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GOVERNMENT NOTICE

DEPARTMENT OF SOCIAL WELFARE AND PENSIONS

No. R. 1062

22 June 1973

REGULATIONS UNDER THE GOVERNMENT SERVICE PENSION ACT, 1973

By virtue of the powers vested in me by section 17 of the Government Service Pension Act, 1973 (Act 57 of 1973), I, Cornelius Petrus Mulder, Minister of Social Welfare and Pensions, hereby make the regulations set out in the Schedule hereto.

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

**SCHEDULE
REGULATIONS**

Definitions

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

“actuary” means an actuary referred to in section 17 (2) (g) of the Act;

“compound interest” means interest compounded annually on the 31st day of March;

“factor D” means factor D of the formula;

“gratuity” means a benefit calculated in accordance with regulation 11 or 12 (1) (a);

“marriage gratuity” means a benefit calculated in accordance with regulation 13 (3);

“other fund” means a pension or provident fund or scheme which is administered by or under the control of the Minister under any other law, the New Railways and Harbours Superannuation Fund, any such fund or scheme which is established under a pension law administered by the Government of the Transkei referred to in the Transkei Constitution Act, 1963, and any other similar fund or scheme which the Minister may approve for the purposes of the Act on such terms and conditions as he may determine;

GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN VOLKSWELSYN EN PENSIOENE

No. R. 1062

22 Junie 1973

REGULASIES KRAGTENS DIE REGERINGS-DIENSPENSIOENWET, 1973

Kragtens die bevoegdheid my verleen by artikel 17 van die Regeringsdienspensioenwet, 1973 (Wet 57 van 1973), vaardig ek, Cornelius Petrus Mulder, Minister van Volkswelsyn en Pensioene, hierby die regulasies in bygaande Bylae vervat, uit.

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

**BYLAE
REGULASIES**

Woordomskrywings

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

“aanvullende bedrag” ’n bedrag bedoel in regulasie 12 (1) (c);

“aktuaris” ’n aktuaris bedoel in artikel 17 (2) (g) van die Wet;

“ander fonds” ’n pensioen- of ondersteunings- of voorsorgfonds of -skema wat kragtens ’n ander wet deur of onder die beheer van die Minister geadministreer word, die Nuwe Spoorweg- en Hawesuperannuasiefonds, enige sodanige fonds of skema wat ingestel is kragtens ’n pensioenwet wat uitgevoer word deur die Regering van die Transkei in die Transkeise Grondwet, 1963, bedoel, en enige ander soortgelyke fonds of skema wat die Minister op die deur hom bepaalde bedinge en voorwaardes vir die doeleindes van die Wet goedkeur;

“die formule” met betrekking tot ’n aangeleentheid wat ooreenkomstig die formule bereken moet word—

R X Z X N X D

waarin—

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

"pensionable emoluments" means the amount of a member's pay and allowances which the Secretary may from time to time approve in consultation with the Treasury, either in general or in a particular case or class or category of cases;

"pensionable service" in relation to a member, means—

(a) service which immediately prior to the fixed date was reckoned as pensionable service of the member in terms of a regulation made under any law which was repealed by the Act;

(b) continuous service on or after the fixed date in respect of which such member contributes or contributed to the Fund or was liable to contribute to the Fund, and in respect of which no benefit has been paid out of the Fund in terms of the Act or these regulations;

(c) any period which is reckoned or allowed as pensionable service of the member in terms of these regulations;

"supplementary amount" means an amount referred to in regulation 12 (1) (c);

"the Act" means the Government Service Pension Act, 1973;

"the formula" in relation to any matter to be calculated in accordance with the formula—

$R \times Z \times N \div D$

in which—

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

factor 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;

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

factor D shall be determined by subtracting a number calculated in accordance with the undermentioned table from 10 000 and dividing the result by 10 000:

TABLE

Completed months of pensionable service	Calculation of number
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;

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

Membership

2. (1) No person shall become or remain a member of the Fund in terms of section 5 (2) (c) of the Act, unless—

(a) he is or was a member of the Fund or of a previous fund and is seconded to the service of another government or of a board, institution, establishment or body which has been established by or under any law or of any body or person and his continued membership of the Fund is approved by the Secretary and he or such other government, board, institution, establishment or body or such body or person undertakes to pay the contributions referred to in regulation 3 to the Fund from time to time;

faktor 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, watter tydperk ook al die kortste is;

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

faktor D bepaal word deur 'n getal bereken ooreenkomstig onderstaande tabel van 10 000 af te trek en die resultaat deur 10 000 te verdeel:

TABEL

Voltooide maande van pensioengewende diens	Berekening van getal
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;

"die Wet" die Regeringsdienspensioenwet, 1973;

"faktor D" faktor D van die formule;

"gratifikasie" 'n voordeel wat ooreenkomstig regulasie 11 of 12 (1) (a) bereken word;

"huweliksgratifikasie" 'n voordeel wat ooreenkomstig regulasie 13 (3) bereken word;

"pensioengewende diens" met betrekking tot 'n lid—

(a) diens wat onmiddellik voor die vasgestelde datum ingevolge 'n regulasie uitgevaardig kragtens 'n wet wat deur die Wet herroep is, as pensioengewende diens van die lid gereken was;

(b) ononderbroke diens op of na die vasgestelde datum ten opsigte waarvan sodanige lid tot die Fonds bydra of bygedra het of onder verpligting was om tot die Fonds by te dra, en ten opsigte waarvan geen voordeel ingevolge die Wet of hierdie regulasies, uit die Fonds betaal is nie;

(c) enige tydperk wat ingevolge hierdie regulasies as pensioengewende diens van die lid gereken of toegelaat word;

"pensioengewende verdienste" die bedrag van 'n lid se besoldiging en toelaes wat die Sekretaris in oorleg met die Tesourie, hetsy oor die algemeen of in 'n besondere geval of klas of kategorie van gevalle, van tyd tot tyd goedgekeur;

"saamegestelde rente" rente jaarliks saamegestel op die 31ste dag van Maart;

en het 'n woord waaraan daar in die Wet 'n betekenis geheg word, daardie betekenis.

Lidmaatskap

2. (1) Niemand word of bly 'n lid van die Fonds ingevolge artikel 5 (2) (c) van die Wet nie, tensy—

(a) hy 'n lid van die Fonds of van 'n vorige fonds is of was en vir diens aan 'n ander Regering of aan 'n raad, inrigting, instelling of liggaam wat by of kragtens 'n wet ingestel is, of aan 'n liggaam of persoon afgegaan is en sy voortgesette lidmaatskap van die Fonds deur die Sekretaris goedgekeur word en hy of sodanige ander Regering, raad, inrigting, instelling of liggaam of sodanige liggaam of persoon onderneem om van tyd tot tyd die bydraes in regulasie 3 bedoel aan die Fonds te betaal;

(b) he has been appointed under the provisions of section 1 (1) of the Diplomatic Mission in United Kingdom Service Act, 1961 (Act 38 of 1961), and occupies a post designated by the Commission for the purposes of these regulations.

(2) Subject to the provisions of these regulations, a member shall cease to be a member of the Fund if—

(a) he retires or is retired or discharged on pension in terms of the Act or any other law;

(b) he resigns or is discharged from his employment;

(c) he is seconded to the service of any other government or of a board, institution, establishment or body established by or under any law or of any body or person.

Contributions

3. (1) A member shall contribute to the Fund—

(a) in the case of a male member, at the rate of seven per cent of his pensionable emoluments;

(b) in the case of a female member, at the rate of five per cent of her pensionable emoluments.

(2) An amount which is equal to 2,25 times the amount which a member contributes to the Fund in terms of subregulation (1), shall be paid from revenue to the Fund.

Collection of Contributions

4. (1) The amount which a member contributes to the Fund in terms of regulation 3 (1) shall be deducted from the pensionable emoluments of the member monthly or at such times as the Secretary may, from time to time, determine, and be paid to the Fund immediately.

