



**STAATSKOERANT**  
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA  
**GOVERNMENT GAZETTE**

REGULASIEKOERANT No. 1927

As 'n Nuusblad by die Poskantoor Geregistreer

PRYS 20c PRICE  
ORSEE 30c OVERSEAS  
POSVRY — POST FREE

REGULATION GAZETTE No. 1927

Registered at the Post Office as a Newspaper

VOL. 104]

PRETORIA, 1 FEBRUARIE  
1 FEBRUARY 1974

No. 4154

**GOEWERMENTSKENNISGEWING**

**DEPARTEMENT VAN VOLKSWELSYN EN  
PENSIOENE**

No. R. 140 1 Februarie 1974

**REGULASIES KRAGTENS DIE WET OP  
MAATSKAPLIKE PENSIOENE, 1973**

Kragtens die bevoegdheid my verleen by artikel 17 van die Wet op Maatskaplike Pensioene, 1973 (Wet 37 van 1973), vaardig ek, Johannes Petrus van der Spuy, Minister van Volkswelsyn en Pensioene, hierby die regulasies n bygaande Bylae vervat, uit.

J. P. VAN DER SPUY, Minister van Volkswelsyn en Pensioene.

**BYLAE**

**REGULASIES**

**WOORDOMSKRYWINGS**

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

(i) "attesterende beampete" 'n beampete 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;

(ii) "die Wet" die Wet op Maatskaplike Pensioene, 1973 (Wet 37 van 1973);

(iii) "Minister" die Minister van Volkswelsyn en Pensioene;

(iv) "Sekretaris" die Sekretaris van Volkswelsyn en Pensioene;

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

**AANSOEK OM 'N MAATSKAPLIKE PENSIOEN**

2. (1) (a) Behoudens die bepalings van subregulasie (2), moet 'n aansoek om 'n maatskaplike pensioen, nadat die aansoeker verklaar het dat die inligting daarin verstrek a sy beste wete en oortuiging waar en juis is, deur hom oor 'n attesterende beampete onderteken en by die distrikspensioenbeampete vir die gebied waarin die aansoeker permanent woonagtig is, ingedien word.

**GOVERNMENT NOTICE**

**DEPARTMENT OF SOCIAL WELFARE AND  
PENSIONS**

No. R. 140

1 February 1974

**REGULATIONS UNDER THE SOCIAL PENSIONS  
ACT, 1973**

By virtue of the powers vested in me by section 17 of the Social Pensions Act, 1973 (Act 37 of 1973), I, Johannes Petrus van der Spuy, Minister of Social Welfare and Pensions, hereby make the regulations set out in the Schedule hereto.

J. P. VAN DER SPUY, Minister of Social Welfare and Pensions.

**SCHEDULE**

**REGULATIONS**

**DEFINITIONS**

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

(i) "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;

(ii) "the Act" means the Social Pensions Act, 1973 (Act 37 of 1973);

(iii) "Minister" means the Minister of Social Welfare and Pensions;

(iv) "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 SOCIAL PENSION**

2. (1) (a) Subject to the provisions of subregulation (2), any application for a social 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) Die attestende beampte voor wie 'n aansoek aldus onderteken word, moet op die aansoek sertifiseer dat hy die inligting in die aansoek vervat aan die aansoeker verduidelik het en dat die verklaring in subregulasie (1) (a) bedoel, deur die aansoeker voor hom gedoen en onderteken is.

(2) (a) Indien 'n distrikspensioenbeampte van oordeel is dat 'n aansoeker of 'n persoon namens wie op 'n maatskaplike pensioen aanspraak gemaak word, weens 'n liggaaamlike 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 aansoeker of persoon aansoek om die maatskaplike 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 maatskaplike pensioen te doen, moet hy op die aansoek sertifiseer dat hy die persoon in die sertifikaat vermeld, magtig om namens die aansoeker aansoek om 'n maatskaplike pensioen te doen.

3. 'n Aansoek om 'n maatskaplike pensioen moet volledige besonderhede en inligting bevat van die aansoeker 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 maatskaplike pensioen aansoek doen, moet afsonderlik aansoek ten opsigte van elkeen van hulle gedoen word.

5. 'n Aansoek om 'n maatskaplike pensioen moet—

(a) vergesel gaan van die aansoeker se geboortesertifikaat of doopseel of, indien die aansoeker nie in staat is om sodanige geboortesertifikaat of doopseel voor te lê nie, van dié ander dokumentêre bewys van die aansoeker se geboortedatum of ouderdom wat die Sekretaris goedvind, of van 'n sertifikaat deur 'n distrikspensioenbeampte te dien effekte dat, na ondersoek deur hom persoonlik ingestel, die aansoeker die ouderdom bereik het soos in artikel 1 van die Wet bedoel;

(b) indien die aansoeker 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;

(c) indien die aansoeker 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;

(e) in die geval van 'n oudstryder, vergesel gaan van dokumentêre bewys dat die aansoeker '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.

