



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

REGULASIEKOERANT No. 2603

As 'n Nuusblad by die Poskantoor Geregistreer

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

REGULATION GAZETTE No. 2603

Registered at the Post Office as a Newspaper

VOL. 152]

PRETORIA, 24 FEBRUARIE 1978
24 FEBRUARY

[No. 5888

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN BANTOE-ADMINISTRASIE EN -ONTWIKKELING

No. R. 317 24 Februarie 1978
DIE WET OP PENSIOENE VIR BANTOE-OWER-
HEIDSDIENS, 1971

REGULASIES BETREFFENDE DIE PENSIOEN- FONDS VIR PERSONE IN OWERHEIDSDIENS

Kragtens die bevoegdheid my verleen by artikel 5 van die Wet op Pensioene vir Bantoe-owerheidsdiens, 1971 (Wet 6 van 1971), vaardig ek, Cornelius Petrus Mulder, Minister van Bantoe-administrasie en -ontwikkeling, hierby die regulasies vervat in bygaande Bylae uit. Hierdie regulasies word met die toestemming van die Administrateur-generaal vir die gebied Suidwes-Afrika uitgevaardig en op die gebied Suidwes-Afrika van toepassing gemaak.

Goewermenskennisgewing R. 1955 van 29 Oktober 1971, soos gewysig, word met ingang van die datum van inwerkingtreding van hierdie regulasies herroep.

C. P. MULDER, Minister van Bantoe-administrasie en -ontwikkeling.

(Lêer S1/1/4/2)

BYLAE

WOORDOMSKRYWING

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

(i) "aanvullende bedrag" 'n bedrag bedoel in regulasie 10 (1) (c) of 16 (1) (b);

(ii) "afhanklike" ook 'n begunstigde;

(iii) "ander diens" diens by 'n werkgewer, wat of 'n ander regering of 'n raad, inrigting of liggaam wat by wet ingestel is of 'n ander liggaam of werkgewer wat die Sekretaris goedgekeur het, kan wees, en aan wie 'n lid afgestaan is vir diens wat nie owerheidsdiens is nie en ten opsigte waarvan sodanige lid nie verplig is om tot die pensioenfonds by te dra nie;

(iv) "bepaalde datum" die datum waarop hierdie regulasies in werking tree;

GOVERNMENT NOTICES

DEPARTMENT OF BANTU ADMINISTRATION AND DEVELOPMENT

No. R. 317 24 February 1978
BANTU AUTHORITIES' SERVICE PENSIONS
ACT, 1971

REGULATIONS GOVERNING THE PENSION FUND FOR PERSONS IN AUTHORITIES' SERVICE

Under and by virtue of the powers vested in me by section 5 of the Bantu Authorities' Service Pensions Act, 1971 (Act 6 of 1971), I, Cornelius Petrus Mulder, Minister of Bantu Administration and Development, hereby promulgate the regulations in the accompanying Schedule.

These regulations are promulgated and made applicable in the Territory of South-West Africa with the consent of the Administrator-General for the Territory of South-West Africa. Government Notice R. 1955 of 29 October 1971, as amended is repealed with effect from the date on which these regulations come into operation.

C. P. MULDER, Minister of Bantu Administration and Development.

(File S1/1/4/2)

SCHEDULE

DEFINITIONS

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

(i) "beneficiary", in relation to a deceased member, means—

(a) such member's legally adopted child or stepchild, who—

(i) has not entered into a marriage [as defined in section 35 of the Bantu Administration Act, 1927 (Act 38 of 1927)], and is not a partner (as so defined) in a customary union (as so defined);

(ii) has not attained the age of 18 years; and

(iii) is not self-supporting; or

(v) "begunstigde" met betrekking tot 'n oorlede lid—

(a) sodanige lid se wettiglik aangenome kind of stiefkind wat—

(i) nie in die huwelik [soos in artikel 35 van die Bantoe-administrasie Wet, 1927 (Wet 38 van 1927), omskryf] getree het nie, en nie 'n deelgenoot (soos aldus omskryf) in 'n gebruikelike verbinding (soos aldus omskryf) is nie;

(ii) nie die leeftyd van 18 jaar bereik het nie; en

(iii) nie selfonderhoudend is nie; of

(b) iemand anders wat, volgens die oordeel van die Sekretaris, geheel en al of gedeeltelik van sodanige lid vir sy onderhoud afhanklik is;

en wat vir die doeleindes van hierdie regulasies deur die Sekretaris as 'n begunstigde aangewys is;

(vi) "bydraes" die bydraes ooreenkomstig die toepaslike bydraekoers in regulasie 7 (1) bedoel (maar nie rente nie) deur 'n lid aan die pensioenfonds betaal of verskuldig;

(vii) "die formule" met betrekking tot 'n aangeleentheid wat ooreenkomstig die formule bereken moet word—

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

waarin—

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

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 deel:

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 sodanige diens bo 120 maande;
241 tot 360.....	4 224 plus 11 vir elke voltooide maand sodanige diens bo 240 maande;
361 tot 480.....	5 544 plus 7 vir elke voltooide maand sodanige diens bo 360 maande;
481 en meer.....	6 384 plus 5 vir elke voltooide maand sodanige diens bo 480 maande.