(2) Any amount which shall be paid from revenue to the Fund in terms of regulation 3 (2), shall be paid to the Fund at such times and in such manner as the Secretary may, from time to time, determine.

(3) Any amount which was owing to a previous fund immediately prior to the fixed date, shall be paid to the Fund in accordance with such terms and conditions and in such instalments which applied at that time in respect of the payment of the amount so owing.

(4) Any amount which a member shall pay to the Fund in terms of regulation 7 (3) or 8 (3), shall be deducted from the pensionable emoluments of the member monthly or in such manner and at such times and in such instalments as the Secretary may determine, and be paid to the Fund immediately.

(5) Any amount which is owing to the Fund by a member at the time of his death, shall, notwithstanding anything to the contrary in any law contained, be set off against any benefit which is payable to the dependants or the estate of such member from the Fund in terms of the Act or these regulations: Provided that, if the amount so owing exceeds the amount of the said benefit, the difference shall not be recoverable from the estate of the member.

Pensionable Service

5. (1) For the purposes of these regulations—

(a) a period of pensionable service shall be calculated by the year and portion of a year and any portion of a year shall be determined according to the proportion which the number of days in that portion of a year bears to 365 days;

(b) any period which has been allowed as pensionable service of a member in terms of—

(i) section 8 (3) (a) (ii) or (b), (4) or (4)*bis* of the Government Service Pensions Act, 1955 (Act 58 of 1955); or

(ii) section 9 (1) of the Pension Laws Amendment Act, 1957 (Act 62 of 1957); or

(b) hy kragtens die bepalings van artikel 1 (1) van die Wet op Diens by Diplomatieke Sending in Verenigde Koninkryk, 1961 (Wet 38 van 1961), aangestel is en 'n pos beklee wat deur die Kommissie vir die doeleindes van hierdie regulasies aangewys word.

(2) Behoudens die bepalings van hierdie regulasies, hou 'n lid op om 'n lid van die Fonds te wees, indien—

(a) hy met pensioen aftree of afgedank of ontslaan word ingevolge die Wet of 'n ander wet;

(b) hy uit sy diens bedank of ontslaan word;

(c) hy vir diens aan 'n ander Regering of aan 'n raad, inrigting, instelling of liggaam wat by of kragtens 'n wet ingestel is of aan 'n liggaam of persoon afgestaan word.

Bydraes

3. (1) 'n Lid dra tot die Fonds by—

(a) in die geval van 'n manlike lid, teen die koers van sewe persent van sy pensioengewende verdienste;

(b) in die geval van 'n vroulike lid, teen die koers van vyf persent van haar pensioengewende verdienste.

(2) 'n Bedrag wat gelykstaan aan 2,25 maal die bedrag wat 'n lid ingevolge subregulasie (1) tot die Fonds bydra, word uit inkomste aan die Fonds betaal.

Invoordering van Bydraes

4. (1) Die bedrag wat 'n lid ingevolge regulasie 3 (1) tot die Fonds bydra, word maandeliks of op die tye wat die Sekretaris van tyd tot tyd bepaal van die lid se pensioengewende verdienste afgetrek, en onmiddellik aan die Fonds betaal.

(2) Enige bedrag wat ingevolge regulasie 3 (2) aan die Fonds uit inkomste betaal moet word, word op die tye en die wyse wat die Sekretaris van tyd tot tyd bepaal, aan die Fonds betaal.

(3) Enige bedrag wat onmiddellik voor die vasgestelde datum aan 'n vorige fonds verskuldig was, word aan die Fonds betaal ooreenkomstig die bedinge en voorwaardes en in die paaielemente wat ten opsigte van die betaling van die bedrag aldus verskuldig, op daardie tydstip geldet het.

(4) Enige bedrag wat 'n lid ingevolge regulasie 7 (3) of 8 (3) aan die Fonds moet betaal, word maandeliks of op die wyse en tye en in die paaielemente wat die Sekretaris bepaal, van die lid se pensioengewende verdienste afgetrek, en onmiddellik aan die Fonds betaal.

(5) Enige bedrag wat ten tye van 'n lid se afsterwe deur hom aan die Fonds verskuldig is, word, ondanks andersluidende wetsbepalings, verreken teen enige voordeel wat ingevolge die Wet of hierdie regulasies aan sodanige lid se afhanklikes of aan sy boedel uit die Fonds betaalbaar is: Met dien verstande dat, indien die bedrag aldus verskuldig die bedrag van bedoelde voordeel oorskry, die verskil nie op die lid se boedel verhaalbaar is nie.

Pensioengewende Diens

5. (1) By die toepassing van hierdie regulasies—

(a) word 'n tydperk van pensioengewende diens by die jaar en gedeelte van 'n jaar bereken en word 'n gedeelte van 'n jaar bepaal volgens die verhouding waarin die getal dae in bedoelde gedeelte van 'n jaar tot 365 dae staan;

(b) word, ondanks andersluidende wetsbepalings, enige tydperk wat ingevolge—

(i) artikel 8 (3) (a) (ii) of (b), 4 of 4*bis* van die Regeringsdiens-pensioenwet, 1955 (Wet 58 van 1955); of

(ii) artikel 9 (1) van die Wysigingswet op die Pensioenwette, 1957 (Wet 62 van 1957); of

(iii) regulation 6 (3) (a) (ii) or (b), (4) or (5) of the regulations promulgated under Government Notices R. 1968 of 10 December 1965, R. 1969 of 15 December 1965 and R. 2031 of 22 December 1965, respectively; or

(iv) regulation 8 (4) (c) of the regulations promulgated under Government Notice R. 1125 of 4 July 1969; or

(v) regulation 6 (1) (b) (ii);

shall, notwithstanding anything to the contrary in any law contained, be excluded when calculating a benefit which shall be paid to a member or his estate in terms of these regulations on his resignation or on his discharge on account of misconduct or on his death without dependants;

(c) the pensionable service of a member shall not be deemed to be interrupted by a period during which he was absent on leave without pay or was suspended from duty;

(d) a member who is a female teacher and who resigns with a view to getting married or who is discharged on account of her marriage, shall be deemed to have completed five years pensionable service if she contributed to the Fund in respect of each school quarter during the first five years of her service as a teacher.

(2) Notwithstanding the provisions of subregulation (1) (c), no period during which a member is absent on leave without pay or is suspended from duty, shall be taken into account for the calculation of a benefit which shall be paid to him in terms of the Act or these regulations, unless such period is reckoned or allowed as pensionable service of such member in terms of regulation 6.

Recognition of Previous Periods of Service and Other Periods for Purposes of Pensionable Service

6. (1) Subject to the provisions of this regulation—

(a) any period of uninterrupted service during which a member immediately prior to the date on which he became a member of the Fund, was in the employ of the Government or of an administration in a temporary capacity and in respect of which he did not contribute to any other fund, shall be reckoned as pensionable service;

(b) any period or part of a period—

(i) during which a member was absent on leave without pay or was suspended from duty and in respect of which he did not contribute to the Fund;

(ii) which is not pensionable service and which follows on the date on which a member attained the age of eighteen years;

(iii) of previous pensionable service in respect of which a member contributed to the Fund or a previous fund, except the Government Service Widows' Pension Fund, and in respect of which a benefit other than a gratuity or an annuity was paid to him or is payable to him;

may at the written request of the member concerned and in the discretion of the Secretary be allowed as pensionable service.

(2) The provisions of subregulation (1) (a) shall not apply in respect of a member who is a married woman and who, within 90 days or such other period as the Secretary may determine, after she became liable to contribute to the Fund, gives notice in writing that she prefers not to be subject to those provisions.