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

#### REGISTRASIE VAN AANSOEKE OM MAATS KAPLIKE PENSIOENE

7. Die distrikspensioenbeampte moet aantekening hou van die naam en adres van iedere aansoeker van wie hy 'n aansoek om 'n maatskaplike pensioen ontvang en van die datum waarop die aansoek ingevolge regulasie 2 (1) geattesteer is.

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

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

3. Any application for a social 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 social pension, a separate application shall be submitted in respect of each of them.

5. Any application for a social 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, after an enquiry made by him personally, to the effect that such applicant has attained the age referred to in section 1 of the Act;

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

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

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

(e) in the case of a war veteran, 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.

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

#### REGISTRATION OF APPLICATIONS FOR SOCIAL PENSIONS

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 social pension, and of the date on which such application was attested in terms of regulation 2 (1).

## GENEESKUNDIGE VERSLAG OOR 'N AANSOEKER OM 'N ONGESIKKTHEIDSPENSIOEN

8. (a) 'n Aansoeker om 'n ongesiktheidspensioen moet hom op versoek van die Sekretaris of distrikspensioenbeampte aan geneeskundige ondersoek deur 'n distriksgeneesheer onderwerp.

(b) Die distriksgeneesheer wat 'n aansoeker op versoek van die Sekretaris of 'n distrikspensioenbeampte geneeskundig ondersoek, moet die Sekretaris of daardie distrikspensioenbeampte, na gelang van die geval, van 'n verslag op die vorm deur die Sekretaris voorgeskryf, voorsien.

## VERKRYGING VAN DIE AANWESIGHED VAN GETUIES

9. 'n Dagvaardig wat ingevolge artikel 13 van die Wet uitgereik word, moet sover doenlik in die vorm van die Aanhangesel wees.

## PERSONE WAT NIE OP 'N MAATSKAPLIKE PENSIOEN GEREKTIG IS NIE

10. Niemand is op 'n maatskaplike pensioen gerektig nie—

(a) indien hy 'n pensioen ontvang kragtens die Duitse Oudstryderspensioenordonnansie, 1965 (Ordonnansie 3 van 1965), van Suidwes-Afrika; of

(b) indien sy 'n weduwee is en 'n voordeel kragtens die Wet op Bedryfsiektes in Myne en Bedrywe, 1973 (Wet 78 van 1973) ontvang; of

(c) indien hy of sy gade 'n pensioen, toelae of voordeel ontvang ingevolge die wetsbepalings of reëls met betrekking tot 'n pensioen- of voorsorgfonds of die een of ander skema wat, in die geval van 'n ongetrouwe persoon, die bedrag van R696 per jaar of, in die geval van 'n getrouwe persoon, die bedrag van R1 392 per jaar, te bowe gaan; of

(d) indien sy jaarlikse inkomste en ander middede die bedrag van R984 per jaar te bowe gaan; of

(e) indien 'n toelae kragtens die Kinderwet, 1960 (Wet 33 van 1960), of 'n regulasie daarkragtens uitgevaardig ten opsigte van hom betaal word.

11. Die bepalings van regulasie 10 (c) is nie van toepassing nie op 'n persoon wat onmiddellik voor die 1ste dag van Oktober 1972 'n oudstryderspensioen ontvang het.

## NIEMAND IS OP MEER AS EEN MAATSKAPLIKE PENSIOEN GEREKTIG NIE

12. Niemand wat 'n bepaalde maatskaplike pensioen ontvang, is op 'n ander maatskaplike pensioen gerektig nie.

## PERSONE WAT NIE OP 'N PENSIOEN VIR BLINDES OF 'N ONGESIKKTHEIDSPENSIOEN GEREKTIG IS NIE

13. Niemand is op 'n pensioen vir blindes of 'n ongesiktheidspensioen gerektig nie—

(a) indien hy 'n blinde persoon is en 'n skool vir blindes wat ingevolge die Wet op Onderwysdienste, 1967 (Wet 41 van 1967), tot 'n ondersteunde skool verklaar is, bywoon of indien hy onder die ouderdom van 21 jaar is, en volgens 'n sertifikaat van 'n onderwyshoof, soos omskryf in artikel 1 van genoemde Wet, in staat is om die voorgeskrewe leerkursus van sodanige skool te volg en te voltooi;

(b) indien hy by wet verplig is om 'n ander skool as 'n skool in paragraaf (a) bedoel, by te woon;

(c) indien hy, om redes wat die Sekretaris onvoldoende ag, weier om hom aan die geneeskundige behandeling te onderwerp wat deur 'n distriksgeneesheer aanbeveel word;

## MEDICAL REPORT ON AN APPLICANT FOR A DISABILITY PENSION

8. (a) At the request of the Secretary or a district pension officer an applicant for a disability pension 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 form prescribed by the Secretary.

