



# STAATSKOERANT

## VAN DIE REPUBLIEK VAN SUID-AFRIKA

### REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

REGULASIEKOERANT No. 1589

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[No. 3425

### PROKLAMASIE

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

No. R. 68, 1972

#### INWERKINGTREDING VAN DIE BOEDEL- WYSIGINGSWET, 1970

Kragtens die bevoegdheid my verleen by artikel 12 van die Boedelwysigingswet, 1970 (Wet 54 van 1970), verklaar ek hierby dat die bepalings van genoemde Wet op 1 April 1972 in werking tree.

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

J. DE KLERK, Waarnemende Staatspresident.

Op las van die Waarnemende Staatspresident-in-rade:

P. C. PELSER.

### PROCLAMATION

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

No. R. 68, 1972

#### COMING INTO OPERATION OF THE ADMINIS- TRATION OF ESTATES AMENDMENT ACT, 1970

By virtue of the powers vested in me by section 12 of the Administration of Estates Amendment Act, 1970 (Act 54 of 1970), I hereby declare that the provisions of the said Act shall come into operation on 1 April 1972.

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

J. DE KLERK, Acting State President.

By Order of the Acting State President-in-Council:

P. C. PELSER.

### GOEWERMENSKENNISGEWINGS

#### DEPARTEMENT VAN BINNELANDSE SAKE

No. R. 477

24 Maart 1972

#### WYSIGING VAN DIE REGULASIES VAN DIE RAAD VAN BEHEER OOR PUBLIKASIES

Die Minister van Binnelandse Sake het kragtens die bevoegdheid hom verleen by artikel 16 van die Wet op Publikasies en Vermaaklikhede, 1963 (Wet 26 van 1963), die volgende regulasie uitgevaardig:

#### WYSIGING VAN REGULASIES UITGEVAARDIG BY GOEWERMENSKENNISGEWING R. 1636 VAN 25 OKTOBER 1963

Regulasie 6 word hierby deur die volgende regulasie vervang:

"6. Aan 'n lid van die komitee bedoel in artikel 4 (3) van die Wet word 'n allesinsluitende toelaag teen 'n tarief van R12,50 per dag betaal vir elke dag waarop sodanige lid 'n vergadering of vergaderings van die komitee bywoon, vir elke dag waarop bedoelde lid in opdrag van die voorsitter van die komitee werksaamhede van die komitee verrig en vir elke dag waarop bedoelde lid die werksaamhede bedoel in artikel 13A van die Wet, verrig: Met dien verstande dat bedoelde toelaag nie 'n bedrag van R12,50 ten opsigte van één dag oorskry nie."

### GOVERNMENT NOTICES

#### DEPARTMENT OF THE INTERIOR

No. R. 477

24 March 1972

#### AMENDMENT OF THE REGULATIONS OF THE PUBLICATIONS CONTROL BOARD

The Minister of the Interior has under the powers vested in him by section 16 of the Publications and Entertainments Act, 1963 (Act 26 of 1963), made the following regulation:

#### AMENDMENT OF REGULATIONS ISSUED UNDER GOVERNMENT NOTICE R. 1636 OF 25 OCTOBER 1963

The following regulation is hereby substituted for regulation 6:

"6. There shall be paid to a member of a committee referred to in section 4 (3) of the Act an inclusive allowance at the rate of R12,50 per day for each day on which such member attends a meeting or meetings of the committee, for each day on which such member performs the work of the committee on the instructions of the chairman and for each day on which such member performs the functions referred to in section 13A of the Act: Provided that such allowance shall not exceed an amount of R12,50 in respect of any one day."

**DEPARTEMENT VAN DOEANE EN AKSYNS**

No. R. 448

24 Maart 1972

**DOEANE- EN AKSYNSWET, 1964.—WYSIGING  
VAN BYLAE 1 (No. 1/1/110)**

Ek, Nicolaas Diederichs, Minister van Finansies, handelende kragtens die bevoegdheid my verleen by artikel 48 van die Doeane- en Aksynswet, 1964, wysig hierby Bylae 1 van genoemde Wet in die mate in die Bylae hiervan aangetoon.

N. DIEDERICHS, Minister van Finansies.

**DEPARTMENT OF CUSTOMS AND EXCISE**

No. R. 448

24 March 1972

**CUSTOMS AND EXCISE ACT, 1964.—AMENDMENT  
OF SCHEDULE 1 (No. 1/1/110)**

I, Nicolaas Diederichs, Minister of Finance, acting in terms of the powers vested in me by section 48 of the Customs and Excise Act, 1964, hereby amend Schedule 1 to the said Act to the extent set out in the Schedule hereto.

N. DIEDERICHS, Minister of Finance.

**BYLAE**

| I<br>Tariefpos                                                                                                                                                                                          | II<br>Statistiese<br>Eenheid | III IV V<br>Skaal van Reg              |        |          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------------------------------|--------|----------|
|                                                                                                                                                                                                         |                              | Algemeen                               | M.B.N. | Voorkeur |
| 51.04 Deur subpos No. 51.04.85.30 deur die volgende te vervang:<br>„.30 Damas, brokaat en soortgelyke Jacquard-patroonstowwe, met 'n waarde vir belastingdoeleindes per m <sup>2</sup> van minstens 48c | m <sup>2</sup>               | 25% of 43c per m <sup>2</sup> min 40%” |        |          |
| 56.07 Deur subpos No. 56.07.85.30 deur die volgende te vervang:<br>„.30 Damas, brokaat en soortgelyke Jacquard-patroonstowwe, met 'n waarde vir belastingdoeleindes per m <sup>2</sup> van minstens 48c | m <sup>2</sup>               | 25% of 43c per m <sup>2</sup> min 40%” |        |          |

OPMERKING.—Die reg op damas, brokaat en soortgelyke Jacquard-patroonstowwe, met 'n waarde vir belastingdoeleindes per m<sup>2</sup> van minstens 48c, word gewysig in die mate aangetoon.

**SCHEDULE**

| I<br>Tariff Heading                                                                                                                                                                                      | II<br>Statistical Unit | III IV V<br>Rate of Duty                |        |              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-----------------------------------------|--------|--------------|
|                                                                                                                                                                                                          |                        | General                                 | M.F.N. | Preferential |
| 51.04 By the substitution for subheading No. 51.04.85.30 of the following:<br>“ .30 Damask, brocade and similar Jacquard figured fabrics, of a value for duty purposes per m <sup>2</sup> of 48c or more | m <sup>2</sup>         | 25% or 43c per m <sup>2</sup> less 40%” |        |              |
| 56.07 By the substitution for subheading No. 56.07.85.30 of the following:<br>“ .30 Damask, brocade and similar Jacquard figured fabrics, of a value for duty purposes per m <sup>2</sup> of 48c or more | m <sup>2</sup>         | 25% or 43c per m <sup>2</sup> less 40%” |        |              |

NOTE.—The duty on damask, brocade and similar Jacquard figured fabrics, of a value for duty purposes per m<sup>2</sup> of 48c or more, is amended to the extent indicated.

**DEPARTEMENT VAN FINANSIES**

No. R. 423

24 Maart 1972

**DEVIESEBEHEERREGULASIES.—AANSTELLING  
VAN GEMAGTIGDE HANDELAARS**

Paragraaf 3 (a) van Goewermentskennisgewing R. 1112 van 1 Desember 1961, soos gewysig by Goewermentskennisgewings R. 1212 van 15 Desember 1961, R. 512 van 30 Maart 1962, R. 691 van 10 Mei 1963, R. 1223 van 9 Augustus 1963, R. 1922 van 13 Desember 1963, R. 940 van 26 Junie 1964, R. 1181 van 13 Augustus 1965, R. 1778 van 12 November 1965, R. 1961 van 10 Desember 1965, R. 85 van 20 Januarie 1967, R. 230 van 24 Februarie 1967, R. 801 van 16 Mei 1969, R. 1012 van 20 Junie 1969, R. 3114 van 15 Augustus 1969, R. 1011 van 18 Junie 1971, R. 1976 van 29 Oktober 1971 en R. 2314 van 24 Desember 1971, word hierby verder gewysig deur die toevoeging van Syfrets Bank Beperk aan die lys van gemagtigde handelaars vir doeleindes van die Deviesebeheerregulasies gepubliseer by Goewermentskennisgewing R. 1111 van 1 Desember 1961.

**DEPARTMENT OF FINANCE**

No. R. 423

24 March 1972

**EXCHANGE CONTROL REGULATIONS.—  
APPOINTMENT OF AUTHORISED DEALERS**

Paragraph 3 (a) of Government Notice R. 1112 of 1 December 1961, as amended by Government Notices R. 1212 of 15 December 1961, R. 512 of 30 March 1962, R. 691 of 10 May 1963, R. 1223 of 9 August 1963, R. 1922 of 13 December 1963, R. 940 of 26 June 1964, R. 1181 of 13 August 1965, R. 1778 of 12 November 1965, R. 1961 of 10 December 1965, R. 85 of 20 January 1967, R. 230 of 24 February 1967, R. 801 of 16 May 1969, R. 1012 of 20 June 1969, R. 3114 of 15 August 1969, R. 1011 of 18 June 1971, R. 1976 of 29 October 1971 and R. 2314 of 24 December 1971, is hereby further amended by the addition of Syfrets Bank Limited to the list of authorised dealers for the purposes of the Exchange Control Regulations published under Government Notice R. 1111 of 1 December 1961.

## DEPARTEMENT VAN JUSTISIE

No. R. 473 24 Maart 1972

REGULASIES KRAGTENS ARTIKEL 103 VAN  
DIE BOEDELWET, 1965

Dit het die Waarnemende Staatspresident behaag om kragtens artikel 103 van die Boedelwet, 1965 (Wet 66 van 1965), die volgende regulasies met ingang van 1 April 1972 uit te vaardig:

*Woordomskrywing*

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

“identiteitsnommer” die identiteitsnommer wat ingevolge artikel 6 van die Bevolkingsregistrasiewet, 1950 (Wet 30 van 1950), of artikel 3 van die Wet op Identiteitsdokumente in Suidwes-Afrika, 1970 (Wet 37 van 1970), aan ’n persoon toegewys is;

“Wet” die Boedelwet, 1965 (Wet 66 van 1965); en  
het ’n woord of uitdrukking waaraan ’n betekenis in die Wet geheg is, daardie betekenis.

*Sterfkennis*

2. Die sterfkennis in artikel 7 van die Wet genoem, moet wesenlik in die vorm uiteengesit in Vorm A in Bylae 1 wees.

*Inventaris*

3. Vorm B in Bylae 1 word, deur die skrapping daarin van inhoud wat in die ter sake dienende omstandighede nie van toepassing is nie, aangewend om ’n inventaris ingevolge artikel 9, 27 of 78 van die Wet op te stel.

*Beëdigde Verklaring Kragtens Artikel 25 van die Wet*

4. Die beëdigde verklaring by artikel 25 van die Wet vereis, word afgeleë deur die persoon in artikel 21 van die Wet bedoel ten gunste van wie ’n eksekuteursbrief uitgereik is en vermeld—

- (a) dat dit ’n beëdigde verklaring kragtens artikel 25 van die Wet is;
- (b) die volle naam van die oorledene;
- (c) die volle naam en adres van die verklaarder;
- (d) die plek en land of gebied waar die oorledene ten tyde van sy dood gewoonlik woonagtig was;
- (e) die plek, land of gebied en datum van oorlyde van die oorledene, en of sy oorlyde deur die owerhede van die betrokke land of gebied geregistreer is;
- (f) of ’n eksekuteursbrief uitgereik is en, indien wel, ten gunste van wie en waar sodanige brief uitgereik is;
- (g) of die oorledene intestaat gesterf het of ’n testament nagelaat het en, in laasgenoemde geval, of sodanige testament as ’n geldige testament aanvaar is;
- (h) dat die oorledene nie die eienaar van enige ander goed in die Republiek as aandele, effekte of ’n reg op diwidende daarop verskuldig, of ’n kredietsaldo by ’n bank of ander finansiële instelling, of obligasies of ’n reg op rente daarop verskuldig, was nie;
- (i) besonderhede van sodanige aandele, effekte of ’n reg op diwidende daarop verskuldig, obligasies of ’n reg op rente daarop verskuldig waarvan die oorledene die eienaar in die Republiek was en die naam van enige bank of ander finansiële instelling in die Republiek waar sodanige saldo in die krediet van die oorledene staan en die bedrag van sodanige saldo;
- (j) of enige vruggebruik, fidiusiere of fideikommissiere of soortgelyke reg op goed binne die Republiek ten gunste van die oorledene by sy oorlyde beëindig is en, indien dit die geval is, besonderhede daarvan;

## DEPARTMENT OF JUSTICE

No. R. 473 24 March 1972

REGULATIONS IN TERMS OF SECTION 103 OF  
THE ADMINISTRATION OF ESTATES ACT, 1965

The Acting State President has been pleased to make the following regulations in terms of section 103 of the Administration of Estates Act, 1965 (Act 66 of 1965), with effect from 1 April 1972:

*Definitions*

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

“Act” means the Administration of Estates Act, 1965 (Act 66 of 1965);

“identity number” means the identity number assigned to a person in terms of section 6 of the Population Registration Act, 1950 (Act 30 of 1950), or section 3 of the Identity Documents in South-West Africa Act, 1970 (Act 37 of 1970); and

a word or expression to which a meaning has been assigned in the Act bears that meaning.

*Notice of Death*

2. The notice of death referred to in section 7 of the Act shall be substantially in the form set out in Form A in Schedule 1.

*Inventory*

3. Form B in Schedule 1 shall, by deleting therefrom matter which is not applicable in the relevant circumstances, be applied to make an inventory in pursuance of sections 9, 27 or 78 of the Act.

*Affidavit in Terms of Section 25 of the Act*

4. The affidavit required by section 25 of the Act shall be made by the person referred to in section 21 of the Act in whose favour letters of executorship have been granted and shall specify—

- (a) that it is an affidavit in terms of section 25 of the Act;
- (b) the full name of the deceased;
- (c) the full name and address of the deponent;
- (d) the place and country or territory wherein the deceased was ordinarily resident at the time of his death;
- (e) the place, country or territory and date of death of the deceased, and whether the death has been registered by the authorities of the country or territory concerned;
- (f) whether letters of executorship have been granted and, if so, in whose favour and where such letters have been granted;
- (g) whether the deceased died intestate or left a will and, in the latter event, whether such will has been accepted as a valid will;
- (h) that the deceased was not the owner of any property in the Republic other than shares, stocks or any right to dividends due thereon, or any credit balance at any bank or other financial institution, or debentures or any right to interest due thereon;
- (i) particulars of such shares, stocks or any right to dividends due thereon, debentures or any right to interest due thereon of which the deceased was the owner in the Republic and the name of any bank or other financial institution at which any such balance stands to the credit of the deceased in the Republic and the amount of such balance;
- (j) whether any usufructuary, fiduciary or fideicommissary or other like interest in property within the Republic in favour of the deceased has ceased upon his death and, if that be the case, particulars thereof;



(k) die volle naam en adres van enige begunstigde in die boedel van die oorledene, wat in die Republiek woonagtig is;

(l) die volle naam en adres van enige persoon in die Republiek wat 'n vordering teen die boedel van die oorledene het en besonderhede van sodanige vordering, of dat, na die wete van die verklaarder, geen persoon in die Republiek enige vordering teen die boedel van die oorledene het nie;

(m) dat na die wete van die verklaarder geen persoon in die Republiek deur die oordrag van goed in die boedel van die oorledene aan die persoon ten gunste van wie 'n eksekuteursbrief uitgereik is, of aan sy behoorlik gemagtigde verteenwoordiger, benadeel kan word nie; en

(n) die volle naam en adres van enige behoorlik gemagtigde verteenwoordiger in die Republiek wat namens die persoon ten gunste van wie 'n eksekuteursbrief uitgereik is, optree.

#### *Likwidasië-en-distribusiërekening*

5. (1) Die rekening in artikel 35 (1) van die Wet genoem moet—

(a) 'n opskrif bevat wat—

(i) dit as 'n likwidasië-en-distribusiërekening beskryf;  
(ii) die ranggetal van sodanige rekening weerspieël;  
(iii) vermeld of dat 'n finale of aanvullende of 'n gewysigde finale of aanvullende likwidasië-en-distribusiërekening, na gelang van die geval, is;

(iv) die volle naam en van en datum van oorlyde van die oorledene en, indien 'n identiteitsnommer aan die oorledene toegewys is, ook sodanige identiteitsnommer, vermeld;

(v) die huwelikstaat van die oorledene ten tyde van sy oorlyde vermeld;

(vi) indien die oorledene 'n getroude persoon op die datum van sy oorlyde was, vermeld of die huwelik in of buite gemeenskap van goed was, en, indien die huwelik in gemeenskap van goed was, die volle naam (met inbegrip van 'n nooiensvan indien van toepassing) van die persoon met wie hy aldus getroud was, en, indien 'n identiteitsnommer aan daardie persoon toegewys is, ook sodanige identiteitsnommer;

(vii) indien aanvaarding plaasgevind het, vermeld dat dit die saamgevoegde boedel van die oorledene en die persoon wat aldus aanvaar het, is; en

(viii) die Meester se verwysingsnommer vermeld;

(b) 'n geldkolom bevat;

(c) onder 'n ondertitel "Likwidasiërekening"—

(i) die onroerende goed (uitgesonderd goed wat aan 'n fideikommis onderworpe is) wat deel van die boedel uitmaak, vermeld, soos in die titelbewys daarvan beskryf en die nommer en datum van die titelbewys aandui en, in die geval van 'n gewysigde beskrywing van sodanige goed, ook sodanige gewysigde beskrywing vermeld;

(ii) 'n noukeurige en bondige beskrywing van die roerende goed (wat nie aan 'n fideikommis onderworpe is nie) wat deel van die boedel uitmaak, vermeld;

(iii) tussen hakies naas die geldkolom van die rekening 'n volgnummer ten opsigte van elke item onder hierdie ondertitel vermeld, welke nommer, waar toepaslik, ooreen moet stem met die reeksnommer van die bewysstuk, kwitansie of kwitering in subregulasie (3) genoem, wat op sodanige item betrekking het;

(iv) in die geldkolom van die rekening, die waarde van elke bate of 'n aantal bates wat saamgroepeer is of die totale opbrengs van elke bate of 'n aantal bates wat saamgroepeer is en deur die eksekuteur verkoop is, vermeld;

(k) the full name and address of any beneficiary in the estate of the deceased, resident in the Republic;

(l) the full name and address of any person in the Republic having any claim against the estate of the deceased and details of such claim, or that, to the knowledge of the deponent, no person in the Republic has any claim against the estate of the deceased;

(m) that to the knowledge of the deponent no person in the Republic can be prejudiced by the transmission of property in the estate of the deceased to the person in whose favour letters of executorship have been granted or to his duly authorised agent; and

(n) the full name and address of any duly authorised agent in the Republic acting on behalf of the person in whose favour letters of executorship have been granted.

#### *Liquidation and Distribution Account*

5. (1) The account referred to in section 35 (1) of the Act shall—

(a) contain a heading which shall—

(i) describe it as a liquidation and distribution account;

(ii) reflect the ordinal number of such account;

(iii) specify whether it is a final or supplementary or an amended final or supplementary liquidation and distribution account, as the case may be;

(iv) state the full name and surname and date of death of the deceased, and, if an identity number was assigned to the deceased, such identity number also;

(v) state the marital status of the deceased at the date of his death;

(vi) if the deceased was a married person at the date of his death, state whether the marriage was in or out of community of property and, if the marriage was in community of property, the full name (including a maiden name, if applicable) of the person to whom he was so married, and, if an identity number has been assigned to that person, state such identity number also;

(vii) specify, if adiation has taken place, that it is the massed estate of the deceased and the person who has so adiated; and

(viii) state the Master's reference number;

(b) contain a money column;

(c) specify under a subheading "Liquidation Account"—

(i) the immovable property (other than property subject to a fideicommissum) forming part of the estate as described in the title deed thereof and reflect the number and date of the title deed and, in the case of an amended description of such property, also specify such amended description;

(ii) an accurate and concise description of the movable property (not subject to a fideicommissum) forming part of the estate;

(iii) in parentheses next to the money column of the account a consecutive number in respect of each item under this subheading, such number to correspond, where applicable, to the serial number of the voucher, receipt or acquittance referred to in subregulation (3), relating to such item;

(iv) in the money column of the account, the value of each asset or a number of assets grouped together or the gross proceeds of each asset or a number of assets grouped together and sold by the executor;



(v) die wyse aandui waarop die eksekuteur voornemens is om met enige bate of groep bates, uitgesonderd kontant wat in die boedel gevind is of die kontant-opbrengs van bates wat te gelde gemaak is, te handel of die boedel van enige bate of groep bates te ontdoen, en dan word die geldkolom opgetel en daarna vermeld die rekening, onder hierdie ondertitel, verder—

(vi) in die geldkolom, die administrasiekoste in verband met die bereddering en verdeling van die boedel aangegaan;

(vii) die naam van elke skuldeiser, tesame met die bedrag van sy vordering wat in die geldkolom van die rekening aangetoon moet word;

(viii) in die geldkolom, enige boedelbelasting deur die boedel verskuldig,

en die bedrae wat in die geldkolom ten opsigte van subparagrafe (vi) tot en met (viii) aangetoon word, word opgetel en enige saldo wat vir verdeling na die distribusierekening oorgedra moet word, moet in die geldkolom aangetoon word;

(d) onder 'n ondertitel "Rekapitulatie-opgawe" 'n kontantopgawe bevat wat aandui—

(i) die totaal van die items wat uit kontant bestaan of goed wat te gelde gemaak is;

(ii) die totaal van skulde en laste wat onder die ondertitel "Likwidasierekening" vermeld word en enige legaat wat kontant betaalbaar is; en

(iii) enige kontanttekort, as daar is, en hoe sodanige tekort verreken sal word;

(e) onder 'n ondertitel "Distribusierekening"—

(i) die saldo vir verdeling en besonderhede van enige regte wat ingevolge die bepalinge van artikel 37 van die Wet verkry is, vermeld;

(ii) die volle name van die erfgename vermeld asook of 'n erfgenaam 'n meerderjarige of minderjarige is en in die geval van—

(a) 'n minderjarige, ook die geboortedatum, en, indien 'n identiteitsnommer aan sodanige minderjarige toegewys is, sodanige identiteitsnommer;

(b) 'n vrou, ook haar huwelikstaats en, indien in gemeenskap van goed getroud, die volle naam van haar eggenoot en, indien buite gemeenskap van goed getroud, of die maritale mag uitgesluit is;

(iii) kortliks besonderhede van die goed wat by elke toekenning ingesluit is en die rede vir elke toekenning vermeld, en indien die toekenning aan enige begunstigde of administrateur aan 'n voorwaarde in die testament onderworpe is, aandui dat dit gedoen is behoudens en ingevolge sodanige voorwaarde sonder om die bepalinge van die voorwaarde te vermeld of op te som,

en waar 'n herverdelingsooreenkoms deur die erfgename aangegaan is en verdeling deur die eksekuteur ingevolge sodanige ooreenkoms gedoen moet word, moet die rekening vergesel gaan van die herverdelingsooreenkoms;

(f) onder 'n ondertitel "Inkomste-en-uitgawerekening"—

(i) enige ingevorderde inkomste wat na die dood van die oorledene tot die datum van die rekening opgehoop het, vermeld;

(ii) enige uitgawes uit sodanige inkomste betaal, vermeld;

(iii) tussen hakies naas die geldkolom van die rekening, 'n volgnummer ten opsigte van elke inskrywing vermeld;

(iv) die saldo wat vir verdeling beskikbaar is en aan wie dit toegeken is, vermeld;

en indien geen inkomste ingevorder is nie, moet daardie feit vermeld word;

(v) the manner in which the executor intends dealing with or divesting the estate of any asset or group of assets, other than cash found in the estate or cash proceeds from assets realised,

and then the money column shall be totalled and thereafter the account shall, under this subheading, further specify—

(vi) in the money column, the administration charges incurred in connection with the liquidation and distribution of the estate;

(vii) the name of each creditor, together with the amount of his claim which shall be reflected in the money column of the account;

(viii) in the money column, any estate duty payable by the estate,

and the amounts reflected in the money column in respect of subparagraphs (vi) to (viii), inclusive, shall be totalled and any balance for distribution to be carried forward to the distribution account shall be reflected in such column;

(d) specify under a subheading "Recapitulation Statement" a cash statement reflecting—

(i) the total of the items comprising cash or property reduced to cash;

(ii) the total debts and charges appearing under the subheading "Liquidation Account" and any legacy payable in cash; and

(iii) the cash deficiency, if any, and how such deficiency will be settled;

(e) specify under a subheading "Distribution Account"—

(i) the balance for distribution and particulars of any rights conferred under the provisions of section 37 of the Act;

(ii) the full names of the heirs and whether an heir is a major or a minor, and in the case of—

(a) a minor, also the date of birth, and if an identity number has been assigned to such minor, also such identity number;

(b) a woman, also her marital status and, if married in community of property, the full name of her husband and, if married out of community of property, whether the marital power has been excluded;

(iii) briefly details of the property included in every award and the reason for every award and if the award to any beneficiary or administrator is subject to any condition in the will, stating that it is made subject to and in terms of such condition without specifying or summarising the terms of the condition,

and where any redistribution agreement was entered into by the heirs and distribution has to be made by the executor pursuant to such agreement, the redistribution agreement shall accompany the account;

(f) specify under a subheading "Income and Expenditure Account"—

(i) any income collected which has accrued subsequent to the death of the deceased to the date of the account;

(ii) any expenses paid from such income;

(iii) in parenthesis next to the money column of the account, a consecutive number in respect of each entry;

(iv) the balance available for distribution and to whom it was awarded;

and if no income was collected, that fact shall be stated;

(g) onder 'n ondertitel "Rekening van Fidusiêre Bates" vermeld—

(i) *mutatis mutandis* op die wyse in subparagraaf (c) van hierdie regulasie aangedui, die fidusiêre bates wat die oordelene as 'n fiduciarius ingevolge 'n testament of ander dokument besit het;

(ii) die oorsprong van die fidusiêre reg in sodanige bates met inbegrip van die Meester se verwysingsnommer van die boedel, testament of dokument ingevolge waarvan sodanige reg geskep is;

(iii) enige skulde, laste en administrasiekoste wat teen die fidusiêre bates ten laste gelê kan word;

(iv) vir sover die bepalings van subparagrafe (e) en (f) van hierdie regulasie op die rekening van fidusiêre bates toegepas kan word, die inligting by daardie bepalings verlang;

(h) waar van toepassing, onder 'n ondertitel "Boedelbelasting" vermeld—

(i) die berekenings om vas te stel of boedelbelasting betaalbaar is en die bedrag boedelbelasting betaalbaar, indien wel; en

(ii) die toedeling daarvan ten opsigte van die persone wat vir sodanige belasting ooreenkomstig die Boedelbelastingwet, 1955 (Wet 45 van 1955), aanspreeklik is;

(i) afsluit met 'n sertifikaat deur die eksekuteur onderteken en gedateer waarin hy—

(i) verklaar dat die rekening na sy beste wete en oortuiging 'n ware en juiste rekening van die bereddering en die verdeling van die boedel is;

(ii) verklaar, indien dit 'n finale rekening is, dat na sy beste wete en oortuiging al die bates en inkomste wat na die dood van die oordelene tot die datum van die rekening ingevorder is daarin geopenbaar is; en

(iii) indien die rekening nie 'n finale rekening is nie, volle besonderhede uiteensit van al die skulde aan die boedel verskuldig en nog uitstaande en alle bates, met benaderde waarde van elke bate, nog nie te gelde gemaak nie met 'n verduideliking waarom sodanige skulde en bates nog nie ingevorder of te gelde gemaak is nie.

(2) Waar die boedel ooreenkomstig die bepalings van artikel 34 van die Wet beredder en verdeel of die bates van die boedel te gelde gemaak en die opbrengs verdeel is, bestaan die rekening, behoudens die bepalings van artikel 34 (5) (b) van die Wet, uit—

(i) 'n likwidasierekening ooreenkomstig die bepalings van artikel 92 van die Insolvensiewet, 1936 (Wet 24 van 1936), opgestel;

(ii) 'n handelsrekening, waarin vermeld word die besonderhede in artikel 93 van die Insolvensiewet, 1936, genoem, indien enige besigheid namens die boedel gedryf is;

(iii) 'n distribusiorekening in die vorm soos in artikel 94 van die Insolvensiewet, 1936, genoem;

(iv) 'n sertifikaat deur die eksekuteur dat die verste meerderheid in getal en waarde van die skuld-eiser hom nie opdrag gegee het om die boedel kragtens die Insolvensiewet, 1936, oor te gee nie;

(v) 'n likwidasië-en-distribusiorekening ten opsigte van beskermde bates wat nie aan die regte van skuldeisers onderworpe is nie, *mutatis mutandis* in die vorm by subregulasie (1) (c), (e), (f) en (g), vir sover genoemde subregulasie toegepas kan word, voorgeskryf;

(vi) 'n sertifikaat waarin die besonderhede in subregulasie (1) (i) genoem, vermeld word.

(3) Elke bewysstuk, kwitansie of kwitering ter staving van enige bate of aantal bates wat saamgroepeer is of van elke vordering of las teen die boedel moet van 'n nommer voorsien word wat met die nommer van die item waarop dit betrekking het, ooreenstem.

(g) specify under a subheading "Fiduciary Assets Account"—

(i) *mutatis mutandis* in the manner set out in subparagraph (c) of this regulation, the fiduciary assets held by the deceased as a fiduciary pursuant to any will or other instrument;

(ii) the origin of the fiduciary interest in such assets, including the Master's reference number of the estate, will or instrument in terms of which such interest was created;

(iii) any debts, charges and administration expenses which are chargeable against such fiduciary assets;

(iv) in so far as the provisions of subparagraphs (e) and (f) of this regulation may be applied to the fiduciary assets account, the information required by those provisions;

(h) where applicable, specify under a subheading "Estate Duty"—

(i) the calculations to establish whether estate duty is payable and the amount of estate duty payable, if any; and

(ii) the apportionment thereof in respect of the persons liable for such duty in terms of the Estate Duty Act, 1955 (Act 45 of 1955);

(i) conclude with a certificate signed and dated by the executor in which he—

(i) declares that the account is to the best of his knowledge and belief a true and proper account of the liquidation and distribution of the estate;

(ii) declares, if it is a final account, that to the best of his knowledge and belief all the assets and income collected subsequent to the death of the deceased to the date of the account have been disclosed therein; and

(iii) sets forth, if the account is not a final account, full particulars of all the debts due to the estate and still outstanding and all assets, stating the approximate value of each asset, still unrealised with an explanation why such debts and assets have not been collected or realised.

(2) Where the estate has been liquidated and distributed or the assets in the estate have been realised and the proceeds distributed under the provisions of section 34 of the Act, the account shall, subject to the provisions of section 34 (5) (b) of the Act, consist of—

(i) a liquidation account framed in accordance with the provisions of section 92 of the Insolvency Act, 1936 (Act 24 of 1936);

(ii) a trading account containing the particulars referred to in section 93 of the Insolvency Act, 1936, if any business is carried on on behalf of the estate;

(iii) a distribution account in the form referred to in section 94 of the Insolvency Act, 1936;

(iv) a certificate by the executor that the requisite majority in number and value of the creditors did not instruct him to surrender the estate under the Insolvency Act, 1936;

(v) a liquidation and distribution account in respect of protected assets which are not subject to the rights of creditors *mutatis mutandis* in the form prescribed by subregulation (1) (c), (e), (f) and (g) in so far as the said subregulation can be applied;

(vi) a certificate containing the particulars referred to in subregulation (1) (i).

(3) Every voucher, receipt or acquittance in support of any asset or number of assets grouped together or of each claim or charge against the estate shall be numbered with a number corresponding to the number of the item to which it relates.



(4) Die rekening in artikel 35 (2) van die Wet genoem, moet, vir sover dit toepaslik is, die besonderhede in subregulasie (1) en (2) genoem, bevat.