(iii) regulasie 6 (3) (a) (ii) of (b), (4) of (5) van die regulasies onderskeidelik afgekondig by Goewermentskennisgewings R. 1968 van 10 Desember 1965, R. 1969 van 15 Desember 1965 en R. 2031 van 22 Desember 1965; of

(iv) regulasie 8 (4) (c) van die regulasies afgekondig by Goewermentskennisgewing R. 1125 van 4 Julie 1969; of

(v) regulasie 6 (1) (b) (ii);

as pensioengewende diens van 'n lid toegelaat is, by die berekening van 'n voordeel wat ingevolge hierdie regulasies aan 'n lid of sy boedel betaal moet word by sy bedanking, of by sy ontslag weens wangedrag, of by sy afsterwe sonder afhanklikes, buite rekening gelaat;

(c) word die pensioengewende diens van 'n lid nie geag onderbreek te wees deur 'n tydperk waartydens hy sonder besoldiging met verlof afwesig was of uit sy diens geskors was nie;

(d) word 'n lid wat 'n onderwyseres is en wat bedank met die doel om in die huwelik te tree of wat as gevolg van haar huwelik ontslaan word, geag vyf jaar pensioengewende diens te voltooi het indien sy ten opsigte van iedere skoolkwartaal gedurende die eerste vyf jaar van haar diens as onderwyseres tot die Fonds bygedra het.

(2) Ondanks die bepalings van subregulasie (1) (c), word geen tydperk waartydens 'n lid sonder besoldiging met verlof afwesig is of uit sy diens geskors is, by die berekening van 'n voordeel wat ingevolge die Wet of hierdie regulasies aan hom betaal moet word, in berekening gebring nie, tensy sodanige tydperk ingevolge regulasie 6 as pensioengewende diens van bedoelde lid gereken of toegelaat word.

Erkenning van Vorige Tydperke van Diens en Ander Tydperke vir Doelindes van Pensioengewende Diens

6. (1) Behoudens die bepalings van hierdie regulasie—

(a) word enige tydperk van ononderbroke diens waartydens 'n lid onmiddellik voor die datum waarop hy 'n lid van die Fonds geword het, in 'n tydelike hoedanigheid in die diens van die Regering of van 'n administrasie was en ten opsigte waarvan hy nie tot 'n ander fonds bygedra het nie, as pensioengewende diens gereken;

(b) kan enige tydperk of gedeelte van 'n tydperk—

(i) waartydens 'n lid sonder besoldiging met verlof afwesig was of uit sy diens geskors was en ten opsigte waarvan hy nie tot die Fonds bygedra het nie;

(ii) wat nie pensioengewende diens is nie en wat volg op die datum waarop 'n lid die leeftyd van 18 jaar bereik het;

(iii) van vorige pensioengewende diens ten opsigte waarvan 'n lid tot die Fonds of 'n vorige fonds, uitgesonderd die Regeringsdiens-weduweespensioenfondse, bygedra het en ten opsigte waarvan 'n ander voordeel as 'n gratifikasie of jaargeld aan hom uitbetaal is of aan hom betaalbaar is;

op die skriftelike versoek van die betrokke lid en na goedgekeurde van die Sekretaris as pensioengewende diens toegelaat word.

(2) Die bepalings van subregulasie (1) (a) is nie van toepassing nie ten opsigte van 'n lid wat 'n getroude vrou is en wat binne 90 dae of die ander tydperk wat die Sekretaris bepaal nadat sy onder 'n verpligting gekom het om tot die Fonds by te dra, skriftelik kennis gee dat sy verkies om nie aan daardie bepalings onderhewig te wees nie.

(3) No previous pensionable service shall be allowed as pensionable service in terms of subregulation (1) (b) (iii) if a period of seven years has elapsed between the date on which the benefit referred to in that subsection was paid and the date on which the member concerned last became a member of the Fund, unless such member submits documentary proof to the satisfaction of the Secretary of such previous pensionable service and of the amount of such benefit.

Payment in Respect of Pensionable Service

7. (1) There shall, in respect of pensionable service which is reckoned as pensionable service in terms of regulation 6 (1) (a)—

(a) be paid from revenue to the Fund—

(i) an amount calculated at 3,25 times the assessed contributions;

(ii) interest calculated at $2\frac{3}{4}$ per cent per annum on the amount referred to in subparagraph (i) in respect of each year or part of a year of such pensionable service; and

(iii) compound interest calculated at $5\frac{1}{2}$ per cent per annum on the total of the amounts referred to in subparagraphs (i) and (ii), as from the date on which the member concerned becomes a member of the Fund up to and including the date on which the said amounts are paid;

(b) be paid by the member concerned to revenue an amount equal to the assessed contributions.

(2) There shall, in respect of pensionable service which is allowed as pensionable service in terms of regulation 6 (1) (b) (i)—

(a) be paid from revenue to the Fund—

(i) an amount which is calculated at 3,25 times the assessed contributions;

(ii) interest calculated at $2\frac{3}{4}$ per cent per annum on the amount referred to in subparagraph (i) in respect of each year or part of a year of such pensionable service; and

(iii) compound interest calculated at $5\frac{1}{2}$ per cent per annum on the total of the amounts referred to in subparagraphs (i) and (ii), as from the date immediately following the date on which the period of absence or suspension from duty in question expired, up to and including the date on which the said amounts are paid;

(b) be paid by the member concerned to revenue an amount equal to the assessed contributions.

(3) There shall, in respect of pensionable service which is allowed as pensionable service in terms of regulation 6 (1) (b) (ii), be paid to the Fund by the member concerned—

(a) an amount which is calculated at 3,25 times the assessed contributions;

(b) interest calculated at $2\frac{3}{4}$ per cent per annum on the amount referred to in paragraph (a) in respect of each year or part of a year of such pensionable service;

(c) compound interest calculated at $5\frac{1}{2}$ per cent per annum on the total of the amounts referred to in paragraphs (a) and (b) as from the date immediately following the period of such pensionable service up to and including the date on which the said amounts are paid.

(4) A member referred to in regulation 6 (1) (b) (iii) shall, in respect of pensionable service which is allowed as pensionable service in terms of that regulation, refund to the Fund, the benefit referred to in that regulation and which was paid to him together with compound interest thereon calculated at $5\frac{1}{2}$ per cent per annum as from the date on which the said benefit was paid to him up to and including the date on which the said benefit is so repaid to the Fund.

(3) Geen vorige pensioengewende diens word ingevolge subregulasie (1) (b) (iii) as pensioengewende diens toegelaat nie indien 'n tydperk van sewe jaar verstryk het tussen die datum waarop die voordeel in daardie subartikel bedoel uitbetaal is en die datum waarop die betrokke lid vir die laaste keer 'n lid van die Fonds geword het, tensy bedoelde lid dokumentêre bewys van sodanige vorige pensioengewende diens en van die bedrag van sodanige voordeel tot bevrediging van die Sekretaris voorlê.

Betalings Ten Opsigte van Pensioengewende Diens

7. (1) Daar word ten opsigte van pensioengewende diens wat ingevolge regulasie 6 (1) (a) as pensioengewende diens gereken word—

(a) uit inkomste aan die Fonds betaal—

(i) 'n bedrag wat bereken word teen 3,25 maal die aangeslane bydraes;

(ii) rente bereken teen $2\frac{3}{4}$ persent per jaar op die bedrag in subparagraaf (i) bedoel ten opsigte van iedere jaar of gedeelte van 'n jaar van sodanige pensioengewende diens; en

(iii) samegestelde rente bereken teen $5\frac{1}{2}$ persent per jaar op die som van die bedrae in subparagraawe (i) en (ii) bedoel vanaf die datum waarop die betrokke lid 'n lid van die Fonds word tot en met die datum waarop bedoelde bedrae betaal word;

(b) deur die betrokke lid aan inkomste 'n bedrag betaal wat gelykstaan aan die aangeslane bydraes.