(viii) "die Wet" die Wet op Pensioene vir Bantoe-owerheidsdiens, 1971 (Wet 6 van 1971);

(ix) "faktor D" faktor D van die formule;

(x) "gratifikasie" 'n voordeel wat ooreenkomstig regulasie 9 of 10 (1) (a) bereken word;

(xi) "huweliksgratifikasie" 'n voordeel wat ooreenkomstig regulasie 11 (3) bereken word;

(b) any other person who, in the opinion of the Secretary, is wholly or partially dependent on such member for his maintenance;

and who, for the purposes of these regulations, has been designated by the Secretary as a beneficiary;

(ii) "combined service", in relation to a member, means the sum of the period of such member's pensionable service and the period of his reckonable service;

(iii) "contributions" means contributions at the appropriate rate of contribution referred to in regulation 7 (1) (excluding interest) paid or due to the pension fund by a member;

(iv) "dependant", includes a beneficiary;

(v) "factor D" means factor D of the formula;

(vi) "gratuity" means a benefit calculated in accordance with regulation 9 or 10 (1) (a);

(vii) "marriage gratuity" means a benefit calculated in accordance with regulation 11 (3);

(viii) "member" means any person who contributes to the pension fund or is liable so to contribute and also a person entitled to a pension out of the said fund, but does not include a dependant;

(ix) "other employment" means employment under an employer, who may be either any other government or any board, institution or body established by law or any other body or employer approved by the Secretary, and to whom a member has been seconded for service which does not constitute service under an authority and in respect of which such member is not liable to contribute to the pension fund;

(x) "pensionable emoluments" means—

(a) a person's pay in accordance with a scale approved in terms of any law by the authority dealing with personnel affairs of the authority concerned;

(b) any special allowance attached to a particular office if such allowance has been declared by the Minister in consultation with the said authority to be pensionable;

(c) so much of—

(i) any personal allowance granted to a person in consideration of his pay being reduced otherwise than as a penalty;

(ii) a ration allowance or the value of free rations;

(iii) an allowance for quarters or the value of free quarters not exceeding one-sixth of the other pensionable emoluments of the person concerned;

(iv) any fuel, electricity or laundry allowance or the value of free fuel, electricity or laundry;

as the Minister may in consultation with the said authority declare to be pensionable, but does not include—

(aa) any cost of living or climatic allowance;

(bb) any special remuneration which a person may receive for performing special duties or while he is acting in any office;

(cc) any transport or subsistence allowance;

(dd) any fees, honoraria or bonuses of any kind;

(ee) any overtime payments; or

(ff) any other allowance not herein specified;

(xi) "pensionable service" means the service referred to in regulation 3 (1);

(xii) "pensioner" means any person who is in receipt of an annuity from the pension fund in respect of his pensionable service;

(xii) "lid" iemand wat tot die pensioenfonds bydra of onder verpligting staan om aldus by te dra en ook iemand wat op 'n pensioen uit vermeldde fonds geregtig is maar nie 'n afhanklike is nie;

(xiii) "pensioenaris" iemand wat ten opsigte van sy pensioengewende diens 'n jaargeld uit die pensioenfonds ontvang;

(xiv) "pensioengewende diens" diens in regulasie 3 (1) bedoel;

(xv) "pensioengewende verdienste"—

(a) 'n persoon se besoldiging volgens 'n skaal wat by of kragtens die een of ander wetsbepaling deur die gesag wat die personeelsake van die betrokke owerheid behartig, goedgekeur is;

(b) 'n spesiale toelae verbonde aan 'n bepaalde betrekking as sodanige toelae deur die Minister in oorleg met bedoelde gesag as pensioengewende verklaar is;

(c) soveel van—

(i) 'n persoonlike toelae wat aan 'n persoon toegeken is omdat sy besoldiging op 'n ander wyse as 'n straf verminder is;

(ii) 'n rantsoentoelae of die waarde van vry rantsoene;

(iii) 'n toelae vir kwartiere of die waarde van vry kwartiere, maar hoogstens 'n sesde van die betrokke persoon se ander pensioengewende verdienste;

(iv) 'n brandstof-, elektrisiteits- of wasgoedtoelae of die waarde van vry brandstof, elektrisiteit of wasgoed; as wat die Minister in oorleg met bedoelde gesag as pensioengewend verklaar, maar nie die volgende nie:

(aa) 'n Lewenskoste- of klimaattoelae;

(bb) spesiale besoldiging wat 'n persoon ontvang vir die uitvoering van spesiale pligte, of terwyl hy in enige betrekking waarneem;

(cc) 'n vervoer- of verblyftoelae;

(dd) enige gelde, honoraria of bonusse van watter aard ook al;

(ee) oortydbetalings; of

(ff) 'n ander toelae wat nie hierin gespesifiseer word nie;

(xvi) "rekenbare diens" diens in regulasie 3 (2) bedoel;

(xvii) "samegestelde diens" met betrekking tot 'n lid, die som van die tydperk van sodanige lid se pensioengewende diens en die tydperk van sy rekenbare diens;

(xviii) "Tesourie" die Minister van Finansies of 'n beampte in die Departement van Finansies wat op sy gesag handel.

(2) By die berekening van enige voordeel wat ingevolge hierdie regulasies betaalbaar is aan of ten opsigte van 'n lid wat minder as een jaar pensioengewende diens tot sy krediet het, word die gemiddelde jaarlikse pensioengewende verdienste van sodanige lid geag 'n bedrag te wees wat bereken word ooreenkomstig die formule $\frac{A \times C}{B}$

in welke formule—

A die totale bedrag van die pensioengewende verdienste wat die betrokke lid gedurende die hele tydperk van sy pensioengewende diens ontvang het, voorstel;

B die getal dae waartydens die betrokke lid tot die pensioenfonds bygedra het, voorstel; en

C 365 voorstel.

