten opsigte van sodanige diens beskou en kan daar ooreenkomstig daardie Wet daarmee handel word.

Rekening van die Betaalmeester-generaal

4. By die bank word 'n rekening genoem "Rekening van die Betaalmeester-generaal" gehou en alle bedrae wat uit die Skatkisrekening ooreenkomstig regulasie 3 (1) uitbetaal word, word gekrediteer—

(a) deur die bank op die Rekening van die Betaalmeester-generaal; en

(b) deur die Tesourie in sy registers van bedoelde Rekening op die rekenings van die verskillende rekenpligtige beamptes wat vir die betrokke begrotingsposte of dienste verantwoordelik is.

Bewilliging vir die Dienste van 'n Boekjaar

5. Geen Begrotingswet word so uitgelê as sou dit magtiging verleen vir die besteding van die gelde wat daarby bewillig word, in 'n ander boekjaar as dié waarop dit uitdruklik betrekking het nie, en gelde aldus bewillig wat aan die einde van die boekjaar onbesteek is, moet in die Skatkisrekening teruggestort word.

Rekeningstelsel

6. 'n Stelsel van rekeningboeke en rekenings wat by die vereistes van elke diens aanpas sodat al die ontvangstes en betalings ten opsigte van elke begrotingspos of diens in gerieflike vorm aangedui word, word onder toesig van die Tesourie na oorlegpleging met die Kontroleur en Ouditeur-generaal, ontwerp, en die Tesourie kan van tyd tot tyd deur middel van diensbrief of voorskrif die wyse voorskryf waarop elke departement sy rekenings moet hou.

Opstel van Finansiërekenings

7. (1) So gou moontlik nadat die rekenings ten opsigte van 'n boekjaar afgesluit is, maar in elke geval binne vier maande na die afsluiting van die boekjaar, moet die Tesourie state opstel van die Skatkisrekening, die Inkomsterekening en alle ander fondse waaroor die Tesourie beheer het.

(2) Sodra die state wat in subregulasie (1) voorgeskryf word, opgestel is, word hulle aan die Kontroleur en Ouditeur-generaal gestuur.

Opstel van Appropriasierekenings

8. So gou moontlik, maar in elke geval binne drie maande na die afsluiting van 'n boekjaar, moet rekenings van die appropriasie van al die dienste wat in die Begrotingswet van daardie boekjaar vervat is, deur die rekenpligtige beamptes opgestel en aan die Kontroleur en Ouditeur-generaal deurgestuurd word om nagesien te word. Afskrifte van sodanige rekenings word aan die Tesourie gestuur.

Vorm van Appropriasierekenings

9. 'n Appropriasierekening moet aan die ontvangstekant daarvan elke bedrag aantoon wat deur die Wetgewende Vergadering bewillig is vir die diens van die boekjaar waarop die rekening betrekking het en aan die uitgawekant daarvan elke bedrag wat gedurende dieselfde tydperk werklik betaal is. Geen voorskot van die aanwending waarvan 'n rekening nie gestuur is aan en toegelaat is deur die rekenpligtige departement nie, word aan die uitgawekant van die Appropriasierekening ingesluit nie.

State moet Saam met Appropriasierekening Gaan

10. Elke appropriasierekening wat aan die Kontroleur en Ouditeur-generaal gestuur word, gaan vergesels van—

(a) 'n verduidelikende staat van enige verskil vergeleke met die toekenning wat in bedoelde rekening ingesluit is; en

shall for the purpose of the relevant Appropriation Act be regarded as a saving in respect of such service and may be dealt with in accordance with such Act.

Paymaster-General's Account

4. There shall be kept with the bank an account entitled the "Paymaster-General's Account" and all amounts issued from the Exchequer Account in accordance with regulation 3 (1) shall be credited—

(a) by the bank to the Paymaster-General's Account; and

(b) by the Treasury in its records of the said Account to the accounts of the several accounting officers responsible for the votes or services affected.

Appropriation for the Services of a Financial Year

5. No Appropriation Act shall be construed as authorising moneys appropriated thereby to be expended in any financial year other than the financial year to which it is expressed to relate, and any moneys so appropriated which may be unexpended at the close of any financial year shall be surrendered to the Exchequer Account.

Plan of Accounts

6. A plan of account books and accounts adapted to the requirements of each service, in order to exhibit, in a convenient form the whole of the receipts and payments in respect of each vote or service shall be designed under the superintendence of the Treasury, after consultation with the Controller and Auditor-General, and the Treasury may, from time to time by minute or instruction, prescribe the manner in which each department shall keep its accounts.

Preparation of Finance Accounts

7. (1) As soon as possible after the accounts have been closed in respect of any financial year, but in every case within four months of the close of a financial year, the Treasury shall prepare statements of the Exchequer Account, the Revenue Account and all other funds of which the Treasury may have charge.

(2) The statements prescribed in subregulation (1) shall, as soon as they have been prepared, be transmitted to the Controller and Auditor-General.

Preparation of Appropriation Accounts

8. As soon as possible, but in every case within three months of the close of any financial year, accounts of the appropriation of all the services comprised in the Appropriation Act for that financial year, shall be prepared by the accounting officers and shall be transmitted for examination to the Controller and Auditor-General. Copies of such accounts shall be sent to the Treasury.

Form of Appropriation Accounts

9. An appropriation account shall exhibit on the charge side thereof every sum appropriated by the Legislative Assembly for the service of the financial year to which the account relates and on the discharge side thereof every sum which may have actually come in course of payment within the same period. No advance, of the application of which an account may not have been rendered to, and allowed by, the accounting department, shall be included on the discharge side of the appropriation account.

Statements to Accompany Appropriation Accounts

10. Every appropriation account when rendered to the Controller and Auditor-General shall be accompanied by—

(a) an explanatory statement of any variation as compared with the grant included in such account; and

(b) 'n verduideliking wat aantoon hoe die saldo van die toekenning wat in die vorige jaar ingesluit is, verreken is;

en elke sodanige verduideliking of staat sowel as die appropriasie-rekening word deur die rekenpligtige beamppte onderteken.

Afwykinge van hierdie Regulasies

11. 'n Afwyking van hierdie regulasies word toegelaat slegs indien die Tesourie voorafgaande magtiging daartoe verleen het na oorlegpleging met die Kontroleur en Ouditeur-generaal.

No. R. 53, 1972

LEBOWAREGERING.—VEREISTES VIR DIE ONTTREKING VAN GELDE UIT DIE INKOMSTEFONDS

Kragtens die bevoegdheid my verleen by artikel 8 van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971), verklaar ek hierby dat, met ingang van 1 April 1972—

(a) totdat 'n bewilliging volgens wet gemaak is soos in artikel 8 van bedoelde Wet bepaal en vir 'n tydperk van hoogstens vyf maande na die aanvang van 'n boekjaar, gelde onttrek kan word uit die Inkomstefonds vir die gebied van die Lebowa- Wetgewende Vergadering ten einde uitgawes aan dienste ten opsigte waarvan 'n bewilliging in die onmiddellik voorafgaande boekjaar gemaak is, of ten opsigte waarvan 'n ander statutêre magtiging bestaan, te dek;

(b) geen uitreiking uit bedoelde Inkomstefonds gemaak word nie behalwe ooreenkomstig 'n volmag deur die Hoofraadslid van die gebied van die Lebowa- Wetgewende Vergadering onderteken;

(c) bedoelde Hoofraadslid met die goedkeuring van die Uitvoerende Raad vir bedoelde gebied by spesiale volmag deur hom onderteken die uitreiking van gelde uit bedoelde Inkomstefonds kan magtig—

(i) om onvoorsiene uitgawes van 'n besondere aard te dek waarvoor daar nie in 'n begrotingswet voorsiening gemaak is nie en wat nie sonder ernstige nadeel vir die publieke belang uitgestel kan word totdat toereikende voorsiening deur bedoelde Wetgewende Vergadering daarvoor gemaak kan word nie; of

(ii) om 'n oorskryding onder enige uitgawehoof in 'n begrotingswet te dek;

Met dien verstande dat die totale bedrag wat die Hoofraadslid kan magtig op geen tydstip 'n bedrag gelykstaande met een persent van die totale bedrag in 'n begrotingswet bewillig, te bowe mag gaan nie, en dat bedoelde bedrag aan die Wetgewende Vergadering vir bewilliging tydens sy eersvolgende sitting voorgelê moet word.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Agtste dag van Maart Eenduisend Negehoonderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

(b) an explanation showing how the balance on the grant included in the previous account has been adjusted;

and every such explanation or statement as well as the appropriation account shall be signed by the accounting officer.

Departures from these Regulations

11. A departure from these regulations will be permitted only with the prior approval of the Treasury given after consultation with the Controller and Auditor-General.

No. R. 53, 1972

LEBOWA GOVERNMENT.—REQUIREMENTS FOR THE WITHDRAWAL OF MONEYS FROM THE REVENUE FUND

Under and by virtue of the powers vested in me by section 8 of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby declare that, with effect from 1 April 1972—

(a) until an appropriation has been made as provided in section 8 of the said Act and for a period not exceeding five months after the beginning of a financial year, moneys may be withdrawn from the Revenue Fund for the area of the Lebowa Legislative Assembly, in order to meet expenditure on services in respect of which there has been an appropriation in the immediately preceding financial year or for which there is other statutory authority;

(b) no issue shall be made out of the said Revenue Fund except in pursuance of a warrant signed by the Chief Councillor for the area of the Lebowa Legislative Assembly; and

(c) the said Chief Councillor may with the approval of the Executive Council for the said area by special warrant under his hand authorise the issue of moneys from the said Revenue Fund—

(i) to defray unforeseen expenditure of a special character which is not provided for in an appropriation act and which cannot without serious injury to the public interest be postponed until adequate provision can be made therefor by the said Legislative Assembly; or

(ii) to meet an excess on any head of expenditure in an appropriation act;

Provided that the total sum which the Chief Councillor may authorise shall not at any time exceed an amount equal to one per cent of the total amount provided in an appropriation act, and that the said sum shall be submitted to the Legislative Assembly for appropriation at its next ensuing session.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Eighth day of March, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council;

M. C. BOTHA.

No. R. 54, 1972

FINANSIËLE REGULASIES VIR DIE REGERING VAN DIE GEBIED WAARVOOR DIE LEBOWA-WETGEWENDE VERGADERING INGESTEL IS

Kragtens die bevoegdheid my verleen by artikel 24 (1) van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971)—

(a) vaardig ek hierby met ingang van 1 April 1972 die regulasies vervat in die Bylae hiervan uit met betrekking tot die finansiële administrasie van die sake van die Regering van die gebied waarvoor die Lebowa-Wetgewende Vergadering ingestel is; en

(b) verklaar ek hierby dat met ingang van bedoelde datum die finansiële regulasies afgekondig by Proklamasie R. 202 van 1969 herroep word vir sover hulle betrekking het op die Lebowa-gebiedsoowerheid.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Agste dag van Maart Eenduisend Negehonderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

BYLAE

FINANSIËLE REGULASIES VIR DIE REGERING VAN DIE GEBIED WAARVOOR DIE LEBOWA-WETGEWENDE VERGADERING INGESTEL IS

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

“bank” ’n bank wat op die betrokke tydstep ’n gemagtigde bank van die Lebowa-regering is;

“boekjaar” die tydperk vanaf 1 April in enige jaar tot 31 Maart van die daaropvolgende jaar;

“departement” ’n departement ingestel kragtens artikel 5 (2) van die Wet;

“die Wet” die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971);

“Direkteur” die administratiewe hoof van ’n departement;

“Inkomstefonds” die Inkomstefonds, bedoel in artikel 6 (1) van die Wet, vir die Lebowa-gebied;

“rekenpligtige beampte” ’n persoon deur die Tesourie benoem en wetlik belas met die verantwoording van ’n diens waarvoor daar in ’n begrotingswet voorsiening gemaak word, of enige persoon aan wie uitbetalings uit die Skatkisrekening gedoen word;

“Skatkisrekening” die Skatkisrekening van die Lebowa-regering voorgeskryf in regulasie 3 (1);

“Tesourie”—

(a) behoudens die bepalings van paragraaf (b), die Sekretaris van Bantoe-administrasie en -ontwikkeling en ook enige adjunk- en ondersekretaris of administratiewe beheerbeampte of enige beampte van gelyke of hoër rang as dié van administratiewe beheerbeampte in die Departement van Bantoe-administrasie en -ontwikkeling, wat deur bedoelde Sekretaris aangewys is of, ten opsigte van daardie aangeleenthede wat deur bedoelde Sekretaris bepaal word, die Direkteur van Owerheidsake en Finansies;

(b) vanaf ’n datum deur die Minister van Bantoe-administrasie en -ontwikkeling in oorleg met die Uitvoerende Raad bepaal, die kantoor of afdeling van die Departement van Owerheidsake en Finansies wat belas

No. R. 54, 1972

FINANCIAL REGULATIONS FOR THE GOVERNMENT OF THE AREA FOR WHICH THE LEBOWA LEGISLATIVE ASSEMBLY HAS BEEN ESTABLISHED

Under and by virtue of the powers vested in me by section 24 (1) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby, with effect from 1 April 1972—

(a) make the regulations contained in the Schedule hereto, in respect of the financial administration of the affairs of the Government of the area for which the Lebowa Legislative Assembly has been established; and

(b) declare that the financial regulations published under Proclamation R. 202 of 1969, are repealed in so far as they relate to the Lebowa Territorial Authority.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Eighth day of March, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

SCHEDULE

FINANCIAL REGULATIONS FOR THE GOVERNMENT OF THE AREA FOR WHICH THE LEBOWA LEGISLATIVE ASSEMBLY HAS BEEN ESTABLISHED

Definitions

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

“accounting officer” means a person nominated by the Treasury and lawfully charged with the duty of accounting for any service provided for in an appropriation act, or any person to whom issues are made from the Exchequer Account;

“bank” means any bank which is for the time being an authorised bank of the Lebowa Government;

“department” means a department established under section 5 (2) of the Act;

“Director” means the administrative head of a department;

“Exchequer Account” means the Exchequer Account of the Lebowa Government as prescribed in regulation 3 (1);

“Executive Council” means the Executive Council of the Lebowa area constituted in terms of section 5 of the Act;

“financial year” means the period from 1 April in any year to 31 March in the next ensuing year;

“Revenue Fund” means the Revenue Fund referred to in section 6 (1) of the Act, for the Lebowa area;

“the Act” means the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971);

“Treasury” means—

(a) subject to the provisions of paragraph (b), the Secretary for Bantu Administration and Development and includes any deputy and under-secretary or administrative control officer or any officer of a rank equivalent to or higher than the rank of administrative control officer in the Department of Bantu Administration and Development designated by the said Secretary, or, in respect of such matters as determined by the said Secretary, the Director of Authority Affairs and Finance;

(b) as from a date determined by the Minister of Bantu Administration and Development in consultation with the Executive Council, the office or division of the Department of Authority Affairs and Finance

is met die koördinerings van die finansiële administrasie en die handhawing van finansiële reëlmatigheid en orde in die sake van die Lebowa-regering;

“Lebowa-gebied” die gebied waarvoor die Lebowa-Wetgewende Vergadering ingestel is;

“Lebowa-regering” die Regering van die Lebowa-gebied;

“Uitvoerende Raad” die Uitvoerende Raad van die Lebowa-gebied, kragtens artikel 5 van die Wet saamgestel.

Toepassing van Regulasies en Instruksies Uitgereik kragtens Artikel 61 van Wet 23 van 1956

2. (1) Die Finansiële Regulasies en Tesourie-instruksies uitgereik kragtens artikel 61 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), is *mutatis mutandis* van toepassing op die administrasie van en beheer oor die Inkomstefonds vir sover dit toegepas kan word en nie met die Wet en hierdie regulasies onbestaanbaar is nie.

(2) By die toepassing van bedoelde regulasies en instruksies—

(a) word ’n verwysing na die Parlement geag ’n verwysing te wees na die Lebowa-Wetgewende Vergadering;

(b) word ’n verwysing na ’n minister geag ’n verwysing te wees na die betrokke lid van die Uitvoerende Raad;

(c) word ’n verwysing na die sekretaris van ’n departement of ’n ander persoon of liggaam geag ’n verwysing te wees na die persoon of liggaam wat soortgelyke bevoegdhede, gesag en werksaamhede in die Lebowa-gebied uitoefen;

(d) word ’n verwysing na artikels 19, 30 en 36 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), geag ’n verwysing te wees na onderskeidelik regulasies 3, 4 en 8 hiervan;

(e) word ’n verwysing na artikel 24 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), geag ’n verwysing te wees na paragraaf (c) van Proklamasie R. 53 van 1972.

Skatkisrekening

3. (1) Daar word by die bank ’n rekening gehou genoem die “Skatkisrekening van die Lebowa-regering” waarin sowel alle inkomste wat aan die Inkomstefonds toeval, as alle ander inkomste uit watter bron ook al, wat daarop betrekking het, gestort moet word, en waaruit alle betalings aan rekenpligtige beamptes getrek moet word.

(2) Ten einde die openbare saldo’s te bespaar, moet die Tesourie die bedrae wat van tyd tot tyd uitbetaal of oorgeplaas word in die krediet van die rekenings van rekenpligtige beamptes tot die totale bedrae beperk wat die Tesourie nodig ag vir die betaling van die lopende uitgawes aan die openbare dienste waarvoor die rekenpligtige beamptes verantwoordelik is.

(3) Elke rekenpligtige beampte moet die bedrae wat aldus op sy rekening oorgeplaas word, as deel van sy algemene treksaldo beskou en al sodanige bedrae moet in die boeke van die rekenpligtige beampte in die krediet gehou word van die dienste waarvoor dit uitbetaal mag word soos in subregulasie (2) bepaal: Met dien verstande dat ’n rekenpligtige beampte nie betaling mag doen van uitgawes wat nie kragtens die Wet of ’n begrotingswet of ’n ander wetsbepaling ingevolge waarvan dienste ten laste van die Inkomstefonds kom, gemagtig word nie.

(4) (a) Ondanks andersluidende wetsbepalings, word die bewilliging by ’n begrotingswet van gelde vir enige diens of die magtiging verleen by ’n spesiale volmag kragtens paragraaf (c) van Proklamasie R. 53 van 1972 vir die uitkering van gelde vir enige doel, uitgelê as sou dit bloot die maksimum bedrag wat vir die betrokke diens of doel aangewend mag word, spesifiseer, en het die Tesourie die bevoegdheid om die betalings uit gelde wat aldus bewillig is of gemagtig is om uitgekeer te word, te beperk

charged with the co-ordination of the financial administration and the maintenance of financial regularity and order in the affairs of the Lebowa Government;

“Lebowa area” means the area for which the Lebowa Legislative Assembly has been established;

“Lebowa Government” means the Government of the Lebowa area.

Application of Regulations and Instructions Issued in terms of Section 61 of Act 23 of 1956

2. (1) The Financial Regulations and Treasury Instructions issued under section 61 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall apply *mutatis mutandis* to the administration and control of the Revenue Fund in so far as they can be applied and are not inconsistent with the Act and these regulations.

(2) In the application of the said regulations and instructions—

(a) any reference to Parliament shall be deemed to be a reference to the Lebowa Legislative Assembly;

(b) any reference to a minister shall be deemed to be a reference to the relative member of the Executive Council;

(c) any reference to the secretary of a department or any other person or body shall be deemed to be a reference to the person or body exercising similar powers, authority and functions in the Lebowa area;

(d) any reference to sections 19, 30 and 36 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall be deemed to be a reference to regulations 3, 4 and 8 hereof, respectively;

(e) any reference to section 24 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall be deemed to be a reference to paragraph (c) of Proclamation R. 53 of 1972.

Exchequer Account

3. (1) There shall be kept with the bank an account entitled the “Exchequer Account of the Lebowa Government” into which shall be paid all revenue accruing to the Revenue Fund and also all other receipts appertaining thereto from whatever source arising, and from which all issues to accounting officers shall be withdrawn.

(2) With a view to economising the public balances the Treasury shall restrict the sums to be issued or transferred from time to time to the credit of the accounts of accounting officers to such total sums as the Treasury may consider necessary for the payment of current expenditure on the public services for which the accounting officers are responsible.

(3) Each accounting officer shall consider the sums so transferred to his account as constituting part of his general drawing balance and all such sums shall be carried in the books of the accounting officer to the credit of the services for which the same may be issued as determined in subregulation (2): Provided that an accounting officer shall not make payment of expenditure which is not authorised under the Act or by an appropriation act or by any other law whereby services are charged on the Revenue Fund.

(4) (a) Notwithstanding anything to the contrary in any law contained, the appropriation by an appropriation act of moneys for any service or the authorisation by special warrant granted under paragraph (c) of Proclamation R. 53 of 1972 of the issue of moneys for any purpose shall be construed merely as specifying the maximum amount that may be devoted to the service or purpose in question, and the Treasury shall have the power to limit the issues out of moneys so appropriated or

tot die bedrae wat die Tesourie nodig ag vir die betaling van die lopende uitgawes ten opsigte van sodanige diens of doel of om die betalings uit gelde wat aldus bewillig is of gemagtig is om uitgekeer te word, terug te hou of op te skort indien, na die mening van die Tesourie, die finansiële toestand sodanige terughouding of opskorting wenslik maak.

(b) Indien, uit hoofde van die bepalings van paragraaf (a), bedrae vir 'n diens betaal word wat gesamentlik minder is as die bedrag wat vir sodanige diens by 'n begrotingswet bewillig is, word die som van die bedrae aldus betaal, behoudens die bepalings van paragraaf (c), vir alle doeleindes geag die bedrag te wees wat by sodanige Wet bewillig is.

(c) Waar die som van die bedrae aldus vir 'n diens betaal minder is as die bedrag aldus vir sodanige diens bewillig word die verskil tussen sodanige som en sodanige bedrag vir die toepassing van die betrokke Begrotingswet as 'n besparing ten opsigte van sodanige diens beskou en kan daar ooreenkomstig daardie Wet daarmee gehandel word.

Rekening van die Betaalmeester-generaal

4. By die bank word 'n rekening genoem die "Rekening van die Betaalmeester-generaal" gehou en alle bedrae wat uit die Skatkisrekening ooreenkomstig regulasie 3 (1) uitbetaal word, word gekrediteer—

(a) deur die bank op die Rekening van die Betaalmeester-generaal; en

(b) deur die Tesourie in sy registers van bedoelde rekening op die rekenings van die verskillende rekenpligtige beampes wat vir die betrokke begrotingsposte of dienste verantwoordelik is.

Bewilliging vir die Dienste van 'n Boekjaar

5. Geen begrotingswet word so uitgelê as sou dit magtiging verleen vir die besteding van die gelde wat daarby bewillig word, in 'n ander boekjaar as dié waarop dit uitdruklik betrekking het nie, en gelde aldus bewillig wat aan die einde van die boekjaar onbestee is, moet in die Skatkisrekening teruggestort word.

Rekeningstelsel

6. 'n Stelsel van rekeningboeke en rekenings wat by die vereistes van elke diens aanpas sodat al die ontvangstes en betalings ten opsigte van elke begrotingspos of diens in gerieflike vorm aangedui word, word onder toesig van die Tesourie na oorlegpleging met die Kontroleur en Ouditeur-generaal, ontwerp, en die Tesourie kan van tyd tot tyd deur middel van diensbrief of voorskrif die wyse voorskryf waarop elke departement sy rekenings moet hou.

Opstel van Finansiërekenings

7. (1) So gou moontlik nadat die rekenings ten opsigte van 'n boekjaar afgesluit is, maar in elke geval binne vier maande na die afsluiting van die boekjaar, moet die Tesourie state opstel van die Skatkisrekening, die Inkomsterekening en alle ander fondse waaroor die Tesourie beheer het.

(2) Sodra die state wat in subregulasie (1) voorgeskryf word, opgestel is, word hulle aan die Kontroleur en Ouditeur-generaal gestuur.

Opstel van Appropriasierekenings

8. So gou moontlik, maar in elke geval binne drie maande na die afsluiting van 'n boekjaar, moet rekenings van die appropriasie van al die dienste wat in die begrotingswet van daardie boekjaar vervat is, deur die rekenpligtige beampes opgestel en aan die Kontroleur en Ouditeur-generaal deurgestuur word om nagesien te word. Afskrifte van sodanige rekenings word aan die Tesourie gestuur.

authorised to be issued to the sums which the Treasury considers are required for the payment of current expenditure in respect of such service or purpose or to withhold or suspend the issues out of moneys so appropriated or authorised to be issued if, in the opinion of the Treasury, the financial situation renders such withholding or suspension desirable.

(b) If, by virtue of the provisions of paragraph (a), amounts are issued for any service which together amount to less than the amount appropriated for such service by an appropriation act, the sum of the amounts so issued shall, subject to the provisions of paragraph (c), for all purposes be regarded as the amount appropriated by such Act.

(c) Where the sum of the amounts so issued for any service is less than the amount so appropriated for such service, the difference between such sum and such amount shall for the purpose of the relevant Appropriation Act be regarded as a saving in respect of such service and may be dealt with in accordance with such Act.

Paymaster-General's Account

4. There shall be kept with the bank an account entitled the "Paymaster-General's Account" and all amounts issued from the Exchequer Account in accordance with regulation 3 (1) shall be credited—

(a) by the bank to the Paymaster-General's Account; and

(b) by the Treasury in its records of the said account to the accounts of the several accounting officers responsible for the votes or services affected.

Appropriation for the Services of a Financial Year

5. No appropriation act shall be construed as authorising moneys appropriated thereby to be expended in any financial year other than the financial year to which it is expressed to relate, and any moneys so appropriated which may be unexpended at the close of any financial year shall be surrendered to the Exchequer Account.

Plan of Accounts

6. A plan of account books and accounts adapted to the requirements of each service, in order to exhibit, in a convenient form, the whole of the receipts and payments in respect of each vote or service shall be designed under the superintendence of the Treasury, after consultation with the Controller and Auditor-General, and the Treasury may, from time to time by minute or instruction, prescribe the manner in which each department shall keep its accounts.

Preparation of Finance Accounts

7. (1) As soon as possible after the accounts have been closed in respect of any financial year, but in every case within four months of the close of a financial year, the Treasury shall prepare statements of the Exchequer Account, the Revenue Account and all other funds of which the Treasury may have charge.

(2) The statements prescribed in subregulation (1) shall, as soon as they have been prepared, be transmitted to the Controller and Auditor-General.

Preparation of Appropriation Accounts

8. As soon as possible, but in every case within three months of the close of any financial year, accounts of the appropriation of all the services comprised in the appropriation act for that financial year, shall be prepared by the accounting officers and shall be transmitted for examination to the Controller and Auditor-General. Copies of such accounts shall be sent to the Treasury.

Vorm van Appropriasierekenings

9. 'n Appropriasierekening moet aan die ontvangstekant daarvan elke bedrag aantoon wat deur die Wetgewende Vergadering bewillig is vir die diens van die boekjaar waarop die rekening betrekking het en aan die uitgawekant daarvan elke bedrag wat gedurende dieselfde tydperk werklik betaal is. Geen voorskot van die aanwending waarvan 'n rekening nie gestuur is aan en toegelaat is deur die rekenpligtige departement nie, word aan die uitgawekant van die appropriasierekening ingesluit nie.

State moet saam met Appropriasierekening gaan

10. Elke appropriasierekening wat aan die Kontroleur en Ouditeur-generaal gestuur word gaan vergesel van—

(a) 'n verduidelikende staat van enige verskil vergeleke met die toekenning wat in bedoelde rekening ingesluit is; en

(b) 'n verduideliking wat aantoon hoe die saldo van die toekenning wat in die vorige jaar ingesluit is, verreken is;

en elke sodanige verduideliking of staat sowel as die appropriasierekening word deur die rekenpligtige beampte onderteken.

Afwyking van hierdie Regulasies

11. 'n Afwyking van hierdie regulasies word toegelaat slegs indien die Tesourie vooraf magtiging daartoe verleen het na oorlegpleging met die Kontroleur en Ouditeur-generaal.

No. R. 55, 1972

MACHANGANAREGERING.—VEREISTES VIR DIE ONTTREKING VAN GELDE UIT DIE INKOMSTEFONDS

Kragtens die bevoegdheid my verleen by artikel 8 van die Grondwet van die Bantoeuistande, 1971 (Wet 21 van 1971), verklaar ek hierby dat, met ingang van 1 April 1972—

(a) totdat 'n bewilliging volgens wet gemaak is soos in artikel 8 van bedoelde Wet bepaal en vir 'n tydperk van hoogstens drie maande na die aanvang van 'n boekjaar, gelde onttrek kan word uit die Inkomstefonds vir die gebied van die Machangana- Wetgewende Vergadering ten einde uitgawes aan dienste ten opsigte waarvan 'n bewilliging in die onmiddellik voorafgaande boekjaar gemaak is, of ten opsigte waarvan 'n ander statutêre magtiging bestaan, te dek;

(b) geen uitreiking uit bedoelde Inkomstefonds gemaak word nie behalwe ooreenkomstig 'n volmag deur die Hoofraadslid van die gebied van die Machangana- Wetgewende Vergadering onderteken;

(c) bedoelde Hoofraadslid met die goedkeuring van die Uitvoerende Raad vir bedoelde gebied by spesiale volmag deur hom onderteken die uitreiking van gelde uit bedoelde Inkomstefonds kan magtig—

(i) om onvoorsiene uitgawes van 'n besondere aard te dek waarvoor daar nie in 'n begrotingswet voorsiening gemaak is nie en wat nie sonder ernstige nadeel vir die publieke belang uitgestel kan word totdat toereikende voorsiening deur bedoelde Wetgewende Vergadering daarvoor gemaak kan word nie; of

(ii) om 'n oorskryding onder enige uitgaweheof in 'n begrotingswet te dek;

Met dien verstande dat die totale bedrag wat die Hoofraadslid kan magtig op geen tydstip 'n bedrag gelykstaande met een persent van die totale bedrag in 'n begrotingswet bewillig, te bowe mag gaan nie, en dat

Form of Appropriation Accounts

9. An appropriation account shall exhibit on the charge side thereof every sum appropriated by the Legislative Assembly for the service of the financial year to which the account relates and on the discharge side thereof every sum which may have actually come in course of payment within the same period. No advance, of the application of which an account may not have been rendered to, and allowed by, the accounting department, shall be included on the discharge side of the appropriation account.

Statements to Accompany Appropriation Accounts

10. Every appropriation account when rendered to the Controller and Auditor-General shall be accompanied by—

(a) an explanatory statement of any variation as compared with the grant included in such account; and

(b) an explanation showing how the balance on the grant included in the previous account has been adjusted;

and every such explanation or statement as well as the appropriation account shall be signed by the accounting officer.

Departures from these Regulations

11. A departure from these regulations will be permitted only with the prior approval of the Treasury given after consultation with the Controller and Auditor-General.

No. R. 55, 1972

MACHANGANA GOVERNMENT. — REQUIREMENTS FOR THE WITHDRAWAL OF MONEYS FROM THE REVENUE FUND

Under and by virtue of the powers vested in me by section 8 of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby declare that, with effect from 1 April 1972—

(a) until an appropriation has been made as provided in section 8 of the said Act and for a period not exceeding three months after the beginning of a financial year, moneys may be withdrawn from the Revenue Fund for the area of the Machangana Legislative Assembly, in order to meet expenditure on services in respect of which there has been an appropriation in the immediately preceding financial year or for which there is other statutory authority;

(b) no issue shall be made out of the said Revenue Fund except in pursuance of a warrant signed by the Chief Councillor for the area of the Machangana Legislative Assembly; and

(c) the said Chief Councillor may with the approval of the Executive Council for the said area by special warrant under his hand authorise the issue of moneys from the said Revenue Fund—

(i) to defray unforeseen expenditure of a special character which is not provided for in an appropriation act and which cannot without serious injury to the public interest be postponed until adequate provision can be made therefor by the said Legislative Assembly; or

(ii) to meet an excess on any head of expenditure in an appropriation act;

Provided that the total sum which the Chief Councillor may authorise shall not at any time exceed an amount equal to one per cent of the total amount provided in

bedoelde bedrag aan die Wetgewende Vergadering vir bewilliging tydens sy eersvolgende sitting voorgelê moet word.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Agtste dag van Maart Eenduisend Negehoonderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

No. R. 56, 1972

FINANSIËLE REGULASIES VIR DIE REGERING VAN DIE GEBIED WAARVOOR DIE MACHANGANA- WETGEWENDE VERGADERING INGESTEL IS

Kragtens die bevoegdheid my verleen by artikel 24 (1) van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971)—

(a) vaardig ek hierby met ingang van 1 April 1972 die regulasies vervat in die Bylae hiervan uit met betrekking tot die finansiële administrasie van die sake van die Regering van die gebied waarvoor die Machangana- Wetgewende Vergadering ingestel is; en

(b) verklaar ek hierby dat met ingang van bedoelde datum die finansiële regulasies afgekondig by Proklamasie R. 262 van 1969 herroep word vir sover hulle betrekking het op die Machanganagebiedsowerheid.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Agtste dag van Maart Eenduisend Negehoonderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

BYLAE

FINANSIËLE REGULASIES VIR DIE REGERING VAN DIE GEBIED WAARVOOR DIE MACHANGANA- WETGEWENDE VERGADERING INGESTEL IS

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

“bank” ’n bank wat op die betrokke tydstop ’n gemagtigde bank van die Machanganaregering is;

“boekjaar” die tydperk vanaf 1 April in enige jaar tot 31 Maart van die daaropvolgende jaar;

“departement” ’n departement ingestel kragtens artikel 5 (2) van die Wet;

“die Wet” die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971);

“Direkteur” die administratiewe hoof van ’n departement;

“Inkomstefonds” die Inkomstefonds, bedoel in artikel 6 (1) van die Wet, vir die Machanganagebied;

“rekenpligtige beampte” ’n persoon deur die Tesourie benoem en wetlik belas met die verantwoording van ’n diens waarvoor daar in ’n begrotingswet voorsiening gemaak word, of enige persoon aan wie uitbetalings uit die Skatkisrekening gedoen word;

“Skatkisrekening” die Skatkisrekening van die Machanganaregering, voorgeskryf in regulasie 3 (1);

an appropriation act, and that the said sum shall be submitted to the Legislative Assembly for appropriation at its next ensuing session.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Eighth day of March, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

No. R. 56, 1972

FINANCIAL REGULATIONS FOR THE GOVERNMENT OF THE AREA FOR WHICH THE MACHANGANA LEGISLATIVE ASSEMBLY HAS BEEN ESTABLISHED

Under and by virtue of the powers vested in me by section 24 (1) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby, with effect from 1 April 1972—

(a) make the regulations contained in the Schedule hereto, in respect of the financial administration of the affairs of the Government of the area for which the Machangana Legislative Assembly has been established; and

(b) declare that the financial regulations published under Proclamation R. 262 of 1969, are repealed in so far as they relate to the Machangana Territorial Authority.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Eighth day of March, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

SCHEDULE

FINANCIAL REGULATIONS FOR THE GOVERNMENT OF THE AREA FOR WHICH THE MACHANGANA LEGISLATIVE ASSEMBLY WAS ESTABLISHED

Definitions

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

“accounting officer” means a person nominated by the Treasury and lawfully charged with the duty of accounting for any service provided for in an appropriation act, or any person to whom issues are made from the Exchequer Account;

“bank” means any bank which is for the time being an authorised bank of the Machangana Government;

“department” means a department established under section 5 (2) of the Act;

“Director” means the administrative head of a department;

“Exchequer Account” means the Exchequer Account of the Machangana Government as prescribed in regulation 3 (1);

“Executive Council” means the Executive Council of the Machangana area constituted in terms of section 5 of the Act;

“financial year” means the period from 1 April in any year to 31 March of the next ensuing year;

“Revenue Fund” means the Revenue Fund referred to in section 6 (1) of the Act, for the Machangana area;

“the Act” means the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971);

"Tesourie"—

(a) behoudens die bepalings van paragraaf (b), die Sekretaris van Bantoe-administrasie en -ontwikkeling en ook enige adjunk- en ondersekretaris of administratiewe beheerbeampte of enige beampte van gelyke of hoër rang as dié van administratiewe beheerbeampte in die Departement van Bantoe-administrasie en -ontwikkeling, wat deur bedoelde sekretaris aangewys is of, ten opsigte van daardie aangeleenthede wat deur bedoelde sekretaris bepaal word, die Direkteur van Owerheidsake en Finansies;

(b) vanaf 'n datum deur die Minister van Bantoe-administrasie en -ontwikkeling in oorleg met die Uitvoerende Raad bepaal, die kantoor of afdeling van die Departement van Owerheidsake en Finansies wat belas is met die koördinering van die finansiële administrasie en die handhawing van finansiële reëlmatigheid en orde in die sake van die Machanganaregering;

"Machanganagebied" die gebied waarvoor die Machangana- Wetgewende Vergadering ingestel is;

"Machanganaregering" die Regering van die Machanganagebied;

"Uitvoerende Raad" die Uitvoerende Raad van die Machanganagebied, kragtens artikel 5 van die Wet saamgestel.

Toepassing van Regulasies en Instruksies uitgereik kragtens Artikel 61 van Wet 23 van 1956

2. (1) Die Finansiële Regulasies en Tesourie-instruksies uitgereik kragtens artikel 61 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), is *mutatis mutandis* van toepassing op die administrasie van en beheer oor die Inkomstefonds vir sover dit toegepas kan word en nie met die Wet en hierdie regulasies onbestaanbaar is nie.

(2) By die toepassing van bedoelde regulasies en instruksies—

(a) word 'n verwysing na die Parlement geag 'n verwysing te wees na die Machangana- Wetgewende Vergadering;

(b) word 'n verwysing na 'n minister geag 'n verwysing te wees na die betrokke lid van die Uitvoerende Raad;

(c) word 'n verwysing na die sekretaris van 'n departement of 'n ander persoon of liggaam geag 'n verwysing te wees na die persoon of liggaam wat soortgelyke bevoegdhede, gesag en werksaamhede in die Machanganagebied uitoefen;

(d) word 'n verwysing na artikels 19, 30 en 36 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), geag 'n verwysing te wees na onderskeidelik regulasies 3, 4 en 8 hiervan;

(e) word 'n verwysing na artikel 24 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), geag 'n verwysing te wees na paragraaf (c) van Proklamasie R. 55 van 1972.

Skatkisrekening

3. (1) Daar word by die bank 'n rekening gehou genoem die "Skatkisrekening van die Machanganaregering" waarin sowel alle inkomste wat aan die Inkomstefonds toeval, as alle ander inkomste uit watter bron ook al, wat daarop betrekking het, gestort moet word, en waaruit alle betalings aan rekenpligtige beamptes getrek moet word.

(2) Ten einde die openbare saldo's te bespaar, moet die Tesourie die bedrae wat van tyd tot tyd uitbetaal of oorgeplaas word in die krediet van die rekenings van rekenpligtige beamptes tot die totale bedrae beperk wat die Tesourie nodig ag vir die betaling van die lopende uitgawes aan die openbare dienste waarvoor die rekenpligtige beamptes verantwoordelik is.

(3) Elke rekenpligtige beampte moet die bedrae wat aldus op sy rekening oorgeplaas word, as deel van sy algemene treksaldo beskou en al sodanige bedrae moet

"Treasury" means—

(a) subject to the provisions of paragraph (b), the Secretary for Bantu Administration and Development and includes any deputy and under-secretary or administrative control officer or any officer of a rank equivalent to or higher than the rank of administrative control officer in the Department of Bantu Administration and Development designated by the said secretary, or, in respect of such matters as determined by the said secretary, the Director of Authority Affairs and Finance;

(b) as from a date determined by the Minister of Bantu Administration and Development in consultation with the Executive Council, the office or division of the Department of Authority Affairs and Finance charged with the co-ordination of the financial administration and the maintenance of financial regularity and order in the affairs of the Machangana Government;

"Machangana area" means the area for which the Machangana Legislative Assembly has been established;

"Machangana Government" means the Government of the Machangana area.

Application of Regulations and Instructions Issued under Section 61 of Act 23 of 1956

2. (1) The Financial Regulations and Treasury Instructions issued under section 61 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall apply *mutatis mutandis* to the administration and control of the Revenue Fund in so far as they can be applied and are not inconsistent with the Act and these regulations.

(2) In the application of the said regulations and instructions—

(a) any reference to Parliament shall be deemed to be a reference to the Machangana Legislative Assembly;

(b) any reference to a minister shall be deemed to be a reference to the relative member of the Executive Council;

(c) any reference to the secretary of a department or any other person or body shall be deemed to be a reference to the person or body exercising similar powers, authority and functions in the Machangana area;

(d) any reference to section 19, 30 and 36 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall be deemed to be a reference to regulations 3, 4 and 8 hereof, respectively;

(e) any reference to section 24 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall be deemed to be a reference to paragraph (c) of Proclamation R. 55 of 1972.

Exchequer Account

3. (1) There shall be kept with the bank an account entitled the "Exchequer Account of the Machangana Government" into which shall be paid all revenue accruing to the Revenue Fund and also all other receipts appertaining thereto from whatever source arising, and from which all issues to accounting officers shall be withdrawn.

(2) With a view to economising the public balances the Treasury shall restrict the sums to be issued or transferred from time to time to the credit of the accounts of accounting officers to such total sums as the Treasury may consider necessary for the payment of current expenditure on the public services for which the accounting officers are responsible.

(3) Each accounting officer shall consider the sums so transferred to his account as constituting part of his general drawing balance and all such sums shall be carried in

in die boeke van die rekenpligtige beampte in die krediet gehou word van die dienste waarvoor dit uitbetaal mag word soos in subregulasie (2) bepaal: Met dien verstande dat 'n rekenpligtige beampte nie betaling mag doen van uitgawes wat nie kragtens die wet of 'n begrotingswet of 'n ander wetsbepaling ingevolge waarvan dienste ten laste van die Inkomstefonds kom, gemagtig word nie.

(4) (a) Ondanks andersluidende wetsbepalings, word die bewilliging by 'n begrotingswet van gelde vir enige diens of die magtiging verleen by 'n spesiale volmag kragtens paragraaf (c) van Proklamasie R. 55 van 1972 vir die uitkering van gelde vir enige doel, uitgelê as sou dit bloot die maksimum bedrag wat vir die betrokke diens of doel aangewend mag word, spesifiseer, en het die Tesourie die bevoegdheid om die betalings uit gelde wat aldus bewillig is of gemagtig is om uitgekeer te word, te beperk tot die bedrae wat die Tesourie nodig ag vir die betaling van die lopende uitgawes ten opsigte van sodanige diens of doel of om die betalings uit gelde wat aldus bewillig is of gemagtig is om uitgekeer te word, terug te hou of op te skort indien, na die mening van die Tesourie, die finansiële toestand sodanige terughouding of opskorting wenslik maak.

(b) Indien, uit hoofde van die bepaling van paragraaf (a), bedrae vir 'n diens betaal word wat gesamentlik minder is as die bedrag wat vir sodanige diens by 'n begrotingswet bewillig is, word die som van die bedrae aldus betaal, behoudens die bepaling van paragraaf (c), vir alle doeleindes geag die bedrag te wees wat by sodanige wet bewillig is.

(c) Waar die som van die bedrae aldus vir 'n diens betaal minder is as die bedrag aldus vir sodanige diens bewillig, word die verskil tussen sodanige som en sodanige bedrag vir die toepassing van die betrokke begrotingswet as 'n besparing ten opsigte van sodanige diens beskou en kan daar ooreenkomstig daardie wet daarmee gehandel word.

Rekening van die Betaalmeester-generaal

4. By die bank word 'n rekening genoem die "Rekening van die Betaalmeester-generaal" gehou en alle bedrae wat uit die Skatkisrekening ooreenkomstig regulasie 3 (1) uitbetaal word, word gekrediteer—

(a) deur die bank op die Rekening van die Betaalmeester-generaal; en

(b) deur die Tesourie in sy registers van bedoelde rekening op die rekenings van die verskillende rekenpligtige beamptes wat vir die betrokke begrotingsposte of dienste verantwoordelik is.

Bewilliging vir die Dienste van 'n Boekjaar

5. Geen begrotingswet word so uitgelê as sou dit magtiging verleen vir die besteding van die gelde wat daarby bewillig word, in 'n ander boekjaar as dié waarop dit uitdruklik betrekking het nie, en gelde aldus bewillig wat aan die einde van die boekjaar onbestee is, moet in die Skatkisrekening teruggestort word.

Rekeningstelsel

6. 'n Stelsel van rekeningboeke en rekenings wat by die vereistes van elke diens aanpas sodat al die ontvangstes en betalings ten opsigte van elke begrotingspos of diens in gerieflike vorm aangedui word, word onder toesig van die Tesourie na oorlegpleging met die Kontroleur en Ouditeur-generaal, ontwerp, en die Tesourie kan van tyd tot tyd deur middel van diensbrief of voorskrif die wyse voorskryf waarop elke departement sy rekenings moet hou.

Opstel van Finansiërekenings

7. (1) So gou moontlik nadat die rekenings ten opsigte van 'n boekjaar afgesluit is, moet in elke geval binne vier maande na die afsluiting van die boekjaar, moet die Tesourie state opstel van die Skatkisrekening, die Inkomsterekening en alle ander fondse waarvoor die Tesourie beheer het.

the books of the accounting officer to the credit of the services for which the same may be issued as determined in subregulation (2): Provided that an accounting officer shall not make payment of expenditure which is not authorised under the Act or by an appropriation act or by any other law whereby services are charged on the Revenue Fund.

(4) (a) Notwithstanding anything to the contrary in any law contained, the appropriation by an appropriation act of moneys for any service or the authorisation by special warrant granted under paragraph (c) of Proclamation R. 55 of 1972 of the issue of moneys for any purpose shall be construed merely as specifying the maximum amount that may be devoted to the service or purpose in question, and the Treasury shall have the power to limit the issues out of moneys so appropriated or authorised to be issued to the sums which the Treasury considers are required for the payment of current expenditure in respect of such service or purpose or to withhold or suspend the issues out of moneys so appropriated or authorised to be issued if, in the opinion of the Treasury, the financial situation renders such withholding or suspension desirable.

(b) If, by virtue of the provisions of paragraph (a), amounts are issued for any service which together amount to less than the amount appropriated for such service by an appropriation act, the sum of the amounts so issued shall, subject to the provisions of paragraph (c), for all purposes be regarded as the amount appropriated by such act.

(c) Where the sum of the amounts so issued for any service is less than the amount so appropriated for such service, the difference between such sum and such amount shall for the purpose of the relevant appropriation act be regarded as a saving in respect of such service and may be dealt with in accordance with such act.

Paymaster-General's Account

4. There shall be kept with the bank an account entitled the "Paymaster-General's Account" and all amounts issued from the Exchequer Account in accordance with regulation 3 (1) shall be credited—

(a) by the bank to the Paymaster-General's Account; and

(b) by the Treasury in its records of the said account to the accounts of the several accounting officers responsible for the votes or services affected.

Appropriation for the Services of a Financial Year

5. No appropriation act shall be construed as authorising moneys appropriated thereby to be expended in any financial year other than the financial year to which it is expressed to relate, and any moneys so appropriated which may be unexpended at the close of any financial year shall be surrendered to the Exchequer Account.

Plan of Accounts

6. A plan of account books and accounts adapted to the requirements of each service, in order to exhibit, in a convenient form, the whole of the receipts and payments in respect of each vote or service shall be designed under the superintendence of the Treasury, after consultation with the Controller and Auditor-General, and the Treasury may, from time to time by minute or instruction, prescribe the manner in which each department shall keep its accounts.

Preparation of Finance Accounts

7. (1) As soon as possible after the accounts have been closed in respect of any financial year, but in every case within four months of the close of a financial year, the Treasury shall prepare statements of the Exchequer Account, the Revenue Account and all other funds of which the Treasury may have charge.

(2) Sodra die state wat in subregulasie (1) voorgeskryf word, opgestel is, word hulle aan die Kontroleur en Ouditeur-generaal gestuur.

Opstel van Appropriasierekenings

8. So gou moontlik, maar in elke geval binne drie maande na die afsluiting van 'n boekjaar, moet rekenings van die appropriasie van al die dienste wat in die Begrotingswet van daardie boekjaar vervat is, deur die rekenpligtige beamptes opgestel en aan die Kontroleur en Ouditeur-generaal deurgestuurd word om nagesien te word. Afskrifte van sodanige rekenings word aan die Tesourie gestuur.