(2) Daar word ten opsigte van pensioengewende diens wat ingevolge regulasie 6 (1) (b) (i) as pensioengewende diens toegelaat word—

(a) uit inkomste aan die Fonds betaal—

(i) 'n bedrag wat bereken word teen 3,25 maal die aangeslane bydraes;

(ii) rente bereken teen $2\frac{3}{4}$ persent per jaar op die bedrag in subparagraaf (i) bedoel ten opsigte van iedere jaar of gedeelte van 'n jaar van sodanige pensioengewende diens; en

(iii) samegestelde rente bereken teen $5\frac{1}{2}$ persent per jaar op die som van die bedrae in subparagraawe (i) en (ii) bedoel vanaf die datum wat onmiddellik volg op die datum waarop die betrokke tydperk van afwesigheid of skorsing van diens verstryk het tot en met die datum waarop bedoelde bedrae betaal word;

(b) deur die betrokke lid aan inkomste 'n bedrag betaal wat gelykstaan aan die aangeslane bydraes.

(3) Daar word ten opsigte van pensioengewende diens wat ingevolge regulasie 6 (1) (b) (ii) as pensioengewende diens toegelaat word, deur die betrokke lid aan die Fonds betaal—

(a) 'n bedrag wat bereken word teen 3,25 maal die aangeslane bydraes;

(b) rente bereken teen $2\frac{3}{4}$ persent per jaar op die bedrag in paragraaf (a) bedoel ten opsigte van iedere jaar of gedeelte van 'n jaar van sodanige pensioengewende diens;

(c) samegestelde rente bereken teen $5\frac{1}{2}$ persent per jaar van die som van die bedrae in paragraawe (a) en (b) bedoel vanaf die datum wat onmiddellik volg op die tydperk van sodanige pensioengewende diens tot en met die datum waarop bedoelde bedrae betaal word.

(4) 'n Lid in regulasie 6 (1) (b) (iii) bedoel moet ten opsigte van pensioengewende diens wat ingevolge daardie regulasie as pensioengewende diens toegelaat word, die voordeel in daardie regulasie bedoel en wat aan hom betaal is, aan die Fonds terugbetaal tesame met samegestelde rente daarop bereken teen $5\frac{1}{2}$ persent per jaar vanaf die datum waarop bedoelde voordeel aan hom uitbetaal is tot en met die datum waarop bedoelde voordeel aldus aan die Fonds terugbetaal word.

(5) For the purposes of—

(a) subregulation (1), "assessed contributions" means in the case of a male member, 7 per cent of his, and, in the case of a female member, 5 per cent of her, pensionable emoluments on the date on which he or she, as the case may be, becomes a member of the Fund, multiplied by the period of temporary service referred to in regulation 6 (1) (a) and by factor D;

(b) subregulation (2), "assessed contributions" means in the case of a male member, 7 per cent of his, and, in the case of a female member, 5 per cent of her, pensionable emoluments on the date immediately following the date on which the period of leave or suspension referred to in regulation 6 (1) (b) (i) expired, multiplied by the period of leave or suspension, as the case may be, and by factor D;

(c) subregulation (3), "assessed contributions" means in the case of a male member, 7 per cent of his, and in the case of a female member, 5 per cent of her, pensionable emoluments on the date immediately following the period which is allowed as pensionable service in terms of regulation 6 (1) (b) (ii), multiplied by the period which is allowed as pensionable service in terms of that regulation, and by factor D.

Transfer from or to Other Funds

8. (1) Any person who was a member of another fund and who, immediately after termination of his membership of that other fund or after such break as the Secretary may condone in terms of subregulation (4), becomes a member of the Fund, shall, with effect from the date on which he so becomes a member, contribute to the Fund in terms of regulation 3 (1) and his pensionable service with such other fund shall be reckoned as pensionable service, and there shall be paid from such other fund to the Fund—

(a) an amount calculated at 3,25 times the amount which is calculated in accordance with the formula in respect of the uninterrupted period of pensionable service of the member concerned in terms of the rules or regulations of such other fund;

(b) interest calculated at $2\frac{3}{4}$ per cent per annum on the amount referred to in paragraph (a) in respect of each year or portion of a year of the period of such pensionable service;

(c) compound interest calculated at $5\frac{1}{2}$ per cent per annum on the total of the amounts referred to in paragraphs (a) and (b) as from the date on which the membership of the member of such other fund is terminated up to and including the date on which the said amounts are paid.

(2) (a) If a member referred to in subregulation (1) owes an amount to the other fund referred to in that subregulation on the date immediately preceding the date on which he becomes a member of the Fund, the amount owing shall be deducted by the said other fund from an amount which is owing to the Fund in terms of the said subregulation, and all rights of the said other fund to the amount owing, shall vest in the Fund, and the last-mentioned amount shall be paid by such member to the Fund in such manner and at such times as the Secretary may determine.

(b) For the purposes of paragraph (a) "amount owing" shall mean an amount which is owing to another fund in respect of the pensionable service of a member of that other fund.

(5) By die toepassing van—

(a) subregulasie (1), beteken "aangeslane bydraes" in die geval van 'n manlike lid, 7 persent van sy, en, in die geval van 'n vroulike lid, 5 persent van haar, pensioengewende verdienste op die datum waarop hy of sy, na gelang van die geval, 'n lid van die Fonds word, vermenigvuldig met die tydperk van tydelike diens in regulasie 6 (1) (a) bedoel en met faktor D;

(b) subregulasie (2), beteken "aangeslane bydraes", in die geval van 'n manlike lid, 7 persent van sy, en, in die geval van 'n vroulike lid, 5 persent van haar, pensioengewende verdienste op die datum wat onmiddellik volg op die datum waarop die tydperk van verlof of skorsing bedoel in regulasie 6 (1) (b) (i) verstryk het, vermenigvuldig met die tydperk van verlof of skorsing, na gelang van die geval, en met faktor D;

(c) subregulasie (3), beteken "aangeslane bydraes", in die geval van 'n manlike lid, 7 persent van sy, en, in die geval van 'n vroulike lid, 5 persent van haar, pensioengewende verdienste op die datum wat onmiddellik volg op die tydperk wat ingevolge regulasie 6 (1) (b) (ii) as pensioengewende diens toegelaat word, vermenigvuldig met die tydperk wat ingevolge daardie regulasie as pensioengewende diens toegelaat word, en met faktor D.

Oorplasing van of na Ander Fondse

8. (1) Iemand wat 'n lid van 'n ander fonds was en wat onmiddellik na die beëindiging van sy lidmaatskap van daardie ander fonds of na die onderbreking wat die Sekretaris ingevolge subregulasie (4) kondoneer, 'n lid van die Fonds word, dra, met ingang van die datum waarop hy aldus 'n lid word, ingevolge regulasie 3 (1) tot die Fonds by en word sy pensioengewende diens by sodanige ander fonds as pensioengewende diens gereken en word daar uit sodanige ander fonds aan die Fonds betaal—

(a) 'n bedrag bereken teen 3,25 maal die bedrag wat ooreenkomstig die formule bereken word ten opsigte van die ononderbroke tydperk van die betrokke lid se pensioengewende diens ingevolge die reëls of regulasies van sodanige ander fonds;

(b) rente bereken teen $2\frac{3}{4}$ persent per jaar op die bedrag bedoel in paragraaf (a), ten opsigte van iedere jaar of gedeelte van 'n jaar van die tydperk van sodanige pensioengewende diens;

(c) samegestelde rente bereken teen $5\frac{1}{2}$ persent per jaar op die som van die bedrae in paragrawe (a) en (b) bedoel vanaf die datum waarop die lid se lidmaatskap van sodanige ander fonds beëindig word tot en met die datum waarop die bedoelde bedrae betaal word.