(xiii) "reconable service" means service referred to in regulation 3 (2);

(xiv) "specified date" means the date on which these regulations come into operation;

(xv) "supplementary amount" means an amount referred to in regulation 10 (1) (c) or 16 (1) (b);

(xvi) "the Act" means the Bantu Authorities' Service Pensions Act, 1971 (Act 6 of 1971);

(xvii) "the formula" in relation to any matter to be calculated in accordance with the formula, means—

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

in which—

factor R shall be the rate at which the member contributes to the pension 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.

(xviii) "Treasury" means the Minister of Finance or any officer in the Department of Finance acting on his authority.

(2) For the purpose of calculating any benefit payable in terms of these regulations to or in respect of a member who has less than one year of pensionable service to his credit, the average annual pensionable emoluments of such member shall be deemed to be an amount which shall be calculated in accordance with the formula $\frac{A \times C}{B}$ in which formula—

A represents the total amount of the pensionable emoluments which the member concerned received during the whole period of his pensionable service;

B represents the number of days during which the member concerned contributed to the pension fund; and

C represents 365.

HOOFSTUK I

DIENS EN BYDRAES

Onbevoegdheid vir lidmaatskap

2. Niemand word lid van en dra tot die pensioenfonds by nie—

- (a) voordat hy die leeftyd van 15 jaar bereik;
- (b) as sy pensioengewende verdienste minder as R180 per jaar bedra;
- (c) as hy uitsluitlik by wyse van gelde, honoraria of toelaes besoldig word;
- (d) as nie al sy tyd vir owerheidsdiens beskikbaar is nie;
- (e) as sy diens van 'n los of onderstandaard is;
- (f) terwyl hy vir 'n bepaalde getal maande of jare in owerheidsdiens is, of hy vir die uitvoering of afhandeling van 'n bepaalde taak in diens geneem is;
- (g) tensy hy in 'n vaste hoedanigheid (diens op proef ingegrepe) ingevolge artikel 3 van die Wet in owerheidsdiens is; of
- (h) terwyl hy 'n lid is van en bydra tot die superannuasiefonds, en nie aan die vereistes van hierdie regulasie voldoen nie.

Diens

3. (1) 'n Lid word, met betrekking tot die pensioenfonds, vir die berekening van 'n voordeel geag pensioengewende diens te verrig het—

(a) vir 'n tydperk ten opsigte waarvan hy bydraes aan die pensioenfonds betaal het of verskuldig is en ten opsigte waarvan geen pensioen betaal word of betaal is nie; en

(b) vir 'n tydperk wat kragtens hierdie regulasies of die regulasies wat by Goewermentskennisgewing R. 1955 van 29 Oktober 1971 afgekondig is, by sy pensioengewende diens ingesluit is of as pensioengewende diens gereken is.

(2) 'n Lid word, met betrekking tot die pensioenfonds, geag rekenbare diens te verrig het gedurende 'n aaneenlopende tydperk van heeltidse diens by die Regering, 'n owerheid of 'n verklaarde departement of liggaam as die betrokke lid gedurende sodanige tydperk nie tot die pensioenfonds, die superannuasiefonds of 'n ander pensioenfonds of 'n voorsorgfonds bygedra het nie en mits sodanige tydperk 'n tydperk van sodanige lid se pensioengewende diens voorafgaan en daarmee aaneenloop.

(3) Die aaneenlopendheid van 'n tydperk in subregulasie (1) of (2) bedoel, word geag nie onderbreek te word nie—

(a) deur afwesigheidsverlof aan die betrokke lid toegestaan kragtens die een of ander wetsbepaling betreffende sy diensvoorwaardes;

(b) in die geval van 'n lid aan wie geen afwesigheidsverlof aldus toegestaan kan word nie, deur afwesigheid van diens vir 'n tydperk van hoogstens 120 dae op 'n keer of dié langer tydperk wat die Sekretaris onder spesiale omstandighede goedkeur;

(c) deur 'n tydperk van skorsing, mits die betrokke lid toegelaat word om sy diens te hervat;

(d) in die geval van 'n lid se pensioengewende diens, deur 'n tydperk wat tussen twee opeenvolgende tydperke van pensioengewende diens val maar nie by sodanige diens ingesluit is nie; en

(e) in die geval van 'n lid se rekenbare diens, deur 'n tydperk van pensioengewende diens wat tussen twee opeenvolgende tydperke van rekenbare diens val.

CHAPTER I

SERVICE AND CONTRIBUTIONS

Disqualification for membership

2. No person shall become a member of and contribute to the pension fund—

- (a) before he has attained the age of 15 years;
- (b) if his pensionable emoluments amount to less than R180 per annum;
- (c) if he is remunerated exclusively by means of fees, honoraria or allowances;
- (d) if all his time is not available for service under an authority;
- (e) if his employment is of a casual nature or of the nature of relief employment;
- (f) while he is in the service of an authority for a specified number of months or years, or has been employed for the performance or completion of a specific task;
- (g) unless he is in the service of an authority in a permanent capacity (including service on probation) in terms of section 3 of the Act; or
- (h) while he is a member of and contributes to the superannuation fund and does not comply with the requirements of this regulation.