Vorm van Appropriasierekenings

9. 'n Appropriasierekening moet aan die ontvangstekant daarvan elke bedrag aantoon wat deur die Wetgewende Vergadering bewillig is vir die diens van die boekjaar waarop die rekening betrekking het en aan die uitgawekant daarvan elke bedrag wat gedurende dieselfde tydperk werklik betaal is. Geen voorskot van die aanwending waarvan 'n rekening nie gestuur is aan en toegelaat is deur die rekenpligtige departement nie, word aan die uitgawekant van die appropriasierekening ingesluit nie.

State moet saam met Appropriasierekening gaan

10. Elke appropriasierekening wat aan die Kontroleur en Ouditeur-generaal gestuur word gaan vergesel van—

(a) 'n verduidelikende staat van enige verskil vergeleke met die toekenning wat in bedoelde rekening ingesluit is; en

(b) 'n verduideliking wat aantoon hoe die saldo van die toekenning wat in die vorige jaar ingesluit is, verrek is;

en elke sodanige verduideliking of staat sowel as die appropriasierekening word deur die rekenpligtige beampte onderteken.

Afwyking van hierdie Regulasies

11. 'n Afwyking van hierdie regulasies word toegelaat slegs indien die Tesourie vooraf magtiging daartoe verleen het na oorlegpleging met die Kontroleur en Ouditeur-generaal.

No. R. 57, 1972

TSWANAREGERING.—VEREISTES VIR DIE ONTTREKING VAN GELDE UIT DIE INKOMSTEFONDS

Kragtens die bevoegdheid my verleen by artikel 8 van die Grondwet van die Bantoeuistande, 1971 (Wet 21 van 1971), verklaar ek hierby dat, met ingang van 1 April 1972—

(a) totdat 'n bewilliging volgens wet gemaak is soos in artikel 8 van bedoelde Wet bepaal en vir 'n tydperk van hoogstens drie maande na die aanvang van 'n boekjaar, gelde onttrek kan word uit die Inkomstefonds vir die gebied van die Tswana- Wetgewende Vergadering ten einde uitgawes aan dienste ten opsigte waarvan 'n bewilliging in die onmiddellik voorafgaande boekjaar gemaak is, of ten opsigte waarvan 'n ander statutêre magtiging bestaan, te dek;

(b) geen uitreiking uit bedoelde Inkomstefonds gemaak word nie behalwe ooreenkomstig 'n volmag deur die Hoofraadslid van die gebied van die Tswana- Wetgewende Vergadering onderteken;

(c) bedoelde Hoofraadslid met die goedkeuring van die Uitvoerende Raad vir bedoelde gebied by spesiale volmag deur hom onderteken die uitreiking van gelde uit bedoelde Inkomstefonds kan magtig—

(i) om onvoorsiene uitgawes van 'n besondere aard te dek waarvoor daar nie in 'n begrotingswet voorsiening gemaak is nie en wat nie sonder ernstige nadeel

(2) The statements prescribed in subregulation (1) shall, as soon as they have been prepared, be transmitted to the Controller and Auditor-General.

Preparation of Appropriation Accounts

8. As soon as possible, but in every case within three months of the close of any financial year, accounts of the appropriation of all the services comprised in the Appropriation Act for that financial year, shall be prepared by the accounting officers and shall be transmitted for examination to the Controller and Auditor-General. Copies of such accounts shall be sent to the Treasury.

Form of Appropriation Accounts

9. An appropriation account shall exhibit on the charge side thereof every sum appropriated by the Legislative Assembly for the service of the financial year to which the account relates and on the discharge side thereof every sum which may have actually come in course of payment within the same period. No advance, of the application of which an account may not have been rendered to, and allowed by, the accounting department, shall be included on the discharge side of the appropriation account.

Statements to Accompany Appropriation Accounts

10. Every appropriation account when rendered to the Controller and Auditor-General shall be accompanied by—

(a) an explanatory statement of any variation as compared with the grant included in such account; and

(b) an explanation showing how the balance on the grant included in the previous account has been adjusted;

and every such explanation or statement as well as the appropriation account shall be signed by the accounting officer.

Departures from these Regulations

11. A departure from these regulations will be permitted only with the prior approval of the Treasury given after consultation with the Controller and Auditor-General.

No. R. 57, 1972

TSWANA GOVERNMENT.—REQUIREMENTS FOR THE WITHDRAWAL OF MONEYS FROM THE REVENUE FUND

Under and by virtue of the powers vested in me by section 8 of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby declare that, with effect from 1 April 1972—

(a) until an appropriation has been made as provided in section 8 of the said Act and for a period not exceeding three months after the beginning of a financial year, moneys may be withdrawn from the Revenue Fund for the area of the Tswana Legislative Assembly, in order to meet expenditure on services in respect of which there has been an appropriation in the immediately preceding financial year or for which there is other statutory authority;

(b) no issue shall be made out of the said Revenue Fund except in pursuance of a warrant signed by the Chief Councillor for the area of the Tswana Legislative Assembly; and

(c) the said Chief Councillor may with the approval of the Executive Council for the said area by special warrant under his hand authorise the issue of moneys from the said Revenue Fund—

(i) to defray unforeseen expenditure of a special character which is not provided for in an appropriation act and which cannot without serious injury to the

vir die publieke belang uitgestel kan word totdat toereikende voorsiening deur bedoelde Wetgewende Vergadering daarvoor gemaak kan word nie; of

(ii) om 'n oorskryding onder enige uitgawehoof in 'n begrotingswet te dek:

Met dien verstande dat die totale bedrag wat die Hoofraadslid kan magtig op geen tydstip 'n bedrag gelykstaande met een persent van die totale bedrag in 'n begrotingswet bewillig, te bowe mag gaan nie, en dat bedoelde bedrag aan die Wetgewende Vergadering vir bewilliging tydens sy eersvolgende sitting voorgelê moet word.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Agtste dag van Maart Eenduisend Negehoonderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

No. R. 58, 1972

FINANSIËLE REGULASIES VIR DIE REGERING VAN DIE GEBIED WAARVOOR DIE TSWANA-WETGEWENDE VERGADERING INGESTEL IS

Kragtens die bevoegdheid my verleen by artikel 24 (1) van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971)—

(a) vaardig ek hierby met ingang van 1 April 1972 die regulasies vervat in die Bylae hiervan uit met betrekking tot die finansiële administrasie van die sake van die Regering van die gebied waarvoor die Tswana-Wetgewende Vergadering ingestel is; en

(b) verklaar ek hierby dat met ingang van bedoelde datum die finansiële regulasies afgekondig by Proklamasie R. 358 van 1968, herroep word vir sover hulle betrekking het op die Tswanagebiedsoowerheid.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Agtste dag van Maart Eenduisend Negehoonderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

BYLAE

FINANSIËLE REGULASIES VIR DIE REGERING VAN DIE GEBIED WAARVOOR DIE TSWANA-WETGEWENDE VERGADERING INGESTEL IS

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

“bank” 'n bank wat op die betrokke tydstip 'n gemagtigde bank van die Tswanaregering is;

“boekjaar” die tydperk vanaf 1 April in enige jaar tot 31 Maart van die daaropvolgende jaar;

“departement” 'n departement ingestel kragtens artikel 5 (2) van die Wet;

“die Wet” die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971);

“Direkteur” die administratiewe hoof van 'n departement;

“Inkomstefonds” die Inkomstefonds, bedoel in artikel 6 (1) van die Wet, vir die Tswanagebied;

public interest be postponed until adequate provision can be made therefor by the said Legislative Assembly; or

(ii) to meet an excess on any head of expenditure in an appropriation act:

Provided that the total sum which the Chief Councillor may authorise shall not at any time exceed an amount equal to one per cent of the total amount provided in an appropriation act, and that the said sum shall be submitted to the Legislative Assembly for appropriation at its next ensuing session.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Eighth day of March, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

No. R. 58, 1972

FINANCIAL REGULATIONS FOR THE GOVERNMENT OF THE AREA FOR WHICH THE TSWANA LEGISLATIVE ASSEMBLY HAS BEEN ESTABLISHED

Under and by virtue of the powers vested in me by section 24 (1) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby, with effect from 1 April 1972—

(a) make the regulations contained in the Schedule hereto, in respect of the financial administration of the affairs of the Government of the area for which the Tswana Legislative Assembly has been established; and

(b) declare that the financial regulations published under Proclamation R. 358 of 1968, are repealed in so far as they relate to the Tswana Territorial Authority.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Eighth day of March, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

SCHEDULE

FINANCIAL REGULATIONS FOR THE GOVERNMENT OF THE AREA FOR WHICH THE TSWANA LEGISLATIVE ASSEMBLY WAS ESTABLISHED

Definitions

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

“accounting officer” means a person nominated by the Treasury and lawfully charged with the duty of accounting for any service provided for in an appropriation act, or any person to whom issues are made from the Exchequer Account;

“bank” means any bank which is for the time being an authorised bank of the Tswana Government;

“department” means a department established under section 5 (2) of the Act;

“Director” means the administrative head of a department;

“Exchequer Account” means the Exchequer Account of the Tswana Government as prescribed in regulation 3 (1);

"rekenpligtige beampte" 'n persoon deur die Tesourie benoem en wetlik belas met die verantwoordings van 'n diens waarvoor daar in 'n begrotingswet voorsiening gemaak word, of enige persoon aan wie uitbetalings uit die Skatkisrekening gedoen word;

"Skatkisrekening" die Skatkisrekening van die Tswana-regering voorgeskryf in regulasie 3 (1);

"Tesourie"—

(a) behoudens die bepalings van paragraaf (b), die Sekretaris van Bantoe-administrasie en -ontwikkeling en ook enige adjunk- en ondersekretaris of administratiewe beheer beampte of enige beampte van gelyke of hoër rang as dié van administratiewe beheerbeampte in die Departement van Bantoe-administrasie en -ontwikkeling, wat deur bedoelde Sekretaris aangewys is of, ten opsigte van daardie aangeleenthede wat deur bedoelde Sekretaris bepaal word, die Direkteur van Owerheidsake en Finansies;

(b) vanaf 'n datum deur die Minister van Bantoe-administrasie en -ontwikkeling in oorleg met die Uitvoerende Raad bepaal, die kantoor of afdeling van die Departement van Owerheidsake en Finansies wat belas is met die koördinerende van die finansiële administrasie en die handhawing van finansiële reëlmatigheid en orde in die sake van die Tswanaregering;

"Tswanagebied" die gebied waarvoor die Tswana-Wetgewende Vergadering ingestel is;

"Tswanaregering" die Regering van die Tswanagebied;

"Uitvoerende Raad" die Uitvoerende Raad van die Tswanagebied, kragtens artikel 5 van die Wet saamgestel.

Toepassing van Regulasies en Instruksies Uitgereik Kragtens Artikel 61 van Wet 23 van 1956

2. (1) Die Finansiële Regulasies en Tesourie-instruksies uitgereik kragtens artikel 61 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), is *mutatis mutandis* van toepassing op die administrasie van en beheer oor die Inkomstefonds vir sover dit toegepas kan word en nie met die Wet en hierdie regulasies onbestaanbaar is nie.

(2) By die toepassing van bedoelde regulasies en instruksies—

(a) word 'n verwysing na die Parlement geag 'n verwysing te wees na die Tswana-Wetgewende Vergadering;

(b) word 'n verwysing na 'n Minister geag 'n verwysing te wees na die betrokke lid van die Uitvoerende Raad;

(c) word 'n verwysing na die Sekretaris van 'n departement of 'n ander persoon of liggaam geag 'n verwysing te wees na die persoon of liggaam wat soortgelyke bevoegdhede, gesag en werksaamhede in die Tswanagebied uitoefen;

(d) word 'n verwysing na artikels 19, 30 en 36 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), geag 'n verwysing te wees na onderskeidelik regulasies 3, 4 en 8 hiervan;

(e) word 'n verwysing na artikel 24 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), geag 'n verwysing te wees na paragraaf (c) van Proklamasie R. 57 van 1972.

Skatkisrekening

3. (1) Daar word by die bank 'n rekening gehou genoem die "Skatkisrekening van die Tswanaregering" waarin sowel alle inkomste wat aan die Inkomstefonds toeval, as alle ander inkomste uit watter bron ook al, wat daarop betrekking het, gestort moet word, en waaruit alle betalings aan rekenpligtige beamptes getrek moet word.

"Executive Council" means the Executive Council of the Tswana area constituted in terms of section 5 of the Act;

"financial year" means the period from 1 April in any year to 31 March of the next ensuing year;

"Revenue Fund" means the Revenue Fund referred to in section 6 (1) of the Act, for the Tswana area;

"the Act" means the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971);

"Treasury" means—

(a) subject to the provisions of paragraph (b) the Secretary for Bantu Administration and Development and includes any deputy and under-secretary or administrative control officer or any officer of a rank equivalent to or higher than the rank of administrative control officer in the Department of Bantu Administration and Development designated by the said Secretary, or, in respect of such matters as determined by the said Secretary, the Director of Authority Affairs and Finance;

(b) as from a date determined by the Minister of Bantu Administration and Development in consultation with the Executive Council, the office or division of the Department of Authority Affairs and Finance charged with the co-ordination of the financial administration and the maintenance of financial regularity and order in the affairs of the Tswana Government;

"Tswana area" means the area for which the Tswana Legislative Assembly has been established;

"Tswana Government" means the Government of the Tswana area.

Application of Regulations and Instructions Issued under Section 61 of Act 23 of 1956

2. (1) The Financial Regulations and Treasury Instructions issued under section 61 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall apply *mutatis mutandis* to the administration and control of the Revenue Fund in so far as they can be applied and are not inconsistent with the Act and these regulations.

(2) In the application of the said regulations and instructions—

(a) any reference to Parliament shall be deemed to be a reference to the Tswana Legislative Assembly;

(b) any reference to a Minister shall be deemed to be a reference to the relative member of the Executive Council;

(c) any reference to the Secretary of a department or any other person or body shall be deemed to be a reference to the person or body exercising similar powers, authority and functions in the Tswana area;

(d) any reference to sections 19, 30 and 36 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall be deemed to be a reference to regulations 3, 4 and 8 hereof, respectively;

(e) any reference to section 24 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall be deemed to be a reference to paragraph (c) of Proclamation R. 57 of 1972.

Exchequer Account

3. (1) There shall be kept with the bank an account entitled the "Exchequer Account of the Tswana Government" into which shall be paid all revenue accruing to the Revenue Fund and also all other receipts appertaining thereto from whatever source arising, and from which all issues to accounting officers shall be withdrawn.

(2) Ten einde die openbare saldo's te bespaar, moet die Tesourie die bedrae wat van tyd tot tyd uitbetaal of oorgeplaas word in die kredit van die rekenings van rekenpligtige beamptes tot die totale bedrae beperk wat die Tesourie nodig ag vir die betaling van die lopende uitgawes aan die openbare dienste waarvoor die rekenpligtige beamptes verantwoordelik is.

(3) Elke rekenpligtige beampte moet die bedrae wat aldus op sy rekening oorgeplaas word, as deel van sy algemene treksaldo beskou en al sodanige bedrae moet in die boeke van die rekenpligtige beampte in die kredit gehou word van die dienste waarvoor dit uitbetaal mag word soos in subregulasie (2) bepaal: Met dien verstande dat 'n rekenpligtige beampte nie betaling mag doen van uitgawes wat nie kragtens die Wet of 'n begrotingswet of 'n ander wetsbepaling ingevolge waarvan dienste ten laste van die Inkomstefonds kom, gemagtig word nie.

(4) (a) Ondanks andersluidende wetsbepalings, word die bewilliging by 'n begrotingswet van gelde vir enige diens of die magtiging verleen by 'n spesiale volmag kragtens paragraaf (c) van Proklamasie R. 57 van 1972 vir die uitkering van gelde vir enige doel, uitgelê as sou dit bloot die maksimum bedrag wat vir die betrokke diens of doel aangewend mag word, spesifiseer, en het die Tesourie die bevoegdheid om die betalings uit gelde wat aldus bewillig is of gemagtig is om uitgekeer te word, te beperk tot die bedrae wat die Tesourie nodig ag vir die betaling van die lopende uitgawes ten opsigte van sodanige diens of doel of om die betalings uit gelde wat aldus bewillig is of gemagtig is om uitgekeer te word terug te hou of op te skort indien, na die mening van die Tesourie, die finansiële toestand sodanige terughouding of opskorting wenslik maak.

(b) Indien, uit hoofde van die bepalinge van paragraaf (a), bedrae vir 'n diens betaal word wat gesamentlik minder is as die bedrag wat vir sodanige diens by 'n begrotingswet bewillig is, word die som van die bedrae aldus betaal, behoudens die bepalinge van paragraaf (c), vir alle doeleindes geag die bedrag te wees wat by sodanige wet bewillig is.

(c) Waar die som van die bedrae aldus vir 'n diens betaal minder is as die bedrag aldus vir sodanige diens bewillig, word die verskil tussen sodanige som en sodanige bedrag vir die toepassing van die betrokke begrotingswet as 'n besparing ten opsigte van sodanige diens beskou en kan daar ooreenkomstig daardie wet daarmee gehandel word.

Rekening van die Betaalmeester-generaal

4. By die bank word 'n rekening genoem die "Rekening van die Betaalmeester-generaal" gehou en alle bedrae wat uit die Skatkisrekening ooreenkomstig regulasie 3 (1) uitbetaal word, word gekrediteer—

(a) deur die bank op die Rekening van die Betaalmeester-generaal; en

(b) deur die Tesourie in sy registers van bedoelde rekening op die rekenings van die verskillende rekenpligtige beamptes wat vir die betrokke begrotingsposte of dienste verantwoordelik is.

Bewilliging vir die Dienste van 'n Boekjaar

5. Geen begrotingswet word so uitgelê as sou dit magtiging verleen vir die besteding van die gelde wat daarby bewillig word, in 'n ander boekjaar as dié waarop dit uitdruklik betrekking het nie, en gelde aldus bewillig wat aan die einde van die boekjaar onbestee is, moet in die Skatkisrekening teruggestort word.

Rekeningstelsel

6. 'n Stelsel van rekeningboeke en rekenings wat by die vereistes van elke diens aanpas sodat al die ontvangstes en betalings ten opsigte van elke begrotingspos of diens in gerieflike vorm aangedui word, word onder toesig van die Tesourie na oorlegpleging met die Kontroleur

(2) With a view to economising the public balances the Treasury shall restrict the sums to be issued or transferred from time to time to the credit of the accounts of accounting officers to such total sums as the Treasury may consider necessary for the payment of current expenditure on the public services for which the accounting officers are responsible.

(3) Each accounting officer shall consider the sums so transferred to his account as constituting part of his general drawing balance and all such sums shall be carried in the books of the accounting officer to the credit of the services for which the same may be issued as determined in subregulation (2): Provided that an accounting officer shall not make payment of expenditure which is not authorised under the Act or by an appropriation act or by any other law whereby services are charged on the Revenue Fund.

(4) (a) Notwithstanding anything to the contrary in any law contained, the appropriation by an appropriation act of moneys for any service or the authorisation by special warrant granted under paragraph (c) of Proclamation R. 57 of 1972, of the issue of moneys for any purpose shall be construed merely as specifying the maximum amount that may be devoted to the service or purpose in question, and the Treasury shall have the power to limit the issues out of moneys so appropriated or authorised to be issued to the sums which the Treasury considers are required for the payment of current expenditure in respect of such service or purpose or to withhold or suspend the issues out of moneys so appropriated or authorised to be issued if, in the opinion of the Treasury, the financial situation renders such withholding or suspension desirable.

(b) If, by virtue of the provisions of paragraph (a), amounts are issued for any service which together amount to less than the amount appropriated for such service by an appropriation act, the sum of the amounts so issued shall, subject to the provisions of paragraph (c), for all purposes be regarded as the amount appropriated by such act.

(c) Where the sum of the amounts so issued for any service is less than the amount so appropriated for such service, the difference between such sum and such amount shall for the purpose of the relevant appropriation act be regarded as a saving in respect of such service and may be dealt with in accordance with such act.

Paymaster-General's Account

4. There shall be kept with the bank an account entitled the "Paymaster-General's Account" and all amounts issued from the Exchequer Account in accordance with regulation 3 (1) shall be credited—

(a) by the bank to the Paymaster-General's Account; and

(b) by the Treasury in its records of the said account to the accounts of the several accounting officers responsible for the votes or services affected.

Appropriation for the Services of a Financial Year

5. No appropriation act shall be construed as authorising moneys appropriated thereby to be expended in any financial year other than the financial year to which it is expressed to relate, and any moneys so appropriated which may be unexpended at the close of any financial year shall be surrendered to the Exchequer Account.

Plan of Accounts

6. A plan of account books and accounts adapted to the requirements of each service, in order to exhibit, in a convenient form, the whole of the receipts and payments in respect of each vote or service shall be designed under the superintendence of the Treasury, after consultation

en Ouditeur-generaal, ontwerp, en die Tesourie kan van tyd tot tyd deur middel van diensbrief of voorskrif die wyse voorskryf waarop elke departement sy rekenings moet hou.

Opstel van Finansiërekenings

7. (1) So gou moontlik nadat die rekenings ten opsigte van 'n boekjaar afgesluit is, maar in elke geval binne vier maande na die afsluiting van die boekjaar, moet die Tesouriestate opstel van die Skatkisrekening, die Inkomsterekening en alle ander fondse waaroor die Tesourie beheer het.

(2) Sodra die state wat in subregulasie (1) voorgeskryf word, opgestel is, word hulle aan die Kontroleur en Ouditeur-generaal gestuur.

Opstel van Appropriasierekenings

8. So gou moontlik, maar in elke geval binne drie maande na die afsluiting van 'n boekjaar, moet rekenings van die appropriasie van al die dienste wat in die begrotingswet van daardie boekjaar vervat is, deur die rekenpligtige beamptes opgestel en aan die Kontroleur en Ouditeur-generaal deurgestuurd word om nagesien te word. Afskrifte van sodanige rekenings word aan die Tesourie gestuur.

Vorm van Appropriasierekenings

9. 'n Appropriasierekening moet aan die ontvangstekant daarvan elke bedrag aantoon wat deur die Wetgewende Vergadering bewillig is vir die diens van die boekjaar waarop die rekening betrekking het en aan die uitgawekant daarvan elke bedrag wat gedurende dieselfde tydperk werklik betaal is. Geen voorskot van die aanwending waarvan 'n rekening nie gestuur is aan en toegelaat is deur die rekenpligtige departement nie, word aan die uitgawekant van die appropriasierekening ingesluit nie.

State Moet Saam met Appropriasierekening Gaan

10. Elke appropriasierekening wat aan die Kontroleur en Ouditeur-generaal gestuur word gaan vergesel van—

(a) 'n verduidelikende staat van enige verskil vergeleke met die toekenning wat in bedoelde rekening ingesluit is; en

(b) 'n verduideliking wat aantoon hoe die saldo van die toekenning wat in die vorige jaar ingesluit is, verreken is,

en elke sodanige verduideliking of staat sowel as die appropriasierekening word deur die rekenpligtige beampte onderteken.

Afwyking van hierdie Regulasies

11. 'n Afwyking van hierdie regulasies word toegelaat slegs indien die Tesourie vooraf magtiging daartoe verleen het na oorlegpleging met die Kontroleur en Ouditeur-generaal.

with the Controller and Auditor-General, and the Treasury may, from time to time by minute or instruction, prescribe the manner in which each department shall keep its accounts.

Preparation of Finance Accounts

7. (1) As soon as possible after the accounts have been closed in respect of any financial year, but in every case within four months of the close of a financial year, the Treasury shall prepare statements of the Exchequer Account, the Revenue Account and all other funds of which the Treasury may have charge.

(2) The statements prescribed in subregulation (1) shall, as soon as they have been prepared, be transmitted to the Controller and Auditor-General.

Preparation of Appropriation Accounts

8. As soon as possible, but in every case within three months of the close of any financial year, accounts of the appropriation of all the services comprised in the appropriation act for that financial year, shall be prepared by the accounting officers and shall be transmitted for examination to the Controller and Auditor-General. Copies of such accounts shall be sent to the Treasury.

Form of Appropriation Accounts

9. An appropriation account shall exhibit on the charge side thereof every sum appropriated by the Legislative Assembly for the service of the financial year to which the account relates and on the discharge side thereof every sum which may have actually come in course of payment within the same period. No advance, of the application of which an account may not have been rendered to, and allowed by, the accounting department, shall be included on the discharge side of the appropriation account.

Statements to Accompany Appropriation Accounts

10. Every appropriation account when rendered to the Controller and Auditor-General shall be accompanied by—

(a) an explanatory statement of any variation as compared with the grant included in such account; and

(b) an explanation showing how the balance on the grant included in the previous account has been adjusted,

and every such explanation or statement as well as the appropriation account shall be signed by the accounting officer.

Departures from These Regulations

11. A departure from these regulations will be permitted only with the prior approval of the Treasury given after consultation with the Controller and Auditor-General.

No. R. 59, 1972

VENDAREGERING.—VEREISTES VIR DIE ONTTREKING VAN GELDE UIT DIE INKOMSTEFONDS

Kragtens die bevoegdheid my verleen by artikel 8 van die Grondwet van die Bantoeuistande, 1971 (Wet 21 van 1971), verklaar ek hierby dat, met ingang van 1 April 1972—

(a) totdat 'n bewilliging volgens wet gemaak is soos in artikel 8 van bedoelde Wet bepaal en vir 'n tydperk van hoogstens drie maande na die aanvang van 'n boekjaar, gelde onttrek kan word uit die Inkomstefonds vir

No. R. 59, 1972

VENDA GOVERNMENT.—REQUIREMENTS FOR THE WITHDRAWAL OF MONEYS FROM THE REVENUE FUND

Under and by virtue of the powers vested in me by section 8 of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby declare that, with effect from 1 April 1972—

(a) until an appropriation has been made as provided in section 8 of the said Act and for a period not exceeding three months after the beginning of a financial year, moneys may be withdrawn from the Revenue Fund

die gebied van die Venda- Wetgewende Vergadering ten einde uitgawes aan dienste ten opsigte waarvan 'n bewilling in die onmiddellik voorafgaande boekjaar gemaak is, of ten opsigte waarvan 'n ander statutêre magtiging bestaan, te dek;

(b) geen uitreiking uit bedoelde Inkomstefonds gemaak word nie behalwe ooreenkomstig 'n volmag deur die hoofraadslid van die gebied van die Venda- Wetgewende Vergadering onderteken;

(c) bedoelde Hoofraadslid met die goedkeuring van die Uitvoerende Raad vir bedoelde gebied by spesiale volmag deur hom onderteken die uitreiking van gelde uit bedoelde Inkomstefonds kan magtig—

(i) om onvoorsiene uitgawes van 'n besondere aard te dek waarvoor daar nie in 'n Begrotingswet voorsiening gemaak is nie en wat nie sonder ernsige nadeel vir die publieke belang uitgestel kan word totdat toereikende voorsiening deur bedoelde Wetgewende Vergadering daarvoor gemaak kan word nie; of

(ii) om 'n oorskryding onder enige uitgawehoof in 'n Begrotingswet te dek:

Met dien verstande dat die totale bedrag wat die Hoofraadslid kan magtig op geen tydstip 'n bedrag gelykstaande met een persent van die totale bedrag in 'n Begrotingswet bewillig, te bowe mag gaan nie, en dat bedoelde bedrag aan die Wetgewende Vergadering vir bewilling tydens sy eersvolgende sitting voorgelê moet word.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Agtste dag van Maart Eenduisend Negehoonderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

No. R. 60, 1972

FINANSIËLE REGULASIES VIR DIE REGERING VAN DIE GEBIED WAARVOOR DIE VENDA-WETGEWENDE VERGADERING INGESTEL IS

Kragtens die bevoegdheid my verleen by artikel 24 (1) van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971)—

(a) vaardig ek hierby met ingang van 1 April 1972 die regulasies vervat in die Bylae hiervan uit met betrekking tot die finansiële administrasie van die sake van die Regering van die gebied waarvoor die Venda- Wetgewende Vergadering ingestel is; en

(b) verklaar ek hierby dat met ingang van bedoelde datum die finansiële regulasies afgekondig by Proklamasie R. 261 van 1969 herroep word vir sover hulle betrekking het op die Vendagebiedsoowerheid.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Agtste dag van Maart Eenduisend Negehoonderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

for the area of the Venda Legislative Assembly, in order to meet expenditure on services in respect of which there has been an appropriation in the immediately preceding financial year or for which there is other statutory authority;

(b) no issue shall be made out of the said Revenue Fund except in pursuance of a warrant signed by the Chief Councillor for the area of the Venda Legislative Assembly; and

(c) the said Chief Councillor may with the approval of the Executive Council for the said area by special warrant under his hand authorise the issue of moneys from the said Revenue Fund—

(i) to defray unforeseen expenditure of a special character which is not provided for in an Appropriation Act and which cannot without serious injury to the public interest be postponed until adequate provision can be made therefor by the said Legislative Assembly; or

(ii) to meet an excess on any head of expenditure in an Appropriation Act:

Provided that the total sum which the Chief Councillor may authorise shall not at any time exceed an amount equal to one per cent of the total amount provided in an Appropriation Act and that the said sum shall be submitted to the Legislative Assembly for appropriation at its next ensuing session.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Eighth day of March, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

No. R. 60, 1972

FINANCIAL REGULATIONS FOR THE GOVERNMENT OF THE AREA FOR WHICH THE VENDA LEGISLATIVE ASSEMBLY HAS BEEN ESTABLISHMENT

Under and by virtue of the powers vested in me by section 24 (1) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby, with effect from 1 April 1972—

(a) make the regulations contained in the Schedule hereto, in respect of the financial administration of the affairs of the Government of the area for which the Venda Legislative Assembly has been established; and

(b) declare that the financial regulations published under Proclamation R. 261 of 1969, are repealed in so far as they relate to the Venda Territorial Authority.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Eighth day of March, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

BYLAE

FINANSIËLE REGULASIES VIR DIE REGERING VAN DIE GEBIED WAARVOOR DIE VENDA-WETGEWENDE VERGADERING INGESTEL IS

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

“bank” ’n bank wat op die betrokke tydstop ’n gemagtigde bank van die Vendaregering is;

“boekjaar” die tydperk vanaf 1 April in enige jaar tot 31 Maart van die daaropvolgende jaar;

“departement” ’n departement ingestel kragtens artikel 5 (2) van die Wet;

“die Wet” die Grondwet van die Bantoeuistande, 1971 (Wet 21 van 1971);

“Direkteur” die administratiewe hoof van ’n departement;

“Inkomstefonds” die Inkomstefonds, bedoel in artikel 6 (1) van die Wet, vir die Vendagebied;

“rekenpligtige beampte” ’n persoon deur die Tesourie benoem en wetlik belas met die verantwoording van ’n diens waarvoor daar in ’n Begrotingswet voorsiening gemaak word, of enige persoon aan wie uitbetalings uit die Skatkisrekening gedoen word;

“Skatkisrekening” die Skatkisrekening van die Vendarergering voorgeskryf in regulasie 3 (1);

“Tesourie”—

(a) behoudens die bepalinge van paragraaf (b), die Sekretaris van Bantoe-administrasie en -ontwikkeling en ook enige adjunk- en ondersekretaris of administratiewe beheerbeampte of enige beampte van gelyke of hoër rang as dié van administratiewe beheerbeampte in die Departement van Bantoe-administrasie en -ontwikkeling, wat deur bedoelde Sekretaris aangewys is of, ten opsigte van daardie aangeleenthede wat deur bedoelde Sekretaris bepaal word, die Direkteur van Owerheidsake en Finansies;

(b) vanaf ’n datum deur die Minister van Bantoe-administrasie en -ontwikkeling in oorleg met die Uitvoerende Raad bepaal, die kantoor of afdeling van die Departement van Owerheidsake en Finansies wat belas is met die koördinering van die finansiële administrasie en die handhawing van finansiële reëlmatigheid en orde in die sake van die Vendaregering;

“Vendagebied” die gebied waarvoor die Venda-Wetgewende Vergadering ingestel is;

“Vendaregering” die Regering van die Vendagebied;

“Uitvoerende Raad” die Uitvoerende Raad van die Vendagebied, kragtens artikel 5 van die Wet saamgestel.

Toepassing van Regulasies en Instruksies Uitgereik kragtens artikel 61 van Wet 23 van 1956

2. (1) Die Finansiële Regulasies en Tesourie-instruksies uitgereik kragtens artikel 61 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), is *mutatis mutandis* van toepassing op die administrasie van en beheer oor die Inkomstefonds vir sover dit toegepas kan word en nie met die Wet en hierdie regulasies onbestaanbaar is nie.

(2) By die toepassing van bedoelde Regulasies en Instruksies—

(a) word ’n verwysing na die Parlement geag ’n verwysing te wees na die Venda-Wetgewende Vergadering;

(b) word ’n verwysing na ’n Minister geag ’n verwysing te wees na die betrokke lid van die Uitvoerende Raad;

SCHEDULE

FINANCIAL REGULATIONS FOR THE GOVERNMENT OF THE AREA FOR WHICH THE VENDA LEGISLATIVE ASSEMBLY WAS ESTABLISHED

Definitions

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

“accounting officer” means a person nominated by the Treasury and lawfully charged with the duty of accounting for any service provided for in an Appropriation Act, or any person to whom issues are made from the Exchequer Account;

“bank” means any bank which is for the time being an authorised bank of the Venda Government;

“department” means a department established under section 5 (2) of the Act;

“Director” means the administrative head of a department;

“Exchequer Account” means the Exchequer Account of the Venda Government as prescribed in regulation 3 (1);

“Executive Council” means the Executive Council of the Venda area constituted in terms of section 5 of the Act;

“financial year” means the period from 1 April in any year to 31 March of the next ensuing year;

“Revenue Fund” means the Revenue Fund referred to in section 6 (1) of the Act, for the Venda area;

“the Act” means the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971);

“Treasury” means—

(a) subject to the provisions of paragraph (b), the Secretary for Bantu Administration and Development and includes any deputy and under-secretary or administrative control officer or any officer of a rank equivalent to or higher than the rank of administrative control officer in the Department of Bantu Administration and Development designated by the said Secretary, or, in respect of such matters as determined by the said Secretary, the Director of Authority Affairs and Finance;

(b) as from a date determined by the Minister of Bantu Administration and Development in consultation with the Executive Council, the office or division of the Department of Authority Affairs and Finance charged with the co-ordination of the financial administration and the maintenance of financial regularity and order in the affairs of the Venda Government;

“Venda area” means the area for which the Venda Legislative Assembly has been established;

“Venda Government” means the Government of the Venda area.

Application of Regulations and Instructions Issued under Section 61 of Act 23 of 1956

2. (1) The Financial Regulations and Treasury Instructions issued under section 61 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall apply *mutatis mutandis* to the administration and control of the Revenue Fund in so far as they can be applied and are not inconsistent with the Act and these regulations.

(2) In the application of the said Regulations and Instructions—

(a) any reference to Parliament shall be deemed to be a reference to the Venda Legislative Assembly;

(b) any reference to a Minister shall be deemed to be a reference to the relative member of the Executive Council;

(c) word 'n verwysing na die Sekretaris van 'n departement of 'n ander persoon of liggaam geag 'n verwysing te wees na die persoon of liggaam wat soortgelyke bevoegdhede, gesag en werksaamhede in die Venda-gebied uitoefen;

(d) word 'n verwysing na artikels 19, 30 en 36 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), geag 'n verwysing te wees na onderskeidelik regulasies 3, 4 en 8 hiervan;

(e) word 'n verwysing na artikel 24 van die Skatkis- en Ouditwet, 1956 (Wet 23 van 1956), geag 'n verwysing te wees na paragraaf (c) van Proklamasie R. 59 van 1972.

Skatkisrekening

3. (1) Daar word by die bank 'n rekening gehou genoem die "Skatkisrekening van die Vendaregering" waarin sowel alle inkomste wat aan die Inkomstefonds toeval as alle ander inkomste uit watter bron ook al, wat daarop betrekking het, gestort moet word, en waaruit alle betalings aan rekenpligtige beamptes getrek moet word.

(2) Ten einde die openbare saldo's te bespaar, moet die Tesourie die bedrae wat van tyd tot tyd uitbetaal of oorgeplaas word in die krediet van die rekenings van rekenpligtige beamptes tot die totale bedrae beperk wat die Tesourie nodig ag vir die betaling van die lopende uitgawes aan die openbare dienste waarvoor die rekenpligtige beamptes verantwoordelik is.

(3) Elke rekenpligtige beampte moet die bedrae wat aldus op sy rekening oorgeplaas word, as deel van sy algemene treksaldo beskou en al sodanige bedrae moet in die boeke van die rekenpligtige beampte in die krediet gehou word van die dienste waarvoor dit uitbetaal mag word soos in subregulasie (2) bepaal: Met dien verstande dat 'n rekenpligtige beampte nie betaling mag doen van uitgawes wat nie kragtens die Wet of 'n Begrotingswet of 'n ander wetsbepaling ingevolge waarvan dienste ten laste van die Inkomstefonds kom, gemagtig word nie.

(4) (a) Ondanks andersluidende wetsbepalings, word die bewilling by 'n Begrotingswet van gelde vir enige diens of die magtiging verleen by 'n spesiale volmag kragtens paragraaf (c) van Proklamasie R. 59 van 1972 vir die uitkering van gelde vir enige doel, uitgelê as sou dit bloot die maksimum bedrag wat vir die betrokke diens of doel aangewend mag word, spesifiseer, en het die Tesourie die bevoegdheid om die betalings uit gelde wat aldus bewillig is of gemagtig is om uitgekeer te word, te beperk tot die bedrae wat die Tesourie nodig ag vir die betaling van die lopende uitgawes ten opsigte van sodanige diens of doel of om die betalings uit gelde wat aldus bewillig is of gemagtig is om uitgekeer te word, terug te hou of op te skort indien, na die mening van die Tesourie, die finansiële toestand sodanige terughouding of opskorting wenslik maak.

(b) Indien, uit hoofde van die bepalinge van paragraaf (a), bedrae vir 'n diens betaal word wat gesamentlik minder is as die bedrag wat vir sodanige diens by 'n Begrotingswet bewillig is, word die som van die bedrae aldus betaal, behoudens die bepalinge van paragraaf (c), vir alle doeleindes geag die bedrag te wees wat by sodanige Wet bewillig is.

(c) Waar die som van die bedrae aldus vir 'n diens betaal minder is as die bedrag aldus vir sodanige diens bewillig, word die verskil tussen sodanige som en sodanige bedrag vir die toepassing van die betrokke Begrotingswet as 'n besparing ten opsigte van sodanige diens beskou en kan daar ooreenkomstig daardie Wet daarmee gehandel word.

(c) any reference to the Secretary of a department or any other person or body shall be deemed to be a reference to the person or body exercising similar powers, authority and functions in the Venda area;

(d) any reference to sections 19, 30 and 36 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall be deemed to be a reference to regulations 3, 4 and 8 hereof, respectively;

(e) any reference to section 24 of the Exchequer and Audit Act, 1956 (Act 23 of 1956), shall be deemed to be a reference to paragraph (c) of Proclamation R. 59 of 1972.

Exchequer Account

3. (1) There shall be kept with the bank an account entitled the "Exchequer Account of the Venda Government" into which shall be paid all revenue accruing to the Revenue Fund and also all other receipts appertaining thereto from whatever source arising, and from which all issues to accounting officers shall be withdrawn.

(2) With a view to economising the public balances the Treasury shall restrict the sums to be issued or transferred from time to time to the credit of the accounts of accounting officers to such total sums as the Treasury may consider necessary for the payment of current expenditure on the public services for which the accounting officers are responsible.

(3) Each accounting officer shall consider the sums so transferred to his account as constituting part of his general drawing balance and all such sums shall be carried in the books of the accounting officer to the credit of the services for which the same may be issued as determined in subregulation (2): Provided that an accounting officer shall not make payment of expenditure which is not authorised under the Act or by an Appropriation Act or by any other law whereby services are charged on the Revenue Fund.

(4) (a) Notwithstanding anything to the contrary in any law contained, the appropriation by an Appropriation Act of moneys for any service or the authorisation by special warrant granted under paragraph (c) of Proclamation R. 59 of 1972 of the issue of moneys for any purpose shall be construed merely as specifying the maximum amount that may be devoted to the service or purpose in question, and the Treasury shall have the power to limit the issues out of moneys so appropriated or authorised to be issued to the sums which the Treasury considers are required for the payment of current expenditure in respect of such service or purpose or to withhold or suspend the issues out of moneys so appropriated or authorised to be issued if, in the opinion of the Treasury, the financial situation renders such withholding or suspension desirable.

(b) If, by virtue of the provisions of paragraph (a), amounts are issued for any service which together amount to less than the amount appropriated for such service by an Appropriation Act, the sum of the amounts so issued shall, subject to the provisions of paragraph (c), for all purposes be regarded as the amount appropriated by such Act.

(c) Where the sum of the amounts so issued for any service is less than the amount so appropriated for such service the difference between such sum and such amount shall for the purpose of the relevant Appropriation Act be regarded as a saving in respect of such service and may be dealt with in accordance with such Act.

Rekening van die Betaalmeester-generaal

4. By die bank word 'n rekening genoem die "Rekening van die Betaalmeester-generaal" gehou en alle bedrae wat uit die Skatkisrekening ooreenkomstig regulasie 3 (1) uitbetaal word, word gekrediteer—

(a) deur die bank op die Rekening van die Betaalmeester-generaal; en

(b) deur die Tesourie in sy registers van bedoelde Rekening op die rekenings van die verskillende rekenpligtige beamptes wat vir die betrokke begrotingsposte of dienste verantwoordelik is.

Bewilliging vir die Dienste van 'n Boekjaar

5. Geen Begrotingswet word so uitgelê as sou dit magtiging verleen vir die besteding van die gelde wat daarby bewillig word, in 'n ander boekjaar as dié waarop dit uitdruklik betrekking het nie, en gelde aldus bewillig wat aan die einde van die boekjaar onbestee is, moet in die Skatkisrekening teruggestort word.

Rekeningstelsel

6. 'n Stelsel van rekeningboeke en rekenings wat by die vereistes van elke diens aanpas sodat al die ontvangstes en betalings ten opsigte van elke begrotingspos of diens in gerieflike vorm aangedui word, word onder toesig van die Tesourie na oortegpleging met die Kontroleur en Ouditeur-generaal, ontwerp, en die Tesourie kan van tyd tot tyd deur middel van diensbrief of voorskrif die wyse voorskryf waarop elke departement sy rekenings moet hou.

Opstel van Finansiërekenings

7. (1) So gou moontlik nadat die rekenings ten opsigte van 'n boekjaar afgesluit is, maar in elke geval binne vier maande na die afsluiting van die boekjaar, moet die Tesourie state opstel van die Skatkisrekening, die Inkomsterekening en alle ander fondse waaroor die Tesourie beheer het.

(2) Sodra die state wat in subregulasie (1) voorgeskryf word, opgestel is, word hulle aan die Kontroleur- en Ouditeur-generaal gestuur.

Opstel van Appropriasierekenings

8. So gou moontlik, maar in elke geval binne drie maande na die afsluiting van 'n boekjaar, moet rekenings van die appropriasie van al die dienste wat in die Begrotingswet van daardie boekjaar vervat is, deur die rekenpligtige beamptes opgestel en aan die Kontroleur en Ouditeur-generaal deurgestuurd word om nagesien te word. Afskrifte van sodanige rekenings word aan die Tesourie gestuur.

Vorm van Appropriasierekenings

9. 'n Appropriasierekening moet aan die ontvangstekant daarvan elke bedrag aantoon wat deur die Wetgewende Vergadering bewillig is vir die diens van die boekjaar waarop die rekening betrekking het en aan die uitgawekant daarvan elke bedrag wat gedurende dieselfde tydperk werklik betaal is. Geen voorskot van die aanwending waarvan 'n rekening nie gestuur is aan en toegelaat is deur die rekenpligtige departement nie, word aan die uitgawekant van die appropriasierekening ingesluit nie.

Paymaster-General's Account

4. There shall be kept with the bank an account entitled the "Paymaster-General's Account" and all amounts issued from the Exchequer Account in accordance with regulation 3 (1) shall be credited—

(a) by the bank to the Paymaster-General's Account; and

(b) by the Treasury in its records of the said Account to the accounts of the several accounting officers responsible for the votes or services affected.

Appropriation for the Services of a Financial Year

5. No Appropriation Act shall be construed as authorising moneys appropriated thereby to be expended in any financial year other than the financial year to which it is expressed to relate, and moneys so appropriated which may be unexpended at the close of any financial year shall be surrendered to the Exchequer Account.

Plan of Accounts

6. A plan of account books and accounts adapted to the requirements of each service, in order to exhibit, in a convenient form, the whole of the receipts and payments in respect of each vote or service shall be designed under the superintendence of the Treasury, after Consultation with the Controller and Auditor-General, and the Treasury may, from time to time by minute or instruction, prescribe the manner in which each department shall keep its accounts.

Preparation of Finance Accounts

7. (1) As soon as possible after the accounts have been closed in respect of any financial year, but in every case within four months of the close of a financial year, the Treasury shall prepare statements of the Exchequer Account, the Revenue Account and all other funds of which the Treasury may have charge.

(2) The statements prescribed in subregulation (1) shall, as soon as they have been prepared, be transmitted to the Controller and Auditor-General.

Preparation of Appropriation Accounts

8. As soon as possible, but in every case within three months of the close of any financial year, accounts of the appropriation of all the services comprised in the Appropriation Act for that financial year, shall be prepared by the accounting officers and shall be transmitted for examination to the Controller and Auditor-General. Copies of such accounts shall be sent to the Treasury.

Form of Appropriation Accounts

9. An appropriation account shall exhibit on the charge side thereof every sum appropriated by the Legislative Assembly for the service of the financial year to which the account relates and on the discharge side thereof every sum which may have actually come in course of payment within the same period. No advance, of the application of which an account may not have been rendered to, and allowed by, the accounting department, shall be included on the discharge side of the appropriation account.

State moet Saam met Appropriasierekening Gaan

10. Elke appropriasierekening wat aan die Kontroleur en Ouditeur-generaal gestuur word gaan vergesel van—

(a) 'n verduidelikende staat van enige verskil vergeleke met die toekenning wat in bedoelde rekening ingesluit is; en

(b) 'n verduideliking wat aantoon hoe die saldo van die toekenning wat in die vorige jaar ingesluit is, verrek is;

en elke sodanige verduideliking of staat sowel as die appropriasierekening word deur die rekenpligtige beampte onderteken.

Afwyking van hierdie Regulasies

11. 'n Afwyking van hierdie regulasies word toegelaat slegs indien die Tesourie vooraf magtiging daartoe verleen het na oorlepleging met die Kontroleur en Ouditeur-generaal.

Statements to Accompany Appropriation Accounts

10. Every appropriation account when rendered to the Controller and Auditor-General shall be accompanied by—

(a) an explanatory statement of any variation as compared with the grant included in such account; and

(b) an explanation showing how the balance on the grant included in the previous account has been adjusted;

and every such explanation or statement as well as the appropriation account shall be signed by the accounting officer.

Departures from these Regulations

11. A departure from these regulations will be permitted only with the prior approval of the Treasury given after consultation with the Controller and Auditor-General.

No. R. 61, 1972

WET OP SEEVISSERYE, 1940

WYSIGING VAN RESERVATE

Kragtens artikel 4 (1) van die Wet op Seevisserye, 1940 (Wet 10 van 1940), wysig ek hierby paragraaf 4 (c) van Proklamasie R. 37 van 1965, deur die vervanging van subparagraaf (iii) deur die volgende subparagraaf:

“(iii) Die gebied binne ses seemyl seewaarts vanaf die hoogwatermerk op die kus tussen, as westelike grens, 'n lyn (135° geografies) getrek deur twee wit betonbakens wat onderskeidelik S.H.B.W.2 en S.H.B.3 gemerk en op Shellbaaipunt naby die vuurtoring te Stompneusbaai, geleë is, en as oostelike grens, 'n lyn (180° geografies) getrek deur 'n soortgelyke bakens en 'n reghoekige bakens wat onderskeidelik S.H.B.E. en D.R. gemerk en albei op die restant van Wilde Varkens Vallei A, reg suid van 'Doctor's Reef' is.”