*Verlenging van Tydperk vir Indiening van Rekening*

6. 'n Eksekuteur wat om gegronde rede nie in staat is om die rekening in artikel 35 (1) van die Wet genoem binne die tydperk in daardie artikel genoem in te dien nie moet, voor die verstryking van sodanige tydperk, by die Meester skriftelik aansoek doen om 'n verdere tydperk waarin sodanige rekening ingedien kan word, en moet in sodanige aansoek vermeld—

(a) waarom die rekening nie binne die tydperk in daardie artikel genoem, ingedien kan word nie;

(b) die stappe deur hom gedoen om die voorlegging van die rekening te bespoedig en watter vordering gemaak is;

(c) watter vordering ten opsigte van die bereddering of tegeldemaking van die boedel gemaak is;

(d) watter gelde hy voorhande het of in 'n rekening of spaarrekening, op naam van die boedel geopen, gestort of oorbetal het en waarom 'n tussentydse rekening in artikel 35 (2) van die Wet genoem nie aan die Meester voorgelê moet word nie;

(e) indien 'n skriftelike verslag nie kragtens artikel 34 (1) van die Wet aan die Meester gedoen is nie, of die boedel solvent is.

*Rekenings deur Voogde en Kurators*

7. Die rekening in artikel 83 (1) en (2) van die Wet genoem, moet—

(1) 'n opskrif bevat wat—

(a) dit as 'n rekening deur 'n voog of kurator, na gelang van die geval, beskryf;

(b) die ranggetal van sodanige rekening vermeld en, wanneer dit 'n finale rekening is, sodanige feit vermeld;

(c) die volle naam van die minderjarige of ander betrokke persoon vermeld en, in die geval van 'n minderjarige, ook die geboortedatum;

(d) die tydperk ten opsigte waarvan die rekening gelewer word, en of dit 'n rekening ingevolge artikel 83 (1) of (2) van die Wet is, vermeld; en

(e) die Meester se verwysingsnommer aandui;

(2) 'n geldkolom bevat;

(3) onder 'n ondertitel "Inkomste-en-uitgawerekening", vermeld—

(a) enige kreditsaldo van inkomste of 'n tekort wat van 'n vorige rekening ten opsigte van die administrasie van die betrokke goed by die Meester ingelewer is, oorgebring is;

(b) alle inkomste werklik ingevorder met vermelding van die bron waarvan dit afkomstig is;

(c) enige geld wat uit die "Kapitaalrekening" in subregulasie (4) bedoel, oorgedra is om skulde en laste te dek;

(d) alle skulde en onderhoudskoste wat deur die voog of kurator gedurende die tydperk ten opsigte waarvan die rekening gelewer word, betaal is, met vermelding van die aard daarvan en die naam van die ontvanger;

(e) alle administrasiekoste, afsonderlik aangedui, die naam van die ontvanger en die aard van die las;

(f) die debet- of kreditsaldo, na gelang van die geval, wat, in die geval van 'n debetsaldo 'n verklaring bevat of dit vanuit die "Kapitaalrekening" in subregulasie (4) genoem, betaal is of na die volgende rekening oorgedra word;

(g) of enige kreditsaldo na die aldus vermelde "Kapitaalrekening" oorgedra moet word of vir onmiddellike gebruik nodig sal wees; en

(h) 'n volgnommer, tussen hakies, naas elke item;

(4) The account referred to in section 35 (2) of the Act shall, in so far as it is appropriate, contain the particulars referred to in subregulation (1) and (2).

*Extension of Period for Lodgment of Account*

6. Any executor who for good reason is unable to lodge the account referred to in section 35 (1) of the Act within the period referred to in that section shall, before expiry of such period, make application, in writing, to the Master for a further period within which to lodge such account and shall specify in such application—

(a) why the account cannot be rendered within the period stated in that section;

(b) the steps taken by him to expedite submission of the account and what progress has been made;

(c) what progress has been made in the liquidation or realisation of the estate;

(d) what moneys he has in hand or have been deposited in an account or savings account opened in the name of the estate and why an interim account referred to in section 35 (2) of the Act should not be submitted to the Master;

(e) where a written report has not been made to the Master in terms of section 34 (1) of the Act, whether the estate is solvent.

*Accounts by Tutors and Curators*

7. The account referred to in section 83 (1) and (2) of the Act shall—

(1) contain a heading which shall—

(a) describe it as a tutor's or curator's account, as the case may be;

(b) reflect the ordinal number of such account and, when it is a final account, state such fact;

(c) specify the full name of the minor or other person concerned and, in the case of a minor, also the date of birth;

(d) specify the period in respect of which the account is rendered and state whether it is an account in terms of section 83 (1) or (2) of the Act; and

(e) reflect the Master's reference number;

(2) contain a money column;

(3) specify under a subheading "Income and Expenditure Account"—

(a) any credit balance of income or a deficiency brought forward from a previous account lodged with the Master in respect of the administration of the property concerned;

(b) all income actually collected reflecting the source from which it is derived;

(c) any money transferred from the "Capital Account" referred to in subregulation (4) to meet debts and charges;

(d) all debts and maintenance charges paid by the tutor or curator during the period in respect of which the account is rendered, specifying the nature thereof and the name of the payee;

(e) all administration expenses, separately reflected, the name of the payee and the nature of the charge;

(f) the debit or credit balance, as the case may be, which shall, in the case of a debit balance, contain a statement whether this has been paid out of the "Capital Account" referred to in subregulation (4) or is being carried forward to the next account;

(g) whether any credit balance has to be carried forward to the "Capital Account", so referred to, or will be required for immediate use; and

(h) in parentheses next to each item a consecutive number;



(4) onder 'n ondertitel "Kapitaalrekening", vermeld—

(a) 'n juiste beskrywing van alle goed onder die beheer van die voog of kurator aan die einde van die tydperk ten opsigte waarvan die rekening gelewer word;

(b) die rentekoers op alle beleggings met 'n vooraf bepaalde rentekoers;

(c) enige kreditsaldo onder die ondertitel "Inkomste-en-uitgawerekening" aangedui en oorgebring soos in subregulasie (3) (g) bepaal;

(d) 'n beskrywing van enige goed verhuur, met 'n verwysing na die huurkontrak, die volle naam van die huurder, die tydperk van die huurkontrak en die jaarlikse huurgeld daarvan;

(e) die bedrag van enige kapitaalbate of gedeelte daarvan te gelde gemaak, met 'n beskrywing van sodanige bate, en die bedrag van enige geld na die "Inkomste-en-uitgawerekening", soos in subregulasie (3) (c) bepaal, oorgedra met vermelding van redes vir sodanige oordrag;

(f) alle kapitaalskulde verskuldig deur die persoon vir die administrasie van wie se goed die voog of kurator aangestel is; en

(g) in 'n voetnoot onder hierdie ondertitel, enige inkomste verskuldig maar nie ingevorder nie, die rede waarom sodanige inkomste nie ingevorder is nie en die stappe wat deur die voog of kurator gedoen is om sodanige inkomste in te vorder;

(5) onder 'n ondertitel "Kontantaanpassingstaat" die kontant aangedui onder die ondertitels "Inkomste-en-uitgawerekening" en "Kapitaalrekening", met die bankrekening soos aan die einde van die tydperk ten opsigte waarvan die rekening ingedien word, rekonsilieer,

en elke bewysstuk, kwitansie of kwitering wat sodanige rekening staaf, moet van 'n nommer voorsien word wat met die nommer van die item in die rekening ter stawing waarvan dit ingelewer word, ooreenstem;

(6) afsluit met 'n sertifikaat deur die voog of kurator waarin hy verklaar dat—

(a) die rekening na sy beste wete en oortuiging 'n ware en juiste verslag van sy administrasie van die betrokke goed van die minderjarige of ander persoon gedurende die bepaalde tydperke ten opsigte waarvan die rekening ingelewer word, is; en

(b) na sy beste wete en oortuiging die rekening alle goed van en skulde verskuldig deur die persoon vir die administrasie van wie se goed hy aangestel is en alle inkomste ingevorder en skulde, koste en vorderings deur hom betaal gedurende die tydperk wat deur die rekening gedek is, weerspieël en dat hy nie van enige betwiste reg op bates of laste bewus is nie.

#### *Tarief van Vergoeding van Eksekuteurs, Tussentydse Kurators, Voogde en Kurators*

8. (1) Die vergoeding aan eksekuteurs, in artikel 51 (1) (b) van die Wet bedoel, word ooreenkomstig die volgende tarief bereken:

(a) Op die bruto waarde van bates: 2,5 persent;

(b) op inkomste opgeleë en ingevorder na oorlyde van die oorledene: 5,0 persent:

Met dien verstande dat die vergoeding ten opsigte van enige boedel nie minder as R50 is nie.

(2) 'n Tussentydse kurator wat kragtens artikel 12 van die Wet aangestel is, is geregtig op 'n vergoeding van een-ogte persent van die totale waarde van die boedel in sy bewaring op die datum waarop 'n eksekuteursbrief uitgereik of onder ampseël onderteken is of waarop aan iemand opdrag gegee is om die boedel te beredder en te verdeel.

(4) specify under a subheading "Capital Account"—

(a) an accurate description of all property under the control of the tutor or curator at the end of the period in respect of which the account is rendered;

(b) the rate of interest on all investments bearing a predetermined rate of interest;

(c) any credit balance shown under the subheading "Income and Expenditure Account" and brought forward as provided in subregulation (3) (g);

(d) a description of any property leased, with a reference to the lease, the full name of the lessee, the period of the lease and the annual rental thereof;

(e) the amount of any capital asset or part thereof realised, with a description of such asset, and the amount of any money transferred to the "Income and Expenditure Account" as provided in subregulation (3) (c), with reasons for such transfer;

(f) all capital debts owing by the person for the administration of whose property the tutor or curator has been appointed; and

(g) in a footnote under this subheading any income due but not collected, the reason why such income has not been collected and the steps taken by the tutor or curator to collect such income;

(5) under a subheading "Cash Reconciliation Statement" reconcile the cash reflected under the subheadings "Income and Expenditure Account" and "Capital Account" with the banking account as at the end of the period in respect of which the account is rendered,

and every voucher, receipt or acquittance supporting such account shall bear a number corresponding to the number of the item in the account in support of which it is lodged;

(6) conclude with a certificate by the tutor or curator in which he declares that—

(a) the account is to the best of his knowledge and belief a true and proper account of his administration of the relative property of the minor or other person during the specified period in respect of which the account is rendered; and

(b) to the best of his knowledge and belief the account reflects all property of and all debts owing by the person for the administration of whose property he has been appointed and all income collected and debts, expenses and charges paid by him during the period covered by the account and that he is not aware of any disputed right to assets or liabilities.

#### *Tariff of Remuneration of Executors, Interim Curators, Tutors and Curators*

8. (1) The remuneration of executors referred to in section 51 (1) (b) of the Act shall be assessed according to the following tariff:

(a) On the gross value of assets: 2,5 per cent;

(b) on income accrued and collected after death of the deceased: 5,0 per cent:

Provided that the remuneration in respect of any deceased estate shall not be less than R50.

(2) An interim curator appointed under section 12 of the Act shall be entitled to a remuneration of one-eighth per cent on the gross value of the estate under his custody on the date upon which letters of executorship are granted or signed and sealed or upon which any person is directed to liquidate and distribute the estate.

(3) Die vergoeding aan voogde en kurators, in artikel 84 (1) (b) van die Wet bedoel, word ooreenkomstig die volgende tarief bereken:

(a) Op inkomste ingevorder tydens die bestaan van die voogdyskap of kuratorskap: 5,0 persent;

(b) op die waarde van kapitaalbates by verdeling, oorhandiging of uitbetaling daarvan by beëindiging van die voogdyskap of kuratorskap: 1,5 persent.

*Tarief van Gelde en Toelaes Betaalbaar aan Taksateurs*

9. (1) Elke taksateur is ten aansien van elke afsonderlike of deurlopende waardering wat hy vir doeleindes van die Wet, doen, geregtig op vergoeding ooreenkomstig die volgende tarief:

|                                                         | R      |                                                                |
|---------------------------------------------------------|--------|----------------------------------------------------------------|
| (a) Waardasies van R200 of minder                       | 2,00   |                                                                |
| (b) Waardasies van meer as R200 tot en met R1 000       | 5,00   |                                                                |
| (c) Waardasies van meer as R1 000 tot en met R2 000     | 7,00   |                                                                |
| (d) Waardasies van meer as R2 000 tot en met R4 000     | 9,50   |                                                                |
| (e) Waardasies van meer as R4 000 tot en met R20 000    | 4,00   | vir die eerste R4 000 per R2 000 of gedeelte daarvan daarbo.   |
| (f) Waardasies van meer as R20 000 tot en met R30 000   | 41,50  | vir die eerste R20 000 per R2 000 of gedeelte daarvan daarbo.  |
| (g) Waardasies van meer as R30 000 tot en met R200 000  | 51,50  | vir die eerste R30 000 per R2 000 of gedeelte daarvan daarbo.  |
| (h) Waardasies van meer as R200 000 tot en met R400 000 | 200,25 | vir die eerste R200 000 per R2 000 of gedeelte daarvan daarbo. |
| (i) Waardasies van meer as R400 000 tot en met R800 000 | 300,25 | vir die eerste R400 000 per R2 000 of gedeelte daarvan daarbo. |
| (j) Waardasies van meer as R800 000                     | 475,25 | vir die eerste R800 000 per R2 000 of gedeelte daarvan daarbo. |
|                                                         | 0,50   |                                                                |

(2) Die tariefgeld word met 20 persent verhoog, onderworpe aan 'n maksimum van R10 vir elke afsonderlike of deurlopende waardering, wanneer 'n taksateur eiendom waardeer en die Meester of die Sekretaris van Binnelandse Inkomste besonderhede van daardie eiendom met inbegrip van die voltooiing van enige voorgeskrewe vorm verlang.

(3) "Deurlopende waardering" beteken 'n waardering van twee of meer eiendomme wat in dieselfde omgewing of streek geleë is, waar die feite en eienskappe wat by die waardering van een van hulle in ag geneem is, wesenlik van waarde by die waardering van die ander of andere is.

10. (1) Benewens die vergoeding in regulasie 9 uiteengesit, kan die volgende vervoertoelae in alle gevalle waar die waardering op 'n plek meer as twee kilometer van die besigheidsplek van die taksateur gedoen word, geëis word:

(a) Wanneer eie vervoer gebruik word, 10 sent per kilometer.

(b) Wanneer openbare vervoer gebruik word, die werklike koste.

(c) Wanneer vervoer gehuur word, die werklike koste.

(2) Wanneer daar in die loop van een reis waardasies in opdrag van twee of meer persone gedoen word, word die vervoertoelae wat en opsigte van daardie reis geëis word, pro rata op die betrokke persone verhaal.

(3) Geen vervoertoelae word geëis nie indien die persoon wat die waardering verlang geskikte en veilige vervoer verskaf: Met dien verstande dat, wanneer 'n vervoermiddel wat nie teen derdepartyrisiko, uitgesonderd verpligte derdepartyrisiko, verseker is nie, aangebied word, die taksateur sodanige vervoer nie hoef aan te neem nie maar dit hom vrystaan om te handel asof geen vervoergeriewe aangebied is nie.

(3) The remuneration of tutors and curators referred to in section 84 (1) (b) of the Act shall be assessed according to the following tariff:

(a) On income collected during the existence of the tutorship or curatorship: 5,0 per cent;

(b) on the value of capital assets on distribution, delivery or payment thereof on termination of the tutorship or curatorship: 1,5 per cent.

*Tariff of Remuneration and Allowances Payable to Appraisers*

9. (1) Every appraiser is entitled to receive remuneration according to the following tariff in respect of every separate or continuous appraisal made by him for the purposes of the Act:

|                                                           | R      |                                        |
|-----------------------------------------------------------|--------|----------------------------------------|
| (a) Valuations of R200 or less                            | 2,00   |                                        |
| (b) Valuations over R200 up to and including R1 000       | 5,00   |                                        |
| (c) Valuations over R1 000 up to and including R2 000     | 7,00   |                                        |
| (d) Valuations over R2 000 up to and including R4 000     | 9,50   |                                        |
| (e) Valuations over R4 000 up to and including R20 000    | 9,50   | for the first R4 000                   |
| (f) Valuations over R20 000 up to and including R30 000   | 41,50  | per R2 000 or part thereof thereafter. |
| (g) Valuations over R30 000 up to and including R200 000  | 51,50  | for the first R20 000                  |
| (h) Valuations over R200 000 up to and including R400 000 | 200,25 | per R2 000 or part thereof thereafter. |
| (i) Valuations over R400 000 up to and including R800 000 | 300,25 | for the first R30 000                  |
| (j) Valuations over R800 000                              | 475,25 | per R2 000 or part thereof thereafter. |
|                                                           | 0,50   | for the first R200 000                 |

(2) The tariff fee shall be increased by 20 per cent subject to a maximum of R10 for every separate or continuous appraisal when an appraiser values any property and the Master or the Secretary for Inland Revenue desires particulars of that property including the completion of any prescribed form.

(3) "Continuous appraisal" means an appraisal of two or more properties situated in the same locality or region where the facts and features considered in valuing one of them are of substantial assistance in valuing the other or others.

10. (1) In addition to the remuneration set out in regulation 9 the following transport allowance may be claimed in all cases in which the appraisal is made at a place more than two kilometres from the place of business of the appraiser:

(a) When own conveyance is used, 10 cents per kilometre.

(b) When public transport is used, the actual cost.

(c) When conveyance is hired, the actual cost.

(2) Where, in the course of one journey, appraisements are made on the instructions of two or more persons, the transport allowance claimed in respect of that journey shall be recovered pro rata from the persons concerned.

(3) No transport allowance shall be claimed when the person desiring the appraisal provides suitable and safe transport: Provided that, where transport which is uninsured in respect of third party risk, other than compulsory third party risk, is offered, the appraiser need not accept such conveyance but shall be free to proceed as if no transport facilities have been offered.



11. Benewens die vergoeding en vervoertoelae in regulasies 9 en 10 genoem, kan die volgende verblyftoelae geëis word:

(a) Vir tyd bestee aan reis na en van die plek van waardering: 50 sent per volle uur, maar hoogstens R4 per dag.

(b) Vir noodsaaklike openthoud terwyl die taksateur nie met die waardering besig is nie: 50 sent per volle uur, maar hoogstens R4 per dag.

12. (1) Die rekening van 'n taksateur ten opsigte van 'n waardering wat hy vir doeleindes van die Wet doen, moet, voordat betaling geëis word, deur die Meester getakseer word.

(2) 'n Afskrif van die waardering waarop die rekening betrekking het, moet daaraan geheg word.

(3) Volledige besonderhede van die afstand werklik en noodsaaklikerwys afgelê, moet vermeld word indien vervoertoelae geëis word.

(4) Daar moet vermeld word dat die reis vir die doel van die waardering onderneem is.

(5) Die tyd wat die reis in beslag geneem het en die duur van openthoud, as daar was, moet vermeld word indien verblyftoelae geëis word.

#### State van Sekere Onopgeëiste Gelde

13. Die state in artikel 93 (1) van die Wet genoem, moet in die vorm uiteengesit in Vorm C in Bylae 1 opgestel word.

14. Die staat en beëdigde verklaring in artikel 93 (3) van die Wet genoem, moet in die vorm uiteengesit in onderskeidelik Vorms D en E in Bylae 1 opgestel word.

15. Die vanne en voorname van regmatige eienaars in daardie volgorde, alfabeties gerangskik, en hul jongsbekende adresse moet, sover doenlik, in die state in regulasies 13 en 14 genoem, verstrekk word.

#### Meestersgelde

16. Die aangeleenthede ten opsigte waarvan Meestersgelde betaalbaar is, die tarief van sodanige gelde en die wyse waarop sodanige gelde betaal moet word, is soos in Bylae 2 van hierdie regulasies vermeld.

#### Herroeping van Regulasies

17. (1) Behoudens die bepalings van subregulasie (2), word die regulasies afgekondig by Goewermentskennisgewing R. 1534 van 29 September 1967 hierby herroep.

(2) Die boedel van 'n persoon wat voor die inwerking-treding van hierdie regulasies oorlede is, word beredder en verdeel, en enige aangeleentheid met betrekking tot die bereddering en verdeling van sodanige boedel word afgehandel asof hierdie regulasies nie uitgevaardig was nie.

#### BYLAE 1

##### STERFKENNIS

Vorm A

Kragtens artikel 7 van die Boedelwet 1965.

1. Van van oorledene
2. Voorname
3. Identiteitsnommer
4. Ras
5. Nasionaliteit
6. Beroep
7. Gewone verblyfplek(ke) gedurende die 12 maande wat die dood voorafgegaan het
8. Geboortedatum
9. Geboorteplek
10. Datum van dood
11. Plek van dood
12. Het oorledene nagelaat—(dui aan met kruisie waar toepaslik):

|               |                  |               |                                   |
|---------------|------------------|---------------|-----------------------------------|
| Roerende goed | On-roerende goed | 'n Testa-ment | 'n Boedel wat R2 000 te bowe gaan |
|---------------|------------------|---------------|-----------------------------------|

13. Huwelikstaat ten tyde van dood
14. Indien getroud, plek waar getroud
15. Volle name van langselewende eggenoot(note) en sy/haar beroep

11. In addition to the remuneration and transport allowance set out in regulations 9 and 10, the following subsistence allowance may be claimed:

(a) For time spent in travelling to and from the place of appraisal: 50 cents per completed hour, but not exceeding R4 per day

(b) For necessary detention while not engaged on the appraisal: 50 cents per completed hour, but not exceeding R4 per day.

12. (1) The account of an appraiser in respect of any appraisal which he does for the purposes of the Act, shall be taxed by the Master before payment thereof is claimed.

(2) A copy of the appraisal to which the account refers shall be attached thereto.

(3) Full particulars of the distance actually and necessarily travelled shall be given if transport allowance is claimed.

(4) It shall be stated that the journey was undertaken for the purpose of the appraisal.

(5) The time occupied in travelling and the time of detention, if any, shall be stated if subsistence allowance is claimed.

#### Statements of Certain Unclaimed Moneys

13. The statements referred to in section 93 (1) of the Act shall be prepared in the form set out in Form C in Schedule 1.

14. The statement and affidavit referred to in section 93 (3) of the Act shall be prepared in the form set out in Forms D and E, respectively, in Schedule 1.

15. The surnames and first names of the rightful owners, in that order, alphabetically arranged, and their last known addresses shall, as far as practicable, be furnished in the statements referred to in regulations 13 and 14.

#### Master's Fees

16. The matters in respect of which Master's fees shall be payable, the tariff of such fees and the manner in which such fees shall be payable shall be as specified in Schedule 2 to these regulations.

#### Repeal of Regulations

17. (1) Subject to the provisions of subregulation (2), the regulations published under Government Notice R. 1534, dated 29 September 1967, are hereby repealed.

(2) The estate of any person who died before the commencement of these regulations shall be liquidated and distributed and any matter relating to the liquidation and distribution of such estate shall be dealt with as if these regulations had not been made.

SCHEDULE 1

#### DEATH NOTICE

In terms of section 7 of the Administration of Estates Act, 1965.

1. Surname of deceased
2. First names
3. Identity number
4. Race
5. Nationality
6. Occupation
7. Ordinary place(s) of residence during the 12 months prior to death
8. Date of birth
9. Place of birth
10. Date of death
11. Place of death
12. Has the deceased left (mark with a cross where applicable)

|                  |                    |        |                                     |
|------------------|--------------------|--------|-------------------------------------|
| Movable property | Immovable property | A will | An estate exceeding R2 000 in value |
|------------------|--------------------|--------|-------------------------------------|

13. Marital status at time of death
14. If married, place where married
15. Full names of surviving spouse and his/her occupation

16. Vermeld of huwelik in of by gemeenskap van goed was.
17. (a) Naam (name) van vooroorlede eggenoot(note) en van geskeide eggenoot(note) (dui aan teenoor naam van elkeen of vooroorlede of geskei).
- (b) Datum van dood van vooroorlede eggenoot(note).
18. Volle name van kinders van elke huwelik (vermeld of meerderjarig of minderjarig of vooroorlede en, in laasgenoemde geval, of hulle nakomelinge nagelaat het en, indien wel, die volle name van sodanige nakomelinge).
19. Name van ouers van oorledene (vermeld of ouers in lewe of oorlede is).
- Vader \_\_\_\_\_
- Moeder \_\_\_\_\_
- Gedateer te \_\_\_\_\_, op die \_\_\_\_\_
- dag van \_\_\_\_\_ 19 \_\_\_\_\_

Handtekening

\*Hoedanigheid \_\_\_\_\_

\* (i) Vermeld of ondertekenaar langsewende eggenoot(note) of naaste bloed- of aanverwant wat in die distrik woon waarin die dood plaasgevind het, is of deur sodanige eggenoot(note), bloed- of aanverwant aangesê is om hierdie kennisgewing te gee of deur die Meester aangesê is om hierdie sterfkennis in te dien.

(ii) Vermeld of ondertekenaar by dood aanwesig was of die oorledene na sy dood geïdentifiseer het.

Vorm B

## INVENTARIS

Ingevolge artikel \*9(1) (a)/9 (2) (a)/9 (2) (b)/27/78 van die Boedelwet 1965.

Die aandag word gevestig op die bepalings van artikel 102(1)(b) van die Wet wat bepaal dat 'n persoon wat opsetlik 'n valse inventaris ingevolge die Wet opstel 'n misdryf begaan en by skuldigbevinding met 'n boete van hoogstens duisend rand of met gevangenisstraf vir 'n tydperk van hoogstens vyf jaar of met sowel sodanige boete as sodanige gevangenisstraf strafbaar is.

\*Volle naam van oorledene \_\_\_\_\_

Volle naam van langsewende eggenoot (in die geval waar eggenotes in gemeenskap van goed getroud was) \_\_\_\_\_

Adres van langsewende eggenoot \_\_\_\_\_

Saamgevoegde boedel van \_\_\_\_\_

OF

Volle naam (name) van die minderjarige(s) onder voogdyskap of persoon ten opsigte van wie se goed 'n brief van kuratele uitgereik is \_\_\_\_\_

Volledige adres \_\_\_\_\_

Ek (volle naam) \_\_\_\_\_

van (volledige adres) \_\_\_\_\_

in my hoedanigheid van \_\_\_\_\_

verklaar hierby dat na my beste wete en oortuiging die hierin genoemde besonderhede 'n ware en juiste inventaris is—

\*(a) van al die goed wat na my wete ten tyde van die dood aan \*bogenoemde oorledene/gesamentlike boedel van bogenoemde oorledene en sy langsewende eggenoot/bogenoemde saamgevoegde boedel behoort het;

\*(b) van al die goed wat na my wete in besit van bogenoemde oorledene op die perseel te \_\_\_\_\_ ten tyde van \*sy/haar dood was;

\*(c) wat die waarde van al die goed in bogenoemde boedel aandui;

\*(d) van al die goed wat deur my versorg of geadminestreer word.

Handtekening \_\_\_\_\_

Plek \_\_\_\_\_

Datum \_\_\_\_\_

Name en adresse van persone wat as erfgename by die boedel belang het in wie se teenwoordigheid hierdie inventaris opgestel is (moet verstrek word in die geval van 'n inventaris kragtens artikel 9 van die Wet) \_\_\_\_\_

\*Skrap wat nie van toepassing is nie.

16. State whether marriage was in or out of community of property

17. (a) Name(s) of predeceased spouse(s) and of divorced spouse(s) (state opposite name of each whether predeceased or divorced)

(b) Date of death of predeceased spouse(s) \_\_\_\_\_

18. Full names of children of each marriage (state whether major or minor or predeceased and in the latter event, whether they left issue and, if that be the case, the full names of such issue) \_\_\_\_\_

19. Names of parents of deceased (state whether parents alive or deceased)

Father \_\_\_\_\_

Mother \_\_\_\_\_

Dated at \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Signature \_\_\_\_\_

\*Capacity \_\_\_\_\_

\* (i) State whether signatory is surviving spouse or nearest relative or connection residing in district in which death has taken place or is caused by such spouse, relative or connection to give this notice or is required by Master to submit this death notice.

(ii) State whether signatory was present at death or identified the deceased after death.

Form B

## INVENTORY

In terms of section \*9 (1) (a)/9 (2) (a)/9 (2) (b)/27/78 of the Administration of Estates Act, 1965.

Attention is directed to the provisions of section 102 (1) (b) of the Act which provides that any person who wilfully makes any false inventory under the Act shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding five years or to both such fine and such imprisonment.

\*Full name of deceased \_\_\_\_\_

Full name of surviving spouse (in a case where spouses were married in community of property) \_\_\_\_\_

Address of surviving spouse \_\_\_\_\_

Massed estate of \_\_\_\_\_

OR

Full name(s) of minor(s) under tutorship or person in respect of whose property letters of curatorship have been granted \_\_\_\_\_

Full address \_\_\_\_\_

I, (full names) \_\_\_\_\_

of (full address) \_\_\_\_\_

in my capacity as \_\_\_\_\_

hereby declare that to the best of my knowledge and belief the within-mentioned particulars are a true and correct inventory—

\*(a) of all property known to me to have belonged, at the time of death, to the \*above-named deceased/joint estate of the above-named deceased and surviving spouse/above-named massed estate;

\*(b) of all property known to me to have been in the possession of the above-named deceased upon the premises at \_\_\_\_\_

at the time of \*his/her death;

\*(c) showing the value of all property in the above-named estate;

\*(d) of all the property taken care of or administered by me.

Signature \_\_\_\_\_

Place \_\_\_\_\_

Date \_\_\_\_\_

Names and addresses of persons having an interest in the estate as heirs in whose presence this inventory was made (to be furnished in the case of any inventory under section 9 of the Act) \_\_\_\_\_

\*Delete which is not applicable.





\*Voogdyfonds van die Meester van die Hooggeregshof te \_\_\_\_\_  
die Suid-Afrikaanse Bantoe-trustfonds gestort word in die krediet van  
die regmatige eienaars.

| Naam en jongsbekende adres van regmatige eienaar | Bedrag<br>R |
|--------------------------------------------------|-------------|
|                                                  |             |
|                                                  |             |
|                                                  |             |
|                                                  |             |
|                                                  |             |

Datum \_\_\_\_\_  
Handtekening \_\_\_\_\_  
Hoedanigheid \_\_\_\_\_

\*Skrap wat nie van toepassing is nie.

Vorm D

### STAAT VAN ONOPGEËISTE GELDE WAT IN \*VOOGDY- FONDS/DIE SUID-AFRIKAANSE BANTOETRUSTFONDS GESTORT WORD

\*Die Meester van die Hoog- Die Sekretaris van Bantoe-  
geregshof, administrasie en -ontwikkeling,  
Pretoria.

Ingevolge artikel 93(3) van die Boedelwet 1965, verstrek ek, \_\_\_\_\_  
van \_\_\_\_\_

hieronder besonderhede van bedrae wat nie my eiendom is of aan 'n  
geldige retensiereg onderworpe is nie, wat op 31 Desember 19\_\_\_\_  
in \*my besit/die besit van enige agent namens my was en nie binne  
drie maande na die datum van publikasie van die \*staat/state in  
artikel 93(1) van genoemde Wet genoem, opgeëis is nie. Dié bedrae  
waarvan die koste van genoemde publikasie afgetrek is, word hierby  
in \*u Voogdyfonds/die Suid-Afrikaanse Bantoe-trustfonds gestort  
in die krediet van die regmatige eienaars.

1. Bedrae van R1 of meer, maar minder as R20.

| Naam en jongsbekende adres van regmatige<br>eienaar (van in blokletters) | Bedrag<br>R |
|--------------------------------------------------------------------------|-------------|
|                                                                          |             |
|                                                                          |             |
|                                                                          |             |
|                                                                          |             |
|                                                                          |             |

2. Bedrae van R20 of meer.

| Naam en jongsbekende adres van regmatige<br>eienaar (van in blokletters) | Bedrag<br>R |
|--------------------------------------------------------------------------|-------------|
|                                                                          |             |
|                                                                          |             |
|                                                                          |             |
|                                                                          |             |
|                                                                          |             |

Datum \_\_\_\_\_  
Handtekening \_\_\_\_\_  
Hoedanigheid \_\_\_\_\_

\*Skrap wat nie van toepassing is nie.