(2) (a) Indien 'n lid in subregulasie (1) bedoel op die datum wat die datum waarop hy 'n lid van die Fonds word, onmiddellik voorafgaan, 'n bedrag aan die ander fonds in daardie subartikel bedoel, verskuldig is, word die verskuldigde bedrag deur bedoelde ander fonds afgetrek van 'n bedrag wat ingevolge bedoelde subregulasie aan die Fonds verskuldig is, en gaan alle regte van bedoelde ander fonds op die verskuldigde bedrag op die Fonds oor en moet laasgenoemde bedrag deur sodanige lid aan die Fonds betaal word op die wyse en tye wat die Sekretaris bepaal.

(b) By die toepassing van paragraaf (a) beteken "verskuldigde bedrag" 'n bedrag wat ten opsigte van die pensioengewende diens van 'n lid van 'n ander fonds aan daardie ander fonds verskuldig is.

(3) If the amount standing to the credit of a member in a provident fund is less than the amount which shall be paid from such provident fund to the Fund in terms of subregulation (1) in respect of such member, the difference shall be paid to the Fund by the member concerned.

(4) (a) If a person who was a member of another fund, does not become a member of the Fund immediately after the termination of his membership of such other fund, the Secretary may condone any break in the member's membership of the said funds which he may consider necessary or reasonable.

(b) Any period of a break which is condoned in terms of paragraph (a), shall not be reckoned as pensionable service unless such period is allowed as pensionable service in terms of regulation 6 (1) (b) (ii).

(5) (a) If a member, immediately after the termination of his membership of the Fund or after a break which is condoned for the purposes of another fund, becomes a member of such other fund and he is obliged to reckon his pensionable service as pensionable service for the purposes of such other fund, there shall be paid from the Fund to such other fund—

(i) any amount which such other fund requires to reckon his pensionable service as a member of the Fund as pensionable service for the purposes of such other fund; and

(ii) compound interest calculated on the amount referred to in subparagraph (i) at the rate determined by such other fund but not exceeding 5½ per cent per annum, as from the date immediately following the last day on which the member contributed to the Fund, to the date on which the said amount is paid to the other fund concerned.

(b) Any amount which is owing by such member to the Fund, shall be deducted from the amount referred to in paragraph (a) (i).

Protection of Certain Rights

9. Any person who under any law relating to a previous fund ceased to contribute to such previous fund but remained a member thereof, shall retain the rights relating to the payment of an annuity which he acquired in terms of that law, as if the said law had not been repealed by the Act, and any annuity which was payable in terms of such law, shall be paid from the Fund.

Increase of Annuities

10. An annuity which has been consolidated in terms of section 4 (1) of the Act, shall with effect from the fixed date be increased by 10 per cent of the amount of the annuity so consolidated.

Retirement Prior to 10 Years Pensionable Service

11. (1) If a member who has less than 10 years pensionable service to his credit, is retired or discharged with effect from the fixed date or a date after the fixed date—

(a) in terms of section 6 of the Act or in terms of the said section read with section 7 of the Act;

(b) on account of ill-health not occasioned by his own fault;

(c) owing to the abolition of his post or the reorganisation of the Department in which he is employed;

(d) on the ground that his discharge will promote efficiency in the Department in which he is employed;

(e) on account of his incapacity to carry out his duties efficiently;

there shall be paid to him out of the Fund, a gratuity which shall be calculated, in the case of a male member, at 15½ per cent, and, in the case of a female member, at

(3) Indien die bedrag wat tot 'n lid se krediet in 'n ondersteunings- of voorsorgfonds staan, minder is as die bedrag wat ingevolge subregulasie (1) uit sodanige ondersteunings- of voorsorgfonds aan die Fonds ten opsigte van sodanige lid betaal moet word, word die tekort deur die betrokke lid aan die Fonds betaal.

(4) (a) Indien 'n persoon wat 'n lid van 'n ander fonds was, nie onmiddellik na die beëindiging van sy lidmaatskap van sodanige ander fonds 'n lid van die Fonds word nie, kan die Sekretaris enige onderbreking van die lid se lidmaatskap van bedoelde fondse wat hy nodig of redelik ag, kondoneer.

(b) Enige tydperk van 'n onderbreking wat ingevolge paragraaf (a) gekondoneer word, word nie as pensioengewende diens gereken nie, tensy sodanige tydperk ingevolge regulasie 6 (1) (b) (ii) as pensioengewende diens toegelaat word.

(5) (a) Indien 'n lid onmiddellik na die beëindiging van sy lidmaatskap van die Fonds of na 'n onderbreking wat vir die doeleindes van 'n ander fonds gekondoneer word, 'n lid van bedoelde ander fonds word en hy verplig word om sy pensioengewende diens as pensioengewende diens vir die doeleindes van sodanige ander fonds te reken, word daar uit die Fonds aan die ander fonds betaal—

(i) enige bedrag wat sodanige ander fonds vereis om die tydperk van sy pensioengewende diens as lid van die Fonds as pensioengewende diens vir die doeleindes van sodanige ander fonds te reken; en

(ii) samegestelde rente bereken op die bedrag in subparagraaf (i) bedoel teen die koers wat sodanige ander fonds bepaal, maar hoogstens 5½ persent per jaar, vanaf die datum wat onmiddellik volg op die laaste dag waarop die lid tot die Fonds bygedra het, tot die datum waarop bedoelde bedrag aan die betrokke ander fonds betaal word.

(b) Enige bedrag wat deur sodanige lid aan die Fonds verskuldig is, word van die bedrag bedoel in paragraaf (a) (i) afgetrek.

Beskerming van Sekere Regte

9. Iemand wat kragtens 'n wet betreffende 'n vorige fonds opgehou het om tot sodanige vorige fonds by te dra, maar lid daarvan gebly het, behou die regte wat hy ingevolge daardie wet met betrekking tot die betaling van 'n jaargeld verkry het, asof bedoelde wet nie deur die Wet herroep was nie, en 'n jaargeld wat ingevolge sodanige wet betaalbaar was, word uit die Fonds betaal.

Verhoging van Jaargelde

10. 'n Jaargeld wat ingevolge artikel 4 (1) van die Wet gekonsolideer is, word met ingang van die vasgestelde datum met 10 persent van die bedrag van die aldus gekonsolideerde jaargeld verhoog.

Uitdienstrede Voor 10 Jaar Pensioengewende Diens

11. (1) Indien 'n lid wat minder as 10 jaar pensioengewende diens tot sy krediet het, met ingang van die vasgestelde datum of 'n datum na die vasgestelde datum—

(a) ingevolge artikel 6 van die Wet of ingevolge bedoelde artikel, gelees met artikel 7 van die Wet;

(b) as gevolg van swak gesondheid wat sonder sy eie toedoen ontstaan het;

(c) weens die afskaffing van sy pos of die reorganisasie van die Departement waarin hy werksaam is;

(d) op grond daarvan dat sy ontslag doeltreffendheid in die Departement waarin hy werksaam is, sal bevorder;

(e) weens sy onvermoë om sy pligte op 'n bekwame wyse uit te voer;

afgedank of ontslaan word, word daar 'n gratifikasie uit die Fonds aan hom betaal wat bereken word, in die geval van 'n manlike lid, teen 15½ persent, en, in die geval van

11½ per cent, of the average annual pensionable emoluments over the last three years of his or her pensionable service or over the whole period of his or her pensionable service, whichever period is the shorter, multiplied by the period of his or her pensionable service.

(2) If a member is discharged for a reason mentioned in subregulation (1) (b), (c) or (d), the amount of the gratuity which is payable to him or her in terms of that regulation, shall be increased by one-third of the said amount.

Retirement After 10 Years Pensionable Service

12. (1) If a member who has at least 10 years pensionable service to his credit, retires or is retired or discharged on account of a reason mentioned in regulation 11 (1), with effect from the fixed date or a date after the fixed date, there shall be paid to him—

(a) a gratuity calculated at 6,72 per cent of his average annual pensionable emoluments over the last three years of his pensionable service, multiplied by the period of his pensionable service;

(b) an annuity calculated at one fifty-fifth of his average annual pensionable emoluments over the last three years of his pensionable service, multiplied by the period of his pensionable service; and

(c) such supplementary amount as the Minister may determine from time to time, in consultation with the Minister of Finance.