## SECURING ATTENDANCE OF WITNESSES

9. Any subpoena issued under section 13 of the Act shall as far as practicable be in the form of the Annexure.

## PERSONS WHO ARE NOT ENTITLED TO A SOCIAL PENSION

10. No person shall be entitled to a social pension—

(a) if he is in receipt of a pension under the German War Veterans' Ordinance, 1965 (Ordinance 3 of 1965), of South-West Africa; or

(b) if she is a widow and in receipt of a benefit under the Occupational Diseases in Mines and Works Act, 1973 (Act 78 of 1973); or

(c) if he or his spouse is in receipt of a pension, allowance or benefit under the statutory provisions or rules relating to any pension or provident fund or any scheme in excess of, in the case of a single person, the amount of R696 per annum, or in the case of a married person, the amount of R1 392 per annum; or

(d) if his annual income and other means exceed the amount of R984 per annum; or

(e) if an allowance is paid in respect of him under the Children's Act, 1960 (Act 33 of 1960), or a regulation made thereunder.

11. The provisions of regulation 10 (c) shall not apply to a person who, immediately before the first day of October 1972, was in receipt of a war veteran's pension.

## NO PERSON SHALL BE ENTITLED TO MORE THAN ONE SOCIAL PENSION

12. No person in receipt of a specific social pension shall be entitled to any other social pension.

## PERSONS WHO ARE NOT ENTITLED TO A BLIND PERSON'S PENSION OR A DISABILITY PENSION

13. No person shall be entitled to a blind person's pension or a disability pension—

(a) if he is a blind person and 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), or if he is under the age of 21 years and is, according to a certificate by an educational head as defined in section 1 of the said Act, capable of following and completing the set curriculum of such school;

(b) if he is required by law to attend any school other than a school referred to in paragraph (a);

(c) if, on grounds the Secretary deems to be inadequate, he refuses to submit himself to any medical treatment which may be recommended by a medical practitioner;

(d) indien hy na die oordeel van die Sekretaris in staat is om, ondanks die liggams- of geestesgebrek waaraan hy ly, die een of ander werk te onderneem, en weier of in gebreke bly om enige werk wat binne sy vermoë is te aanvaar of om hom vir sodanige werk by 'n arbeidsburo te laat regstreer en vir 'n tydperk van minstens drie maande met sodanige arbeidsburo in verband te bly.

#### VASSTELLING VAN BEDRAG VAN MAATSKAPLIKE PENSIOEN

14. (1) Behoudens die bepalings van die Wet en van hierdie regulasies—

(a) beloop die maatskaplike pensioen wat aan 'n aansoeker toegeken word, nie meer as R564 per jaar wat die Sekretaris met inagneming van die omstandighede, jaarlikse inkomste en ander middele van die aansoeker en van sy eggenote vasstel;

(b) word 'n maatskaplike pensioen, behoudens die bepalings van regulasie 10 (d), nie aan 'n aansoeker toegeken teen so 'n skaal dat sy jaarlikse inkomste en ander middele tesame met die pensioen die bedrag van R1 068 te bove gaan nie;

(c) word, ondanks die bepalings van paragraaf (b), die bedrag van die maatskaplike pensioen wat toegeken word aan 'n aansoeker wie se jaarlikse inkomste en ander middele nie die bedrag van R984 oorskry nie met R24 per jaar verminder vir iedere R24 of gedeelte daarvan waarmee sy jaarlikse inkomste en ander middele die bedrag van R504 te bove gaan en word geen maatskaplike pensioen aan hom betaal nie indien sy jaarlikse inkomste en ander middele die bedrag van R984 oorskry;

(d) word die gesamentlike bates van 'n getroude aansoeker en sy eggenote vir die doel van die bepaling van die aansoeker se ander middele in aanmerking geneem;

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

(2) (a) Indien die jaarlikse persoonlike inkomste van 'n manlike aansoeker 50 persent van die jaarlikse vergoeding wat sy eggenote ontvang vir dienste gelewer nie te bove gaan nie, word, benewens die jaarlikse persoonlike inkomste van die aansoeker, die ander middele van hom en sy eggenote en die helfte van die jaarlikse inkomste van sy eggenote verky uit ander bronne as vergoeding deur sy eggenote ontvang vir dienste gelewer, slegs 'n kwart van enige vergoeding deur sy eggenote ontvang vir dienste gelewer by die oorweging van die aansoeker se aansoek om 'n maatskaplike pensioen in aanmerking geneem.