Vorm E

### BEËDIGDE VERKLARING

Ek, \_\_\_\_\_  
van \_\_\_\_\_,  
verklaar onder eed dat die aangehegte staat van onopgeëiste gelde,  
gedateer \_\_\_\_\_ 19\_\_\_\_ en deur my onderteken, na  
my beste wete en oortuiging 'n ware en volledige uiteensetting bevat  
van die bedrae wat ingevolge artikel 93(3) van die Boedelwet 1965,  
in die \*Voogdyfonds van die Meester van die Hooggeregshof te \_\_\_\_\_  
/die Suid-Afrikaanse Bantoe-  
trustfonds gestort moet word.

Handtekening \_\_\_\_\_

\*Skrap wat nie van toepassing is nie.

of publication hereof, they will be deposited in the \*Guardian's  
Fund of the Master of the Supreme Court of \_\_\_\_\_  
/the South African Bantu Trust Fund to the  
credit of the rightful owners, after deduction of the costs of publica-  
tion.

| Name and last known address of rightful owner | Amount<br>R |
|-----------------------------------------------|-------------|
|                                               |             |
|                                               |             |
|                                               |             |
|                                               |             |

Date \_\_\_\_\_  
Signature \_\_\_\_\_  
Capacity \_\_\_\_\_

\* Delete which is not applicable.

Form D

### STATEMENT OF UNCLAIMED MONEYS PAID INTO \*GUARDIAN'S FUND/THE SOUTH AFRICAN BANTU TRUST FUND

\*The Master of the Supreme Court, The Secretary for Bantu Adminis-  
tration and Development,  
Pretoria.

In terms of section 93 (3) of the Administration of Estates Act,  
1965, I \_\_\_\_\_

of \_\_\_\_\_, hereby furnish the undermentioned  
particulars of amounts which are not my property or subject to any  
valid lien, which were held by \*me/an agent on my behalf on 31  
December 19\_\_\_\_, and have not been claimed within three months  
of the date of publication of the \*statement/statements referred to  
in section 93 (1) of the said Act. These amounts, from which the cost  
of the said publication has been deducted, are hereby deposited in  
\*your Guardian's Fund/the South African Bantu Trust Fund to the  
credit of the rightful owners.

1. Amounts of R1 or more but less than R20.

| Name and last known address of rightful owner<br>(surname in block letters) | Amount<br>R |
|-----------------------------------------------------------------------------|-------------|
|                                                                             |             |
|                                                                             |             |
|                                                                             |             |
|                                                                             |             |

2. Amounts of R20 or more.

| Name and last known address of rightful owner<br>(surname in block letters) | Amount<br>R |
|-----------------------------------------------------------------------------|-------------|
|                                                                             |             |
|                                                                             |             |
|                                                                             |             |
|                                                                             |             |

Date \_\_\_\_\_  
Signature \_\_\_\_\_  
Capacity \_\_\_\_\_

\* Delete which is not applicable.

### AFFIDAVIT

Form E

I, \_\_\_\_\_, of \_\_\_\_\_,  
declare under oath that the attached statement of unclaimed moneys,  
dated \_\_\_\_\_ 19\_\_\_\_, and signed by me, contains to  
the best of my knowledge and belief a true and complete exposition  
of the amounts which are to be deposited in the \*Guardian's Fund  
of the Master of the Supreme Court at \_\_\_\_\_  
/the South African Bantu Trust Fund in terms of section 93 (3) of  
the Administration of Estates Act, 1965.

Signature \_\_\_\_\_

\*Delete which is not applicable.



Die verklaarder erken dat hy vertrou is met die inhoud van die eëdigde verklaring en dit begryp.

Geteken en beëdig voor my te \_\_\_\_\_, op  
aede die \_\_\_\_\_ dag van \_\_\_\_\_ 19\_\_\_\_

Kommissaris van Ede

Gebied \_\_\_\_\_

Amp indien aanstelling *ex officio*  
gehou word \_\_\_\_\_

## BYLAE 2

### TARIEF VAN MEESTERSGELDE

1. (1) Op alle boedels van oorlede persone of op boedels onder kuratele (uitgesonderd boedels wat in afwagting van die aanstelling van 'n eksekuteur in die bewaring van 'n tussentydse kurator is) waarvan die bruto waarde—

R

- (a) R1 000 of hoër maar minder as R4 000 is 6  
(b) R4 000 of hoër is, vir elke volle R2 000 ... 6  
met 'n maksimum geld van ... .. 600

Waar die oorledene een van twee eggenote was wat in gemeenskap van goed getroud was, word voormelde gelde op die brutobates van die gesamentlike boedel gehef.

(2) Die gelde in subparagraaf (1) vermeld, word deur die Meester vasgestel en moet by enige ontvanger van inkomste betaal word. Bewys van sodanige betaling moet deur die eksekuteur of kurator aan die Meester gelewer word.

2. (1) (a) Vir 'n afskrif van of uittreksel uit enige dokument in die kantoor van 'n Meester bewaar wanneer in sodanige kantoor gemaak (met inbegrip van waarmerking van sodanige afskrif of uittreksel): R1.

(b) Vir waarmerking van sodanige afskrif of uittreksel wanneer nie in sodanige kantoor gemaak nie: R2.

(2) Die gelde in subparagraaf (1) vermeld, word betaal deur middel van inkomsteseëls geheg aan 'n skriftelike aanvraag aan die Meester gerig om die verlangde diens.

3. Op alle onopgeëiste gelde wat ingevolge artikel 93 van die Wet of vir rekening van afwesige of onbekende skuldeisers van 'n boedel of vir rekening van afwesige of onbekende skuldeisers of kontribuante van enige maatskappy in die hande van 'n Meester inbetaal word, is kommissie van vyf persent op die bedrag wat inbetaal word kontant betaalbaar, wat van die onopgeëiste gelde wat aldus in die hande van die Meester inbetaal word, afgetrek word.

The deponent has acknowledged that he knows and understands the contents of this affidavit.

Signed and sworn to before me at \_\_\_\_\_, 19\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_

Commissioner of Oaths

Area \_\_\_\_\_

Office held if appointment held  
*ex officio* \_\_\_\_\_

## SCHEDULE 2

### TARIFF OF MASTER'S FEES

1. (1) On all estates of deceased persons or estates under curatorship (except estates under the custody of an interim curator pending the appointment of an executor) the gross value of which—

R

- (a) is R1 000 or more but less than R4 000 6  
(b) is R4 000 or more, for each complete R2 000 6  
subject to a maximum fee of ... .. 600

Where the deceased was one of two spouses married in community of property the said fees shall be assessed upon the gross assets of the joint estate.

(2) The fees referred to in subparagraph (1) shall be assessed by the Master and shall be payable to any receiver of revenue. Proof of such payment shall be submitted by the executor or curator to the Master.

2. (1) (a) For a copy of or an extract from any document preserved of record in the office of a Master when made in such office (including certification of such copy or extract): R1.

(b) For certifying such copy or extract when not made in such office: R2.

(2) The fees referred to in subparagraph (1) shall be payable by means of revenue stamps affixed to an application made to the Master, in writing, for the required service.

3. Upon all unclaimed moneys being paid into the hands of a Master in pursuance of section 93 of the Act or for account of absent or unknown creditors of any estate or for account of absent or unknown creditors or contributories of any company a commission upon the amount paid in of five per cent shall be payable in cash and be deducted from the unclaimed moneys so paid into the hands of the Master.

## DEPARTEMENT VAN KLEURLINGBETREKKINGE EN REHOBOTH-AANGELEENTHEDE

No. R. 468

24 Maart 1972

### WYSIGING VAN REGULASIES KRAGTENS DIE WET OP BLINDES, 1968 (WET 26 VAN 1968)

Kragtens artikel 17 van die Wet op Blindes, 1968 (Wet 26 van 1968), gelees met Proklamasie R. 285 van 1968, wysig ek, Schalk Willem van der Merwe, Adjunk-minister van Kleurlingsake, handelende namens die Minister van Kleurlingsake, hierby, met ingang van 1 Oktober 1968, die regulasies uitgevaardig kragtens genoemde artikel 17 en afgekondig by Goewermentskennisgewing R. 1811 van 4 Oktober 1968, soos gewysig by Goewermentskennisgewings R. 3655 van 31 Oktober 1969, R. 506 van 26 Maart 1970 en R. 723 van 30 April 1971, deur paragrawe

## DEPARTMENT OF COLOURED RELATIONS AND REHOBOTH AFFAIRS

No. R. 468

24 March 1972

### AMENDMENT OF REGULATIONS UNDER THE BLIND PERSONS ACT, 1968 (ACT 26 OF 1968)

Under section 17 of the Blind Persons Act, 1968 (Act 26 of 1968), read with Proclamation R. 285 of 1968, I, Schalk Willem van der Merwe, Deputy Minister of Coloured Affairs, acting on behalf of the Minister of Coloured Affairs, hereby amend with effect from 1 October 1968, the regulations promulgated under the said section 17 and published by Government Notice R. 1811, dated 4 October 1968, as amended by Government Notices R. 3655, dated 31 October 1969, R. 506, dated 26 March 1970, and R. 723, dated 30 April 1971, by the substitution

(a) en (b) van subregulasie (3) van regulasie 13 deur die volgende paragrawe te vervang, terwyl die bestaande paragraaf (c) van genoemde subregulasie (3) paragraaf (d) word:

“(a) Benewens die jaarlikse persoonlike inkomste van ’n applikant, die ander middele van sodanige applikant en sy eggenote en die helfte van die jaarlikse inkomste van sy eggenote verkry uit ander bronne as vergoeding vir dienste gelewer, word 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, mits hy weens ouderdom of mediese redes nie kan werk nie.

(b) Slegs die helfte van die jaarlikse inkomste ontvang deur ’n applikant vir dienste deur hom persoonlik gelewer, word 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 (3) (b) in aanmerking geneem moet word, by die oorweging van sy aansoek om ’n pensioen in aanmerking geneem.”

S. W. VAN DER MERWE, Adjunk-minister van Kleurlingsake.

## DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING

No. R. 445

24 Maart 1972

### VERBOD OP DIE VERKOOP OF INBRING VAN ’N SEKERE KLAS AARTAPPELS IN BEHEERDE GEBIED

Ooreenkomstig artikel 79 (b) van die Bemarkingswet, 1968 (No. 59 van 1968), maak ek, Dirk Cornelis Hermanus Uys, Minister van Landbou, hierby bekend dat die Aartappelraad, vermeld in artikel 6 van die Aartappelskema, afgekondig by Proklamasie R. 268 van 1970, soos gewysig, kragtens artikels 37 en 38 van daardie Skema, met my goedkeuring en met ingang van die datum van publikasie hiervan, 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 Aartappelskema, afgekondig by Proklamasie R. 268 van 1970, soos gewysig, ’n betekenis geheg is, ’n ooreenstemmende betekenis, en beteken—

“Kaapstadgebied”, die gebiede beskryf in paragraaf (c) van die omskrywing van “beheerde gebied” in artikel 1 van genoemde Skema;

“Port Elizabethgebied”, die gebiede beskryf in paragraaf (h) van bedoelde omskrywing.

2. Geen produsent mag aartappels wat hy geproduseer het, behalwe aartappels met ’n massa van minstens 70 g elk in die beheerde gebied (uitgesonderd Kaapstadgebied en Port Elizabethgebied) verkoop nie.

3. Niemand mag aartappels behalwe aartappels met ’n massa van minstens 70 g elk in die beheerde gebied (uitgesonderd Kaapstadgebied en Port Elizabethgebied) inbring nie.

for paragraphs (a) and (b) of subregulation (3) of regulation 13 of the following paragraphs, while the existing paragraph (c) of the said subregulation (3) becomes paragraph (d):

“(a) In addition to the annual personal income of an 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 for services rendered, only one-sixth of any remuneration received by his spouse for services rendered shall be taken into account in considering such applicant's application for a pension, provided he is unable to work owing to old age or for medical reasons.

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

S. W. VAN DER MERWE, Deputy Minister of Coloured Affairs.

## DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 445

24 March 1972

### PROHIBITION OF THE SALE IN OR INTRODUCTION INTO THE CONTROLLED AREA OF A CERTAIN CLASS OF POTATOES

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 Potato Board, referred to in section 6 of the Potato Scheme, published by Proclamation R. 268 of 1970, as amended, has, in terms of sections 37 and 38 of that Scheme, with my approval and with effect from the date of publication hereof, 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 Potato Scheme, published by Proclamation R. 268 of 1970, as amended, shall have a corresponding meaning, and—

“Cape Town area” means the areas described in paragraph (b) of the definition of “controlled area” in section 1 of the said Scheme;

“Port Elizabeth area” means the areas described in paragraph (h) of the said definition.

2. No producer shall sell in the controlled area (excluding Cape Town area and Port Elizabeth area) potatoes which he has produced, except potatoes with a mass of not less than 70 g each.

3. No person shall introduce potatoes into the controlled area (excluding Cape Town area and Port Elizabeth area), except potatoes with a mass of not less than 70 g each.



No. R. 464

24 Maart 1972

# REGULASIES MET BETREKKING TOT DIE GRADERING EN VERPAKKING VAN VARS GROENTE BESTEM VIR VERWERKING IN 'N FABRIEK.—WYSIGING

Die Staatspresident het, kragtens die bevoegdheid hom verleen by artikel 89 van die Bemarkingswet, 1968 (No. 59 van 1968), die regulasies afgekondig by Goewermentskennissgewing R. 1651 van 22 Oktober 1965, gewysig soos in die Bylae hiervan uiteengesit.

## BYLAE

Die Bylae van Goewermentskennissgewing R. 1651 van 22 Oktober 1965, word hierby soos volg gewysig:

### 1. Regulasie 1 word hierby gewysig deur—

(a) die omskrywing van "groente" deur die volgende omskrywing te vervang:

"(iv) 'groente', vars beet, geelwortels, groenbone, groenerte, suikermielies of aspersies wat bestem is vir verwerking in 'n fabriek; (vii)"; en

(b) die omskrywing van "oorryp" te skrap.

### 2. Regulasies 8, 11 en 12 word hierby geskrap.

No. R. 465

24 Maart 1972

# REGULASIES MET BETREKKING TOT DIE GRADERING VAN VARS TAMATIES BESTEM VIR INMAAK IN DIE REPUBLIEK VAN SUID-AFRIKA

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 met betrekking tot die gradering van vars tamaties bestem vir inmaak in die Republiek.

## BYLAE

### Woordomskrywings

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Wet 'n betekenis geheg is, 'n ooreenstemmende betekenis, en beteken—

"barste", met betrekking tot 'n tamatie, 'n kraak of breekplek in die buitewand;

"bederf", 'n toestand waar verrotting of swamontwikkeling of insektebesmetting deels of in die geheel die kwaliteit van die tamatie beïnvloed;

"besending", met betrekking tot tamaties, 'n hoeveelheid tamaties van dieselfde graad wat op 'n bepaalde tydstep afgelewer word onder dekking van dieselfde vragbrief, afleweringsbrief of ontvangsbewys, of van dieselfde voertuig, of indien so 'n hoeveelheid van dieselfde graad onderverdeel word op grond van rypheidsgraad of andersins, elk sodanige hoeveelheid;

"deursnee", die grootste dwarsafmeting van 'n indiwiduele tamatie, gemeet reghoekig met 'n lyn wat van die stingel tot die blomstrek;

"die Wet", die Bemarkingswet, 1968 (No. 59 van 1968);

"ferm", met betrekking tot 'n tamatie, fermryp maar nie oorryp nie;

"gesond", met betrekking tot 'n tamatie, vry van insektbeskadiging, insektbesmetting of uitwendige of inwendige gebreke wat die kwaliteit van die tamatie mag benadeel;

"goedgevorm", met betrekking tot 'n tamatie, die normale kenmerkende fatsoen van die betrokke cultivar;

"holte", met betrekking tot 'n tamatie, die spasie tussen die vleis van die pitkern en die binnekant van die buitewand, soos langs die deursnee gemeet;

"inmaak", met betrekking tot vars tamaties, die vervaardiging van ingemaakte voedsel;

"kneusplekke", drukwonde wat die gehalte van die tamatie benadeel;

No. R. 464

24 March 1972

# REGULATIONS RELATING TO THE GRADING AND PACKING OF FRESH VEGETABLES INTENDED FOR PROCESSING IN A FACTORY.—AMENDMENT

The State President has, under the powers vested in him by section 89 of the Marketing Act, 1968 (No. 59 of 1968), amended the regulations published by Government Notice R. 1651 of 22 October 1965, as set out in the Schedule hereto.

## SCHEDULE

The Schedule to Government Notice R. 1651 of 22 October 1965, is hereby amended as follows:

### 1. Regulation 1 is hereby amended by—

(a) the substitution for the definition of "vegetables" of the following definition:

"(vii) 'vegetables' means fresh beetroot, carrots, green beans, green peas, sweetcorn or asparagus which are intended for processing in a factory; (iv)"; and

(b) the deletion of the definition of "over-ripe".

### 2. Regulations 8, 11 and 12 are hereby deleted.

No. R. 465

24 March 1972

# REGULATIONS RELATING TO THE GRADING OF FRESH TOMATOES INTENDED FOR CANNING IN THE REPUBLIC OF SOUTH AFRICA

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 relating to the grading of fresh tomatoes intended for canning in the Republic.

## SCHEDULE

### Definitions

1. In these regulations unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act, shall have a corresponding meaning, and—

"blemishes" in relation to a tomato, means any external or internal defects caused by extraneous factors such as insects, fungi, sun, bacteria, hail, rain, wind, handling practices or transport;

"bruises" means pressure wounds impairing the quality of the tomato;

"canning" in relation to fresh tomatoes, means the manufacture of canned foodstuffs;

"cavity" in relation to a tomato, means the space between the flesh of the seed core and the inside of the outer wall, as measured along the diameter;

"clean" in relation to a tomato, means free from dirt, dust, spray residues or other foreign matter;

"consignment" in relation to tomatoes, means a quantity of tomatoes of the same grade delivered at any one time under cover of the same consignment note, delivery note or receipt note or from the same vehicle, or if such a quantity of the same grade is subdivided on the basis of ripeness or otherwise, each such quantity;

"cracks" in relation to a tomato, means a break or crack in the outer wall;

"decay" means a state of decomposition or fungus development or insect infestation, partly or completely affecting the quality of the tomato;

"diameter" means the greatest transverse measurement of an individual tomato measured at right angles to a line running from the stem to the apex;

"firm" in relation to a tomato, means firm-ripe but not overripe;

"letsels", met betrekking tot 'n tamatie, enige uitwendige of inwendige gebreke veroorsaak deur uiterlike faktore soos insekte, swamme, son, bakterieë, haël, reën, wind, hanteringspraktyke of vervoer;

"oorryp", 'n stadium waar die weefsel van 'n tamatie weerstand teen kommersiële hantering verloor het;

"ryp", 'n stadium waar die tamatie inwendig en uitwendig 'n eweredige diep rooi kleur het;

"skoon", met betrekking tot 'n tamatie, vry van vuilheid, stof, spuitreste of ander vreemde stowwe;

"sonbrand", met betrekking tot 'n tamatie, sigbare beskadiging deur die hitte van die son in so 'n mate dat die goeie gesonde kleur benadeel is;

"tamatie", die vrug van die plant *Lycopersicon esculentum*.

#### Doel van Regulasies

2. Hierdie regulasies is gemaak vir die doel van die verbod wat kragtens artikel 84 van die Wet op die verkoop van vars tamaties, bestem vir inmaak in die Republiek van Suid-Afrika, opgelê is.

#### Grade

3. (1) Daar is drie grade vars tamaties bestem vir inmaak, naamlik Graad 1, Graad 2, en Ondergraad.

(2) Behoudens die toelaatbare afwykings in regulasie 4 voorgeskryf, is die vereistes vir die verskillende grade vars tamaties soos volg:

(a) *Graad 1*.—Die tamaties moet—

- (i) skoon en goedgevorm wees;
- (ii) ryp maar nie oorryp nie, ferm en vry van holtes van meer as 6 mm wees;
- (iii) gesond, vry van letsels, kneusplekke en barste wees;
- (iv) vry van bederf en sonbrand wees; en
- (v) eienskappe hê, tipies van die betrokke cultivar.

(b) *Graad 2*.—Die tamaties moet—

- (i) skoon en goedgevorm wees;
- (ii) ryp maar nie oorryp nie, ferm en vry van holtes van meer as 9 mm wees;
- (iii) gesond, vry van letsels, kneusplekke en barste wees;
- (iv) vry van bederf en sonbrand wees; en
- (v) eienskappe hê tipies van die betrokke cultivar.

Met dien verstande dat tamaties met letsels, kneusplekke en barste van 'n relatiewe ligte intensiteit by hierdie graad ingesluit mag word.

(c) *Ondergraad*.—Tamaties wat nie aan die vereistes van enige van die voormelde grade voldoen nie.

#### Afwykings

4. Die maksimum afwyking van die vereistes voorgeskryf kragtens regulasie 3 wat ten opsigte van Graad 1 en Graad 2 toegelaat mag word, is soos volg:

| Aard van afwyking                                                 | Maksimum persentasie afwykings toegelaat (m/m) |         |
|-------------------------------------------------------------------|------------------------------------------------|---------|
|                                                                   | Graad 1                                        | Graad 2 |
| (a) Bederf en sonbrand.....                                       | 3                                              | 5       |
| (b) Alle ander kwaliteitsgebreke uitgesonderd bederf en sonbrand— |                                                |         |
| (i) van 'n relatief ernstige intensiteit; en                      | 5                                              | 12      |
| (ii) van 'n relatief ligte intensiteit.....                       | 7                                              | 17      |

"overripe" means a stage where the tissue of a tomato has lost resistance to commercial handling;

"ripe" means a stage in which the tomato is of a even, deep red colour internally and externally;

"sound" in relation to a tomato, means free from insect damage, insect infestation or external or internal defect which may affect the quality of the tomato;

"sunburn" in relation to a tomato, means visible damage by the heat of the sun to such an extent that the good healthy colour has been impaired;

"the Act", means the Marketing Act, 1968 (No. 59 of 1968);

"tomato", means the fruit from the plant *Lycopersicon esculentum*;

"well formed" in relation to a tomato, means the normal typical shape of the cultivar concerned.

#### Purpose of Regulations

2. These regulations have been made for the purpose of the prohibition of the sale of fresh tomatoes in the Republic of South Africa, intended for canning, imposed under section 84 of the Act.

#### Grades

3. (1) There shall be three grades of fresh tomatoes intended for canning, namely Grade 1, Grade 2 and Undergrade.

(2) Subject to the allowable deviations prescribed in regulation 4, the requirements for the different grades of fresh tomatoes shall be as follows:

(a) *Grade 1*.—The tomatoes shall—

- (i) be clean and well-formed;
- (ii) be ripe but not over-ripe, firm and free from cavities exceeding 6 mm;
- (iii) be sound, free from blemishes, bruises and cracks;
- (iv) be free from decay and sunburn; and
- (v) have characteristics typical of the cultivar concerned.

(b) *Grade 2*.—The tomatoes shall—

- (i) be clean and well-formed;
- (ii) be ripe but not over-ripe, firm and free from cavities exceeding 9 mm;
- (iii) be sound, free from blemishes, bruises and cracks;
- (iv) be free from decay and sunburn; and
- (v) have characteristics typical of the cultivar concerned.

Provided that tomatoes with blemishes, bruises and cracks of a relative light intensity may be included in this grade.

(c) *Undergrade*.—Tomatoes which do not comply with the requirements for any of the aforementioned grades.

#### Deviations

4. The maximum deviation from the requirements prescribed under regulation 3 that may be allowed in respect of Grade 1 and Grade 2 shall be as follows:

| Nature of deviation                                        | Maximum percentage of deviations allowed (m/m) |         |
|------------------------------------------------------------|------------------------------------------------|---------|
|                                                            | Grade 1                                        | Grade 2 |
| (a) Decay and sunburn.....                                 | 3                                              | 5       |
| (b) All other quality defects excluding decay and sunburn— |                                                |         |
| (i) of a relative serious intensity; and                   | 5                                              | 12      |
| (ii) of a relative light intensity.....                    | 7                                              | 17      |



*Verpakking*

5. (1) Tamaties bestem vir inmaak hoef nie op die vas waar dit geproduseer is, gegradeer en volgens graad te word nie.  
 (2) Verskillende tamatie cultivars moet apart verpak word.

*Monsterneming*

6. Ten einde die graad van 'n besending tamaties wat inmaak bestem is, te bepaal, moet 'n monster wat op die volgende wyse getrek is, ondersoek word:

(a) Ten opsigte van elke afsonderlike besending van 50 houters of minder by die betrokke fabriek of ontvangsdepot: Twee houters;

(b) ten opsigte van elk sodanige afsonderlike besending van meer as 50 houters: Twee houters vir die eerste 50 houters van sodanige besending, plus een addisionele houer vir elke addisionele 50 houters of enige gedeelte daarvan, tot 'n maksimum van vyf houters.

No. R. 467

24 Maart 1972

**AARTAPPELSKEMA****HEFFING EN SPESIALE HEFFING OP AARTAPPELS.—WYSIGING**

Kragtens artikel 79 (a) van die Bemarkingswet, 1968 (No. 59 van 1968), maak ek, Dirk Cornelis Hermanus Uys, Minister van Landbou, hierby bekend dat die Aartappelraad, vermeld in artikel 6 (1) van die Aartappelkema, afgekondig by Proklamasie R. 268 van 1970, kragtens artikel 26 van daardie Skema, met my goedkeuring en met ingang van 1 April 1972, die spesiale heffing, afgekondig by Goewermentskennisgewing R. 1373 van 13 Augustus 1971, gewysig het soos in die Bylae hieraan uiteengesit.

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

**BYLAE**

Die Bylae van Goewermentskennisgewing R. 1373 van 13 Augustus 1971 word hierby gewysig deur in klousule 2 die uitdrukking "0,2c" deur die uitdrukking "1,2c" te vervang.

**DEPARTEMENT VAN LANDBOU-TEGNIESKE DIENSTE**

No. R. 444

24 Maart 1972

**WET OP DIERESIEKTES EN -PARASIE, 1956.—REGULASIES VIR DIE BEHEER VAN NEWCASTLESIEKTE**

Die Minister van Landbou het, kragtens die bevoegdheid hom verleen by artikel 27 van die Wet op Diersiektes en -Parasiete, 1956 (Wet 13 van 1956), die regulasies gepubliseer in Goewermentskennisgewing R. 858 van 28 Mei 1971, herroep.

**DEPARTEMENT VAN POS-EN-TELEGRAAFWESE**

No. R. 446

24 Maart 1972

**WYSIGING VAN DIE TELEGRAAFREGULASIES**

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 Telegraafregulasies:

*Regulasie 77*

Vervang die bestaande regulasie deur die volgende:

"77. Telegramme aan adresse buite die voorgeskrewe afleweringsgrense sal afgelewer word na gelang plaaslike omstandighede dit toelaat."

*Packing*

5. (1) Tomatoes intended for canning need not be graded and packed according to grade on the farm where they are produced.  
 (2) Different cultivars of tomatoes shall be packed separately.

*Sampling*

6. To determine the grade of a consignment of tomatoes intended for canning, a sample drawn in the following manner shall be examined:

(a) In respect of each separate consignment of 50 containers or less at the factory or receiving depot concerned: Two containers;

(b) in respect of each such separate consignment of more than 50 containers: Two containers for the first 50 containers of such a consignment, plus one additional container for every additional 50 containers or any part thereof, up to a maximum of five containers.

No. R. 467

24 March 1972

**POTATO SCHEME****LEVY AND SPECIAL LEVY ON POTATOES.—AMENDMENT**

In terms of section 79 (a) of the Marketing Act, 1968 (No. 59 of 1968), I, Dirk Cornelis Hermanus Uys, Minister of Agriculture, hereby make known that the Potato Board, referred to in section 6 (1) of the Potato Scheme, published by Proclamation R. 268 of 1970, has, in terms of section 26 of that Scheme, with my approval and with effect from 1 April 1972, amended the special levy published by Government Notice R. 1373 of 13 August 1971, as set out in the Schedule hereto.

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

**SCHEDULE**

The Schedule to Government Notice R. 1373 of 13 August 1971, is hereby amended by the substitution in clause 2 thereof for the expression "0,2c" of the expression "1,2c".

**DEPARTMENT OF AGRICULTURAL TECHNICAL SERVICES**

No. R. 444

24 March 1972

**ANIMAL DISEASES AND PARASITES ACT, 1956.—REGULATIONS FOR THE CONTROL OF NEWCASTLE DISEASE**

Under the powers vested in him by section 27 of the Animal Diseases and Parasites Act, 1956 (Act 13 of 1956), the Minister of Agriculture has repealed the Regulations published in Government Notice R. 858 of 28 May 1971.

**DEPARTMENT OF POSTS AND TELEGRAPHS**

No. R. 446

24 March 1972

**AMENDMENT TO TELEGRAPH 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 Telegraph Regulations:

*Regulation 77*

Substitute the following for the existing regulation:

"77. Telegrams to addresses outside the prescribed delivery boundaries will be delivered as local circumstances permit."

*Regulasies 78 en 79*

Skrap die regulasies.

*Bylae B*

Skrap die bewoording "Draagloon ten opsigte van 'n telegram wat bestem is vir aflewering per bode buite die grense van 'n kostelose bestelkring—10c per km."

No. R. 447

24 Maart 1972

## WYSIGING VAN TELEGRAAFREGULASIES VIR SUIDWES-AFRIKA

Dit het die Minister van Pos-en-telegraafwese behaag om kragtens artikel 2 (4) en artikel 3 (2) van die Suidwes-Afrikaposordonnansie van 1963, soos vertolk ingevolge artikel 19 van die Wet op Aangeleenthede met betrekking tot Suidwes-Afrika, 1969, sy goedkeuring aan onderstaande wysiging van die Telegraafregulasies vir Suidwes-Afrika te heg:

*Regulasie 77*

Vervang die bestaande regulasie deur die volgende:

"77. Telegramme aan adresse buite die voorgeskrewe afleweringsgrense sal afgelewer word na gelang plaaslike omstandighede dit toelaat."

*Regulasies 78 en 79*

Skrap die regulasies.

*Bylae B*

Skrap die bewoording "Draagloon ten opsigte van 'n telegram wat bestem is vir aflewering per bode buite die grense van 'n kostelose bestelkring—10c per km."

## DEPARTEMENT VAN VOLKSWELSYN EN PENSIOENE

No. R. 420

24 Maart 1972

## REGERINGSDIENSPENSIOENWET, 1965

## (SUID-AFRIKAANSE POLISIE- EN GEVANGENIS-DIENSPENSIOENFONDS)

Kragtens die bevoegdheid my verleen by artikel 5 van die Regeringsdienspensioenwet, 1965 (Wet 62 van 1965), wysig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby die regulasies afgekondig by Goewernmentskennisgewing R. 2031 van 22 Desember 1965, soos gewysig, deur regulasie 20 (1) deur die volgende regulasie te vervang:

"20. (1) 'n Aktuaris moet die bates en laste van die Fonds soos op die een-en-dertigste dag van Maart 1975 en elke vyf jaar daarna waardeur en moet enige surplus of tekort wat sy ondersoek aan die lig bring, verklaar en verslag daarvoor aan die Minister doen."

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

No. R. 421

24 Maart 1972

## REGERINGSDIENSPENSIOENWET, 1965

## (STAANDEMAG-PENSIOENFONDS)

Kragtens die bevoegdheid my verleen by artikel 5 van die Regeringsdienspensioenwet, 1965 (Wet 62 van 1965), wysig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby die regulasies vir die

*Regulations 78 and 79*

Delete the regulations.

*Schedule B*

Delete the wording "Porterage charges on telegram for delivery by messenger outside free delivery area—10c per km."