(2) Notwithstanding the provisions of subregulation (1) (c), the supplementary amount referred to therein shall not be paid to any person who at the time of his retirement or discharge on account of a reason mentioned in regulation 11 (1), is in receipt of a consolidated annuity referred to in section 4 of the Act or of an annuity which is payable in terms of the Act or any other Act of Parliament.

(3) For the purposes of the calculation of a gratuity or an annuity in terms of subregulation (1), the period of pensionable service—

(a) of a member who is a member of the Police Force or of the Prisons Service, shall be increased by a period which is equal to one-quarter of the period by which his pensionable service exceeds the period of 10 years;

(b) of a member who is a member of the Permanent Force, shall be increased by a period which is equal to one-eighth of the period by which his pensionable service exceeds the period of 10 years;

(c) of a member who is retired or discharged on account of a reason mentioned in paragraph (b), (c) or (d) of regulation 11 (1), shall be increased by a period which is equal to one-third of the period of his pensionable service or by a period which is equal to the period between the date on which he is so retired or discharged and the date on which he shall be retired on pension in terms of section 6 of the Act, whichever is the shorter period, but not exceeding five years.

(4) Notwithstanding anything to the contrary in this regulation contained, a gratuity which is payable in terms of subregulation (1) (a) to a member who is a member of the Permanent Force and who retires or is retired on pension in terms of any law before he attains the age of 53 years, shall be increased by 12 per cent of such gratuity.

Benefits on Resignation or Discharge

13. (1) Any member who, with effect from the fixed date or a date after the fixed date, resigns from his employment or is discharged therefrom on account of mis-

'n vroulike lid, teen 11½ persent, van sodanige lid se gemiddelde jaarlikse pensioengewende verdienste oor die laaste drie jaar van sy of haar pensioengewende diens, of oor die hele tydperk van sy of haar pensioengewende diens, watter tydperk ook al die kortste is, vermenigvuldig met die tydperk van sy of haar pensioengewende diens.

(2) Indien 'n lid weens 'n rede in subregulasie (1) (b), (c) of (d) vermeld, ontslaan word, word die bedrag van die gratifikasie wat ingevolge daardie regulasie aan hom of haar betaalbaar is, met een derde van bedoelde bedrag verhoog.

Uitdienstrede na 10 Jaar Pensioengewende Diens

12. (1) Indien 'n lid wat minstens 10 jaar pensioengewende diens tot sy krediet het, met ingang van die vasgestelde datum of 'n datum na die vasgestelde datum weens 'n rede in regulasie 11 (1) vermeld, uit diens tree of afgedank of ontslaan word, word daar aan hom betaal—

(a) 'n gratifikasie bereken teen 6,72 persent van sy gemiddelde jaarlikse pensioengewende verdienste oor die laaste drie jaar van sy pensioengewende diens, vermenigvuldig met die tydperk van sy pensioengewende diens;

(b) 'n jaargeld bereken teen een vyf-en-vyftigste van sy gemiddelde jaarlikse pensioengewende verdienste oor die laaste drie jaar van sy pensioengewende diens vermenigvuldig met die tydperk van sy pensioengewende diens; en

(c) die aanvullende bedrag wat die Minister van tyd tot tyd in oorleg met die Minister van Finansies bepaal.

(2) Ondanks die bepalings van subregulasie (1) (c), word die aanvullende bedrag daarin bedoel nie betaal nie aan iemand wat ten tyde van sy uitdienstrede, afdanking of ontslag weens 'n rede in regulasie 11 (1) vermeld, in ontvangs is van 'n gekonsolideerde jaargeld bedoel in artikel 4 van die Wet of 'n jaargeld wat ingevolge die Wet of 'n ander Wet van die Parlement betaalbaar is.

(3) Vir die doeleindes van die berekening van 'n gratifikasie of jaargeld ingevolge subregulasie (1), word die tydperk van pensioengewende diens—

(a) van 'n lid wat 'n lid van die Polisiemag of van die Gevangenisdiens is, met 'n tydperk wat gelykstaan met een kwart van die tydperk waarmee sy pensioengewende diens die tydperk van 10 jaar oorskry, vermeerder;

(b) van 'n lid wat 'n lid van die Staande Mag is, met 'n tydperk wat gelykstaan met een agste van die tydperk waarmee sy pensioengewende diens die tydperk van 10 jaar oorskry, vermeerder;

(c) van 'n lid wat weens 'n rede vermeld in paragraaf (b), (c) of (d) van regulasie 11 (1) met pensioen afgedank of ontslaan word, met 'n tydperk wat gelykstaan met een derde van die tydperk van sy pensioengewende diens of met 'n tydperk wat gelykstaan met die tydperk tussen die datum waarop hy aldus afgedank of ontslaan word en die datum waarop hy ingevolge artikel 6 van die Wet met pensioen afgedank moet word, watter tydperk ook al die kortste is, maar hoogstens vyf jaar, vermeerder.

(4) Ondanks andersluidende bepalings van hierdie regulasie, word 'n gratifikasie wat ingevolge subregulasie (1) (a) betaalbaar is aan 'n lid wat 'n lid van die Staande Mag is en wat voordat hy die leeftyd van 53 jaar bereik ingevolge 'n wet met pensioen uit diens tree of afgedank of ontslaan word, met 12 persent van sodanige gratifikasie verhoog.

Voordele by Bedanking of Ontslag

13. (1) 'n Lid wat met ingang van die vasgestelde datum of 'n datum na die vasgestelde datum uit sy diens bedank of weens wangedrag of weens swak gesond-

conduct or on account of ill-health which was occasioned by his own fault, shall, subject to the provisions of regulation 5 (1) (b), be entitled to payment of an amount which is calculated in accordance with the formula, plus interest calculated at the rate of 2½ per cent on the said amount for each completed year of pensionable service.

(2) Any amount paid by a member referred to in subregulation (1) in respect of any period of pensionable service referred to in regulation 5 (1) (b), shall be paid to him together with the amount referred to in the said subregulation (1).

(3) A female member who, after having completed at least five years pensionable service, resigns with effect from the fixed date or a date after the fixed date to marry and marries within three months after such resignation or who resigns or is discharged after she became married, shall be paid a marriage gratuity which shall be calculated in accordance with the following scale in respect of each year of her pensionable service up to and including the date of her marriage:

Number of years pensionable service	Percentage of annual average of pensionable emoluments over the last three years of her service
5.....	7,50
6.....	7,80
7.....	8,10
8.....	8,40
9.....	8,70
10 and more.....	9,00

(4) If a female member referred to in subregulation (3) resigns after her marriage, the provisions of subregulation (1) shall *mutatis mutandis* apply to her in respect of the pensionable service completed by her between the date of her marriage and the date of such resignation.

Benefits on the Death of a Member

14. (1) If a member who has completed less than 10 years pensionable service, dies on or after the fixed date, there shall be paid to such dependants of the member whom the Secretary may designate, an amount which is equal to the average annual pensionable emoluments of such member over the last three years of his pensionable service or over the whole period of his pensionable service, whichever is the shorter period.

(2) If a member who has completed at least 10 years pensionable service, dies on or after the fixed date before a gratuity and an annuity has been paid to him in terms of regulation 12 (1), there shall be paid to such dependants of the member whom the Secretary may designate, a gratuity which is equal to the total of the gratuity and five times the annuity which would have been payable to him in terms of paragraphs (a) and (b) of the said regulation if he had retired on pension for a reason mentioned in regulation 11 (1) (b) on the day of his death.