Service

3. (1) A member shall, in relation to the pension fund, for the purposes of calculating any benefit, be deemed to have performed pensionable service—

(a) for any period in respect of which he has paid or owes contributions to the pension fund and in respect of which no pension is being paid or has been paid; and

(b) for any period included in his pensionable service or reckoned as pensionable service in terms of these regulations or the regulations promulgated by Government Notice R. 1955 dated 29 October 1971.

(2) A member shall, in relation to the pension fund, be deemed to have performed reckonable service during any continuous period of whole-time service under the Government, an authority or a declared department or body, if the member concerned had during such period not contributed to the pension fund, the superannuation fund or any other pension fund or a provident fund and provided such period precedes and is continuous with a period of such members's pensionable service.

(3) The continuity of any period referred to in subregulation (1) or (2), shall be deemed not to be interrupted—

(a) by leave of absence granted to the member concerned in terms of any law governing his conditions of service;

(b) in the case of a member to whom no leave of absence may so be granted, by absence from duty for a period not exceeding 120 days at any one time or such longer period as the Secretary may approve in special circumstances;

(c) by a period of suspension, provided the member concerned is permitted to return to duty;

(d) in the case of a member's pensionable service, by any period falling between two consecutive periods of pensionable service but not included in such service; and

(e) in the case of a member's reckonable service, by any period of pensionable service intervening between two consecutive periods of reckonable service.

(4) Behoudens subregulasie (8) en regulasie 7 (6) en (7) word geen tydperk in subregulasie (3) bedoel as pensioengewende diens gereken nie, tensy bydraes of 'n ander bedrag bereken ingevolge hierdie regulasies of die regulasies by Goewermentskennisgewing R. 1955 van 29 Oktober 1971 afgekondig, ten opsigte van die betrokke tydperk verskuldig, betaal is.

(5) Geen tydperk—

(a) in subregulasie (3) (b) bedoel;

(b) in subregulasie (3) (a) of (c) bedoel, waarin die betrokke lid nie volle of minder as volle besoldiging ontvang het nie; of

(c) in subregulasie (4) bedoel, ten opsigte waarvan 'n bydrae of 'n ander bedrag in daardie subregulasie bedoel, betaal is of betaalbaar is;

word by 'n lid se rekenbare diens ingesluit nie.

(6) Indien 'n lid gedurende 'n tydperk van pensioengewende of rekenbare diens per week, per dag of per uur besoldig is, word sy pensioengewende verdienste vir die berekening van 'n voordeel ooreenkomstig hierdie regulasies bepaal op die jaarlikse ekwivalent van sodanige besoldiging tot die naaste rand bereken.

(7) Vir die toepassing van hierdie regulasies—

(a) word 'n tydperk van pensioengewende diens en 'n tydperk wat ingevolge regulasie 4 of 'n ander wetsbepaling by sodanige diens ingesluit is of as pensioengewende diens gereken is, vir alle doeleindes in jare en dele van 'n jaar bereken;

(b) word 'n tydperk van rekenbare diens—

(i) vir die bepaling van 'n tydperk van samegestelde diens in jare en dele van 'n jaar bereken; en

(ii) vir die berekening van 'n voordeel wat ten opsigte van rekenbare diens betaalbaar is, in jare bereken, en word 'n resterende breukdeel van 'n jaar in sodanige tydperk buite rekening gelaat;

(c) beteken "jaar" 'n kalenderjaar en word 'n jaar, in die geval van 'n berekening waar dele van 'n jaar bymekaargetel gaan word, geag aan 365 dae gelyk te wees;

(d) word 'n deel van 'n jaar uitgedruk as die verhouding tussen die getal dae in sodanige deel en 365; en

(e) word 'n lid wat gedurende 'n tydperk van rekenbare diens minder as volle besoldiging ontvang het, vir die berekening van 'n voordeel geag gedurende sodanige tydperk volle besoldiging te ontvang het.

(8) Ondanks andersluidende bepalings van hierdie regulasies word enige tydperk wat ingevolge regulasie 4 (9) van die regulasies by Goewermentskennisgewing R. 1955 van 29 Oktober 1971 afgekondig, by 'n lid se pensioengewende diens ingesluit is of wat ingevolge regulasie 4 (10) (b) van hierdie regulasies as pensioengewende diens gereken is, by die berekening van 'n voordeel of bedrag wat ingevolge regulasie 11 (1) of 12 (4) betaalbaar word, buite rekening gelaat.

Insluiting van sekere tydperke by pensioengewende diens

4. (1) Indien iemand met die verwydering van 'n onbevoegdheid in regulasie 2 (f) of (g) genoem op enige datum lid word van, en begin bydra tot die pensioenfonds, word dié tydperk van sy aaneenlopende diens wat bedoelde datum voorafgaan en wat die Sekretaris goedkeur, as pensioengewende diens gereken.

(2) Indien iemand in artikel 3 (1) van die Wet bedoel, lid van die pensioenfonds word en daartoe bydra, word dié tydperk van die diens in genoemde artikel bedoel wat die bepaalde datum onmiddellik voorafgaan en deur die Sekretaris goedgekeur word, as pensioengewende diens gereken.

(4) Subject to subregulation (8) and regulation 7 (6) and (7), no period referred to in subregulation (3) shall be reckoned as pensionable service unless contributions or any other amount calculated in terms of these regulations or the regulations promulgated by Government Notice R. 1955 of 29 October 1971, owed in respect of the period in question have been paid.