(b) Ondanks die bepalings van subregulasie (2) (a), word slegs die helfte van die jaarlikse inkomste ontvang deur 'n blinde persoon vir dienste deur hom persoonlik gelewer by die oorweging van sy aansoek om 'n maatskaplike pensioen in aanmerking geneem.

(c) Behalwe in 'n geval waar die bepalings van subregulasie (2) (a) toegepas word, word slegs die helfte van die gesamentlike jaarlikse inkomste van 'n getroude aansoeker en sy eggenote by die oorweging van sy aansoek om 'n maatskaplike pensioen ingevolge artikel 4 (3) van die Wet in aanmerking geneem.

(d) By die bepaling van 'n aansoeker 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: Met dien verstande dat sodanige bates nie in aanmerking geneem word nie indien 'n tydperk van vyf jaar verstryk het na die datum van skenking of datum waarop afstand van die vruggebruik gedoen is.

(d) if, in the opinion of the Secretary, he is capable of undertaking some work, in spite of the physical or mental defect, he suffers from and refuses or neglects to undertake any work within his capacity or to register himself at a labour bureau and to remain in communication with such labour bureau for at least three months.

#### DETERMINATION OF THE AMOUNT OF THE SOCIAL PENSION

14. (1) Subject to the provisions of the Act and of these regulations—

(a) the social pension granted to any applicant shall be of such amount, not exceeding R564 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 social pension shall, subject to the provisions of regulation 10 (d), be granted to any applicant at such a rate as will make his annual income and other means together with the pension exceed the amount of R1 068 per annum;

(c) notwithstanding the provisions of paragraph (b), the amount of the social pension granted to an applicant whose annual income and other means do not exceed the amount of R984 per annum, shall be reduced by R24 per annum for every R24 or part thereof by which his annual income and other means exceed the amount of R504 and no social pension shall be paid to him if his annual income and other means exceed the amount of R984;

(d) the combined assets 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 a quarter 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 social pension.

(b) Notwithstanding the provisions of subregulation (2) (a), only half of the annual income received by a blind person for services rendered by him personally shall be taken into account in considering his application for a social pension.

(c) Except in a case where the provisions of subregulation (2) (a) are being applied, only half of the combined annual income of a married applicant and his spouse shall be taken into account in considering his application for a social pension under section 4 (3) of the Act.

(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: Provided that such assets shall not be taken into account after the expiration of a period of five years from the date of donation or the date of relinquishment of the usufruct.

(3) Ondanks die bepalings van hierdie regulasies, word die inkomste en ander middele van 'n oudstryder soos omskryf in artikel 1 (xiii) (a) van die Wet buite rekening gelaat by die vasstelling van die bedrag van die pensioen waarop hy geregtig is.

(4) By die toepassing van subregulasies (1) en (2) beteken—

**"bates"**—

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

(b) enige vruggebruik van onroerende eiendom, kontantbeleggings, aandele, aandelekapitaal of bates van 'n maatskappy of ander instelling, of van kapitaal in 'n sakeonderneming of by 'n bank of ander finansiële instelling belê: Met dien verstande dat sodanige vruggebruik nie as 'n bate beskou word nie na verloop van 'n tydperk van 10 jaar na die datum waarop die vruggebruiker daarop geregtig geword het;

(c) enige onroerende eiendom deur 'n aansoeker of sy eggenote vir landboudoeleindes gehuur;

**"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 aansoeker 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 Duitse Oudstryderspensionordonnansie, 1965 (Ordonnansie 3 van 1965), van Suidwes-Afrika, die Werkloosheidsversekeringswet, 1966 (Wet 30 van 1966), of ingevolge 'n regulasie kragtens enige van genoemde Wette of die Ordonnansie uitgevaardig nie;

(d) enige winste wat 'n eienaar of vruggebruiker 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 aansoeker, soos bepaal deur die bedrag waarmee die onbeswaarde waarde van sodanige bates die bedrag van R9 800 te bowe gaan, deur 600 te deel en die resultaat met 24 te vermenigvuldig;

(b) die beraamde jaarlikse opbrengs van enige onroerende eiendom deur 'n aansoeker of sy eggenote vir landboudoeleindes gehuur, soos bepaal deur die bedrag waarmee die waarde van sodanige eiendom die bedrag van R9 800 te bowe gaan, deur 600 te deel en die resultaat met 24 te vermenigvuldig.

### DATUM WAAROP 'N PENSIOEN TOEVAL

15. (1) Geen maatskaplike pensioen word toegeken met ingang van 'n datum wat vroeër is as die eerste dag van die maand waarin daarom aansoek gedoen word nie of, indien aansoek gedoen word voor die verstryking van 'n tydperk van 60 dae vanaf die datum waarop die aansoeker die toepaslike ouderdom bereik het, met ingang van 'n datum wat vroeër is as die eerste dag van die maand waarin die aansoeker die toepaslike ouderdom bereik het nie.