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Drie-en-twintigste dag van Februarie Eenduisend Negehoenderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

S. L. MULLER.

No. R. 61, 1972

SEA FISHERIES ACT, 1940

AMENDMENT OF SANCTUARIES

In terms of section 4 (1) of the Sea Fisheries Act, 1940 (Act 10 of 1940), I hereby amend paragraph 4 (c) of Proclamation R. 37 of 1965 by the substitution for subparagraph (iii) of the following subparagraph:

“(iii) The area within six nautical miles seawards from the high-water mark on the coast between, as the western limit, a line (135° true) drawn through two white concrete beacons marked S.H.B.W.2 and S.H.B.3, respectively, and situated on Shell Bay Point near the lighthouse at Stompneus Bay, and, as the eastern limit, a line (180° true) drawn through a similar beacon and a rectangular beacon marked S.H.B.E. and D.R., respectively, both situated on the remaining extent of Wilde Varkens Valley A, due south of 'Doctor's Reef'.”

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Twenty-third day of February, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

S. L. MULLER.

No. R. 65, 1972

ODISTREEKSOWERHEID.—DISTRIKTE BRITS, PRETORIA EN RUSTENBURG—VERTEENWOORDIGING OP DIE TSWANA- WETGEWENDE VERGADERING

Kragtens die bevoegdheid my verleen by artikel 2 (3) van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971), wysig ek hierby regulasie 1 van Deel 1 van Bylae C van Proklamasie R. 141 van 1968 ooreenkomstig bygaande Bylae.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Dertiende dag van Maart Eenduisend Negehoenderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

No. R. 65, 1972

ODI REGIONAL AUTHORITY.—BRITS, PRETORIA AND RUSTENBURG DISTRICTS—REPRESENTATION ON THE TSWANA LEGISLATIVE ASSEMBLY

Under and by virtue of the powers vested in me by section 2 (3) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby amend regulation 1 of Part 1 of Schedule C to Proclamation R. 141 of 1968 in accordance with the accompanying Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Thirteenth day of March, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

BYLAE

1. Skrap "en" aan die einde van regulasie 1 (1) (b) (xi).

2. Skrap die punt aan die einde van regulasie 1 (1) (b) (xii) en voeg in "; en".

3. In regulasie 1 (1) (b) voeg die volgende nuwe subparagraaf in na subparagraaf (xii):

"(xiii) vier persone aangestel deur die Odistreekowerheid, distrikte Brits, Pretoria en Rustenburg."

F55/6/11

R. 63, 1972

VERBOD OP DIE VERKOOP VAN SYBOKHAAR TENSY GEKLASSIFISEER, VERPAK EN GEMERK OP 'N VOORGESKREWE WYSE.—HERROEPING

Kragtens die bevoegdheid my verleen by artikel 84 van die Bemarkingswet, 1968 (No. 59 van 1968), herroep ek hierby Proklamasie R. 79 van 1971.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Sesde dag van Maart Eenduisend Negehoonderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

D. C. H. UYS.

SCHEDULE

1. Delete "and" at the end of regulation 1 (1) (b) (xi).

2. Delete the full stop at the end of regulation 1 (1) (b) (xii) and insert "; and".

3. In regulation 1 (1) (b) insert after subparagraph (xii) the following new subparagraph:

"(xiii) four persons appointed by the Odi Regional Authority, Brits, Pretoria and Rustenburg Districts."

F56/4/11

R. 63, 1972

PROHIBITION OF THE SALE OF MOHAIR UNLESS CLASSIFIED, PACKED AND MARKED IN THE PRESCRIBED MANNER.—REVOCATION

Under the powers vested in me by section 84 of the Marketing Act, 1968 (No. 59 of 1968), I hereby repeal Proclamation R. 79 of 1971.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Sixth day of March, One thousand Nine hundred and Seventy-two

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

D. C. H. UYS.

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN ARBEID

No. R. 380

17 Maart 1972

WET OP VAKLEERLINGE, 1944, SOOS GEWYSIG DURBANSE VAKLEERLINGSKAPKOMITEE VIR DIE HAARSNYERSBEDRYF.—INDIENSNEMING VAN SKOLIERE EN STUDENTE IN AANGEWESSE AMBAGTE GEDURENDE VAKANSIES

Ek, Marais Viljoen, Minister van Arbeid, stel hierby ingevolge artikel 46 (1) van bogemelde Wet, werkgewers wat betrokke is in die nywerheid en gebied waarvoor bogemelde Komitee ingestel is, vry van die bepalings van gemelde Wet ten einde hulle in staat te stel om minderjarige skoliere en studente wat minstens 15 jaar oud is gedurende hul vakansies in aangewese ambagte in diens te neem, op voorwaarde dat sodanige minderjariges nie minder betaal word nie as die minimum loon wat vir eerstejaar-vakleerlinge in die betrokke nywerheid, ambag en gebied voorgeskryf is.

M. VILJOEN, Minister van Arbeid.

GOVERNMENT NOTICES

DEPARTMENT OF LABOUR

No. R. 380

17 March 1972

APPRENTICESHIP ACT, 1944, AS AMENDED DURBAN HAIRDRESSING APPRENTICESHIP COMMITTEE.—EMPLOYMENT OF SCHOLARS AND STUDENTS IN DESIGNATED TRADES DURING VACATIONS

I, Marais Viljoen, Minister of Labour, hereby in terms of section 46 (1) of the above-mentioned Act, exempt employers who are engaged in the industry and area for which the above Committee was established, from the provisions of the said Act to permit them to employ scholars and students who are minors and at least 15 years of age in designated trades during their vacations, on condition that such minors are paid not less than the minimum wage prescribed for first-year apprentices in the industry, trade and area concerned.

M. VILJOEN, Minister of Labour.

DEPARTEMENT VAN BINNELANDSE SAKE

No. R. 388

17 Maart 1972

REGULASIES OOR PENSIOENE VIR BLINDE PERSONE

Ek, Theodor Johannes Adolf Gerdener, Minister van Binnelandse Sake, handelende kragtens die bevoegdheid my verleen by artikel 17 van die Wet op Blinde Persone, 1968 (Wet 26 van 1968)—

(i) vaardig hierby onderstaande regulasies ten opsigte van Sjinese uit;

(ii) bepaal dat genoemde regulasies geag word op 1 Oktober 1968 in werking te getree het.

T. J. A. GERDENER, Minister van Binnelandse Sake.

REGULASIES

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

(i) "applikant" 'n persoon wat op 'n pensioen aanspraak maak;

(ii) "attesterende beampte" 'n beampte in die diens van die Departement van Binnelandse Sake, van Volkswelsyn en Pensioene of van Justisie, 'n posmeester of 'n lid van 'n polisiemag wat by wet ingestel is;

(iii) "die Wet" die Wet op Blindes, 1968 (Wet 26 van 1968);

(iv) "Minister" die Minister van Binnelandse Sake;

(v) "Sekretaris" die Sekretaris van Binnelandse Sake; en het 'n woord waaraan in die Wet 'n betekenis geheg is, daardie betekenis.

Registrasie van Blinde Persone

2. 'n Aansoek om registrasie as 'n blinde kragtens artikel 3 van die Wet moet op die toepaslike vorm by die Sekretaris ingedien word en moet vergesel gaan van 'n sertifikaat van 'n geneesheer dat die applikant blind is.

Maatstawwe vir die Bepaling van Blindheid

3. By die bepaling of 'n applikant vir doeleindes van registrasie ingevolge artikel 3 van die Wet blind is—

(1) moet die geneesheer wat hom ondersoek—

(a) die gesigskerpte van die applikant deur middel van die toets bekend as Snellen se toets met fokus behoorlik gekorrigeer en in geval van twyfel, deur verdere toetse, met inbegrip van toetse van reflekswerkings en deur die oogspieël, bepaal;

(b) alle toetse om die applikant se gesigskerpte te bepaal in lig van minstens 10-voetkerse uitvoer;

(c) die beste regstreekse gesigskerpte van elke oog van die applikant afsonderlik sowel as van albei sy oë gesamentlik volgens die toetse in subregulasie (1) (a) vermeld, bepaal;

(2) word 'n applikant geag blind te wees—

(a) indien sy gesigskerpte so beperk is dat hy nie in staat is om werk te verrig waarby gesig 'n vereiste is nie;

(b) indien sy gesigskerpte onder 3/60 Snellen is;

(c) indien sy gesigskerpte 3/60 Snellen maar swakker as 6/60 Snellen is en sy gesigsveld verminder is tot 50 persent van die normale gesigsveld en die sentrale deel van sy gesigsveld onaangetas is: Met dien verstande dat die applikant geag word nie blind te wees nie as enige gesigsgebrek wat hy mag hê, lank gelede ingetree het en nie met aansienlike inkrumping van sy gesigsveld, soos byvoorbeeld in die geval van aangebore nistagmus, albinisme, bysiendheid, ensovoorts, gepaard gaan nie;

DEPARTMENT OF THE INTERIOR

No. R. 388

17 March 1972

REGULATIONS RELATING TO BLIND PERSONS' PENSIONS

I, Theodor Johannes Adolf Gerdener, Minister of the Interior, under and by virtue of the powers vested in me by section 17 of the Blind Persons Act, 1968 (Act 26 of 1968), hereby—

(i) make the following regulations in respect of Chinese persons;

(ii) determine that the said regulations shall be deemed to have come into operation on 1 October 1968.

T. J. A. GERDENER, Minister of the Interior.

REGULATIONS

Definitions

1. In these regulations, unless the context otherwise indicates—

(i) "applicant" means any person claiming a pension;

(ii) "attesting officer" means any officer in the service of the Department of the Interior, of Social Welfare and Pensions or of Justice, any postmaster or any member of any statutory police force;

(iii) "the Act" means the Blind Persons Act, 1968 (Act 26 of 1968);

(iv) "Minister" means the Minister of the Interior;

(v) "Secretary" means the Secretary for the Interior;

and any word to which a meaning has been assigned in the Act, shall bear that meaning.

Registration of Blind Persons

2. An application for registration as a blind person in terms of section 3 of the Act shall be submitted to the Secretary on the proper form and shall be accompanied by a certificate by a medical practitioner to the effect that the applicant is blind.

Criteria of Blindness

3. In determining whether an applicant is blind for the purposes of registration under section 3 of the Act—

(1) the medical practitioner who examines him shall—

(a) determine the acuity of vision of the applicant by means of the test known as Snellen's test with focus properly corrected and, in case of doubt, by further tests including testing by the ophthalmoscope and of reflex actions;

(b) carry out all tests to determine the applicant's visual acuity in light of not less than 10 footcandles;

(c) determine the best direct vision obtainable with each eye separately as well as with both eyes together according to the tests referred to in subregulation (1) (a);

(2) an applicant shall be deemed to be blind—

(a) if his acuity of vision is so restricted that he is unable to perform work for which eyesight is essential;

(b) if his acuity of vision is below 3/60 Snellen;

(c) if his acuity of vision is 3/60 Snellen but below 6/60 Snellen and his field of vision is reduced to 50 per cent of the normal field of vision, and the central portion of the field of vision is unimpaired: Provided that the applicant shall be deemed not to be blind if any visual defect which he may have is of long standing and is unaccompanied by any material contraction of the field of vision, for example, in cases of congenital nystagmus, albinism, myopia, etc.;

(d) indien sy gesigskerpte 6/60 Snellen of beter is en sy gesigsveld ingekrimp het tot 25 persent van die normale gesigsveld en die onderste gedeelte van sy gesigsveld ingekrimp het tot 50 persent van die normale grootte: Met dien verstande, dat indien 'n applikant aan homonieme of bi-temporale hemianopie ly terwyl sy sentrale gesigskerpte 6/18 Snellen of beter is, hy geag word nie blind te wees nie.

Uitgawes van Persone wat Geneeskundig Onderzoek Moet Word

4. Wanneer die Sekretaris gelas dat 'n persoon kragtens artikel 3 van die Wet ondersoek moet word, kan hy die noodsaaklike onkoste in verband met die ondersoek en die vervoer en onderhoud van sodanige persoon en, indien nodig, van sy oppasser na en van die plek waar die ondersoek moet plaasvind uit Staatsfondse betaal.

Aansoek om 'n Pensioen

5. (1) (a) Behoudens die bepalings van subregulasie (2), moet 'n aansoek om 'n pensioen, nadat die applikant verklaar het dat die inligting daarin verstrek na sy beste wete en oortuiging waar en juis is, deur hom voor 'n attesterende beamppte onderteken en by die distriks-pensioenbeamppte vir die gebied waarin die applikant permanent woonagtig is, ingedien word.

(b) Die attesterende beamppte voor wie 'n aansoek aldus onderteken word, moet op die aansoek sertifiseer dat hy die inligting in die aansoek vervat, aan die applikant verduidelik het en dat die verklaring in subregulasie (1) (a) vermeld, deur die applikant voor hom gedoen en onderteken is.

(2) (a) Indien 'n distrikspensioenbeamppte van oordeel is dat 'n applikant of 'n persoon namens wie op 'n pensioen aanspraak gemaak word, weens 'n liggaamlike of geestesgebrek nie in staat is om aan die bepalings van subregulasie (1) (a) te voldoen nie, kan hy na goeddunke 'n ander persoon toelaat om namens sodanige applikant of persoon aansoek om die pensioen te doen en dan is die bepalings van subregulasie (1) *mutatis mutandis* ten opsigte van sodanige ander persoon van toepassing.

(b) Wanneer 'n distrikspensioenbeamppte 'n persoon toelaat om namens 'n ander persoon aansoek om 'n pensioen te doen, moet hy op die aansoek sertifiseer dat hy die persoon in die sertifikaat vermeld, magtig om namens die applikant aansoek om 'n pensioen te doen.

6. 'n Aansoek om 'n pensioen moet volledige besonderhede en inligting bevat van die applikant en sy eggenote se inkomste en bates en, indien hy of sy eggenote enige onroerende eiendom besit, van enige verband wat teen die titelbewys van sodanige eiendom geregistreer is.

7. Wanneer sowel 'n man as sy vrou om 'n pensioen aansoek doen, moet afsonderlik aansoek ten opsigte van elkeen van hulle gedoen word.

8. 'n Aansoek om 'n pensioen moet—

(a) vergesel gaan van die applikant se geboortesertifikaat of doopseel of, indien die applikant nie in staat is om sodanige geboortesertifikaat of doopseel voor te lê nie, van die ander dokumentêre bewys van die applikant se geboortedatum of ouderdom wat die Sekretaris goedvind, of van 'n sertifikaat deur 'n distrikspensioenbeamppte ten effekte dat hy, na ondersoek deur hom persoonlik ingestel, oortuig is dat die applikant op 'n datum in die sertifikaat vermeld, gebore is of die aldus vermelde ouderdom bereik het;

(b) indien die applikant daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger deur registrasie of naturalisasie is, vergesel gaan van die sertifikaat van registrasie of naturalisasie as Suid-Afrikaanse burger, na gelang van die geval, of indien hy nie in staat is

(d) if his acuity of vision is 6/60 Snellen or better and his field of vision is contracted to 25 per cent of the normal field of vision and the lower part of his field of vision has been contracted to 50 per cent of its normal dimensions: Provided that, if an applicant is suffering from homonymous or bitemporal hemianopia while retaining usual central acuity of 6/18 Snellen or better, he shall be deemed not to be blind.

Expenses of Persons Who Have to be Medically Examined

4. When the Secretary requires any person to be examined under section 3 of the Act, he may pay from public funds any expenses necessarily incurred in connection with the examination and transportation and subsistence of such person and, if necessary, of his attendant, to and from the centre where the examination has to take place.

Application for a Pension

5. (1) (a) Subject to the provisions of subregulation (2), any application for a pension shall, after the applicant has declared the information furnished therein to be true and correct to the best of his knowledge and belief, be signed by him in the presence of an attesting officer and submitted to the district pension officer for the area in which the applicant is permanently resident.

(b) The attesting officer in whose presence an application is so signed, shall certify on such application that he has explained the information contained therein to the applicant and that the declaration referred to in subregulation (1) (a) was made and signed in his presence by such applicant.

(2) (a) If a district pension officer is of the opinion that any applicant or any person on whose behalf a pension is claimed, is, owing to some physical or mental defect, unable to comply with the provisions of subregulation (1) (a) he may at his discretion permit any other person to apply for such pension on behalf of such applicant or person, in which case the provisions of subregulation (1) shall apply *mutatis mutandis* to such other person.

(b) Whenever a district pension officer permits any person to apply for a pension on behalf of any other person, he shall certify on the application that he authorises the person named in the certificate to apply for a pension on behalf of the applicant.

6. Any application for a pension shall contain full particulars of and information on the income and assets of the applicant and his spouse and, if he or his spouse owns any immovable property, any mortgage bond registered against the title deed of such property.

7. When both a man and his wife apply for a pension a separate application shall be submitted in respect of each of them.

8. Any application for a pension shall—

(a) be accompanied by the applicant's birth or baptismal certificate or, if such applicant is unable to produce such birth or baptismal certificate, by such other documentary evidence of such applicant's date of birth or age as the Secretary may deem fit or by a certificate by a district pension officer to the effect that after an enquiry made by him personally he is satisfied that such applicant was born on a date mentioned in such certificate or has attained the age so mentioned;

(b) if the applicant claims to be a South African citizen by registration or naturalization, be accompanied by the certificate of registration or naturalization, as the case may be, as a South African citizen, or if he is unable to produce such certificate, by such other evidence of registration or naturalization as a South African citizen as the Secretary may deem fit;

om sodanige sertifikaat voor te lê nie, van die ander bewys van registrasie of naturalisasie as Suid-Afrikaanse burger wat die Sekretaris goedvind;

(c) indien die applikant daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger deur afkoms is, vergesel gaan van die bewys van Suid-Afrikaanse burgerskap wat die Sekretaris goedvind;

(d) vergesel gaan van die bewys van verblyf in die Republiek van Suid-Afrika of Suidwes-Afrika wat die Sekretaris goedvind.

9. Die datum waarop 'n aansoek om 'n pensioen voor 'n attesterende beampte onderteken word, word geag die datum te wees waarop die aansoek gedoen is.

Rekord van Aansoeke om Pensioen

10. Die distrikspensioenbeampte moet 'n aantekening hou van die naam en adres van iedere applikant van wie hy 'n aansoek om 'n pensioen ontvang en van die datum waarop die aansoek ingevolge regulasie 5 (1) geattesteer is.

Verkryging van die Aanwesigheid van Getuies

11. 'n Dagvaarding wat ingevolge artikel 7 van die Wet uitgereik word, moet sover doenlik in die vorm van Bylae A wees.

Persone Wat Nie op 'n Pensioen Geregtig is Nie

12. (1) Niemand is op 'n pensioen geregtig nie—

(a) indien hy 'n pensioen of toelae ontvang kragtens die Ordonnansie op Maatskaplike Pensioene, 1965 (Ordonnansie 2 van 1965), van Suidwes-Afrika, die Duitse Oudstryderspensioenordonnansie, 1965 (Ordonnansie 3 van 1965) van Suidwes-Afrika, die Wet op Bejaarde Persone, 1967 (Wet 81 van 1967), die Wet op Oudstryderspensioene, 1968 (Wet 25 van 1968), of die Wet op Ongeskiktheidstoelae, 1968 (Wet 27 van 1968);

(b) indien 'n toelae kragtens die Kinderwet, 1960 (Wet 33 van 1960), of 'n daarkragtens uitgevaardigde regulasie ten opsigte van hom betaal word of hy in 'n inrigting soos omskryf in artikel 1 van daardie Wet onderhou word;

(c) indien hy 'n skool vir blindes wat ingevolge die Wet op Onderwysdienste, 1967 (Wet 41 van 1967) tot 'n ondersteunde skool verklaar is, bywoon;

(d) indien hy onder die ouderdom van 21 jaar en bevoeg is om tot 'n skool in subregulasie (1) (c) vermeld toegelaat te word, maar nie so 'n skool bywoon nie;

(e) indien hy, om redes wat die Sekretaris onvoldoende ag, weier om hom aan geneeskundige behandeling te onderwerp wat deur 'n geneesheer in artikel 3 van die Wet vermeld, aanbeveel mag word.

(2) Die bepalings van subregulasie (1) (d) is nie van toepassing nie op 'n persoon ten opsigte van wie 'n onderwyshoof in artikel 1 van die Wet op Onderwysdienste, 1967, omskryf, sertifiseer dat sodanige persoon weens sy liggaamlike of geestestoestand nie in staat is om die voorgeskrewe leerkursus aan 'n skool in subregulasie (1) (c) vermeld, te volg of te voltooi nie.

Vasstelling van Bedrag van Pensioen

13. (1) By 'n beslissing oor die vraag of 'n pensioen toegeken, ingetrek, verminder of verhoog moet word, of oor die bedrag van 'n pensioen hou die Sekretaris rekening met—

(a) die vermoë en geleenthede van 'n applikant of pensioentrekker om deur eie inspanning homself te onderhou of tot sy onderhoud by te dra; en

(b) die vermoë van die applikant of pensioentrekker se gade om hom te onderhou of tot sy onderhoud by te dra.

(c) if the applicant claims to be a South African citizen by descent, be accompanied by such evidence of South African citizenship as the Secretary may deem fit;

(d) be accompanied by such evidence of residence in the Republic of South Africa or South-West Africa as the Secretary may deem fit.

9. The date on which any application for a pension is signed in the presence of an attesting officer, shall be deemed to be the date on which such application was made.

Record of Applications for a Pension

10. The district pension officer shall keep a record of the name and address of each applicant from whom he receives an application for a pension, and of the date on which such application was attested in terms of regulation 5 (1).

Securing Attendance of Witnesses

11. Any subpoena issued under section 7 of the Act shall as far as practicable be in the form of Schedule A.

Persons Not Entitled to a Pension

12. (1) No person shall be entitled to a pension—

(a) if he is in receipt of a pension or a grant in terms of the Social Pensions Ordinance, 1965 (Ordinance 2 of 1965), of South-West Africa, the German War Veterans Pensions Ordinance, 1965 (Ordinance 3 of 1965), of South-West Africa, the Aged Persons Act, 1967 (Act 81 of 1967), the War Veterans' Pensions Act, 1968 (Act 25 of 1968), or the Disability Grants Act, 1968 (Act 27 of 1968);

(b) if an allowance is being paid in respect of him under the Children's Act, 1960 (Act 33 of 1960), or a regulation made under that Act, or if he is being maintained in an institution as defined in section 1 of that Act;

(c) if he is attending a school for the blind which has been declared a subsidized school in terms of the Educational Services Act, 1967 (Act 41 of 1967);

(d) if he is under the age of 21 years and is eligible for admission to a school referred to in subregulation (1) (c), but is not attending such school;

(e) if he refuses on grounds the Secretary deems to be inadequate to submit himself to any medical treatment which may be recommended by a medical practitioner referred to in section 3 of the Act.

(2) The provisions of subregulation (1) (d) shall not apply to any person certified by an educational head, as defined in section 1 of the Educational Services Act, 1967, to be incapable, owing to his physical or mental condition, of taking or completing the prescribed course of study at a school referred to in subregulation (1) (c).

Determination of Amount of Pension

13. (1) In deciding whether a pension shall be granted, cancelled, reduced or increased, or when determining the amount of the pension, the Secretary shall take into account—

(a) the ability and opportunities of an applicant or pensioner to support himself or contribute towards his support through his own efforts; and

(b) the ability of the applicant's or pensioner's spouse to support him or contribute towards his support.

(2) Behoudens die bepalings van die Wet en van hierdie regulasies—

(a) beloop die pensioen wat aan 'n blinde persoon toegeken word die bedrag wat die Sekretaris met inagneming van die omstandighede, jaarlikse inkomste en ander middele van die betrokke blinde persoon en van sy eggenote vasstel: Met dien verstande dat sodanige pensioen—

(i) indien dit ten opsigte van enige tydperk vanaf die eerste dag van Oktober 1968 tot en met die 30ste dag van September 1969 toegeken is, die bedrag van hoogstens R72 per jaar kan beloop;

(ii) indien dit ten opsigte van enige tydperk vanaf die eerste dag van Oktober 1969 tot en met die 31ste dag van Maart 1970 toegeken is, die bedrag van hoogstens R186 per jaar kan beloop; en

(iii) indien dit ten opsigte van 'n tydperk vanaf die eerste dag van April 1970 tot en met die 31ste dag van Maart 1971 toegeken is, die bedrag van hoogstens R198 per jaar kan beloop;

(iv) indien dit ten opsigte van 'n tydperk na die 31ste dag van Maart 1971 toegeken is, 'n bedrag van hoogstens R216 per jaar kan beloop.

(b) word 'n pensioen nie aan 'n blinde persoon toegeken teen so 'n skaal dat sy jaarlikse inkomste en ander middele tesame met die pensioen—

(i) vir die tydperk vanaf die eerste dag van Oktober 1968 tot en met die 30ste dag van September 1969, die bedrag van R168 per jaar te bowe gaan nie;

(ii) vir die tydperk vanaf die eerste dag van Oktober 1969 tot en met die 31ste dag van Maart 1970, die bedrag van R282 per jaar te bowe gaan nie; en

(iii) vir die tydperk vanaf die eerste dag van April 1970 tot en met die 31ste dag van Maart 1971, die bedrag van R294 per jaar te bowe gaan nie;

(iv) vir 'n tydperk na die 31ste dag van Maart 1971 die bedrag van R312 per jaar te bowe gaan nie;

(c) word die bedrag van die pensioen wat aan 'n blinde persoon toegeken word met die bedrag van R6 per jaar verminder vir iedere R6 waarmee die jaarlikse inkomste en ander middele van sodanige persoon die bedrag van R96 te bowe gaan;

(d) word die gesamentlike bates, met inbegrip van enige vruggebruik, van 'n getroude applikant en sy eggenote vir die doeleindes van die bepaling van die applikant se ander middele in aanmerking geneem;

(e) word die gesamentlike inkomste van 'n getroude applikant en sy eggenote geag die inkomste van die applikant te wees.

(3) (a) Indien die jaarlikse persoonlike inkomste van 'n manlike applikant 50 persent van die jaarlikse vergoeding wat sy vrou ontvang vir dienste gelewer, nie te bowe gaan nie, word, benewens die jaarlikse persoonlike inkomste van die applikant, die ander middele van hom en sy eggenote en die helfte van die jaarlikse inkomste van sy eggenote verkry uit ander bronne as vergoeding deur sy eggenote ontvang vir dienste gelewer, slegs een-sesde van enige vergoeding deur sy eggenote ontvang vir dienste gelewer by die oorweging van die applikant se aansoek om 'n pensioen in aanmerking geneem.

(b) Ondanks die bepalings van subregulasie (3) (a), word slegs die helfte van die jaarlikse inkomste ontvang deur 'n applikant vir dienste deur hom persoonlik gelewer by die oorweging van sy aansoek om 'n pensioen in aanmerking geneem.

(c) Behalwe in 'n geval waar die bepalings van subregulasie (3) (a) van toepassing is, word slegs die helfte van 'n getroude applikant se jaarlikse inkomste met inbegrip van enige vergoeding wat ingevolge subregulasie

(2) Subject to the provisions of the Act and of these regulations—

(a) the pension granted to any blind person shall be such amount as the Secretary may determine having regard to the circumstances, annual income and other means of such blind person and of his spouse provided that the pension shall not exceed the amount of—

(i) seventy-two rand per annum if approved for any period from the first day of October 1968 up to and including the 30th day of September 1969;

(ii) one hundred and eighty-six rand per annum if approved for any period from the 1st day of October 1969 up to and including the 31st day of March 1970;

(iii) one hundred and ninety-eight rand per annum if approved for any period from the 1st day of April 1970 up to and including the 31st day of March 1971;

(iv) two hundred and sixteen rand per annum if approved for any period subsequent to the 31st day of March 1971.

(b) no pension shall be granted to any blind person at such a rate as will make his annual income and other means together with the pension exceed the amount of—

(i) one hundred and sixty-eight rand per annum for the period from the 1st day of October 1968 up to and including the 31st day of September 1969;

(ii) two hundred and eighty-two rand per annum for the period from the 1st day of October 1969 up to and including the 31st day of March 1970;

(iii) two hundred and ninety-four rand per annum in respect of the period from the 1st day of April 1970 up to and including the 31st day of March 1971;

(iv) three hundred and twelve rand per annum in respect of any period subsequent to the 31st day of March 1971;

(c) the amount of the pension granted to any blind person shall be reduced by the amount of six rand per annum for every six rand by which the annual income and other means of such person exceeds the amount of R96;

(d) the combined assets, including any usufruct, of a married applicant and his spouse shall be taken into account for the purpose of determining such applicant's other means;

(e) the combined income of a married applicant and his spouse shall be deemed to be the income of such applicant.

(3) (a) If the annual personal income of a male applicant does not exceed 50 per cent of the annual remuneration received by his spouse for services rendered, only one-sixth of any remuneration received by his spouse for services rendered, in addition to the annual personal income of the applicant, the other means of such applicant and his spouse and half of the annual income of his spouse derived from sources other than remuneration received by his spouse for services rendered, shall be taken into account in considering such applicant's application for a pension.

(b) Notwithstanding the provisions of subregulation (3) (a), only half of the annual income received by an applicant for services rendered by him personally shall be taken into account in considering his application for a pension.

(c) Except in a case where the provisions of subregulation (3) (a) apply, only half of a married applicant's annual income, including any remuneration to be

(3) (b) in aanmerking geneem moet word, by die ooreweging van sy aansoek om 'n pensioen in aanmerking geneem.

(d) By die bepaling van 'n applikant se ander middele, word enige bates wat hy of sy eggenote aan iemand anders geskenk het, in aanmerking geneem, maar die bedrag of waarde van sodanige bates word met 'n bedrag, bereken teen die koers van R250 per jaar in die geval van 'n ongetroude applikant en teen R500 per jaar in die geval van 'n getroude applikant, verminder ten opsigte van iedere kalenderjaar wat sedert die datum van die skenking verloop het.

(4) By die toepassing van subregulasies (2) en (3) beteken—

“bates” enige onroerende eiendom, kontantbeleggings, belang in die aandele, aandeelkapitaal of bates van 'n maatskappy of ander instelling, kapitaal in 'n sakeonderneming belê, en kontant voorhande of in 'n lopende rekening by 'n bank of ander finansiële instelling;

“inkomste”—

(a) enige vergoeding, hetsy in kontant of andersins, ontvang vir dienste gelewer, maar nie ook sodanige vergoeding deur 'n persoon na die bereiking van die ouderdom van 70 jaar ontvang nie;

(b) enige winste verkry uit 'n sakeonderneming waarvan 'n applikant of sy eggenote die eienaar is;

(c) enige voordele ingevolge die wetsbepalings of reëls met betrekking tot 'n pensioen- of voorsorgfonds of die een of ander skema ontvang, maar nie ook enige voordele ontvang ingevolge die Wet, die Kinderwet, 1960 (Wet 33 van 1960), die Kinderordonnansie, 1961 (Ordonnansie 31 van 1961) van Suidwes-Afrika, die Ordonnansie op Maatskaplike Pensioene, 1965 (Ordonnansie 2 van 1965) van Suidwes-Afrika, die Duitse Oudstryderspensioenordonnansie, 1965 (Ordonnansie 3 van 1965) van Suidwes-Afrika, die Wet op Werkloosheidsversekering, 1966 (Wet 30 van 1966), die Wet op Bejaarde Persone, 1967 (Wet 81 van 1967), die Wet op Oudstryderspensioene, 1968 (Wet 25 van 1968), die Wet op Ongeskiktheidstoelae, 1968 (Wet 27 van 1968) of ingevolge 'n regulasie kragtens enige van genoemde wette of ordonnansies uitgevaardig nie;

(d) enige winste uit die beoefening van die landbou verkry wat hierby geag word die bedrag van R72 per jaar te beloop mits die applikant die eienaar van die eiendom is;

(e) enige inkomste uit 'n ander bron verkry, maar nie ook huurgelde, rente of diwidende nie;

“ander middele”—

(a) die beraamde jaarlikse opbrengs van die bates en van enige vruggebruik van 'n applikant, soos bepaal deur die bedrag waarmee die onbeswaarde waarde van sodanige bates die bedrag van R1 800 of, in die geval van 'n applikant wat die ouderdom van 70 jaar bereik het, die bedrag van R2 400 te bowe gaan, deur 100 te deel en die resultaat met ses te vermenigvuldig;

(b) die jaarlikse winste verkry uit enige onroerende eiendom deur die applikant of sy eggenote vir landbou-doeleindes gehuur: Met dien verstande dat die minimum jaarlikse inkomste so verkry, as R72 beskou word.

Datum Waarop 'n Pensioen Toeval

14. (1) 'n Pensioen word toegeken met ingang van die datum wat die Sekretaris in iedere geval bepaal.

(2) Ondanks die bepaling van subregulasie (1), word geen pensioen toegeken met ingang van 'n datum wat vroeër is as die eerste dag van die maand waarin daarom aansoek gedoen word nie.

taken into account in terms of subregulation (3) (b), shall be taken into account in considering his application for a pension.

(d) In determining an applicant's other means, any assets donated by him or his spouse to any other person shall be taken into account, but the amount or value of such assets shall be reduced by an amount, calculated at the rate of R250 per annum in the case of an unmarried applicant and at the rate of R500 per annum in the case of a married applicant, in respect of each calendar year which had elapsed since the date of the donation.

(4) For the purposes of subregulations (2) and (3)—

“assets” shall mean any immovable property, cash investments, interest in the shares, share capital or assets of a company or other institution, capital invested in any business concern, and cash in hand or in a current account at any bank or other financial institution;

“income” shall mean—

(a) any remuneration, either in cash or otherwise, received for services rendered, but shall not include such remuneration received by any person after he has attained the age of 70 years;

(b) any profits derived from a business concern of which an applicant or his spouse is the owner;

(c) any benefits received under the statutory provisions or rules relating to any pension or provident fund or any scheme, but shall not include any benefits received under the Act, the Children's Act, 1960 (Act 33 of 1960), the Children's Ordinance, 1961 (Ordinance 31 of 1961) of South-West Africa, the Social Pensions Ordinance, 1965 (Ordinance 2 of 1965) of South-West Africa, the German War Veterans' Pensions Ordinance, 1965 (Ordinance 3 of 1965) of South-West Africa, the Unemployment Insurance Act, 1966 (Act 30 of 1966), the Aged Persons Act, 1967 (Act 81 of 1967), the War Veterans' Pensions Act, 1968 (Act 25 of 1968), the Disability Grants Act, 1968 (Act 27 of 1968), or under any regulation made under any of the said Acts or Ordinances;

(d) any profits derived from the practice of agriculture, which shall hereby be deemed to be the amount of R72 per annum, provided the applicant is the owner of the property;

(e) any income derived from any other source, but shall not include rentals, interest or dividends;

“other means” shall mean—

(a) the estimated annual yield of the assets of an applicant, including any usufruct, as determined by dividing the amount by which the unencumbered value of such assets exceeds the amount of R1 800 or, in the case of an applicant who has attained the age of 70 years, the amount of R2 400, by 100 and by multiplying the result by six;

(b) the annual profits derived by the applicant or his spouse from any immovable property rented for agricultural purposes: Provided that the minimum annual income so derived shall be deemed to be R72.

Date of Which Pension Accrues

14. (1) A pension shall be granted with effect from such date as the Secretary may determine in each case.

(2) Notwithstanding the provisions of subregulation (1), no pension shall be granted with effect from a date earlier than the first day of the month in which such pension is applied for.

Bykomende of Aanvullende Toelaes en Oppasserstoelaes

15. 'n Blinde persoon aan wie 'n pensioen toegeken word, word, benewens sodanige pensioen, 'n bykomende pensioen van R108 per jaar vir die tydperk vanaf die eerste dag van Oktober 1968 tot en met die 30ste dag van September 1969 betaal.

16. Indien 'n persoon aan wie 'n pensioen ingevolge die Wet toegeken is, na die oordeel van die Sekretaris die ouderdom van 90 jaar bereik het of in so 'n liggaamlike of geestestoestand verkeer dat hy gereeld deur iemand anders opgepas moet word en geen subsidie deur die Staat aan enige ouetehuis of ander inrigting ten opsigte van sy huisvesting en versorging betaal word nie, kan die Sekretaris, op die voorwaardes en met ingang van die datum wat hy bepaal, benewens sodanige pensioen, aan sodanige pensioentrekker of aan iemand anders ten behoeve van sodanige pensioentrekker 'n oppasserstoelaes van hoogstens R60 per jaar betaal.

Betaling van Pensioene en Toelaes

17. Pensioene, bykomende of aanvullende toelaes en oppasserstoelaes ingevolge die Wet of hierdie regulasies toegeken, word maandeliks deur die Sekretaris of 'n persoon deur hom aangewys, op die tye en plekke deur die Sekretaris bepaal, betaal.

18. (1) Behoudens die bepalings van subregulasie (2), moet iedere pensioentrekker die pensioen en toelaes aan hom betaalbaar, persoonlik in ontvangs neem en 'n kwitansie onder sy handtekening of merk ten opsigte van die bedrag aldus ontvang, verstrek.

(2) Wanneer 'n pensioentrekker weens liggaamlike ongesteldheid nie in staat is om 'n pensioen of enige toelaes wat ingevolge die Wet of hierdie regulasies aan hom toegeken is, persoonlik in ontvangs te neem nie, kan die Sekretaris of die persoon wat die pensioen of toelaes uitbetaal, by voorlegging aan hom van 'n skriftelike magtiging deur die pensioentrekker, behoorlik in die aanwesigheid van twee getuies onderteken, die pensioen en toelaes vir 'n tydperk van hoogstens drie maande aan 'n persoon in die magtiging vermeld, uitbetaal, mits daardie persoon by iedere betaling van die pensioen en toelaes 'n sertifikaat verstrek ten effekte dat die pensioentrekker ten tye van die betaling in lewe is.

(3) Wanneer 'n pensioentrekker versoek dat enige pensioen en toelaes aan hom toegeken, vir 'n onbepaalde tydperk deur iemand anders ten behoeve van hom in ontvangs geneem moet word, kan die persoon wat die pensioen en toelaes uitbetaal, by voorlegging aan hom van 'n skriftelike magtiging deur die pensioentrekker, behoorlik in die aanwesigheid van twee getuies onderteken en deur die Sekretaris goedgekeur, die pensioen en toelaes aan die persoon in die magtiging vermeld, uitbetaal.

(4) Die bepalings van subregulasie (1) is *mutatis mutandis* van toepassing op 'n persoon aan wie 'n pensioen en toelaes ooreenkomstig 'n magtiging kragtens subregulasie (2) of (3) verleen, uitbetaal word.

Betaling van Pensioene en Toelaes aan Blinde Persone wat in Sekere Inrigtings Onderhou Word of Behandeling Ontvang

19. Indien 'n pensioentrekker te eniger tyd in 'n Staats- of Staatsondersteunde inrigting, behalwe in 'n ouetehuis soos omskryf in artikel 1 van die Wet op Bejaarde Persone, 1967, wat hulptoelaes van die Staat ontvang, onderhou word of behandeling ontvang, word geen pensioen of toelaes ingevolge die Wet of hierdie regulasies aan of ten behoeve van hom vanaf die eerste dag van die maand wat onmiddellik volg op hie maand waarin hy in sodanige Staats- of Staatsondersteunde inrigting

Additional or Supplementary Allowances and Attendant's Allowance

15. Any blind person granted a pension shall be paid in addition to such pension a supplementary pension of R108 per annum for the period from the 1st day of October 1968 up to and including the 30th day of September 1969.

16. If in the opinion of the Secretary any person to whom a pension has been granted under the Act has attained the age of 90 years or is in such a physical or mental condition that he requires the regular attendance of any other person and if no subsidy is paid by the State to any home for the aged or other institution in respect of his accommodation and care the Secretary may, on such conditions and with effect from such date as he may determine, in addition to such pension, grant such pensioner or any other person for the benefit of such pensioner an attendant's allowance not exceeding R60 per annum.

Payment of Pensions and Allowances

17. Pensions, additional or supplementary allowances and attendants' allowances granted under the Act or these regulations shall be paid monthly by the Secretary or any person designated by him at such times and places as the Secretary may determine.

18. (1) Subject to the provisions of subregulation (2) every pensioner shall take receipt in person of the pension and allowances payable to him and furnish a receipt under his signature or mark in respect of the amount so received.

(2) When any pensioner is unable owing to some physical indisposition to take receipt in person of a pension or any allowances granted to him under the Act or these regulations, the Secretary or the person paying out such pension or allowances may on production to him of an authority, in writing, by such pensioner, duly signed in the presence of two witnesses, pay out such pension and allowances for a period not exceeding three months to any person named in such authority, provided that such person shall, whenever payment of such pension and allowances is made, furnish a certificate to the effect that such pensioner is alive at the time of such payment.

(3) When any pensioner requests that some other person shall, for an indefinite period, take receipt on his behalf of any pension and allowances granted to him, the person paying out such pension and allowances may on production to him of an authority, in writing, by such pensioner, duly signed in the presence of two witnesses and approved by the Secretary, pay out such pension and allowances to the person named in such authority.

(4) The provisions of subregulation (1) shall apply *mutatis mutandis* to any person to whom a pension and allowances are paid out in accordance with an authority granted under subregulation (2) or (3).

Payment of Pensions and Allowances to Blind Persons Maintained or Receiving Treatment in Certain Institutions

19. If at any time any pensioner is being maintained or is receiving treatment in a State or State-aided institution other than a home for the aged as defined in section 1 of the Aged Persons Act, 1967, receiving a grant-in-aid from the State, no pension or allowances shall be paid to him or in his behalf under the Act or these regulations from the first day of the month immediately following the month in which he is admitted to such State or

opgeneem word tot die laaste dag van die maand wat die maand waarin hy uit sodanige Staats- of Staats-ondersteunde inrigting ontslaan word, onmiddellik voorafgaan, betaal nie.

Omskepping van Sekere Pensioene en Toelaes in 'n Pensioen vir Blindes

20. (1) Indien 'n persoon wat 'n pensioen ingevolge die Wet op Bejaarde Persone, 1967, of 'n toelae ingevolge die Wet op Ongeskiktheidstoelaes, 1968, ontvang, aan die vereistes vir 'n pensioen vir blindes ingevolge die Wet voldoen, kan sodanige pensioen of toelae, indien dit nie tot nadeel van so 'n persoon sal wees nie, op sy versoek of deur die Sekretaris uit eie beweging in 'n pensioen vir blindes ingevolge die Wet omskep word met ingang van 'n datum wat die Sekretaris bepaal.

(2) Die bepalings van die Wet, uitgesonderd artikel 6, en die bepalings van hierdie regulasies, uitgesonderd regulasies 5 en 14, is *mutatis mutandis* met betrekking tot die omskepping van 'n pensioen ingevolge subregulasie (1) van toepassing.

Verval van Pensioen en Toelaes

21. (1) 'n Pensioen of toelae ingevolge die Wet of hierdie regulasies toegeken, verval—

(a) wanneer 'n pensioentrekker te sterwe kom, en geen sodanige pensioen of toelae is aan die boedel van sodanige pensioentrekker betaalbaar nie;

(b) wanneer 'n pensioentrekker die pensioen vir ses agtereenvolgende maande nie getrek het nie.

(2) Ondanks die bepalings van subregulasie (1)—

(a) kan die Sekretaris die pensioen en toelaes, bereken tot op die laaste dag van die maand waarin die pensioentrekker te sterwe kom, aan enige persoon betaal wat na die oordeel van die Sekretaris koste aangegaan het ten opsigte van die pensioentrekker se lewensonderhoud, versorging of begrafnis;

(b) kan die Sekretaris, indien hy oortuig is dat die versuim om die pensioen en toelaes te trek aan omstandighede buite die pensioentrekker se beheer te wyte was, gelas dat die pensioen en toelaes voortbestaan vanaf die dag waarop dit die laaste keer getrek is of vanaf die ander datum wat hy bepaal.

Intrekking of Verandering van Pensioen

22. (1) Die Sekretaris kan 'n pensioen te eniger tyd hersien, en indien hy oortuig is—

(a) dat 'n pensioen ingetrek, verminder of verhoog behoort te word, kan hy, met behoorlike inagneming van die omstandighede van elke geval—

(i) die pensioen intrek; of

(ii) die pensioen in ooreenstemming met die bepalings van regulasie 13 verminder of verhoog, met ingang van die datum, met inbegrip van 'n datum in die verlede, wat hy bepaal;

(b) dat 'n pensioen wat ingetrek is, herstel behoort te word, kan hy die pensioen in ooreenstemming met die bepalings van regulasie 13 herstel met ingang van die eerste dag van die maand waarin die pensioen volgens sy oordeel aldus herstel behoort te word of moes gewees het.

(2) Indien om verhoging van 'n pensioen aansoek gedoen word en die Sekretaris oortuig is dat die pensioen verhoog behoort te word, kan hy die pensioen in ooreenstemming met die bepalings van regulasie 13 verhoog met ingang van die eerste dag van die maand waarin aansoek gedoen word: Met dien verstande dat indien die aansoek gedoen word binne 'n tydperk van 60 dae vanaf die datum waarop die betrokke pensioentrekker volgens die Sekretaris se oordeel aan die vereistes vir die verhoging voldoen het, die Sekretaris die pensioen kan verhoog met ingang van die eerste dag van die maand waarin die pensioentrekker aldus voldoen het.

State-aided institution, up to the last day of the month immediately preceding the month in which he is discharged from such State or State-aided institution.

Conversion of Certain Pensions and Grants Into a Blind Person's Pension

20. (1) If any person in receipt of a pension under the Aged Persons Act, 1967, or any grant under the Disability Grants Act, 1968, qualifies for a blind person's pension under the Act, such pension or grant may, provided it shall not be to the disadvantage of such person, be converted at his request or by the Secretary of his own accord into a blind person's pension under the Act with effect from such date as the Secretary may determine.

(2) The provisions of the Act, excluding section 6, and the provisions of these regulations, excluding regulations 5 and 14, shall apply *mutatis mutandis* to the conversion of a pension under subregulation (1).

Lapsing of Pension and Allowances

21. (1) Any pension or allowance granted under the Act or these regulations shall lapse—

(a) when a pensioner dies, and no such pension or allowance shall be payable to the estate of such pensioner;

(b) when a pensioner has not drawn such pension for six consecutive months.

(2) Notwithstanding the provisions of subregulation (1)—

(a) the Secretary may pay such pension and allowances, calculated up to the last day of the month in which such pensioner dies, to any person who has in the opinion of the Secretary incurred any expenses on such pensioner's maintenance, care or funeral;

(b) the Secretary may, if he is satisfied that the failure to draw such pension and allowances was due to circumstances over which such pensioner had no control, direct that such pension and allowances shall continue from the date on which they were last drawn or from such other date as he may determine.

Cancellation or Variation of Pension

22. (1) The Secretary may at any time review a pension, and if he is satisfied—

(a) that a pension should be cancelled, reduced or increased, he may with due regard to the circumstances of each case—

(i) cancel such pension; or

(ii) reduce or increase such pension in conformity with the provisions of regulation 13, with effect from such date, including any date in the past, as he may determine;

(b) that a pension which has been cancelled should be restored, he may restore such pension in conformity with the provisions of regulation 13 with effect from the first day of the month in which such pension should, in his opinion, be restored or have been so restored.

(2) If application is made for the increase of a pension and the Secretary is satisfied that such pension should be increased, he may increase such pension in conformity with the provisions of regulation 13 with effect from the first day of the month in which such application is made: Provided that, if such application is made within a period of 60 days of the date on which, in the opinion of the Secretary, the pensioner concerned became qualified to receive such increase, the Secretary may increase such pension with effect from the first day of the month in which the pensioner became so qualified.

Appel na die Minister

23. (1) 'n Persoon wat ingevolge artikel 10 van die Wet teen 'n beslissing of handeling van die Sekretaris appelleer, moet, binne 'n tydperk van 90 dae vanaf die datum waarop die beslissing gegee of die handeling plaasgevind het, 'n skriftelike kennisgewing van sodanige appel by die Sekretaris indien.

(2) Sodanige kennisgewing moet die gronde waarop teen die betrokke beslissing of handeling geappelleer word, volledig uiteensit.

(3) Die Sekretaris moet die kennisgewing en al die stukke waarop dit betrekking het, tesame met sodanige opmerkings as wat hy wens te maak, binne 'n tydperk van 14 dae na ontvangs van die kennisgewing deur hom aan die Minister voorleë.

Skenking van Bydraes

24. (1) 'n Aansoek om 'n bydrae ingevolge artikel 2 (1) (b) van die Wet ten opsigte van die onderhoud van 'n tehuis moet—

(a) die doel waarvoor die bydrae verlang word, vermeld;

(b) besonderhede verstrek van die fasiliteite wat daar vir die akkommodasie van blindes in die betrokke gebied bestaan;

(c) die getal blindes vermeld aan wie die tehuis akkommodasie verskaf of voornemens is om te verskaf;

(d) vergesel gaan van 'n staat van die tehuis se bates en laste en van sy inkomste en uitgawes gedurende die onmiddellik voorafgaande boekjaar;

(e) vergesel gaan van 'n staat van die beraamde inkomste en uitgawes van die tehuis vir die boekjaar ten opsigte waarvan die bydrae aangevra word.