(5) No period—

(a) referred to in subregulation (3) (b);

(b) referred to in subregulation (3) (a) or (c) in which the member concerned was not in receipt of full or less than full pay;

(c) referred to in subregulation (4), in respect of which a contribution or any other amount referred to in that subregulation has been paid or is payable;

shall be included in any member's reckonable service.

(6) If during any period of pensionable or reckonable service a member was remunerated at a weekly, daily or hourly rate of pay, has pensionable emoluments shall, for the purpose of calculating any benefit under these regulations, be assessed on the basis of the annual equivalent of such remuneration calculated to the nearest rand.

(7) For the purposes of these regulations—

(a) any period of pensionable service and any period included in such service or reckoned as pensionable service in terms of regulation 4 or any other law, shall for all purposes be calculated in years and portions of a year;

(b) a period of reckonable service—

(i) shall, for the purpose of determining a period of combined service, be calculated in years and portions of a year; and

(ii) shall, for the purpose of calculating a benefit payable in respect of reckonable service, be calculated in years, and any remaining fraction of a year in such period shall not be taken into account;

(c) "year" shall mean a calendar year and a year shall, in the case of any calculation in which portions of a year are to be added, be deemed to equal 365 days;

(d) a portion of a year shall be expressed as the ratio which the number of days in such portion bears to 365; and

(e) a member who received less than full pay during any period of reckonable service, shall be deemed, for the purpose of calculating a benefit, to have received full pay during such period.

(8) Notwithstanding anything to the contrary contained in these regulations, any period which was included in a member's pensionable service in terms of regulation 4 (9) of the regulations promulgated by Government Notice R. 1955 of 29 October 1971 or which has been reckoned as pensionable service in terms of regulation 4 (10) (b) of these regulations shall be disregarded for the purpose of calculating any benefit or amount which becomes payable in terms of regulation 11 (1) or 12 (4).

Inclusion of certain periods in pensionable service

4. (1) If on the removal of a disqualification referred to in regulation 2 (f) or (g), any person becomes a member of and commences contributing to the pension fund on any date, such period of his continuous service preceding the said date as the Secretary may approve shall be reckoned as pensionable service.

(2) If any person referred to in section 3 (1) of the Act becomes a member of and contributes to the pension fund, such period of the service referred to in the said section as immediately precedes the specified date and is approved by the Secretary shall be reckoned as pensionable service.

(3) 'n Persoon in artikel 3 (3) van die Wet bedoel, word, behoudens die bepalings van daardie artikel en van regulasie 2, lid van die pensioenfonds, en sy vorige pensioengewende diens (as daar is) word teen betaling van 'n bedrag ooreenkomstig subregulasie (6) bereken, en mits sodanige diens sy pensioengewende diens voorafgaan sonder onderbreking van die deurlopendheid van sy diens of na sodanige onderbreking as wat die Sekretaris nodig en redelik ag, by sy pensioengewende diens ingesluit.

(4) Indien 'n lid van die superannuasiefonds in 'n permanente hoedanigheid of op proef in owerheidsdiens aangestel word, word hy, behoudens regulasie 2, met ingang van die datum waarop hy aldus aangestel word as lid van die pensioenfonds, dra hy vanaf bedoelde datum teen die voorgeskrewe bydraekoers daartoe by, en word sy vorige pensioengewende diens as lid van die superannuasiefonds teen betaling aan die pensioenfonds van 'n bedrag ooreenkomstig subregulasie (6) bereken, by sy pensioengewende diens as lid van die pensioenfonds ingesluit.

(5) Die bedrag wat die pensioenfonds vereis ten opsigte van die erkenning van die vorige pensioengewende diens van 'n lid in artikel 3 (7) van die Wet bedoel, is die som van die bedrae ooreenkomstig subregulasie (6) (a) en (b) bereken.

(6) Die bedrag wat ingevolge subregulasie (3) of (4) betaalbaar is, word bereken as die totaalbedrag van—

(a) 3,25 maal 'n bedrag ooreenkomstig die formule bereken ten opsigte van die tydperk van vorige pensioengewende diens van die betrokke lid asof hy gedurende daardie tydperk 'n lid van die pensioenfonds was en daartoe bygedra het ooreenkomstig die bydraekoers wat op die datum waarop hy werklik 'n lid geword het, op hom van toepassing was;

(b) 2,75 persent van die bedrag ooreenkomstig paragraaf (a) bereken vir elke voltooide jaar van die tydperk van sodanige vorige pensioengewende diens, en vir 'n deel van 'n jaar in sodanige tydperk 'n persentasie van sodanige bedrag as wat in dieselfde verhouding tot 2,75 persent staan as wat die getal dae in sodanige deel tot 365 staan; en

(c) rente teen 5,5 persent per jaar, jaarliks saamgestel op 31 Maart op die totaal van die bedrae ooreenkomstig paragrafe (a) en (b) bepaal, bereken met ingang van die datum waarop die betrokke persoon onder verpligting kom om by te dra tot die pensioenfonds tot op die datum van betaling.

(7) Geld wat uit die superannuasiefonds of 'n ander pensioenfonds of 'n voorsorgfonds ten opsigte van 'n lid in subregulasie (3) of (4) bedoel, betaalbaar is, word aangewend ter volle of gedeeltelike vereffening van die bedrae wat ingevolge daardie subregulasies aan die pensioenfonds betaalbaar is, en die bedrag van enige tekort wat bestaan nadat sodanige geld aldus aangewend is, word ooreenkomstig subregulasie (15) op die betrokke lid verhaal: Met dien verstande dat indien sodanige tekort bestaan na die aanwending van 'n bedrag wat betaal is uit 'n spaarfonds of 'n voorsorgfonds of ingevolge 'n pensioenwet wat uitgevoer word deur 'n Nie-Blanke owerheid wat by 'n wet van die Parlement ingestel is, die Sekretaris bepaal watter deel (as daar is) van sodanige tekort uit inkomste betaalbaar is.