(3) Notwithstanding the provisions of these regulations the income and other means of a war veteran as defined in section (1) (xxi) (a) of the Act, shall not be taken into account in determining the amount of the pension to which he is entitled.

(4) For the purposes of subregulations (1) and (2)—  
**"assets"** shall mean—

(a) 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;

(b) any usufruct of immovable property, cash investments, shares, share capital or assets of a company or other institution, or of capital invested in any business concern or with any bank or other financial institution: Provided that such usufruct shall not be regarded as an asset after the expiration of a period of 10 years from the date on which the usufructuary became entitled thereto;

(c) any immovable property rented by an applicant or his spouse for agricultural purposes;

**"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 German War Veterans' Pension Ordinance, 1965 (Ordinance 3 of 1965), of South West Africa, the Unemployment Insurance Act, 1966 (Act 30 of 1966), or under any regulation made under any of the said Acts or the Ordinance;

(d) any profits derived from the practice of agriculture by an owner or usufructuary, 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 R9 800 by 600 and by multiplying the result by 24;

(b) the estimated annual yield of any immovable property rented by an applicant or his spouse for agricultural purposes, as determined by dividing the amount by which the value of such property exceeds the amount of R9 800 by 600 and multiplying the result by 24.

### DATE ON WHICH PENSION ACCRUES

15. (1) No social 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 appropriate age, with effect from a date earlier than the first day of the month in which such applicant attained such age.

(2) Ondanks die bepalings van subregulasie (1) kan die Sekretaris na goeddunke 'n maatskaplike pensioen in 'n bepaalde geval toeken met ingang van 'n later datum as 'n datum in genoemde subregulasie bedoel.

### BYKOMENDE OF AANVULLENDE TOELAES

16. 'n Oudstryder aan wie 'n maatskaplike pensioen toegeken word, word, benewens sodanige pensioen, 'n bedrag van R120 per jaar betaal.

17. (1) Behoudens die bepalings van subregulasies (2), (3) en (4), kan 'n ouderdomspensioen of 'n oudstryderspensioen wat ingevolge artikel 2 van die Wet toegeken of ingevolge regulasie 24 herstel word—

(a) indien sodanige maatskaplike pensioen aldus toegeken word minstens een jaar na die datum waarop die aansoeker die voorgeskrewe ouderdom bereik het; of

(b) indien sodanige maatskaplike 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:

Tydperk van uitstelling van ouderdomspensioen of oudstryderspensioen	Bedrag per jaar
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 ouderdomspensioen of oudstryderspensioen word ingevolge subregulasie (1) aangevul nie indien die aansoeker of pensioentrekker te eniger tyd gedurende die tydperk tussen die datum waarop hy of sy die voorgeskrewe ouderdom bereik het en die datum waarop sodanige pensioen toegeken is of tussen die datum van intrekking en die datum van herstelling van sodanige 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 of die Duitse Oudstryderspensioenordonnansie, 1965 (Ordonnansie 3 van 1965), van Suidwes-Afrika.

(b) Indien enige ouderdomspensioen of oudstryderspensioen wat wetlik aangevul is ingevolge regulasie 24 ingetrek word of weer ingetrek word en sodanige pensioen later ingevolge genoemde regulasie 24 hersien en herstel of weer hersien en herstel word, word sodanige pensioen aldus herstel of aldus weer herstel eers aangevul met die bedrag waarmee dit voor sodanige intrekking aangevul was en word sodanige bedrag 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 so 'n pensioen aangevul kan word nie die totale bedrag mag oorskry waarmee dit aangevul sou kon word indien die tydperke ten opsigte waarvan sodanige 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 (c) (iii) van die Wet 'n ouderdomspensioen of oudstryderspensioen toegeken is nie.

(4) By 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.

(2) Notwithstanding the provisions of subregulation (1), the Secretary may at his discretion grant a social pension in a particular case with effect from a later date than a date referred to in the said subregulation.

### ADDITIONAL OR SUPPLEMENTARY ALLOWANCES

16. Any war veteran granted a social pension shall be paid, in addition to such pension, an amount of R120 per annum.

17. (1) Subject to the provisions of subregulations (2) (3) and (4), an old age pension or a veteran's pension granted in terms of section 2 of the Act or restored in terms of regulation 24 may—

(a) if such social 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 social 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:

Period of postponement of old age pension or veteran's pension	Amount per annum
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 old age pension or veteran's 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 such pension is granted or between the date of cancellation and the date of restoration of such 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 or the German War Veterans' Pensions Ordinance, 1965 (Ordinance 3 of 1965) of South-West Africa.