(2) 'n Welsynsorganisasie wat om 'n bydrae ingevolge artikel 2 (1) (d) van die Wet aansoek doen, moet volledige besonderhede verstrek van die bydrae wat hy maak ten opsigte van die losies en huisvesting van die persone in daardie artikel vermeld.

(3) 'n Aansoek ingevolge subregulasie (1) of (2) moet by die liggaam wat bekend staan as die Nasionale Raad vir Blindes ingedien word wat dit, tesame met sy opmerkings daaroor, aan die Sekretaris moet stuur.

(4) Geen bydrae word—

(a) ingevolge artikel 2 (1) (b) van die Wet geskenk wat 50 persent van die verskil tussen die inkomste en uitgawes van 'n tehuis gedurende die betrokke boekjaar te bowe gaan nie of wat 50 persent van die uitgawes gedurende die betrokke boekjaar ten opsigte van die instandhouding van die terrein van 'n tehuis aangegaan, te bowe gaan nie: Met dien verstande dat enige bydrae wat ten opsigte van die instandhouding van sodanige terrein geskenk word, die bedrag van R50 per jaar nie te bowe mag gaan nie;

(b) ingevolge artikel 2 (1) (d) van die Wet geskenk wat 50 persent van die bydrae wat gedurende die betrokke maand deur 'n welsynsorganisasie in subregulasie (2) vermeld ten opsigte van blindes se losies en huisvesting gemaak is, te bowe gaan nie: Met dien verstande dat geen bydrae ingevolge genoemde artikel geskenk, die bedrag van twee rand en vyftig sent (R2,50) per maand per blinde persoon te bowe mag gaan nie.

BYLAE A**DAGVAARDING KRAGTENS ARTIKEL 7 VAN WET 26 VAN 1968**

Dagvaarding om te verskyn voor _____

Aan A.B. _____

U word hierby gedagvaar om persoonlik op die _____ dag van _____ 19____ om _____ uur voor

te verskyn om getuïenis af te lê aangaande _____

Appeal to the Minister

23. (1) Any person who, in terms of section 10 of the Act appeals against any decision or action by the Secretary, shall give notice of such appeal to the Secretary in writing within a period of 90 days of the date of such decision or such action.

(2) Such notice shall state fully the grounds of appeal against such decision or action.

(3) The Secretary shall submit such notice and all the documents to which it relates, together with such comments as he may wish to make, to the Minister within a period of 14 days of his receipt of such notice.

Making of Contributions

24. (1) Any application for a contribution in terms of section 2 (1) (b) of the Act in respect of the maintenance of a home shall—

(a) state the purpose for which the contribution is desired;

(b) furnish particulars of any facilities already provided for the accommodation of blind persons in the area concerned;

(c) state the number of blind persons for whom the home provides or proposes to provide accommodation;

(d) be accompanied by a statement of the home's assets and liabilities and of its revenue and expenditure during the immediately preceding financial year;

(e) be accompanied by a statement of the estimated revenue and expenditure of the home for the financial year in respect of which the contribution is applied for.

(2) Any welfare organization applying for a contribution in terms of section 2 (1) (d) of the Act shall furnish full particulars of the contribution it is making towards the board and lodging of persons referred to in that section.

(3) Any application under subregulation (1) or (2) shall be submitted to the body known as the National Council for the Blind, which shall forward such application together with its comments to the Secretary.

(4) No contribution—

(a) shall be made in terms of section 2 (1) (b) of the Act in excess of 50 per cent of the difference between the revenue and expenditure of a home during the financial year concerned or in excess of 50 per cent of the expenditure during the financial year concerned on the maintenance of the grounds of a home: Provided that any contribution made towards the maintenance of such grounds shall not exceed the amount of R50 per annum;

(b) shall be made in terms of section 2 (1) (d) of the Act in excess of 50 per cent of the contribution made in the month concerned towards the board and lodging of blind persons by the welfare organization referred to in subregulation (2): Provided that no contribution made under the said section shall exceed the amount of two rand fifty cents (R2,50) per month per blind person.

SCHEDULE A**SUBPOENA UNDER SECTION 7 OF ACT 26 OF 1968**

Subpoena to appear before _____

To A.B. _____

You are hereby summoned to appear in person on the _____ day of _____ 19____ at _____

o'clock, before _____ to give evidence respecting _____

..... en *die volgende boeke, aantekeninge of
dokumente met u saam te bring en aan genoemde.....
..... voor te lê.

and to bring with you the following *books, records or documents
and to produce them to the said.....

Gegee onder my hand op hierdie _____ dag van
19____

Given under my hand this _____ day of _____ 19____

1. The first part of the document is a header section containing the title "THE FIRST PART OF THE DOCUMENT IS A HEADER SECTION CONTAINING THE TITLE" and the subtitle "THE FIRST PART OF THE DOCUMENT IS A HEADER SECTION CONTAINING THE TITLE".

2. The second part of the document is a body section containing the main text "THE SECOND PART OF THE DOCUMENT IS A BODY SECTION CONTAINING THE MAIN TEXT".

3. The third part of the document is a footer section containing the page number "THE THIRD PART OF THE DOCUMENT IS A FOOTER SECTION CONTAINING THE PAGE NUMBER".

[illegible]

* Indien die gedagvaarde 'n boek, aantekeninge of dokument moet voorlê, vul in beskrywing daarvan; so nie, moet hierdie woorde geskrap word.

† Meld ampstitel van uitreikingsbeampte.

* If the person summoned is required to produce any book, record or document, fill in a description thereof; otherwise strike out these words.

† Specify designation of issuing officer.

No. R. 387

17 Maart 1972

ONGESKIKTHEIDSTOELAEREGULASIES

Ek, Theodor Johannes Adolf Gerdener, Minister van Binnelandse Sake, handelende kragtens die bevoegdheid my verleen by artikel 15 van die Wet op Ongeskiktheids-toelaes, 1968 (Wet 27 van 1968)—

- (i) vaardig hierby onderstaande regulasies ten opsigte van Sjinese uit;
(ii) bepaal dat genoemde regulasies geag word op 1 Oktober 1968 in werking te getree het.

T. J. A. GERDENER, Minister van Binnelandse Sake.

REGULASIES

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

- (i) "applikant" 'n persoon wat op 'n ongeskiktheids-toelae aanspraak maak;
 - (ii) "attesterende beamppte" 'n beamppte in die diens van die Departement van Binnelandse Sake, van Volkswelsyn en Pensioene of van Justisie, 'n posmeester of 'n lid van 'n polisiemag wat by wet ingestel is;
 - (iii) "die Wet" die Wet op Ongeskiktheidstoelaes, 1968 (Wet 27 van 1968);
 - (iv) "Minister" die Minister van Binnelandse Sake;
 - (v) "Sekretaris" die Sekretaris van Binnelandse Sake;
- en het 'n woord waaraan in die Wet 'n betekenis geheg is, daardie betekenis.

Aansoek om 'n Ongeskiktheidstoelae

2. (1) (a) Behoudens die bepalings van subregulasie (2), moet 'n aansoek om 'n ongeskiktheidstoelae, nadat die applikant verklaar het dat die inligting daarin verstrek na sy beste wete en oortuiging waar en juis is, deur hom voor 'n attesterende beaampte onderteken en by die distrikspensioenbeaampte vir die gebied waarin die applikant permanent woonagtig is, ingedien word.

(b) Die attesterende beamppte voor wie 'n aansoek aldus onderteken word, moet op die aansoek sertifiseer dat hy die inligting in die aansoek vvat, aan die applikant verduidelik het en dat die verklaring in subregulasie (1) (a) vermeld, deur die applikant voor hom gedoen en onderteken is.

(2) (a) Indien 'n distrikspensioenbeampte van oordeel is dat 'n applikant of 'n persoon namens wie op 'n ongeskiktheidstoelae aanspraak gemaak word, weens 'n liggaamlike of geestesgebrek nie in staat is om aan die bepalings van subregulasie (1) (a) te voldoen nie, kan hy na goëddunke 'n ander persoon toelaat om namens

B-72625

No. R. 387

17 March 1972

DISABILITY GRANTS REGULATIONS

I, Theodor Johannes Adolf Gardener, Minister of the Interior, under and by virtue of the powers vested in me by section 15 of the Disability Grants Act, 1968 (Act 27 of 1968), hereby—

- (i) make the following regulations in respect of Chinese persons; and
- (ii) determine that the said regulations shall be deemed to have come into operation on 1 October 1968.

T. J. A. GERDENER, Minister of the Interior.

REGULATIONS

Definitions

1. In these regulations, unless the context otherwise indicates—

- (i) "applicant" means any person claiming a disability grant;
- (ii) "attesting officer" means any officer in the service of the Department of the Interior, of Social Welfare and Pensions or of Justice, any postmaster or any member of any statutory police force;
- (iii) "the Act" means the Disability Grants Act, 1968 (Act 27 of 1968);
- (iv) "Minister" means the Minister of the Interior;
- (v) "Secretary" means the Secretary for the Interior;
- and any word to which a meaning has been assigned in the Act, shall bear that meaning.

Application for a Disability Grant

2. (1) (a) Subject to the provisions of subregulation (2), any application for a disability grant shall, after the applicant has declared the information furnished therein to be true and correct to the best of his knowledge and belief, be signed by him in the presence of an attesting officer and submitted to the District pension officer for the area in which the applicant is permanently resident.

(b) The attesting officer in whose presence an application is so signed, shall certify on such application that he has explained the information contained therein to the applicant and that the declaration referred to in sub-regulation (1) (a) was made and signed in his presence by such applicant.

(2) (a) If a district pension officer is of the opinion that any applicant or any person on whose behalf a disability grant is claimed, is, owing to some physical or mental defect, unable to comply with the provisions of subregulation (1) (a), he may at his discretion permit any

sodanige applikant of persoon aansoek om die ongeskiktheidstoelae te doen, en dan is die bepalinge van subregulasie (1) *mutatis mutandis* ten opsigte van sodanige ander persoon van toepassing.

(b) Wanneer 'n distrikspensioenbeampte 'n persoon toelaat om namens 'n ander persoon aansoek om 'n ongeskiktheidstoelae te doen, moet hy op die aansoek sertifiseer dat hy die persoon in die sertifikaat vermeld, magtig om namens die applikant aansoek om 'n ongeskiktheidstoelae te doen.

3. 'n Aansoek om 'n ongeskiktheidstoelae moet volledige besonderhede en inligting bevat van die applikant en sy eggenote se inkomste en bates en, indien hy of sy eggenote enige onroerende eiendom besit, van enige verband wat teen die titelbewys van sodanige eiendom geregistreer is.

4. Wanneer sowel 'n man as sy vrou om 'n ongeskiktheidstoelae aansoek doen, moet 'n afsonderlike aansoek ten opsigte van elkeen van hulle ingedien word.

5. 'n Aansoek om 'n ongeskiktheidstoelae moet—

(a) vergesel gaan van die applikant se geboortesertifikaat of doopseel of, indien die applikant nie in staat is om 'n geboortesertifikaat of doopseel voor te lê nie, van die ander dokumentêre bewys van die applikant se geboortedatum of ouderdom wat die Sekretaris goedvind of van 'n sertifikaat deur 'n distrikspensioenbeampte ten effekte dat hy na ondersoek, deur hom persoonlik ingestel, oortuig is dat die applikant op 'n datum in die sertifikaat vermeld, gebore is of die aldus vermelde ouderdom bereik het;

(b) vergesel gaan van die geneeskundige sertifikaat in regulasie 8 bedoel;

(c) indien die applikant daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger deur registrasie of naturalisasie is, vergesel gaan van die sertifikaat van registrasie of naturalisasie as Suid-Afrikaanse burger, na gelang van die geval, of indien hy nie in staat is om sodanige sertifikaat voor te lê nie, van die ander bewys van registrasie of naturalisasie as Suid-Afrikaanse burger wat die Sekretaris goedvind;

(d) indien die applikant daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger deur afkoms is, vergesel gaan van die bewys van Suid-Afrikaanse burgerskap wat die Sekretaris goedvind;

(e) vergesel gaan van die bewys van verblyf in die Republiek van Suid-Afrika of Suidwes-Afrika wat die Sekretaris goedvind.

6. Die datum waarop 'n aansoek om 'n ongeskiktheidstoelae voor 'n attesterende beampte onderteken word, word geag die datum te wees waarop die aansoek gedoen is.

Rekord van Aansoeke om Ongeskiktheidstoelae

7. Die distrikspensioenbeampte moet aantekening hou van die naam en adres van iedere applikant van wie hy 'n aansoek om 'n ongeskiktheidstoelae ontvang en van die datum waarop die aansoek ingevolge regulasie 2 (1) geattesteer is.

Geneeskundige Verslag oor 'n Applikant vir 'n Ongeskiktheidstoelae

8. (a) 'n Applikant moet hom op versoek van die Sekretaris of 'n distrikspensioenbeampte aan geneeskundige ondersoek deur 'n distriksgeneesheer onderwerp.

(b) Die distriksgeneesheer wat 'n applikant op versoek van die Sekretaris of 'n distrikspensioenbeampte geneeskundig ondersoek, moet die Sekretaris of daardie distrikspensioenbeampte, na gelang van die geval, van 'n verslag op die toepaslike vorm voorsien.

other person he shall certify on the application that he of such applicant or person, in which case the provisions of subregulation (1) shall apply *mutatis mutandis* to such other person.

(b) Whenever a district pension officer permits any person to apply for a disability grant on behalf of any other person he shall certify on the application that he authorises the person named in the certificate to apply for a disability grant on behalf of the applicant.

3. Any application for a disability grant shall contain full particulars of and information on the income and assets of the applicant and his spouse and, if he or his spouse owns any immovable property, any mortgage bond registered against the title deed of such property.

4. When both a man and his wife apply for a disability grant a separate application shall be submitted in respect of each of them.

5. Any application for a disability grant shall—

(a) be accompanied by the applicant's birth or baptismal certificate or, if such applicant is unable to produce a birth or baptismal certificate, by such other documentary evidence of such applicant's date of birth or age as the Secretary may deem fit or by a certificate by a district pension officer to the effect that after an enquiry made by him personally he is satisfied that such applicant was born on a date mentioned in such certificate or has attained the age so mentioned;

(b) be accompanied by the medical certificate referred to in regulation 8;

(c) if the applicant claims to be a South African citizen by registration or naturalization, be accompanied by the certificate of registration or naturalization as the case may be, as a South African citizen, or if he is unable to produce such certificate, by such other evidence of registration or naturalization as a South African citizen as the Secretary may deem fit;

(d) if the applicant claims to be a South African citizen by descent, be accompanied by such evidence of South African citizenship as the Secretary may deem fit;

(e) be accompanied by such evidence of residence in the Republic of South Africa or South-West Africa as the Secretary may deem fit.

6. The date on which any application for a disability grant is signed in the presence of an attesting officer shall be deemed to be the date on which such application was made.

Record of Applications for a Disability Grant

7. The District pension officer shall keep a record of the name and address of each applicant from whom he receives an application for a disability grant, and of the date on which such application was attested in terms of regulation 2 (1).

Medical Report on an Applicant for a Disability Grant

8. (a) At the request of the Secretary or a district pension officer an applicant shall submit himself to a medical examination by a district surgeon.

(b) The district surgeon who medically examines an applicant at the request of the Secretary or a district pension officer shall furnish the Secretary or such district pension officer, as the case may be, with a report on the proper form.

Verkryging van die Aanwesigheid van Getuies

9. 'n Dagvaarding wat ingevolge artikel 5 van die Wet uitgereik word, moet sover doenlik in die vorm van Bylae A wees.

Persone Wat Nie vir 'n Ongeskiktheidstoelae in Aanmerking Kom Nie

10. (1) Niemand kom vir 'n ongeskiktheidstoelae in aanmerking nie—

(a) indien hy 'n pensioen ontvang kragtens die Ordonnansie op Maatskaplike Pensioene, 1965 (Ordonnansie 2 van 1965) van Suidwes-Afrika, die Duitse Oudstryderspensioenordonnansie, 1965 (Ordonnansie 3 van 1965) van Suidwes-Afrika, die Wet op Bejaarde Persone, 1967 (Wet 81 van 1967), die Wet op Oudstryderspensioene, 1968 (Wet 25 van 1968), of die Wet op Blindes, 1968 (Wet 26 van 1968);

(b) indien 'n toelae kragtens die Kinderwet, 1960 (Wet 33 van 1960) of 'n daarkragtens uitgevaardigde regulasie ten opsigte van hom betaal word of hy in 'n inrigting soos omskryf in artikel 1 van daardie Wet onderhou word;

(c) indien hy volgens wet verplig is om 'n skool by te woon;

(d) indien sy 'n getroude vrou is wat na die oordeel van die Sekretaris behoorlik deur haar man, as hy nie 'n pensioentrekker is nie, onderhou word, hetsy sy gewoonlik met hom saamwoon al dan nie;

(e) indien hy op gronde wat die Sekretaris onvoldoende ag, weier om hom te onderwerp aan geneeskundige ondersoek ten einde die mate van sy beweerde ongeskiktheid vas te stel, of behandeling wat 'n distriktgeneesheer nodig ag;

(f) indien hy, hoewel hy aan 'n liggaamlike of geestesswakheid ly, na die oordeel van die Sekretaris nogtans in staat is om die een of ander werk te onderneem en weier om versuim om hom op versoek van die Sekretaris of die distriktspensioenbeampies by 'n arbeidsburo te laat registreer en vir 'n tydperk van minstens drie maande met daardie arbeidsburo in verbinding te bly of, om redes wat die Sekretaris onvoldoende ag, weier om werk te aanvaar wat binne sy vermoë is en by sy omstandighede pas en waaruit hy die middele kan verkry wat nodig is om behoorlik in sy eie onderhoud te voorsien;

(g) indien sy ouers, as hy nie getroud is en nie die ouderdom van 21 jaar bereik het nie, oor die vermoë beskik om hom te onderhou of tot sy onderhoud by te dra.

(2) By die toepassing van subregulasie (1) beteken—

(a) "pensioentrekker" 'n persoon wat 'n pensioen in subregulasie (1) (a) vermeld, of 'n ongeskiktheidstoelae ingevolge die Wet ontvang;

(b) word 'n weiering om geneeskundige behandeling te ondergaan wat lewensgevaarlik is of mag wees, nie geag op onvoldoende gronde te berus nie.

Vasstelling van Bedrag van Ongeskiktheidstoelae

11. (1) By 'n beslissing oor die vraag of 'n ongeskiktheidstoelae toegeken, ingetrek, verminder of verhoog moet word of oor die bedrag van 'n toelae, hou die Sekretaris rekening met—

(a) die vermoë en geleenthede van 'n applikant of begiftigde om deur eie inspanning homself te onderhou of tot sy onderhoud by te dra; en

(b) die vermoë van die applikant of begiftigde se gade om hom te onderhou of tot sy onderhoud by te dra.

Securing Attendance of Witnesses

9. Any subpoena issued under section 5 of the Act shall as far as practicable be in the form of Schedule A.

Persons not Eligible for a Disability Grant

10. (1) No person shall be eligible for a disability grant—

(a) if he is in receipt of a pension under the Social Pensions Ordinance, 1965 (Ordinance 2 of 1965) of South-West Africa, the German War Veterans' Pensions Ordinance, 1965 (Ordinance 3 of 1965) of South-West Africa, the Aged Persons Act, 1967 (Act 81 of 1967), the War Veterans' Pensions Act, 1968 (Act 25 of 1968), or the Blind Persons Act, 1968 (Act 26 of 1968);

(b) if an allowance is being paid in respect of him under the Children's Act, 1960 (Act 33 of 1960) or a regulation made thereunder, or if he is being maintained in an institution as defined in section 1 of that Act;

(c) if he is compelled by law to attend school;

(d) in the case of a married woman, if she is in the opinion of the Secretary properly supported by her husband, if he is not a pensioner, whether or not she usually lives with him;

(e) if on grounds deemed by the Secretary to be inadequate he refuses to submit himself to medical examination with a view to determining the degree of his alleged disability or to treatment deemed necessary by a district surgeon;

(f) if, although he suffers from some physical or mental infirmity, he is nevertheless in the opinion of the Secretary capable of doing some work and refuses or neglects to register himself at a labour bureau and to remain in communication with such labour bureau for a period of not less than three months, if so requested by the Secretary or the district pension officer, or for reasons regarded by the Secretary as inadequate refuses to accept employment within his capacity and suitable to his circumstances from which he could obtain the means to support himself properly;

(g) if his parents, if he is unmarried and has not yet attained the age of 21 years, are in a position to support him or to contribute towards his support.

(2) For the purpose of subregulation (1)—

(a) "pensioner" means any person in receipt of a pension referred to in subregulation (1) (a) or a disability grant under the Act;

(b) refusal to undergo medical treatment which is dangerous to life or which may endanger life shall not be deemed to be refusal on inadequate grounds.

Determination of Amount of Disability Grant

11. (1) In deciding whether a disability grant shall be made, cancelled, reduced or increased, or when determining the amount of the grant, the Secretary shall take into account—

(a) the ability and opportunities of an applicant or grantee to support himself or contribute towards his support through his own efforts; and

(b) the ability of the applicant's or grantee's spouse to support him or contribute towards his support.

2. Behoudens die bepalings van die Wet en van hierdie regulasies—

(a) beloop die ongeskiktheidstoelae wat aan 'n persoon toegeken word die bedrag wat die Sekretaris met inagneming van die omstandighede, jaarlikse inkomste en ander middele van die applikant en van sy eggenote vasstel: Met dien verstande dat sodanige toelae—

(i) indien dit ten opsigte van enige tydperk vanaf die eerste dag van Oktober 1968 tot en met die 30ste dag van September 1969 toegeken is, die bedrag van hoogstens R72 per jaar kan beloop;

(ii) indien dit ten opsigte van enige tydperk vanaf die eerste dag van Oktober 1969 tot en met die 31ste dag van Maart 1970 toegeken is, die bedrag van hoogstens R186 per jaar kan beloop;

(iii) indien dit ten opsigte van 'n tydperk vanaf die eerste dag van April 1970 tot en met die 31ste dag van Maart 1971 toegeken is, die bedrag van hoogstens R198 per jaar kan beloop;

(iv) indien dit ten opsigte van 'n tydperk na die 31ste dag van Maart 1971 toegeken is, 'n bedrag van hoogstens R216 per jaar kan beloop.

(b) word 'n ongeskiktheidstoelae nie aan 'n persoon toegeken teen so 'n skaal dat sy jaarlikse inkomste en ander middele tesame met die toelae—

(i) vir enige tydperk vanaf die eerste dag van Oktober 1968 tot en met die 30ste dag van September 1969, die bedrag van R168 per jaar te bowe gaan nie;

(ii) vir enige tydperk vanaf die eerste dag van Oktober 1969 tot en met die 31ste dag van Maart 1970, die bedrag van R282 per jaar te bowe gaan nie; en

(iii) vir enige tydperk vanaf die eerste dag van April 1970 tot en met die 31ste dag van Maart 1971, die bedrag van R294 per jaar te bowe gaan nie;

(iv) vir 'n tydperk na die 31ste dag van Maart 1971, die bedrag van R312 per jaar te bowe gaan nie;

(c) word die bedrag van die ongeskiktheidstoelae wat aan 'n persoon toegeken word met die bedrag van ses rand per jaar verminder vir iedere ses rand waarmee die jaarlikse inkomste en ander middele van sodanige persoon die bedrag van R96 te bowe gaan;

(d) word die gesamentlike bates, met inbegrip van enige vruggebruik, van 'n getroude applikant en sy eggenote vir die doeleindes van die bepaling van die applikant se ander middele in aanmerking geneem;

(e) word die gesamentlike inkomste van 'n getroude applikant en sy eggenote geag die inkomste van die applikant te wees.

(3) (a) Indien die jaarlikse persoonlike inkomste van 'n manlike applikant 50 persent van die jaarlikse vergoeding wat sy eggenote ontvang vir dienste gelewer nie te bowe gaan nie, word, benewens die jaarlikse persoonlike inkomste van die applikant, die ander middele van hom en sy eggenote en die helfte van die jaarlikse inkomste van sy eggenote verkry uit ander bronne as vergoeding (deur sy eggenote ontvang) vir dienste gelewer, slegs een-sesde van enige vergoeding deur sy eggenote ontvang vir dienste gelewer by die oorweging van die applikant se aansoek om 'n ongeskiktheidstoelae in aanmerking geneem.

(b) Behalwe in 'n geval waar die bepalings van subregulasie (3) (a) van toepassing is, word slegs die helfte van 'n getroude applikant se jaarlikse inkomste by die oorweging van sy aansoek om 'n ongeskiktheidstoelae ingevolge artikel 4 (3) van die Wet in aanmerking geneem.

(c) By die bepaling van 'n applikant se ander middele, word enige bates wat hy of sy eggenote aan iemand anders geskenk het, in aanmerking geneem, maar die bedrag of waarde van sodanige bates word met 'n bedrag, bereken teen die koers van R250 per jaar in die geval

(2) Subject to the provisions of the Act and of these regulations—

(a) the disability grant granted to any person shall be such an amount as the Secretary may determine having regard to the circumstances, annual income and other means of the applicant and of his spouse: Provided that such disability grant shall not exceed the sum of—

(i) seventy-two rand per annum if approved for any period from the first day of October 1968 up to and including the 30th day of September 1969;

(ii) one hundred and eighty-six rand per annum, if approved for any period from the first day of October 1969 up to and including the 31st day of March 1970;

(iii) one hundred and ninety-eight rand per annum if approved for any period from the first day of April 1970 up to and including the 31st day of March 1971;

(iv) two hundred and sixteen rand per annum if approved for any period subsequent to the 31st day of March 1971.

(b) no disability grant shall be granted to any person at such a rate as will make his annual income and other means together with the grant exceed the amount of—

(i) one hundred and sixty-eight rand per annum in respect of any period from the first day of October 1968 up to and including the 30th day of September 1969;

(ii) two hundred and eighty-two rand per annum in respect of any period from the first day of October 1969 up to and including the 31st day of March 1970;

(iii) two hundred and ninety-four rand per annum in respect of any period from the first day of April 1970 up to and including the 31st day of March 1971;

(iv) three hundred and twelve rand per annum in respect of any period subsequent to the 31st day of March 1971;

(c) the amount of the disability grant granted to any person shall be reduced by the amount of six rand per annum for every six rand by which the annual income and other means of such person exceed the amount of R96;

(d) the combined assets, including any usufruct, of a married applicant and his spouse shall be taken into account for the purpose of determining such applicant's other means;

(e) the combined income of a married applicant and his spouse shall be deemed to be the income of such applicant.

(3) (a) If the annual personal income of a male applicant does not exceed 50 per cent of the annual remuneration received by his spouse for services rendered, only one-sixth of any remuneration received by his spouse for services rendered, in addition to the annual personal income of the applicant, the other means of such applicant and his spouse and half of the annual income of his spouse derived from sources other than remuneration received by his spouse for services rendered, shall be taken into account in considering such applicant's application for a disability grant.

(b) Except in a case where the provisions of subregulation (3) (a) apply, only, half of a married applicant's annual income shall be taken into account considering his application for a disability grant under section 4 (3) of the Act.

(c) In determining an applicant's other means any assets donated by him or his spouse to any other person shall be taken into account, but the amount or value of such assets shall be reduced by an amount, calculated at the rate of R250 per annum in the case of an unmarried

van 'n ongetroude applikant en teen R500 per jaar in die geval van 'n getroude applikant, verminder ten opsigte van iedere kalenderjaar wat sedert die datum van die skenking verloop het.

(4) By die toepassing van subregulasies (2) en (3) beteken—

“bates” enige onroerende eiendom, kontantbeleggings, belang in die aandele, aandeelkapitaal of bates van 'n maatskappy of ander instelling, kapitaal in 'n sakeonderneming belê, en kontant voorhande of in 'n lopende rekening by 'n bank of ander finansiële instelling;

“inkomste”—

(a) enige vergoeding, hetsy in kontant of andersins, ontvang vir dienste gelewer;

(b) enige winste verkry uit 'n sakeonderneming waarvan 'n applikant of sy eggenote die eienaar is;

(c) enige voordele ingevolge die wetsbepalings of reëls met betrekking tot 'n pensioen- of voorsorgfonds of die een of ander skema ontvang, maar nie ook enige voordele ontvang ingevolge die Wet, die Kinderwet, 1960 (Wet 33 van 1960), die Kinderordonnansie, 1961 (Ordonnansie 31 van 1961) van Suidwes-Afrika, die Ordonnansie op Maatskaplike Pensioene, 1965 (Ordonnansie 2 van 1965) van Suidwes-Afrika, die Duitse Oudstryderspensioenordonnansie, 1965 (Ordonnansie 3 van 1965) van Suidwes-Afrika, die Wet op Werkloosheidversekering, 1966 (Wet 30 van 1966), die Wet op Bejaarde Persone, 1967 (Wet 81 van 1967), die Wet op Oudstryderspensioene, 1968 (Wet 25 van 1968), die Wet op Blindes, 1968 (Wet 26 van 1968), of ingevolge 'n regulasie kragtens enige van genoemde wette of ordonnansies uitgevaardig nie;

(d) enige winste uit die beoefening van die landbou verkry wat hierby geag word die bedrag van R72 per jaar te beloop, mits die applikant die eienaar van die eiendom is;

(e) enige inkomste uit 'n ander bron verkry, maar nie ook huurgelde, rente of diwidende nie;

“ander middele”—

(a) die beraamde jaarlikse opbrengs van die bates en van enige vruggebruik van 'n applikant soos bepaal deur die bedrag waarmee die onbeswaarde waarde van sodanige bates die bedrag van R1 800 te bowe gaan deur 100 te deel en die resultaat met ses te vermenigvuldig;

(b) die jaarlikse winste verkry uit enige onroerende eiendom deur die applikant of sy eggenote vir landbou-doeleindes gehuur: Met dien verstande dat die minimum jaarlikse inkomste aldus verkry, as R72 beskou word.

Datum Waarop 'n Ongeskiktheidstoelae Toeval

12. (1) 'n Ongeskiktheidstoelae word toegeken met ingang van die datum wat die Sekretaris in iedere geval bepaal.

(2) Ondanks die bepaling van subregulasie (1) word geen ongeskiktheidstoelae toegeken met ingang van 'n datum wat vroeër is as die eerste dag van die maand waarin daarom aansoek gedoen word nie.

Bykomende of Aanvullende Toelaes

13. 'n Persoon aan wie 'n ongeskiktheidstoelae toegeken word, word, benewens sodanige ongeskiktheidstoelae, 'n bykomende toelae van R108 per jaar vir die tydperk 1 Oktober 1968 tot en met 30 September 1969 betaal.

Oppasserstoelae

14. Indien 'n persoon aan wie 'n ongeskiktheidstoelae ingevolge die Wet toegeken is, na die oordeel van die Sekretaris in so 'n liggaamlike of geestestoestand verkeer dat hy gereeld deur iemand anders opgepas moet word, en geen subsidie deur die Staat aan enige ouerhuis of ander inrigting ten opsigte van sy huisvesting en versorging betaal word nie, kan die Sekretaris, op die voorwaardes

applicant and at the rate of R500 per annum in the case of a married applicant, in respect of each calendar year which has elapsed since the date of the donation.

(4) For the purposes of subregulations (2) and (3)—

“assets” shall mean any immovable property, cash investments, interest in the shares, share capital or assets of a company or other institution, capital invested in any business concern, and cash in hand or in a current account at any bank or other financial institution;

“income” shall mean—

(a) any remuneration, either in cash or otherwise, received for services rendered;

(b) any profits derived from a business concern of which an applicant or his spouse is the owner;

(c) any benefits received under the statutory provisions or rules relating to any pension or provident fund or any scheme, but shall not include any benefits received under the Act, the Children's Act, 1960 (Act 33 of 1960), the Children's Ordinance, 1961 (Ordinance 31 of 1961) of South-West Africa, the Social Pensions Ordinance, 1965 (Ordinance 2 of 1965) of South-West Africa, the German War Veterans' Pensions Ordinance, 1965 (Ordinance 3 of 1965) of South-West Africa, the Unemployment Insurance Act, 1966 (Act 30 of 1966), the Aged Persons Act, 1967 (Act 81 of 1967), the War Veterans' Pensions Act, 1968 (Act 25 of 1968), the Blind Persons Act, 1968 (Act 26 of 1968), or under any regulation made under any of the said Acts or Ordinances;

(d) any profits derived from the practice of agriculture, which shall hereby be deemed to be the amount of R72 per annum, provided the applicant is the owner of the property.

(e) any income derived from any other source, but shall not include rentals, interest or dividends;

“other means” shall mean—

(a) the estimated annual yield of the assets of an applicant, including any usufruct, as determined by dividing the amount by which the unencumbered value of such assets exceeds the amount of R1 800 by 100 and by multiplying the result by six;

(b) the annual profits derived by the applicant or his spouse from any immovable property rented for agricultural purposes: Provided that the minimum annual income so derived shall be deemed to be R72.

Date of which Disability Grant Accrues

12. (1) A disability grant shall be granted with effect from such date as the Secretary may determine in each case.

(2) Notwithstanding the provisions of subregulation (1), no disability grant shall be granted with effect from a date earlier than the first day of the month in which such disability grant is applied for.

Additional or Supplementary Allowances

13. Any person granted a disability grant shall, in addition to such disability grant be paid an additional allowance of R108 per annum for the period 1 October 1968 up to and including 30 September 1969.

Attendant's Allowance

14. If in the opinion of the Secretary any person to whom a disability grant has been granted under the Act, is in such a physical or mental condition that he requires the regular attendance of any other person, and if no subsidy is paid by the State to any home for the aged or other institution in respect of his accommodation and care, the Secretary may, on such conditions and with effect from

en met ingang van die datum wat hy bepaal, benewens sodanige ongeskiktheidstoelae, aan die begiftigde of aan 'n ander persoon ten behoeve van hom 'n oppasserstoelae van hoogstens R60 per jaar toeken.

Betaling van Ongeskiktheidstoelae en Ander Toelae

15. Ongeskiktheidstoelae, bykomende toelae en oppasserstoelae ingevolge die Wet of hierdie regulasies toegeken word maandeliks deur die Sekretaris of 'n persoon deur hom aangewys, op die tye en plekke deur die Sekretaris bepaal, betaal.

16. (1) Behoudens die bepalings van subregulasie (2), moet iedere begiftigde die ongeskiktheidstoelae en ander toelae aan hom betaalbaar, persoonlik in ontvangs neem en 'n kwitansie onder sy handtekening of merk ten opsigte van die bedrag aldus ontvang, verstrek.

(2) Wanneer 'n begiftigde weens liggaamlike ongesteldheid nie in staat is om 'n ongeskiktheidstoelae of enige toelae wat ingevolge die Wet of hierdie regulasies aan hom toegeken is, persoonlik in ontvangs te neem nie, kan die Sekretaris of die persoon wat die ongeskiktheidstoelae of ander toelae uitbetaal, by voorlegging aan hom van 'n skriftelike magtiging deur die begiftigde, behoorlik in die aanwesigheid van twee getuies onderteken, die ongeskiktheidstoelae en ander toelae vir 'n tydperk van hoogstens drie maande aan 'n persoon in die magtiging vermeld, uitbetaal, mits daardie persoon by iedere betaling van die ongeskiktheidstoelae en ander toelae 'n sertifikaat verstrek ten effekte dat die begiftigde ten tye van die betaling in lewe is.

(3) Wanneer 'n begiftigde versoek dat enige ongeskiktheidstoelae en ander toelae aan hom toegeken, vir 'n onbepaalde tydperk deur iemand anders ten behoeve van hom in ontvangs geneem moet word, kan die persoon wat die ongeskiktheidstoelae en ander toelae uitbetaal, by voorlegging aan hom van 'n skriftelike magtiging deur die begiftigde, behoorlik in die aanwesigheid van twee getuies onderteken en deur die Sekretaris goedgekeur, die ongeskiktheidstoelae en ander toelae aan die persoon in die magtiging vermeld, uitbetaal.

(4) Die bepalings van subregulasie (1) is *mutatis mutandis* van toepassing op 'n persoon aan wie 'n ongeskiktheidstoelae en ander toelae ooreenkomstig 'n magtiging kragtens subregulasie (2) of (3) verleen, uitbetaal word.

Betaling van Ongeskiktheidstoelae en Ander Toelae aan Persone Wat in Sekere Inrigtings Onderhou Word of Behandeling Ontvang

17. Indien 'n begiftigde te eniger tyd in 'n Staats- of Staatsondersteunde inrigting, behalwe in 'n ouetehuis soos omskryf in artikel 1 van die Wet op Bejaarde Persone, 1967, wat 'n hulptoelae van die Staat ontvang, onderhou word of behandeling ontvang, word geen ongeskiktheidstoelae of ander toelae ingevolge die Wet of hierdie regulasies aan of ten behoeve van hom vanaf die eerste dag van die maand wat onmiddellik volg op die maand waarin hy in sodanige Staats- of Staatsondersteunde inrigting opgeneem word tot die laaste dag van die maand wat die maand waarin hy uit sodanige Staats- of Staatsondersteunde inrigting ontslaan word, onmiddellik voorafgaan, betaal nie.

Verval van Ongeskiktheidstoelae en Ander Toelae

18. (1) 'n Ongeskiktheidstoelae of ander toelae ingevolge die Wet of hierdie regulasies toegeken, verval—

(a) wanneer 'n begiftigde te sterwe kom, en geen sodanige ongeskiktheidstoelae of ander toelae is aan die boedel van sodanige begiftigde betaalbaar nie;

(b) wanneer 'n begiftigde die ongeskiktheidstoelae vir ses agtereenvolgende maande nie getrek het nie.

such date as he may determine, in addition to such disability grant, grant the grantee or any person on behalf of such grantee an attendant's allowance not exceeding R60 per annum.

Payment of Disability Grants and Allowances

15. Disability grants, additional allowances and attendants' allowances granted under the Act or these regulations shall be paid monthly by the Secretary or any person designated by him at such times and places as the Secretary may determine.

16. (1) Subject to the provisions of subregulation (2), every grantee shall take receipt in person of the disability grant and any allowances payable to him and furnish a receipt under his signature or mark in respect of the amount so received.

(2) When any grantee is unable owing to some physical indisposition to take receipt in person of a disability grant or any allowances granted to him under the Act or these regulations, the Secretary or the person paying out such disability grant or other allowances may on production to him of an authority, in writing, by such grantee, duly signed in the presence of two witnesses, pay out such disability grant and other allowances for a period not exceeding three months to any person named in such authority, provided that such person shall whenever payment of such disability grant and other allowances is made, furnish a certificate to the effect that such grantee is alive at the time of such payment.

(3) When any grantee requests that some other person shall, for an indefinite period, take receipt on his behalf of any disability grant and other allowances granted to him, the person paying out such disability grant and other allowances may on production to him of an authority, in writing, by such grantee, duly signed in the presence of two witnesses and approved by the Secretary, pay out such disability grant and other allowances to the person named in such authority.

(4) The provisions of subregulation (1) shall apply *mutatis mutandis* to any person to whom a disability grant and other allowances are paid out in accordance with an authority granted under subregulation (2) or (3).

Payment of Disability Grants and Other Allowances to Aged Persons Maintained or Receiving Treatment in Certain Institutions

17. If at any time any grantee is being maintained or if receiving treatment in a State or State-aided institution other than a home for the aged as defined in section 1 of the Aged Persons Act, 1967, receiving a grant-in-aid from the State, no disability grant or other allowances shall be paid to him or in his behalf under the Act or these regulations from the first day of the month immediately following the month in which he is admitted to such State or State-aided institution up to the last day of the month immediately preceding the month in which he is discharged from such State or State-aided institution.

Lapsing of Disability Grant and Other Allowances

18. (1) Any disability grant or other allowance granted under the Act or these regulations shall lapse—

(a) when a grantee dies, and no such disability grant or other allowance shall be payable to the estate of such grantee;

(b) when a grantee has not drawn such disability grant for six consecutive months.

(2) Ondanks die bepalings van subregulasie (1)—

(a) kan die Sekretaris die ongeskiktheidstoelae en ander toelaes, bereken tot op die laaste dag van die maand waarin die begiftigde te sterwe kom, aan enige persoon betaal wat na die oordeel van die Sekretaris koste aangegaan het ten opsigte van die begiftigde se lewensonderhoud, versorging of begrafnis;

(b) kan die Sekretaris, indien hy oortuig is dat die versuim om die ongeskiktheidstoelae en ander toelaes te trek aan omstandighede buite die begiftigde se beheer te wyte was, gelas dat die ongeskiktheidstoelae en ander toelaes voortbestaan vanaf die dag waarop dit die laaste keer getrek is of vanaf die ander datum wat hy bepaal.

(3) Die betaling van 'n ongeskiktheidstoelae aan iemand wat na die 30ste dag van September 1969 vir 'n ononderbroke tydperk van meer as ses maande uit die Republiek van Suid-Afrika afwesig is, word opgeskort vanaf die eerste dag van die sewende maand wat volg op die maand waarin hy die Republiek van Suid-Afrika verlaat het: Met dien verstande dat indien die Sekretaris op grond van redes deur so iemand aangevoer van oordeel is dat dit billik is dat die betaling van daardie ongeskiktheidstoelae voortgesit of hervat word, die Sekretaris toestemming kan verleen dat die betaling daarvan voortgesit of hervat word vir die tydperk of tydperke en op die voorwaardes wat hy bepaal.

Intrekking of Verandering van Ongeskiktheidstoelae

19. (1) Die Sekretaris kan 'n ongeskiktheidstoelae te eniger tyd hersien, en as hy oortuig is—

(a) dat 'n ongeskiktheidstoelae ingetrek, verminder of verhoog behoort te word, kan hy, met behoorlike inagneming van die omstandighede van elke geval—

(i) die ongeskiktheidstoelae intrek; of

(ii) die ongeskiktheidstoelae in ooreenstemming met die bepalings van regulasie 11 verminder of verhoog, met ingang van die datum, met inbegrip van 'n datum in die verlede, wat hy bepaal;

(b) dat 'n ongeskiktheidstoelae wat ingetrek is, herstel behoort te word, kan hy die ongeskiktheidstoelae in ooreenstemming met die bepalings van regulasie 11 herstel met ingang van die eerste dag van die maand waarin die ongeskiktheidstoelae volgens sy oordeel aldus herstel behoort te word of moes gewees het.

(2) Indien om verhoging van 'n ongeskiktheidstoelae aansoek gedoen word en die Sekretaris oortuig is dat die ongeskiktheidstoelae verhoog behoort te word, kan hy die ongeskiktheidstoelae in ooreenstemming met die bepalings van regulasie 11 verhoog met ingang van die eerste dag van die maand waarin aansoek gedoen word: Met dien verstande dat indien die aansoek gedoen word binne 'n tydperk van 60 dae vanaf die datum waarop die betrokke begiftigde volgens die Sekretaris se oordeel aan die vereistes vir die verhoging voldoen het, die Sekretaris die ongeskiktheidstoelae kan verhoog met ingang van die eerste dag van die maand waarin die begiftigde aldus voldoen het.

Appel na die Minister

20. (1) 'n Persoon wat ingevolge artikel 8 van die Wet teen 'n beslissing of handeling van die Sekretaris appelleer, moet, binne 'n tydperk van 90 dae vanaf die datum waarop die beslissing gegee is of die handeling plaasgevind het, 'n skriftelike kennisgewing van sodanige appel by die Sekretaris indien.

(2) Sodanige kennisgewing moet die gronde waarop teen die betrokke beslissing of handeling geappelleer word, volledig uiteensit.

(2) Notwithstanding the provisions of subregulation (1)—

(a) the Secretary may pay such disability grant and other allowances, calculated up to the last day of the month in which such grantee dies, to any person who has in the opinion of the Secretary incurred any expense on such grantee's maintenance, care or funeral;

(b) the Secretary may, if he is satisfied that the failure to draw such disability grant and other allowances was due to circumstances over which such grantee had no control, direct that such disability grant and other allowances shall continue from the date on which they were last drawn or from such other date as he may determine.

(3) The payment of a disability grant to a person who after the 30th day of September 1969, has been absent from the Republic of South Africa for a continuous period exceeding six months shall be suspended as from the first day of the seventh month following upon the month in which he left the Republic of South Africa: Provided that if the Secretary is for reasons advanced by such person, of the opinion that it is just that payment of that disability grant be continued or resumed, the Secretary may permit payment thereof to be continued or resumed for such period or periods and subject to such conditions as he may determine.

Cancellation or Variation of Disability Grant

19. (1) The Secretary may at any time review a disability grant, and if he is satisfied—

(a) that a disability grant should be cancelled, reduced or increased, he may with due regard to the circumstances of each case—

(i) cancel such disability grant; or

(ii) reduce or increase such disability grant in conformity with the provisions of regulation 11, with effect from such date, including any date in the past, as he may determine;

(b) that a disability grant which has been cancelled should be restored, he may restore such disability grant in conformity with the provisions of regulation 11 with effect from the first day of the month in which such disability grant should, in his opinion, be so restored or have been so restored.

(2) If application is made for the increase of a disability grant and the Secretary is satisfied that such disability grant should be increased, he may increase such disability grant in conformity with the provisions of regulation 11 with effect from the first day of the month in which such application is made: Provided that, if such application is made within a period of 60 days of the date on which, in the opinion of the Secretary, the grantee concerned became qualified to receive such increase, the Secretary may increase such disability grant with effect from the first day of the month in which the grantee became so qualified.

Appeal to the Minister

20. (1) Any person who, in terms of section 8 of the Act appeals against any decision or action by the Secretary shall give notice of such appeal to the Secretary in writing within a period of 90 days of the date of such decision or such action.

(2) Such notice shall state fully the grounds of appeal against such decision or action.

(b) Die attesterende beampte voor wie 'n aansoek aldus onderteken word, moet op die aansoek sertifiseer dat hy die inligting in die aansoek vervat, aan die applikant verduidelik het en dat die verklaring in subregulasie (1) (a) vermeld, deur die applikant voor hom gedoen en onderteken is.

(2) (a) Indien 'n distrikspensioenbeampte van oordeel is dat 'n applikant of 'n persoon namens wie op 'n pensioen aanspraak gemaak word, weens 'n liggaamlike of geestesgebrek nie in staat is om aan die bepalings van subregulasie (1) (a) te voldoen nie, kan hy na goeddunke 'n ander persoon toelaat om namens sodanige applikant of persoon aansoek om die pensioen te doen, en dan is die bepalings van subregulasie (1) *mutatis mutandis* ten opsigte van sodanige ander persoon van toepassing.

(b) Wanneer 'n distrikspensioenbeampte 'n persoon toelaat om namens 'n ander persoon aansoek om 'n pensioen te doen, moet hy op die aansoek sertifiseer dat hy die persoon in die sertifikaat vermeld, magtig om namens die applikant aansoek om 'n pensioen te doen.

3. 'n Aansoek om 'n pensioen moet volledige besonderhede en inligting bevat van die applikant en sy eggenote se inkomste en bates en, indien hy of sy eggenote enige onroerende eiendom besit, van enige verband wat teen die titelbewys van sodanige eiendom geregistreer is.

4. Wanneer sowel 'n man as sy vrou om 'n pensioen aansoek doen, moet afsonderlik aansoek ten opsigte van elkeen van hulle gedoen word.

5. 'n Aansoek om 'n pensioen moet—

(a) vergesel gaan van die applikant se geboortesertifikaat of doopseel of, indien die applikant nie in staat is om sodanige geboortesertifikaat of doopseel voor te lê nie, van die ander dokumentêre bewys van die applikant se geboortedatum of ouderdom wat die Sekretaris goedvind, of van 'n sertifikaat deur 'n distrikspensioenbeampte ten effekte dat hy, na ondersoek deur hom persoonlik ingestel, oortuig is dat die applikant op 'n datum in die sertifikaat vermeld, gebore is of die aldus vermelde ouderdom bereik het;

(b) indien die applikant daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger deur registrasie of naturalisasie is, vergesel gaan van die sertifikaat van registrasie of naturalisasie as Suid-Afrikaanse burger, na gelang van die geval, of indien hy nie in staat is om sodanige sertifikaat voor te lê nie, van die ander bewys van registrasie of naturalisasie as Suid-Afrikaanse burger wat die Sekretaris goedvind;

(c) indien die applikant daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger deur afkoms is, vergesel gaan van die bewys van Suid-Afrikaanse burgerskap wat die Sekretaris goedvind;

(d) vergesel gaan van die bewys van verblyf in die Republiek of Suidwes-Afrika wat die Sekretaris goedvind.