No. R. 447

24 March 1972

## AMENDMENT TO TELEGRAPH REGULATION FOR SOUTH-WEST AFRICA

The Minister of Posts and Telegraphs has been pleased under section 2 (4) and section 3 (2) of the South-West Africa Postal Ordinance of 1963, as interpreted in terms of section 19 of the Act on Matters concerning South West Africa, 1969, to approve of the following amendment to the South-West Africa Telegraph Regulations:

*Regulation 77*

Substitute the following for the existing regulation:

"77. Telegrams to addresses outside the prescribed delivery boundaries will be delivered as local circumstances permit."

*Regulations 78 and 79*

Delete the regulations.

*Schedule B*

Delete the wording "Porterage charges on telegram for delivery by messenger outside free delivery area—10c per km."

## DEPARTMENT OF SOCIAL WELFARE AND PENSIONS

No. R. 420

24 March 1972

## GOVERNMENT SERVICE PENSIONS ACT, 1965

## (SOUTH AFRICAN POLICE AND PRISONS SERVICE PENSION FUND)

By virtue of the powers vested in me by section 5 of the Government Service Pensions Act, 1965 (Act 62 of 1965), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, do hereby amend the regulations promulgated by Government Notice R. 2031 of 22 December 1965, as amended, by the substitution for regulation 20 (1) of the following regulation:

"20. (1) An actuary shall value the assets and liabilities of the Fund as at the 31st day of March 1975, and every five years thereafter and shall declare any surplus or deficiency which his investigation discloses and shall report thereon to the Minister."

C. P. MULDER, Minister of Social Welfare and Pensions.

No. R. 421

24 March 1972

## GOVERNMENT SERVICE PENSIONS ACT, 1965

## (PERMANENT FORCE PENSION FUND)

By virtue of the powers vested in me by section 5 of the Government Service Pensions Act, 1965 (Act 62 of 1965), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, do hereby amend the Permanent



taandemagpensioenfonds, afgekondig by Goewermenskennisgewing R. 1968 van 10 Desember 1965, soos gewysig, deur regulasie 19 (1) deur die volgende regulasie te vervang:

"19. (1) 'n Aktuaris moet die bates en laste van die Fonds soos op die een-en-dertigste dag van Maart 1974 en elke vyf jaar daarna waardeer en moet enige surplus of te kort wat sy ondersoek aan die lig bring, verklaar en verslag daaroor aan die Minister doen."

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

No. R. 422 24 Maart 1972

### REGERINGSDIENSPENSIOENWET, 1965

(REGERINGSDIENS-WEDUWESPENSIOENFONDS)

Kragtens die bevoegdheid my verleen by artikel 5 van die Regeringsdienspensioenwet, 1965 (Wet 62 van 1965), wysig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby die regulasies afgekondig by Goewermenskennisgewing R. 1996 van 17 Desember 1965, soos gewysig, deur regulasie 12 (1) deur die volgende regulasie te vervang:

"12. (1) 'n Aktuaris moet die bates en laste van die Fonds soos op die een-en-dertigste dag van Maart 1976 en elke vyf jaar daarna waardeer en moet enige surplus of te kort wat sy ondersoek aan die lig bring, verklaar en verslag daaroor aan die Minister doen."

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

No. R. 424 24 Maart 1972

### REGERINGSDIENSPENSIOENWET, 1965

#### STAATSDIENSPENSIOENFONDS

Kragtens die bevoegdheid my verleen by artikel 5 van die Regeringsdienspensioenwet, 1965 (Wet 62 van 1965), wysig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby die regulasies afgekondig by Goewermenskennisgewing R. 1969 van 15 Desember 1965, soos gewysig, soos in die Bylae uiteengesit.

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

#### BYLAE

1. Regulasie 1 word hierby met ingang van die eerste dag van Desember 1971 gewysig deur die omskrywing van "spesiale formule" deur die volgende omskrywing te vervang:

"(xvi) 'spesiale formule', met betrekking tot 'n lid of 'n aangeleentheid wat ooreenkomstig die spesiale formule bepaal moet word behoudens die bepalings van subregulasie (2), die formule—

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

waarin—

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

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

Force Pension Fund regulations promulgated by Government Notice R. 1968 of 10 December 1965, as amended, by the substitution for regulation 19 (1) of the following regulation:

"19. (1) An actuary shall value the assets and liabilities of the Fund as at the 31st day of March 1974, and every five years thereafter and shall declare any surplus or deficiency which his investigation discloses and shall report thereon to the Minister."

C. P. MULDER, Minister of Social Welfare and Pensions.

No. R. 422 24 March 1972

### GOVERNMENT SERVICE PENSIONS ACT, 1965

#### (GOVERNMENT SERVICE WIDOWS' PENSION FUND)

By virtue of the powers vested in me by section 5 of the Government Service Pensions Act, 1965 (Act 62 of 1965), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, do hereby amend the regulations promulgated by Government Notice R. 1996 of 17 December 1965, as amended, by the substitution for regulation 12 (1) of the following regulation:

"12. (1) An actuary shall value the assets and liabilities of the Fund as at the 31st day of March 1976, and every five years thereafter and shall declare any surplus or deficiency which his investigation discloses and shall report thereon to the Minister."

C. P. MULDER, Minister of Social Welfare and Pensions.

No. R. 424 24 March 1972

### GOVERNMENT SERVICE PENSIONS ACT, 1965

#### PUBLIC SERVICE PENSION FUND

By virtue of the powers vested in me by section 5 of the Government Service Pensions Act, 1965 (Act 62 of 1965), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, do hereby amend the regulations promulgated by Government Notice R. 1969, dated 15 December 1965, as amended, as set out in the Schedule.

C. P. MULDER, Minister of Social Welfare and Pensions.

#### SCHEDULE

1. Regulation 1 is hereby amended with effect from the first day of December 1971 by the substitution for the definition of "special formula" of the following definition:

"(xiv) 'special formula', in relation to a member or any matter to be determined according to the special formula, means, subject to the provisions of subregulation (2), the formula—

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

in which—

R shall be the rate at which the member contributes to the Fund;

Z shall be the member's average annual pensionable emoluments during the last three years of his pensionable service or during the whole period of such service, whichever is the shorter period;

N die tydperk van die lid se pensioengewende diens is; en

D bepaal word ooreenkomstig onderstaande tabel:

| Voltooide maande pensioengewende diens | D                                                                              |
|----------------------------------------|--------------------------------------------------------------------------------|
| 0 tot 36...                            | 0;                                                                             |
| 37 tot 120...                          | 0 plus 26 vir elke voltooide maand pensioengewende diens bo 36 maande;         |
| 121 tot 240...                         | 2 184 plus 17 vir elke voltooide maand van sodanige diens bo 120 maande;       |
| 241 tot 360...                         | 4 224 plus 11 vir elke voltooide maand van sodanige diens bo 240 maande;       |
| 361 tot 480...                         | 5 544 plus 7 vir elke voltooide maand van sodanige diens bo 360 maande;        |
| 481 en meer..                          | 6 384 plus 5 vir elke voltooide maand van sodanige diens bo 480 maande." (xiv) |

2. Regulasie 4 word hierby met ingang van die eerste dag van Mei 1970 gewysig—

(a) deur subregulasie (2) deur die volgende subregulasie te vervang:

"(2) Enige agterstallige bydraes of enige ander bedrag wat deur 'n lid aan die Fonds verskuldig is, moet, tensy anders in hierdie regulasies bepaal, in die paaimente en op die tye wat die Sekretaris van tyd tot tyd bepaal van die lid se pensioengewende verdienste afgetrek word.";

(b) deur in subregulasie (3) (a) die woorde "paragrafe (b) en (c)" te vervang deur die woorde "paragraaf (c)"; en

(c) deur paragraaf (b) van subregulasie (3) te skrap.

3. Regulasie 5 word hierby met ingang van die eerste dag van Mei 1970 gewysig deur in die eerste voorbehoudsbepaling by subregulasie (1) die woorde "paragraaf (a) van" te skrap.

4. Regulasie 6 word hierby met ingang van die eerste dag van Mei 1970 gewysig—

(a) deur in subregulasie (1) al die woorde wat paragraaf (b) (iv) volg deur die volgende woorde te vervang:

"moet, behoudens die bepalings van subregulasie (2), tot die Fonds bydra ten opsigte van dié tydperk van sy vorige ononderbroke diens (ten opsigte waarvan hy nie tot enige pensioen- of voorsorg- of ondersteuningsfonds bygedra het nie) wat die Sekretaris goedkeur, en die totaalbedrag van die bydraes wat deur sodanige persoon betaalbaar is ten opsigte van die aldus goedgekeurde tydperk word ooreenkomstig die spesiale formule bepaal asof hy gedurende daardie tydperk 'n lid van die Fonds was en daartoe bygedra het teen die bydraekoers wat van krag is op die datum waarop hy aldus 'n bydraer word."; en

(b) deur na subregulasie (1) die volgende subregulasie in te voeg:

"(1A) Indien enige persoon met ingang van 'n datum na die 31ste dag van Maart 1968 maar voor die eerste dag van Mei 1970 in die Staatsdiens aangestel is en ingevolge subregulasie (1), soos genoemde subregulasie op die 30ste dag van April 1970 bestaan het, onder die verpligting gekom het om ten opsigte van enige tydperk van sy vorige ononderbroke diens tot die Fonds by te dra en, indien daar voor die eerste dag van Mei 1970, geen inskrywing in die boeke of rekeninge van die Fonds gemaak is nie ten opsigte van die bydraes deur sodanige persoon ten opsigte van genoemde tydperk betaalbaar, die totaalbedrag van die aldus betaalbare bydraes ooreenkomstig die spesiale formule bepaal word asof sodanige persoon gedurende genoemde tyd-

N shall be the period of the member's pensionable service; and

D shall be determined in accordance with the following table:

| Completed months of pensionable service | D                                                                                     |
|-----------------------------------------|---------------------------------------------------------------------------------------|
| 0 to 36....                             | 0;                                                                                    |
| 37 to 120....                           | 0 plus 26 for each completed month of pensionable service in excess of 36 months;     |
| 121 to 240....                          | 2 184 plus 17 for each completed month of such service in excess of 120 months;       |
| 241 to 360....                          | 4 224 plus 11 for each completed month of such service in excess of 240 months;       |
| 361 to 480....                          | 5 544 plus 7 for each completed month of such service in excess of 360 months;        |
| 481 and over                            | 6 384 plus 5 for each completed month of such service in excess of 480 months." (xvi) |

2. Regulation 4 is hereby amended with effect from the first day of May 1970—

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

"(2) Any arrear contributions or any other amount due by a member to the Fund shall, unless otherwise in these regulations provided, be deducted from his pensionable emoluments in such instalments and at such times as the Secretary may from time to time determine.";

(b) by the substitution in subregulation (3) (a) for the words "paragraphs (b) and (c)" of the words "paragraph (c)"; and

(c) by the deletion of paragraph (b) of subregulation (3).

3. Regulation 5 is hereby amended with effects from the first day of May 1970 by the deletion in the first proviso to subregulation (1) of the words "paragraph (a) of".

4. Regulation 6 is hereby amended with effect from the first day of May 1970—

(a) by the substitution in subregulation (1) for all the words following paragraph (b) (iv) of the following words:

"shall, subject to the provisions of subregulation (2), contribute to the Fund in respect of such period of his past continuous employment (in respect of which he has not contributed to any pension or provident fund) as the Secretary may approve, and the aggregate of the contributions payable by such person in respect of the period so approved, shall be determined in accordance with the special formula as if during that period he had been a member of the Fund and had contributed thereto at the rate of contributions in force on the date on which he so becomes a contributor."; and

(b) by the insertion after subregulation (1) of the following subregulation:

"(1A) If any person has been appointed to the public service with effect from any date subsequent to the 31st day of March, 1968 but prior to the first day of May 1970 and has become liable in terms of subregulation (1), as that subregulation existed on the thirtieth day of April 1970, to contribute to the Fund in respect of any period of his past continuous employment, and if, prior to the first day of May 1970, no entry was made in the books or accounts of the Fund in respect of the contributions payable by such person in respect of the said period, the aggregate of the contributions so payable shall be determined in accordance with the special formula as if during the said period such per-



perk 'n lid van die Fonds was en daartoe bygedra het teen die bydraekers wat van krag was op die datum waarop hy aldus onder die verpligting gekom het."

5. Regulasie 18 word hierby met ingang van die eerste dag van Mei 1970 deur die volgende regulasie vervang:

*"Betalings uit Inkomste aan die Fonds"*

18. (1) Daar word aan die einde van elke maand uit inkomste 'n bedrag aan die Fonds betaal wat gelyk is aan 2,29 maal die totaalbedrag van die lopende bydraes wat bydraers gedurende daardie maand aan die Fonds betaal het.

(2) Behoudens die bepalings van regulasie 18A word daar op die 31ste dag van Maart van iedere jaar uit inkomste aan die Fonds betaal—

(a) 'n bedrag gelyk aan 2,29 maal die totaalbedrag van die agterstallige bydraes wat die Sekretaris sertifiseer, deur bydraers wat met ingang van 'n datum na die 31ste dag van Maart 1968 in die Staatsdiens aangestel is, verskuldig is;

(b) vir 'n jaar of 'n gedeelte van 'n jaar van die tydperk van iedere sodanige bydraer se vorige ononderbroke diens, 'n bedrag gelyk aan  $2\frac{1}{4}$  persent van 3,29 maal die totaalbedrag van die betrokke bydraer se agterstallige bydraes;

(c) rente teen  $4\frac{1}{2}$  persent per jaar, jaarliks op die 31ste dag van Maart saamgestel, op die totaal van die bedrae wat ingevolge paragrawe (a) en (b) bepaal is, en bereken, ten opsigte van elke betrokke bydraer, vanaf die dag na die laaste dag van die tydperk van sy vorige ononderbroke diens tot en met die datum waarop sodanige rente ingevolge hierdie subregulasie betaal word;

(d) rente teen  $4\frac{1}{2}$  persent per jaar op enige bedrae wat deur bydraers aan die Fonds verskuldig is en ten opsigte waarvan sodanige bydraers nie verplig is om rente te betaal nie en wat nog onbetaal is aan die einde van elke maand gedurende die tydperk ten opsigte waarvan die rente, wat op 'n maandelikse grondslag bereken moet word, betaal word.

(3) Daar word op die 31ste dag van Maart elke jaar uit die Gekonsolideerde Inkomstefonds aan die Fonds rente betaal teen  $4\frac{1}{2}$  persent per jaar op die gemiddelde van die onbelegde bedrae in die Fonds aan die einde van elke maand gedurende die tydperk ten opsigte waarvan die rente ingevolge hierdie subregulasie betaal word.

(4) Vir die toepassing van hierdie regulasie beteken 'vorige ononderbroke diens' 'n tydperk van vorige ononderbroke diens ten opsigte waarvan 'n bydraer ingevolge regulasie 6 (1) verplig is om by te dra en ook 'n tydperk van vorige ononderbroke diens in regulasie 6 (1A) bedoel."

6. Die volgende regulasie word hierby met ingang van die eerste dag van Mei 1970 na regulasie 18 ingevoeg:

*"Uitsonderingsbepalings Betreffende Sekere Agterstallige Bydraes"*

18A. Ondanks andersluidende bepalings van hierdie regulasies—

(a) bly die bepalings van regulasie 18 (1) (b), (c) (i) en (d), soos genoemde bepalings op die dag onmiddellik voor die eerste dag van April 1968 bestaan het, van toepassing ten opsigte van enige agterstallige bydraes waarvoor bydraers wat met ingang van 'n datum voor die eerste dag van April 1968 in die Staatsdiens aangestel is, aanspreeklik geword het: Met dien verstande dat die rente betaalbaar ingevolge paragraaf (c) van genoemde regulasie 18 (1) teen  $4\frac{1}{2}$  persent per jaar bereken moet word;

son had been a member of the Fund and had contributed thereto at the rate of contributions in force on the date on which he so became liable."

5. The following regulation is hereby substituted for regulation 18 with effect from the first day of May 1970:

*"Payments from Revenue to the Fund"*

18. (1) There shall be paid out of revenue to the Fund at the end of each month an amount equal to 2,29 times the aggregate of the current contributions which have been paid to the Fund by contributors during that month.

(2) Subject to the provisions of regulation 18A, there shall be paid out of revenue to the Fund on the 31st day of March of each year—

(a) an amount equal to 2,29 times the aggregate of the arrear contributions certified by the Secretary as being due by contributors who were appointed to the public service with effect from any date after the 31st day of March 1968;

(b) for any year or any portion of a year of the period of the past continuous employment of every such contributor an amount equal to  $2\frac{1}{4}$  per cent of 3,29 times the aggregate of the arrear contributions of the contributor concerned;

(c) interest at the rate of  $4\frac{1}{2}$  per cent per annum compounded annually on the 31st day of March, on the sum of the amounts determined in terms of paragraphs (a) and (b), and calculated, in respect of each contributor concerned, from the day following the last day of the period of his past continuous employment up to and including the date on which such interest is paid in terms of this subregulation;

(d) interest at the rate of  $4\frac{1}{2}$  per cent per annum on any amounts due to the Fund by contributors in respect of which such contributors are not required to pay interest and which remain unpaid at the end of each month during the period in respect of which the interest, which shall be calculated on a monthly basis, is paid.

(3) There shall be paid out of the Consolidated Revenue Fund to the Fund on the 31st day of March in each year, interest at the rate of  $4\frac{1}{2}$  per cent per annum on the average of the uninvested amounts in the Fund at the end of each month during the period in respect of which the interest is paid in terms of this subregulation.

(4) For the purposes of this regulation, 'past continuous employment' means any period of past continuous employment in respect of which a contributor is required to contribute in terms of regulation 6 (1) and includes any period of past continuous employment referred to in regulation 6 (1A)."

6. The following regulation is hereby inserted after regulation 18, with effect from the first day of May 1970:

*"Saving Provisions Concerning Certain Arrear Contributions"*

18A. Notwithstanding anything to the contrary contained in these regulations—

(a) the provisions of regulation 18 (1) (b), (c) (i) and (d), as the said provisions existed on the day immediately preceding the first day of April 1968, shall continue to apply in respect of any arrear contributions for which contributors appointed to the public service with effect from any date prior to the first day of April 1968 have become liable: Provided that the interest payable in terms of paragraph (c) of the said regulation 18 (1) shall be calculated at the rate of  $4\frac{1}{2}$  per cent per annum;

(b) bly die bepalings van regulasie 18 (1) (b) (ii) en (iv), (c) (i) en (d) (ii), soos genoemde bepalings op die dag onmiddellik voor die eerste dag van Mei 1970 bestaan het, van toepassing ten opsigte van enige agterstallige bydraes waarvoor bydraers wat met ingang van 'n datum na die 31ste dag van Maart 1968 in die Staatsdiens aangestel is, aanspreeklik geword het en ten opsigte waarvan 'n inskrywing voor die eerste dag van Mei 1970 in die boeke of rekeninge van die Fonds gemaak is."

7. Regulasie 26 word hierby met ingang van die eerste dag van Januarie 1966 gewysig deur die tweede voorbehoudsbepaling by subregulasie (2) (b) deur die volgende voorbehoudsbepaling te vervang:

"Met dien verstande voorts dat—

- (i) indien hy met ingang van 'n datum voor die 24ste dag van Junie 1955 in 'n pos in die Staatsdiens aangestel is en weens die leeftyd wat hy bereik het, aftree of afgedank of ontslaan word, die pensioen nie betaalbaar is nie vanaf 'n datum vroeër as die eerste dag van die maand wat volg op die datum waarop, in die geval van 'n man, hy die leeftyd van 60 jaar bereik het of, in die geval van 'n vrou, sy die leeftyd van 55 jaar bereik het;
- (ii) indien hy met ingang van 'n datum na die 23ste dag van Junie 1955 in 'n pos in die Staatsdiens aangestel is en weens die leeftyd wat hy bereik het, aftree of afgedank of ontslaan word, die pensioen nie betaalbaar is nie vanaf 'n datum vroeër as die datum waarop hy ingevolge artikel 6 (2) van die Wet met pensioen afgedank sou gewees het indien hy nie aldus oorgeplaas was nie;"

No. R. 425

24 Maart 1972

### REGERINGSDIENSPENSIOENWET, 1965 DIE STAANDEMAG-PENSIOENFONDS

Kragtens die bevoegdheid my verleen by artikel 5 van die Regeringsdienspensioenwet, 1965 (Wet No. 62 van 1965), wysig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby die regulasies afgekon- dig by Goewermentskennigswing R. 1968 van 10 Desember 1965, soos gewysig, soos in die Bylae uiteengesit.

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

#### BYLAE

1. Regulasie 1 word hierby met ingang van die eerste dag van Desember 1971 gewysig deur die omskrywing van "spesiale formule" deur die volgende omskrywing te vervang:

"(xv) 'spesiale formule', met betrekking tot 'n lid of 'n aangeleentheid wat ooreenkomstig die spesiale formule bepaal moet word, behoudens die bepalings van subregulasie (2), die formule—

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

waarin—

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

(b) the provisions of regulation 18 (1) (b) (ii) and (iv), (c) (i) and (d) (ii), as the said provisions existed on the day immediately preceding the first day of May 1970 shall continue to apply in respect of any arrear contributions for which contributors appointed to the public service with effect from any date after the 31st day of March 1968 have become liable and in respect of which an entry was made in the books or accounts of the Fund prior to the first day of May 1970."

7. Regulation 26 is hereby amended with effect from the first day of January 1966 by the substitution for the second proviso to subregulation 2 (b) of the following proviso:

"Provided further that—

(i) if he was appointed to a post in the public service with effect from a date prior to the 24th day of June, 1955 and retires or is retired or discharged by reason of the age he has attained, the pension shall not be payable from a date earlier than the first day of the month following the date on which, in the case of a male person, he attained the age of 60 years or, in the case of a female person, she attained the age of 55 years;

(ii) if he was appointed to a post in the public service with effect from a date after the 23rd day of June 1955 and retires or is retired or discharged by reason of the age he has attained, the pension shall not be payable from a date earlier than the date on which he would have been retired on pension in terms of section 6 (2) of the Act if he had not been so transferred;"

No. R. 425

24 March 1972

### GOVERNMENT SERVICE PENSIONS ACT, 1965 THE PERMANENT FORCE PENSION FUND

By virtue of the powers vested in me by section 5 of the Government Service Pensions Act, 1965 (Act 62 of 1965), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, do hereby amend the regulations promulgated by Government Notice R. 1968 of 10 December 1965, as amended, as set out in the Schedule.

C. P. MULDER, Minister of Social Welfare and Pensions.

#### SCHEDULE

1. Regulation 1 is hereby amended with effect from the first day of December 1971 by the substitution for the definition of "special formula" of the following definition:

"(xiii) 'special formula', in relation to a member or any matter to be determined according to the special formula, means, subject to the provisions of subregulation (2), the formula—

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

in which—

R shall be the rate at which the member contributes to the Fund;

Z shall be the member's average annual pensionable emoluments during the last three years of his pensionable service or during the whole period of such service, whichever is the shorter period;



N die tydperk van die lid se pensioengewende diens is; en

D bepaal word ooreenkomstig onderstaande tabel:

| Voltooide<br>maande<br>pensioen-<br>gewende diens | D                                                                                  |
|---------------------------------------------------|------------------------------------------------------------------------------------|
| 0 tot 36...                                       | 0;                                                                                 |
| 37 tot 120...                                     | 0 plus 26 vir elke voltooide maand pensioen-<br>gewende diens bo 36 maande;        |
| 121 tot 240...                                    | 2 184 plus 17 vir elke voltooide maand van sodanige<br>diens bo 120 maande;        |
| 241 tot 360...                                    | 4 224 plus 11 vir elke voltooide maand van sodanige<br>diens bo 240 maande;        |
| 361 tot 480...                                    | 5 544 plus 7 vir elke voltooide maand van sodanige<br>diens bo 360 maande;         |
| 481 en meer...                                    | 6 384 plus 5 vir elke voltooide maand van sodanige<br>diens bo 480 maande." (xiii) |

2. Regulasie 4 word hierby met ingang van die eerste dag van Mei 1970 gewysig—

(a) deur subregulasie (2) deur die volgende subregulasie te vervang:

“(2) Enige agterstallige bydraes of enige ander bedrag wat deur 'n lid aan die Fonds verskuldig is, moet, tensy anders in hierdie regulasies bepaal, in die paaiementen en op die tyd wat die Sekretaris van tyd tot tyd bepaal van die lid se pensioengewende verdienste afgetrek word.”;

(b) deur in subregulasie (3) (a) die woorde “paragraaf (b) en (c)” te vervang deur die woorde “paragraaf (c)”; en

(c) deur paragraaf (b) van subregulasie (3) te skrap.

3. Regulasie 5 word hierby met ingang van die eerste dag van Mei 1970 gewysig deur in die eerste voorbehoudsbepaling by subregulasie (1) die woorde “paragraaf (a) van” te skrap.

4. Regulasie 6 word hierby met ingang van die eerste dag van Mei 1970 gewysig—

(a) deur in subregulasie (1) al die woorde wat op paragraaf (b) (iv) volg deur die volgende woorde te vervang:

“moet, behoudens die bepalings van subregulasie (2), tot die Fonds bydra ten opsigte van dié tydperk van sy vorige ononderbroke diens (ten opsigte waarvan hy nie tot enige pensioen- of voorsorg- of ondersteuningsfonds bygedra het nie) wat die Sekretaris goedkeur, en die totaalbedrag van die bydraes wat deur sodanige persoon betaalbaar is ten opsigte van die aldus goedgekeurde tydperk word ooreenkomstig die spesiale formule bepaal asof hy gedurende daardie tydperk 'n lid van die Fonds was en daartoe bygedra het teen die bydraekoers wat van krag is op die datum waarop hy aldus 'n bydraer word.”; en

(b) deur na subregulasie (1) die volgende subregulasie in te voeg:

“(1A) Indien enige persoon met ingang van 'n datum na die 31ste dag van Maart 1968 maar voor die eerste dag van Mei 1970 vir diens in die staande mag ingeskryf is en ingevolge subregulasie (1) soos genoemde subregulasie op die 30ste dag van April 1970 bestaan het, onder die verpligting gekom het om ten opsigte van enige tydperk van sy vorige ononderbroke diens tot die Fonds by te dra, en indien daar voor die eerste dag van Mei 1970 geen inskrywing in die boeke of rekeninge van die Fonds gedoen is nie ten opsigte van die bydraes deur sodanige persoon ten opsigte van genoemde tydperk betaalbaar, die totaalbedrag van die

N shall be the period of the member's pensionable service; and

D shall be determined in accordance with the following table:

| Completed<br>months of<br>pensionable<br>service | D                                                                                       |
|--------------------------------------------------|-----------------------------------------------------------------------------------------|
| 0 to 36....                                      | 0;                                                                                      |
| 37 to 120....                                    | 0 plus 26 for each completed month of pension-<br>able service in excess of 36 months;  |
| 121 to 240....                                   | 2 184 plus 17 for each completed month of such<br>service in excess of 120 months;      |
| 241 to 360....                                   | 4 224 plus 11 for each completed month of such<br>service in excess of 240 months;      |
| 361 to 480....                                   | 5 544 plus 7 for each completed month of such<br>service in excess of 360 months;       |
| 481 and over                                     | 6 384 plus 5 for each completed month of such<br>service in excess of 480 months." (xv) |

2. Regulation 4 is hereby amended with effect from the first day of May 1970—

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

“(2) Any arrear contributions or any other amount due by a member to the Fund shall, unless otherwise in these regulations provided, be deducted from his pensionable emoluments in such instalments and at such times as the Secretary may from time to time determine.”;

(b) by the substitution in subregulation (3) (a) for the words “paragraphs (b) and (c)” of the words “paragraph (c)”; and

(c) by the deletion of paragraph (b) of subregulation (3).

3. Regulation 5 is hereby amended with effect from the first day of May 1970 by the deletion in the first proviso to subregulation (1) of the words “paragraph (a) of”.

4. Regulation 6 is hereby amended with effect from the first day of May 1970—

(a) by the substitution in subregulation (1) for all the words following paragraph (b) (iv) of the following words:

“shall, subject to the provisions of subregulation (2), contribute to the Fund in respect of such period of his past continuous employment (in respect of which he has not contributed to any pension or provident fund) as the Secretary may approve, and the aggregate amount of the contributions payable by such person in respect of the period so approved, shall be determined in accordance with the special formula as if during that period he had been a member of the Fund and had contributed thereto at the rate of contributions in force on the date on which he so becomes a contributor.”; and

(b) by the insertion after subregulation (1) of the following subregulation:

“(1A) If any person has been enrolled for service in the Permanent Force with effect from any date subsequent to the 31st day of March 1968 but prior to the first day of May 1970 and has become liable in terms of subregulation (1), as that subregulation existed on the 30th day of April 1970 to contribute to the Fund in respect of any period of his past continuous employment, and if, prior to the first day of May 1970 no entry was made in the books or accounts of the Fund in respect of the contributions payable by such person in respect of the said period, the aggregate

aldus betaalbare bydraes ooreenkomstig die spesiale formule bepaal word asof sodanige persoon gedurende genoemde tydperk 'n lid van die Fonds was en daartoe bygedra het teen die bydraekoers wat van krag was op die datum waarop hy aldus onder die verpligting gekom het."

5. Regulasie 16 word hierby met ingang van die eerste dag van Mei 1970 deur die volgende regulasie vervang:

*"Betalings uit Inkomste aan die Fonds"*

16. (1) Daar word aan die einde van elke maand uit inkomste 'n bedrag aan die Fonds betaal wat gelyk is aan 1,88 maal die totaalbedrag van die lopende bydraes wat bydraes gedurende daardie maand aan die Fonds betaal het.

(2) Behoudens die bepalings van regulasie 16A word daar op die 31ste dag van Maart van iedere jaar uit inkomste aan die Fonds betaal—

(a) 'n bedrag gelyk aan 1,88 maal die totaalbedrag van die agterstallige bydraes wat die Sekretaris sertifiseer, deur bydraes wat met ingang van 'n datum na die 31ste dag van Maart 1968 vir diens in die staande mag ingeskryf is, verskuldig is;

(b) vir 'n jaar of 'n gedeelte van 'n jaar van die tydperk van iedere sodanige bydraer se vorige ononderbroke diens, 'n bedrag gelyk aan 2½ persent van 2,88 maal die totaalbedrag van die betrokke bydraer se agterstallige bydraes;

(c) rente teen 4½ persent per jaar, jaarliks op die 31ste dag van Maart saamgestel, op die totaal van die bedrag wat ingevolge paragrawe (a) en (b) bepaal is, en bereken, ten opsigte van elke betrokke bydraer, vanaf die dag na die laaste dag van die tydperk van sy vorige ononderbroke diens tot en met die datum waarop sodanige rente ingevolge hierdie subregulasie betaal word;

(d) rente teen 4½ persent per jaar op enige bedrae wat deur bydraers aan die Fonds verskuldig is en ten opsigte waarvan sodanige bydraers nie verplig is om rente te betaal nie en wat nog onbetaal is aan die einde van elke maand gedurende die tydperk ten opsigte waarvan die rente wat op 'n maandelikse grondslag bereken moet word, betaal word.

(3) Daar word op die 31ste dag van Maart elke jaar uit die Gekonsolideerde Inkomstefonds aan die Fonds rente betaal teen 4½ persent per jaar op die gemiddelde van die onbelegde bedrae in die Fonds aan die einde van elke maand gedurende die tydperk ten opsigte waarvan die rente ingevolge hierdie subregulasie betaal word.

(4) Vir die toepassing van hierdie regulasie, beteken 'vorige ononderbroke diens' 'n tydperk van vorige ononderbroke diens ten opsigte waarvan 'n bydraer ingevolge regulasie 6 (1) verplig is om by te dra, en ook 'n tydperk van vorige ononderbroke diens in regulasie 6 (1A) bedoel."