(b) If any old age pension or veteran's pension, lawfully supplemented, is cancelled or again cancelled in terms of regulation 24 and such pension is subsequently reviewed and restored or again reviewed and restored in terms of the said regulation 24, 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 such pension may be supplemented shall not exceed the total amount by which it could have been supplemented if the periods in respect of which such pension is supplemented were uninterrupted.

(3) The provisions of subregulations (1) and (2) shall not apply to any person granted an old age pension or veteran's pension under the provisions of section 3 (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.

## OPPASERSTOELAE

18. Indien 'n persoon aan wie 'n maatskaplike 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 MAATSKAPLIKE PENSIOENE EN TOELAES

19. Maatskaplike 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.

20. (1) Behoudens die bepalings van subregulasie (2) en tensy die maatskaplike pensioen en toelaes by 'n handelsbank of bouvereniging inbetaal word, moet iedere pensioentrekker die maatskaplike pensioen en toelaes aan hom betaalbaar persoonlik in ontvangs neem en 'n kwitantie 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 maatskaplike 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 maatskaplike pensioen of toelaes uitbetaal, by voorlegging aan hom van 'n skriftelike magtiging deur die pensioentrekker, behoorlik in aanwesigheid van twee getuies onderteken, die maatskaplike 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 maatskaplike pensioen en toelaes 'n sertifikaat verstrek te dien effekte dat die pensioentrekker ten tye van die betaling in lewe is.

(3) Wanneer 'n pensioentrekker versoek dat enige maatskaplike 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 sodanige 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, sodanige pensioen en toelaes aan die persoon in die magtiging vermeld, uitbetaal.

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

## BETALING VAN MAATSKAPLIKE PENSIOENE EN TOELAES AAN PERSONE WAT IN SEKERE INRIGTINGS ONDERHOU WORD OF BEHANDELING ONTVANG

21. (1) Indien 'n pensioentrekker te eniger tyd in 'n inrigting op koste van die Staat of in 'n staats- of staats-ondersteunde inrigting 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 opgegneem word tot die laaste dag van die maand wat die

## ATTENDANT'S ALLOWANCE

18. If in the opinion of the Secretary any person to whom a social 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 SOCIAL PENSIONS AND ALLOWANCES

19. Social 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.

20. (1) Subject to the provisions of subregulation (2), every pensioner shall take receipt in person of the social pension and allowances payable to him and furnish a receipt under his signature or mark in respect of the amount so received, unless the social 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 social pension or any allowances granted to him under the Act or these regulations, the Secretary or the person paying out such social 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 social 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 social 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 social 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 social pension and allowances are paid out in accordance with an authority granted under subregulation (2) or (3).

## PAYMENT OF SOCIAL PENSIONS AND ALLOWANCES TO PERSONS MAINTAINED OR RECEIVING TREATMENT IN CERTAIN INSTITUTIONS

21. (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 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

maand waarin hy uit sodanige inrigting of sodanige staats- of staatsondersteunde inrigting ontslaan word, onmiddelik voorafgaan, betaal nie; Met dien verstande dat die bepalings van hierdie regulasie nie van toepassing is nie op 'n pensioentrekker wat onderhou of behandel word—

(a) in 'n ouetehuis soos omskryf in artikel 1 van die Wet op Bejaarde Persone, 1967 (Wet 81 van 1967);

(b) in 'n tehuis vir gestremde persone;

(c) 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;

(d) 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 subregulasié (1), kan die Sekretaris na goeddunke 'n maatskaplike pensioen en enige toelae wat aan 'n pensioentrekker in daardie subregulasié 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 dié tydperk wat die Sekretaris goedvind.

#### OMSKEPPING VAN SEKERE MAATSKAPLIKE PENSIOENE

22. (1) Indien 'n persoon wat 'n pensioen vir blindes of 'n ongeskiktheidspensioen ontvang, aan die vereistes vir 'n ouderdomspensioen ingevolge die Wet voldoen, kan sodanige pensioen vir blindes of ongeskiktheidspensioen, na gelang van die geval, 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 omgeskep word met ingang van die datum wat die Sekretaris bepaal.

(2) Indien 'n persoon wat 'n ouderdomspensioen of 'n pensioen vir blindes of 'n ongeskiktheidspensioen ontvang aan die vereistes vir 'n oudstryderspensioen ingevolge die Wet voldoen, kan sodanige ouderdomspensioen, pensioen vir blindes of ongeskiktheidspensioen, na gelang van die geval, indien dit nie tot nadeel van so 'n persoon sal wees nie, op sy versoek of deur die Sekretaris uit eie beweging in 'n oudstryderspensioen ingevolge die Wet omgeskep word met ingang van die datum wat die Sekretaris bepaal.