(8) (a) Indien die geld wat ingevolge subregulasie (7) ten opsigte van 'n lid in subregulasie (3) bedoel aangewend moet word en wat uit die Spaarfonds vir Natalse Nie-Europese Onderwysers bedoel in artikel 11 van die Wet op Bantoe-onderwys, 1953 (Wet 47 van 1953), betaalbaar is, minder is as die bedrag ooreenkomstig subregulasie (6) bereken, word sodanige tekort deur die betrokke owerheid uit inkomste aan die pensioenfonds betaal.

(3) Any person referred to in section 3 (3) of the Act shall, subject to the provisions of that section and of regulation 2, become a member of the pension fund, and his previous pensionable service (if any) shall, against payment of an amount calculated in accordance with subregulation (6), and provided that such service precedes his pensionable service without an interruption in the continuity of his service or after such interruption as the Secretary may deem necessary and reasonable, be included in his pensionable service.

(4) If a member of the superannuation fund is appointed to the service of an authority in a permanent capacity or on probation, he shall, subject to regulation 2, become a member of the pension fund with effect from the date on which he is so appointed, and shall from the said date contribute thereto at the prescribed rate of contribution, and his previous pensionable service as a member of the superannuation fund shall be included in his pensionable service as a member of the pension fund against payment to the pension fund of an amount calculated in accordance with subregulation (6).

(5) The amount required by the pension fund in respect of the recognition of the previous pensionable service of a member referred to in section 3 (7) of the Act shall be the sum of the amounts calculated in accordance with subregulation (6) (a) and (b).

(6) The amount payable in terms of subregulation (3) or (4), shall be calculated as the aggregate of—

(a) 3,25 times an amount calculated in accordance with the formula in respect of the period of the previous pensionable service of the member concerned, as if, during the said period, he was a member of the pension fund and contributed thereto at the rate of contribution applicable to him on the date on which he actually became a member;

(b) 2,75 per cent of the amount calculated in accordance with paragraph (a) for each completed year of the period of such previous pensionable service, and, for any portion of a year in such period, a percentage of such amount bearing the same ratio to 2,75 per cent as the number of days in such portion bears to 365; and

(c) interest at the rate of 5,5 per cent per annum, compounded annually on 31 March on the total of the amounts determined in accordance with paragraphs (a) and (b), calculated with effect from the date on which the person concerned becomes liable to contribute to the pension fund up to the date of payment.

(7) Money payable out of the superannuation fund or any other pension fund or a provident fund in respect of a member referred to in subregulation (3) or (4), shall be applied in full or partial settlement of the amounts payable to the pension fund in terms of those subregulations and the amount of any deficit existing after such money has been so applied, shall be recovered from the member concerned in accordance with subregulation (15): Provided that if such deficit exists after the application of an amount paid from a savings fund or a provident fund or in terms of any pension law administered by a Non-White authority established by Act of Parliament, the Secretary shall determine which part (if any) of such deficit shall be payable out of revenue.

(8) (a) If the money which is to be applied in terms of subregulation (7) in respect of a member referred to in subregulation (3) and which is payable from the Natal Non-European Teachers' Provident Fund, referred to in section 11 of the Bantu Education Act, 1953 (Act 47 of 1953), is less than the amount calculated in accordance with subregulation (6), such deficit shall be paid to the pension fund by the authority concerned out of revenue,

(b) Daar word deur 'n lid bedoel in paragraaf (a) aan die betrokke owerheid 'n bedrag betaal wat gelykstaan met die verskil tussen 'n bedrag ooreenkomstig die formule bereken ten opsigte van die tydperk van bedoelde lid se vorige pensioengewende diens bedoel in subregulasie (3), asof hy gedurende daardie tydperk 'n lid van die pensioenfonds was en daartoe bygedra het ooreenkomstig die bydraekoers van toepassing op die datum waarop hy 'n lid geword het en die totaalbedrag van die bydraes wat hy ten opsigte van sodanige tydperk aan die spaarfonds bedoel in paragraaf (a) betaal het of verskuldig is.

(9) Indien 'n persoon wat by die beëindiging van 'n tydperk van pensioengewende diens, ten opsigte van sodanige diens 'n ander voordeel as 'n jaargeld of 'n gratifikasie gepaard met 'n jaargeld uit die pensioenfonds of uit die pensioenfonds en uit inkomste ontvang het, weer onder die verpligting kom om tot die pensioenfonds by te dra, kan die Sekretaris hom, indien hy binne sewe jaar na die datum van sodanige beëindiging aansoek doen, toelaat om sodanige tydperk by sy pensioengewende diens in te sluit teen die terugbetaling aan die pensioenfonds en, waar dit van toepassing is, aan inkomste, van die bedrag van sodanige voordeel tesame met rente op bedoelde bedrag teen 5,5 persent per jaar, jaarliks saamgestel op 31 Maart en bereken vanaf die datum waarop sodanige voordeel aan hom betaal is tot en met die datum waarop sodanige bedrag en rente ingevolge subregulasie (15) betaalbaar word.