6. Die volgende regulasie word hierby met ingang van die eerste dag van Mei 1970 na regulasie 16 ingevoeg:

*"Uitsonderingsbepalings Betreffende Sekere Agterstallige Bydraes"*

16A. Ondanks andersluidende bepalings van hierdie regulasies—

(a) bly die bepalings van regulasie 16 (1) (b), (c) (i) en (d), soos genoemde bepalings op die dag onmiddellik voor die eerste dag van April 1968 bestaan het, van toepassing ten opsigte van enige agterstallige bydraes waarvoor bydraers wat met ingang van 'n datum voor die eerste dag van April 1968 vir diens in die staande mag ingeskryf is, aanspreeklik geword het: Met dien verstande dat die rente betaalbaar ingevolge paragraaf (c) van genoemde regulasie 16 (1) teen 4½ persent per jaar bereken moet word;

amount of the contributions so payable shall be determined in accordance with the special formula as if during that period such person had been a member of the Fund and had contributed thereto at the rate of contributions in force on the date on which he so became liable."

5. The following regulation is hereby substituted for regulation 16 with effect from the first day of May 1970:

*"Payments from Revenue to the Fund"*

16. (1) There shall be paid out of revenue to the Fund at the end of each month an amount equal to 1,88 times the aggregate amount of the current contributions which have been paid to the Fund by contributors during that month.

(2) Subject to the provisions of regulation 16A, there shall be paid out of revenue to the Fund on the 31st day of March of each year—

(a) an amount equal to 1,88 times the aggregate amount of the arrear contributions certified by the Secretary as being due by contributors who were enrolled for service in the Permanent Force with effect from any date after the 31st day of March 1968;

(b) for any year or any portion of a year of the period of the past continuous employment of every such contributor an amount equal to 2½ per cent of 2,88 times the aggregate of the arrear contributions of the contributor concerned;

(c) interest at the rate of 4½ per cent per annum, compounded annually on the 31st day of March, on the sum of the amounts determined in terms of paragraphs (a) and (b) and calculated, in respect of each contributor concerned, from the day following the last day of the period of his past continuous employment up to and including the date on which such interest is paid in terms of this subregulation;

(d) interest at the rate of 4½ per cent per annum on any amounts due to the Fund by contributors in respect of which such contributors are not required to pay interest and which remain unpaid at the end of each month during the period in respect of which the interest, which shall be calculated on a monthly basis, is paid.

(3) There shall be paid out of the Consolidated Revenue Fund to the Fund on the 31st day of March in each year, interest at the rate of 4½ per cent per annum on the average of the uninvested amounts in the Fund at the end of each month during the period in respect of which the interest is paid in terms of this subregulation.

(4) For the purposes of this regulation, 'past continuous employment' means any period of past continuous employment in respect of which a contributor is required to contribute in terms of regulation 6 (1) and includes any period of past continuous employment referred to in regulation 6 (1A)."

6. The following regulation is hereby inserted after regulation 16, with effect from the first day of May 1970:

*"Saving Provisions Concerning Certain Arrear Contributions"*

16A. Notwithstanding anything to the contrary contained in these regulations—

(a) the provisions of regulation 16 (1) (b), (c) (i) and (d), as the said provisions existed on the day immediately preceding the first day of April 1968 shall continue to apply in respect of any arrear contributions for which contributors who have been enrolled for service in the Permanent Force with effect from a date prior to the first day of April 1968, have become liable: Provided that the interest payable in terms of paragraph (c) of the said regulation 16 (1) shall be calculated at the rate of 4½ per cent per annum;



(b) bly die bepalings van regulasie 16 (1) (b) (ii) en (iv), (c) (i) en (d) (ii), soos genoemde bepalings op die dag onmiddellik voor die eerste dag van Mei 1970 bestaan het, van toepassing ten opsigte van enige agterstallige bydraes waarvoor bydraers wat met ingang van 'n datum na die 31ste dag van Maart 1968 vir diens in die staande mag ingeskryf is, aanspreeklik geword het en ten opsigte waarvan 'n inskrywing voor die eerste dag van Mei 1970 in die boeke of rekeninge van die Fonds gedoen is."

No. R. 426

24 Maart 1971

# REGERINGSDIENSPENSIOENWET, 1965

## DIE SUID-AFRIKAANSE POLISIE- EN GEVANGENISDIENSPENSIOENFONDS

Kragtens die bevoegdheid my verleen by artikel 5 van die Regeringsdienspensioenwet, 1965 (Wet 62 van 1965), wysig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby die regulasies afgekondig by Goewermentskennisgewing R. 2031 van 22 Desember 1965, soos gewysig, soos in die Bylae uiteengesit.

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

### BYLAE

1. Regulasie 1 word hierby met ingang van die eerste dag van Desember 1971 gewysig deur die omskrywing van "spesiale formule" deur die volgende omskrywing te vervang:

"(xv) 'spesiale formule', met betrekking tot 'n lid of 'n aangeleentheid wat ooreenkomstig die spesiale formule bepaal moet word, behoudens die bepalings van subregulasie (2), die formule—

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

waarin—

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

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

N die tydperk van die lid se pensioengewende diens is; en

D bepaal word ooreenkomstig onderstaande tabel:

| Voltooide maande pensioengewende diens | D                                                                               |
|----------------------------------------|---------------------------------------------------------------------------------|
| 0 tot 36...                            | 0;                                                                              |
| 37 tot 120...                          | 0 plus 26 vir elke voltooide maand pensioengewende diens bo 36 maande;          |
| 121 tot 240...                         | 2 184 plus 17 vir elke voltooide maand van sodanige diens bo 120 maande;        |
| 241 tot 360...                         | 4 224 plus 11 vir elke voltooide maand van sodanige diens bo 240 maande;        |
| 361 tot 480...                         | 5 544 plus 7 vir elke voltooide maand van sodanige diens bo 360 maande;         |
| 481 en meer...                         | 6 384 plus 5 vir elke voltooide maand van sodanige diens bo 480 maande." (xiii) |

2. Regulasie 4 word hierby met ingang van die eerste dag van Mei 1970 gewysig—

(a) deur subregulasie (2) deur die volgende subregulasie te vervang:

"(2) Enige agterstallige bydrae of enige ander bedrag wat deur 'n lid aan die Fonds verskuldig is, moet, tensy anders in hierdie regulasies bepaal, in die paaiementen en op die tye wat die Sekretaris van tyd tot tyd bepaal van die lid se pensioengewende verdienste afgetrek word."

(b) the provisions of regulation 16 (1) (b) (ii) and (iv), (c) (i) and (d) (ii), as the said provisions existed on the day immediately preceding the first day of May 1970 shall continue to apply in respect of any arrear contributions for which contributors who have been enrolled for service in the Permanent Force with effect from a date after the 31st day of March 1968, have become liable and in respect of which any entry was made in the books or accounts of the Fund prior to the first day of May 1970."

No. R. 426

24 March 1972

# GOVERNMENT SERVICE PENSIONS ACT, 1965 THE SOUTH AFRICAN POLICE AND PRISONS SERVICE PENSION FUND

By virtue of the powers vested in me by section 5 of the Government Service Pensions Act, 1965 (Act 62 of 1965), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, do hereby amend the regulations promulgated by Government Notice R. 2031 of 22 December 1965, as amended, as set out in the Schedule.

C. P. MULDER, Minister of Social Welfare and Pensions.

### SCHEDULE

1. Regulation 1 is hereby amended with effect from the first day of December 1971, by the substitution for the definition of "special formula" of the following definition:

"(xiii) 'special formula', in relation to a member or any matter to be determined according to the special formula, means, subject to the provisions of subregulation (2), the formula—

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

in which—

R shall be the rate at which the member contributes to the Fund;

Z shall be the member's average annual pensionable emoluments during the last three years of his pensionable service or during the whole period of such service, whichever is the shorter period;

N shall be the period of the member's pensionable service; and

D shall be determined in accordance with the following table:

| Completed months of pensionable service | D                                                                                    |
|-----------------------------------------|--------------------------------------------------------------------------------------|
| 0 to 36...                              | 0;                                                                                   |
| 37 to 120...                            | 0 plus 26 for each completed month of pensionable service in excess of 36 months;    |
| 121 to 240...                           | 2 184 plus 17 for each completed month of such service in excess of 120 months;      |
| 241 to 360...                           | 4 224 plus 11 for each completed month of such service in excess of 240 months;      |
| 361 to 480...                           | 5 544 plus 7 for each completed month of such service in excess of 360 months;       |
| 481 and over                            | 6 384 plus 5 for each completed month of such service in excess of 480 months." (xv) |

2. Regulation 4 is hereby amended with effect from the first day of May 1970—

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

"(2) Any arrear contributions or any other amount due by a member to the Fund shall, unless otherwise in these regulations provided, be deducted from his pensionable emoluments in such instalments and at such times as the Secretary may from time to time determine."

(b) deur in subregulasie (3) (a) die woorde "paragrafe (b) en (c)" deur die woorde "paragraaf (c)" te vervang; en

(c) deur paragraaf (b) van subregulasie (3) te skrap.

3. Regulasie 5 word hierby met ingang van die eerste dag van Mei 1970 gewysig deur in die eerste voorbehoudsbepaling by subregulasie (1) die woorde "paragraaf (a) van" te skrap.

4. Regulasie 6 word hierby met ingang van die eerste dag van Mei 1970 gewysig—

(a) deur in subregulasie (1) al die woorde wat op paragraaf (b) (iv) volg deur die volgende woorde te vervang:

"moet, behoudens die bepalings van subregulasie (2), tot die Fonds bydra ten opsigte van dié tydperk van sy vorige ononderbroke diens (ten opsigte waarvan hy nie tot enige pensioen- of voorsorg- of ondersteuningsfonds bygedra het nie) wat die Sekretaris goedkeur, en die totaalbedrag van die bydraes wat deur sodanige persoon betaalbaar is ten opsigte van die aldus goedgekeurde tydperk word ooreenkomstig die spesiale formule bepaal asof hy gedurende daardie tydperk 'n lid van die Fonds was en daartoe bygedra het teen die bydraekers wat van krag is op die datum waarop hy aldus 'n bydraer word."; en

(b) deur na subregulasie (1) die volgende subregulasie in te voeg:

"(1A) Indien enige persoon met ingang van 'n datum na die 31ste dag van Maart 1968 maar voor die eerste dag van Mei 1970 as 'n lid van die polisiemag of gevangensidiens aangestel is en ingevolge subregulasie (1), soos genoemde subregulasie op die 30ste dag van April 1970 bestaan het, onder die verpligting gekom het om ten opsigte van 'n tydperk van sy vorige ononderbroke diens tot die Fonds by te dra, en indien daarvoor die eerste dag van Mei 1970 geen inskrywing in die boeke of rekeninge van die Fonds gedoen is nie ten opsigte van die bydraes deur sodanige persoon ten opsigte van genoemde tydperk betaalbaar, die totaalbedrag van die aldus betaalbare bydraes ooreenkomstig die spesiale formule bepaal word asof sodanige persoon gedurende genoemde tydperk 'n lid van die Fonds was en daartoe bygedra het teen die bydraekers wat van krag was op die datum waarop hy aldus onder die verpligting gekom het."

5. Regulasie 17 word hierby met ingang van die eerste dag van Mei 1970 deur die volgende regulasie vervang:

#### *"Betalings uit Inkomste aan die Fonds"*

17. (1) Daar word aan die einde van elke maand uit inkomste 'n bedrag aan die Fonds betaal wat gelyk is aan 2,01 maal die totaalbedrag van die lopende bydraes wat bydraers gedurende daardie maand aan die Fonds betaal het.

(2) Behoudens die bepalings van regulasie 17A, word daar op die 31ste dag van Maart van iedere jaar uit inkomste aan die Fonds betaal—

(a) 'n bedrag gelyk aan 2,01 maal die totaalbedrag van die agterstallige bydraes wat die Sekretaris sertifiseer, deur bydraers wat met ingang van 'n datum na die 31ste dag van Maart 1968 as lede van die polisiemag of gevangensidiens aangestel is, verskuldig is;

(b) vir 'n jaar of 'n gedeelte van 'n jaar van die tydperk van iedere sodanige bydraer se vorige ononderbroke diens, 'n bedrag gelyk aan 2½ persent van 3,01 maal die totaalbedrag van die betrokke bydraer se agterstallige bydraes;

(c) rente teen 4½ persent per jaar, jaarliks op die 31ste dag van Maart saamgestel, op die totaal van die bedrae wat ingevolge paragrafe (a) en (b) bepaal is,

(b) by the substitution in subregulation (3) (a) for the words "paragraphs (b) and (c)" of the words "paragraph (c)"; and

(c) by the deletion of paragraph (b) of subregulation (3).

3. Regulation 5 is hereby amended with effect from the first day of May 1970, by the deletion in the first proviso to subregulation (1) of the words "paragraph (a) of".

4. Regulation 6 is hereby amended with effect from the first day of May 1970—

(a) by the substitution in subregulation (1) for all the words following paragraph (b) (iv) of the following words:

"shall, subject to the provisions of subregulation (2), contribute to the Fund in respect of such period of his past continuous employment (in respect of which he has not contributed to any pension or provident fund) as the Secretary may approve, and the aggregate amount of the contributions payable by such person in respect of the period so approved, shall be determined in accordance with the special formula as if during that period he had been a member of the Fund and had contributed thereto at the rate of contributions in force on the date on which he so becomes a contributor."; and

(b) by the insertion after subregulation (1) of the following subregulation:

"(1A) If any person has been appointed as a member of the police force or prisons service with effect from any date subsequent to the 31st day of March 1968, but prior to the first day of May 1970, and has become liable in terms of subregulation (1), as the said subregulation existed on the 30th day of April 1970, to contribute to the Fund in respect of any period of his past continuous employment, and if, prior to the first day of May 1970, no entry was made in the books or accounts of the Fund in respect of the contributions payable by such person in respect of the said period, the aggregate amount of the contributions so payable shall be determined in accordance with the special formula as if during that period such person had been a member of the Fund and had contributed thereto at the rate of contributions in force on the date on which he so became liable."

5. The following regulation is hereby substituted for regulation 17 with effect from the first day of May 1970:

#### *"Payments from Revenue to the Fund"*

17. (1) There shall be paid out of revenue to the Fund at the end of each month an amount equal to 2,01 times the aggregate amount of the current contributions which have been paid to the Fund by contributors during that month.

(2) Subject to the provisions of regulation 17A, there shall be paid out of revenue to the Fund on the 31st day of March of each year—

(a) an amount equal to 2,01 times the aggregate amount of the arrear contributions certified by the Secretary as being due by contributors who were appointed as members of the police force or prisons service with effect from any date after the 31st day of March 1968;

(b) for any year or any portion of a year of the period of the past continuous employment of every such contributor an amount equal to 2½ per cent of 3,01 times the aggregate of the arrear contributions of the contributor concerned;

(c) interest at the rate of 4½ per cent per annum, compounded annually on the 31st day of March on the sum of the amounts determined in terms of paragraphs (a)



en bereken ten opsigte van elke betrokke bydraer, vanaf die dag na die laaste dag van sy vorige ononderbroke diens tot en met die datum waarop sodanige rente ingevolge hierdie subregulasie betaal word;

(d) rente teen  $4\frac{1}{2}$  persent per jaar op enige bedrae wat deur bydraers aan die Fonds verskuldig is en ten opsigte waarvan sodanige bydraers nie verplig is om rente te betaal nie en wat nog onbetaal is aan die einde van elke maand gedurende die tydperk ten opsigte waarvan die rente wat op 'n maandelikse grondslag bereken moet word, betaal word.

(3) Daar word op die 31ste dag van Maart elke jaar uit die Gekonsolideerde Inkomstefonds aan die Fonds rente betaal teen  $4\frac{1}{2}$  persent per jaar op die gemiddelde van die onbelegde bedrae in die Fonds aan die einde van elke maand gedurende die tydperk ten opsigte waarvan die rente ingevolge hierdie subregulasie betaal word.

(4) Vir die toepassing van hierdie regulasie beteken 'vorige ononderbroke diens' 'n tydperk van vorige ononderbroke diens ten opsigte waarvan bydraers ingevolge regulasie 6 (1) verplig is om by te dra en ook 'n tydperk van vorige ononderbroke diens in regulasie 6 (1A) bedoel."

6. Die volgende regulasie word hierby met ingang van die eerste dag van Mei 1970 na regulasie 17 ingevoeg:

*"Uitsonderingsbepalings Betreffende Sekere Agterstallige Bydraes*

17A. Ondanks andersluidende bepalinge van hierdie regulasies—

(a) bly die bepalinge van regulasie 17 (1) (b), (c) (i) en (d), soos genoemde bepalinge op die dag onmiddellik voor die eerste dag van April 1968 bestaan het, van toepassing ten opsigte van enige agterstallige bydraes waarvoor bydraers wat met ingang van 'n datum voor die eerste dag van April 1968 as lede van die polisiemag of gevangensidiens aangestel is, aanspreeklik geword het: Met dien verstande dat die rente betaalbaar ingevolge paragraaf (c) van genoemde regulasie 17 (1) teen  $4\frac{1}{2}$  persent per jaar bereken moet word;

(b) bly die bepalinge van regulasie 17 (1) (b) (ii) en (iv), (c) (i) en (d) (ii), soos genoemde bepalinge op die dag onmiddellik voor die eerste dag van Mei 1970 bestaan het, van toepassing ten opsigte van enige agterstallige bydraes waarvoor bydraers wat met ingang van 'n datum na die 31ste dag van Maart 1968 as lede van die polisiemag of gevangensidiens aangestel is, aanspreeklik geword het en ten opsigte waarvan 'n inskrywing voor die eerste dag van Mei 1970 in die boeke of rekeninge van die Fonds gedoen is."

and (b) and calculated, in respect of each contributor concerned, from the day following the last day of the period of his past continuous employment up to and including the date on which such interest is paid in terms of this subregulation;

(d) interest at the rate of  $4\frac{1}{2}$  per cent per annum on any amounts due to the Fund by contributors in respect of which such contributors are not required to pay interest and which remain unpaid at the end of each month during the period in respect of which the interest, which shall be calculated on a monthly basis, is paid.

(3) There shall be paid out of the Consolidated Revenue Fund to the Fund on the 31st day of March in each year, interest at the rate of  $4\frac{1}{2}$  per cent per annum on the average of the uninvested amounts in the Fund at the end of each month during the period in respect of which the interest is paid in terms of this subregulation.

(4) For the purposes of this regulation, 'past continuous employment' means any period of past continuous employment in respect of which a contributor is required to contribute in terms of regulation 6 (1) and includes any period of past continuous employment referred to in regulation 6 (1A)."

6. The following regulation is hereby inserted after regulation 17 with effect from the first day of May 1970:

*"Saving Provisions Concerning Certain Arrear Contributions*

17A. Notwithstanding anything to the contrary contained in these regulations—

(a) the provisions of regulation 17 (1) (b), (c) (i) and (d), as the said provisions existed on the day immediately preceding the first day of April 1968, shall continue to apply in respect of any arrear contributions for which contributors who have been appointed as members of the police force or prisons service with effect from a date prior to the first day of April 1968 have become liable: Provided that the interest payable in terms of paragraph (c) of the said regulation 17 (1) shall be calculated at the rate of  $4\frac{1}{2}$  per cent per annum;

(b) the provisions of regulation 17 (1) (b) (ii) and (iv), (c) (i) and (d) (ii), as the said provisions existed on the day immediately preceding the first day of May 1970, shall continue to apply in respect of any arrear contributions for which contributors who have been appointed as members of the police force or prisons service with effect from a date after the 31st day of March 1968, have become liable and in respect of which any entry was made in the books or accounts of the Fund prior to the first day of May 1970."

No. R. 427

24 Maart 1972

REGERINGSDIENSPENSIOENWET, 1965

REGERINGS-WERKNEMERSONDERSTEUNINGS-FONDS

Kragtens die bevoegdheid my verleen by artikel 5 van die Regeringsdienspensioenwet, 1965 (Wet 62 van 1965), wysig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby die regulasies vir die Regeringswerknemersondertsteuningsfonds, afgekondig by Goewermentskennisgewing R. 652 van 25 April 1969, soos

No. R. 427

24 March 1972

GOVERNMENT SERVICE PENSIONS ACT, 1965

GOVERNMENT EMPLOYEES PROVIDENT FUND

By virtue of the powers vested in me by section 5 of the Government Service Pensions Act, 1965 (Act 62 of 1965), I Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, do hereby amend the Government Employees' Provident Fund Regulations promulgated by Government Notice R. 652 of 25 April 1969, as amended,

gewysig, met ingang van die eerste dag van Desember 1971 deur die omskrywing van "die formule" in regulasie 1 deur die volgende omskrywing te vervang:

"(v) 'die formule' met betrekking tot 'n lid of 'n rustende lid of 'n aangeleentheid wat volgens die formule bepaal moet word, die formule—

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

waar—

R die koers is waarteen die betrokke lid gedurende die betrokke tydperk ooreenkomstig regulasie 3 tot die Fonds bygedra het;

Z die gemiddelde jaarlikse pensioengewende verdienste van die betrokke lid gedurende die laaste drie jaar van sy bydraeplichtige diens of gedurende die hele tydperk van sodanige diens is, naamlik die kortste tydperk;

N die tydperk van sy bydraeplichtige diens is; en  
D ooreenkomstig onderstaande tabel bepaal word:

| Voltooide<br>maande<br>bydraeplichtige<br>diens | D                                                                        |
|-------------------------------------------------|--------------------------------------------------------------------------|
| 0 tot 36....                                    | 0;                                                                       |
| 37 tot 120....                                  | 0 plus 26 vir elke voltooide maand bydraeplichtige diens bo 36 maande;   |
| 121 tot 240....                                 | 2 184 plus 17 vir elke voltooide maand van sodanige diens bo 120 maande; |
| 241 tot 360....                                 | 4 224 plus 11 vir elke voltooide maand van sodanige diens bo 240 maande; |
| 361 tot 480....                                 | 5 544 plus 7 vir elke voltooide maand van sodanige diens bo 360 maande;  |
| 481 en meer..                                   | 6 384 plus 5 vir elke voltooide maand van sodanige diens bo 480 maande." |

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

No. R. 428 24 Maart 1972

### WET OP DIE PENSIOENFONDS VIR GEASSOSIEERDE INRIGTINGS, 1963 PENSIOENFONDS VIR GEASSOSIEERDE INRIGTINGS

Kragtens die bevoegdheid my verleen by artikel 2 van die Wet op die Pensioenfonds vir Geassosieerde Inrigtings, 1963 (Wet 41 van 1963), wysig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby die regulasies afgekondig by Goewermentskennisgewing R. 1064 van 3 Julie 1970 met ingang van die eerste dag van Desember 1971 deur die omskrywing van "die formule" in regulasie 1 deur die volgende omskrywing te vervang:

"'die formule', met betrekking tot 'n lid of 'n aangeleentheid wat volgens die formule bepaal moet word, die formule—

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

waarin—

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

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

N die lid se pensioengewende dienstydsperk is; en

with effect from the first day of December 1971 by the substitution for the definition of "the formula" in regulation 1 of the following definition:

"(xiii) 'the formula', in relation to a member or a dormant member or any matter to be determined in accordance with the formula, means the formula—

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

where—

R shall be the rate at which the member concerned contributed to the Fund in terms of regulation 3' during the period concerned;

Z shall be the average annual pensionable emoluments of the member concerned during the last three years of his contributory service or during the whole period of such service, whichever is the lesser period;

N shall be the period of his contributory service; and

D shall be determined in accordance with the following table:

| Completed<br>months of<br>contributory<br>service | D                                                                                  |
|---------------------------------------------------|------------------------------------------------------------------------------------|
| 0 to 36....                                       | 0;                                                                                 |
| 37 to 120....                                     | 0 plus 26 for each completed month of contributory service in excess of 36 months; |
| 121 to 240....                                    | 2 184 plus 17 for each completed month of such service in excess of 120 months;    |
| 241 to 360....                                    | 4 224 plus 11 for each completed month of such service in excess of 240 months;    |
| 361 to 480....                                    | 5 544 plus 7 for each completed month of such service in excess of 360 months;     |
| 481 and over                                      | 6 384 plus 5 for each completed month of such service in excess of 480 months."    |

C. P. MULDER, Minister of Social Welfare and Pensions.

No. R. 428 24 March 1972

### ASSOCIATED INSTITUTIONS PENSION FUND ACT, 1963

#### ASSOCIATED INSTITUTIONS PENSION FUND

By virtue of the powers vested in me by section 2 of the Associated Institutions Pension Fund Act, 1963 (Act 41 of 1963), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, do hereby amend the regulations promulgated by Government Notice R. 1064 of 3 July 1970 with effect from the first day of December 1971 by the substitution for the definition of "the formula" in regulation 1 of the following definition:

"'the formula', in relation to a member or any matter to be determined in accordance with the formula, means the formula—

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

in which—

R shall be the rate at which the member contributes to the fund;

Z shall be the member's average annual pensionable emoluments during the last three years of his pensionable service or during the whole period of such service, whichever is the shorter period;

N shall be the period of the member's pensionable service; and



D bepaal word ooreenkomstig onderstaande tabel:

| Voltooide<br>maande<br>pensioen-<br>gewende diens | D                                                                           |
|---------------------------------------------------|-----------------------------------------------------------------------------|
| 0 tot 36....                                      | 0;                                                                          |
| 37 tot 120...                                     | 0 plus 26 vir elke voltooide maand pensioen-<br>gewende diens bo 36 maande; |
| 121 tot 240...                                    | 2 184 plus 17 vir elke voltooide maand van sodanige<br>diens bo 120 maande; |
| 241 tot 360...                                    | 4 224 plus 11 vir elke voltooide maand van sodanige<br>diens bo 240 maande; |
| 361 tot 480...                                    | 5 544 plus 7 vir elke voltooide maand van sodanige<br>diens bo 360 maande;  |
| 481 en meer..                                     | 6 384 plus 5 vir elke voltooide maand van sodanige<br>diens bo 480 maande." |

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

No. R. 429 24 Maart 1972

### PROVINSIALE EN DIE GEBIEDSDIENS- PENSIOENWET, 1969

Kragtens die bevoegdheid my verleen by artikel 7 van die Provinsiale en die Gebiedsdienstpensioenwet, 1969 (Wet 14 van 1969), wysig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby die regulasies afgekondig by Goewermmentskennisgewing R. 1125 van 4 Julie 1969, soos gewysig, soos in die Bylae uiteengesit.

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

#### BYLAE

1. Regulasie 1 word hierby gewysig deur die omskrywing van "die formule" deur die volgende omskrywing met ingang van die eerste dag van Desember 1971 te vervang:

"(vi) 'die formule', met betrekking tot 'n lid of 'n aanleentheid wat volgens die formule bepaal moet word, behoudens subregulasies (2), (3) en (4), die formule—

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

waar—

R die koers is waarteen die betrokke lid ooreenkomstig regulasie 5 tot die Fonds bydra;

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

N die tydperk van sy pensioengewende diens is; en  
D ooreenkomstig onderstaande tabel bepaal word:

| Voltooide<br>maande<br>pensioen-<br>gewende diens | D                                                                                   |
|---------------------------------------------------|-------------------------------------------------------------------------------------|
| 0 tot 36....                                      | 0;                                                                                  |
| 37 tot 120...                                     | 0 plus 26 vir elke voltooide maand pensioen-<br>gewende diens bo 36 maande;         |
| 121 tot 240...                                    | 2 184 plus 17 vir elke voltooide maand van sodanige<br>diens bo 120 maande;         |
| 241 tot 360...                                    | 4 224 plus 11 vir elke voltooide maand van sodanige<br>diens bo 240 maande;         |
| 361 tot 480...                                    | 5 544 plus 7 vir elke voltooide maand van sodanige<br>diens bo 360 maande;          |
| 481 en meer..                                     | 6 384 plus 5 vir elke voltooide maand van sodanige<br>diens bo 480 maande;<br>(xi)" |

D shall be determined in accordance with the following table:

| Completed<br>months of<br>pensionable<br>service | D                                                                                      |
|--------------------------------------------------|----------------------------------------------------------------------------------------|
| 0 to 36....                                      | 0;                                                                                     |
| 37 to 120....                                    | 0 plus 26 for each completed month of pension-<br>able service in excess of 36 months; |
| 121 to 240....                                   | 2 184 plus 17 for each completed month of such<br>service in excess of 120 months;     |
| 241 to 360....                                   | 4 224 plus 11 for each completed month of such<br>service in excess of 240 months;     |
| 361 to 480....                                   | 5 544 plus 7 for each completed month of such<br>service in excess of 360 months;      |
| 481 and over                                     | 6 384 plus 5 for each completed month of such<br>service in excess of 480 months."     |

C. P. MULDER, Minister of Social Welfare and Pensions.

No. R. 429 24 March 1972

### PROVINCIAL AND THE TERRITORY SERVICE PENSION ACT, 1969

By virtue of the powers vested in me by section 7 of the Provincial and the Territory Service Pension Act, 1969 (Act 14 of 1969), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, do hereby amend the regulations promulgated by Government Notice R. 1125 of 4 July 1969, as amended, as set out in the Schedule.

C. P. MULDER, Minister of Social Welfare and Pensions.

#### SCHEDULE

1. Regulation 1 is hereby amended by the substitution for the definition of "the formula" of the following definition with effect from the first day of December 1971:

"(xi) 'the formula', in relation to a member or any matter to be determined in accordance with the formula, shall, subject to subregulations (2), (3) and (4), mean the formula—

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

in which—

R shall be the rate at which the member concerned contributes to the Fund in terms of regulation 5;

Z shall be the average annual pensionable emoluments of the member concerned during the last three years of his pensionable service, or during the whole period of such service, whichever is the shorter;

N shall be the period of his pensionable service; and

D shall be determined in accordance with the following table:

| Completed<br>months of<br>pensionable<br>service | D                                                                                       |
|--------------------------------------------------|-----------------------------------------------------------------------------------------|
| 0 to 36....                                      | 0;                                                                                      |
| 37 to 120....                                    | 0 plus 26 for each completed month of pension-<br>able service in excess of 36 months;  |
| 121 to 240....                                   | 2 184 plus 17 for each completed month of such<br>service in excess of 120 months;      |
| 241 to 360....                                   | 4 224 plus 11 for each completed month of such<br>service in excess of 240 months;      |
| 361 to 480....                                   | 5 544 plus 7 for each completed month of such<br>service in excess of 360 months;       |
| 481 and over                                     | 6 384 plus 5 for each completed month of such<br>service in excess of 480 months." (vi) |

2. Regulاسie 8 word hierby gewysig deur paragraaf (c) van subregulasie (4) met ingang van die eerste dag van Desember 1970 deur die volgende paragraaf te vervang:

“(c) in die geval van ’n ander tydperk as die tydperke bedoel in paragrawe (a) en (b), ten opsigte waarvan ’n aansoek ingevolge subregulasies (2) en (3) voorgelê word, aan die Fonds die som te betaal van—

(i) 3,29 maal ’n bedrag ingevolge die formule bereken; en

(ii) 2½ persent per jaar van die bedrag aldus bereken vir iedere voltooide jaar of gedeelte van ’n jaar van sodanige tydperk; en

(iii) rente teen 4½ persent per jaar, jaarliks saamgestel op die 31ste dag van Maart, op die totaalbedrag van die bedrae ingevolge subparagrawe (i) en (ii) bereken vanaf die dag na die laaste dag van die betrokke tydperk, tot en met die dag voor die datum waarop die bedrag ooreenkomstig hierdie paragraaf bereken, kragtens subregulasie (5) betaalbaar is.

(iv) Vir die toepassing van subparagraaf (i) is die faktor—

N van die formule, die betrokke tydperk;

D van die formule, die aantal maande vervat in daardie tydperk; en

Z van die formule, die bedrag van sodanige lid se pensioengewende verdienste op die datum van sy eerste permanente aanstelling in ononderbroke pensioengewende diens wat volg op die tydperk aldus vermeld.”