(3) If a pensioner who was a member of the Fund or of a previous fund, dies on or after the fixed date within a period of five years after he retired or was retired or discharged on pension, there shall be paid to such dependants of the pensioner as the Secretary may designate, a gratuity which is equal to the total of the annuity which would have been paid to the pensioner during the period as from the first day of the month immediately following the date on which he dies up to and including the last day of the month in which the said period of five years expires.

heid wat deur sy eie toedoen ontstaan het, daaruit ontslaan word, is, behoudens die bepalings van regulasie 5 (1) (b), geregtig op betaling van 'n bedrag wat ooreenkomstig die formule bereken word plus rente bereken teen die koers van 2½ persent op die bedoelde bedrag vir iedere voltooide jaar pensioengewende diens.

(2) 'n Bedrag betaal deur 'n lid bedoel in subregulasie (1) ten opsigte van 'n tydperk van pensioengewende diens bedoel in regulasie 5 (1) (b), word aan hom betaal tesame met die bedrag in genoemde subregulasie (1) bedoel.

(3) 'n Vroulike lid wat, nadat sy minstens vyf jaar pensioengewende diens voltooi het, met ingang van die vasgestelde datum of 'n datum na die vasgestelde datum bedank om in die huwelik te tree en binne drie maande na sodanige bedanking in die huwelik tree of wat bedank of ontslaan word nadat sy in die huwelik getree het, word 'n huweliksgratifikasie betaal wat ooreenkomstig onderstaande skaal bereken word ten opsigte van iedere jaar van haar pensioengewende diens tot en met die datum van haar huwelik:

Getal jare pensioengewende diens	Persentasie van jaarlikse gemiddelde van pensioengewende verdienste oor die laaste drie jaar van haar diens
5.....	7,50
6.....	7,80
7.....	8,10
8.....	8,40
9.....	8,70
10 en meer.....	9,00

(4) Indien 'n vroulike lid in subregulasie (3) bedoel, bedank nadat sy in die huwelik getree het, is die bepalings van subregulasie (1) *mutatis mutandis* op haar van toepassing ten opsigte van die pensioengewende diens deur haar voltooi tussen die datum van haar huwelik en die datum van sodanige bedanking.

Voordele by die Afsterwe van 'n Lid

14. (1) Indien 'n lid wat minder as 10 jaar pensioengewende diens voltooi het, op of na die vasgestelde datum te sterwe kom, word daar aan die afhanklikes van die lid wat die Sekretaris aanwys, 'n bedrag betaal wat gelykstaan met sodanige lid se gemiddelde jaarlikse pensioengewende verdienste oor die laaste drie jaar van sy pensioengewende diens, of oor die hele tydperk van sy pensioengewende diens, watter tydperk ook al die kortste is.

(2) Indien 'n lid wat minstens 10 jaar pensioengewende diens voltooi het, op of na die vasgestelde datum te sterwe kom voordat 'n gratifikasie en jaargeld ingevolge regulasie 12 (1) aan hom betaal is, word daar aan die afhanklikes van die lid wat die Sekretaris aanwys, 'n gratifikasie betaal wat gelykstaan met die som van die gratifikasie en vyf maal die jaargeld wat ingevolge paragrafe (a) en (b) van bedoelde regulasie aan hom betaalbaar sou gewees het indien hy op die dag van sy afsterwe weens 'n rede in regulasie 11 (1) (b) vermeld met pensioen uit diens getree het.

(3) Indien 'n pensioenaris wat 'n lid van die Fonds of van 'n vorige fonds was, op of na die vasgestelde datum te sterwe kom, binne 'n tydperk van vyf jaar nadat hy met pensioen afgetree of afgedank of ontslaan is, word daar aan die afhanklikes van die pensioenaris wat die Sekretaris aanwys, 'n gratifikasie betaal wat gelykstaan met die som van die jaargeld wat gedurende die tydperk vanaf die eerste dag van die maand wat onmiddellik volg op die datum van sy afsterwe tot en met die laaste dag van die maand waarin bedoelde tydperk van vyf jaar verstryk aan die pensioenaris betaal sou gewees het indien hy nie gesterwe het nie.

(4) If a member dies and in the opinion of the Secretary he is not survived by any dependants, a benefit which shall be calculated as if the member had resigned from his employment with effect from the date of his death, shall be paid to his estate.

(5) If a member dies and he is not survived by a widow—

(a) the Secretary may, after considering the circumstances of the dependants of the member, in his discretion reduce a benefit which is payable in terms of these regulations to such dependants;

(b) such a benefit, whether it has been so reduced or not, shall be divided among such dependants of the member whom the Secretary may designate, in such proportion as the Secretary may determine.

(6) Subregulation (5) (a) shall not be construed as preventing the Secretary, on good cause shown, from reconsidering any decision to reduce a benefit in terms of that subregulation and from substituting another decision therefor: Provided that on reconsidering such a decision, the said benefit may not be further reduced.

Windows' Pensions

15. (1) (a) If a member who is not a pensioner, dies on or after the fixed date and he is survived by a widow, there shall be paid to his widow a widow's pension which is equal to one-half of the annuity and the supplementary amount which the member would have received in terms of regulation 12 if he had retired or was retired or discharged on pension on the date of his death.

(b) For the purposes of paragraph (a) a member referred to in that paragraph shall be deemed to have attained the age on which he shall be retired on pension in terms of the Act.

(c) The provisions of paragraphs (a) and (b) shall apply *mutatis mutandis* to a member who dies before he has completed 10 years pensionable service.

(2) If a pensioner dies on or after the fixed date and he is survived by a widow, there shall be paid to such widow a widow's pension which—

(a) if a consolidated annuity was payable to the pensioner in terms of section 4 (1) of the Act on the date of his death, is equal to one-half of such consolidated annuity as increased in terms of regulation 10;

(b) if an annuity and a supplementary allowance were payable to the pensioner in terms of regulation 12 on the date of his death, is equal to one-half of the total of such annuity and supplementary amount;

(c) if an annuity in terms of any law other than the Act and an allowance or bonus in terms of section 5 of the Pensions Amendment Act, 1973, were payable to the pensioner on the date of his death, is equal to one-half of the total of such annuity, allowance and bonus.

(3) A widow's pension which is payable to a widow in terms of the Act or these regulations, shall not be affected by her remarriage.

(4) A widow's pension payable in terms of this regulation shall be payable with effect from the first day of the month immediately following the date on which the member or pensioner concerned dies.

(5) For the purposes of this regulation "pensioner" includes any person in receipt of an annuity payable under any law other than the Act, and who immediately prior to the date of his retirement contributed to the Fund or the Government Service Widows' Pension Fund.

(4) Indien 'n lid te sterwe kom en hy volgens die oordeel van die Sekretaris geen afhanklikes nagelaat het nie, word 'n voordeel wat bereken word asof die lid met ingang van die datum van sy afsterwe uit sy diens bedank het, aan sy boedel betaal.

(5) Indien 'n lid te sterwe kom en hy geen weduwee nalaat nie—

(a) kan die Sekretaris 'n voordeel wat ingevolge hierdie regulasie aan die lid se afhanklikes betaalbaar is, na inagneming van die omstandighede van sodanige afhanklikes, na goeddunke verminder;

(b) word so 'n voordeel, hetsy dit aldus verminder is al dan nie, onder die lid se afhanklikes wat die Sekretaris aanwys, verdeel in die verhouding wat die Sekretaris bepaal.

(6) Subregulasie (5) (a) word nie so uitgelê dat dit die Sekretaris verhinder om, om gegronde redes aangevoer, enige besluit om 'n voordeel ingevolge daardie subregulasie te verminder, te heroorweeg en dit deur 'n ander besluit te vervang nie: Met dien verstande dat by die heroorweging van so 'n besluit bedoelde voordeel nie verder verminder mag word nie.

Weduweespensioene

15. (1) (a) Indien 'n lid wat nie 'n pensioenaris is nie, op of na die vasgestelde datum te sterwe kom en hy 'n weduwee nalaat, word daar aan sy weduwee 'n weduweespensioen betaal wat gelykstaan met die helfte van die jaargeld en die aanvullende bedrag wat die lid ingevolge die bepalings van regulasie 12 sou ontvang het indien hy op die datum van sy afsterwe met pensioen afgetree het of afgedank of ontslaan is.