6. Die datum waarop 'n aansoek om 'n pensioen voor 'n attesterende beampte onderteken word, word geag die datum te wees waarop die aansoek gedoen is.

Rekord van Aanoeke om Pensioen

7. Die distrikspensioenbeampte moet 'n aantekening hou van die naam en adres van iedere applikant van wie hy 'n aansoek om 'n pensioen ontvang en van die datum waarop die aansoek ingevolge regulasie 2 (1) geattesteer is.

Verkryging van die Aanwesigheid van Getuies

8. 'n Dagvaarding wat ingevolge artikel 9 van die Wet uitgereik word, moet sover doenlik in die vorm van Bylae A wees.

(b) The attesting officer in whose presence an application is so signed shall certify on such application that he has explained the information contained therein to the applicant and that the declaration referred to in subregulation (1) (a) was made and signed in his presence by such applicant.

(2) (a) If a district pension officer is of opinion that any applicant or any person on whose behalf a pension is claimed is unable owing to some physical or mental defect to comply with the provisions of subregulation (1) (a), he may at his discretion permit any other person to apply for such pension on behalf of such applicant or person, in which case the provisions of subregulation (1) shall apply *mutatis mutandis* to such other person.

(b) Whenever a district pension officer permits any person to apply for a pension on behalf of any other person he shall certify on the application that he authorises the person named in the certificate to apply for a pension on behalf of the applicant.

3. Any application for a pension shall contain full particulars of an information on the income and assets of the applicant and his spouse and, if he or his spouse owns any immovable property, any mortgage bond registered against the title deed of such property.

4. When both a man and his wife apply for a pension, a separate application shall be submitted in respect of each of them.

5. Any application for a pension shall—

(a) be accompanied by the applicant's birth or baptismal certificate or, if such applicant is unable to produce such birth or baptismal certificate, by such other documentary evidence of such applicant's date of birth or age as the Secretary may deem fit or by a certificate by a district pension officer to the effect that after an enquiry made by him personally he is satisfied that such applicant was born on a date mentioned in such certificate or has attained the age so mentioned;

(b) if the applicant claims to be a South African citizen by registration or naturalisation, be accompanied by the certificate of registration or naturalisation as a South African citizen, as the case may be, or if he is unable to produce such certificate, by such other evidence of registration or naturalisation as a South African citizen as the Secretary may deem fit;

(c) if the applicant claims to be a South African citizen by descent, be accompanied by such evidence of South African citizenship as the Secretary may deem fit;

(d) be accompanied by such evidence of residence in the Republic or South-West Africa as the Secretary may deem fit.

6. The date on which any application for a pension is signed in the presence of an attesting officer shall be deemed to be the date on which such application was made.

Record of Application for a Pension

7. The district pension officer shall keep a record of the name and address of each applicant from whom he receives an application for a pension, and of the date on which such application was attested in terms of regulation 2 (1).

Securing Attendance of Witnesses

8. Any subpoena issued under section 9 of the Act shall as far as practicable be in the form of Schedule A.

*Persone wat nie vir 'n Ouderdomspensioen in
Aanmerking kom nie*

9. Niemand kom vir 'n ouderdomspensioen in aanmerking nie indien hy 'n pensioen ontvang kragtens die Ordonnansie op Maatskaplike Pensioene, 1965 (Ordonnansie 2 van 1965) van Suidwes-Afrika of die Duitse Oudstryderspensioenordonnansie, 1965 (Ordonnansie 3 van 1965) van Suidwes-Afrika.

Vasstelling van Bedrag van Pensioen

10. (1) By 'n beslissing oor die vraag of 'n pensioen toegeken, ingetrek, verminder of verhoog moet word of oor die bedrag van 'n pensioen, hou die Sekretaris rekening met—

(a) die vermoë en geleenthede van 'n applikant of pensioentrekker om homself deur eie inspanning te onderhou of tot sy onderhoud by te dra; en

(b) die vermoë van die applikant of pensioentrekker se gade om hom te onderhou of tot sy onderhoud by te dra.

(2) Behoudens die bepalings van die Wet en van hierdie regulasies—

(a) behoop die pensioen wat aan 'n bejaarde persoon toegeken word die bedrag wat die Sekretaris met inagneming van die omstandighede, jaarlikse inkomste en ander middele van die betrokke bejaarde persoon en van sy eggenote vasstel: Met dien verstande dat sodanige pensioen—

(i) indien dit ten opsigte van enige tydperk vanaf die eerste dag van Oktober 1968 tot en met die 30ste dag van September 1969 toegeken is, die bedrag van hoogstens R72 per jaar kan behoop;

(ii) indien dit ten opsigte van enige tydperk vanaf die eerste dag van Oktober 1969 tot en met die 31ste dag van Maart 1970 toegeken is, die bedrag van hoogstens R186 per jaar kan behoop; en

(iii) indien dit ten opsigte van 'n tydperk vanaf die eerste dag van April 1970 tot en met die 31ste dag van Maart 1971 toegeken is, die bedrag van hoogstens R198 per jaar kan behoop;

(iv) indien dit ten opsigte van 'n tydperk na die 31ste dag van Maart 1971 toegeken is, 'n bedrag van hoogstens R216 per jaar kan behoop;

(b) word 'n pensioen nie aan 'n bejaarde persoon toegeken teen so 'n skaal dat sy jaarlikse inkomste en ander middele tesame met die pensioen—

(i) vir enige tydperk vanaf die eerste dag van Oktober 1968 tot en met die 30ste dag van September 1969 die bedrag van R168 per jaar te bowe gaan nie;

(ii) vir enige tydperk vanaf die eerste dag van Oktober 1969 tot en met die 31ste dag van Maart 1970 die bedrag van R282 per jaar te bowe gaan nie; en

(iii) vir enige tydperk vanaf die eerste dag van April 1970 tot en met die 31ste dag van Maart 1971 die bedrag van R294 per jaar te bowe gaan nie;

(iv) vir 'n tydperk na die 31ste dag van Maart 1971 die bedrag van R312 per jaar te bowe gaan nie;

(c) word die bedrag van die pensioen wat aan 'n bejaarde persoon toegeken word met die bedrag van ses rand per jaar verminder vir iedere ses rand waarmee die jaarlikse inkomste en ander middele van sodanige persoon die bedrag van R96 te bowe gaan;

(d) word die gesamentlike bates, met inbegrip van enige vruggebruik, van 'n getroude applikant en sy eggenote vir die doeleindes van die bepaling van die applikant se ander middele in aanmerking geneem;

(e) word die gesamentlike inkomste van 'n getroude applikant en sy eggenote geag die inkomste van die applikant te wees.

Persons who are Not Eligible for an Old Age Pension

9. No person shall be eligible for an old age pension if he is in receipt of a pension under the Social Pensions Ordinance, 1965 (Ordinance 2 of 1965) of South-West Africa, or the German War Veterans' Pensions Ordinance, 1965 (Ordinance 3 of 1965) of South-West Africa.

Determination of Amount of Pension

10. (1) In deciding whether a pension shall be granted, cancelled, reduced or increased, or when determining the amount of the pension, the Secretary shall take into account—

(a) the ability and opportunities of an applicant or pensioner to support himself or contribute towards his support through his own efforts; and

(b) the ability of the applicant's or pensioner's spouse to support him or to contribute towards his support.

(2) Subject to the provisions of the Act and of these regulations—

(a) the pension granted to any aged person shall be such amount as the Secretary may determine having regard to the circumstances, annual income and other means of such aged person and of his spouse, subject to the provision that such pension shall not exceed the sum of—

(i) seventy-two rand per annum if approved for any period from the first day of October 1968 up to and including the 30th day of September 1969;

(ii) one hundred and eighty-six rand per annum if approved for any period from the first day of October 1969 up to and including the 31st day of March 1970;

(iii) one hundred and ninety-eight rand per annum if approved for any period from the first day of April 1970 up to and including the 31st day of March 1971;

(iv) two hundred and sixteen rand per annum if approved for any period subsequent to the 31st day of March 1971.

(b) no pension shall be granted to any aged person at such a rate as will make his annual income and other means together with the pension exceed the amount of—

(i) one hundred and sixty-eight rand per annum in respect of any period from the first day of October 1968 up to and including the 30th day of September 1969;

(ii) two hundred and eighty-two rand per annum in respect of any period from the first day of October 1969 up to and including the 31st day of March 1970; and

(iii) two hundred and ninety-four rand per annum in respect of any period from the first day of April 1970 up to and including the 31st day of March 1971;

(iv) three hundred and twelve rand per annum in respect of any period subsequent to the 31st day of March 1971.

(c) the amount of the pension granted to any aged person shall be reduced by the amount of six rand per annum for every six rand by which the annual income and other means of such person exceed the amount of R96;

(d) the combined assets, including any usufruct, of a married applicant and his spouse shall be taken into account for the purpose of determining such applicant's other means;

(e) the combined income of a married applicant and his spouse shall be deemed to be the income of such applicant.

(3) (a) Indien die jaarlikse persoonlike inkomste van 'n manlike applikant 50 persent van die jaarlikse vergoeding wat sy eggenote ontvang vir dienste gelewer nie te bowe gaan nie, word, benewens die jaarlikse persoonlike inkomste van die applikant, die ander middele van hom en sy eggenote en die helfte van die jaarlikse inkomste van sy eggenote verkry uit ander bronne as vergoeding deur sy eggenote ontvang vir dienste gelewer slegs een-sesde van enige vergoeding deur sy eggenote ontvang vir dienste gelewer by die oorweging van die applikant se aansoek om 'n pensioen in aanmerking geneem.

(b) Behalwe in 'n geval waar die bepalings van subregulasie (3) (a) van toepassing is, word slegs die helfte van 'n getroude applikant se jaarlikse inkomste by die oorweging van sy aansoek om 'n pensioen ingevolge artikel 10 (3) van die Wet in aanmerking geneem.

(c) By die bepaling van 'n applikant se ander middele, word enige bates wat hy of sy eggenote aan iemand anders geskenk het, in aanmerking geneem, maar die bedrag of waarde van sodanige bates word met 'n bedrag, bereken teen die koers van R250 per jaar in die geval van 'n ongetroude applikant en teen R500 per jaar in die geval van 'n getroude applikant, verminder ten opsigte van iedere kalenderjaar wat sedert die datum van die skenking verloop het.

(4) By die toepassing van subregulasies (2) en (3) beteken—

“bates” enige onroerende eiendom, kontantbeleggings, belang in die aandele, aandelekapitaal of bates van 'n maatskappy of ander instelling, kapitaal in 'n sakeonderneming belê, en kontant voorhande of in 'n lopende rekening by 'n bank of ander finansiële instelling;

“inkomste”—

(a) enige vergoeding, hetsy in kontant of andersins, ontvang vir dienste gelewer, maar nie ook sodanige vergoeding deur 'n persoon na die bereiking van die ouderdom van 70 jaar ontvang nie;

(b) enige winste verkry uit 'n sakeonderneming waarvan 'n applikant of sy eggenote die eienaar is;

(c) enige voordele ingevolge die wetsbepalings of reëls met betrekking tot 'n pensioen- of voorsorgfonds of die een of ander skema ontvang, maar nie ook enige voordele ontvang ingevolge die Wet, die Kinderwet, 1960 (Wet 33 van 1960), die Kinderordonnansie, 1961 (Ordonnansie 31 van 1961) van Suidwes-Afrika, die Ordonnansie op Maatskaplike Pensioene, 1965 (Ordonnansie 2 van 1965) van Suidwes-Afrika, die Duitse Oudstryderspensioenordonnansie, 1965 (Ordonnansie 3 van 1965) van Suidwes-Afrika, die Wet op Werkloosheidsversekering, 1966 (Wet 30 van 1966), die Wet op Oudstryderspensioene, 1968 (Wet 25 van 1968), die Wet op Blindes, 1968 (Wet 26 van 1968), die Wet op Ongeskiktheidstoelaes, 1968 (Wet 27 van 1968), of ingevolge 'n regulasie kragtens enige van genoemde wette of ordonnansies uitgevaardig nie;

(d) enige winste uit die beoefening van die landbou verkry wat hierby geag word die bedrag van R72 per jaar te beloop mits die applikant die eienaar van die eiendom is;

(e) enige inkomste uit 'n ander bron verkry, maar nie ook huurgelde, rente of diwidende nie;

“ander middele”—

(a) die beraamde jaarlikse opbrengs van die bates en van enige vruggebruik van 'n applikant, soos bepaal deur die bedrag waarmee die onbeswaarde waarde van sodanige bates die bedrag van R1 800 of, in die geval van 'n applikant wat die ouderdom van 70 jaar bereik het, die bedrag van R2 400 te bowe gaan, deur 100 te deel en die resultaat met ses te vermenigvuldig;

(3) (a) If the annual personal income of a male applicant does not exceed 50 per cent of the annual remuneration received by his spouse for services rendered, only one-sixth of any remuneration received by his spouse for services rendered, in addition to the annual personal income of the applicant, the other means of such applicant and his spouse and half of the annual income of his spouse derived from sources other than remuneration received by his spouse for services rendered, shall be taken into account in considering such applicant's application for a pension.

(b) Except in a case where the provisions of subregulation (3) (a) apply, only half of a married applicant's annual income shall be taken into account in considering his application for a pension under section 10 (3) of the Act.

(c) In determining an applicant's other means, any assets donated by him or his spouse to any other person shall be taken into account, but the amount or value of such assets shall be reduced by an amount, calculated at the rate of R250 per annum in the case of an unmarried applicant and at the rate of R500 per annum in the case of a married applicant, in respect of every calendar year which has elapsed since the date of the donation.

(4) For the purposes of subregulations (2) and (3)—

“assets” shall mean any immovable property, cash investments, interest in the shares, share capital or assets of a company or other institution, capital invested in any business concern, and cash in hand or in a current account at any bank or other financial institution;

“income” shall mean—

(a) any remuneration, either in cash or otherwise, received for services rendered, but shall not include such remuneration received by any person after he has attained the age of 70 years;

(b) any profits derived from a business concern of which an applicant or his spouse is the owner;

(c) any benefits received under the statutory provisions or rules relating to any pension or provident fund or any scheme, but shall not include any benefits received under the Act, the Children's Act, 1960 (Act 33 of 1960), the Children's Ordinance, 1961 (Ordinance 31 of 1961) of South-West Africa, the Social Pensions Ordinance, 1965 (Ordinance 2 of 1965) of South-West Africa, the German War Veterans' Pensions Ordinance, 1965 (Ordinance 3 of 1965) of South-West Africa, the Unemployment Insurance Act, 1966 (Act 30 of 1966), the War Veterans' Pensions Act, 1968 (Act 25 of 1968), the Blind Persons Act, 1968 (Act 26 of 1968), the Disability Grants Act, 1968 (Act 27 of 1968), or under any regulation made under any of the said Acts or Ordinances;

(d) any profits derived from the practice of agriculture which shall hereby be deemed to be the amount of R72 per annum provided the applicant is the owner of the property;

(e) any income derived from any other source, but shall not include rentals, interest or dividends;

“other means” shall mean—

(a) the estimated annual yield of the assets of any applicant, including any usufruct, as determined by dividing the amount by which the unencumbered value of such assets exceeds the amount of R 1 800 or, in the case of an applicant who has attained the age of 70 years, the amount of R2 400, by 100 and by multiplying the result by six;

(b) die jaarlikse winste verkry uit enige onroerende eiendom deur die applikant of sy eggenote vir landboudoeleindes gehuur: Met dien verstande dat die minimum jaarlikse inkomste aldus verkry, as R72 beskou word.

Datum Waarop 'n Pensioen Toeval

11. (1) 'n Pensioen word toegeken met ingang van die datum wat die Sekretaris in iedere geval bepaal.

(2) Ondanks die bepalings van subregulasie (1), word geen pensioen toegeken met ingang van 'n datum wat vroeër is as die eerste dag van die maand waarin daarom aansoek gedoen word nie of, indien aansoek om 'n pensioen gedoen word voor die verstryking van 'n tydperk van 60 dae vanaf die datum waarop die applikant die ouderdom van 65 jaar in die geval van 'n manlike applikant of 60 jaar in die geval van 'n vroulike applikant bereik het, met ingang van 'n datum wat vroeër is as die eerste dag van die maand waarin die applikant die toepaslike ouderdom bereik het nie.

Bykomende of Aanvullende Toelaes

12. 'n Bejaarde persoon aan wie 'n pensioen toegeken word, benewens sodanige pensioen, 'n bykomende toelaes van R108 per jaar vir die tydperk 1 Oktober 1968 tot 30 September 1969 betaal.

Oppasserstoelaes

13. (1) Indien 'n persoon aan wie 'n pensioen ingevolge die Wet toegeken is, na die oordeel van die Sekretaris, die ouderdom van 90 jaar bereik het of in so 'n liggaamlike of geestestoestand verkeer dat hy gereeld deur iemand anders opgepas moet word en geen subsidie deur die Staat aan enige ouetehuis of ander inrigting ten opsigte van sy huisvesting en versorging betaal word nie, kan die Sekretaris, op die voorwaardes en met ingang van die datum wat hy bepaal, benewens sodanige pensioen, aan die pensioentrekker of aan iemand anders ten behoeve van hom 'n oppasserstoelaes van hoogstens R60 per jaar toeken.

(2) Ondanks andersluidende bepalings van subregulasie (1), word geen oppasserstoelaes daarkragtens toegeken met ingang van 'n datum wat vroeër is as die eerste dag van die maand waarin die pensioentrekker die ouderdom van 90 jaar bereik of waarin die Sekretaris bevind dat die pensioentrekker in so 'n liggaamlike of geestestoestand verkeer dat hy gereeld deur iemand anders opgepas moet word nie.

Betaling van Pensioene en Toelaes

14. Pensioene, bykomende of aanvullende toelaes en oppasserstoelaes ingevolge die Wet of hierdie regulasies toegeken, word maandeliks deur die Sekretaris of 'n persoon deur hom aangewys, op die tye en plekke deur die Sekretaris bepaal, betaal.

15. (1) Behoudens die bepalings van subregulasie (2), moet iedere pensioentrekker die pensioen en toelaes aan hom betaalbaar, persoonlik in ontvangs neem en 'n kwitansie onder sy handtekening of merk ten opsigte van die bedrag aldus ontvang, verstrek.

(2) Wanneer 'n pensioentrekker weens liggaamlike ongesteldheid nie in staat is om 'n pensioen of enige toelaes wat ingevolge die Wet of hierdie regulasies aan hom toegeken is, persoonlik in ontvangs te neem nie, kan die Sekretaris of die persoon wat die pensioen of toelaes uitbetaal, by voorlegging aan hom van 'n skriftelike magtiging deur die pensioentrekker, behoorlik in die aanwesigheid van twee getuies onderteken, die pensioen en toelaes vir 'n tydperk van hoogstens drie maande aan 'n persoon in die magtiging vermeld, uitbetaal, mits daardie persoon by iedere betaling van die pensioen en toelaes 'n sertifikaat verstrek ten effekte dat die pensioentrekker ten tye van die betaling in lewe is.

(b) the annual profits derived by the applicant or his spouse from any immovable property rented for agricultural purposes: Provided that the minimum annual income so derived shall be deemed to be R72.

Date on which Pension Accrues

11. (1) A pension shall be granted with effect from such date as the Secretary may determine in each case.

(2) Notwithstanding the provisions of subregulation (1), no pension shall be granted with effect from a date earlier than the first day of the month in which such pension is applied for or, if a pension is applied for before the expiry of a period of 60 days from the date on which the applicant attained the age of 65 years in the case of a male applicant or 60 years in the case of a female applicant, with effect from a date earlier than the first day of the month in which such applicant attained the appropriate age.

Additional or Supplementary Allowances

12. Any aged person granted a pension shall be paid in addition to such pension an additional allowance of R108 per annum for the period 1 October 1968 up to and including 30 September 1969.

Attendant's Allowance

13. (1) If in the opinion of the Secretary any person to whom a pension has been granted under the Act, has attained the age of 90 years or is in such a physical or mental condition that he requires the regular attendance of any other person and if no subsidy is paid by the State to any home for the aged or any other institution in respect of his accommodation and care, the Secretary may, on such conditions and with effect from such date as he may determine, in addition to such pension, grant such pensioner or any person on behalf of such pensioner an attendant's allowance not exceeding R60 per annum.

(2) Notwithstanding anything to the contrary contained in subregulation (1), no attendant's allowance shall be granted thereunder with effect from a date earlier than the first day of the month in which the pensioner attains the age of 90 years or in which the Secretary is satisfied that such pensioner is in such a physical or mental condition that he requires the regular attendance of any other person.

Payment of Pensions and Allowances

14. Pensions, additional or supplementary allowances and attendants' allowances granted under the Act or these regulations shall be paid monthly by the Secretary or any person designated by him, at such times and places as the Secretary may determine.

15. (1) Subject to the provisions of subregulation (2), every pensioner shall take receipt in person of the pension and allowances payable to him and furnish a receipt under his signature or mark in respect of the amount so received.

(2) When any pensioner is unable owing to some physical indisposition to take receipt in person of a pension or any allowances granted to him under the Act or these regulations, the Secretary or the person paying out such pension or allowances may on production to him of an authority, in writing, by such pensioner, duly signed in the presence of two witnesses, pay out such pension and allowances for a period not exceeding three months to any person named in such authority, provided that such person shall, whenever payment of such pension and allowances is made, furnish a certificate to the effect that such pensioner is alive at the time of such payment.

(3) Wanneer 'n pensioentrekker versoek dat enige pensioen en toelaes aan hom toegeken, vir 'n onbepaalde tydperk deur iemand anders ten behoeve van hom in ontvangs geneem moet word, kan die persoon wat die pensioen en toelaes uitbetaal, by voorlegging aan hom van 'n skriftelike magtiging deur die pensioentrekker, behoorlik in die aanwesigheid van twee getuies onderteken en deur die Sekretaris goedgekeur, die pensioen en toelaes aan die persoon in die magtiging vermeld, uitbetaal.

(4) Die bepalings van subregulasie (1) is *mutatis mutandis* van toepassing op 'n persoon aan wie 'n pensioen en toelaes ooreenkomstig 'n magtiging kragtens subregulasie (2) of (3) verleen, uitbetaal word.

Betaling van Pensioene en Toelaes aan Bejaardes wat in Sekere Inrigtings Onderhou word of Behandeling Ontvang

16. Indien 'n pensioentrekker te eniger tyd in 'n Staats- of 'n Staatsondersteunde inrigting, behalwe in 'n ouetehuis wat hulptoeleas van die Staat ontvang, onderhou word of behandeling ontvang, word geen pensioen of toelaes ingevolge die Wet of hierdie regulasies aan of ten behoeve van hom vanaf die eerste dag van die maand wat onmiddellik volg op die maand waarin hy in sodanige Staats- of Staatsondersteunde inrigting opgeneem word tot die laaste dag van die maand wat die maand waarin hy uit sodanige Staats- of Staatsondersteunde inrigting ontslaan word, onmiddellik voorafgaan, betaal nie.

Omskepping van Sekere Pensioene en Toelaes in 'n Ouderdomspensioen

17. (1) Indien 'n persoon wat 'n pensioen ingevolge die Wet op Blindes, 1968, of 'n toelae ingevolge die Wet op Ongeskiktheidstoelaes, 1968, ontvang, aan die vereistes vir 'n ouderdomspensioen ingevolge die Wet voldoen, kan sodanige pensioen of toelae, indien dit nie tot nadeel van so 'n persoon sal wees nie, op sy versoek of deur die Sekretaris uit eie beweging in 'n ouderdomspensioen ingevolge die Wet omskep word met ingang van 'n datum wat die Sekretaris bepaal.

(2) Die bepalings van die Wet, uitgesonderd artikel 10, en die bepalings van hierdie regulasies, uitgesonderd regulasies 2 en 11, is *mutatis mutandis* met betrekking tot die omskepping van 'n pensioen ingevolge subregulasie (1) van toepassing.

Verval van Pensioen en Toelaes

18. (1) 'n Pensioen of toelaes ingevolge die Wet of hierdie regulasies toegeken, verval—

(a) wanneer 'n pensioentrekker te sterwe kom, en geen sodanige pensioen of toelae is aan die boedel van sodanige pensioentrekker betaalbaar nie;

(b) wanneer 'n pensioentrekker die pensioen vir ses agtereenvolgende maande nie getrek het nie.

(2) Ondanks die bepalings van subregulasie (1)—

(a) kan die Sekretaris die pensioen en toelaes bereken tot op die laaste dag van die maand waarin die pensioentrekker te sterwe kom, aan enige persoon betaal wat na die oordeel van die Sekretaris koste aangegaan het ten opsigte van die pensioentrekker se lewensonderhoud, versorging of begrafnis;

(b) kan die Sekretaris, indien hy oortuig is dat die versuim om die pensioen te trek aan omstandighede buite die pensioentrekker se beheer te wyte was, gelas dat die pensioen en toelaes voortbestaan vanaf die dag waarop dit die laaste keer getrek is of vanaf die ander datum wat hy bepaal.

(3) When any pensioner requests that some other person shall, for an indefinite period, take receipt on his behalf of any pension and allowances granted to him, the person paying out such pension and allowances may, on production to him of an authority, in writing, by such pensioner, duly signed in the presence of two witnesses and approved by the Secretary, pay out such pension and allowances to the person named in such authority.

(4) The provisions of subregulation (1) shall apply *mutatis mutandis* to any person to whom a pension and allowances are paid out in accordance with an authority granted under subregulation (2) or (3).

Payment of Pensions and Allowances to Aged Persons Maintained or Receiving Treatment in Certain Institutions

16. If at any time any pensioner is being maintained or is receiving treatment in a State or State-aided institution other than a home for the aged receiving grants-in-aid from the State, no pension or allowances shall be paid to him or on his behalf under the Act or these regulations from the first day of the month immediately following the month in which he is admitted to such State or State-aided institution, up to the last day of the month immediately preceding the month in which he is discharged from such State or State-aided institution.

Conversion of Certain Pensions and Grants into an Old Age Pension

17. (1) If any person in receipt of a pension under the Blind Persons Act, 1968, or any grant under the Disability Grants Act, 1968, qualifies for an old age pension under the Act, such pension or grant may, provided it shall not be to the disadvantage of such person, be converted at his request or by the Secretary of his own accord into an old age pension under the Act with effect from such date as the Secretary may determine.

(2) The provisions of the Act, excluding section 10, and the provisions of these regulations, excluding regulations 2 and 11, shall apply *mutatis mutandis* to the conversion of a pension under subregulation (1).

Lapsing of Pension and Allowances

18. (1) Any pension or allowances granted under the Act or these regulations shall lapse—

(a) when a pensioner dies, and no such pension or allowance shall be payable to the estate of such pensioner;

(b) when a pensioner has not drawn such pension for six consecutive months.

(2) Notwithstanding the provisions of subregulation (1)—

(a) the Secretary may pay such pension and allowances, calculated up to the last day of the month in which such pensioner dies, to any person who has in the opinion of the Secretary incurred any expense on such pensioner's maintenance, care or funeral;

(b) the Secretary may, if he is satisfied that the failure to draw such pension was due to circumstances over which such pensioner had no control, direct that such pension and allowances shall continue from the date on which they were last drawn or from such other date as he may determine.

Intrekking of Verandering van Pensioen

19. (1) Die Sekretaris kan 'n pensioen te eniger tyd hersien, en as hy oortuig is—

(a) dat 'n pensioen ingetrek, verminder of verhoog behoort te word, kan hy, met behoorlike inagneming van die omstandighede van elke geval—

(i) die pensioen intrek; of

(ii) die pensioen in ooreenstemming met die bepalings van regulasie 10 verminder of verhoog,

met ingang van die datum, met inbegrip van 'n datum in die verlede, wat hy bepaal;

(b) dat 'n pensioen wat ingetrek is, herstel behoort te word, kan hy die pensioen in ooreenstemming met die bepalings van regulasie 10 herstel met ingang van die eerste dag van die maand waarin die pensioen volgens sy oordeel aldus herstel behoort te word of moes gewees het.

(2) Indien om verhoging van 'n pensioen aansoek gedoen word en die Sekretaris oortuig is dat die pensioen verhoog behoort te word, kan hy die pensioen in ooreenstemming met die bepalings van regulasie 10 verhoog met ingang van die eerste dag van die maand waarin aansoek gedoen word: Met dien verstande dat indien die aansoek gedoen word binne 'n tydperk van 60 dae vanaf die datum waarop die betrokke pensioentrekker volgens die Sekretaris se oordeel aan die vereistes vir die verhoging voldoen het, die Sekretaris die pensioen kan verhoog met ingang van die eerste dag van die maand waarin die pensioentrekker aldus voldoen het.

Appel na die Minister

20. (1) 'n Persoon wat ingevolge artikel 13 van die Wet teen 'n beslissing of handeling van die Sekretaris appelleer, moet, binne 'n tydperk van 90 dae vanaf die datum waarop die beslissing gegee of die handeling plaasgevind het, 'n skriftelike kennisgewing van sodanige appel by die Sekretaris indien.

(2) Sodanige kennisgewing moet die gronde waarop teen die betrokke beslissing of handeling geappelleer word, volledig uiteensit.

(3) Die Sekretaris moet die kennisgewing en al die stukke waarop dit betrekking het, tesame met sodanige opmerkings as wat hy wens te maak, binne 'n tydperk van 14 dae na ontvangs van die kennisgewing deur hom aan die Minister voorlê.

BYLAE A**DAGVAARDING KRAGTENS ARTIKEL 9 VAN WET 81 VAN 1967**

Dagvaarding om te verskyn voor _____

Aan A.B. _____

U word hierby gedagvaar om persoonlik op die _____ dag van _____ 19____ om _____ uur voor

te verskyn om getuienis af te lê aangaande _____ en *die volgende boeke, aantekeninge of dokumente met u saam te bring en aan genoemde _____ voor te lê.

Gegee onder my hand op hierdie _____ dag van _____ 19____

* _____

† _____

* Indien die gedagvaarde 'n boek, aantekeninge of dokument moet voorlê, vul in beskrywing daarvan; so nie, moet hierdie woorde geskrap word.

† Meld amptitel van uitreikingsbeampte.

Cancellation or Variation of Pension

19. (1) The Secretary may at any time review a pension, and if he is satisfied—

(a) that a pension should be cancelled, reduced or increased, he may with due regard to the circumstances of each case—

(i) cancel such pension; or

(ii) reduce or increase such pension in conformity with the provisions of regulation 10,

with effect from such date, including any date in the past, as he may determine;

(b) that a pension which has been cancelled should be restored, he may restore such pension in conformity with the provisions of regulation 10 with effect from the first day of the month in which such pension should, in his opinion, be so restored or have been so restored.

(2) If application is made for the increase of a pension and the Secretary is satisfied that such pension should be increased, he may increase such pension in conformity with the provisions of regulation 10 with effect from the first day of the month in which such application is made: Provided that, if such application is made within a period of 60 days of the date on which, in the opinion of the Secretary, the pensioner concerned became qualified to receive such increase, the Secretary may increase such pension with effect from the first day of the month in which the pensioner became so qualified.

Appeal to the Minister

20. (1) Any person who, in terms of section 13 of the Act, appeals against any decision or action by the Secretary, shall give notice of such appeal to the Secretary, in writing, within a period of 90 days of the date of such decision or such action.

(2) Such notice shall state fully the grounds of appeal against such decision or action.

(3) The Secretary shall submit such notice and all the documents to which it relates, together with such comments as he may wish to make, to the Minister within a period of 14 days of his receipt of such notice.

SCHEDULE A**SUBPOENA UNDER SECTION 9 OF ACT 81 OF 1967**

Subpoena to appear before _____

To A.B. _____

You are hereby summoned to appear in person on the _____ day of _____ 19____ at _____

o'clock, before _____ to give evidence respecting _____ and to bring with you the following *books, records or documents and to produce them to the said _____

Given under my hand this _____ day of _____ 19____

* _____

† _____

* If the person summoned is required to produce any book, record or document, fill in a description thereof; otherwise strike out these words.

† Specify designation of issuing officer.

No. R. 385

17 Maart 1972

OUDSTRYDERSPENSIOENREGULASIES

Ek, Theodor Johannes Adolf Gerdener, Minister van Binnelandse Sake, handelende kragtens die bevoegdheid my verleen by artikel 15 van die Wet op Oudstryderspensioene, 1968 (Wet 25 van 1968)—

(i) vaardig hierby onderstaande regulasies ten opsigte van Sjinese uit;

(ii) bepaal dat genoemde regulasies geag word op 1 Oktober 1968 in werking te getree het.

T. J. A. GERDENER, Minister van Binnelandse Sake.

REGULASIES

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

(i) "applikant" 'n persoon wat op 'n pensioen aanspraak maak;

(ii) "attesterende beamppte" 'n beamppte in die diens van die Departement van Binnelandse Sake of van Volkswel-syn en Pensioene of van Justisie, 'n posmeester of 'n lid van 'n polisiemag wat by wet ingestel is;

(iii) "die Wet" die Wet op Oudstryderspensioene, 1968 (Wet 25 van 1968);

(iv) "Minister" die Minister van Binnelandse Sake;

(v) "pensioen" 'n oudstryderspensioen in artikel 2 van die Wet bedoel, maar nie ook 'n bykomende, aanvullende of oppasserstoelae nie;

(vi) "Sekretaris" die Sekretaris van Binnelandse Sake; en het 'n woord waarin in die Wet 'n betekenis gegee is, daardie betekenis.

Aansoek om 'n Pensioen

2. (1) (a) Behoudens die bepalings van subregulasie (2), moet 'n aansoek om 'n pensioen, nadat die applikant verklaar het dat die inligting daarin verstrek na sy beste wete en oortuiging waar en juis is, deur hom voor 'n attesterende beamppte onderteken en by die distrikspensioenbeamppte vir die gebied waarin die applikant permanent woonagtig is, ingedien word.

(b) Die attesterende beamppte voor wie 'n aansoek aldus onderteken word, moet op die aansoek sertifiseer dat hy die inligting in die aansoek vervat, aan die applikant verduidelik het en dat die verklaring in subregulasie (1) (a) vermeld, deur die applikant voor hom gedoen en onderteken is.

(2) (a) Indien 'n distrikspensioenbeamppte van oordeel is dat 'n applikant of 'n persoon namens wie op 'n pensioen aanspraak gemaak word, weens 'n liggaamlike of geestesgebrek nie in staat is om aan die bepalings van subregulasie (1) (a) te voldoen nie, kan hy na goeddunke 'n ander persoon toelaat om namens sodanige applikant of persoon aansoek om die pensioen te doen, en dan is die bepalings van subregulasie (1) *mutatis mutandis* ten opsigte van sodanige ander persoon van toepassing.

(b) Wanneer 'n distrikspensioenbeamppte 'n persoon toelaat om namens 'n ander persoon aansoek om 'n pensioen te doen, moet hy op die aansoek sertifiseer dat hy die persoon in die sertifikaat vermeld, magtig om namens die applikant aansoek om 'n pensioen te doen.

3. 'n Aansoek om 'n pensioen moet volledige besonderhede en inligting bevat van die applikant en sy eggenote se inkomste en bates en, indien hy of sy eggenote enige onroerende eiendom besit, van enige verband wat teen die titelbewys van sodanige eiendom geregistreer is.

4. Wanneer sowel 'n man as sy vrou om 'n pensioen aansoek doen, moet afsonderlik aansoek ten opsigte van elkeen van hulle gedoen word.

No. R. 385

17 March 1972

WAR VETERANS' PENSIONS REGULATIONS

I, Theodor Johannes Adolf Gerdener, Minister of the Interior, under and by virtue of the powers vested in me by section 15 of the War Veterans' Pensions Act, 1968 (Act 25 of 1968), hereby—

(i) make the following regulations in respect of Chinese persons;

(ii) determine that the said regulations shall be deemed to have come into operation on 1 October 1968.

T. J. A. GERDENER, Minister of the Interior.

REGULATIONS

Definitions

1. In these regulations, unless the context otherwise indicates—

(i) "applicant" means any person claiming a pension;

(ii) "attesting officer" means any officer in the service of the Department of the Interior or of Social Welfare and Pensions or of Justice, any postmaster or any member of any statutory police force;

(iii) "the Act" means the War Veterans' Pensions Act, 1968 (Act 25 of 1968);

(iv) "Minister" means the Minister of the Interior;

(v) "pension" means a war veteran's pension referred to in section 2 of the Act but does not include an additional, supplementary or attendant's allowance;

(vi) "Secretary" means the Secretary for the Interior; and any word to which a meaning has been assigned in the Act, shall bear that meaning.

Application for Pension

2. (1) (a) Subject to the provisions of subregulation (2), any application for a pension shall, after the applicant has declared the information furnished therein to be true and correct to the best of his knowledge and belief, be signed by him in the presence of an attesting officer and submitted to the district pension officer for the area in which the applicant is permanently resident.

(b) The attesting officer in whose presence an application is so signed, shall certify on such application that he has explained the information contained therein to the applicant and that the declaration referred to in subregulation (1) (a) was made and signed in his presence by such applicant.

(2) (a) If a district pension officer is of opinion that any applicant or any person on whose behalf a pension is claimed, is, owing to some physical or mental defect, unable to comply with the provisions of subregulation (1) (a), he may at his discretion permit any other person to apply for such pension on behalf of such applicant or person, in which case the provisions of subregulation (1) shall apply *mutatis mutandis* to such other person.

(b) Whenever a district pension officer permits any person to apply for a pension on behalf of any other person, he shall certify on the application that he authorises the person named in the certificate to apply for a pension on behalf of the applicant.

3. Any application for a pension shall contain full particulars of and information on the income and assets of the applicant and his spouse and, if he or his spouse owns any immovable property, any mortgage bond registered against the title deed of such property.

4. When both a man and his wife apply for a pension, a separate application shall be submitted in respect of each of them.

5. 'n Aansoek om 'n pensioen moet—

(a) vergesel gaan van die applikant se geboortesertifikaat of doopseël of, indien die applikant nie in staat is om sodanige geboortesertifikaat of doopseël voor te lê nie, van die ander dokumentêre bewys van die applikant se geboortedatum of ouderdom wat die Sekretaris goedvind of van 'n sertifikaat deur 'n distrikspensioen-beampte ten effekte dat hy na ondersoek, deur hom persoonlik ingestel, oortuig is dat die applikant op 'n datum in die sertifikaat gemeld, gebore is of die aldus vermelde ouderdom bereik het;

(b) vergesel gaan van dokumentêre bewys dat die applikant 'n oudstryder is soos omskryf in artikel 1 van die Wet of, indien hy nie in staat is om sodanige dokumentêre bewys voor te lê nie, van die ander bewys dat hy 'n oudstryder is wat die Sekretaris goedvind;

(c) indien die applikant daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger deur registrasie of naturalisasie is, vergesel gaan van die sertifikaat van registrasie of naturalisasie as Suid-Afrikaanse burger, na gelang van die geval, of indien hy nie in staat is om sodanige sertifikaat voor te lê nie, van die ander bewys van registrasie of naturalisasie as Suid-Afrikaanse burger wat die Sekretaris goedvind;

(d) indien die applikant daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger deur afkoms is, vergesel gaan van die bewys van Suid-Afrikaanse burgerskap wat die Sekretaris goedvind;

(e) vergesel gaan van die bewys van verblyf in die Republiek van Suid-Afrika of Suidwes-Afrika wat die Sekretaris goedvind.

6. Die datum waarop 'n aansoek om 'n pensioen voor 'n attesterende beampte onderteken word, word geag die datum te wees waarop die aansoek gedoen is.

Rekord van Aansoeke om Pensioen

7. Die distrikspensioenbeampte moet rekord hou van die naam en adres van iedere applikant van wie hy 'n aansoek om 'n pensioen ontvang en van die datum waarop die aansoek ingevolge regulasie 2 (1) geattesteer is.

Verkryging van die Aanwesigheid van Getuies

8. 'n Dagvaarding wat ingevolge artikel 5 van die Wet uitgereik word, moet sover doenlik in die vorm van Bylae A wees.

Persone wat nie vir 'n Oudstryderspensioen in Aanmerking Kom Nie

9. Niemand kom vir 'n oudstryderspensioen in aanmerking nie indien hy 'n pensioen ontvang kragtens die Ordonnansie op Maatskaplike Pensioene, 1965 (Ordonnansie 2 van 1965) van Suidwes-Afrika, die Duitse Oudstryderspensioenordonnansie, 1965 (Ordonnansie 3 van 1965) van Suidwes-Afrika, die Wet op Bejaarde Persone, 1967 (Wet 81 van 1967), of die Wet op Blindes, 1968 (Wet 26 van 1968), of 'n toelae ontvang kragtens die Wet op Ongeskiktheidstoelae, 1968 (Wet 27 van 1968) nie.

Vasstelling van die Bedrag van Pensioen

10. (1) By 'n beslissing oor die vraag of 'n pensioen toegeken, ingetrek, verminder of verhoog moet word of oor die bedrag van 'n pensioen, hou die Sekretaris rekening met—

(a) die vermoë en geleenthede van 'n applikant of pensioentrekker om homself deur eie inspanning te onderhou of tot sy onderhoud by te dra; en

(b) die vermoë van die applikant of pensioentrekker se gade om hom te onderhou of tot sy onderhoud by te dra.

5. Any application for a pension shall—

(a) be accompanied by the applicant's birth or baptismal certificate or, if such applicant is unable to produce such birth or baptismal certificate, by such other documentary evidence of such applicant's date of birth or age as the Secretary may deem fit or by a certificate by a district pension officer to the effect that after an enquiry made by him personally he is satisfied that such applicant was born on a date mentioned in such certificate or has attained the age so mentioned;

(b) be accompanied by documentary evidence that the applicant is a war veteran as defined in section 1 of the Act or, if he is unable to produce such documentary evidence, by such other evidence that he is a war veteran as the Secretary may deem fit;

(c) if the applicant claims to be a South African citizen by registration or naturalization, be accompanied by the certificate of registration or naturalization, as the case may be, as a South African citizen or if he is unable to produce such certificate, by such other evidence of registration or naturalization as a South African citizen as the Secretary may deem fit;

(d) if the applicant claims to be a South African citizen by descent, be accompanied by such evidence of South African citizenship as the Secretary may deem fit;

(e) be accompanied by such evidence of residence in the Republic of South Africa or South-West Africa as the Secretary may deem fit.

6. The date on which any application for a pension is signed in the presence of an attesting officer, shall be deemed to be the date on which such application was made.

Record of Applications for a Pension

7. The district pension officer shall keep a record of the name and address of each applicant from whom he receives an application for a pension, and of the date on which such application was attested in terms of regulation 2 (1).

Securing Attendance of Witnesses

8. Any subpoena issued under section 5 of the Act shall, as far as practicable, be in the form of Schedule A.

Persons not Eligible for a War Veteran's Pension

9. No person shall be eligible for a war veteran's pension if he is in receipt of a pension under the Social Pensions Ordinance, 1965 (Ordinance 2 of 1965) of South-West Africa, the German War Veterans' Pensions Ordinance, 1965 (Ordinance 3 of 1965) of South-West Africa, the Aged Persons Act, 1967 (Act 81 of 1967), or the Blind Persons Act, 1968 (Act 26 of 1968), or is in receipt of a grant under the Disability Grants Act, 1968 (Act 27 of 1968).

Determination of Amount of Pension

10. (1) In deciding whether a pension shall be granted, cancelled, reduced or increased, or when determining the amount of the pension, the Secretary shall take into account—

(a) the ability and opportunities of an applicant or pensioner to support himself or contribute towards his support through his own efforts; and

(b) the ability of the applicant's or pensioner's spouse to support him or contribute towards his support.

(2) Behoudens die bepalings van die Wet en van hierdie regulasies—

(a) beloop die pensioen wat aan 'n oudstryder toegeken word die bedrag wat die Sekretaris met inagneming van die omstandighede, jaarlikse inkomste en ander middele van die betrokke oudstryder en van sy eggenote vasstel: Met dien verstande dat sodanige pensioen—

(i) indien dit ten opsigte van enige tydperk vanaf die eerste dag van Oktober 1968 tot en met die 30ste dag van September 1969 toegeken is, die bedrag van hoogstens R72 per jaar kan beloop;

(ii) indien dit ten opsigte van enige tydperk vanaf die eerste dag van Oktober 1969 tot en met die 31ste dag van Maart 1970 toegeken is, die bedrag van hoogstens R186 per jaar kan beloop; en

(iii) indien dit ten opsigte van 'n tydperk vanaf die eerste dag van April 1970 tot en met die 31ste dag van Maart 1971 toegeken is, die bedrag van hoogstens R198 per jaar kan beloop;

(iv) indien dit ten opsigte van 'n tydperk na die 31ste dag van Maart 1971 toegeken is, 'n bedrag van hoogstens R216 per jaar kan beloop;

(b) word 'n pensioen nie aan 'n oudstryder onder die ouderdom van 70 jaar toegeken teen so 'n skaal dat sy jaarlikse inkomste en ander middele tesame met die pensioen—

(i) vir enige tydperk vanaf die eerste dag van Oktober 1968 tot en met die 30ste dag van September 1969, die bedrag van R168 per jaar te bowe gaan nie;

(ii) vir enige tydperk vanaf die eerste dag van Oktober 1969 tot en met die 31ste dag van Maart 1970, die bedrag van R282 per jaar te bowe gaan nie; en

(iii) vir enige tydperk vanaf die eerste dag van April 1970 tot en met die 31ste dag van Maart 1971 die bedrag van R294 per jaar te bowe gaan nie;

(iv) vir 'n tydperk na die 31ste dag van Maart 1970 die bedrag van R312 per jaar te bowe gaan nie;

(c) word die bedrag van die pensioen wat aan 'n oudstryder toegeken word met die bedrag van R6 per jaar verminder vir iedere R6 waarmee die jaarlikse inkomste en ander middele van sodanige oudstryder die bedrag van R96 te bowe gaan;

(d) word die gesamentlike bates, met inbegrip van enige vruggebruik, van 'n getroude applikant en sy eggenote vir die doeleindes van die bepaling van die applikant se ander middele in aanmerking geneem;

(e) word die gesamentlike inkomste van 'n getroude applikant en sy eggenote geag die inkomste van die applikant te wees.

(3) (a) Indien die jaarlikse persoonlike inkomste van 'n manlike applikant 50 persent van die jaarlikse vergoeding wat sy eggenote ontvang vir dienste gelewer nie te bowe gaan nie, word, benewens die jaarlikse persoonlike inkomste van die applikant, die ander middele van hom en sy eggenote en die helfte van die jaarlikse inkomste van sy eggenote verkry uit ander bronne as vergoeding deur sy eggenote ontvang vir dienste gelewer slegs een-sesde van enige vergoeding deur sy eggenote ontvang vir dienste gelewer by die oorweging van die applikant se aansoek om 'n pensioen in aanmerking geneem.

(b) Behalwe in die geval waar die bepalings van subregulasie (3) (a) van toepassing is, word slegs die helfte van 'n getroude applikant se jaarlikse inkomste by die oorweging van sy aansoek om 'n pensioen ingevolge artikel 4 (1) van die Wet in aanmerking geneem.

(c) By die bepaling van 'n applikant se ander middele, word enige bates wat hy of sy eggenote aan iemand anders geskenk het, in aanmerking geneem, maar die bedrag of waarde van sodanige bates word met 'n bedrag, bereken

(2) Subject to the provisions of the Act and of these regulations—

(a) the pension granted to any war veteran shall be such amount as the Secretary may determine having regard to the circumstances, annual income and other means of such war veteran and of his spouse, subject to the condition that such pension shall not exceed the sum of—

(i) seventy-two rand per annum if approved for any period from the first day of October 1968 up to and including the 30th day of September 1969;

(ii) one hundred and eighty-six rand per annum if approved for any period from the first day of October 1969 up to and including the 31st day of March 1970; and

(iii) one hundred and ninety-eight rand per annum if approved for any period from the first day of April 1970 up to and including the 31st day of March 1971;

(iv) two hundred and sixteen rand per annum if approved for any period subsequent to the 31st day of March 1971.