(3) Indien 'n persoon wat 'n ouderdomspensioen of 'n ongeskiktheidspensioen of 'n oudstryderspensioen ontvang aan die vereistes vir 'n pensioen vir blindes ingevolge die Wet voldoen, kan sodanige ouderdomspensioen, oudstryderspensioen of ongeskiktheidspensioen, na gelang van die geval, indien dit nie tot nadeel van sodanige 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 die datum wat die Sekretaris bepaal.

(4) Die bepalings van die Wet, uitgesonderd artikel 4, en die bepalings van hierdie regulasies, uitgesonderd regulasies 2, 3, 4, 5, 6 en 15, is *mutatis mutandis* op die omskepping van 'n pensioen ingevolge subregulasié (1), (2) en (3) van toepassing.

#### VERVAL VAN MAATSKAPLIKE PENSIOEN EN TOELAES

23. (1) 'n Maatskaplike pensioen of toelae verval—

(a) op die laaste dag van die maand waarin die pensioentrekker te sterwe kom, en geen sodanige pensioen of toelae is aan die boedel van sodanige pensioentrekker betaalbaar nie;

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

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 a home for the aged as defined in section 1 of the Aged Persons Act, 1967 (Act 81 of 1967);

(b) in a home for handicapped persons;

(c) 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;

(d) 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 social 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 being so maintained or treated, for disbursing on behalf of such pensioner for such period as the Secretary may deem fit.

#### CONVERSION OF CERTAIN SOCIAL PENSIONS

22. (1) If any person in receipt of a blind person's pension or disability pension qualifies for an old age pension under the Act, such blind person's pension or disability pension, as the case may be, 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) If any person in receipt of an old age pension or a blind person's pension or a disability pension qualifies for a war veteran's pension under the Act, such old age pension, blind person's pension or disability pension, as the case may be, may, provided it shall not be to the disadvantage of such person, be converted at his request or by the Secretary of his own accord into a war veteran's pension under the Act, with effect from such date as the Secretary may determine.

(3) If any person in receipt of an old age pension or a disability pension or a war veteran's pension qualifies for a blind person's pension under the Act, such old age pension, veteran's pension or disability pension, as the case may be, may, provided it shall not be to the disadvantage of such person, be converted at his request or by the Secretary of his own accord into a blind person's pension under the Act with effect from such date as the Secretary may determine.

(4) The provisions of the Act, excluding section 4, and the provisions of these regulations, excluding regulations 2, 3, 4, 5, 6 and 15, shall apply *mutatis mutandis* to the conversion of a pension under subregulations (1), (2) and (3).

#### LAPSING OF SOCIAL PENSION AND ALLOWANCES

23. (1) A social pension or allowance shall lapse—

(a) on the last day of the month in which the pensioner dies, and no such pension or allowance is payable to the estate of such pensioner;

(b) when the pensioner has not drawn such pension for six consecutive months.

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

(a) kan die Sekretaris na goeddunke sodanige pensioen en toeslae bereken tot op die laaste dag van die maand waarin die pensioentrekker te sterwe kom, ter betaling van enige bedrag watstrydig met die Wet of hierdie regulasies aan of ten behoeve van sodanige pensioentrekker betaal was, aanwend, of aan enige persoon wat na die oordeel van die Sekretaris, koste aangegaan het ten opsigte van die pensioentrekker se onderhoude, versorging of begrafnis, betaal;

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

## INTREKKING OF VERANDERING VAN MAATSKAPLIKE PENSIOEN

## 24. (1) Die Sekretaris kan 'n maatskaplike pensioen te eniger tyd hersien, en as hy oortuig is—

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

(i) sodanige pensioen intrek; of

(ii) sodanige pensioen in ooreenstemming met die bepalings van regulasie 14 verminder of verhoog, met ingang van dié datum, met inbegrip van 'n datum in die verlede, wat hy bepaal;

(b) dat sodanige pensioen wat ingetrek is, herstel behoort te word, kan hy sodanige pensioen in ooreenstemming met die bepalings van regulasie 14 herstel met ingang van die eerste dag van die maand waarin sodanige pensioen volgens sy oordeel aldus herstel behoort te word of moes gewees het.

(2) Indien om verhoging van 'n maatskaplike pensioen aansoek gedoen word en die Sekretaris oortuig is dat sodanige pensioen verhoog behoort te word, kan hy sodanige pensioen in ooreenstemming met die bepalings van regulasie 14 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 sodanige pensioen kan verhoog met ingang van die eerste dag van die maand waarin die pensioentrekker aldus voldoen het.

(3) Indien 'n maatskaplike pensioen van 'n pensioentrekker wat in die huwelik getree het, hersien word, kan die Sekretaris, indien sodanige pensioen verminder of ingetrek sou moes word as gevolg van die toepassing van regulasie 14 (1) (d) en (e) goedkeuring verleen dat die bates en inkomste van die pensioentrekker se eggenoot of enige bates waarvan sy eggenoot vruggebruik hou, buite rekening gelaat word.