No. R. 430

24 Maart 1972

#### WET OP PENSIONE VIR NIE-BLANKE REGERINGSWERKNEMERS, 1966

Kragtens die bevoegdheid my verleen by artikel 2 van die Wet op Pensioene vir Nie-Blanke Regeringswerknemers, 1966 (Wet 42 van 1966), wysig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby die regulاسies afgekondig by Goewermentskennisgewing R. 828 van 10 Mei 1968, soos gewysig, met ingang van die eerste dag van Desember 1971 deur die omskrywing van “die formule” in regulاسie 1 deur die volgende omskrywing te vervang:

“(v) ‘die formule’ met betrekking tot ’n lid of ’n aanleentheid wat ooreenkomstig die formule bepaal moet word, die formule—

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

waar—

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

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

N die tydperk van die lid se pensioengewende diens is; en

2. Regulation 8 is hereby amended by the substitution for paragraph (c) of subregulation (4) of the following paragraph with effect from the first day of December 1970:

“(c) in the case of any period other than the periods referred to in paragraphs (a) and (b) in respect of which an application in terms of subregulations (2) and (3) is submitted, to pay to the Fund the sum of—

(i) 3,29 times an amount calculated in accordance with the formula; and

(ii) 2½ per cent per annum of the amount so calculated for each completed year or portion of a year of such period; and

(iii) interest at the rate of 4½ per cent per annum, compounded annually on the 31st day of March, on the aggregate of the amounts calculated in terms of subparagraphs (i) and (ii) from the day following the last day of the period concerned up to and including the day before the date on which the amount calculated in terms of this paragraph becomes payable under subregulation (5).

(iv) For the purposes of subparagraph (i), the factor—

N of the formula, shall be the period concerned;

D of the formula, shall be the number of months included in the said period; and

Z of the formula shall be the amount of the pensionable emoluments of such member on the date of his first permanent appointment to uninterrupted pensionable service following on the period so referred to.”

No. R. 430

24 March 1972

#### GOVERNMENT NON-WHITE EMPLOYEES PENSIONS ACT, 1966

By virtue of the powers vested in me by section 2 of the Government Non-White Employees Pensions Act, 1966 (Act 42 of 1966), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, do hereby amend the regulations promulgated by Government Notice No. R. 828 of 10 May 1968, as amended, with effect from the first day of December 1971 by the substitution for the definition of the formula in regulation 1 of the following definition:

“(xii) ‘the formula’, in relation to a member or any matter to be determined according to the formula, means the formula—

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

where—

R shall be the rate at which the member contributes to the Fund;

Z shall be the member's average annual pensionable emoluments during the last three years of his pensionable service or during the whole period of such service, whichever is the shorter period;

N shall be the period of the member's pensionable service; and



D bepaal word ooreenkomstig onderstaande tabel:

| Voltooide<br>maande<br>pensioen-<br>gewende diens | D                                                                           |
|---------------------------------------------------|-----------------------------------------------------------------------------|
| 0 tot 36....                                      | 0;                                                                          |
| 37 tot 120...                                     | 0 plus 26 vir elke voltooide maand pensioen-<br>gewende diens bo 36 maande; |
| 121 tot 240...                                    | 2 184 plus 17 vir elke voltooide maand van sodanige<br>diens bo 120 maande; |
| 241 tot 360...                                    | 4 224 plus 11 vir elke voltooide maand van sodanige<br>diens bo 240 maande; |
| 361 tot 480...                                    | 5 544 plus 7 vir elke voltooide maand van sodanige<br>diens bo 360 maande;  |
| 481 en meer..                                     | 6 384 plus 5 vir elke voltooide maand van sodanige<br>diens bo 480 maande." |

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

No. R. 457

24 Maart 1972

### WYSIGING VAN DIE REGULASIES UITGE- VAARDIG KRAGTENS DIE KINDERWET, 1960

Kragtens die bevoegdheid my verleen by artikel 92 van die Kinderwet, 1960 (Wet 33 van 1960), wysig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, vir sover die uitvoering van daardie Wet ingevolge Proklamasie R. 42 van 1968 aan my opgedra is, in oorleg met die Minister van Finansies, hierby met ingang van die eerste dag van April 1971 die regulasies kragtens genoemde artikel uitgevaardig en afgekondig by Goewermentskennisgewing R. 524 van 30 Maart 1961, soos gewysig—

(a) deur in paragraaf (2) van regulasie 43 die uitdrukking "5000.00" deur die uitdrukking "20 000,00" te vervang;

(b) deur regulasie 47 (1) deur die volgende te vervang:

"(1) Behoudens die bepalinge van die Wet en van hierdie regulasies word 'n hoofdelike toelae wat ingevolge paragraaf (a) of (b) van regulasie 33 (1) ten opsigte van 'n Blanke gesin betaalbaar is—

(a) bereken teen 'n koers van hoogstens—

(i) R38 per maand ten opsigte van die moeder van die gesin;

(ii) R11 per maand ten opsigte van iedereen van die eerste drie kinders van die gesin;

(iii) R9 per maand ten opsigte van die vierde en iedere daaropvolgende kind van die gesin;

(b) nie toegeken nie teen so 'n skaal dat die gesin se maandelikse middele tesame met enige sodanige hoofdelike toelae en enige maatskaplike pensioen betaal ten opsigte van die gesin 'n totale bedrag oorskry wat soos volg bereken word:

(i) R108 per maand ten opsigte van die hele gesin;

(ii) R17 per maand ten opsigte van iedereen van die eerste drie kinders van die gesin;

(iii) R15 per maand ten opsigte van die vierde en iedere daaropvolgende kind van die gesin;

(c) benewens enige toelae betaalbaar ingevolge paragraaf (a) kan 'n toelae van R5 per maand ten opsigte van iedere skoolier betaal word."

(c) deur regulasie 47 (3) (g) deur die volgende paragraaf te vervang:

"(g) Die persoonlike verdienste van 'n persoon wat die Sekretaris oortuig dat hy die leeftyd van 70 jaar bereik het in die geval van 'n man of van 65 jaar in die geval van 'n vrou;"

D shall be determined in accordance with the following table:

| Completed<br>months of<br>pensionable<br>service | D                                                                                      |
|--------------------------------------------------|----------------------------------------------------------------------------------------|
| 0 to 36....                                      | 0;                                                                                     |
| 37 to 120....                                    | 0 plus 26 for each completed month of pension-<br>able service in excess of 36 months; |
| 121 to 240....                                   | 2 184 plus 17 for each completed month of such<br>service in excess of 120 months;     |
| 241 to 360....                                   | 4 224 plus 11 for each completed month of such<br>service in excess of 240 months;     |
| 361 to 480....                                   | 5 544 plus 7 for each completed month of such<br>service in excess of 360 months;      |
| 481 and over                                     | 6 384 plus 5 for each completed month of such<br>service in excess of 480 months."     |

C. P. MULDER, Minister of Social Welfare and Pensions.

No. R. 457

24 March 1972

### AMENDMENT OF THE REGULATIONS MADE UNDER THE CHILDREN'S ACT, 1960

By virtue of the powers vested in me by section 92 of the Children's Act, 1960 (Act 33 of 1960), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, in so far as the administration of the said Act has been assigned to me by Proclamation R. 42 of 1968 in consultation with the Minister of Finance, hereby amend with effect from the first day of April 1971 the regulations made under the said section and promulgated by Government Notice R. 524, dated 30 March 1961, as amended—

(a) by the substitution in paragraph (2) of regulation 43 for the expression "5000.00" of the expression "20 000,00";

(b) by the substitution for regulation 47 (1) of the following:

"(1) Subject to the provisions of the Act and of these regulations, any capitation grant payable in respect of any White family in terms of paragraph (a) or (b) of regulation 33 (1) shall—

(a) be calculated at a rate not exceeding—

(i) R38 per month in respect of the mother of the family;

(ii) R11 per month in respect of every one of the further child of the family;

(iii) R9 per month in respect of the fourth and every further child of the family;

(b) not be awarded at such a rate that the monthly means of the family together with any such capitation grant and any social pension paid in respect of the family exceed a total amount calculated as follows:

(i) R108 per month in respect of the whole family;

(ii) R17 per month in respect of every one of the first three children of the family;

(iii) R15 per month in respect of the fourth and every further child of the family;

(c) in addition to any grant payable in terms of paragraph (a), a grant of R5 per month may be paid in respect of every scholar."

(c) by the substitution for paragraph (g) of regulation 47 (3) of the following paragraph:

"(g) the personal earnings of a person who satisfies the Secretary that he has attained the age of 70 years in the case of a male person or 65 years in the case of a female person;"

(d) deur in paragrawe (i) en (j) van regulasie 47 (3) die uitdrukings "240.00" en "480.00" deur onderskeidelik die uitdrukking "300,00" in "600,00" te vervang;

(e) deur in paragrawe (a) en (b) van regulasie 48 (1) die uitdrukings "22.00" en "26.00" deur onderskeidelik die uitdrukings "24,00" en "28,00" te vervang;

(f) deur in paragrawe (a) en (b) van regulasie 49 die uitdrukings "264.00" en "312.00" deur onderskeidelik die uitdrukings "288,00" en "336,00" te vervang;

(g) deur in paragraaf (c) (i) en (ii) van regulasie 49 die uitdrukings "0.50" en "0.65" deur die uitdrukking "0,75" te vervang;

(h) deur regulasie 51 (1) deur die volgende te vervang:

"(1) Behoudens die bepalings van die Wet en van hierdie regulasies word 'n gesinstoelae wat ingevolge regulasie 44 ten opsigte van 'n Blanke gesin betaalbaar is—

(a) bereken teen 'n koers van hoogstens—

(i) R11 per maand ten opsigte van iedereen van die eerste drie kinders van die gesin;

(ii) R9 per maand ten opsigte van die vierde en iedere daaropvolgende kind van die gesin;

(b) nie toegeken nie teen so 'n skaal dat die gesin se maandelikse middele tesame met sodanige gesinstoelae 'n bedrag oorskry wat soos volg bereken word:

(i) R94 per maand ten opsigte van die hele gesin;

(ii) R22 per maand ten opsigte van iedereen van die eerste drie kinders van die gesin;

(iii) R20 per maand ten opsigte van die vierde en iedere daaropvolgende kind van die gesin;

(c) benewens enige gesinstoelae betaalbaar ingevolge paragraaf (a) kan 'n toelae van R5 per maand ten opsigte van iedere skooler betaal word."

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

(d) by the substitution in paragraphs (i) and (j) of regulation 47 (3) for the expressions "240.00" and "480.00" of the expressions "300,00" and "600,00" respectively;

(e) by the substitution in paragraphs (a) and (b) of regulation 48 (1) for the expressions "22.00" and "26.00" of the expressions "24,00" and "28,00" respectively;

(f) by the substitution in paragraphs (a) and (b) of regulation 49 for the expressions "264.00" and "312.00" of the expressions "288,00" and "336,00" respectively;

(g) by the substitution in paragraph (c) (i) and (ii) of regulation 49 for the expressions "0.50" and "0.65" of the expression "0,75";

(h) by the substitution for regulation 51 (1) of the following:

"(1) Subject to the provisions of the Act and of these regulations, any family allowance payable in respect of any White family in terms of regulation 44 shall—

(a) be calculated at a rate not exceeding—

(i) R11 per month in respect of every one of the first three children of the family;

(ii) R9 per month in respect of the fourth and every further child of the family;

(b) not be awarded at such a rate that the monthly means of the family together with such family allowance exceed an amount calculated as follows:

(i) R94 per month in respect of the whole family;

(ii) R22 per month in respect of every one of the first three children of the family;

(iii) R20 per month in respect of the fourth and every further child of the family;

(c) in addition to any family allowance payable in terms of paragraph (a), a grant of R5 per month may be paid in respect of every scholar."

C. P. MULDER, Minister of Social Welfare and Pensions.

No. R. 458

24 Maart 1972

WYSIGING VAN DIE REGULASIES UITGEVAARDIG INGEVOLGE ARTIKEL 90 VAN DIE KINDER-ORDONNANSIE, 1961, VAN DIE GEBIED SUIDWES-AFRIKA

Kragtens die bevoegdheid my verleen by artikel 90 van die Kinderordonnansie, 1961 (Ordonnansie 31 van 1961), van die gebied Suidwes-Afrika, gelees met artikel 19 (2) (b) van die Wet op Aangeleenthede met Betrekking tot Suidwes-Afrika, 1969 (Wet 25 van 1969), wysig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby met ingang van die 1ste dag van April 1971 die regulasies uitgevaardig kragtens artikel 90 van genoemde Kinderordonnansie en afgekondig by Goewermentskennisgewing 75 van 7 Mei 1962 van die gebied Suidwes-Afrika—

(1) deur paragraaf (a) van regulasie 70 (2) deur die volgende paragraaf te vervang:

"(a) In die geval van Blankes—

|                                                                                      | Per<br>Maand |
|--------------------------------------------------------------------------------------|--------------|
|                                                                                      | R c          |
| (i) 'n maksimum toelae ten opsigte van die moeder van ... ..                         | 32,00        |
| 'n maksimum toelae ten opsigte van elk van die eerste drie kinders van ... ..        | 11,00        |
| 'n maksimum toelae ten opsigte van die vierde en elke daaropvolgende kind van ... .. | 9,00         |

B-72630

No. R. 458

24 March 1972

AMENDMENT OF THE REGULATIONS MADE UNDER SECTION 90 OF THE CHILDREN'S ORDINANCE, 1961, OF THE TERRITORY OF SOUTH-WEST AFRICA

By virtue of the powers vested in me by section 90 of the Children's Ordinance, 1961 (Ordinance 31 of 1961), of the Territory of South-West Africa, read with section 19 (2) (b) of the South-West Africa Affairs Act, 1969 (Act 25 of 1969), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, hereby amend, with effect from the 1st day of April 1971, the regulations made under section 90 of the said Children's Ordinance and promulgated under Government Notice 75 of 7 May 1962, of the Territory of South-West Africa—

(1) by the substitution for paragraph (a) of regulation 70 (2) of the following paragraph:

"(a) In the case of Whites—

|                                                                            | Per<br>Month |
|----------------------------------------------------------------------------|--------------|
|                                                                            | R c          |
| (i) a maximum grant in respect of the mother of ... ..                     | 32,00        |
| a maximum grant in respect of each of the first three children of ... ..   | 11,00        |
| a maximum grant in respect of the fourth and every further child of ... .. | 9,00         |

2-3425



(ii) die bedrag van die middele wat 'n gesin kan hê sonder dat die bedrag van die toelae geraak word, is—

|                                                |       |
|------------------------------------------------|-------|
| vir elke volwassene (man en vrou) ... ..       | 16,00 |
| vir elke kind, per ouer, 'n addisionele ... .. | 4,00  |

(iii) die gesin se middele plus enige staats-toelae mag nie die totaal van 'n bedrag bereken soos hieronder, oorskry nie—

|                                            |       |
|--------------------------------------------|-------|
| vir elke volwassene (man en vrou) ... ..   | 32,00 |
| vir elk van die eerste drie kinders ... .. | 11,00 |
| vir die vierde en elke daaropvolgende kind | 9,00  |

vry middele ooreenkomstig subparagraaf (ii) hierbo—

|                           |       |
|---------------------------|-------|
| per volwassene ... ..     | 16,00 |
| per kind, per ouer ... .. | 4,00  |

(iv) benewens enige toelae betaalbaar kragtens subparagraaf (i) kan 'n toelae van R5 per maand ten opsigte van iedere skooler betaal word.”; en

(2) deur paragrawe (g) en (h) van regulasie 70 (4) deur die volgende paragrawe te vervang:

“(g) 'n bedrag van R300 van die bedrag van die vergoeding deur 'n ongetroude applikant ontvang vir dienste gelewer;

(h) 'n bedrag van R600 van die bedrag van vergoeding deur 'n getroude applikant of sy eggenote ontvang vir dienste gelewer.”;

(3) deur in paragraaf (c) van regulasie 73 die uitdrukking “0-60” deur die uitdrukking “0-75” te vervang.

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

No. R. 459

24 Maart 1972

# WYSIGING VAN DIE REGULASIES UITGEVAARDIG INGEVOLGE ARTIKEL 8 VAN DIE DUITSE OUDSTRYDERSPENSIOENORDONNANSIE, 1965, VAN DIE GEBIED SUIDWES-AFRIKA

Kragtens die bevoegdheid my verleen by artikel 8 van die Duitse Oudstryderspensioenordonnansie, 1965 (Ordonnansie 3 van 1965), van die gebied Suidwes-Afrika, gelees met artikel 19 (2) (b) van die Wet op Aangeleenthede met Betrekking tot Suidwes-Afrika, 1969 (Wet 25 van 1969), wysig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby met ingang van die 1ste dag van April 1971 die regulasies uitgevaardig kragtens artikel 8 van genoemde Ordonnansie en afgekondig by Goewermentskenningsgewing 184 van 22 Oktober 1965 van die gebied Suidwes-Afrika deur in regulasie 7 (4) die uitdrukking “sestig” deur die uitdrukking “ses-en-negentig” te vervang.

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

No. R. 460

24 Maart 1972

## OUDERDOMSPENSIOENREGULASIES

Kragtens die bevoegdheid my verleen by artikel 20 van die Wet op Bejaarde Persone, 1967 (Wet 81 van 1967), vaardig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby onderstaande regulasies ten opsigte van Blankes, soos omskryf in artikel 1 van die Bevolkingsregistrasiewet, 1950 (Wet 30 van 1950), uit.

C. P. MULDER, Minister van Volkswelsyn en Pensioene.

(ii) the amount of means that a family may have without affecting the amount of the grant, is—

|                                                |       |
|------------------------------------------------|-------|
| for every adult (man and wife) ... ..          | 16,00 |
| for every child, per parent, an additional ... | 4,00  |

(iii) the means of a family plus any State grants shall not exceed the total amount calculated as follows:

|                                               |       |
|-----------------------------------------------|-------|
| For every adult (man and wife) ... ..         | 32,00 |
| for each of the first-three children ... ..   | 11,00 |
| for the fourth and every further child ... .. | 9,00  |

free means under subparagraph (ii) above—

|                              |       |
|------------------------------|-------|
| per adult ... ..             | 16,00 |
| per child, per parent ... .. | 4,00  |

(iv) in addition to any grant payable in terms of subparagraph (i), a grant of R5 per month may be paid in respect of every scholar.”; and

(2) by the substitution for paragraphs (g) and (h) of regulation 70 (4) of the following paragraph:

“(g) an amount of R300 of the amount of remuneration received by an unmarried applicant for services rendered;

(h) an amount of R600 of the amount of remuneration received by a married applicant or his spouse for services rendered.”;

(3) by the substitution in paragraph (c) of regulation 73 for the expression “0-60” for the expression “0-75”.

C. P. MULDER, Minister for Social Welfare and Pensions.

No. R. 459

24 March 1972

# AMENDMENT OF THE REGULATIONS PUBLISHED IN TERMS OF SECTION 8 OF THE GERMAN WAR VETERANS' PENSIONS ORDINANCE, 1965, OF THE TERRITORY OF SOUTH-WEST AFRICA

By virtue of the powers vested in me by section 8 of the German War Veterans' Pensions Ordinance, 1965 (Ordinance 3 of 1965), of the Territory of South-West Africa, read with section 19 (2) (b) of the South-West Africa Affairs Act, 1969 (Act 25 of 1969), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, hereby amend with effect from the 1st day of April 1971, the regulations made under section 8 of the said Ordinance and promulgated by Government Notice 184 of 22 October 1965, of the Territory of South-West Africa by the substitution in regulation 7 (4) for the expression “sixty” of the expression “ninety-six”.

C. P. MULDER, Minister for Social Welfare and Pensions.

No. R. 460

24 March 1972

## OLD AGE PENSIONS REGULATIONS

By virtue of the powers vested in me by section 20 of the Aged Persons Act, 1967 (Act 81 of 1967), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, hereby make the following regulations in respect of White persons as defined in section 1 of the Population Registration Act, 1950 (Act 30 of 1950).

C. P. MULDER, Minister of Social Welfare and Pensions.

## REGULASIES

## Woordomskeywing

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 Volkswelsyn en Pensioene of van Justisie, 'n posmeester, 'n lid van 'n polisiemag wat by wet ingestel is, 'n vrederegter of 'n kommissaris van ede;

(iii) "die Wet" die Wet op Bejaarde Persone, 1967 (Wet 81 van 1967);

(iv) "Minister" die Minister van Volkswelsyn en Pensioene;

(v) "pensioen" 'n ouderdomspensioen in artikel 2 van die Wet bedoel, maar nie ook 'n bykomende, aanvullende of oppasserstoelae nie;

(vi) "Sekretaris" die Sekretaris van Volkswelsyn en Pensioene;

en het 'n woord waaraan in die Wet 'n betekenis geheg 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 beampte onderteken en by die distrikspensioen-beampte vir die gebied waarin die applikant permanent woonagtig is, ingedien word.

(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 'n afsonderlike aansoek ten opsigte van elkeen van hulle gedoen word.

5. 'n Aansoek om 'n pensioen moet—

(a) vergesels 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 distrikspensioen-beampte 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 gemelde ouderdom bereik het;

(b) indien die applikant daarop aanspraak maak dat hy 'n Suid-Afrikaanse burger deur registrasie of naturalisasie is, vergesels gaan van die sertifikaat van registrasie

## 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 Social Welfare and Pensions or of Justice, any postmaster, any member of any statutory police force, any justice of the peace or any commissioner of oaths;

(iii) "the Act" means the Aged Persons Act, 1967 (Act 81 of 1967);

(iv) "Minister" means the Minister of Social Welfare and Pensions;

(v) "pension" means an old age 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 Social Welfare and Pensions;

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

## Application for a 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 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 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. 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 inquiry 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



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 dié 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 dié bewys van Suid-Afrikaanse burgerskap wat die Sekretaris goedvind;

(d) vergesel gaan van dié 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.

#### *Registrasie en Ondersoek van Aansoeke om 'n Pensioen*

7. Die distrikspensioenbeampte moet 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.

#### *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 Duitse Oudstryderspensioenordonnansie, 1965 (Ordonnansie 3 van 1965), van Suidwes-Afrika.

#### *Vasstelling van Bedrag van Pensioen*

10. (1) Behoudens die bepalings van die Wet en van hierdie regulasies—

(a) behoort die pensioen wat aan 'n bejaarde persoon toegeken word die bedrag van hoogstens R456 per jaar wat die Sekretaris met inagneming van die omstandighede, jaarlikse inkomste en ander middele van die betrokke bejaarde persoon en van sy eggenote vasstel;

(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 die bedrag van R648 per jaar te bowe gaan nie;

(c) word die bedrag van die pensioen wat aan 'n bejaarde persoon toegeken word met die bedrag van R24 per jaar verminder vir iedere R24 of gedeelte daarvan waarmee die jaarlikse inkomste en ander middele van sodanige persoon die bedrag van R192 te bowe gaan;

(d) word die gesamentlike bates, en enige vruggebruik, van 'n getroude applikant en sy eggenote vir 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.

(2) (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.

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.

#### *Registration and Investigation 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 9 of the Act shall as far as practicable be in the form of Schedule A.

#### *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 German War Veterans' Pensions Ordinance, 1965 (Ordinance 3 of 1965), of South-West Africa.

#### *Determination of Amount of Pension*

10. (1) Subject to the provision of the Act and of these regulations—

(a) the pension granted to any aged person shall be of such an amount, not exceeding R456 per annum, as the Secretary may determine having regard to the circumstances, annual income and other means of such aged person and of his spouse;

(b) no pension shall be granted to any aged person at such rate as will make his annual income and other means together with the pension exceed the amount of R648 per annum;

(c) the amount of the pension granted to any aged person shall be reduced by the amount of R24 per annum for every R24 or part thereof by which the annual income and other means of such person exceed the amount of R192;

(d) the combined assets, and 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.

(2) (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 for services rendered, shall be taken into account in considering such applicant's application for a pension.

(b) Behalwe in 'n geval waar die bepalings van subregulasie (2) (a) van toepassing is—

(i) word slegs die helfte van die gesamentlike jaarlikse inkomste van 'n getroude applikant en sy eggenote by die oorweging van sy aansoek om 'n pensioen ingevolge artikel 10 (3) van die Wet in aanmerking geneem;

(ii) word 'n bedrag van R240 van die bedrag van die vergoeding deur 'n ongetroude applikant ontvang vir dienste gelewer by die bepaling van die bedrag van sy jaarlikse inkomste buite rekening gelaat;

(iii) word 'n bedrag van R480 van die bedrag van die vergoeding deur 'n getroude applikant of sy eggenote ontvang vir dienste gelewer by die bepaling van die bedrag van die applikant se jaarlikse inkomste buite rekening gelaat.

(c) By die bepaling van 'n applikant se ander middele, word 40 persent van die onbeswaarde waarde van enige onroerende eiendom waarvan hy die eienaar of vruggebruiker is, of 40 persent van die waarde van enige onroerende eiendom waarvan hy die huurder is, buite rekening gelaat.

(d) By die bepaling van 'n applikant se ander middele, word enige bates wat hy of sy eggenote aan iemand anders geskenk het, of enige bates waarvan hy of sy eggenote vruggebruik gehou het waarvan afstand gedoen is, in aanmerking geneem, maar die bedrag of waarde van sodanige bates word met 'n bedrag, bereken teen R500 per jaar in die geval van 'n ongetroude applikant en teen R1 000 per jaar in die geval van 'n getroude applikant, verminder ten opsigte van iedere kalenderjaar wat sedert die datum van die skenking of afstand verloop het.

(3) Vir die toepassing van subregulasies (1) en (2) 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 manlike persoon na die bereiking van die ouderdom van 70 jaar of 'n vroulike persoon na die bereiking van die ouderdom van 65 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 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 R144 per jaar te beloop;

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

(b) Except in a case where the provisions of subregulation (2) (a) apply—

(i) only half the combined annual income of a married applicant and his spouse shall be taken into account when considering his application for a pension in terms of section 10 (3) of the Act;

(ii) an amount of R240 of the amount of remuneration received by an unmarried applicant for services rendered shall not be taken into account in determining the amount of his annual income;

(iii) an amount of R480 of the amount of remuneration received by a married applicant or his spouse for services rendered shall not be taken into account in determining the amount of his annual income.

(c) In determining an applicant's other means, 40 per cent of the unencumbered value of any immovable property of which he is the owner or usufructuary or 40 per cent of the value of any immovable property of which he is the lessee shall not be taken into account.

(d) In determining an applicant's other means, any assets donated by him or his spouse to any other person, or any assets of which he and his spouse held usufruct which was relinquished, shall be taken into account, but the amount or value of such assets shall be reduced by an amount, calculated at the rate of R500 per annum in the case of an unmarried applicant and at the rate of R1 000 per annum in the case of a married applicant, in respect of every calendar year which has elapsed since the date of the donation or relinquishment.

(3) For the purposes of subregulations (1) and (2)—  
“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 a male person after he has attained the age of 70 years or a female person after she has attained the age of 65 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 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 or agriculture which shall hereby be deemed to be the amount of R144 per annum;

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



“ander middele”—

(a) die beraamde jaarlikse opbrengs van die bates van 'n applikant, soos bepaal deur die bedrag waarmee die onbeswaarde waarde van sodanige bates die bedrag van R4 800 te bowe te gaan, deur 400 te deel en die resultaat met 24 te vermenigvuldig;

(b) die beraamde jaarlikse opbrengs van enige vruggebruik deur 'n applikant gehou, soos bepaal deur die bedrag (tot en met die bedrag van R16 800) waarmee die onbeswaarde waarde van die bates waarop sodanige vruggebruik betrekking het, die bedrag van R4 800 te bowe gaan, deur 800 te deel en die resultaat met 24 te vermenigvuldig en die bedrag waarmee sodanige waarde die bedrag van R21 600 te bowe gaan, deur 960 te deel en die resultaat met 24 te vermenigvuldig;

(c) die beraamde jaarlikse opbrengs van enige onroerende eiendom deur 'n applikant of sy eggenote vir landboudoeleindes gehuur, soos bepaal deur die bedrag (tot en met die bedrag van R16 800) waarmee die waarde van sodanige eiendom die bedrag van R4 800 te bowe gaan, deur 800 te deel en die resultaat met 24 te vermenigvuldig en die bedrag waarmee sodanige waarde die bedrag van R21 600 te bowe gaan, deur 960 te deel en die resultaat met 24 te vermenigvuldig.

#### *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 bepalinge 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 'n 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. (1) Behoudens die bepalinge van subregulasies (2), (3) en (4), kan enige pensioen wat aan 'n bejaarde persoon toegeken word ingevolge artikel 10 van die Wet of herstel word ingevolge regulasie 19—

(a) indien sodanige pensioen aldus toegeken word minstens een jaar na die datum waarop die applikant die voorgeskrewe ouderdom bereik het; of

(b) indien sodanige pensioen aldus herstel word minstens een jaar na die datum waarop dit laas ingevolge genoemde regulasie ingetrek is;

met die toepaslike bedrag soos hieronder vermeld, aangevul word:

| <i>Tydperk van uitstelling van pensioen</i>                                                                   | <i>Bedrag per jaar</i> |
|---------------------------------------------------------------------------------------------------------------|------------------------|
|                                                                                                               | R                      |
| Een jaar na die datum van bereiking van die voorgeskrewe ouderdom of die datum van intrekking ... ..          | 60                     |
| Twee jaar na die datum van bereiking van die voorgeskrewe ouderdom of die datum van intrekking ... ..         | 84                     |
| Drie jaar na die datum van bereiking van die voorgeskrewe ouderdom of die datum van intrekking ... ..         | 108                    |
| Vier jaar of meer na die datum van bereiking van die voorgeskrewe ouderdom of die datum van intrekking ... .. | 132                    |

(2) (a) Geen pensioen mag ingevolge subregulasie (1) aangevul word nie indien die applikant of pensioentrekker te eniger tyd gedurende die tydperk tussen die datum

“other means” shall mean—

(a) the estimated annual yield of the assets of an applicant, as determined by dividing the amount by which the unencumbered value of such assets exceeds the amount of R4 800 by 400 and by multiplying the result by 24;

(b) the estimated annual yield of any usufruct held by an applicant, as determined by dividing the amount (up to and including the amount of R16 800) by which the unencumbered value of the assets to which such usufruct relates exceeds the amount of R4 800 by 800 and by multiplying the result by 24 and by dividing the amount by which such value exceeds the amount of R21 600 by 960 and by multiplying the result by 24;

(c) the estimated annual yield of any immovable property rented by an applicant or his spouse for agricultural purposes, as determined by dividing the amount (up to and including the amount of R16 800) by which the value of such property exceeds the amount of R4 800 by 800 and by multiplying the result by 24 and by dividing the amount by which such value exceeds the amount of R21 600 by 960 and by multiplying the result by 24.

#### *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. (1) Subject to the provisions of subregulations (2), (3) and (4), any pension granted to any aged person in terms of section 10 of the Act or restored in terms of regulation 19 may—

(a) if such pension is so granted not less than one year after the date on which the applicant has attained the prescribed age; or

(b) if such pension is so restored not less than one year after the date on which it was last cancelled in terms of the said regulation;

be supplemented by the appropriate amount shown below:

| <i>Period of postponement of pension</i>                                                                 | <i>Amount per annum</i> |
|----------------------------------------------------------------------------------------------------------|-------------------------|
|                                                                                                          | R                       |
| One year after the date of attainment of the prescribed age or the date of cancellation ... ..           | 60                      |
| Two years after the date of attainment of the prescribed age or the date of cancellation ... ..          | 84                      |
| Three years after the date of attainment of the prescribed age or the date of cancellation ... ..        | 108                     |
| Four years or more after the date of attainment of the prescribed age or the date of cancellation ... .. | 132                     |

(2) (a) No pension shall be supplemented in terms of subregulation (1) if the applicant or pensioner has at any time during the period between the date on which he or

waarop hy of sy die voorgeskrewe ouderdom bereik het en die datum waarop die pensioen toegeken is of tussen die datum van intrekking en die datum van herstelling van die pensioen, na gelang van die geval, enige voordele ontvang het ingevolge die Wet, die Ordonnansie op Maatskaplike Pensioene, 1965 (Ordonnansie 2 van 1965), van Suidwes-Afrika, die Duitse Oudstryderspensioenordonnansie, 1956 (Ordonnansie 3 van 1965), van Suidwes-Afrika, die Wet op Oudstryderspensioene, 1968 (Wet 25 van 1968), die Wet op Blindes, 1968 (Wet 26 van 1968), of die Wet op Ongeskiktheidstoelaes, 1968 (Wet 27 van 1968).