(b) By die toepassing van paragraaf (a), word 'n lid in daardie paragraaf bedoel, geag die leeftyd waarop hy ingevolge die Wet met pensioen afgedank of ontslaan moet word, te bereik het.

(c) Die bepalings van paragrawe (a) en (b) is *mutatis mutandis* van toepassing op 'n lid wat sterf voordat hy 10 jaar pensioengewende diens voltooi het.

(2) Indien 'n pensioenaris op of na die vasgestelde datum te sterwe kom en hy 'n weduwee nalaat, word daar aan sodanige weduwee 'n weduweespensioen betaal wat—

(a) indien 'n gekonsolideerde jaargeld ingevolge artikel 4 (1) van die Wet op die datum van sy afsterwe aan die pensioenaris betaalbaar was, gelykstaan met die helfte van sodanige gekonsolideerde jaargeld, soos ingevolge regulasie 10 verhoog;

(b) indien 'n jaargeld en 'n aanvullende bedrag ingevolge regulasie 12 op die datum van sy afsterwe aan die pensioenaris betaalbaar was, gelykstaan met die helfte van die som van sodanige jaargeld en aanvullende bedrag;

(c) indien 'n jaargeld ingevolge 'n ander wet as die Wet en 'n toelae of bonus ingevolge artikel 5 van die Wysigingswet op die Pensioenwette, 1973, aan die pensioenaris op die datum van sy afsterwe betaalbaar was, gelykstaan met die helfte van die som van sodanige jaargeld, toelae en bonus.

(3) 'n Weduweespensioen wat ingevolge die Wet of hierdie regulasies aan 'n weduwee betaalbaar is, word nie deur enige huwelik wat sy aangaan, geraak nie.

(4) 'n Weduweespensioen betaalbaar ingevolge hierdie regulasie is betaalbaar met ingang van die eerste dag van die maand wat onmiddellik volg op die datum waarop die betrokke lid of pensioenaris te sterwe kom.

(5) By die toepassing van hierdie regulasie, beteken "pensioenaris" ook 'n persoon wat in ontvangs is van 'n jaargeld wat ingevolge 'n ander wet as die Wet betaalbaar is en wat onmiddellik voor die datum van sy uitdienstrede tot die Fonds of die Regeringsdiens-weduweespensioenfonds bygedra het.

Management, Control and Accounts

16. (1) The Secretary shall manage the business of the Fund and the cost connected therewith or of any actuarial investigation or valuation or matter incidental thereto, shall be paid from the Consolidated Revenue Fund.

(2) For the purposes of this regulation and of regulation 18, any amount which is owing to a member, except a member to whom an annuity is payable, shall be deemed to have become a liability of the Fund in the financial year in which the said amount is paid.

Investment of Fund Balances

17. (1) All amounts which are paid to the Fund, shall be deposited with the Treasury to the credit of the Fund.

(2) So much of the amounts so deposited as is not required for current purposes, shall for the purposes of the Public Debt Commissioners Act, 1969 (Act 2 of 1969), be deemed to be deposits and shall be invested accordingly.

(3) If the interest earned by the Fund on deposits referred to in subregulation (2) in any year which ends on the 31st day of March, is less than $5\frac{1}{2}$ per cent of such deposits, there shall be paid from the Consolidated Revenue Fund to the Fund, an amount equal to the difference between the interest which has been so earned and interest at the rate of $5\frac{1}{2}$ per cent per annum on such deposits, as soon as the Controller and Auditor-General has certified the amount of such difference.

Valuation of the Fund

18. (1) An actuary shall value the assets and liabilities of the Fund once in every five years as at a date determined by the Minister and shall report to the Minister on any surplus or deficiency which his investigation may reveal.

(2) The report of the actuary shall be laid upon the Table in the Senate and in the House of Assembly within 60 days after the receipt thereof by the Minister, if Parliament is then in session, or if Parliament is not then in session, within 60 days after the commencement of its next ensuing session.

(3) If the actuary in such a report certifies that there is a substantial surplus or a substantial deficiency, the Minister may, in consultation with the Minister of Finance, take such steps as he may deem necessary or expedient.

(4) A statement embodying the decision of the Minister under subregulation (3) shall be laid upon the Table in the Senate and in the House of Assembly within one year after the date on which the report of the actuary is so Tabled.

Interest on Uninvested Amounts

19. 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 $5\frac{1}{2}$ 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.

Date of Commencement

20. These regulations shall come into operation on the fixed date.

Bestuur en Beheer, en Rekening

16. (1) Die Sekretaris behartig die sake van die Fonds en die koste daaraan verbonde of aan 'n aktuariële ondersoek of waardering of aangeleentheid wat daarmee in verband staan, word uit die Gekonsolideerde Inkomstefonds bestry.

(2) By die toepassing van hierdie regulasie en van regulasie 18, word 'n bedrag wat aan 'n lid, behalwe 'n lid aan wie 'n jaargeld betaalbaar is, verskuldig is, geag 'n las van die Fonds te geword het binne die boekjaar waarin bedoelde bedrag betaal word.

Belegging van Fondssaldo's

17. (1) Alle bedrae wat aan die Fonds betaal word, word by die Tesourie gestort tot die kredit van die Fonds.

(2) Soveel van die bedrae aldus gestort wat nie vir lopende doeleindes nodig is nie, word by die toepassing van die Wet op Staatskuldkommissarisse, 1969 (Wet 2 van 1969), geag deposito's te wees en moet dienooreenkomstig belê word.

(3) Indien die rente wat verdien word deur die Fonds op deposito's in subregulasie (2) bedoel, in enige jaar wat op die 31ste dag van Maart eindig, minder as $5\frac{1}{2}$ persent van sodanige deposito's is, word 'n bedrag gelyk aan die verskil tussen die rente wat aldus verdien word en rente teen die koers van $5\frac{1}{2}$ persent per jaar op sodanige deposito's uit die Gekonsolideerde Inkomstefonds aan die Fonds betaal sodra die Kontroleur en Ouditeur-generaal die bedrag van sodanige verskil gesertifiseer het.

Waardering van die Fonds

18. (1) 'n Aktuaris waardeer die bates en laste van die Fonds een keer in iedere vyf jaar soos op 'n datum wat die Minister bepaal en doen verslag aan die Minister oor enige surplus of tekort wat sy ondersoek aan die lig bring.

(2) Die verslag van die aktuaris word in die Senaat en in die Volksraad ter Tafel gelê binne 60 dae na ontvangs daarvan deur die Minister, as die Parlement dan byeen is, of as die Parlement nie dan byeen is nie, binne 60 dae na die aanvang van sy eersvolgende sessie.

(3) Indien die aktuaris in sodanige verslag sertifiseer dat daar 'n aansienlike surplus of 'n aansienlike tekort is, kan die Minister in oorleg met die Minister van Finansies dié stappe doen wat hy nodig of dienstig ag.

(4) 'n Verklaring wat die beslissing van die Minister kragtens subregulasie (3) beliggaam, word in die Senaat en in die Volksraad ter Tafel gelê binne een jaar na die datum waarop die verslag van die aktuaris aldus ter Tafel gelê word.

Rente op Onbelegde Bedrae

19. Daar word op die 31ste dag van Maart van elke jaar rente teen 'n koers van $5\frac{1}{2}$ persent per jaar uit die Gekonsolideerde Inkomstefonds aan die Fonds betaal op die gemiddelde van die onbelegde bedrae in die Fonds aan die einde van elke maand gedurende die tydperk ten opsigte waarvan die rente betaal word.

Datum van Inwerkingtreding

20. Hierdie regulasies tree op die vasgestelde datum in werking.

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