(b) no pension shall be granted to any war veteran under the age of 70 years at such a rate as will make his annual income and other means together with the pension exceed the amount of—

(i) one hundred and sixty-eight rand per annum if approved for any period from the first day of October 1968 up to and including the 30th day of September 1969;

(ii) two hundred and eighty-two rand per annum if approved for any period from the first day of October 1969 up to and including the 31st day of March 1970; and

(iii) two hundred and ninety-four rand per annum in respect of any period from the first day of April 1970 up to and including the 31st day of March 1971;

(iv) three hundred and twelve rand per annum in respect of any period subsequent to the 31st day of March 1971;

(c) the amount of the pension granted to any war veteran shall be reduced by the amount of R6 per annum for every R6 by which the annual income and other means of such war veteran exceed the amount of R96;

(d) the combined assets, including any usufruct, of a married applicant and his spouse shall be taken into account for the purpose of determining such applicant's other means;

(e) the combined income of a married applicant and his spouse shall be deemed to be the income of such applicant.

(3) (a) If the annual personal income of a male applicant does not exceed 50 per cent of the annual remuneration received by his spouse for services rendered, only one-sixth of any remuneration received by his spouse for services rendered, in addition to the annual personal income of the applicant, the other means of such applicant and his spouse and half of the annual income of his spouse derived from sources other than remuneration received by his spouse for services rendered, shall be taken into account in considering such applicant's application for a pension.

(b) Except in a case where the provisions of subregulation (3) (a) apply, only half of a married applicant's annual income shall be taken into account in considering his application for a pension under section 4 (1) of the Act.

(c) In determining an applicant's other means, any assets donated by him or his spouse to any other person shall be taken into account, but the amount or value of

teen die koers van R250 per jaar in die geval van 'n onge-
troude applikant en teen R500 per jaar in die geval van
'n getroude applikant, verminder ten opsigte van iedere
kalenderjaar wat sedert die datum van die skenking ver-
loop het.

(4) Ondanks die bepalings van hierdie regulasies, word
die inkomste en ander middele van 'n oudstryder soos
omskryf in artikel 1 (vi) (a) van die Wet buite rekening
gelaat by die vasstelling, ingevolge artikel 4 (3) van die
Wet, van die bedrag van die pensioen waarop hy geregtig
is.

(5) By die toepassing van subregulasies (2), (3) en (4)
beteken—

“bates” enige onroerende eiendom, kontantbeleggings,
belang in die aandele, aandeelkapitaal of bates van 'n
maatskappy of ander instelling, kapitaal in 'n sakeonder-
neming belê en kontant voorhande of in 'n lopende reke-
ning by 'n bank of ander finansiële instelling;

“inkomste”—

(a) enige vergoeding, hetsy in kontant of andersins,
ontvang vir dienste gelewer, maar nie ook sodanige ver-
goeding deur 'n persoon na die bereiking van die ouder-
dom van 70 jaar ontvang nie;

(b) enige winste verkry uit 'n sakeonderneming waar-
van 'n applikant of sy eggenote die eienaar is;

(c) enige voordele ingevolge die wetsbepalings of
reëls met betrekking tot 'n pensioen- of voorsorgfonds
of die een of ander skema ontvang, maar nie ook
voordele ontvang ingevolge die Wet, die Kinderwet
1960 (Wet 33 van 1960), die Kinderordonnansie, 1961
(Ordonnansie 31 van 1961) van Suidwes-Afrika, die
Ordonnansie op Maatskaplike Pensioene, 1965 (Ordon-
nansie 2 van 1965) van Suidwes-Afrika, die Duitse
Oudstryderspensioenordonnansie, 1965 (Ordonnansie
3 van 1965) van Suidwes-Afrika, die Wet op Werkloos-
heidsversekering, 1966 (Wet 30 van 1966), die Wet op
Bejaarde Persone, 1967 (Wet 81 van 1967), die Wet
op Blindes, 1968 (Wet 26 van 1968), die Wet op Onge-
skiktheidstoelaes, 1968 (Wet 27 van 1968), of ingevolge
'n regulasie kragtens enige van genoemde wette of ordon-
nansies uitgevaardig nie;

(d) enige winste uit die beoefening van die landbou
verkry wat hierby geag word die bedrag van R72 per
jaar te beloop mits die applikant die eienaar van die
eiendom is;

(e) enige inkomste uit 'n ander bron verkry, maar
nie ook huurgelde, rente of diwidende nie;

“ander middele”—

(a) die beraamde jaarlikse opbrengs van die bates
en van enige vruggebruik van 'n applikant, soos bepaal
deur die bedrag waarmee die onbeswaarde waarde van
sodanige bates die bedrag van R1 800 of, in die geval
van 'n applikant wat die ouderdom van 70 jaar bereik
het, R2 400 of, in die geval van 'n oudstryder van die
Wêreldoorlog van 1914-1920, die bedrag van R5 000 te
bowe gaan deur 100 te deel en die resultaat met ses
te vermenigvuldig;

(b) die jaarlikse winste verkry uit enige onroerende
eiendom deur die applikant of sy eggenote vir land-
boudoeleindes gehuur: Met dien verstande dat die
minimum jaarlikse inkomste so verkry, as R72 beskou
word.

Datum waarop 'n Pensioen Toeval

11. (1) 'n Pensioen word toegeken met ingang van die
datum wat die Sekretaris in iedere geval bepaal.

(2) Ondanks die bepalings van subregulasie (1), word
geen pensioen toegeken met ingang van 'n datum wat
vroëer is as die eerste dag van die maand waarin daarom
aansoek gedoen word nie of, indien 'n aansoek om 'n pen-
sioen gedoen word voor die verstryking van 'n tydperk

such assets shall be reduced by an amount, calculated
at the rate of R250 per annum in the case of an
unmarried applicant and at the rate of R500 per annum
in the case of a married applicant, in respect of every
calendar year which has elapsed since the date of the
donation.

(4) Notwithstanding the provisions of these regulations
the income and other means of a war veteran as defined
in section 1 (xii) (a) of the Act shall not be taken into
account in determining, under section 4 (3) of the Act,
the amount of the pension to which he is entitled.

(5) For the purposes of subregulations (2), (3) and
(4)—

“assets” shall mean any immovable property, cash
investments, interest in the shares, share capital or assets
of a company or other institution, capital invested in any
business concern, and cash in hand or in a current
account at any bank or other financial institution;

“income” shall mean—

(a) any remuneration, either in cash or otherwise,
received for services rendered, but shall not include
such remuneration received by any person after he has
attained the age of 70 years;

(b) any profits derived from a business concern of
which an applicant or his spouse is the owner;

(c) any benefits received under the statutory provi-
sions or rules relating to any pension or provident
fund or any scheme, but shall not include any benefits
received under the Act, the Children's Act, 1960 (Act
33 of 1960), the Children's Ordinance, 1961 (Ordinance
31 of 1961) of South-West Africa, the Social Pensions
Ordinance, 1965 (Ordinance 2 of 1965) of South-
West Africa, the German War Veterans' Pensions
Ordinance, 1965 (Ordinance 3 of 1965) of South-West
Africa, the Unemployment Insurance Act, 1966 (Act 30
of 1966), the Aged Persons Act, 1967 (Act 81 of
1967), the Blind Persons Act, 1968 (Act 26 of 1968),
the Disability Grants Act, 1968 (Act 27 of 1968), or
under any regulation made under any of the said Acts
or Ordinances;

(d) any profits derived from the practice of agricul-
ture, which shall hereby be deemed to be the amount
of R72 per annum, provided the applicant is the
owner of the property;

(e) any income derived from any other source, but
shall not include rentals, interest or dividends;

“other means” shall mean—

(a) the estimated annual yield of the assets of an
applicant, including any usufruct as determined by
dividing the amount by which the unencumbered value
of such assets exceeds the amount of R1800 or, in the
case of an applicant who has attained the age of 70
years, the amount of R2 400 or in the case of a war
veteran of the World War of 1914-1920 the amount
of R5 000, by 100 and multiplying the result by six;

(b) the annual profits derived by the applicant or
his spouse from any immovable property rented for
agricultural purposes: Provided that the minimum
annual income so derived shall be deemed to be R72.

Date on Which Pension Accrues

11. (1) A pension shall be granted with effect from
such date as the Secretary may determine in each case.

(2) Notwithstanding the provisions of subregulation
(1), no pension shall be granted with effect from a date
earlier than the first day of the month in which such
pension is applied for or, if a pension is applied for
before the expiry of a period of 60 days from the date

van 60 dae vanaf die datum waarop die applikant die ouderdom van 60 jaar bereik het, met ingang van 'n datum wat vroeër is as die eerste dag van die maand waarin die applikant daardie ouderdom bereik het nie.

Bykomende of Aanvullende Toelaes

12. (1) 'n Oudstryder aan wie 'n pensioen toegeken word, word, benewens sodanige pensioen, 'n bykomende bedrag van R60 per jaar betaal.

(2) Benewens die bykomende bedrag waarvoor in subregulasie (1) voorsiening gemaak word, is 'n toelae van R108 per jaar vir die tydperk vanaf die eerste dag van Oktober 1968 tot en met die 30ste dag van September 1969 betaalbaar.

Oppasserstoelae

13. (1) Indien 'n persoon aan wie 'n pensioen ingevolge die Wet toegeken is, na die oordeel van die Sekretaris die ouderdom van 90 jaar bereik het of in so 'n liggaamlike of geestestoestand verkeer dat hy gereeld deur iemand anders opgepas moet word en geen subsidie deur die Staat aan enige ouetehuis of ander inrigting ten opsigte van sy huisvesting en versorging betaal word nie, kan die Sekretaris, op die voorwaardes en met ingang van die datum wat hy bepaal, benewens sodanige pensioen, aan 'n pensioentrekker of aan iemand anders ten behoeve van hom 'n oppasserstoelae van hoogstens R60 per jaar toeken.

(2) Ondanks andersluidende bepalings van subregulasie (1), word geen oppasserstoelae daarkragtens toegeken met ingang van 'n datum wat vroeër is as die eerste dag van die maand waarin die pensioentrekker die ouderdom van 90 jaar bereik of waarin die Sekretaris bevind dat die pensioentrekker in so 'n liggaamlike of geestestoestand verkeer dat hy gereeld deur iemand anders opgepas moet word nie.

Betaling van Pensioene en Toelaes

14. Pensioene, bykomende of aanvullende toelaes en oppasserstoelaes ingevolge die Wet of hierdie regulasies toegeken, word maandeliks deur die Sekretaris of 'n persoon deur hom aangewys, op die tye en plekke deur die Sekretaris bepaal, betaal.

15. (1) Behoudens die bepalings van subregulasie (2), moet iedere pensioentrekker die pensioen en toelaes aan hom betaalbaar, persoonlik in ontvangs neem en 'n kwitansie onder sy handtekening of merk ten opsigte van die bedrag aldus ontvang, verstrek.

(2) Wanneer 'n pensioentrekker weens liggaamlike ongesteldheid nie in staat is om 'n pensioen of enige toelaes wat ingevolge die Wet of hierdie regulasies aan hom toegeken is, persoonlik in ontvangs te neem nie, kan die Sekretaris of die persoon wat die pensioen of toelaes uitbetaal, by voorlegging aan hom van 'n skriftelike magtiging deur die pensioentrekker, behoorlik in die aanwesigheid aan twee getuies onderteken, die pensioen en toelaes vir 'n tydperk van hoogstens drie maande aan 'n persoon in die magtiging vermeld, uitbetaal, mits daardie persoon by iedere betaling van die pensioen en toelaes 'n serti-fikaat verstrek ten effekte dat die pensioentrekker ten tye van die betaling in lewe is.

(3) Wanneer 'n pensioentrekker versoek dat enige pensioen en toelaes aan hom toegeken vir 'n onbepaalde tydperk deur iemand anders ten behoeve van hom in ontvangs geneem moet word, kan die persoon wat die pensioen en toelaes uitbetaal, by voorlegging aan hom van 'n skriftelike magtiging deur die pensioentrekker, behoorlik in die aanwesigheid van twee getuies onderteken en deur die Sekretaris goedgekeur, die pensioen en toelaes aan die persoon in die magtiging vermeld, uitbetaal.

(4) Die bepalings van subregulasie (1) is *mutatis mutandis* van toepassing op 'n persoon aan wie 'n pensioen en toelaes ooreenkomstig 'n magtiging kragtens subregulasie (2) of (3) verleen, uitbetaal word.

on which the applicant attained the age of 60 years, with effect from a date earlier than the first day of the month in which such applicant attained such age.

Additional or Supplementary Allowances

12. (1) Any war veteran to whom a pension is granted shall be paid an amount of R60 per annum in addition to such pension.

(2) Besides the addition specified in subregulation (1) an allowance of R108 per annum shall be payable to a war veteran from the first day of October 1968 up to and including the 30th day of September 1969.

Attendant's Allowance

13. (1) If in the opinion of the Secretary any person to whom a pension has been granted under the Act has attained the age of 90 years or is in such a physical or mental condition that he requires the regular attendance of any other person and if no subsidy is paid by the State to any home for the aged or other institution in respect of his accommodation and care, the Secretary may, on such conditions and with effect from such date as he may determine, in addition to such pension, grant such pensioner or any person on behalf of such pensioner an attendant's allowance not exceeding R60 per annum.

(2) Notwithstanding anything to the contrary contained in subregulation (1) no attendant's allowance shall be granted thereunder with effect from a date earlier than the first day of the month in which the pensioner attains the age of 90 years or in which the Secretary is satisfied that such pensioner is in such a physical or mental condition that he requires the regular attendance of any other person.

Payment of Pensions and Allowances

14. Pensions, additional or supplementary allowances and attendants' allowances granted under the Act or these regulations shall be paid monthly by the Secretary or any person designated by him at such times and places as the Secretary may determine.

15. (1) Subject to the provisions of subregulation (2), every pensioner shall take receipt in person of the pension and allowances payable to him and furnish a receipt under his signature or mark in respect of the amount so received.

(2) When any pensioner is unable owing to some physical indisposition to take receipt in person of a pension or any allowances granted to him under the Act or these regulations, the Secretary or the person paying out such pension or allowances may, on production to him of an authority, in writing, by such pensioner, duly signed in the presence of two witnesses, pay out such pension and allowances for a period not exceeding three months to any person named in such authority, provided that such person shall, whenever payment of such pension and allowances is made, furnish a certificate to the effect that such pensioner is alive at the time of such payment.

(3) When any pensioner requests that some other person shall, for an indefinite period, take receipt on his behalf of any pension and allowances granted to him, the person paying out such pension and allowances may on production to him of an authority, in writing, by such pensioner, duly signed in the presence of two witnesses and approved by the Secretary, pay out such pension and allowances to the person named in such authority.

(4) The provisions of subregulation (1) shall apply *mutatis mutandis* to any person to whom a pension and allowances are paid out in accordance with an authority granted under subregulation (2) or (3).

Betaling van Pensioene en Toelaes aan Oudstryders wat in sekere Inrigtings onderhou word of Behandeling ontvang

16. Indien 'n pensioentrekker te eniger tyd in 'n Staats- of Staatsondersteunde inrigting, behalwe in 'n ouetehuis soos omskryf in artikel 1 van die Wet op Bejaarde Persone, 1967, wat hulptoelaes van die Staat ontvang, onderhou word of behandeling ontvang, word geen pensioen of toelae ingevolge die Wet of hierdie regulasies aan of ten behoeve van hom vanaf die eerste dag van die maand wat onmiddellik volg op die maand waarin hy in sodanige Staats- of Staatsondersteunde inrigting opgeneem word tot die laaste dag van die maand wat die maand waarin hy uit sodanige Staats- of Staatsondersteunde inrigting ontslaan word, onmiddellik voorafgaan, betaal nie.

Omskepping van sekere Pensioene en Toelaes in 'n Oudstryderspensioen.

17. (1) Indien 'n persoon wat 'n pensioen ingevolge die Wet op Bejaarde Persone, 1967, of die Wet op Blindes, 1968, of 'n toelae ingevolge die Wet op Ongeskiktheids-toelaes, 1968, ontvang, aan die vereistes vir 'n oudstryderspensioen ingevolge die Wet voldoen, kan sodanige pensioen of toelae, indien dit nie tot nadeel van so 'n persoon sal wees nie, op sy versoek of deur die Sekretaris uit eie beweging in 'n oudstryderspensioen ingevolge die Wet omskep word met ingang van 'n datum wat die Sekretaris bepaal.

(2) Die bepalings van die Wet, uitgesonderd artikel 4, en die bepalings van hierdie regulasies, uitgesonderd regulasies 2 en 11, is *mutatis mutandis* met betrekking tot die omskepping van 'n pensioen ingevolge subregulasie (1) van toepassing.

Verval van Pensioen en Toelaes

18. (1) 'n Pensioen of toelae ingevolge die Wet of hierdie regulasies toegeken, verval—

(a) wanneer 'n pensioentrekker te sterwe kom, en geen sodanige pensioen of toelae is aan die boedel van sodanige pensioentrekker betaalbaar nie;

(b) wanneer 'n pensioentrekker die pensioen vir ses agtereenvolgende maande nie getrek het nie.

(2) Ondanks die bepalings van subregulasie (1)—

(a) kan die Sekretaris die pensioen en toelae, bereken tot op die laaste dag van die maand waarin die pensioentrekker te sterwe kom, aan enige persoon betaal wat na die oordeel van die Sekretaris koste aangegaan het ten opsigte van die pensioentrekker se lewensonderhoud, versorging en begrafnis;

(b) kan die Sekretaris, indien hy oortuig is dat die versuim om die pensioen te trek aan omstandighede buite die pensioentrekker se beheer te wyte was, gelas dat die pensioen en toelae voortbestaan vanaf die dag waarop dit die laaste keer getrek is of vanaf die ander datum wat hy bepaal.

Intrekking of Verandering van Pensioen

19. (1) Die Sekretaris kan 'n pensioen te eniger tyd hersien, en as hy oortuig is—

(a) dat 'n pensioen ingetrek, verminder of verhoog behoort te word, kan hy, met behoorlike inagneming van elke geval—

(i) die pensioen intrek; of

(ii) die pensioen in ooreenstemming met die bepalings van regulasie 10 verminder of verhoog;

met ingang van die datum, met inbegrip van 'n datum in die verlede, wat hy bepaal;

(b) dat 'n pensioen wat ingetrek is, herstel behoort te word, kan hy die pensioen in ooreenstemming met die bepalings van regulasie 10 herstel met ingang van die eerste dag van die maand waarin die pensioen volgens sy oordeel aldus herstel behoort te word of moet gewees het.

Payment of Pensions and Allowances to War Veterans Maintained or Receiving Treatment in Certain Institutions

16. If at any time any pensioner is being maintained or is receiving treatment in a State or State-aided institution, other than a home for the aged as defined in section 1 of the Aged Persons Act, 1967, receiving a grant-in-aid from the State, no pension or allowances shall be paid to him or in his behalf under the Act or these regulations from the first day of the month immediately following the month in which he is admitted to such State or State-aided institution, up to the last day of the month immediately preceding the month in which he is discharged from such State or State-aided institution.

Conversion of Certain Pensions and Grants Into a War Veteran's Pension

17. (1) If any person in receipt of a pension under the Aged Persons Act, 1967, or the Blind Persons Act, 1968, or any grant under the Disability Grants Act, 1968, qualifies for a war veteran's pension under the Act, such pension or grant may, provided it shall not be to the disadvantage of such person, be converted at his request or by the Secretary of his own accord into a war veteran's pension under the Act with effect from such date as the Secretary may determine.

(2) The provisions of the Act, excluding section 4, and the provisions of these regulations, excluding regulations 2 and 11, shall apply *mutatis mutandis* to the conversion of a pension under subregulation (1).

Lapsing of Pension and Allowances

18. (1) Any pension or allowance granted under the Act or these regulations shall lapse—

(a) when a pensioner dies, and no such pension or allowance shall be payable to the estate of such pensioner;

(b) when a pensioner has not drawn such pension for six consecutive months.

(2) Notwithstanding the provisions of subregulation (1)—

(a) the Secretary may pay such pension and allowances calculated up to the last day of the month in which such pensioner dies, to any person who has in the opinion of the Secretary incurred any expense on such pensioner's maintenance, care or funeral;

(b) the Secretary may, if he is satisfied that the failure to draw such pension was due to circumstances over which such pensioner had no control, direct that such pension and allowances shall continue from the date on which they were last drawn or from such other date as he may determine.

Cancellation or Variation of Pension

19. (1) The Secretary may at any time review a pension, and if he is satisfied—

(a) that a pension should be cancelled, reduced or increased, he may with due regard to the circumstances of each case—

(i) cancel such pension; or

(ii) reduce or increase such pension in conformity with the provisions of regulation 10, with effect from such date, including any date in the past, as he may determine;

(b) that a pension which has been cancelled should be restored he may restore such pension in conformity with the provisions of regulation 10 with effect from the first day of the month in which such pension should in his opinion be so restored or have been so restored.

(2) Indien om verhoging van 'n pensioen aansoek gedoen word en die Sekretaris oortuig is dat die pensioen verhoog behoort te word, kan hy die pensioen in ooreenstemming met die bepalings van regulasie 10 verhoog met ingang van die eerste dag van die maand waarin aansoek gedoen word: Met dien verstande dat indien die aansoek gedoen word binne 'n tydperk van 60 dae vanaf die datum waarop die betrokke pensioentrekker volgens die Sekretaris se oordeel aan die vereistes vir die verhoging voldoen het, die Sekretaris die pensioen kan verhoog met ingang van die eerste dag van die maand waarin die pensioentrekker aldus voldoen het.

Appel na die Minister

20. (1) 'n Persoon wat ingevolge artikel 8 van die Wet teen 'n beslissing of handeling van die Sekretaris appelleer, moet, binne 'n tydperk van 90 dae vanaf die datum waarop die beslissing gegee of die handeling plaasgevind het, 'n skriftelike kennisgewing van sodanige appel by die Sekretaris indien.

(2) Sodanige kennisgewing moet die gronde waarop teen die betrokke beslissing of handeling geappelleer word, volledig uiteensit.

(3) Die Sekretaris moet die kennisgewing en al die stukke waarop dit betrekking het, tesame met sodanige opmerkings as wat hy wens te maak, binne 'n tydperk van 14 dae na ontvangs van die kennisgewing deur hom aan die Minister voorlê.

BYLAE A

DAGVAARDING KRAGTENS ARTIKEL 5 VAN WET 25 VAN 1968

Dagvaarding om te verskyn voor _____

Aan A.B. _____

U word hierby gedagvaar om persoonlik op die _____ dag van _____ 19____ om _____ uur voor te verskyn om getuienis af te lê aangaande _____ en *die volgende boeke, aantekeninge of dokumente met u saam te bring en aan genoemde _____ voor te lê.

Gegee onder my hand op hierdie _____ dag van _____ 19____

* _____

† _____

* Indien die gedagvaarde 'n boek, aantekeninge of dokument moet voorlê, vul in beskrywing daarvan; so nie, moet hierdie woorde geskrap word.

† Meld ampstitel van uitreikingsbeampte.

No. R. 389 17 Maart 1972
REGULASIES INGEVOLGE DIE KINDERWET, 1960
(WET 33 VAN 1960)

Ek, Theodor Johannes Adolf Gerdener, Minister van Binnelandse Sake, handelende kragtens bevoegdheid my verleen by artikel 92 van die Kinderwet, 1960 (Wet 33 van 1960), vir sover die uitvoering van genoemde Wet ingevolge Proklamasie R. 42 van 15 Maart 1968 aan my opgedra is—

(i) vaardig hierby onderstaande regulasies uit met betrekking tot geldelike ondersteuning van persone, verenigings van persone en kinderhuise ingevolge artikel 89 van genoemde Wet; en

(ii) bepaal dat die regulasies vermeld in subparagraaf (i) op Sjinese persone, soos in genoemde proklamasie omskryf, van toepassing is en geag word op 1 Oktober 1968 in werking te getree het.

(2) If application is made for the increase of a pension and the Secretary is satisfied that such pension should be increased, he may increase such pension in conformity with the provisions of regulation 10 with effect from the first day of the month in which such application is made: Provided that if such application is made within a period of 60 days of the date on which, in the opinion of the Secretary, the pensioner concerned became qualified to receive such increase, the Secretary may increase such pension with effect from the first day of the month in which the pensioner became so qualified.

Appeal to the Minister

20. (1) Any person who, in terms of section 8 of the Act, appeals against any decision or action by the Secretary, shall give notice of such appeal to the Secretary, in writing, within a period of 90 days of the date of such decision or such action.

(2) Such notice shall state fully the grounds of appeal against such decision or action.

(3) The Secretary shall submit such notice and all the documents to which it relates, together with such comments as he may wish to make, to the Minister within a period of 14 days of his receipt of such notice.

SCHEDULE A

SUBPOENA UNDER SECTION 5 OF ACT 25 OF 1968

Subpoena to appear before _____

To A.B. _____

You are hereby summoned to appear in person on the _____ day of _____ 19____ at _____

o'clock, before _____ to give evidence respecting _____ and to bring with you the following *books, records or documents and to produce them to the said _____

Given under my hand this _____ day of _____ 19____

* _____

† _____

* If the person summoned is required to produce any book, record or document, fill in a description thereof; otherwise strike out these words.

† Specify designation of issuing officer.

No. R. 389 17 March 1972
REGULATIONS IN TERMS OF THE CHILDREN'S
ACT, 1960 (ACT 33 OF 1960)

Under and by virtue of the powers vested in me by section 92 of the Children's Act, 1960 (Act 33 of 1960), I, Theodor Johannes Adolf Gerdener, Minister of the Interior, in so far as the administration of the said Act has been assigned to me by Proclamation R. 42 of 15 March 1968, do hereby—

(i) make the following regulations in regard to financial assistance to persons, associations of persons and children's homes in terms of section 89 of the said Act; and

(ii) direct that the regulations referred to in sub-paragraph (i) shall be applicable to Chinese persons as defined in the said proclamation and shall be deemed to have come into operation on 1 October 1968.

DEEL I

Woordomskrywing

1. In hierdie regulasies het enige uitdrukking waaraan 'n betekenis geheg is by artikel 1 van die Kinderwet, 1960 (Wet 33 van 1960), daardie betekenis en tensy uit die samehang anders blyk, beteken—

“artikel” ’n artikel van die Wet;

“bonus” ’n toelae ingevolge die bepalings van regulasie 23 van hierdie regulasies;

“bykomende toelae” ’n toekenning ingevolge die bepalings van regulasie 23 van hierdie regulasies;

“Departement” die Departement van Binnelandse Sake;

“gesinstoelae” ’n toelae ingevolge die bepalings van regulasie 16 van hierdie regulasies;

“jaar” of “kalenderjaar” ’n tydperk van 12 agtereenvolgende kalendermaande wat strek van 1 Januarie tot en met 31 Desember van ’n jaar;

“kinderbewaarhuis” ’n gebou of plek of perseel wat in stand gehou word vir die opnemings, beskerming en gedeeltelike versorging van jong kinders en wat kragtens die Wet as ’n versorgingsoord geregistreer is;

“kinderbewaaruistoelae” ’n toelae ingevolge die bepalings van regulasie 43 van hierdie regulasies;

“kinderhuistoelae” ’n toelae ingevolge die bepalings van regulasie 37 van hierdie regulasies;

“maand” of “kalendermaand” ’n tydperk wat strek vanaf ’n datum in een kalendermaand tot die datum wat die ooreenstemmende datum in die volgende kalendermaand voorafgaan, albei datums inbegrepe; hierdie beginsel word toegepas by die vasstelling van enige tydperk wat in maande uitgedruk word;

“maatskaplike pensioen” ’n pensioen ingevolge die Wet op Bejaarde Persone, 1967 (Wet 81 van 1967), of die Wet op Blindes, 1968 (Wet 26 van 1968), of die Wet op Oudstryderspensioene, 1968 (Wet 25 van 1968), of ’n toelae ingevolge die Wet op Ongeskiktheidstoelae, 1968 (Wet 27 van 1968);

“Minister” die Minister van Binnelandse Sake;

“’n toelae” enige toelae ingevolge die bepalings van hierdie regulasies toegestaan;

“onderhoudstoelae” ’n toelae ingevolge die bepalings van regulasie 9 van hierdie regulasies;

“ouer” vir die doeleindes van hierdie regulasies ook “stiefouer”;

“pleegkind” ’n persoon wat ingevolge die bepalings van die Wet of die Strafproseswet, 1955 (Wet 56 van 1955), in die bewaring van ’n pleegouer geplaas is;

“pleegouertoelae” ’n toelae ingevolge die bepalings van regulasie 24 van hierdie regulasies;

“prinsipaal” die hoof van ’n verbeteringskool, ’n nywerheidsskool, ’n kinderskool wat kragtens artikel 39 opgerig is of ’n kinderskool wat kragtens artikel 42 geregistreer en geklassifiseer is;

“regulasies” die regulasies wat ingevolge die bepalings van die Kinderwet, 1960 (Wet 33 van 1960), uitgevaardig is;

“Sekretaris”, die Sekretaris van Binnelandse Sake;

“skool” ’n verbeteringskool of ’n nywerheidsskool vir die doeleindes van hierdie regulasies;

“spesiale toelae” ’n toelae ingevolge die bepalings van regulasie 48 van hierdie regulasies;

“superintendent” die hoof van ’n veiligheidsplek of plek van bewaring of ’n waarnemingsentrum;

“veiligheidsplektoelae” ’n toelae ingevolge die bepalings van regulasie 31 van hierdie regulasies;

“vereniging van persone” enige vereniging van persone, met of sonder regs persoonlikheid, wat volgens die Minister se oordeel hom beywer, en so saamgestel en bestuur en beheer word dat die vereniging op bevredigende wyse die bevoegdhede kan uitoefen wat die Wet en hierdie regulasies voorskryf, vir die beskerming, welsyn, redding,

PART I

Definitions

1. In these regulations any term to which a meaning has been assigned by section 1 of the Children's Act, 1960 (Act 33 of 1960), shall bear that meaning and, unless inconsistent with the context—

“Act” means the Children's Act, 1960 (Act 33 of 1960);

“additional grant” means a grant in terms of the provisions of regulation 23 of these regulations;

“a grant” means any grant made in terms of the provisions of these regulations;

“association of persons” means any association of persons, corporate or unincorporate, which is, in the opinion of the Minister, working, and is so constituted, managed and controlled that it can satisfactorily exercise the powers laid down by the Act and these regulations, for the protection, welfare, reclamation, reception, bringing-up medical or other treatment, permanent care or temporary or partial care or the provision of all or any of the material requirements of children;

“bonus” means a grant in terms of the provisions of regulation 23 of these regulations;

“children's home grant” means a grant in terms of the provisions of regulation 37 of these regulations;

“crèche” means a building or place or premises maintained for the reception, protection and partial care of infants and registered in terms of the Act as a place of care;

“crèche grant” means a grant in terms of the provisions of regulation 43 of these regulations;

“the Department” means the Department of the Interior;

“family grant” means a grant in terms of the provisions of regulation 16 of these regulations;

“foster child” means a person who has been placed in the custody of a foster-parent in terms of the provisions of the Act or the Criminal Procedure Act, 1955 (Act 56 of 1955);

“foster-parent grant” means a grant in terms of the provisions of regulation 24 of these regulations;

“Maintenance grant” means a grant in terms of the provisions of regulation 9 of these regulations;

“the Minister” means the Minister of the Interior;

“month” or “calendar month” means a period extending from a date in one calendar month to the date preceding the corresponding date in the following calendar month, both dates inclusive; this principle shall be applied in determining of any period expressed in months;

“parent”, for the purposes of these regulations, includes “stepparent”;

“place of safety grant” means a grant in terms of the provisions of regulation 31 of these regulations;

“principal” means the head of a reform school, a school of industries, a children's home established in terms of section 39 or a children's home registered and classified in terms of section 42;

“regulations” means the regulations promulgated under the provisions of the Children's Act, 1960 (Act 33 of 1960);

“school” means a reform school or a school of industries for the purposes of these regulations;

“the Secretary” means the Secretary for the Interior;

“section” means a section of the Act;

“social pension” means a pension in terms of the Aged Persons Act, 1967 (Act 81 of 1967), or the Blind Persons Act, 1968 (Act 26 of 1968), or the War Veterans' Pensions Act, 1968 (Act 25 of 1968), or a grant in terms of the Disability Grants Act, 1968 (Act 27 of 1968);

“special grant” means a grant in terms of regulation 48 of these regulations;

opneming, opvoeding, mediese of ander behandeling, permanente versorging of tydelike of gedeeltelike versorging, of die verskaffing van al of enigeen van die stoflike benodigdhede van kinders;

"Wet" die Kinderwet, 1960 (Wet 33 van 1960).

DEEL II

GELDELIKE ONDERSTEUNING

Soorte Toelaes

2. Geldelike ondersteuning wat kragtens artikel 89 (1) en (2) deur die Minister toegestaan word, kan in een of meer van onderstaande vorme wees:

- (a) Onderhoudstoelae.
- (b) Gesinstoelae.
- (c) Bykomende toelae benewens onderhoudstoelae of gesinstoelae.
- (d) Bonus.
- (e) Pleegouertoelae.
- (f) Veiligheidsplektoelae.
- (g) Kinderhuistoelae.
- (h) Kinderbewaarhuistoelae.
- (i) Spesiale toelae.

ALGEMEEN

Oorweging van Aansoek om Toelaes

3. Die Minister moet enige aansoek om 'n toelae wat ingevolge hierdie regulasies aan die Sekretaris gestuur is, oorweeg en met inagneming van enige verdere inligting wat aan hom verstrekk is, bepaal of die applikant 'n toelae behoort te ontvang, al dan nie, en indien hy wel van mening is dat die applikant 'n toelae behoort te ontvang, moet hy die bedrag daarvan vasstel: Met dien verstande dat die toelae aldus vasgestel, nie die skale in hierdie regulasies voorgeskryf, mag oorskryf nie.

Voorwaardes Waarop Sekere Toelaes Betaal Word

4. Dit is 'n voorwaarde van elke onderhoudstoelae, gesinstoelae, bykomende toelae, bonus, pleegouertoelae, veiligheidsplektoelae of kinderhuistoelae wat ingevolge hierdie regulasies vir die onderhoud van 'n kind, leerling of persoon toegestaan word—

(a) dat die kind, leerling of persoon moet bly in die bewaring van die persoon of in die kinderhuis, veiligheidsplek, of plek van bewaring waarin hy was toe die magtiging tot die betaling van die toelae verleen is, of in enige ander bewaring waarin hy met die goedkeuring van die Minister geplaas is, of in die bewaring of kinderhuis waarheen hy deur die Minister oorgeplaas is;

(b) dat die kind, leerling of persoon behoorlik gehuisves, gevoed en geklee moet word en die nodige mediese en tandheelkundige behandeling moet ontvang;

(c) dat die kind of leerling, indien hy van skoolgaande ouderdom is, gereeld die skool moet besoek, tensy hy om 'n rede wat deur die Minister as gegronde beskou word, verhinder word om dit te doen;

(d) dat die ouer, voog of pleegouer aan wie 'n toelae betaal word, redelike toegang tot die kind en tot die huis waarin die kind woon, moet verleen aan die beamppte van 'n vereniging of aan 'n persoon wat kragtens 'n bepaling van die Wet of van hierdie regulasies aangewys is om toesig oor die kind uit te oefen solank hy in voornoemde ouer, voog of pleegouer se bewaring is, en die inligting moet verstrekk wat van tyd tot tyd redelikerwys deur sodanige beamppte of persoon vereis word; en dat sodanige ouer, voog of persoon moet voldoen aan die voorskrifte wat in verband met die besteding van die toelae, gegee word deur 'n persoon of die beamppte van 'n vereniging wat benoem is om die besteding van die toelae te beheer.

"superintendent" means the head of a place of safety or of detention or of an observation centre;

"year" or "calendar year" means a period of 12 consecutive calendar months extending from the 1 January to the 31 December of any year, both days inclusive.

PART II

FINANCIAL ASSISTANCE

Types of grants

2. Financial assistance granted by the Minister in terms of section 89 (1) and (2) may take one or more of the following forms:

- (a) Maintenance grant.
- (b) Family grant.
- (c) Additional grant over and above maintenance grant or family grant.
- (d) Bonus.
- (e) Foster-parent grant.
- (f) Place of safety grant.
- (g) Children's home grant.
- (h) Crèche grant.
- (i) Special grant.

GENERAL

Consideration of Applications for Grants

3. The Minister shall consider any application for a grant sent to the Secretary in terms of these regulations and, having regard to any further information furnished to him, shall determine whether an applicant should or should not receive a grant, and if he considers that the applicant should receive a grant, he shall determine the amount thereof: Provided that the grant so determined shall not be in excess of the rates prescribed in these regulations.

Conditions Upon which Certain Grants are Paid

4. It shall be a condition of every maintenance grant, family grant, additional grant, bonus, foster-parent grant, place of safety grant or children's home grant made in terms of these regulations for the maintenance of a child, pupil or person—

(a) that the child, pupil or person shall remain in the custody of the person, the children's home, place of safety or place of detention in which he was at the time of the authorisation of the grant, or in any other custody in which he has been placed with the approval of the Minister or in the custody or children's home to which he has been transferred by the Minister;

(b) that the child, pupil or person shall be properly housed, fed and clothed and shall receive the necessary medical and dental treatment;

(c) that the child or pupil, if of school-going age, shall regularly attend school, unless he is prevented from doing so for reasons considered sound by the Minister;

(d) that the parent, guardian or foster-parent to whom a grant is made shall allow reasonable access to the child and to the home in which the child lives, by the officer of any association or by any person appointed under any provision of the Act or of these regulations to supervise the child while in the custody of the said parent, guardian or foster-parent and shall furnish such information as may from time to time be reasonably required by such officer or person; and that such parent, guardian or person shall comply with any directions, as to the expenditure of the grant, given by any person or the officer of any association appointed to control the spending of the grant.

Toelaes kan nie Afgestaan word en daar kan nie op Toelaes Beslag Gelê word nie

5. Geen toelae kan afgestaan, oorgedra of andersins gesedeer, verpand of verhipoteker word nie; ook kan daar nie op 'n toelae beslag gelê word nie en is dit nie vatbaar vir enige vorm van beslaglegging kragtens 'n uitspraak of bevel van 'n geregshof nie, en indien enigeen wat 'n toelae ontvang, probeer om daarvan afstand te doen, dit oor te dra of andersins te sedgeer of te verpand of te verhipoteker, kan betaling van die toelae teruggehou, opgeskort of geheel en al gestaak word, indien die Minister aldus bepaal.

Kennisgewing van Verandering van Omstandighede

6. Iemand aan wie 'n toelae betaal word, moet die Sekretaris onverwyld nadat enige verandering van omstandighede rakende sy reg op die toelae ingetree het, skriftelik van sodanige verandering in kennis stel.

Datum van Intrekking van 'n Toelae

7. Die Minister kan, behoudens die bepalings van hierdie regulasies en tensy hy uitdruklik anders gelas, ten gevolge van omstandighede wat ontstaan het na die datum waarop enige toelae toegestaan is, sodanige toelae intrek met ingang van die eerste dag van die maand wat onmiddellik op die maand volg waarin, na sy oordeel, die toelae ingetrek behoort te gewees het of ingetrek behoort te word.

Buitengewone Gevalle

8. Die Minister kan onderworpe aan die goedkeuring van die Tesourie, onder buitengewone omstandighede toelaes toestaan teen hoër skale as dié wat by hierdie regulasies voorgeskryf word.

ONDERHOUDSTOELAES

Persone wat vir Toelaes in Aanmerking kom en Doel van Toelaes

9. (1) 'n Onderhoudstoelae kan behoudens die bepalings van hierdie regulasies betaal word—

(a) vir die onderhoud van die ouer of voog van 'n kind wat in sodanige ouer of voog se bewaring is en ten opsigte van wie daar ingevolge paragraaf (b) 'n toelae toegeken is; of

(b) vir die onderhoud van 'n kind.

(2) 'n Onderhoudstoelae mag nie ooreenkomstig subregulasie 1 (a) aan 'n ouer of voog betaal word nie tensy sy 'n vrou is—

(a) wat ongetroud of 'n weduwee is;

(b) wie se man haar vir 'n tydperk van minstens drie maande verlaat het, terwyl sy adres onbekend is, of indien hy, as sy adres bekend is, na die Minister se mening nie toereikend tot haar onderhoud bydra nie;

(c) wat van haar man geskei is of vir minstens drie maande weg van hom lewe en na die Minister se mening nie toereikend deur haar man onderhou word nie;

(d) wie se man 'n maatskaplike pensioen ontvang, of wat, as dit nie was vir sy middele of verblyfkwelifikasies nie, bevoeg sou gewees het om sodanige pensioen te ontvang;

(e) wie se man totaal ongeskik verklaar is om vir 'n tydperk van minstens ses maande lonende werk te onderneem;

(f) wie se man vir 'n tydperk van minstens drie maande tot gevangenisstraf veroordeel is of kragtens 'n bevel vir minstens drie maande in 'n staats- of staatsondersteunde inrigting aangehou moet word; of

(g) wat aanneemlik bewys gelever het dat haar eis vir onderhoud teen die vader van haar buite-egtelike kind nie geslaag het nie.

Grants not Assignable or Executable

5. No grant shall be capable of being assigned, transferred or otherwise ceded or of being pledged or hypothecated, nor shall it be liable to be attached or subjected to any form of execution under a judgement or order of a court of law, and if a grantee attempts to assign, transfer or otherwise cede or to pledge or hypothecate a grant, payment of the grant may be withheld, suspended or entirely discontinued if the Minister so determines.

Notification of Change of Circumstances

6. Any person to whom a grant is paid shall, immediately after the occurrence of any change of circumstances affecting his right to the grant, notify the Secretary in writing of such change.

Date of Cancellation of a Grant

7. The Minister may, subject to the provisions of these regulations and unless he expressly directs otherwise, in consequence of circumstances that arose after the date on which any grant has been made, cancel such grant with effect from the first day of the month immediately following the month in which, in his opinion, the grant should have been or should be cancelled.

Exceptional Cases

8. The Minister may, subject to the approval of the Treasury, under exceptional circumstances, make grants at rates higher than those prescribed in these regulations.

MAINTENANCE GRANTS

Persons Eligible for Grants and Purpose of Grants

9. (1) A maintenance grant may, subject to the provision of these regulations, be paid for—

(a) the maintenance of the parent or guardian of a child who is in the custody of such parent or guardian and in respect of whom a grant has been made in terms of paragraph (b); or

(b) the maintenance of a child.

(2) A maintenance grant shall not be paid to a parent or guardian in terms of subregulations (1) (a) unless such parent or guardian is a woman—

(a) who is unmarried or a widow;

(b) who has been deserted by her husband, whose whereabouts are unknown, for a period of at least three months, or whose husband, if his whereabouts are known, does not, in the opinion of the Minister, contribute adequately to her support;

(c) who has been divorced, or who has been separated from her husband for a period of at least three months, and is, in the opinion of the Minister, inadequately supported by her husband;

(d) whose husband receives a social pension or who, were it not for his means or residential qualifications, would have been eligible for such pension;

(e) whose husband has been certified totally unfit to undertake remunerative work for a period of at least six months;

(f) whose husband has been sentenced to imprisonment for at least three months or has been ordered to be detained in a state or state-aided institution for a period of at least three months; or

(g) who has produced acceptable evidence that she has been unsuccessful in a claim for maintenance against the father of her illegitimate child.

(3) 'n Onderhoudstoelae mag nie ooreenkomstig subregulasie 1 (b) aan 'n ouer of voog betaal word nie, tensy die ouer of voog 'n vrou is soos omskryf in subregulasie (2) van hierdie regulasie, of tensy hy 'n man is wat—

(a) 'n wewenaar, of 'n geskeide persoon of 'n vader is wat deur sy eggenote verlaat is en wat 'n maatskaplike pensioen ontvang, of wat, as dit nie was vir sy middele of verblyfkwalifikasies nie, bevoeg sou gewees het om sodanige pensioen te ontvang; of

(b) geneeskundig totaal ongeskik verklaar is om vir 'n tydperk van minstens ses maande enige lonende werk te verrig.

(4) Iemand wat 'n maatskaplike pensioen ontvang, kom nie in aanmerking vir 'n toelae ingevolge regulasie 9 (1) (a) nie.

Aansoek om Toelae

10. (1) 'n Aansoek om 'n toelae moet in die toepaslike vorm gedoen word. Die aansoek moet aan die Streek-verteenwoordiger van die Departement voorgelê word of, as daar geen sodanige beampte is nie, aan die plaaslike verteenwoordiger van die Departement van Volkswelsyn en Pensioene of, as daar geen sodanige beampte is nie, aan die Kommissaris van die distrik waarin die applikant woonagtig is, en moet na sertifisering aan die Sekretaris gestuur word.

Verifiëring van Geboortedatum

(2) In enige geval waar om 'n onderhoudstoelae aan soek gedoen word, moet die geboortesertifikaat of doopseel van die kind deur die ouer of voog voorgelê word. Indien sodanige sertifikaat of seel nie voorgelê of verkry kan word nie, kan die Minister ander dokumentêre bewys van die kind se ouderdom, wat hy as bevredigend beskou, aanvaar. Indien daar geen sodanige dokumentêre bewys gelewer kan word nie, kan die Kommissaris of 'n senior beampte van die Departement, of a senior beampte van die Departement van Volkswelsyn en Pensioene, na gelang van die geval, die kind se ouderdom deur skatting vasstel.

Tydperke Waarvoor Toelaes Betaalbaar is

11. 'n Onderhoudstoelae wat toegestaan word, is betaalbaar, behoudens die bepalinge van hierdie regulasies en tensy die Minister uitdruklik anders gelas, vanaf die eerste dag van die maand waarin aansoek om sodanige toelae gedoen is en mag nie betaal word na afloop van die jaar waarin die kind die ouderdom van agtien jaar bereik nie: Met dien verstande dat in die geval van 'n toelae vir die onderhoud van 'n kind wie se ouer of voog vir meer as drie maande tot gevangenisstraf veroordeel is of bevel is om vir meer as drie maande in 'n staatsondersteunde inrigting of staatsinrigting aangehou te word, die datum met ingang waarvan sodanige toelae betaal staan te word, die datum van die vonnis of bevel, na gelang van die geval, kan wees.

Wyse van Betaling van Toelae

12. Tensy die Minister uitdruklik anders gelas, is 'n onderhoudstoelae wat toegestaan word, maandeliks agterna betaalbaar en dit kan aan die applikant of aan 'n ander bevoegde persoon of vereniging van persone wat deur die Minister benoem is, betaal word om deur sodanige persoon of vereniging vir die onderhoud van die ouer, voog, of kind bestee te word, en die Minister kan verder sodanige persoon of vereniging benoem om toesig oor die kind te hou: Met dien verstande dat die Minister te eniger tyd, na goeë dunske, voormelde benoeming kan herroep of wysig.

(3) A maintenance grant shall not be paid to a parent or guardian in terms of subregulation (1) (b) unless such parent or guardian is a woman as defined in subregulation (2) of this regulation or unless he is a man who—

(a) is a widower, or a divorced person or a father who has been deserted by his wife and who is in receipt of a social pension, or who, if it were not for his means or residential qualifications, would have been eligible to receive such pension; or

(b) has been certified as medically totally unfit to undertake remunerative work for a period of at least six months.

(4) A person in receipt of a social pension shall not be eligible for a grant in terms of regulation 9 (1) (a).

Application for Grant

10. (1) An application for a grant shall be made in the appropriate form. The application shall be submitted to the Regional Representative of the Department, or, if there is no such officer, to the local representative of the Department of Social Welfare and Pensions, or, if there is no such officer, to the Commissioner of the district in which the applicant is residing, and shall after certification be sent to the Secretary.

Verification of Date of Birth

(2) If any case where application is made for a maintenance grant, the birth or baptismal certificate of the child shall be produced by the parent or guardian. If such certificate has not been produced or cannot be obtained, the Minister may accept such other documentary evidence as to the age of the child as he considers satisfactory. If no such documentary evidence can be produced, the Commissioner or a senior officer of the Department or a senior officer of the Department of Social Welfare and Pensions, as the case may be, may determine the age of the child by estimation.

Periods for which Grants are Payable

11. Any maintenance grant which is made, shall, subject to the provisions of these regulations and unless the Minister expressly directs otherwise, be payable from the first day of the month in which such grant has been applied for and shall not be paid after the end of the year in which the child attains the age of 18 years: Provided that in the case of any grant for the maintenance of a child whose parent or guardian has been sentenced to imprisonment for more than three months or has been ordered to be detained in a state-aided or state institution for more than three months, the date from which such grant is to be paid, may be the date of the sentence or order, as the case may be.

Manner of Payment of Grant

12. Unless the Minister directs otherwise, a maintenance grant made shall be paid monthly in arrear, and may be paid to the applicant or to some other competent person or association of persons, appointed by the Minister, to be expended by such person or association on the maintenance of the parent, guardian or child, and the Minister may further appoint such person or association to supervise the child: Provided that the Minister may at any time, at his discretion, revoke or vary the afore-mentioned appointment.