(b) Indien enige pensioen wat wetlik aangevul is, ingevolge regulasie 19 ingetrek word of weer ingetrek word en sodanige pensioen later ingevolge genoemde regulasie 19 hersien en herstel of weer hersien en herstel word, word die pensioen aldus herstel of aldus weer herstel eers aangevul met die bedrag waarmee dit voor sodanige intrekking aangevul was, en sodanige bedrag word in berekening gebring by die bepaling van die bedrag waarmee sodanige pensioen by die onderhawige herstelling aangevul kan word: Met dien verstande dat die bedrag waarmee enige pensioen aangevul kan word nie die totale bedrag mag oorskry waarmee dit aangevul sou kon word indien die tydperke ten opsigte waarvan die pensioen aangevul word, aaneenlopend was nie.

(3) Die bepalings van subregulasies (1) en (2) is nie van toepassing op enige persoon aan wie daar kragtens die bepalings van artikel 7 (1) (b) (iii) van die Wet 'n pensioen toegeken is nie.

(4) Vir die toepassing van hierdie regulasie beteken—

(a) "datum van intrekking" die datum van intrekking in subregulasie (1) (b) bedoel; en

(b) "voorgeskrewe ouderdom" die ouderdom van 65 jaar in die geval van 'n man, en 60 jaar in die geval van 'n vrou.

#### *Oppasserstoelae*

13. Indien 'n persoon aan wie 'n pensioen ingevolge die Wet toegeken is, na die oordeel van die Sekretaris, die ouderdom van 85 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 dié voorwaardes en met ingang van dié datum wat hy bepaal, benewens sodanige pensioen, aan die pensioentrekker of aan iemand anders ten behoeve van hom 'n oppasserstoelae van hoogstens R120 per jaar toeken.

#### *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 dié tye en plekke deur die Sekretaris bepaal, betaal.

15. (1) Behoudens die bepalings van subregulasie (2) en tensy die pensioen en toelae by 'n handelsbank of bouvereniging inbetaal word, 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 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.

she has attained the prescribed age and the date on which the pension is granted or between the date of cancellation and the date of the restoration of the pension, as the case may be, been in receipt of any benefits under the Act, the Social Pensions Ordinance, 1965 (Ordinance 2 of 1965), of South-West Africa, the German War Veterans' Pension Ordinance, 1965 (Ordinance 3 of 1965), of South-West Africa, the War Veterans' Pensions Act, 1968 (Act 25 of 1968), the Blind Persons Act, 1968 (Act 26 of 1968), or the Disability Grants Act, 1968 (Act 27 of 1968).

(b) If any pension lawfully supplemented is cancelled or again cancelled in terms of regulation 19 and such pension is subsequently reviewed and restored or again reviewed and restored in terms of the said regulation 19, the pension so restored or again so restored shall first be supplemented by the amount by which it had been supplemented before such cancellation and such amount shall be taken into account in determining the amount by which such pension may be supplemented on the restoration in question: Provided that the amount by which any pension may be supplemented shall not exceed the total amount by which it could have been supplemented if the periods in respect of which the pension is supplemented were uninterrupted.

(3) The provisions of subregulations (1) and (2) shall not apply to any person granted a pension under the provisions of section 7 (1) (b) (iii) of the Act.

(4) For the purposes of this regulation—

(a) "date of cancellation" shall mean the date of cancellation referred to in subregulation (1) (b); and

(b) "prescribed age" shall mean the age of 65 years in the case of a man, and 60 years in the case of a woman.

#### *Attendant's Allowance*

13. If in the opinion of the Secretary any person to whom a pension has been granted under the Act has attained the age of 85 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 R120 per annum.

#### *Payment of Pensions and Allowances*

14. Pensions, additional or supplementary allowances and attendant's 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, unless the pension and allowance are paid into a commercial bank or building society.

(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 aanwesigheid van twee getuies onderteken en deur die Sekretaris goedgekeur, die pensioen en toelaes aan die persoon in die magtiging vermeld, uitbetaal.

(4) Die bepalinge 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. (1) Indien 'n pensioentrekker te eniger tyd in 'n inrigting op koste van die Staat of in 'n staats- of staats-ondersteunde inrigting, uitgesonderd 'n ouetehuis soos omskryf in artikel 1 van die Wet, wat geldelike bydraes 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 inrigting op koste van die Staat of in sodanige staats- of staats-ondersteunde inrigting opgeneem word tot die laaste dag van die maand wat die maand waarin hy uit sodanige inrigting of sodanige staats- of staats-ondersteunde inrigting ontslaan word, onmiddellik voorafgaan, betaal nie: Met dien verstande dat die bepalinge van hierdie regulasie nie van toepassing is nie op 'n pensioentrekker wat onderhou of behandel word—

(a) in sodanige inrigting, anders as op koste van die Staat, of in 'n staats- of staats-ondersteunde inrigting wat 'n hospitaal is wat bestem is vir die behandeling van persone wat aan 'n akute ongesteldheid ly;

(b) vir 'n tydperk van hoogstens drie maande in 'n staats- of staats-ondersteunde inrigting wat 'n hospitaal is wat bestem is vir die behandeling van persone wat aan 'n chroniese ongesteldheid ly.

(2) Ondanks die bepalinge van subregulasie (1), kan die Sekretaris na goeëddunke 'n pensioen en enige toelae wat aan 'n pensioentrekker in daardie subregulasie vermeld, toegeken is, of enige gedeelte daarvan, aan die pensioentrekker of aan 'n ander persoon of aan die bestuur van die staats- of staats-ondersteunde inrigting waarin die pensioentrekker aldus onderhou of behandel word, vir besteding ten behoeve van die pensioentrekker betaal vir die tydperk wat die Sekretaris goedgevind.

**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 sodanige 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 bepalinge van die Wet, uitgesonderd artikel 10, en die bepalinge 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;

(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. (1) If at any time a pensioner is being maintained or is receiving treatment in any institution at the expense of the State or in a State or State-aided institution, except in a home for the aged as defined in section 1 of the Act, 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 institution at the expense of the State or 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 institution or State or State-aided institution: Provided that the provisions of this regulation shall not apply to a pensioner maintained or receiving treatment—

(a) in such institution, otherwise than at the expense of the State, or in a State or State-aided institution being a hospital intended for the treatment of persons suffering from any acute illness;

(b) for a period not exceeding three months in any State or State-aided institution being a hospital intended for the treatment of persons suffering from any chronic illness.

(2) Notwithstanding the provisions of subregulation (1), the Secretary may at his discretion pay a pension and any allowance granted to any pensioner referred to in that subregulation or any portion thereof to such pensioner or to any other person or to the management of the State or State-aided institution in which such pensioner is so being maintained or treated, for disbursing on behalf of such pensioner for such period as the Secretary may deem fit.

**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 allowance granted under the Act or these regulations shall lapse—

(a) when a pensioner dies, and no such pension or allowance is payable to the estate of such pensioner;

(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 begrafenis;

(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 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 na 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.

(3) Indien die pensioen van 'n pensioentrekker wat in die huwelik getree het, hersien word, kan die Sekretaris, indien die pensioen verminder of ingetrek sou moes word as gevolg van die toepassing van regulasie 10 (1) (d), goedkeuring verleen dat die bates van die pensioentrekker se eggenoot of enige bates waarvan sy eggenoot vruggebruik hou, buite rekening gelaat word.

#### *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 na 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.

#### *Herroeping van Sekere Wetsbepalings*

21. Goewermentskennisgewing R. 1756 van 30 September 1968, soos gewysig, en Goewermentskennisgewing 185 van 22 Oktober 1965, soos gewysig, van die gebied Suidwes-Afrika, word hierby ingetrek.

(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) 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.

(3) If the pension of a pensioner who has married is reviewed, the Secretary may, if the pension should have to be reduced or cancelled as a result of the application of regulation 10 (1) (d), approve that the assets of the pensioner's spouse or any assets of which his spouse holds usufruct, be not taken into account.

#### *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 fully state the grounds of appeal against such decision or such 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.

#### *Repeal of Certain Legal Provisions*

21. Government Notice R. 1756 of 30 September 1968, as amended, and Government Notice 185 of 22 October, 1965, as amended, of the Territory of South-West Africa, are hereby withdrawn.



*Toepassing van Regulasies in Suidwes-Afrika en  
Datum van Inwerkingtreding*

22. Hierdie regulasies is ook van toepassing in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel en word geag in werking te getree het op die eerste dag van April 1971.

**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 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, aantekening of dokument moet voorlê, vul in beskrywing daarvan; so nie, moet hierdie woorde geskrap word.

† Meld hoedanigheid van uitreikende beamppte.

No. R. 461

24 Maart 1972

**OUDSTRYDERSPENSIOENREGULASIES**

Kragtens die bevoegdheid my verleen by artikel 15 van die Wet op Oudstryderspensioene, 1968 (Wet 25 van 1968), vaardig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby onderstaande regulasies ten opsigte van Blankes soos omskryf in artikel 1 van die Bevolkingsregistrasiewet (Wet 30 van 1950), uit.

C. P. MULDER, Minister van Volkswelsyn en Pensioene.  
**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 Volkswelsyn en Pensioene of van Justisie, 'n posmeester, 'n lid van 'n polisiemag wat by wet ingestel is, 'n vrederegtter of 'n kommissaris van ede;

(iii) "die Wet" die Wet op Oudstryderspensioene, 1968 (Wet 25 van 1968);

(iv) "Minister" die Minister van Volkswelsyn en Pensioene;

(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 Volkswelsyn en Pensioene,

en het 'n woord waarin in die Wet 'n betekenis geheg 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

*Application of Regulations in South-West Africa and  
Date of Commencement*

22. These regulations shall also apply in the Territory of South-West Africa, including the Eastern Caprivi Zipfel, and shall be deemed to have come into operation on the 1st day of April 1971.

**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 \*books, records or documents and to produce them to the said .....

Given under my Hand this ..... day of .....

..... 19.....

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No. R. 461

24 March 1972

**WAR VETERANS' PENSIONS REGULATIONS**

By virtue of the powers vested in me by section 15 of the War Veterans' Pensions Act, 1968 (Act 25 of 1968), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, hereby, make the following regulations in respect of White persons as defined in section 1 of the Population Registration Act, 1950 (Act 30 of 1950).

C. P. MULDER, Minister of Social Welfare and Pensions.  
**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 Social Welfare and Pensions or of Justice, any postmaster, any member of any statutory police force, any justice of the peace or any commissioner of oaths;

(iii) "the Act" means the War Veterans' Pensions Act, 1968 (Act 25 of 1968);

(iv) "Minister" means the Minister of Social Welfare and Pensions;

(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 Social Welfare and Pensions,

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

*Application for a 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

wete en oortuiging waar en juis is, deur hom voor 'n attesterende beampte onderteken en by die distrikspensioenbeampte vir die gebied waarin die applikant permanent woonagtig is, ingedien word.

(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 'n afsonderlike 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 dié 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 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 dié 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 dié 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 dié bewys van Suid-Afrikaanse burgerskap wat die Sekretaris goedvind;

(e) vergesel gaan van dié 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.

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 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 provision 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 authorizes 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. 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 the 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 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 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 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.



*Registrasie en Onderzoek van Aansoeke om 'n Pensioen*

7. Die distrikspensioenbeambte moet 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 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 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) Behoudens die bepalings van die Wet en van hierdie regulasies—

(a) beloop die pensioen wat aan 'n oudstryder toegeken word, die bedrag van hoogstens R456 per jaar wat die Sekretaris met inagneming van die omstandighede, jaarlikse inkomste en ander middele van die betrokke oudstryder en van sy eggenote vasstel;

(b) word 'n pensioen nie aan 'n oudstryder toegeken teen so 'n skaal dat sy jaarlikse inkomste en ander middele tesame met die pensioen, in die geval van 'n oudstryder, uitgesonderd 'n oudstryder soos omskryf in artikel 1 (vi) (b) of (c) van die Wet, onder die ouderdom van 70 jaar, die bedrag van R648 per jaar of, in die geval van 'n oudstryder soos omskryf in artikel 1 (vi) (b) of (c) van die Wet of 'n oudstryder van of bo die ouderdom van 70 jaar, die bedrag van R960 per jaar te bowe gaan nie;

(c) word die bedrag van die pensioen wat aan 'n oudstryder toegeken word met die bedrag van R24 per jaar verminder vir iedere R24 of gedeelte daarvan waarmee die jaarlikse inkomste en ander middele van sodanige oudstryder die bedrag van R192 of, in die geval van 'n oudstryder soos omskryf in artikel 1 (vi) (b) of (c) van die Wet of 'n oudstryder van of bo die ouderdom van 70 jaar, die bedrag van R504 te bowe gaan;

(d) word die bedrag van die pensioen toegeken aan 'n oudstryder, uitgesonderd 'n oudstryder soos omskryf in artikel 1 (vi) (b) of (c) van die Wet, wat die ouderdom van 70 jaar bereik het, benewens die bedrag waarmee sodanige pensioen ingevolge die bepalings van subregulasie (1) (c) verminder word, verminder met die bedrag van R12 per jaar vir iedere R800 waarmee sy bates die bedrag van R8 000 te bowe gaan;

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

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

(2) (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

*Registration and Investigation 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 who are Not Eligible for a War Veterans' Pension*

9. No person shall be eligible for a war veteran's pension if he is in receipt of a pension under 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) Subject to the provisions of the Act and of these regulations—

(a) the pension granted to any war veteran shall be of such an amount, not exceeding R456 per annum, as the Secretary may determine having regard to the circumstances, annual income and other means of such war veteran and of his spouse;

(b) no pension shall be granted to any war veteran at such a rate as will make his annual income and other means together with the pension exceed the amount of R648 per annum in the case of a war veteran other than a war veteran as defined in section 1 (xii) (b) or (c) of the Act, under the age of 70 years, or the amount of R960 per annum in the case of a war veteran as defined in section 1 (xii) (b) or (c) of the Act or a war veteran of or over the age of 70 years;

(c) the amount of pension granted to any war veteran, shall be reduced by the amount of R24 per annum for every R24 or part thereof by which the annual income and other means of such war veteran exceed the amount of R192 or, in the case of a war veteran as defined in section 1 (xii) (b) or (c) of the Act or a war veteran of or over the age of 70 years, the amount of R504;

(d) the amount of pension granted to any war veteran, other than a war veteran as defined in section 1 (xii) (b) or (c) of the Act, who has attained the age of 70 years shall, in addition to the amount by which such pension is reduced under subregulation 1 (c), be reduced by an amount of R12 per annum for every R800 by which his assets exceed the amount of R8 000;

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

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

(2) (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

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 (2) (a) van toepassing is—

(i) word slegs die helfte van die gesamentlike jaarlikse inkomste van 'n getroude applikant en sy eggenote by die oorweging van sy aansoek om 'n pensioen ingevolge artikel 4 (1) van die Wet in aanmerking geneem;

(ii) word 'n bedrag van R240 van die bedrag van die vergoeding deur 'n ongetroude applikant ontvang vir dienste gelewer by die bepaling van die bedrag van sy jaarlikse inkomste buite rekening gelaat;

(iii) word 'n bedrag van R480 van die bedrag van die vergoeding deur 'n getroude applikant of sy eggenote ontvang vir dienste gelewer by die bepaling van die bedrag van die applikant se jaarlikse inkomste buite rekening gelaat.

(c) By die bepaling van 'n applikant se ander middele, word 40 persent van die onbeswaarde waarde van enige onroerende eiendom waarvan hy die eienaar of vruggebruiker is, of 40 persent van die waarde van enige onroerende eiendom waarvan hy die huurder is, buite rekening gelaat.

(d) By die bepaling van 'n applikant se ander middele, word enige bates wat hy of sy eggenote aan iemand anders geskenk het, of enige bates waarvan hy of sy eggenote vruggebruik gehou het waarvan afstand gedoen is, in aanmerking geneem, maar die bedrag of waarde van sodanige bates word met 'n bedrag, bereken teen R500 per jaar in die geval van 'n ongetroude applikant en teen R1 000 per jaar in die geval van 'n getroude applikant, verminder ten opsigte van iedere kalenderjaar wat sedert die datum van die skenking of afstand verloop het.

(3) 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.

(4) Vir die toepassing van subregulasies (1), (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 manlike persoon na die bereiking van die ouderdom van 70 jaar of 'n vroulike persoon na die bereiking van die ouderdom van 65 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 voordele ontvang ingevolge die Wet, die Kinderwet, 1960 (Wet 33 van 1960), die Kinderordonnansie, 1961 (Ordonnansie 31 van 1961), 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 Blindes, 1968 (Wet 26 van 1968), die Wet

income of his spouse derived from sources other than remuneration 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 (2) (a) apply—

(i) only half the combined annual income of a married applicant and his spouse shall be taken into account when considering his application for a pension in terms of section 4 (1) of the Act;

(ii) an amount of R240 of the amount of remuneration received by an unmarried applicant for services rendered shall not be taken into account in determining the amount of his annual income;

(iii) an amount of R480 of the amount of remuneration received by a married applicant or his spouse for services rendered shall not be taken into account in determining the amount of his annual income.

(c) In determining an applicant's other means, 40 per cent of the unencumbered value of any immovable property of which he is the owner or usufructuary or 40 per cent of the value of any immovable property of which he is the lessee shall not be taken into account.

(d) In determining an applicant's other means, any assets donated by him or his spouse to any other person, or any assets of which he or his spouse held usufruct which was relinquished shall be taken into account, but the amount or value of such assets shall be reduced by an amount, calculated at the rate of R500 per annum in the case of an unmarried applicant and at the rate of R1 000 per annum in the case of a married applicant, in respect of every calendar year which has elapsed since the date of the donation or relinquishment.

(3) 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.

(4) For the purposes of subregulations (1), (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 a male person after he has attained the age of 70 years, or a female person after she has attained the age of 65 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 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



op Ongeskiktheidstoelaes, 1968 (Wet 27 van 1968), of ingevolge 'n regulasie kragtens enige van genoemde Wet of Ordonnansies uitgevaardig nie;

(d) enige winste uit die beoefening van die landbou verkry wat hierby geag word die bedrag van R144 per jaar te beloop;

(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 van 'n applikant, soos bepaal deur die bedrag waarmee die onbeswaarde waarde van sodanige bates die bedrag van R4 800 te bowe gaan, deur 400 te deel en die resultaat met 24 te vermenigvuldig;

(b) die beraamde jaarlikse opbrengs van enige vruggebruik deur 'n applikant gehou soos bepaal deur die bedrag (tot en met die bedrag van R16 800 waarmee die onbeswaarde waarde van die bates waarop sodanige vruggebruik betrekking het, die bedrag van R4 800 te bowe gaan, deur 800 te deel en die resultaat met 24 te vermenigvuldig en die bedrag waarmee sodanige waarde die bedrag van R21 600 te bowe gaan, deur 960 te deel en die resultaat met 24 te vermenigvuldig;

(c) die beraamde jaarlikse opbrengs van enige onroerende eiendom deur applikant of sy eggenote vir landboudoeleindes behuur, soos bepaal deur die bedrag (tot en met die bedrag van R16 800) waarmee die waarde van sodanige eiendom die bedrag van R4 800 te bowe gaan, deur 800 te deel en die resultaat met 24 te vermenigvuldig en die bedrag waarmee sodanige waarde die bedrag van R21 600 te bowe gaan, deur 960 te deel en die resultaat met 24 te vermenigvuldig.

#### *Datum waarop 'n Pensioen Toeval*

11. (1) 'n Pensioen word toegeken met ingang van dié 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 'n aansoek om 'n pensioen gedoen word voor die verstryking van 'n tydperk 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. 'n Oudstryder aan wie 'n pensioen toegeken word, word, benewens sodanige pensioen, 'n bedrag van R96 per jaar betaal.

13. (1) Behoudens die bepalings van subregulasies (2), (3) en (4), kan enige pensioen wat aan 'n oudstryder toegeken word ingevolge artikel 4 van die Wet of herstel word ingevolge regulasie 20—

(a) indien sodanige pensioen aldus toegeken word minstens een jaar na die datum waarop die applikant die voorgeskrewe ouderdom bereik het; of

(b) indien sodanige pensioen aldus herstel word minstens een jaar na die datum waarop dit laas ingevolge genoemde regulasie ingetrek is;

met die toepaslike bedrag soos hieronder vermeld, aangevul word:

| <i>Tydsperk van uitstelling van pensioen</i>                                                          | <i>Bedrag per jaar R</i> |
|-------------------------------------------------------------------------------------------------------|--------------------------|
| Een jaar na die datum van bereiking van die voorgeskrewe ouderdom of die datum van intrekking ... ..  | 60                       |
| Twee jaar na die datum van bereiking van die voorgeskrewe ouderdom of die datum van intrekking ... .. | 84                       |

Disability Grants Act, 1968 (Act 27 of 1968), or under any regulation made under any of the said Acts or Ordinances;

(d) any profit derived from the practice of agriculture which shall hereby be deemed to be the amount of R144 per annum;

(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, as determined by dividing the amount by which the unencumbered value of such assets exceeds the amount of R4 800 by 400 and by multiplying the result by 24;

(b) the estimated annual yield of any usufruct held by an applicant, as determined by dividing the amount (up to and including the amount of R16 800) by which the unencumbered value of the assets to which such usufruct relates exceeds the amount of R4 800 by 800 and by multiplying the result by 24 and by dividing the amount by which such value exceeds the amount of R21 600 by 960 and by multiplying the result by 24;

(c) the estimated annual yield of any immovable property rented by an applicant or his spouse for agricultural purposes, as determined by dividing the amount (up to and including the amount of R16 800) by which the value of such property exceeds the amount of R4 800 by 800 and by multiplying the result by 24 and by dividing the amount by which such value exceeds the amount of R21 600 by 960 and by multiplying the result by 24.

#### *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 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. Any war veteran granted a pension shall be paid, in addition to such pension, an amount of R96 per annum.

13. (1) Subject to the provisions of subregulations (2), (3) and (4), any pension granted to any war veteran in terms of section 4 of the Act or restored in terms of regulation 20 may—

(a) if such pension is so granted not less than one year after the date on which the applicant has attained the prescribed age; or

(b) if such pension is so restored not less than one year after the date on which it was last cancelled in terms of the said regulation;

be supplemented by the appropriate amount shown below:

| <i>Period of postponement of pension</i>                                                        | <i>Amount per annum R</i> |
|-------------------------------------------------------------------------------------------------|---------------------------|
| One year after the date of attainment of the prescribed age or the date of cancellation ... ..  | 60                        |
| Two years after the date of attainment of the prescribed age or the date of cancellation ... .. | 84                        |

| <i>Tydperk van uitstelling van pensioen</i>                                                                   | <i>Bedrag per jaar R</i> |
|---------------------------------------------------------------------------------------------------------------|--------------------------|
| Drie jaar na die datum van bereiking van die voorgeskrewe ouderdom of die datum van intrekking ... ..         | 108                      |
| Vier jaar of meer na die datum van bereiking van die voorgeskrewe ouderdom of die datum van intrekking ... .. | 132                      |

(2) (a) Geen pensioen mag ingevolge subregulasie (1) aangevul word nie indien die applikant of pensioentrekker te eniger tyd gedurende die tydperk tussen die datum waarop hy of sy die voorgeskrewe ouderdom bereik het en die datum waarop die pensioen toegeken is of tussen die datum van intrekking en die datum van herstelling van die pensioen, na gelang van die geval, enige voordele ontvang het ingevolge die Wet, 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 Blindes, 1968 (Wet 26 van 1968), of die Wet op Ongeskiktheidstoelaes, 1968 (Wet 27 van 1968).

(b) Indien enige pensioen wat wetlik aangevul is ingevolge regulasie 20 ingetrek word of weer ingetrek word en sodanige pensioen later ingevolge genoemde regulasie 20 hersien en herstel of weer hersien en herstel word, word die pensioen aldus herstel of aldus weer herstel eers aangevul met die bedrag waarmee dit voor sodanige intrekking aangevul was en sodanige bedrag word in berekening gebring by die bepaling van die bedrag waarmee sodanige pensioen by die onderhawige herstelling aangevul kan word: Met dien verstande dat die bedrag waarmee enige pensioen aangevul kan word nie die totale bedrag mag oorskry waarmee dit aangevul sou kon word indien die tydperke ten opsigte waarvan die pensioen aangevul word, aaneenlopend was nie.

(3) Die bepalings van subregulasies (1) en (2) is nie van toepassing op enige persoon aan wie daar kragtens die bepalings van artikel 3 (1) (c) (iii) van die Wet 'n pensioen toegeken is nie.

(4) Vir die toepassing van hierdie regulasie beteken—

(a) "datum van intrekking" die datum van intrekking in subregulasie (1) (b) bedoel; en

(b) "voorgeskrewe ouderdom" die ouderdom van 65 jaar in die geval van 'n man, en 60 jaar in die geval van 'n vrou.

#### *Oppasserstoelae*

14. Indien 'n persoon aan wie 'n pensioen ingevolge die Wet toegeken is, na die oordeel van die Sekretaris die ouderdom van 85 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 dié voorwaardes en met ingang van dié datum wat hy bepaal, benewens sodanige pensioen, aan 'n pensioentrekker of aan iemand anders ten behoeve van hom 'n oppasserstoelae van hoogstens R120 per jaar toeken.

#### *Betaling van Pensioene en Toelaes*

15. 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 dié tye en plekke deur die Sekretaris bepaal, betaal.

16. (1) Behoudens die bepalings van subregulasie (2) en tensy die pensioen en toelae by 'n handelsbank of bouvereniging inbetaal word, moet iedere pensioentrekker die pensioen en toelaes aan hom betaalbaar persoonlik

| <i>Period of postponement of pension</i>                                                                 | <i>Amount per annum R</i> |
|----------------------------------------------------------------------------------------------------------|---------------------------|
| Three years after the date of attainment of the prescribed age or the date of cancellation ... ..        | 108                       |
| Four years or more after the date of attainment of the prescribed age or the date of cancellation ... .. | 132                       |

(2) (a) No pension shall be supplemented in terms of subregulation (1) if the applicant or pensioner has at any time during the period between the date on which he or she has attained the prescribed age and the date on which the pension is granted or between the date of cancellation and the date of the restoration of the pension, as the case may be, been in receipt of any benefits under the Act, 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 Blind Persons Act, 1968 (Act 26 of 1968), or the Disability Grants Act, 1968 (Act 27 of 1968).

(b) If any pension lawfully supplemented is cancelled or again cancelled in terms of regulation 20 and such pension is subsequently reviewed and restored or again reviewed and restored in terms of the said regulation 20, the pension so restored or again so restored shall first be supplemented by the amount by which it had been supplemented before such cancellation and such amount shall be taken into account in determining the amount by which such pension may be supplemented on the restoration in question: Provided that the amount by which any pension may be supplemented shall not exceed the total amount by which it could have been supplemented if the period in respect of which the pension is supplemented were uninterrupted.

(3) The provisions of subregulations (1) and (2) shall not apply to any person granted a pension under the provisions of section 3 (1) (c) (iii) of the Act.

(4) For the purposes of this regulation—

(a) "date of cancellation" shall mean the date of cancellation referred to in subregulation (1) (b); and

(b) "prescribed age" shall mean the age of 65 years in the case of a man, and 60 years in the case of a woman.

#### *Attendant's Allowance*

14. If in the opinion of the Secretary any person to whom a pension has been granted under the Act has attained the age of 85 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 R120 per annum.

#### *Payment of Pensions and Allowances*

15. Pensions, additional or supplementary allowances and attendant's 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 pensioner shall take receipt in person of the pension and allowances payable to him and furnish a receipt



in ontvangs neem en 'n kwitansie onder sy handtekening of merk ten opsigte van die bedrag aldus ontvang, verstrekk.

(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 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 verstrekk ten effekte dat die pensioentrekker ten tye van die betaling in lewê 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 aanwesigheid van twee getuies onderteken en deur die Sekretaris goedgekeur, die pensioen en toelaes aan die persoon in die magtiging vermeld, uitbetaal.

(4) Die bepalinge 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 Oudstryders wat in Sekere Inrigtings Onderhou word of Behandeling Ontvang*

17. (1) Indien 'n pensioentrekker te eniger tyd in 'n inrigting op koste van die Staat of in 'n staats- of staatsondersteunde inrigting, behalwe 'n ouetehuis soos omskryf in artikel 1 van die Wet op Bejaarde Persone, 1967, wat geldelike bydraes 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 inrigting op koste van die Staat of in sodanige staats- of staatsondersteunde inrigting opgeneem word tot die laaste dag van die maand wat die maand waarin hy uit sodanige inrigting of sodanige staats- of staatsondersteunde inrigting ontslaan word, onmiddellik voorafgaan, betaal nie: Met dien verstande dat die bepalinge van hierdie regulasie nie van toepassing is nie op 'n pensioentrekker wat onderhou of behandel word—

(a) in sodanige inrigting, anders as op koste van die Staat, of in 'n staats- of staatsondersteunde inrigting wat 'n hospitaal is wat bestem is vir die behandeling van persone wat aan 'n akute ongesteldheid ly;

(b) vir 'n tydperk van hoogstens drie maande in 'n staats- of staatsondersteunde inrigting wat 'n hospitaal is wat bestem is vir die behandeling van persone wat aan 'n chroniese ongesteldheid ly.

(2) Ondanks die bepalinge van subregulasie (1), kan die Sekretaris na goeddunke 'n pensioen en enige toelaes wat aan 'n pensioentrekker in daardie subregulasie vermeld, toegeken is, of enige gedeelte daarvan, aan die pensioentrekker of aan 'n ander persoon of aan die bestuur van die staats- of staatsondersteunde inrigting waarin die pensioentrekker aldus onderhou of behandel word, vir besteding ten behoeve van die pensioentrekker betaal vir die tydperk wat die Sekretaris goedvind.

*Omskepping van Sekere Pensioene en Toelaes in 'n Oudstryderspensioen*

18. (1) Indien 'n persoon wat 'n pensioen ingevolge die Wet op Bejaarde Persone, 1967, of die Wet op

under his signature or mark in respect of the amount so received unless the pension and allowances are paid into a commercial bank or building society.

(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 War Veterans Maintained or Receiving Treatment in Certain Institutions*

17. (1) If at any time a pensioner is being maintained or is receiving treatment in any institution at the expense of the State or in a State or State-aided institution, except in a home for the aged as defined in section 1 of the Aged Persons Act, 1967, 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 institution at the expense of the State or 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 institution or State or State-aided institution: Provided that the provisions of this regulation shall not apply to a pensioner maintained or receiving treatment—

(a) in such institution, otherwise than at the expense of the State, or in a State or State-aided institution being a hospital intended for the treatment of persons suffering from any acute illness;

(b) for a period not exceeding three months in any State or State-aided institution being a hospital intended for the treatment of persons suffering from any chronic illness.

(2) Notwithstanding the provisions of subregulation (1), the Secretary may at his discretion pay a pension and any allowance granted to any pensioner referred to in that subregulation or any portion thereof to such pensioner or to any other person or to the management of the State or State-aided institution in which such pensioner is so being maintained or treated, for disbursing on behalf of such pensioner for such period as the Secretary may deem fit.

*Conversion of Certain Pensions and Grants into a War Veteran's Pension*

18. (1) If any person in receipt of a pension under the Aged Persons Act, 1967, or the Blind Persons Act, 1968,

Blindes, 1968, of 'n toelae ingevolge die Wet op Ongeskiktheidstoelae, 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 die beweging in 'n oudstryderspensioen ingevolge die Wet omgeskep 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 Toelae*

19. (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 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 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*

20. (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 dié 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 na 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.

(3) Indien die pensioen van 'n pensioentrekker wat in die huwelik getree het, hersien word, kan die Sekretaris, indien die pensioen verminder of ingetrek sou moes word as gevolg van die toepassing van regulasie 10 (1) (e), goedkeuring verleen dat die bates van die pensioentrekker se eggenoot of enige bates waarvan sy eggenoot vruggebruik hou, buite rekening gelaat word.

or any grant under the Disability Grants Act, 1968, qualifies for a war veterans' 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 veterans' 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*

19. (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 is 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*

20. (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 or 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.