(10) Enige tydperk of gedeelte van 'n tydperk—

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

(b) wat nie pensioengewende diens of 'n tydperk van vorige pensioengewende diens waarop subregulasie (9) betrekking het, is nie, en wat volg op die datum waarop 'n lid die leeftyd van 18 jaar bereik het;

kan op die skriftelike versoek van die betrokke lid en na goeddunke van die Sekretaris as pensioengewende diens gereken word.

(11) Daar word ten opsigte van 'n tydperk wat ingevolge subregulasie (1) of (2) as pensioengewende diens gereken word—

(a) uit inkomste aan die pensioenfonds betaal—

(i) 'n bedrag wat gelykstaan met 3,25 maal die aangeslane bydraes;

(ii) 'n bedrag gelyk aan 2,75 persent van die bedrag in subparagraaf (i) bedoel, vermenigvuldig met die getal voltooide jare en enige deel van 'n jaar in genoemde tydperk;

(iii) rente op die som van die bedraes wat ingevolge subparagrafe (i) en (ii) betaalbaar is, teen die koers van 5,5 persent per jaar jaarliks op 31 Maart saamgestel en bereken vanaf die datum waarop die betrokke lid 'n lid van die pensioenfonds geword het tot en met die datum waarop bedoelde bedraes betaal word; en

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

(12) Daar word ten opsigte van 'n tydperk wat ingevolge subregulasie (10) (a) as pensioengewende diens gereken word—

(a) uit inkomste aan die pensioenfonds betaal—

(i) 'n bedrag wat gelykstaan met 3,25 maal die aangeslane bedraes;

(ii) 'n bedrag gelyk aan 2,75 persent van die bedrag in subparagraaf (i) bedoel, vermenigvuldig met die getal voltooide jare en enige deel van 'n jaar in die betrokke tydperk;

(b) There shall be paid by a member referred to in paragraph (a) to the authority concerned an amount equal to the difference between an amount calculated in accordance with the formula in respect of the period of such member's previous pensionable service referred to in subregulation (3), as if during the said period he was a member of the pension fund and contributed thereto at the rate of contributions applicable on the date on which he became a member, and the aggregate amount of the contributions paid or due by him to the provident fund referred to in paragraph (a) in respect of such period.

(9) If any person who, on the termination of any period of pensionable service, received a benefit, other than an annuity or a gratuity coupled with an annuity, in respect of such service out of the pension fund or out of the pension fund and out of revenue, again becomes liable to contribute to the pension fund, he may, if he applies therefor within seven years of the date of such termination, be permitted by the Secretary to include such period of pensionable service in his pensionable service against repayment to the pension fund, and, where applicable, to revenue, of the amount of such benefit together with interest on the said amount at the rate of 5,5 per cent per annum, annually compounded on 31 March and calculated from the date on which such benefit was paid to him up to and including the date on which such amount and interest became payable in terms of subregulation (15).

(10) Any period or part of a period—

(a) 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 pension fund;

(b) which is not pensionable service or a period of previous pensionable service referred to in subregulation (9) and which follows the date on which a member attained the age of 18 years;

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

(11) There shall, in respect of a period which is reckoned as pensionable service in terms of subregulation (1) or (2)—

(a) be paid from revenue to the pension fund—

(i) an amount equal to 3,25 times the assessed contributions;

(ii) an amount equal to 2,75 per cent of the amount referred to in subparagraph (i) multiplied by the number of completed years and any portion of a year in the said period;

(iii) interest on the total of the amounts payable in terms of subparagraphs (i) and (ii), at the rate of 5,5 per cent per annum compounded annually on 31 March and calculated as from the date on which the member concerned became a member of the pension fund up to and including the date on which the said amounts are paid; and

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

(12) There shall, in respect of a period which is reckoned as pensionable service in terms of subregulation (10) (a)—

(a) be paid from revenue to the pension fund—

(i) an amount equal to 3,25 times the assessed contributions;

(ii) an amount equal to 2,75 per cent of the amount referred to in subparagraph (i), multiplied by the number of completed years and any portion of a year in the said period;

(iii) rente op die som van die bedrae wat ingevolge subparagrafe (i) en (ii) betaalbaar is, teen die koers van 5,5 persent per jaar, jaarliks op 31 Maart saamgestel en bereken 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; en

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

(13) Daar word ten opsigte van 'n tydperk wat ingevolge subregulasie (10) (b) as pensioengewende diens gereken word, deur die betrokke lid aan die pensioenfonds betaal—

(a) 'n bedrag wat gelykstaan met 3,25 maal die aangeslane bydraes;

(b) 'n bedrag gelyk aan 2,75 persent van die bedrag in paragraaf (a) bedoel, vermenigvuldig met die getal voltooide jare en enige deel van 'n jaar in die betrokke tydperk; en

(c) rente op die som van die bedrae wat ingevolge paragrafe (a) en (b) betaalbaar is, teen die koers van 5,5 persent per jaar jaarliks op 31 Maart saamgestel en bereken vanaf die datum wat onmiddellik volg op die laaste dag van die genoemde tydperk tot en met die datum waarop bedoelde bedrae betaal word.