Hersiening en Opskorting of Verandering van Toelae

13. (1) 'n Onderhoudstoelae wat toegestaan is, kan te eniger tyd of by gereelde tussenpose gedurende die tydperk waarvoor betaling daarvan gemagtig is, deur die Minister in hersiening geneem word, of na gelang hy gelas.

(2) Indien die Minister daarvan oortuig is—

(a) dat iemand nie meer ingevolge hierdie regulasies bevoeg is om 'n toelae te ontvang nie; of

(b) dat die bedrag van die toelae groter of kleiner is as die bedrag wat die persoon ooreenkomstig die bepalings van hierdie regulasies behoort te ontvang, kan hy die betaling van sodanige toelae opskort, of die toelae vermeerder of verminder, na gelang van die geval, ingevolge die bepalings van hierdie regulasies.

Voortsetting van Toelae

14. Ingeval van die dood van die ouer of voog van 'n kind aan wie 'n onderhoudstoelae betaalbaar is, of indien enige ander omstandigheid sodanige ouer of voog verhinder om die kind langer te onderhou, moet die verantwoordelike beamppte van die Departement of die verantwoordelike beamppte van die Departement van Volkswelsyn en Pensioene of die Kommissaris die Sekretaris onmiddellik daarvan in kennis stel en hom meedeel aan wie voorgestel word dat die toelae intussen betaal word totdat die kind in ander wettige bewaring geplaas is.

Skale van Onderhoudstoelaes

15. (1) Die skale van onderhoudstoelaes wat betaal kan word, is, behoudens die bepalings van hierdie regulasies, soos volg:

	Per maand R
(a) 'n Maksimum toelae ten opsigte van elke volwassene (moeder of vader).....	6,00
(b) 'n Maksimum toelae ten opsigte van elk van die eerste twee kinders.....	3,00
(c) 'n Maksimum toelae ten opsigte van die derde en elke daaropvolgende kind.....	2,00
(d) Die maksimum toelae (met inbegrip van enige maatskaplike pensioene) wat aan 'n gesin betaal kan word, is.....	15,00
(e) Die bedrag van middele wat 'n volwassene (moeder of vader) kan hê sonder dat die bedrag van die toelae ten opsigte van onderskeidelik die moeder of vader en die kinders geraak word, is—	
ten opsigte van elke volwassene (vader en moeder)	8,00
ten opsigte van die kinders, vir elke kind.....	1,00
(f) Die gesin se middele, met inbegrip van die bedrae in subparagraaf (e) hierbo genoem, plus enige staats-toelae, mag nie groter wees nie as.....	30,00

Sekere Pensioene en Toelaes nie as Middele of Inkomste Beskou nie

(2) Vir die doeleindes van hierdie regulasies word die volgende nie as middele of inkomste beskou nie:

(a) Enige bykomende pensioene, toelae of bonus betaalbaar kragtens die Wet op Bejaarde Persone (Wet 81 van 1967), die Wet op Blindes (Wet 26 van 1968), die Wet op Oudstryderspensioene (Wet 25 van 1968), en die Wet op Ongeskiktheidstoelaes (Wet 27 van 1968), of enige spesiale bonus betaalbaar aan die ontvanger van 'n maatskaplike pensioen;

(b) oppasserstoelae wat ingevolge die Wet op Bejaarde Persone (Wet 81 van 1967), die Wet op Blindes (Wet 26 van 1968), Wet op Oudstryderspensioene (Wet 25 van 1968), die Wet op Ongeskiktheidstoelaes (Wet 27 van 1968), en artikel 88 (1) van die Pneumokoniosevergoedingswet (Wet 64 van 1962), betaal word;

(c) enige bykomende toelaes of bonusse betaalbaar ingevolge hierdie regulasies.

Review and Suspension or Variation of Grant

13. (1) A maintenance grant which has been made, may be reviewed by the Minister at regular intervals or at any time during the period for which its payment has been authorised, or may be reviewed as the Minister may direct.

(2) Whenever the Minister is satisfied—

(a) that a person is no longer qualified in terms of these regulations to receive a grant; or

(b) that the amount of the grant is greater or less than the amount which such person should receive in accordance with the provisions of these regulations, he may suspend such grant or increase or reduce it, as the case may be, in accordance with the provisions of these regulations.

Continuation of Grant

14. In the event of the death of the parent or guardian of a child to whom a maintenance grant is payable, or in the event of any other disability preventing such parent or guardian from maintaining the child, the responsible officer of the Department or the responsible officer of the Department of Social Welfare and Pensions or the Commissioner shall immediately inform the Secretary thereof and of the name of any person to whom it is proposed to continue payment of the grant until the child is placed in other lawful custody.

Rates of Maintenance Grants

15. (1) The rates of maintenance grants which may be paid, are, subject to the provisions of these regulations, as follows:

	Per month R
(a) A maximum grant in respect of each adult (mother or father).....	6,00
(b) A maximum grant in respect of each of the first two children.....	3,00
(c) A maximum grant in respect of the third and every further child.....	2,00
(d) Maximum grant (including any social pension) which may be paid to a family.....	15,00
(e) Amount of means, that an adult (mother or father) may have without affecting the amount of the grant in respect of the mother or father and the children, respectively:	
In respect of every adult (father and mother)....	8,00
In respect of the children, for every child.....	1,00
(f) Means of the family, including the amounts specified in subparagraph (e) above, plus any State grants, shall not exceed.....	30,00

Certain Pensions and Grants not Regarded as Means or Income

(2) For the purposes of these regulations the following will not be regarded as means or income:

(a) Any additional pension, grant or bonus payable in terms of the Aged Persons Act, 1967 (Act 81 of 1967), the Blind Persons Act, 1968 (Act 26 of 1968), the War Veterans' Pensions Act, 1968 (Act 25 of 1968), and the Disability Grants Act, 1968 (Act 27 of 1968) or any special bonus payable to the recipient of a social pension;

(b) attendant's allowance payable in terms of the Aged Persons Act, 1967 (Act 81 of 1967), the Blind Persons Act, 1968 (Act 26 of 1968), the War Veterans' Pensions Act, 1968 (Act 25 of 1968), the Disability Grants Act, 1968 (Act 27 of 1968), and section 88 (1) of the Pneumokoniosis Compensation Act, 1962 (Act 64 of 1962);

(c) any additional grants or bonuses payable in terms of these regulations.

GESINSTOELAES

Gesinne wat vir Toelaes in Aanmerking Kom en Doel van Toelaes

16. (1) Op aansoek van 'n vader of stiefvader kan daar, behoudens die bepalings van hierdie regulasies, aan 'n gesin wat drie of meer kinders insluit, ten opsigte van die derde en elke daaropvolgende afhanklike kind, 'n toelae betaal word.

(2) Elk van onderstaande groepe persone word behoudens en vir die doeleindes van die bepalings van hierdie regulasies as 'n gesin beskou;

(a) 'n Man en sy vrou wat as sodanig saamwoon en 'n kind wat die nakomeling van een of albei van hulle is en deur een of albei van hulle onderhou word.

(b) 'n Man wat nie 'n vrou het nie of nie met sy vrou saamleef nie en 'n kind wat sy nakomeling is en deur hom onderhou word: Met dien verstande dat 'n kind ten opsigte van wie 'n onderhoudstoelae of 'n pleegouertoelae of 'n kinderhuistoelae betaal word, nie beskou word as 'n lid van die gesin nie.

(3) 'n Gesinstoelae kan nie ingevolge hierdie regulasies betaal word nie tensy—

(a) die man die een of ander beroep uitoefen of loonarbeid verrig; en

(b) hy na die mening van die Minister nie in die vermoë of in staat is om sy gesin sonder staats hulp te onderhou nie.

(4) 'n Ouer of stiefouer wat 'n onderhoudstoelae of 'n maatskaplike pensioen ontvang, kom nie in aanmerking vir 'n gesinstoelae nie.

Voorwaarde

(5) Dit is 'n voorwaarde van elke gesinstoelae wat toegestaan is dat die toelae aangewend word tot voordeel van die gesin as geheel.

Aansoek om Toelaes

17. (1) 'n Aansoek om 'n toelae moet in 'n vorm deur die Sekretaris bepaal aan die Streekvertegenwoordiger van die Departement voorgelê word, of as daar geen sodanige beampte is nie, aan die plaaslike verteenwoordiger van die Departement van Volkswelsyn en Pensioene, of as daar geen sodanige beampte is nie aan die Kommissaris van die distrik waarin die applikant woonagtig is, en moet na sertifisering saam met die werkgewersertifikaat of bevestiging van die inkomste aan die Sekretaris gestuur word.

Verifiëring van Geboortedatums

(2) Die bepalings van regulasie 10 (2) van hierdie regulasies is *mutatis mutandis* op gesinstoelaes van toepassing.

Tydperke Waarvoor Toelaes Betaalbaar is

18. Die bepalings van regulasie 11 van hierdie regulasies is *mutatis mutandis* op gesinstoelaes van toepassing.

Betaling van Gesinstoelaes

19. Tensy die Minister uitdruklik anders gelas, is 'n gesinstoelae maandeliks agterna betaalbaar—

(a) aan die vrou in die geval van 'n gesin in regulasie 16 (2) (a) van hierdie regulasies genoem: Met dien verstande dat die Minister, indien hy daarvan oortuig is dat die vrou nie 'n geskikte persoon is om die toelae te ontvang nie, kan gelas dat dit aan die man betaal word en te eniger tyd sodanige voorskrif na goeddunke kan herroep of verander; of

(b) aan die man in die geval van 'n gesin in regulasie 16 (2) (b) van hierdie regulasies genoem; of

(c) aan enige ander bevoegde persoon wat op aanbeveling van 'n beampte van die Departement of van die Departement van Volkswelsyn en Pensioene of 'n

FAMILY GRANTS

Families Eligible for Grants and Purpose of Grants

16. (1) On application by a father or stepfather, an allowance in respect of the third and every further dependent child may, subject to the provisions of these regulations, be paid to a family which includes three or more children.

(2) Each of the undermentioned groups of persons shall, subject to and for the purposes of the provisions of these regulations, be regarded as a family:

(a) A man and his wife who are living together as such and who have a child who is the issue of one or both of them and who is maintained by one or both of them.

(b) A man not having a wife or not living with his wife, and a child who is his issue and is maintained by him: Provided that a child in respect of whom a maintenance grant or a foster-parent grant or a children's home grant is paid, shall not be regarded as a member of the family.

(3) A family grant shall not be paid in terms of these regulations unless—

(a) the man follows some occupation or is gainfully employed; and

(b) in the opinion of the Minister, he is not able or not in a position to maintain his family without Government assistance.

(4) A parent or stepparent in receipt of a maintenance grant or a social pension, shall not be eligible for a family grant.

Condition

(5) It shall be a condition of every family grant made that the grant shall be utilised for the benefit of the family as a whole.

Application for Grants

17. (1) An application for a grant shall be submitted, in a form prescribed by the Secretary, to the Regional Representative of the Department, or, if there is no such officer, to the local representative of the Department of Social Welfare and Pensions, or, if there is no such officer, to the Commissioner of the district in which the applicant is residing, and shall after certification be sent to the Secretary with the employer's certificate or confirmation of the income.

Verification of Dates of Birth

(2) The provisions of regulation 10 (2) of these regulations shall apply *mutatis mutandis* to family grants.

Periods for which Grants are Payable

18. The provisions of regulation 11 of these regulations shall apply *mutatis mutandis* to family grants.

Payments of Family Grants

19. Unless the Minister expressly directs otherwise, a family grant is payable monthly in arrear—

(a) to the wife, in the case of a family referred to in regulation 16 (2) (a) of these regulations: Provided that the Minister, if he is satisfied that the wife is not a suitable person to receive the grant, may direct that it be paid to the husband and may at any time at his discretion, revoke or vary such direction; or

(b) to the husband, in the case of a family referred to in regulation 16 (2) (b) of these regulations; or

(c) to any other competent person appointed by the Minister, on the recommendation of an officer of the Department or of the Department of Social Welfare

Kommissaris, na gelang van die geval, deur die Minister benoem mag word om namens die persoon wat op die toelae geregtig is, die toelae te ontvang: Met dien verstande dat die Minister te eniger tyd na goëddunke sodanige benoëming kan herroep of wysig.

Hersiening en Opskorting of Verandering van Toelaes

20. Die bepalings van regulasie 13 van hierdie regulasies, is *mutatis mutandis* op gesinstoelaes van toepassing.

Voortsetting van Toelaes

21. Die bepalings van regulasie 14 van hierdie regulasies, is *mutatis mutandis* op gesinstoelaes van toepassing.

Skale van Gesinstoelaes

22. (1) Die skale van gesinstoelaes wat betaal kan word, is, behoudens die bepalings van hierdie regulasies, soos volg:

	Per maand R
(a) 'n Maksimum toelae per kind vir die derde en elke daaropvolgende kind.....	2,00
(b) Die minimum inkomste van die ouers of stiefouers om vir die maksimum toelae in aanmerking te kom, is	8,50
(c) Vir elke rand wat die ouers of stiefouers se inkomste minder is as die bedrag genoem in (b) hierbo word die maksimum toelae verminder met.....	1,00
(d) Die gesin se middele plus 'n toelae mag nie groter wees nie as.....	31,00
(e) Die maksimum toelae wat aan 'n gesin betaal kan word, is.....	12,50

(2) Vir die doeleindes van hierdie regulasie word bykomende toelaes en bonusse nie as middele of inkomste beskou nie.

BYKOMENDE TOELAES EN BONUSSE

Betaling van Bykomende Toelaes en Bonusse

23. (1) Aan enige persoon wat 'n onderhoudstoelae of 'n gesinstoelae ontvang en wat nie 'n maatskaplike pensioen ontvang nie, kan benewens sodanige onderhoudstoelae of gesinstoelae, 'n bonus van R6,75 per maand betaal word vanaf 1 Oktober 1968 tot 30 September 1969, R7,25 per maand vanaf 1 Oktober 1969 tot 31 Maart 1970 en R8,25 per maand vanaf 1 April 1970.

(2) Aan enige weduwee, wewenaar, geskeie, ongetroude, of verlate persoon, of 'n vrou wie se man tot gevangenisstraf vir 'n tydperk van minstens drie maande veroordeel is of kragtens 'n bevel vir minstens drie maande in 'n staats- of staatsondersteunde inrigting aangehou word, en wat 'n onderhoudstoelae en bonus ontvang, kan 'n spesiale bykomende toelae van R2,75 per maand betaal word, benewens sodanige onderhoudstoelae en bonus.

(3) Aan enige weduwee, wewenaar, geskeie, ongetroude of verlate persoon, of 'n vrou wie se man tot gevangenisstraf vir 'n tydperk van minstens drie maande veroordeel is of kragtens 'n bevel vir minstens drie maande in 'n staats- of staatsondersteunde inrigting aangehou word en wat 'n ouertoelae as deel van 'n onderhoudstoelae ontvang kan benewens sodanige ouertoelae, 'n bykomende toelae van R1,25 per maand betaal word: Met dien verstande dat 'n ongehude moeder nie vir hierdie bykomende toelae in aanmerking kom nie voordat sy aanneemlike bewys gelewer het dat haar eis vir onderhoud teen die vader van haar kind nie geslaag het nie.

(4) Aan enige persoon wat 'n onderhoudstoelae ontvang, kan benewens sodanige onderhoudstoelae en enige bykomende bonusse of toelaes 'n verdere bykomende toelae van R2 per maand betaal word.

PLEEGOUERTOELAES

Persone wat vir Toelaes in Aanmerking Kom en Doel van Toelaes

24. 'n Pleegouertoelae kan, behoudens die bepalings van hierdie regulasies, betaal word vir die onderhoud van 'n kind deur 'n persoon wat nie sy ouer of voog is nie en

and Pensions or a Commissioner, as the case may be, to receive the grant on behalf of the person who is entitled thereto: Provided that the Minister may, at any time, at his discretion revoke or vary such appointment.

Review and Suspension or Variation of Grants

20. The provisions of regulation 13 of these regulations shall apply *mutatis mutandis* to family grants.

Continuation of Grants

21. The provisions of regulation 14 of these regulations shall apply *mutatis mutandis* to family grants.

Rates of Family Grants

22. (1) The rates of family grants payable shall, subject to the provisions of these regulations, be as follows:

	Per month R
(a) A maximum grant per child for the third and every further child.....	2,00
(b) Minimum income of the parents or stepparents to be eligible for the maximum grant.....	8,50
(c) For every rand by which the income of the parents or stepparents is less than the amount stated in (b) above, the maximum grant will be reduced by....	1,00
(d) Means of the family plus grant shall not exceed....	31,00
(e) Maximum grant which may be paid to a family....	12,50

(2) For the purposes of this regulation additional grants and bonuses are not regarded as means or income.

ADDITIONAL GRANTS AND BONUSES

Payment of Additional Grants and Bonuses

23. (1) Any person who is in receipt of a maintenance grant or a family grant and who is not in receipt of a social pension may, in addition to such maintenance grant or family grant, be paid a bonus of R6,75 per month as from 1 October 1968 to 30 September 1969, R7,25 per month as from 1 October 1969 to 31 March 1970, and R8,25 per month as from 1 April 1970.

(2) Any widow, widower, divorcee, unmarried or deserted person, or a woman whose husband has been sentenced to imprisonment for at least three months or has been ordered to be detained in a State or State-aided institution for a period of at least three months and who is in receipt of a maintenance grant and bonus, may, in addition to such maintenance grant and bonus, be paid a special additional grant of R2,75 per month.

(3) Any widow, widower, divorcee, unmarried or deserted person, or woman whose husband has been sentenced to imprisonment for at least three months or has been ordered to be detained in a State or State-aided institution for a period of at least three months, who is in receipt of a parent's allowance as part of a maintenance grant, may, in addition to such parent's grant, be paid an additional grant of R1,25 per month: Provided that an unmarried mother shall not be eligible for this additional grant until she has produced acceptable evidence that her claim for maintenance from the father of her child has been unsuccessful.

(4) Any person who is in receipt of a maintenance grant, may, in addition to such maintenance grant and any additional bonuses or grants, be paid a further additional grant of R2 per month.

FOSTER-PARENT GRANTS

Persons Eligible for Grants and Purpose of Grants

24. A foster-parent may subject to the provisions of these regulations, be paid, for the maintenance of a child by a person who is not its parent or guardian and

in wie se bewaring die kind geplaas is ingevolge 'n bepaling van die Wet of ingevolge artikel 342 van die Strafproseswet, 1955 (Wet 56 van 1955).

Aansoek om Toelaes

25. (1) 'n Aansoek om 'n toelaes moet gedoen word in 'n vorm deur die Sekretaris bepaal.

(2) Die bepalings van regulasie 10 van hierdie regulasies is *mutatis mutandis* op pleegouertoelaes van toepassing.

(3) 'n Goedgekeurde vereniging van persone wat, in die uitoefening van die bevoegdheid hom verleen by artikel 48, 'n kind onder sy beheer in die bewaring van 'n pleegouer plaas, moet aan die pleegouer 'n opnemingsbrief in 'n vorm deur die Sekretaris bepaal besorg en moet 'n afskrif daarvan aan die proefbeampte van daardie gebied en aan die Sekretaris stuur. Die brief moet onderteken word deur 'n beampte van die vereniging van persone in die algemeen of spesiaal daartoe gemagtig by 'n besluit van die bestuur van die vereniging van persone.

Tydperke Waarvoor Toelaes Betaalbaar is

26. (1) 'n Pleegouertoelaes wat ingevolge die bepalings van hierdie regulasies toegestaan is, is betaalbaar vanaf die datum waarop 'n kind vir die eerste keer kragtens magtiging verleen by of ingevolge 'n bepaling van die Wet of van die Strafproseswet, 1955 (Wet 56 van 1955), in die bewaring van 'n pleegouer geplaas is, tensy die Minister gelas dat dit vanaf 'n later datum 'n aanvang moet neem, en mag nie betaal word na afloop van die jaar waarin sodanige kind die ouderdom van 18 jaar bereik nie.

Toelaes Betaalbaar Nieteenstaande Afwesigheid van Pleegkind

(2) Die bepalings regulasie 39 (2) van hierdie regulasies, is *mutatis mutandis* op pleegouertoelaes van toepassing.

Wyse van Betaling van Toelaes

27. Die bepalings van regulasie 12 van hierdie regulasies, is *mutatis mutandis* op pleegouertoelaes van toepassing.

Hersiening en Opskorting of Verandering van Toelaes

28. Die bepalings van regulasie 13 van hierdie regulasies, is *mutatis mutandis* op pleegouertoelaes van toepassing.

Voortsetting van Toelaes

29. Die bepalings van regulasie 14 van hierdie regulasies, is *mutatis mutandis* op pleegouertoelaes van toepassing.

Skale van Pleegouertoelaes

30. Die skale van pleegouertoelaes wat betaal kan word, is, behoudens die bepalings van hierdie regulasies, soos volg:

(a) *Gewone skaal*.—Hoogstens R10 per pleegkind per maand vanaf 1 Oktober 1968 tot 31 Maart 1970, R11 per maand vanaf 1 April 1970 tot 31 Maart 1971 en R11,40 per maand vanaf 1 April 1971.

(b) *Spesiale skaal*.—(Vir die onderhoud van 'n pleegkind met liggaamlike, verstandelike of geestesgebreke of van 'n afwykende pleegkind): Hoogstens R12 per pleegkind per maand vanaf 1 Oktober 1968 tot 31 Maart 1970; R13 per maand vanaf 1 April 1970 tot 31 Maart 1971 en R13,40 per maand vanaf 1 April 1971.

VEILIGHIEDSPLEKTOELAES

Persone of Liggame wat vir Toelaes in Aanmerking Kom en Doel van Toelaes

31. 'n Veiligheidsplektoelaes kan, behoudens die bepalings van hierdie regulasies, betaal word—

(a) vir die versorging van 'n persoon onder die leeftyd van 21 jaar wat ingevolge die Wet of die Strafproseswet, 1955 (Wet 56 van 1955), by 'n persoon of in 'n veiligheidsplek of 'n plek van bewaring geplaas is;

in whose custody the child has been placed in terms of a provision of the Act or in terms of section 342 of the Criminal Procedure Act, 1955 (Act 56 of 1955).

Application for Grants

25. (1) An application for a grant shall be made in a form prescribed by the Secretary.

(2) The provisions of regulation 10 of these regulations shall apply *mutatis mutandis* to foster-parent grants.

(3) An approved association of persons which, in the exercise of the powers vested in it by section 48, places a child under its control in the custody of a foster-parent, shall deliver to such foster-parent a letter of reception in a form prescribed by the Secretary and shall send a copy thereof to the Probation Officer for that area and to the Secretary. The letter shall be signed by an officer of the association of persons generally or specially authorised thereto by resolution of the management of the association of persons.

Periods for Which Grants Are Payable

26. (1) Any foster-parent grant made in terms of the provisions of these regulations shall be payable from the date on which a child has, for the first time, in terms of authority conferred by or under the Act or the Criminal Procedure Act, 1955 (Act 56 of 1955), been placed in the custody of a foster-parent, unless the Minister directs that it shall commence from a later date, and shall not be paid after the end of the year in which such child attains the age of eighteen years.

Grants Payable Notwithstanding Absence of Foster-Child

(2) The provisions of regulation 39 (2) of these regulations shall apply *mutatis mutandis* to foster-parent grants.

Manner of Payment of Grants

27. The provisions of regulation 12 of these regulations shall apply *mutatis mutandis* to foster-parent grants.

Review and Suspension or Variation of Grants

28. The provisions of regulation 13 of these regulations shall apply *mutatis mutandis* to foster-parent grants.

Continuation of Grants

29. The provisions of regulation 14 of these regulations shall apply *mutatis mutandis* to foster-parent grants.

Rates of Foster-Parent Grants

30. The rates of foster-parent grants payable shall, subject to the provisions of these regulations, be as follows:

(a) *Ordinary rate*.—Not exceeding R10 per foster-child per month as from 1 October 1968 to 31 March 1970, R11 per month as from 1 April 1970 to 31 March 1971 and R11,40 per month as from 1 March 1971.

(b) *Special rate*.—(For the maintenance of a foster-child with physical, intellectual or mental disabilities or of a deviate foster-child): Not exceeding R12 per foster-child per month as from 1 October 1968 to 31 March 1970, R13 per month as from 1 April 1970 to 31 March 1971 and R13,40 per month as from 1 April 1971.

PLACE OF SAFETY GRANTS

Persons or Bodies Eligible for Grants, and Purpose of Grants

31. A place of safety grant may be paid, subject to the provisions of these regulations—

(a) for the care of a person under the age of 21 years who has, in terms of the Act or the Criminal Procedure Act, 1955 (Act 56 of 1955), been placed with a person or in a place of safety or a place of detention;

(b) aan 'n vereniging van persone wat 'n veiligheidsplek of 'n plek van bewaring dryf vir die instandhouding en dryf van die veiligheidsplek of die plek van bewaring.

Aansoek om Toelaes

32. (1) 'n Aansoek om 'n toelae vir die versorging van 'n persoon moet in tweevoud in 'n vorm deur die Sekretaris bepaal, gedoen word en moet na sertifisering aan die Sekretaris gestuur word.

(2) 'n Aansoek deur 'n vereniging van persone om die instandhouding en dryf van 'n veiligheidsplek of 'n plek van bewaring moet aan die Sekretaris gestuur word.

Tydperke Waarvoor Toelaes Betaalbaar is

33. (1) 'n Toelae wat vir die versorging van 'n persoon toegestaan word, kan tensy die Minister gelas dat dit vanaf 'n later datum geskied, betaal word met ingang van die datum waarop die persoon vir die eerste keer by 'n persoon geplaas is of in 'n veiligheidsplek of plek van bewaring opgeneem is kragtens magtiging verleen by of ingevolge 'n bepaling van die Wet of van die Strafproseswet, 1955, en moet gemagtig word vir die tydperk van aanhouding van die persoon of vir 'n korter tydperk wat die Minister in enige besondere geval uitdruklik bepaal.

(2) 'n Toelae wat aan 'n vereniging van persone toegestaan word vir die instandhouding en dryf van 'n veiligheidsplek of plek van bewaring, is vir 'n tydperk wat die Minister in enige besondere geval bepaal.

Voorwaardes Waarop die Toelae Betaal Word

34. Die betaling van 'n toelae aan 'n vereniging van persone vir die instandhouding en dryf van 'n veiligheidsplek of 'n plek van bewaring is onderworpe aan die voorwaardes wat die Minister in enige besondere geval mag stel, en die Minister kan, voordat hy 'n toelae of 'n gedeelte daarvan betaal, vereis dat die vereniging hom daarvan moet oortuig dat enigeen van of al die voorwaardes van die toelae nagekom is.

Wyse van Betaling van Toelaes

35. (1) 'n Toelae wat vir die versorging van 'n persoon toegestaan word, is agterna betaalbaar by sodanige tussenpose as wat die Minister mag besluit en kan aan die applikant of aan 'n ander bevoegde persoon of vereniging van persone wat deur die Minister benoem is, betaal word.

(2) 'n Toelae wat aan 'n vereniging van persone toegestaan word vir die instandhouding en dryf van 'n plek van veiligheid of 'n plek van bewaring kan in sodanige paaiemente en by sodanige tussenpose as wat die Minister mag besluit, betaal word.

Skale van Veiligheidsplektoelaes

36. Die skale van veiligheidsplektoelaes wat betaal kan word, is, behoudens die bepalings van hierdie regulasies, soos volg:

(a) Aan 'n persoon as veiligheidsplek, hoogstens 33 sent per persoon per dag vanaf 1 Oktober 1968 tot 31 Maart 1971 en 50 sent per persoon per dag vanaf 1 April 1971;

(b) aan 'n kinderhuis wat ook as 'n veiligheidsplek of 'n plek van bewaring dien, hoogstens 43 sent per persoon per dag vanaf 1 Oktober 1968 tot 31 Maart 1971 en 50 sent per persoon per dag vanaf 1 April 1971;

(c) aan 'n vereniging van persone wat 'n veiligheidsplek of 'n plek van bewaring dryf, 'n bedrag gelyk aan die koste deur die Minister goedgekeur en deur die vereniging aangegaan vir die instandhouding en dryf van 'n veiligheidsplek of plek van bewaring.

(b) to an association of persons conducting a place of safety or a place of detention for the maintenance and conduct of the place of safety or place of detention.

Application for Grants

32. (1) An application for a grant for the care of a person shall be made in duplicate in a form prescribed by the Secretary and shall, after certification, be sent to the Secretary.

(2) An application by an association of persons for the maintenance and conduct of a place of safety or a place of detention shall be sent to the Secretary.

Periods for Which Grants Are Payable

33. (1) A grant made for the care of a person may, unless the Minister directs that it shall commence from a later date, be paid with effect from the date on which the person has for the first time, in terms of authority conferred by or under the Act or the Criminal Procedure Act, 1955, been placed with a person or been received in a place of safety or a place of detention, and shall be authorised for the period of detention of the person or for such shorter period as the Minister may expressly direct in any particular case.

(2) A grant made to an association of persons for the maintenance and conduct of a place of safety or place of detention shall be for such period as the Minister may direct in any particular case.

Conditions Upon Which Grants Are Paid

34. The payment of a grant to an association of persons for the maintenance and conduct of a place of safety or place of detention shall be subject to such conditions as the Minister may impose in any particular case, and the Minister may, before paying a grant or any portion thereof, require the association to satisfy him that any or all of the conditions of the grant have been complied with.

Manner of Payment of Grants

35. (1) A grant made for the care of a person shall be payable in arrear at such intervals as the Minister may decide and may be paid to the applicant or some other competent person or association of persons appointed by the Minister.

(2) A grant made to an association of persons for the maintenance and conduct of a place of safety or place of detention may be paid in such instalments and at such intervals as the Minister may decide.

Rates of Place of Safety Grants

36. The rates of place of safety grants payable shall, subject to the provisions of these regulations, be as follows:

(a) To a person, as a place of safety, not exceeding 33 cents per person per day as from 1 October 1968 to 31 March 1971, and 50 cents per person per day as from 1 April 1971;

(b) to a children's home which also serves as a place of safety or a place of detention, not exceeding 43 cents per person per day as from 1 October 1968 to 31 March 1971 and 50 cents per day per person as from 1 April 1971;

(c) to an association of persons conducting a place of safety or place of detention, an amount equal to the costs approved by the Minister and incurred by the association on the maintenance and conduct of a place of safety or of detention.

KINDERHUISTOELAES

Persone of Liggame wat vir Toelaes in Aanmerking kom en Doel van Toelaes

37. 'n Kinderhuistoelae kan, behoudens die bepalings van hierdie regulasies, betaal word—

(a) vir die onderhoud van 'n leerling wat ingevolge die bepalings van die Wet of die Strafproseswet, 1955 (Wet 56 van 1955), na 'n kinderhuis verwys of oorgeplaas is;

(b) aan 'n vereniging van persone wat 'n kinderhuis dryf, benewens 'n toelae toegeken ingevolge subregulasie (a) van hierdie regulasie ter bestryding van uitgawes in verband met die betaling van salarisse van personeel in diens by die kinderhuis.

Aansoek om Toelaes

38. (1) 'n Aansoek om 'n toelae vir die onderhoud van 'n leerling, moet in tweevoud in 'n vorm deur die Sekretaris bepaal, gedoen word en moet na sertifisering aan die Sekretaris gestuur word.

(2) 'n Aansoek deur 'n vereniging van persone wat 'n kinderhuis dryf om 'n toelae ter bestryding van uitgawes in verband met die betaling van salarisse van personeel in diens by die kinderhuis, moet aan die Sekretaris gestuur word.

Tydperke Waarvoor Toelaes Betaalbaar is

39. (1) 'n Kinderhuistoelae wat toegestaan word, kan, tensy die Minister gelas dat dit vanaf 'n later datum geskied, betaal word met ingang van die datum waarop die leerling vir die eerste keer in 'n kinderhuis opgeneem is kragtens magtiging verleen by of ingevolge 'n bepaling van die Wet of van die Strafproseswet, 1955, en moet gemagtig word vir die tydperk van aanhouding van die leerling daarin, of vir 'n korter tydperk wat die Minister in enige besonder geval bepaal.

Toelaes Betaalbaar Ondanks Afwesigheid van Leerlinge

(2) 'n Toelae wat vir die onderhoud van 'n leerling toegestaan is, kan ondanks die afwesigheid van die leerling van die kinderhuis waarheen hy verwys is, betaal word—

(a) vir 'n tydperk van hoogstens 14 dae per geleentheid wat die leerling weggeloop het: Met dien verstande dat vir die toepassing van hierdie regulasie die leerling nie geag word weg te geloop het as hy na afloop van afwesigheidsverlof versuim het om na die kinderhuis terug te keer nie;

(b) vir 'n tydperk wat die leerling met vakansieverlof is: Met dien verstande dat gedurende enige kalenderjaar die tydperk nie die totale getal skoolvakansiedae wat vir daardie jaar vir provinsiale skole vasgestel is in die provinsie waarin die kinderhuis geleë is, oorskry nie;

(c) vir 'n tydperk wat die leerling met naweekverlof of spesiale verlof is: Met dien verstande dat in die geval van spesiale verlof die tydperk nie 14 dae per geleentheid oorskry nie.

(d) vir 'n tydperk van hoogstens 90 dae wat die leerling in 'n hospitaal of ander soortgelyke inrigting verkeer.

Kennisgewing aan Sekretaris

(3) Die prinsipaal van 'n kinderhuis moet die Sekretaris onverwyld in 'n vorm deur die Sekretaris bepaal, verwittig van die datum van opneming, ontslag, wegloop of heropneming, uitplasing met vergunning, intrekking van vergunning, opneming in, of ontslag uit, 'n hospitaal van elke leerling wat na die kinderhuis verwys is.

CHILDREN'S HOME GRANTS

Persons or Bodies Eligible for Grants, and Purpose of Grants

37. A children's home grant may be paid, subject to the provisions of these regulations—

(a) for the maintenance of a pupil who has, in terms of the provisions of the Act or the Criminal Procedure Act, 1955 (Act 56 of 1955), been committed or transferred to a children's home;

(b) to an association of persons conducting a children's home, in addition to a grant made in terms of subregulation (a) of this regulation towards expenditure incurred in connection with the payment of salaries of staff employed at the children's home.

Application for Grants

38. (1) An application for a grant for the maintenance of a pupil shall be made in duplicate in a form prescribed by the Secretary and shall, after certification, be sent to the Secretary.

(2) An application for a grant by an association of persons conducting a children's home, towards expenditure incurred in connection with the payment of salaries of staff employed at the children's home, shall be sent to the Secretary.

Periods for Which Grants Are Payable

39. (1) A children's home grant which has been made, may, unless the Minister directs that it shall commence from a later date, be paid with effect from the date on which the pupil was for the first time, received in a children's home, in terms of authority conferred by or under the Act or the Criminal Procedure Act, 1955, and shall be authorised for the period of detention therein of the pupil or for such shorter period as the Minister may direct in any particular case.

Grants Payable Notwithstanding Absence of Pupils

(2) A grant made for the maintenance of a pupil may, notwithstanding the absence of the pupil from the children's home to which he has been committed, be paid—

(a) for a period not exceeding fourteen days per abscondment of the pupil: Provided that for the purposes of this regulation no pupil shall be deemed to have absconded if he fails to return to the children's home on the expiration of leave of absence;

(b) for a period during which the pupil is on vacation leave: Provided that during any calendar year the period shall not exceed the total number of school holidays which have been laid down for that year for provincial schools in the province in which the children's home is situated;

(c) for a period that the pupil is on weekend or special leave: Provided that in the case of special leave the period shall not exceed 14 days at a time;

(d) for a period not exceeding 90 days during which a pupil is accommodated in a hospital or other similar institution.

Notice to Secretary

(3) The principal of a children's home shall advise the Secretary forthwith in a form prescribed by the Secretary of the date of admission, discharge, abscondment or re-admission, release on licence, cancellation of licence, admission to or discharge from a hospital of every pupil committed to a children's home.

Salarisse van Personeel

(4) 'n Toelae wat aan 'n vereniging van persone toege- staan word ter bestryding van uitgawes in verband met die betaling van salarisse van personeel in diens by die kinderhuis is vir 'n tydperk wat die Minister in enige besondere geval bepaal.

Voorwaardes Waarop Toelaes Betaal Word

40. Die bepalings van regulasie 34 van hierdie regulasies is *mutatis mutandis* op kinderhuistoelaes van toepassing.

Wyse van Betaling van Toelaes

41. (1) 'n Toelae wat vir die onderhoud van 'n leerling in 'n kinderhuis toegestaan word, is maandeliks betaal- baar, of by sodanige tussenpose, by wyse van voorskotte of nie, as wat die Minister mag bepaal.

Voorskotte

(2) 'n Voorskot wat toegestaan word, word gebaseer op geraamde benodigdhede vir 'n bepaalde tydperk en die nodige aansuiwerings, na verhouding van die werklike getal leerlinge wat versorg is, word gedoen by die verstry- king van daardie tydperk.

(3) Die bepalings van regulasie 35 (2) van hierdie regu- lasies is *mutatis mutandis* van toepassing op 'n toelae wat aan 'n kinderhuis toegestaan word.

Skale van Kinderhuistoelaes

42. Die skale van kinderhuistoelaes wat betaal kan word, is, behoudens die bepalings van hierdie regulasies, soos volg:

(a) *Gewone skaal*.—R10 per leerling per maand vanaf 1 Oktober 1968 tot 31 Maart 1970 en R11 per maand per leerling vanaf 1 April 1970 tot 31 Maart 1971 en R11,40 per maand per leerling vanaf 1 April 1971.

(b) *Spesiale skaal*.—(Vir die onderhoud van 'n leerling met liggaamlike, verstandelike of geestesgebreke of van 'n afwykende leerling): R12 per leerling per maand vanaf 1 Oktober 1968 tot 31 Maart 1970 en R13 per maand per leerling vanaf 1 April 1970, tot 31 Maart 1971 en R13,40 per maand per leerling vanaf 1 April 1971.

(c) Aan 'n vereniging van persone ter bestryding van uitgawes in verband met die betaling van salarisse van personeel in diens by die kinderhuis, 'n bedrag deur die Minister in enige besondere geval goedgekeur.

KINDERBEWAARHUISTOELAES*Persone of Liggame wat vir Toelaes in Aanmerking kom en Doel van Toelaes*

43. 'n Kinderbewaaruistoelae kan, behoudens die bepalings van hierdie regulasies, betaal word aan—

(a) 'n vereniging van persone vir die versorging van kinders oor die ouderdom van een maand en onder sewe jaar van—

(i) bona fide-werkende moeders wat noodwendig buitenshuis moet werk;

(ii) bona fide-werksoekende moeders wat hul werk verloor het;

(iii) bona fide-werkende wewenaars wat weens omstandighede verhoed word om bedags die versorging van hul kinders tuis te behartig;

(iv) bona fide-werksoekende wewenaars wat hul werk verloor het en weens afwesigheid van die huis op soek na werk, verhoed word om bedags die versorging van hul kinders tuis te behartig;

(b) 'n vereniging van persone wat 'n kinderbewaaru- huis bestuur, ten opsigte van die werklike huurgeld van 'n gebou.

Salaries of Staff

(4) A grant which has been made to an association of persons towards expenditure in connection with the payment of salaries of staff employed at the children's home shall be for such period as the Minister may direct in any particular case.

Conditions Upon Which Grants May be Paid

40. The provisions of regulation 34 of these regulations shall apply *mutatis mutandis* to children's home grants.

Manner of Payment of Grants

41. (1) A grant which has been made for the main- tenance of a pupil in a children's home shall be paid monthly, or at such intervals, either by way of advances or otherwise, as the Minister may determine.

Advances

(2) An advance made, shall be based on estimated requirements for a particular period and the necessary adjustments, according to the actual number of pupils cared for, shall be made at the conclusion of that period.

(3) The provisions of regulation 35 (2) of these regu- lations shall apply *mutatis mutandis* to a grant made to a children's home.

Rates of Children's Home Grants

42. The rates of children's home grants payable shall, subject to the provisions of these regulations, be as fol- lows:

(a) *Ordinary rate*.—R10 per pupil per month as from 1 October 1968 to 31 March 1970 and R11 per pupil per month as from 1 April 1970 to 31 March 1971 and R11,40 per month per pupil as from 1 April 1971.

(b) *Special rate*.—(For the maintenance of a pupil with physical, intellectual or mental disabilities or of a deviate pupil): R12 per pupil per month as from 1 October 1968 to 31 March 1970 and R13 per pupil per month as from 1 April 1970 to 31 March 1971 and R13,40 per month per pupil as from 1 April 1971.

(c) To an association of persons, towards expenditure in connection with the payment of salaries of staff employed at the children's home, an amount approved by the Minister in any particular case.

CRÈCHE GRANTS*Persons or Bodies Eligible for Grants, and Purpose of Grants*

43. A crèche grant may subject to the provisions of these regulations, be paid, to—

(a) an association of persons for the care of children over the age of one month and under seven years of—

(i) bona fide working mothers who must of necessity work away from their homes;

(ii) bona fide work-seeking mothers who have lost their employment;

(iii) bona fide working widowers who, on account of circumstances, are prevented from taking care of their children at home during the day;

(iv) bona fide work-seeking widowers who have lost their employment and who, on account of their absence from home while seeking employment, are prevented from taking care of their children at home during the day;

(b) an association of persons conducting a crèche towards the actual rent of a building.

Aansoek om Toelaes

44. 'n Aansoek om 'n toelae moet in tweevoud in 'n vorm deur die Sekretaris bepaal aan die Streekverteenvoordiger van die Departement voorgelê word of, as daar geen sodanige beampte is nie, aan die plaaslike verteenwoordiger van die Departement van Volkswelsyn en Pensioene vir die gebied waarin die kinderbewaarhuis geleë is, en moet na sertifisering aan die Sekretaris gestuur word.

Betaling van Toelaes

45. 'n Toelae wat toegestaan word, is maandeliks agterna betaalbaar, of by sodanige tussenpose, of in sodanige paaielemente as wat die Minister mag bepaal.

Voorwaardes Waarop Toelaes Betaal word

46. (1) Dit is 'n voorwaarde van elke toelae wat toegestaan is—

(a) dat 'n minimum getal subsidieerbare kinderbewaarhuise van 250 per maand gehandhaaf word: Met dien verstande dat die Minister 'n toegewing kan maak deur in 'n jaar—

(i) die toelae vir hoogstens twee maande waarin die vereiste getal kinderbewaarhuise nie gehandhaaf is nie, te betaal, indien hy oortuig is dat daar genoegsame en bevredigende redes bestaan vir die tydelike afname in die bywoningsyfer, of

(ii) die toelae vir 'n langer tydperk as twee maande maar vir hoogstens 12 maande, waarin die vereiste getal dae nie gehandhaaf is nie, te betaal, indien hy oortuig is dat die afname in die bywoningsyfer aan bevolkingshervestiging ingevolge die Wet op Groepsgebiede, 1966 (Wet 36 van 1966), te wyte is;

(b) dat die ure van 'n kinderbewaarhuis moet strek van 7 vm. tot 6 nm. van Maandae tot Vrydae en van 7 vm. tot 1 nm. (waar nodig tot 2.30 nm.) op Saterdag: Met dien verstande dat indien die bestuurders van 'n kinderbewaarhuis van mening is dat daar nie genoeg regverdiging bestaan om die kinderbewaarhuis gedurende die vereiste ure en dae oop te hou nie, hulle dit kan sluit en voorts met dien verstande dat geen toelae betaalbaar is ten opsigte van tydperke waartydens 'n kinderbewaarhuis gesluit is nie;

(c) dat aan elke kind wat 'n kinderbewaarhuis bywoon van Maandae tot Vrydae, drie maaltye per dag, en op Saterdag twee maaltye verskaf moet word;

(d) dat die Minister die reg het om te eniger tyd 'n kinderbewaarhuis en sy boeke, dokumente en registers te laat inspekteer.

(2) Die betaling van 'n toelae is onderworpe aan enige ander voorwaardes wat die Minister in enige besondere geval mag stel, en die Minister kan, voordat hy 'n toelae of 'n gedeelte daarvan betaal, vereis dat die vereniging hom daarvan moet oortuig dat enigeen van of al die voorwaardes van die toelae nagekom is.

Skale van Kinderbewartuistoelaes

47. Die skale van kinderbewartuistoelaes wat betaal kan word, is, behoudens die bepalinge van hierdie regulasies, soos volg:

(a) (i) 'n Bedrag van hoogstens 15 sent per dag per kind wie se ouers se gesamentlike bruto inkomste R86 per maand of minder is vir die tydperk 1 Oktober 1968 tot 30 September 1970 en R100 per maand of R23 per week vanaf 1 Oktober 1970, of minder is.

Application for Grants

44. An application for a grant shall be made in duplicate in a form prescribed by the Secretary. The application shall be submitted to the Regional Representative of the Department or, if there is no such officer, to the local representative of the Department of Social Welfare and Pensions for the area in which the crèche is situated, and shall, after certification, be sent to the Secretary.

Payment of Grants

45. A grant which has been made, shall be paid monthly in arrear or at such intervals or in such instalments as the Minister may direct.

Conditions Upon Which Grants May be Paid

46. (1) It shall be a condition of every grant made—

(a) that a minimum number of 250 subsidisable crèche days per month shall be maintained: Provided that the Minister may make a concession by, in any year—

(i) paying the grant for not more than two months during which the required number of crèche days is not maintained, if he is satisfied that there are good and sufficient reasons for the temporary decline in the attendance figure, or

(ii) paying the grant for a longer period than two months, but for a maximum of 12 months, during which the required number of days is not maintained, if he is satisfied that the decline in the attendance figure is due to population resettlement in terms of the Group Areas Act, 1966 (Act 36 of 1966);

(b) that the hours of a crèche shall be from 7 a.m. to 6 p.m. from Mondays to Fridays and from 7 a.m. to 1 p.m. (where necessary to 2.30 p.m.) on Saturdays: Provided that, if the managers of a crèche are of the opinion that there is not sufficient justification for keeping the crèche open during the required hours and days, they may close it: Provided further that no grant shall be payable in respect of periods during which a crèche is closed;

(c) that every child attending a crèche shall, from Monday to Friday, be served with three meals per day and on Saturdays, with two meals;

(d) that the Minister shall have the right to cause a crèche and its books, documents and registers to be inspected at any time.

(2) The payment of a grant shall be subject to such other conditions as the Minister may impose in any particular case, and the Minister may, before paying a grant or any portion thereof, require the association to satisfy him that any or all of the conditions of the grant have been complied with.

Rates of Crèche Grants

47. The rates of crèche grants payable shall, subject to the provisions of these regulations, be as follows:

(a) (i) An amount not exceeding 15 cents per day per child whose parents' joint gross income is R86 per month or less, for the period 1 October 1968 to 30 September 1970 and R100 per month or R23 per week as from 1 October 1970, or less.

(ii) Indien die moeder die enigste ouer is, word dieselfde middeletoets as dié in subparagraaf (i) genoem, toegepas.

(iii) In gevalle waar die vader die gesin verlaat het of waar die ouers geskei is of weg van mekaar leef, word die inkomste van die moeder in wie se bewaring die kinders is, tesame met enige bydraes wat deur die vader vir die onderhoud van die gesin gemaak word, gereken as die inkomste van die gesin vir die doeleindes van subparagraaf (i).

(b) 'n Bedrag gelyk aan 50 persent van die werklike huurgeld vir 'n gebou, bereken op 'n pro rata-basis ten opsigte van subsidieerbare en nie-subsidieerbare kinderbe-waarhuisdae.

SPEZIALE TOELAES

48. (1) Benewens enige ander toelae betaalbaar ingevolge hierdie regulasies, kan die Minister aan 'n vereniging van persone wat 'n kinderhuis dryf of voornemens is om 'n kinderhuis op te rig, 'n spesiale toelae vir enige doeleindes deur hom goedgekeur, toestaan.

(2) Benewens enige ander toelae betaalbaar ingevolge hierdie regulasies, kan die Minister aan 'n vereniging van persone 'n spesiale toelae van hoogstens R5 000 op die R-vir-R-beginsel vanaf 1 Oktober 1968 tot 30 September 1970 en R10 000 vanaf 1 Oktober 1970 ten opsigte van die koste verbonde aan die oprigting van 'n kinderbewaarhuis toestaan, mits geen bydrae uit ander staatsbronne betaal word nie.