(3) If the pension of a pensioner who has married is reviewed, the Secretary may, if the pension should have to be reduced or cancelled as a result of the application of regulation 10 (1) (e), approve that the assets of the pensioner's spouse or any assets of which his spouse holds usufruct, be not taken into account.



*Appel na die Minister*

21. (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 na 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.

*Herroeping van Sekere Wetsbepalings*

22. Goewermentskennisgewing R. 1758 van 30 September 1968, soos gewysig, word hierby ingetrek.

*Toepassing van Regulasies in Suidwes-Afrika en Datum van Inwerkingtreding*

23. Hierdie regulasies is ook van toepassing in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel en word geag in werking te getree het op die eerste dag van April 1971.

## 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 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, aantekening of dokument moet voorleë, vul in beskrywing daarvan; so nie, moet hierdie woorde geskrap word.

† Meld hoedanigheid van uitreikende beampte.

No. R. 462

24 Maart 1972

## REGULASIES OOR PENSIOENE VIR BLINDE PERSONE

Kragtens die bevoegdheid my verleen by artikel 17 van die Wet op Blinde Persone, 1968 (Wet 26 van 1968) vaardig ek Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene hierby onderstaande regulasies ten opsigte van Blankes soos omskryf in artikel 1 van die Bevolkingsregistrasiewet, 1950 (Wet 30 van 1950), uit.  
C. P. MULDER, Minister van Volkswelsyn en Pensioene.

## REGULASIES

*Woordomskrywing*

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

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

*Appeal to the Minister*

21. (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 fully state the grounds of appeal against such decision or such 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.

*Repeal of Certain Legal Provisions*

22. Government Notice R. 1758 of 30 September 1968, as amended, is hereby withdrawn.

*Application of Regulations in South-West Africa and Date of Commencement*

23. These regulations shall also apply in the Territory of South-West Africa, including the Eastern Caprivi Zipfel, and shall be deemed to have come into operation on the 1st day of April 1971.

## 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 \*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. 462

24 March 1972

## REGULATIONS RELATING TO BLIND PERSONS' PENSIONS

By virtue of the powers vested in me by section 17 of the Blind Persons Act, 1968 (Act 26 of 1968), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, hereby make the following regulations in respect of White persons as defined in section 1 of the Population Registration Act, 1950 (Act 30 of 1950).

C. P. MULDER, Minister of Social Welfare and Pensions.

## REGULATIONS

*Definitions*

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

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

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

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

(iv) "Minister" die Minister van Volkswelsyn en Pensioene;

(v) "Sekretaris" die Sekretaris van Volkswelsyn en Pensioene;

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 voet-kerse uitvoer;

(c) die beste regstreekse gesigskerpte van elke oog van die applikant afsonderlik sowel as van albei sy oë gesamentlik volgens die toets 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 swaker as 6/60 Snellen is en sy gesigsveld verminder is tot 50 persent van die normale gesigsveld en die sentrale deel van sy gesigsveld onaangestas 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 inkrimping van sy gesigsveld, soos byvoorbeeld in die geval van aangebore nistagmus, albinisme, bysiendheid, ensovoorts, gepaard gaan nie;

(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.

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

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

(iv) "Minister" means the Minister of Social Welfare and Pensions;

(v) "Secretary" means the Secretary for Social Welfare and Pensions;

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 acuity of 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) 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 is 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.



*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 verstrekt na sy beste wete en oortuiging waar en juis is, deur hom voor 'n attesterende beampte onderteken en by die distriks-pensioenbeampte vir die gebied waarin die applikant permanent woonagtig is, ingedien word.

(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.

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 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.

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.

*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 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.

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 inquiry 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 of 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.

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.

*Registrasie en Onderzoek van Aansoeke om Pensioen*

10. Die distrikspensioenbeampte moet 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 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 bepalinge 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) Behoudens die bepalinge van die Wet en van hierdie regulasies—

(a) beloop die pensioen wat aan 'n blinde persoon toegeken word, die bedrag van hoogstens R456 per jaar wat die Sekretaris met inagneming van die omstandighede, jaarlikse inkomste en ander middele van die betrokke blinde persoon en van sy eggenote vasstel;

(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 die bedrag van R648 per jaar te bowe gaan nie;

(c) word die bedrag van die pensioen wat aan 'n blinde persoon toegeken word met die bedrag van R24 per jaar verminder vir iedere R24 of gedeelte daarvan waarmee die jaarlikse inkomste en ander middele van sodanige persoon die bedrag van R192 te bowe gaan;

(d) word die gesamentlike bates, en 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.

*Registration and Investigation of Application 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 German War Veterans' Pension 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 subsidised 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) Subject to the provisions of the Act and of these regulations—

(a) the pension granted to any blind person shall be of such an amount, not exceeding R456 per annum, as the Secretary may determine having regard to the circumstances, annual income and other means of such blind person and of his spouse;

(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 R648 per annum;

(c) the amount of the pension granted to any blind person shall be reduced by the amount of R24 per annum for every R24 or part thereof by which the annual income and other means of such person exceed the amount of R192;

(d) the combined assets, and 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.



(2) (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 (2) (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 (2) (a) van toepassing is—

(i) word slegs die helfte van die gesamentlike jaarlikse inkomste van 'n getroude applikant en sy eggenote by die oorweging van sy aansoek om 'n pensioen ingevolge artikel 6 (3) van die Wet in aanmerking geneem;

(ii) word 'n bedrag van R240 van die bedrag van die vergoeding deur 'n ongetroude applikant ontvang vir dienste gelewer by die bepaling van die bedrag van sy jaarlikse inkomste buite rekening gelaat;

(iii) word 'n bedrag van R480 van die bedrag van die vergoeding deur 'n getroude applikant of sy eggenote ontvang vir dienste gelewer by die bepaling van die bedrag van die applikant se jaarlikse inkomste buite rekening gelaat.

(d) By die bepaling van 'n applikant se ander middele, word 40 persent van die onbeswaarde waarde van enige onroerende eiendom waarvan hy die eienaar is, of 40 persent van die waarde van enige onroerende eiendom waarvan hy die huurder is, buite rekening gelaat.

(e) By die bepaling van 'n applikant se ander middele, word enige bates wat hy of sy eggenote aan iemand anders geskenk het, of enige bates waarvan hy of sy eggenote vruggebruik gehou het waarvan afstand gedoen is, in aanmerking geneem, maar die bedrag of waarde van sodanige bates word met 'n bedrag, bereken teen die koers van R500 per jaar in die geval van 'n ongetroude applikant en teen R1 000 per jaar in die geval van 'n getroude applikant, verminder ten opsigte van iedere kalenderjaar wat sedert die datum van die skenking of afstand verloop het.

(3) By die toepassing van subregulasies (1) en (2) 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 of 'n vroulike persoon na die bereiking van die ouderdom van 65 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 Duitse Oudstryderspensioenordonnansie, 1965 (Ordonnansie 3 van 1965) van Suidwes-Afrika, die

(2) (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 (2) (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 (2) (a) apply—

(i) only half of the joint annual income of a married applicant and his spouse shall be taken into account in considering his application for a pension under section 6 (3) of the Act;

(ii) an amount of R240 of the amount of remuneration received by an unmarried applicant for services rendered shall not be taken into account in determining the amount of his annual income;

(iii) an amount of R480 of the amount of remuneration received by a married applicant or his spouse for services rendered shall not be taken into account in determining the amount of the applicant's annual income.

(d) In determining an applicant's other means, 40 per cent of the unencumbered value of any immovable property of which he is the owner or 40 per cent of the value of any immovable property of which he is the lessee shall not be taken into account.

(e) In determining an applicant's other means, any assets donated by him or his spouse to any other person, or any assets of which he or his spouse held usufruct which was relinquished, shall be taken into account, but the amount or value of such assets shall be reduced by an amount calculated at the rate of R500 per annum in the case of an unmarried applicant and at the rate of R1 000 per annum in the case of a married applicant, in respect of every calendar year which has elapsed since the date of the donation or relinquishment.

(3) For the purposes of subregulations (1) and (2)—

“assets” means 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” means—

(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, or a female person after she has attained the age of 65 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 German War Veterans' Pensions Ordinance, 1965 (Ordinance 3 of 1965), of South-West Africa, the Unemployment

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 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 R144 per jaar te behoort;

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

“ander middele”—

(a) die beraamde jaarlikse opbrengs van die bates van 'n applikant, soos bepaal deur die bedrag waarmee die onbeswaarde waarde van sodanige bates die bedrag van R4 800 te bowe gaan, deur 400 te deel en die resultaat met 24 te vermenigvuldig;

(b) die beraamde jaarlikse opbrengs van enige vruggebruik deur 'n applikant gehou soos bepaal deur die bedrag (tot en met die bedrag van R16 800) waarmee die onbeswaarde waarde van die bates waarop sodanige vruggebruik betrekking het, die bedrag van R4 800 te bowe gaan, deur 800 te deel en die resultaat met 24 te vermenigvuldig en die bedrag waarmee sodanige waarde die bedrag van R21 600 te bowe gaan, deur 960 te deel en die resultaat met 24 te vermenigvuldig;

(c) die beraamde jaarlikse opbrengs van enige onroerende eiendom deur 'n applikant of sy eggenote vir landboudoeleindes gehuur, soos bepaal deur die bedrag (tot en met die bedrag van R16 800) waarmee die waarde van sodanige eiendom die bedrag van R4 800 te bowe gaan, deur 800 te deel en die resultaat met 24 te vermenigvuldig en die bedrag waarmee sodanige waarde die bedrag van R21 600 te bowe gaan, deur 960 te deel en die resultaat met 24 te vermenigvuldig.

#### *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 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.

#### *Bykomende of Aanvullende Toelaes en Oppasserstoelaes*

15. Indien 'n persoon aan wie 'n pensioen ingevolge die Wet toegeken is, na die oordeel van die Sekretaris die ouderdom van 85 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 R120 per jaar betaal.

#### *Betaling van Pensioene en Toelaes*

16. 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.

17. (1) Behoudens die bepalings van subregulasie (2), en tensy die pensioen en toelaes in 'n handelsbank of bouvereniging inbetaal word, 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.

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 R144 per annum;

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

“other means” means—

(a) the estimated annual yield of the assets of an applicant, as determined by dividing the amount by which the unencumbered value of such assets exceeds the amount of R4 800 by 400 and by multiplying the result by 24;

(b) the estimated annual yield of any usufruct held by an applicant, as determined by dividing the amount (up to and including the amount of R16 800) by which the unencumbered value of the assets to which such usufruct relates exceeds the amount of R4 800 by 800 and by multiplying the result by 24 and by dividing the amount by which such value exceeds the amount of R21 600 by 960 and by multiplying the result by 24;

(c) the estimated annual yield of any immovable property rented by an applicant or his spouse for agricultural purposes, as determined by dividing the amount (up to and including the amount of R16 800) by which the value of such property exceeds the amount of R4 800 by 800 and by multiplying the result by 24 and by dividing the amount by which such value exceeds the amount of R21 600 by 960 and by multiplying the result by 24.

#### *Date on 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.

#### *Additional or Supplementary Allowances and Attendant's Allowance*

15. If in the opinion of the Secretary any person to whom a pension has been granted under the Act has attained the age of 85 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 R120 per annum.

#### *Payment of Pensions and Allowances*

16. 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.

17. (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 unless the pension and allowance are paid into a commercial bank or building society.



(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 bepaling 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***

18. (1) Indien 'n pensioentrekker te eniger tyd in 'n inrigting op koste van die Staat of in 'n Staats- of Staatsondersteunde inrigting, behalwe 'n ouetehuis soos omskryf in artikel 1 van die Wet op Bejaarde Persone, 1967, wat geldelike bydraes 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 inrigting op koste van die Staat of in sodanige Staats- of Staatsondersteunde inrigting opgeneem word tot die laaste dag van die maand wat die maand waarin hy uit sodanige inrigting of sodanige Staats- of Staatsondersteunde inrigting ontslaan word, onmiddellik voorafgaan, betaal nie: Met dien verstande dat die bepaling van hierdie regulasie nie van toepassing is nie op 'n pensioentrekker wat onderhou of behandel word—

(a) in so 'n inrigting, anders as op koste van die Staat of in 'n Staats- of Staatsondersteunde inrigting, wat 'n hospitaal is wat bestem is vir die behandeling van persone wat aan 'n akute ongesteldheid ly;

(b) vir 'n tydperk van hoogstens drie maande in 'n Staats- of Staatsondersteunde inrigting wat 'n hospitaal is wat bestem is vir die behandeling van persone wat aan 'n chroniese ongesteldheid ly.

(2) Ondanks die bepaling van subregulasie (1), kan die Sekretaris na goedgekeur 'n pensioen en enige toelaes wat aan 'n pensioentrekker in daardie subregulasie vermeld, toegeken is, of enige gedeelte daarvan, aan die pensioentrekker of aan 'n ander persoon of aan die bestuur van die Staats- of Staatsondersteunde inrigting waarin die pensioentrekker aldus onderhou of behandel word, vir besteding ten behoeve van die pensioentrekker betaal vir die tydperk wat die Sekretaris goedgevind.

***Omskepping van Sekere Pensioene of Toelaes in 'n Pensioen vir Blindes***

19. (1) Indien 'n persoon wat 'n pensioen ingevolge die Wet op Bejaarde Persone, 1967, of 'n toelaes ingevolge die Wet op Ongeskiktheidstoelaes, 1968, ontvang, aan die vereistes vir 'n pensioen vir blindes ingevolge die Wet voldoen, kan sodanige pensioen of toelaes, indien

(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 take receipt on his behalf of any pension and allowances granted to him for an indefinite period, 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***

18. (1) If at any time any pensioner is being maintained or is receiving treatment in any institution at the expense of the State or in a State or State-aided institution, except in a home for the aged as defined in section 1 of the Aged Persons Act, 1967, receiving grants-in-aid from the State, no pensions 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 institution at the expense of the State or 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 institution or such State or State-aided institution: Provided that the provisions of this regulation shall not apply to a pensioner maintained or receiving treatment—

(a) in such institution, otherwise than at the expense of the State or in a State or State-aided institution, being a hospital intended for the treatment of persons suffering from any acute illness;

(b) for a period not exceeding three months in any State or State-aided institution being a hospital intended for the treatment of persons suffering from any chronic illness.

(2) Notwithstanding the provisions of subregulation (1), the Secretary may at his discretion pay a pension and any allowance granted to any pensioner referred to in that subregulation or any portion thereof to such pensioner or to any other person or to the management of the State or State-aided institution in which such pensioner is so being maintained or treated, for disbursing on behalf of such pensioner for such period as the Secretary may deem fit.

***Conversion of Certain Pensions or Grants into a Blind Person's Pension***

19. (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

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 omgeskep 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*

20. (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 toelaes 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.

#### *Intrekking of Verandering van Pensioen*

21. (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.

(3) Indien die pensioen van 'n pensioentrekker wat in die huwelik getree het, hersien word, kan die Sekretaris, indien die pensioen verminder of ingetrek sou moes word as gevolg van die toepassing van regulasie 13 (1) (d), goedkeuring verleen dat die bates van die pensioentrekker se eggenoot of enige bates waarvan sy eggenoot vruggebruik hou, buite rekening gelaat word.

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*

20. (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 is 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*

21. (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.

(3) If the pension of a pensioner who has married is reviewed, the Secretary may, if the pension should have to be reduced or cancelled as a result of the application of regulation 13 (1) (d), approve that the assets of the pensioner's spouse or any assets of which his spouse holds usufruct, be left out of account.



*Appel na die Minister*

22. (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*

23. (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 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 R5 per maand per blinde persoon te bowe mag gaan nie.

*Herroeping van Sekere Wetsbepalings*

24. Goewermentskennisgewing R. 1757 van 30 September 1968, soos gewysig, en Goewermentskennisgewing 185 van 22 Oktober 1965, soos gewysig, van die gebied Suidwes-Afrika, word hierby ingetrek.

*Appeal to the Minister*

22. (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 action.

(2) Such notice shall fully state 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*

23. (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 organisation 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 subregulations (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 organisation referred to in subregulations (2): Provided that no contribution made under the said section shall exceed the amount of R5 per month per blind person.

*Repeal of Certain Legal Provisions*

24. Government Notice R. 1757 of 30 September 1968, as amended, and Government Notice 195 of 22 October 1965, as amended, of the Territory of South-West Africa, are hereby withdrawn.





voor 'n attesterende beampte onderteken en by die distrikspensioenbeampte vir die gebied waarin die applikant permanent woonagtig is, ingedien word.

(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 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 goeë dunske 'n ander persoon toelaat om namens sodanige applikant of persoon aansoek om die ongeskiktheidstoelae 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 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 voldoende 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 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) 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 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.

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 disability grant 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 disability grant 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 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 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 the medical certificate referred to in regulation 8;

(c) 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;

(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 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.

*Registrasie en Ondersoek van Aansoeke om  
Ongeskiktheidstoelae*

7. Die distrikspensioenbeamppte 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 distrikspensioenbeamppte aan geneeskundige ondersoek deur 'n distriksgeneesheer onderwerp.

(b) Die distriksgeneesheer wat 'n applikant op versoek van die Sekretaris of 'n distrikspensioenbeamppte geneeskundig ondersoek, moet die Sekretaris of daardie distrikspensioenbeamppte, na gelang van die geval, van 'n verslag op die toepaslike vorm voorsien.

*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 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 of behandeling wat 'n distriksgeneesheer nodig ag ten einde die mate van sy beweerde ongeskiktheid vas te stel;

(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 of versuim om hom op versoek van die Sekretaris of die distrikspensioenbeamppte 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.

(2) By die toepassing van subregulasie (1)—

(a) beteken "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.

*Registration and Investigation 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.

*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 who are 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 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 or treatment deemed necessary by a district surgeon with a view to determining the degree of his alleged disability;

(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 he 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, at the request of 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.

(2) For the purposes 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 that is dangerous to life or that may endanger life shall not be deemed to be refusal on inadequate grounds.



*Vasstelling van Bedrag van Ongeskiktheidstoelae*

11. (1) Behoudens die bepalinge van die Wet en van hierdie regulasies—

(a) beloop die ongeskiktheidstoelae wat aan 'n persoon toegeken word, die bedrag van hoogstens R456 per jaar wat die Sekretaris met inagneming van die omstandighede, jaarlikse inkomste en ander middele van die applikant en van sy eggenote vasstel;

(b) word 'n ongeskiktheidstoelae nie aan 'n persoon toegeken teen so 'n skaal dat sy jaarlikse inkomste en ander middele tesame met die ongeskiktheidstoelae die bedrag van R648 per jaar te bowe gaan nie;

(c) word die bedrag van die ongeskiktheidstoelae wat aan 'n persoon toegeken word met R24 per jaar verminder vir iedere R24 of gedeelte daarvan waarmee die jaarlikse inkomste en ander middele van sodanige persoon die bedrag van R192 te bowe gaan;

(d) word die gesamentlike bates, en 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.

(2) (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 bepalinge van subregulasie (2) (a) van toepassing is—

(i) word slegs die helfte van die gesamentlike jaarlikse inkomste van 'n getroude applikant en sy eggenote by die oorweging van sy aansoek om 'n ongeskiktheidstoelae ingevolge artikel 4 (3) van die Wet in aanmerking geneem;

(ii) word 'n bedrag van R240 van die bedrag van die vergoeding deur 'n ongetroude applikant ontvang vir dienste gelewer by die bepaling van die bedrag van sy jaarlikse inkomste buite rekening gelaat;

(iii) word 'n bedrag van R480 van die bedrag van die vergoeding deur 'n getroude applikant of sy eggenote ontvang vir dienste gelewer by die bepaling van die bedrag van die applikant se jaarlikse inkomste buite rekening gelaat.

(c) By die bepaling van 'n applikant se ander middele word 40 persent van die onbeswaarde waarde van enige onroerende eiendom waarvan hy die eienaar is, of 40 persent van die waarde van enige onroerende eiendom waarvan hy die huurder is, buite rekening gelaat.

(d) By die bepaling van 'n applikant se ander middele, word enige bates wat hy of sy eggenote aan iemand anders geskenk het, of enige bates waarvan hy of sy eggenote vruggebruik gehou het waarvan afstand gedoen is, in aanmerking geneem, maar die bedrag of waarde van sodanige bates word met 'n bedrag, bereken teen die koers van R500 per jaar in die geval van 'n ongetroude applikant en teen R1 000 per jaar in die geval van 'n getroude applikant, verminder ten opsigte van iedere kalenderjaar wat sedert die datum van die skenking of afstand verloop het.

*Determination of Amount of Disability Grant*

11. (1) Subject to the provisions of the Act and of these regulations—

(a) the disability grant granted to any person shall be of such an amount, not exceeding R456 per annum, as the Secretary may determine having regard to the circumstances, annual income and other means of the applicant and of his spouse;

(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 disability grant exceed the amount of R648 per annum;

(c) the amount of the disability grant granted to any person shall be reduced by the amount of R24 per annum for every R24 or part thereof by which the annual income and other means of such person exceed the amount of R192;

(d) the combined assets, and 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.

(2) (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 (2) (a) apply—

(i) only half of the joint annual income of a married applicant and his spouse shall be taken into account in considering his application for a disability grant under section 4 (3) of the Act;

(ii) an amount of R240 of the amount of remuneration received by an unmarried applicant for services rendered shall not be taken into account in determining the amount of his annual income;

(iii) an amount of R480 of the amount of remuneration received by a married applicant or his spouse for services rendered shall not be taken into account in determining the amount of the applicant's annual income.

(c) In determining an applicant's other means 40 per cent of the unencumbered value of any immovable property of which he is the owner of 40 per cent of the value of any immovable property of which he is the lessee shall not be taken into account.

(d) In determining an applicant's other means any assets donated by him or his spouse to any other person, or any assets of which he or his spouse held usufruct which was relinquished, shall be taken into account, but the amount or value of such assets shall be reduced by an amount, calculated at the rate of R500 per annum in the case of an unmarried applicant and at the rate of R1 000 per annum in the case of a married applicant, in respect of every calendar year which has elapsed since the date of the donation or relinquishment.

(3) By die toepassing van subregulasies (1) en (2) 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 Duitse Oudstryderspensioenordonnansie, 1965 (Ordonnansie 3 van 1965), van Suidwes-Afrika, of 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), 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 R144 per jaar te beloop;

(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 van ’n applikant, soos bepaal deur die bedrag waarmee die onbeswaarde waarde van sodanige bates die bedrag van R4 800 te bowe gaan, deur 400 te deel en die resultaat met 24 te vermenigvuldig;

(b) die beraamde jaarlikse opbrengs van enige vruggebruik deur ’n applikant gehou, soos bepaal deur die bedrag (tot en met die bedrag van R16 800) waarmee die onbeswaarde waarde van die bates waarop sodanige vruggebruik betrekking het, die bedrag van R4 800 te bowe gaan, deur 800 te deel en die resultaat met 24 te vermenigvuldig en die bedrag waarmee sodanige waarde die bedrag van R21 600 te bowe gaan, deur 960 te deel en die resultaat met 24 te vermenigvuldig;

(c) die beraamde jaarlikse opbrengs van enige onroerende eiendom deur ’n applikant of sy eggenote vir landboudoeleindes gehuur, soos bepaal deur die bedrag (tot en met die bedrag van R16 800) waarmee die waarde van sodanige eiendom die bedrag van R4 800 te bowe gaan, deur 800 te deel en die resultaat met 24 te vermenigvuldig en die bedrag waarmee sodanige waarde die bedrag van R21 600 te bowe gaan, deur 960 te deel en die resultaat met 24 te vermenigvuldig.

*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 bepalinge 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.

*Oppasserstoelae*

13. 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

(3) For the purposes of subregulations (1) and (2)—

“assets” means 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” means—

(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 German War Veterans’ Pensions Ordinance, 1965 (Ordinance 3 of 1965) of South-West Africa, or 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 R144 per annum;

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

“other means” means—

(a) the estimated annual yield of the assets of an applicant, as determined by dividing the amount by which the unencumbered value of such assets exceeds the amount of R4 800 by 400 and by multiplying the result by 24;

(b) the estimated annual yield of any usufruct held by an applicant, as determined by dividing the amount (up to and including the amount of R16 800) by which the unencumbered value of the assets to which such usufruct relates exceeds the amount of R4 800 by 800 and by multiplying the result by 24 and by dividing the amount by which such value exceeds the amount of R21 600 by 960 and by multiplying the result by 24;

(c) the estimated annual yield of any immovable property rented by an applicant or his spouse for agricultural purposes, as determined by dividing the amount (up to and including the amount of R16 800) by which the value of such property exceeds the amount of R4 800 by 800 and by multiplying the result by 24 and by dividing the amount by which such value exceeds the amount of R21 600 by 960 and by multiplying the result by 24.

*Date on 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.

*Attendant’s Allowance*

13. 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



versorging betaal word nie, kan die Sekretaris, op die voorwaardes 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 R120 per jaar toeken.

#### *Betaling van Ongeskiktheidstoelae en Ander Toelae*

14. Ongeskiktheidstoelae, bykomende toelae en oppasserstoelae ingevolge die Wet op 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), en tensy die ongeskiktheidstoelae en ander toelae in 'n handelsbank of bouvereniging inbetaal word, 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*

16. (1) Indien 'n begiftigde te eniger tyd in 'n inrigting op koste van die Staat of in 'n Staats- of Staats-ondersteunde inrigting, behalwe 'n ouetehuis soos omskryf in artikel 1 van die Wet op Bejaarde Persone, 1967, wat geldelike bydraes van die Staat ontvang, onderhou word of behandeling ontvang, word geen ongeskiktheidsstoelae 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 inrigting op koste van die Staat of in sodanige Staats- of Staatsondersteunde inrigting opgeneem word tot die laaste dag van die maand wat die maand waarin hy uit sodanige inrigting of sodanige Staats- of Staatsondersteunde inrigting ontslaan word, onmiddellik voorafgaan, betaal nie: Met dien verstande dat die bepalings van hierdie regulasie nie van toepassing is nie op 'n begiftigde wat onderhou of behandel word—

(a) in so 'n inrigting, anders as op koste van die Staat of in 'n Staats- of Staatsondersteunde inrigting, wat 'n hospitaal is wat bestem is vir die behandeling van persone wat aan 'n akute ongesteldheid ly;

Secretary may, on such conditions and with effect from 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 R120 per annum.

#### *Payment of Disability Grants and Other Allowances*

14. 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.

15. (1) Subject to the provisions of subregulation (2), every grantee shall take receipt in person of the disability grant and any other allowances payable to him and furnish a receipt under his signature or mark in respect of the amount so received, unless the disability grant and other allowances are paid into a commercial bank or building society.

(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 take receipt on his behalf of any disability grant and other allowances granted to him for an indefinite period, 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 Persons Maintained or Receiving Treatment in Certain Institutions*

16. (1) If at any time any grantee is being maintained or receiving treatment in any institution at the expense of the State or in a State or State-aided institution, except in a home for the aged, as defined in section 1 of the Aged Persons Act, 1967, receiving grants-in-aid from the State, no disability grant or other 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 institution at the expense of the State or 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 institution or such State or State-aided institution: Provided that the provisions of this regulation shall not apply to a grantee maintained or receiving treatment—

(a) in such institution, otherwise than at the expense of the State or in a State or State-aided institution, being a hospital intended for the treatment of persons suffering from any acute illness;

(b) vir 'n tydperk van hoogstens drie maande in 'n Staats- of Staatsondersteunde inrigting wat 'n hospitaal is wat bestem is vir die behandeling van persone wat aan 'n chroniese ongesteldheid ly.

(2) Ondanks die bepalings van subregulasie (1), kan die Sekretaris na goeëddunke 'n ongeskiktheidstoelae en enige ander toelae wat aan 'n begiftigde in daardie subregulasie vermeld, toegeken is, of enige gedeelte daarvan, aan die begiftigde of aan 'n ander persoon of aan die bestuur van die Staats- of Staatsondersteunde inrigting waarin die begiftigde aldus onderhou of behandel word, vir besteding ten behoeve van die begiftigde betaal vir die tydperk wat die Sekretaris goedvind.

#### *Verval van Ongeskiktheidstoelae en Ander Toelaes*

17. (1) 'n Ongeskiktheidstoelae of ander toelae ingevolge die Wet op hierdie regulasies toegeken, verval—

- (a) Wanneer 'n begiftigde te sterwe kom, en geen sodanige ongeskiktheidstoelae of ander toelaes is aan die boedel van sodanige begiftigde betaalbaar nie;
- (b) wanneer 'n begiftigde die ongeskiktheidstoelae vir ses agtereenvolgende maande niet getrek het nie.

(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 begrafenis;

(b) kan die Sekretaris, indien hy oortuig is dat die versuim om die ongeskiktheidstoelae 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 afwesig is, word gestaak vanaf die eerste dag van die sewende maand wat volg op die maand waarin hy die Republiek laas 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*

18. (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

(b) for a period not exceeding three months in any State or State-aided institution being a hospital intended for the treatment of persons suffering from any chronic illness.

(2) Notwithstanding the provisions of subregulation (1), the Secretary may at his discretion pay a disability grant and any other allowance granted to any grantee referred to in that subregulation or any portion thereof to such grantee or to any other person or to the management of the State or State-aided institution in which such grantee is so being maintained or treated, for disbursing on behalf of such grantee for such period as the Secretary may deem fit.

#### *Lapsing of Disability Grant and Other Allowances*

17. (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 is payable to the estate of such grantee;
- (b) when a grantee has not drawn such disability grant for six consecutive months.

(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 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 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 last left the Republic: 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*

18. (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



die ongeskiktheidstoelae in ooreenstemming met die bepalinge 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.

(3) Indien die ongeskiktheidstoelae van 'n begiftigde wat in die huwelik getree het, hersien word, kan die Sekretaris, indien die ongeskiktheidstoelae verminder of ingetrek sou moes word as gevolg van die toepassing van regulasie 11 (1) (d), goedkeuring verleen dat die bates van die begiftigde se eggenoot, of enige bates waarvan sy eggenoot vruggebruik hou, buite rekening gelaat word.

#### *Appel na die Minister*

19. (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.

(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.

#### *Herroeping van Sekere Wetsbepalings*

20. Goewermentskennisgewing R. 1759 van 30 September 1968, soos gewysig, en Goewermentskennisgewing 185 van 22 Oktober 1965, soos gewysig, van die gebied Suidwes-Afrika word hierby ingetrek.

#### *Toepassing van Regulasies in Suidwes-Afrika en Datum van Inwerkingtreding*

21. Hierdie regulasies is ook van toepassing in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel en word geag in werking te getree het op die eerste dag van April 1971.

#### BYLAE A

##### DAGVAARDING KRAGTENS ARTIKEL 5 VAN WET 27 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 boeke, aantekeninge of dokumente met u saam te bring en aan genoemde ..... voor te lê.

Gegee onder my Hand op hede die ..... dag van ..... 19.....

\* .....

† .....

\* Indien die gedagvaarde 'n boek, aantekening of dokument moet voorlê, vul in beskrywing daarvan; so nie, moet hierdie woorde geskrap word.

† Meld hoedanigheid van uitreikende beampte.

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.

(3) If the disability grant of a grantee who has married is reviewed, the Secretary may, if the disability grant should have to be reduced or cancelled as a result of the application of regulation 11 (1) (d), approve that the assets of the grantee's spouse or any assets of which his spouse holds usufruct, be left out of account.

#### *Appeal to the Minister*

19. (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 action.

(2) Such notice shall fully state 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.

#### *Repeal of Certain Legal Provisions*

20. Government Notice R. 1759 of 30 September 1968, as amended, and Government Notice 195 of 22 October 1965, as amended, of the Territory of South-West Africa, are hereby withdrawn.

#### *Application of Regulations in South-West Africa and Date of Commencement*

21. These regulations shall also apply in the Territory of South-West Africa, including the Eastern Caprivi Zipfel, and shall be deemed to have come into operation on the first day of April 1971.

#### SCHEDULE A

##### SUBPOENA UNDER SECTION 5 OF ACT 27 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 \*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.

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