## APPÈL NA DIE MINISTER

25. (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 is of die handeling plaasvind het, 'n skriftelike kennisgewing van sodanige appell 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.

## (2) Notwithstanding the provisions of subregulation (1)—

(a) the Secretary may in his discretion apply such pension and allowance calculated up to the last day of the month in which such pensioner dies in payment of any amount paid to or on behalf of such pensioner in contravention of the Act or these regulations or pay such pension 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 allowance shall continue from the date on which they were last drawn or from such other date as he may determine.

## CANCELLATION OR VARIATION OF SOCIAL PENSION

## 24. (1) The Secretary may at any time review a social pension, and if he is satisfied—

(a) that such 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 14 with effect from such date, including any date in the past, as he may determine;

(b) that such pension which has been cancelled should be restored, he may restore such pension in conformity with the provisions of regulation 14 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 social pension and the Secretary is satisfied that such pension should be increased, he may increase such pension in conformity with the provisions of regulation 14 with effect from the first day of the month in which 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 social pension of a pensioner who has married is reviewed, the Secretary may, if such pension should have to be reduced or cancelled as a result of the application of regulation 14 (1) (d) and (e), approve that the assets and income of the pensioner's spouse or any assets of which his spouse holds usufruct, be left out of account.

## APPEAL TO THE MINISTER

25. (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 state fully the grounds of appeal against such decision or action.

(3) The Secretary shall submit the notice and all 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.

**HERROEPING VAN SEKER GOEWERMENTS-KENNISGEWINGS**

26. Goewermentskennisgewings R. 2225 en R. 2226, vir sover dit pensioenaangeleenthede betref, en R. 2228 en R. 2229 van 8 Desember 1972 word hierby ingetrek.

**TOEPASSING VAN REGULASIES IN SUIDWES-AFRIKA EN DATUM VAN INWERKINGTREDING**

27. 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 1ste dag van Oktober 1973.

**AANHANGSEL**

**DAGVAARDING KRGTEENS ARTIKEL 13 VAN WET 37 VAN 1973**

Dagvaarding om te verskyn voor.....  
Aan A.B.....  
U word hierby gedagvaar om persoonlik op die.....  
dag van..... 19..... om.....uur.....  
te verskyn om voor..... getuensis 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, aantekenning of dokument moet voorlê, vul beskrywing daarvan in; so nie, moet hierdie woorde geskrap word.

† Meld hoedanigheid van uitreikingsbeampte.

**REPEAL OF CERTAIN GOVERNMENT NOTICES**

26. Government Notices R. 2225 and R. 2226, in so far as it relates to pension matters, and R. 2228 and R. 2229 of 8 December 1972, are hereby withdrawn.

**APPLICATION OF REGULATIONS IN SOUTHWEST AFRICA AND DATE OF COMMENCEMENT**

27. 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 October 1973.

**ANNEXURE**

**SUBPOENA UNDER SECTION 13 OF ACT 37 OF 1973**

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.

**Maak gebruik van die . . .**

## Posspaarbank!

Dit verskaaf ongeëwenaarde sekuriteit, geheimhouding en faciliteite vir deposito's en opvragings.

Die eerste deposito hoef nie meer as 10c te wees nie.

Die rentekoers op lopende rekenings is 4% per jaar bereken op die maandelikse balans. Rente tot R200 per jaar is belastingvry.

Bedrae in eenhede van R200 mag vir belegging in Spaarbanksertifikate oorgedra word. Sodanige beleggings verdien rente teen 'n koers van 5½ % per jaar, en word op 1 Januarie en 1 Julie van elke jaar in die belêer se lopende rekening gestort. Rente tot R400 per jaar is belastingvry.

Depositos en opvragings kan gedoen word by enigeen van meer as 1700 poskantore in die Republiek van Suid-Afrika en Suidwes-Afrika, afgesien van waar die rekening oorspronklik geopen is.

**Use the . . .**

## Post Office Savings Bank!

It provides unrivalled security, secrecy and facilities for deposits and withdrawals.

The first deposit need be no more than 10c.

The rate of interest on current accounts is 4% per annum calculated on the monthly balance. Interest up to R200 per annum is free of income tax.

Amounts in units of R200 may be transferred from current accounts for investment in Savings Bank Certificates. Such investments earn interest at the rate of 5½ % per annum, and is credited to the investor's current account on the 1st January and 1st July of each year. Interest up to R400 per annum is free of income tax.

Deposits and withdrawals can be made at any one of more than 1700 post offices in the Republic of South Africa and South-West Africa, irrespective of where the account was originally opened.

## INHOUD

No. *Bladsy*  
Volkswelsyn en Pensioene, Departement van  
*Goewermentskennisgewing*  
R. 140. Regulasies krugtens die Wet op Maatskap-  
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