(3) 'n Aansoek om 'n spesiale toelae moet gedoen word in 'n vorm deur die Sekretaris bepaal en moet aan die Sekretaris gestuur word.

(ii) If the mother is the only parent, the same means test as that specified in subparagraph (i) shall apply.

(iii) In cases where the father has deserted the family or where the parents are divorced or are living apart, the income of the mother in whose custody the children are, plus any contributions made by the father for the maintenance of the family, will be regarded as the income of the family for the purposes of subparagraph (i).

(b) An amount equal to 50 per cent of the actual rent of a building, calculated on a pro rata basis in respect of subsidisable and non-subsidisable crèche days.

SPECIAL GRANTS

48. (1) In addition to any other grant payable in terms of these regulations the Minister may make a special grant to an association of persons which conducts a children's home or which proposes to establish a children's home for any purposes approved by him.

(2) In addition to any other grant payable in terms of these regulations the Minister may make a special grant on the R for R principle, not exceeding R5 000, as from 1 October 1968 to 30 September 1970 and R10 000 as from 1 October 1970 to an association of persons in respect of the cost of erection of a crèche: Provided that no contribution is made from other Government sources.

(3) An application for a special grant shall be made in a form prescribed by the Secretary and shall be sent to the Secretary.

DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING

No. R. 399

17 Maart 1972

REGULASIES MET BETREKKING TOT DIE KLAS-SIFISERING, VERPAKKING EN MERK VAN SY-BOKHAAR BESTEM VIR VERKOOP DEUR BEMIDDELING VAN DIE SYBOKHAARRAAD

Die Staatspresident het kragtens die bevoegdheid hom verleen by artikel 89 van die Bemarkingswet, 1968 (No. 59 van 1968), die regulasies in die Bylae hiervan uiteengesit, gemaak ter vervanging van die regulasies afgekondig by Goewermentskennisgewing R. 1132 van 26 Julie 1963, soos gewysig, wat hierby herroep word.

BYLAE

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Skema 'n betekenis geheg is, 'n ooreenstemmende betekenis en beteken—

“die Skema”, die Sybokhaarskema afgekondig by Proklamasie R. 281 van 1971;

“fynheid”, met betrekking tot 'n hoeveelheid sybokhaar, die gemiddelde dikte van die vesels, uitgesonderd steekhaarvesels, in 'n verteenwoordigende monster uit daardie hoeveelheid getrek;

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 399

17 March 1972

REGULATIONS RELATING TO THE CLASSIFICATION, PACKING AND MARKING OF MOHAIR INTENDED FOR SALE THROUGH THE MOHAIR BOARD

The State President has, under the powers vested in him by section 89 of the Marketing Act, 1968 (No. 59 of 1968), made the regulations set out in the Schedule hereto in substitution for the regulations published by Government Notice R. 1132 of 26 July 1963, as amended, which is hereby repealed.

SCHEDULE

Definitions

1. In these regulations, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Scheme shall have a corresponding meaning and—

“coloured mohair” means mohair or mohair fibres of which the natural colour deviates from the natural colour of pure mohair;

“cross-bred mohair” means mohair which does not show all the distinctive characteristics of pure mohair;

“gekleurde sybokhaar”, sybokhaar of sybokhaarvesels waarvan die natuurlike kleur van suiwer sybokhaar afwyk;

“geregisteerde persoon”, ’n persoon wat kragtens artikel 34 van die Skema by die Raad geregistreer is;

“kruisras sybokhaar”, sybokhaar wat nie al die kenmerkende eienskappe van suiwer sybokhaar vertoon nie;

“lengte”, met betrekking tot ’n hoeveelheid sybokhaar, die gemiddelde lengte van die vesels, uitgesonderd steekhaarvesels, in ’n verteenwoordigende monster uit daardie hoeveelheid getrek;

“steekhaarvesels”, growwe, bros sybokhaarvesels (met ’n medulla) wat ’n kalkagtige, wit of ondeurskynende kleur het;

“suiwer sybokhaar”, die wit natuurlike, glansryke bedekking van die Angorabok (*Capra angoriensis*) of die haar van ’n bok wat al die kenmerkende eienskappe van die haar van ’n suiwer geteelde Angorabok vertoon;

“uitskotte”—

(a) sterker nek- en broekstukke, behalwe in die geval van kruisras sybokhaar;

(b) sybokhaar afkomstig van volwasse ramme;

(c) sybokhaar wat verwyder is van die vel van ’n geslagte of gevrekte dier;

(d) gekleurde sybokhaar;

(e) sybokhaar wat stokke en dorings bevat;

(f) sybokhaar wat deur verf of brandmerk materiaal besoedel is; en

(g) sybokhaar wat meer as effens besoedel is deur urine, mis, plantkleurstowwe, sand, saad of kunsmatige of natuurlike agense;

“vagsybokhaar”, die oorblywende gedeelte van ’n hoeveelheid sybokhaar nadat die uitskotte en haar wat andersins van die algemene voorkoms en toestand van daardie hoeveelheid afwyk, verwyder is.

Omvang van Regulasies

2. Hierdie regulasies het betrekking op sybokhaar wat in die Republiek geproduseer is en wat deur produsente en geregisteerde persone aan die Raad vir verkoop gelewer word uit hoofde van die bepalinge van die Skema.

Verpakking

3. (1) Sybokhaar moet verpak word of in onbeskadigde standaard wolsakke of in onbeskadigde graansakke.

(2) Alle houer wat sybokhaar bevat, moet deeglik en op eenvormige wyse toegemaak word met geskikte glanstou of metaalknippies.

(3) Sybokhaar van die verskillende klasse mag nie saam in dieselfde houer verpak word nie.

Merk

4. (1) Elke houer wat sybokhaar bevat moet met die volgende besonderhede in duidelike, leesbare en onuitwisbare letters van minstens 35 mm hoog gemerk word:

(a) Die klas sybokhaar daarin verpak; en

(b) die naam en adres of geregisteerde handelsmerk van die produsent of geregisteerde persoon, na gelang van die geval.

(2) Die in regulasie 4 (1) bedoelde besonderhede moet gemerk word—

(a) in die geval van graansakke, op een sykant van die sak; en

(b) in die geval van wolsakke, op die kopkant van die sak.

“fineness”, in relation to a quantity of mohair, means the average thickness of the fibres, excluding kempy fibres, in a representative sample drawn from that quantity;

“fleece mohair” means the remaining portion of a quantity of mohair after the outsorts and hair which otherwise deviates from the general appearance and condition of that quantity have been removed;

“kempy fibres” means coarse, brittle (medulated) mohair fibres of a chalky white or opaque colour;

“length”, in relation to a quantity of mohair, means the average length of the fibres, excluding kempy fibres, in a representative sample drawn from that quantity;

“outsorts” means—

(a) stronger neck and britches, except in the case of cross-bred mohair;

(b) mohair removed from mature rams;

(c) mohair removed from the skin of a slaughtered or dead animal;

(d) coloured mohair;

(e) mohair containing sticks and thorns;

(f) mohair contaminated with paint or branding material; and

(g) mohair which is more than slightly contaminated with urine, dung, plant pigments, sand, seed or artificial or natural agents;

“pure mohair” means the white, lustrous, natural coat of the Angora goat (*Capra angoriensis*) or the hair of a goat showing all the distinctive characteristics of the hair of a pure-bred Angora goat;

“registered person” means a person, registered with the Board under section 34 of the Mohair Scheme;

“the Scheme” means the Mohair Scheme published by Proclamation R. 281 of 1971.

Scope of Regulations

2. The regulations shall relate to mohair produced in the Republic and delivered for sale to the Board by producers and registered persons by virtue of the provisions of the said Scheme.

Packing

3. (1) Mohair shall be packed in either undamaged standard wool bags or undamaged grain bags.

(2) All containers, containing mohair, shall thoroughly and uniformly be closed with suitable glazed twine or metal clips.

(3) Mohair of the different classes shall not be packed into the same container.

Marking

4. (1) Each container containing mohair shall be marked with the following particulars in clear legible and indelible letters with a minimum height of 35 mm:

(a) The class mohair packed therein; and

(b) the name and address or the registered trade mark of the producer or registered person, as the case may be.

(2) The particulars referred to in regulation 4 (1) shall be marked—

(a) in the case of grain bags, on one side of the bag; and

(b) in the case of wool bags, on the top of the bag.

Klasse	Spesifikasies						
	Algemeen	Lengte (mm)	Fynheid		Kleur	Aanvoeling	Stringelenskappe
			Volgens Bradford- telling (minima)	of In mikrons (maksima)			
ASFK	Suiwer vagsybokhaar.....	Meer as 150	7 ^s	30	Goeie, helder glansryke room- wit	Sag, dog ferm en feitlik vry van steekhaarvesels	Soliede, golwende, gedraaide stringe met 'n egaligheid van veselfynheid en lengte binne die string.
BSFK	Soos vir ASFK.....	Meer as 125 tot en met 150	7 ^s	30	Soos vir ASFK	Soos vir ASFK	Soos vir ASFK.
CSFK	Soos vir ASFK.....	Meer as 100 tot en met 125	7 ^s	30	Soos vir ASFK	Soos vir ASFK	Soos vir ASFK.
DSFK	Soos vir ASFK.....	Meer as 75 tot en met 100	7 ^s	30	Soos vir ASFK	Soos vir ASFK	Soos vir ASFK.
ASK	Soos vir ASFK.....	Meer as 150	6 ^s	33	Soos vir ASFK	Soos vir ASFK	Soos vir ASFK.
BSK	Soos vir ASFK.....	Meer as 125 tot en met 150	6 ^s	33	Soos vir ASFK	Soos vir ASFK	Soos vir ASFK.
CSK	Soos vir ASFK.....	Meer as 100 tot en met 125	6 ^s	33	Soos vir ASFK	Soos vir ASFK	Soos vir ASFK.
DSK	Soos vir ASFK.....	Meer as 75 tot en met 100	6 ^s	33	Soos vir ASFK	Soos vir ASFK	Soos vir ASFK.
BFK	Suiwer vagsybokhaar.....	Meer as 125 tot en met 150	7 ^s	30	Redelik goed	Sag, met dien verstande dat 'n mate van steekhaarvesels toelaatbaar is	Mag neig om oop en reguit te te wees.
CFK	Soos vir BFK.....	Meer as 100 tot en met 125	7 ^s	30	Soos vir BFK	Soos vir BFK	Soos vir BFK.
DFK	Soos vir BFK.....	Meer as 75 tot en met 100	7 ^s	30	Soos vir BFK	Soos vir BFK	Soos vir BFK.
AK	Soos vir BFK.....	Meer as 150	6 ^s	33	Soos vir BFK	Soos vir BFK	Soos vir BFK.
BK	Soos vir BFK.....	Meer as 125 tot en met 150	6 ^s	33	Soos vir BFK	Soos vir BFK	Soos vir BFK.
CK	Soos vir BFK.....	Meer as 100 tot en met 125	6 ^s	33	Soos vir BFK	Soos vir BFK	Soos vir BFK.
DK	Soos vir BFK.....	Meer as 75 tot en met 100	6 ^s	33	Soos vir BFK	Soos vir BFK	Soos vir BFK.
EK	Soos vir BFK.....	Minder as 75	6 ^s	33	Soos vir BFK	Soos vir BFK	Soos vir BFK.
MK	Verweerde suiwer vagsybok- haar	Wisselend	6 ^s	33	Dof, swak en sonder glans	Hard, grof en mag 'n mate van steekhaarvesels bevat	Gemat, sponsagtig, tenerig en met 'n neiging om oop en reguit te wees.
KSTN	Suiwer sybokhaaruitskotte wat matig deur urine, mis of plantkleurstowwe of kuns- matige of natuurlike agense bevelek is	Wisselend	6 ^s	33	*	*	*
KSDY	Suiwer sybokhaaruitskotte wat tot so 'n mate met saad be- laai is dat die haar verkoling voor verdere prosessering vereis	Wisselend	6 ^s	33	*	*	*
KLOX	Suiwer sybokhaaruitskotte wat meer as matig gekoek of bevelek is deur urine of mis	Wisselend	6 ^s	33	*	*	*

* Dui aan geen spesifikasie.

Klasse	Spesifikasies						
	Algemeen	Lengte (mm)	Fynheid		Kleur	Aanvoeling	Stringeienskappe
			Volgens Bradford- telling (minima)	of In mikrons (maksima)			
ASYG	Suiwer vagsybokhaar.....	Meer as 150	5 ^s	36	Goeie, helder glansryke room- wit	Sag, dog ferm en feitlik vry van steekhaarvesels	Soliede, golwende, gedraaide stringe met 'n egaligheid van veselfynheid en lengte binne die string.
BSYG	Soos vir ASYG.....	Meer as 125 tot en met 150	5 ^s	36	Soos vir ASYG	Soos vir ASYG	Soos vir ASYG.
CSYG	Soos vir ASYG.....	Meer as 100 tot en met 125	5 ^s	36	Soos vir ASYG	Soos vir ASYG	Soos vir ASYG.
DSYG	Soos vir ASYG.....	Meer as 75 tot en met 100	5 ^s	36	Soos vir ASYG	Soos vir ASYG	Soos vir ASYG.
AYG	Suiwer vagsybokhaar.....	Meer as 150	5 ^s	36	Redelik goed	Sag, met dien verstande dat 'n mate van steekhaarvesels toelaatbaar is	Mag neig om oop en regheid te wees.
BYG	Soos vir AYG.....	Meer as 125 tot en met 150	5 ^s	36	Soos vir AYG	Soos vir AYG	Soos vir AYG.
CYG	Soos vir AYG.....	Meer as 100 tot en met 125	5 ^s	36	Soos vir AYG	Soos vir AYG	Soos vir AYG.
DYG	Soos vir AYG.....	Meer as 75 tot en met 100	5 ^s	36	Soos vir AYG	Soos vir AYG	Soos vir AYG.
EYG	Soos vir AYG.....	Minder as 75	5 ^s	36	Soos vir AYG	Soos vir AYG	Soos vir AYG.
MYG	Verweerde suiwer vagsybok- haar	Wisselend	5 ^s	36	Dof, swak en sonder glans	Hard, grof en mag 'n mate van steekhaar bevat	Gemat, sponsagtig, tengerig en met 'n neiging om oop en oop en reguit te wees.
YGSTN	Suiwer sybokhaaruitskotte wat matig deur urine, mis of plantkleurstowwe of kuns- matige of natuurlike agense bevelek is	Wisselend	5 ^s	36	*	*	*
YGSDY	Suiwer sybokhaaruitskotte wat tot so 'n mate met saad be- laai is dat die haar verkoling voor verdere prosessering vereis	Wisselend	5 ^s	36	*	*	*
ASFH	Suiwer vagsybokhaar.....	Meer as 150	4 ^s	39	Goeie, helder, glansryke room- wit	Sag, dog ferm en feitlik vry van steekhaarvesels	Soliede, golwende, gedraaide stringe met 'n egaligheid van veselfynheid en lengte binne die string.
BSFH	Soos vir ASFH.....	Meer as 125 tot en met 150	4 ^s	39	Soos vir ASFH	Soos vir ASFH	Soos vir ASFH.
CSFH	Soos vir ASFH.....	Meer as 100 tot en met 125	4 ^s	39	Soos vir ASFH	Soos vir ASFH	Soos vir ASFH.
DSFH	Soos vir ASFH.....	Meer as 75 tot en met 100	4 ^s	39	Soos vir ASFH	Soos vir ASFH	Soos vir ASFH.
ASH	Soos vir ASFH.....	Meer as 150	3 ^s	43	Soos vir ASFH	Soos vir ASFH	Soos vir ASFH.
BSH	Soos vir ASFH.....	Meer as 125 tot en met 150	3 ^s	43	Soos vir ASFH	Soos vir ASFH	Soos vir ASFH.
CSH	Soos vir ASFH.....	Meer as 100 tot en met 125	3 ^s	43	Soos vir ASFH	Soos vir ASFH	Soos vir ASFH.
DSH	Soos vir ASFH.....	Meer as 75 tot en met 100	3 ^s	43	Soos vir ASFH	Soos vir ASFH	Soos vir ASFH.

* Dui aan geen spesifikasie.

Spesifikasies

Klasse	Algemeen	Lengte (mm)	Fynheid		Kleur	Aanvoeling	Stringeenskappe
			Volgens Bradford- telling (minima)	of In mikrons (maksima)			
BFH	Suiwer vagsybokhaar.....	Meer as 125 tot en met 150	4 ^s	39	Redelik goed	Sag, met dien verstande dat 'n mate van steekhaarvesels toelaatbaar is	Mag neig om oop en reguit te wees.
CFH	Soos vir BFH.....	Meer as 100 tot en met 125	4 ^s	39	Soos vir BFH	Soos vir BFH	Soos vir BFH.
DFH	Soos vir BFH.....	Meer as 75 tot en met 100	4 ^s	39	Soos vir BFH	Soos vir BFH	Soos vir BFH.
AH	Soos vir BFH.....	Meer as 150	3 ^s	43	Soos vir BFH	Soos vir BFH	Soos vir BFH.
BH	Soos vir BFH.....	Meer as 125 tot en met 150	3 ^s	43	Soos vir BFH	Soos vir BFH	Soos vir BFH.
CH	Soos vir BFH.....	Meer as 100 tot en met 125	3 ^s	43	Soos vir BFH	Soos vir BFH	Soos vir BFH.
DH	Soos vir BFH.....	Meer as 75 tot en met 100	3 ^s	43	Soos vir BFH	Soos vir BFH	Soos vir BFH.
EH	Soos vir BFH.....	Minder as 75	3 ^s	43	Soos vir BFH	Soos vir BFH	Soos vir BFH.
MH	Verweerde suiwer vagsybok- maar: Met dien verstande dat minder as matige saad-, vlek- en sandbesoedeling toelaatbaar is	Wisselend	Onder 5 ^s	Oor 36	Dof, swak en sonder glans	Hard, grof en mag 'n mate van steekhaarvesels bevat	Gemat, sponsagtig, tengerig en met 'n neiging om oop en reguit te wees.
AR	Sterker suiwer sybokhaarn- en broekstukuitskotte	Meer as 150	Onder 3 ^s	Oor 43	*	*	*
BR	Sterker, suiwer sybokhaarn- en broekstukuitskotte	Meer as 125 tot en met 150	Onder 3 ^s	Oor 43	*	*	*
CR	Sterker, suiwer sybokhaarn- en broekstukuitskotte	Meer as 100 tot en met 125	Onder 3 ^s	Oor 43	*	*	*
RAM	Sybokhaar wat van volwasse sybokramme afgeskeer is	Wisselend	Onder 3 ^s	Oor 43	*	*	*
STN	Suiwer sybokhaaruitskotte wat matig deur urine, mis of plantkleurstowwe of kuns- matige of natuurlike agense bevek is	Wisselend	Onder 5 ^s	Oor 36	*	*	*
LOX	Suiwer sybokhaaruitskotte wat meer as matig gekoek of bevek is deur urine of mis	Wisselend	Onder 6 ^s	Oor 33	*	*	*
SDY	Suiwer sybokhaaruitskotte wat tot so 'n mate met saad belaai is dat die haar ver- koling voor verdere proses- sering vereis	Wisselend	Onder 5 ^s	Oor 36	*	*	*
VEL	Sybokhaaruitskotte afkomstig van die vel van 'n geslagte dier	Wisselend	*	*	*	*	*
PLK	Sybokhaaruitskotte afkomstig van die vel van 'n gevrekte dier	Wisselend	*	*	*	*	*

* Dui aan geen spesifikasie.

Klasse	Spesifikasies					
	Algemeen	Lengte (mm)	Fynheid		Kleur	Aanvoeling
			Volgens Bradford- telling (minima)	of In mikrons (maksima)		
BRANDS	Sybokhaaruitskotte wat met verf of brandmerk materiaal besoedel is	Wisselend	*	*	*	*
PMOH	Suiwer sybokhaar wat stokke en dorings bevat of enige suiwer sybokhaar wat nie voldoen aan die vereistes soos gestel vir voorafgaande klasse suiwer sybokhaar nie	*	*	*	*	*
XFK	Kruisras vagsybokhaar.....	*	7 ^a	30	*	*
XK	Kruisras vagsybokhaar.....	*	6 ^s	33	*	*
XFH	Kruisras vagsybokhaar.....	*	4 ^s	39	*	*
XH	Kruisras vagsybokhaar.....	*	Onder 4 ^s	Oor 39	*	*
XSTN	Kruisras sybokhaaruitskotte wat matig deur urine, mis of plantkleurstowwe of kunsmatige of natuurlike agense bevlek is	*	*	*	*	*
XLOX	Kruisras sybokhaaruitskotte wat meer as matig gekoek of bevlek is deur urine of mis	*	*	*	*	*
XSDY	Kruisras sybokhaaruitskotte wat tot so 'n mate met saad belaa is dat die haar ver- koloring voor verdere proses- tering vereis	*	*	*	*	*
GREY	Gekleurde sybokhaar.....	*	*	*	*	*
XMOH	Kruisras sybokhaar wat stok- ke en dorings bevat, of enige kruisras-sybokhaar wat nie voldoen aan die vereistes soos gestel vir voorafgaande klasse kruisras-sybokhaar nie	*	*	*	*	*

* Dui aan geen spesifikasie.

Classification

5. There shall be sixty-nine classes of mohair in respect of which the specifications shall be as follows:

Classes	Specifications						
	General	Length (mm)	Fineness		Colour	Touch	Staple requirements
			According to Bradford count (minima)	or In microns (maxima)			
ASFK	Pure fleece mohair.....	More than 150	7 ^s	30	Good, bright, lustrous creamy white	Kind to the touch but firm, practically free from kempy fibres	Solid, wavy, twisted staples with evenness of fibre fineness and length within the staple.
BSFK	As for ASFK.....	More than 125 up to and including 150	7 ^s	30	As for ASFK	As for ASFK	As for ASFK.
CSFK	As for ASFK.....	More than 100 up to and including 125	7 ^s	30	As for ASFK	As for ASFK	As for ASFK.
DSFK	As for ASFK.....	More than 75 up to and including 100	7 ^s	30	As for ASFK	As for ASFK	As for ASFK.
ASK	As for ASFK.....	More than 150	6 ^s	33	As for ASFK	As for ASFK	As for ASFK.
BSK	As for ASFK.....	More than 125 up to and including 150	6 ^s	33	As for ASFK	As for ASFK	As for ASFK.
CSK	As for ASFK.....	More than 100 up to and including 125	6 ^s	33	As for ASFK	As for ASFK	As for ASFK.
DSK	As for ASFK.....	More than 75 up to and including 100	6 ^s	33	As for ASFK	As for ASFK	As for ASFK.
BFK	Pure fleece mohair.....	More than 125 up to including 150	7 ^s	30	Fairly good	Kind, provided that some kempy fibres are allowable	May tend to be open and straight.
CFK	As for BFK.....	More than 100 up to and including 125	7 ^s	30	As for BFK	As for BFK	As for BFK.
DFK	As for BFK.....	More than 75 up to and including 100	7 ^s	30	As for BFK	As for BFK	As for BFK.
AK	As for BFK.....	More than 150	6 ^s	33	As for BFK	As for BFK	As for BFK.
BK	As for BFK.....	More than 125 up to and including 150	6 ^s	33	As for BFK	As for BFK	As for BFK.
CK	As for BFK.....	More than 100 up to and including 125	6 ^s	33	As for BFK	As for BFK	As for BFK.
DK	As for BFK.....	More than 75 up to and including 100	6 ^s	33	As for BFK	As for BFK	As for BFK.
EK	As for BFK.....	Less than 75	6 ^s	33	As for BFK	As for BFK	As for BFK.
MK	Weathered, pure fleece mohair	Variable	6 ^s	33	Dull, weak without lustre	Hard, coarse and may contain some kempy fibres	Matted, spongy, tender and tending to be open and straight.
KSTN	Pure mohair outsorts which are moderately stained with urine, dung or plant pigments or artificial or natural agents	Variable	6 ^s	33	*	*	*
KSTN	Pure mohair outsorts which contain seed to such an extent that carbonisation is necessary prior to further processing	Variable	6 ^s	33	*	*	*
KLOX	Pure mohair outsorts more than moderately matted or stained with urine or dung	Variable	6 ^s	33	*	*	*

* Denotes no specification.

Classes	Specifications						
	General	Length (mm)	Fineness		Colour	Touch	Staple requirements
			According to Bradford count (minima)	or In microns (maxima)			
ASYG	Pure fleece mohair.....	More than 150	5 ^s	36	Good, bright lustrous creamy white	Kind, but firm and practically free from kempy fibres	Solid, wavy, twisted staples with evenness of fibre-fineness and length within the staple.
BSYG	As for ASYG.....	More than 125 up to and including 150	5 ^s	36	As for ASYG	As for ASYG	As for ASYG.
CSYG	As for ASYG.....	More than 100 up to and including 125	5 ^s	36	As for ASYG	As for ASYG	As for ASYG.
DSYG	As for ASYG.....	More than 75 up to and including 100	5 ^s	36	As for ASYG	As for ASYG	As for ASYG.
AYG	Pure fleece mohair.....	More than 150	5 ^s	36	Fairly good	Kind; provided that some kempy fibres are allowable	May tend to be open and straight.
BYG	As for AYG.....	More than 125, up to and including 150	5 ^s	36	As for AYG	As for AYG	As for AYG.
CYG	As for AYG.....	More than 100 up to and including 125	5 ^s	36	As for AYG	As for AYG	As for AYG.
DYG	As for AYG.....	More than 75 up to and including 100	5 ^s	36	As for AYG	As for AYG	As for AYG.
EYG	As for AYG.....	Less than 75	5 ^s	36	As for AYG	As for AYG	As for AYG.
MYG	Weathered, pure fleece mohair	Variable	5 ^s	36	Dull, weak and without lustre	Hard, coarse and may contain some kempy fibres	Matted, spongy, tender and tending to be open and straight.
YGSTN	Pure mohair outsorts moderately stained with urine, dung or plant pigments or artificial or natural agents	Variable	5 ^s	36	*	*	*
YGSDY	Pure mohair outsorts which contain seed to such an extent that carbonisation is necessary prior to further processing	Variable	5 ^s	36	*	*	*
ASFH	Pure fleece mohair.....	More than 150	4 ^s	39	Good bright, lustrous creamy white	Kind, but firm and practically free from kempy fibres	Solid, wavy, twisted staples with evenness of fibre to fineness and length within the staple.
BSFH	As for ASFH.....	More than 125 up to and including 150	4 ^s	39	As for ASFH	As for ASFH	As for ASFH.
GSFH	As for ASFH.....	More than 100 up to and including 175	4 ^s	39	As for ASFH	As for ASFH	As for ASFH.
DSFH	As for ASFH.....	More than 75 up to and including 100	4 ^s	39	As for ASFH	As for ASFH	As for ASFH.
ASH	As for ASFH.....	More than 150	3 ^s	43	As for ASFH	As for ASFH	As for ASFH.
BSH	As for ASFH.....	More than 125 up to and including 150	3 ^s	43	As for ASFH	As for ASFH	As for ASFH.
CSH	As for ASFH.....	More than 100 up to and including 125	3 ^s	43	As for ASFH	As for ASFH	As for ASFH.

* Denotes no specification.

Classes	Specifications						
	General	Length (mm)	Fineness		Colour	Touch	Staple requirements
			According to Bradford count (minima)	or In microns (maxima)			
DSH	As for ASFH.....	More than 75 up to and including 100	3 ^s	43	As for ASFH	As for ASFH	As for ASFH.
BFH	Pure fleece mohair.....	More than 125 up to and including 150	4 ^s	39	Fairly good	Kind, provided that some kempy fibres are allowable	May tend to be open and straight.
CFH	As for BFH.....	More than 100 up to and including 125	4 ^s	39	As for BFH	As for BFH	As for BFH.
DFH	As for BFH.....	More than 75 up to and including 100	4 ^s	39	As for BFH	As for BFH	As for BFH.
AH	As for BFH.....	More than 150	3 ^s	43	As for BFH	As for BFH	As for BFH.
BH	As for BFH.....	More than 125 up to and including 150	3 ^s	43	As for BFH	As for BFH	As for BFH.
CH	As for BFH.....	More than 100 up to and including 125	3 ^s	43	As for BFH	As for BFH	As for BFH.
DH	As for BFH.....	More than 75 up to and including 100	3 ^s	43	As for BFH	As for BFH	As for BFH.
EH	As for BFH.....	Less than 75	3 ^s	43	As for BFH	As for BFH	As for BFH.
MH	Weathered pure fleece mohair: Provided that less than moderate seed, stain and sand contamination is allowable	Variable	Less than 5 ^s	More than 36	Dull, weak without lustre	Hard, coarse and may contain some kempy fibres	Matted, spongy, tender and tending to be open and straight.
AR	Stronger pure mohair neck-and-britches outsorts	More than 150	Less than 3 ^s	More than 43	*	*	*
BR	Stronger pure mohair neck-and-britches outsorts	More than 125 up to and including 150	Less than 3 ^s	More than 43	*	*	*
CR	Stronger pure mohair neck-and-britches outsorts	More than 100 up to and including 125	Less than 3 ^s	More than 43	*	*	*
RAM	Mohair shorn from mature Angora rams	Variable	Less than 3 ^s	More than 43	*	*	*
STN	Pure mohair outsorts moderately stained with urine, dung or plant pigments or artificial or natural agents	Variable	Less than 5 ^s	More than 36	*	*	*
LOX	Pure mohair outsorts more than moderately matted or stained with urine or dung	Variable	Less than 6 ^s	More than 33	*	*	*
SDY	Pure mohair outsorts which contain seed to such an extent that carbonisation is necessary prior to further processing	Variable	Less than 5 ^s	More than 36	*	*	*
XEL	Mohair outsorts removed from the skin of a slaughtered animal	Variable	*	*	*	*	*
PLK	Mohair outsorts removed from the skin of a dead animal	Variable	*	*	*	*	*
BRANDS	Mohair outsorts, contaminated with paint or branding material	Variable	*	*	*	*	*

* Denotes no specification.

Classes	Specifications						
	General	Length (mm)	Fineness		Colour	Touch	Staple requirements
			According to Bradford count (minima)	In microns (maxima)			
PMCH	Pure mohair containing sticks and thorns or and pure mohair which does not comply with the requirements as described for the preceding classes of pure mohair	*	*	*	*	*	*
XPK	Cross-bred fleece mohair....	*	7 ^s	30	*	*	*
XK	Cross-bred fleece mohair....	*	6 ^s	33	*	*	*
XPH	Cross-bred fleece mohair....	*	4 ^s	39	*	*	*
XH	Cross-bred fleece mohair....	*	Less than 4 ^s	More than 39	*	*	*
XSTN	Cross-bred mohair outsorts which are moderately stained with urine, dung or plant pigments or artificial or natural agents	*			*	*	*
XLOX	Cross-bred mohair outsorts more than moderately matted or stained with urine or dung	*	*	*	*	*	*
XSDY	Cross-bred mohair outsorts containing seed to such an extent that carbonisation is necessary prior to further processing	*	*	*	*	*	*
GREY	Coloured mohair.....	*	*	*	*	*	*
XMOH	Cross-bred mohair containing sticks and thorns or any cross-bred mohair which does not comply with the requirements as described for the preceding classes of cross-bred mohair	*	*	*	*	*	*

* Denotes no specification.

No. R. 395

17 Maart 1972

SUID-AFRIKAANSE SITRUSSKEMA.—VERBOD OP DIE VERKOOP VAN POMELO'S

Ingevolge artikel 79 (b) van die Bemarkingswet, 1968 (No. 59 van 1968), maak ek, Dirk Cornelis Hermanus Uys, Minister van Landbou, hierby bekend dat die Sitrusraad, genoem in artikel 3 van die Suid-Afrikaanse SitruSSkema, afgekondig by Proklamasie R. 121 van 1964, soos gewysig, kragtens artikel 21 van genoemde Skema, met my goedkeuring en met ingang van 20 Maart 1972, die verbodsbepalings in die Bylae hiervan uiteengesit, opgelê het.

D. C. H. UYS, Minister van Landbou

BYLAE

1. In hierdie kennisgewing, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Suid-Afrikaanse SitruSSkema, afgekondig by Proklamasie R. 121 van 1964, soos gewysig, 'n betekenis geheg is, 'n ooreenstemmende betekenis en beteken—

“graad”, 'n graad voorgeskryf by regulasie kragtens artikel 89 van die Bemarkingswet, 1968;

“groottegroep”, 'n groottegroep voorgeskryf by regulasie kragtens artikel 89 van die Bemarkingswet, 1968;

“Rosè pomelo's”, Red Blush en alle ander pienk of rooivleis pitlose pomelo-variëteite.

2. (1) Behoudens 'n vrystelling verleen ingevolge die bepaling van artikel 21 (b) van die genoemde Skema, mag geen produsent pomelo's anders as deur bemiddeling van die Raad verkoop nie.

(2) Die bepaling van subklousule (1) is nie van toepassing op Ondergraad pomelo's nie.

3. Behoudens die voorbehoudsbepaling tot artikel 21 (d) van die genoemde Skema, mag geen produsent—

(a) Uitvoergraad pomelo's van die groottegroepe Middelslag, Klein en Ekstraklein;

(b) Keurgraad Rosè pomelo's van die groottegroepe Middelslag, Klein en Ekstraklein;

(c) Keurgraad pomelo's (uitgesonderd Rosè pomelo's);

(d) Standaardgraad en Substandaardgraad pomelo's, verkoop nie, behalwe op gesag van 'n permit wat deur die Raad uitgereik is of anders as ooreenkomstig die voorwaardes waaronder sodanige permit uitgereik is.

4. Niemand mag pomelo's vir handelsdoeleindes verwerk nie behalwe op gesag van 'n permit wat deur die Raad uitgereik is of anders as ooreenkomstig die voorwaardes waaronder sodanige permit uitgereik is.

No. R. 395

17 March 1972

SOUTH AFRICAN CITRUS SCHEME.—PROHI- BITION OF THE SALE OF GRAPEFRUIT

In terms of section 79 (b) of the Marketing Act, 1968 (No. 59 of 1968), I, Dirk Cornelis Hermanus Uys, Minister of Agriculture, hereby make known that the Citrus Board, referred to in section 3 of the South African Citrus Scheme, published by Proclamation R. 121 of 1964, as amended, has in terms of section 21 of the said Scheme, with my approval and with effect from 20 March 1972, imposed the prohibitions set out in the Schedule hereto.

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

SCHEDULE

1. In this notice, unless inconsistent with the context, any word or expression to which a meaning has been assigned in the South African Citrus Scheme, published by Proclamation R. 121 of 1964, as amended, shall have a corresponding meaning, and—

“grade” means a grade prescribed by regulation under section 89 of the Marketing Act, 1968;

“size group” means a size group prescribed by regulation under section 89 of the Marketing Act, 1968;

“Rosè grapefruit” means Red Blush and all other pink or red flesh seedless varieties of grapefruit.

2. (1) Subject to any exemption granted in terms of the provisions of section 21 (b) of the said Scheme, no producer shall sell grapefruit, except through the Board.

(2) The provisions of subclause (1) shall not apply to Under Grade grapefruit.

3. Subject to the proviso to section 21 (d) of the said Scheme no producer shall sell—

(a) Export Grade grapefruit of the size groups Medium, Small and Extra Small;

(b) Choice Grade Rosè grapefruit of the size groups Medium, Small and Extra Small;

(c) Choice Grade grapefruit (excluding Rosè grapefruit);

(d) Standard Grade and Sub-Standard Grade grapefruit,

except under authority of a permit issued by the Board or otherwise than in accordance with the conditions subject to which such permit has been issued.

4. No person shall process grapefruit for commercial purposes except under authority of a permit issued by the Board or otherwise than in accordance with the conditions subject to which such permit has been issued.

No. R. 396

17 Maart 1972

SUID-AFRIKAANSE SITRUSSKEMA

VERBOD OP DIE VERKOOP VAN SUURLEMOENE, MEYERSUURLEMOENE EN GROWWESKILSUUR- LEMOENE

Ingevolge artikel 79 (b) van die Bemarkingswet, 1968 (No. 59 van 1968), maak ek, Dirk Cornelis Hermanus Uys, Minister van Landbou, hierby bekend dat die Sitrusraad, genoem in artikel 3 van die Suid-Afrikaanse SitruSSkema, afgekondig by Proklamasie R. 121 van 1964, soos gewysig, kragtens artikel 21 van genoemde Skema, met my goedkeuring en met ingang van 20 Maart 1972, die verbodsbepalings in die Bylae hiervan uiteengesit, opgelê het.

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

No. R. 396

17 March 1972

SOUTH AFRICAN CITRUS SCHEME

PROHIBITION OF THE SALE OF LEMONS, MEYER LEMONS AND ROUGH LEMONS

In terms of section 79 (b) of the Marketing Act, 1968 (No. 59 of 1968), I, Dirk Cornelis Hermanus Uys, Minister of Agriculture, hereby make known that the Citrus Board, referred to in section 3 of the South African Citrus Scheme, published by Proclamation R. 121 of 1964, as amended, has in terms of section 21 of that Scheme, with my approval and with effect from 20 March 1972, imposed the prohibitions set out in the Schedule hereto.

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

BYLAE

1. In hierdie kennisgewing, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Suid-Afrikaanse Sitruskema, afgekondig by Proklamasie R. 121 van 1964, soos gewysig, 'n betekenis geheg is, 'n ooreenstemmende betekenis en beteken—

“graad”, 'n graad voorgeskryf by regulasie kragtens artikel 89 van die Bemarkingswet, 1968;

“groottegroep”, 'n groottegroep voorgeskryf by regulasie kragtens artikel 89 van die Bemarkingswet, 1968;

“growweskiisuurlemoene”, die vrugte van die plant *Citrus jambhiri* Lushington;

“Meyersuurlemoene”, suurlemoene van die variëteit Meyer;

“suurlemoene”, suurlemoene (uitgesonderd Meyer-suurlemoene en growweskiisuurlemoene), en suurlemoen-lemmetjiekruisings en lemmetjie-suurlemoenkruisings.

2. (1) Behoudens 'n vrystelling verleen ingevolge die bepaling van artikel 21 (b) van die genoemde Skema, mag geen produsent suurlemoene, Meyersuurlemoene en growweskiisuurlemoene anders as deur bemiddeling van die Raad verkoop nie.

(2) Die bepaling van subklousule (1) is nie van toepassing op Ondergraad suurlemoene, Meyer-suurlemoene en growweskiisuurlemoene nie.

3. Behoudens die voorbehoudsbepaling tot artikel 21 (d) van die genoemde Skema, mag geen produsent—

(a) Uitvoergraad en Keurgraad suurlemoene van die groottegroepe Ekstragroot, Klein en Ekstraklein;

(b) Standaardgraad en Substandaardgraad suurlemoene; en

(c) Uitvoergraad, Keurgraad, Standaardgraad en Substandaardgraad Meyersuurlemoene en growweskiisuurlemoene;

verkoop nie, behalwe op gesag van 'n permit wat deur die Raad uitgereik is of anders as ooreenkomstig die voorwaardes waaronder sodanige permit uitgereik is.

4. Niemand mag suurlemoene, Meyersuurlemoene of growweskiisuurlemoene vir handelsdoeleindes verwerk nie behalwe op gesag van 'n permit wat deur die Raad uitgereik is of anders as ooreenkomstig die voorwaardes waaronder sodanige permit uitgereik is.

DEPARTEMENT VAN NYWERHEIDSWESE

No. R. 378

17 Maart 1972

WET OP SEEVISSERYE, 1940

WYSIGING VAN REGULASIES

Die Staatspresident het kragtens die bevoegdheid hom verleen by artikel 11 van die Wet op Seevisserie, 1940 (Wet 10 van 1940), die regulasies afgekondig by Goewermentskennisgewing R. 620 van 22 April 1966, soos gewysig, verder gewysig in die mate in die Bylae hiervan aangedui.

BYLAE

DEEL IV

Regulasie 29

Wysig regulasie 29 (1) soos volg:

(1) Skrap subparagraaf (ii) (c) en vervang die komma-punt aan die einde van subparagraaf (ii) (b) deur 'n punt.

(2) Skrap subparagraaf (iv) (b) en hernommer subparagraaf (iv) (c) sodat dit (iv) (b) lui.

SCHEDULE

1. In this notice, unless inconsistent with the context, any word or expression to which a meaning has been assigned in the South African Citrus Scheme, published by Proclamation R. 121 of 1964, as amended, shall have a corresponding meaning, and—

“grade” means a grade prescribed by regulation under section 89 of the Marketing Act, 1968;

“lemons” means lemons (excluding Meyer lemons and rough lemons), lime-lemon hybrids and lemon-lime hybrids;

“Meyer lemons” means lemons of the variety Meyer; “rough lemons” means the fruit of the plant *Citrus jambhiri* Lushington;

“size group” means a size group prescribed by regulation under section 89 of the Marketing Act, 1968.

2. (1) Subject to any exemption granted in terms of the provisions of section 21 (b) of the said Scheme, no producer shall sell lemons, Meyer lemons and rough lemons, except through the Board.

(2) The provisions of subclause (1) shall not apply to Under Grade lemons, Meyer lemons and rough lemons.

3. Subject to the proviso to section 21 (d) of the said Scheme, no producer shall sell—

(a) Export Grade and Choice Grade lemons of the size groups Extra Large, Small and Extra Small;

(b) Standard Grade and Substandard Grade lemons;

(c) Export Grade, Choice Grade, Standard Grade and Substandard Grade Meyer lemons and rough lemons;

except under authority of a permit issued by the Board or otherwise than in accordance with the conditions subject to which such permit has been issued.

4. No person shall process lemons, Meyer lemons and rough lemons for commercial purposes, except under authority of a permit issued by the Board or otherwise than in accordance with the conditions subject to which such permit has been issued.

DEPARTMENT OF INDUSTRIES

No. R. 378

17 March 1972

SEA FISHERIES ACT, 1940

AMENDMENT OF REGULATIONS

The State President has, under the powers vested in him by section 11 of the Sea Fisheries Act, 1940 (Act 10 of 1940), further amended the regulations promulgated under Government Notice R. 620, dated 22 April 1966, as amended, to the extent set out in the Schedule hereto.

SCHEDULE

PART IV

Regulation 29

Amend regulation 29 (1) as follows:

(1) Delete subparagraph (ii) (c) and substitute a full stop for the semicolon at the end of subparagraph (ii) (b).

(2) Delete subparagraph (iv) (b) and renumber subparagraph (iv) (c) to read (iv) (b).

(3) Voeg die volgende subparagraaf (aA) na subparagraaf (v) (a) in:

“(aA) die strandgebied tussen twee wit betonbakens gemerk J1 wat die noordelike grens aandui en J2 wat die suidelike grens aandui en wat geleë is op die strand, bekend as Sealeiland, tussen Britanniabaai en Paternosterbaai.”

(3) Insert the following subparagraph (aA) after subparagraph (v) (a):

“(aA) the sea-shore between two white concrete beacons marked J1 indicating the northern boundary and J2 indicating the southern boundary and situated on the shore, known as Seal Island, between Britania Bay and Paternoster Bay.”

DEPARTEMENT VAN POS-EN-TELEGRAAFWESE

No. R. 379

17 Maart 1972

INTERNASIONALE TELEFOONDIENS

Dit het die Staatspresident behaag om kragtens artikel 3 (2) van Wet 44 van 1958, sy goedkeuring te heg aan onderstaande wysiging van die lys van telefoonoproepkoste vir die internasionale telefoondiens soos afgekondig by Goewermentskennisgewing R. 175 van 14 Februarie 1969:

Voeg die volgende in alfabetiese volgorde in:

Diens na	Basiese tarief		Verslagkoste
	Drie minute	Een minuut	
Taiwan.....	R 10,75	R 3,58	R 0,80

DEPARTMENT OF POSTS AND TELEGRAPHS

No. R. 379

17 March 1972

INTERNATIONAL TELEPHONE SERVICE

The State President has been pleased, under the provisions of section 3 (2) of Act 44 of 1958, to approve of the following amendment to the list of telephone call charges for the international telephone service published under Government Notice R. 175 of 14 February 1969:

Insert the following in alphabetical order:

Service to	Basic charge		Report charge
	Three minutes	One minute	
Taiwan.....	R 10,75	R 3,58	R 0,80

No. R. 400

17 Maart 1972

WYSIGING VAN DIE TELEFOONREGULASIES

Dit het die Staatspresident behaag om kragtens artikel 2 (4) en artikel 3 (2) van Wet 44 van 1958 sy goedkeuring te heg aan onderstaande wysiging van die Telefoonregulasies:

Voeg die volgende aan die end van Regulasie 43 (iii) in:

“(c) Woningstelefoondienste wat vir die duur van parlamentsittings in Kaapstad en omgewing aan Parlementslede en sittingsamptenare verskaf word:

Installeergeld.—R2.

*Huur.—*Die huurgeld wat op permanente dienste van toepassing is in die betrokke gebied waar die diens voorsien word en soos neergelê by Regulasies 33, 37, 38, 40, 51 en 52, met dien verstande dat huur op 'n pro rata-grondslag betaalbaar sal wees vanaf die datum waarop die diens begin tot die datum waarop dit beëindig word.

Vir die toepassing van hierdie regulasie berus die vasstelling van die gebied ‘Kaapstad en omgewing’ en die klassifisering van ‘sittingsamptenare’ uitsluitlik by die Posmeester-generaal.”

No. R. 400

17 March 1972

AMENDMENT TO THE TELEPHONE REGULATIONS

The State President has been pleased, under section 2 (4) and section 3 (2) of Act 44 of 1958, to approve of the following amendment to the Telephone Regulations:

Add the following at the end of Regulation 43 (iii):

“(c) Residential telephone services provided during Parliamentary sessions in Cape Town and vicinity to Members of Parliament and session officials:

Installation charge.—R2.

*Rental.—*The rental applicable to permanent services in the relative area where the service is installed and as provided for by Regulation 33, 37, 38, 40, 51 and 52, provided that rental shall be payable on a pro rata basis from the date on which the service is commenced to the date of discontinuance.

For the purpose of this regulation the establishment of the area ‘Cape Town and vicinity’ and the classification of ‘session officials’ rest exclusively with the Postmaster General.”

DEPARTEMENT VAN SPOORWEE HAWENS EN LUGDIENS

No. R. 405

17 Maart 1972

Dit het die Staatspresident behaag om kragtens artikel 32 van die Wet op Spoorweg- en Hawediens, 1960 (Wet 22 van 1960), goedkeuring daaraan te verleen dat die

DEPARTMENT OF RAILWAYS, HARBOURS AND AIRWAYS

No. R. 405

17 March 1972

The State President has, in terms of section 32 of the Railways and Harbours Service Act, 1960 (Act 22 of 1960), been pleased to approve of the South African

Personeelregulasies van die Suid-Afrikaanse Spoorweë en Hawens, gepubliseer in Goewermentskennisgewing R. 1045 van 15 Julie 1960, soos gewysig, soos volg verder gewysig word:

SUID-AFRIKAANSE SPOORWEE

PERSONEELREGULASIES

WYSIGINGSLYS

(Van krag van 20 Desember 1971)

Regulasie 58

Vervang paragraaf (4) (a) deur die volgende:

“(4) (a) ’n Voormanelektrisiën, ’n bedryfsinspekteur, ’n seniordistrikopsiener (spoorbaan), ’n distrikopsiener (spoorbaan), ’n lokomotiefinspekteur, ’n seniorspoorbaan-inspekteur of ’n spoorbaaninspekteur, afgesien van wat sy salaris is, of enige ander amptenaar met ’n salaris van meer as R6 000, is nie geregtig op betaling ingevolge hierdie regulasie nie, maar die bepaling is wel van toepassing op lokomotiefvoormanne en assistent-lokomotiefvoormanne, afgesien van wat hulle salarisse is.”

Railways and Harbours Staff Regulations, published in Government Notice R. 1045 of 15 July 1960, as amended, being further amended as follows:

SOUTH AFRICAN RAILWAYS

STAFF REGULATIONS

SCHEDULE OF AMENDMENT

(Operative from 20 December 1971)

Regulation 58

Substitute the following for paragraph (4) (a):

“(4) (a) A foreman electrician, a operating inspector, a senior district supervisor (permanent way), a district supervisor (permanent way), a locomotive inspector, a senior permanent way inspector or a permanent way inspector, irrespective of salary, or any other officer in receipt of a salary exceeding R6 000, is excluded from payment in terms of this regulation, but its provisions are applicable to locomotive foremen and assistant locomotive foremen, irrespective of their salaries.”

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