(14) By die toepassing van—

(a) subregulasie (11) 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, jaarlikse pensioengewende verdienste op die datum waarop hy of sy, na gelang van die geval, 'n lid van die pensioenfonds word, vermenigvuldig met die getal voltooide jare en enige deel van 'n jaar in die tydperk van diens bedoel in subregulasie (1) of (2), na gelang van die geval, en met faktor D;

(b) subregulasie (12) 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, jaarlikse pensioengewende verdienste op die datum wat onmiddellik volg op die datum waarop die tydperk van verlof of skorsing bedoel in subregulasie (10) (a) verstryk het, vermenigvuldig met die getal voltooide jare en enige deel van 'n jaar in die tydperk van verlof of skorsing, na gelang van die geval, en met faktor D;

(c) subregulasie (13) 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, jaarlikse pensioengewende verdienste op die datum wat onmiddellik volg op die laaste dag van die tydperk wat ingevolge subregulasie (10) (b) as pensioengewende diens gereken word, vermenigvuldig met die getal voltooide jare en enige deel van 'n jaar in die tydperk wat aldus bereken word, en met faktor D.

(15) 'n Tydperk wat ooreenkomstig hierdie regulasie by 'n lid se pensioengewende diens ingesluit is, word geag met sy lopende pensioengewende dienstermyn aaneen te loop, en 'n bedrag wat ingevolge hierdie regulasie deur 'n lid aan die pensioenfonds betaalbaar is of word, is, behoudens regulasie 7 (4), in geheel betaalbaar op die eerste dag van die maand wat volg op die maand waarin die Sekretaris die owerheid of verklaarde departement of liggaam waarby die betrokke lid dien, skriftelik verwittig dat sodanige bedrag verskuldig is.

(16) Vir die berekening van 'n voordeel ingevolge regulasie 11 (1) word 'n tydperk in subregulasie (10) (b) bedoel, nie as pensioengewende diens in ag geneem nie.

(iii) interest on the total of the amounts payable in terms of subparagraphs (i) and (ii), at the rate of 5,5 per cent per annum, compounded annually on 31 March and calculated 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; and

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

(13) There shall, in respect of a period which is reckoned as pensionable service in terms of subregulation (10) (b), be paid to the pension fund by the member concerned—

(a) an amount equal to 3,25 times the assessed contributions;

(b) an amount equal to 2,75 per cent of the amount referred to in paragraph (a), multiplied by the number of completed years and any portion of a year in the said period; and

(c) interest on the total of the amounts payable in terms of paragraphs (a) and (b) at the rate of 5,5 per cent per annum, compounded annually on 31 March and calculated as from the date immediately following the last day of the said period up to and including the date on which the said amounts are paid.

(14) For the purposes of—

(a) subregulation (11), "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 annual pensionable emoluments on the date on which he or she, as the case may be, becomes a member of the pension fund; multiplied by the number of completed years and any portion of a year in the period of service referred to in subregulation (1) or (2), as the case may be, and by factor D;

(b) subregulation (12), "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 annual pensionable emoluments on the date immediately following the date on which the period of leave or suspension referred to in subregulation (10) (a) expired, multiplied by the number of completed years and any portion of a year in the period of leave or suspension, as the case may be, and by factor D;

(c) subregulation (13), "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 annual pensionable emoluments on the date immediately following the last day of the period which is reckoned as pensionable service in terms of subregulation (10) (b), multiplied by the number of completed years and any portion of a year in the period which is so reckoned, and by factor D.

(15) Any period included in a member's pensionable service in accordance with this regulation shall be deemed to be continuous with his current period of pensionable service, and any amount which, in terms of this regulation, is or becomes payable to the pension fund by a member shall, subject to regulation 7 (4), be payable in full on the first day of the month following the month in which the Secretary informs the authority or declared department or body under which the member concerned is serving, in writing, that such amount is due.

(16) For the purposes of calculating a benefit in terms of regulation 11 (1), a period referred to in subregulation 10 (b) shall not be taken into consideration as pensionable service.

Oorplasinge uit die pensioenfondse

5. (1) Indien die diensvoorwaardes van 'n lid in die loop van sy owerheidsdiens in dié mate verander dat hy ingevolge regulasie twee onbevoeg is om lid van die pensioenfondse te bly, word hy op die datum waarop sodanige diensvoorwaardes aldus verander, lid van die superannuasiefonds, en word daar behoudens subregulasie (3) uit die pensioenfondse dié bedrag aan die superannuasiefonds betaal wat laasgenoemde fonds ten opsigte van die erkenning van sodanige lid se pensioengewende diens as lid van die pensioenfondse vereis, tesame met rente op sodanige bedrag teen die koers wat deur of kragtens die wet betreffende die superannuasiefonds voorgeskryf word maar hoogstens 5,5 persent per jaar, jaarliks saamgestel op 31 Maart en bereken vanaf die datum wat onmiddellik volg op die laaste dag waarop die lid tot die pensioenfondse bygedra het tot op die datum waarop sodanige bedrag aan die superannuasiefonds betaal word.

(2) As 'n lid sonder 'n onderbreking van die deurlopendheid van sy diens of na sodanige onderbreking as wat die Sekretaris onder die omstandighede nodig en redelik ag, ingevolge die een of ander wetsbepaling onder die verpligting kom om tot 'n ander pensioenfondse of 'n voorsorgfondse by te dra en toegelaat of verplig word om tot bedoelde fondse by te dra ten opsigte van sy pensioengewende diens as lid van die pensioenfondse, word, behoudens subregulasie (3), dié bedrag uit die pensioenfondse aan bedoelde ander fondse betaal wat laasgenoemde fondse ten opsigte van die erkenning van sodanige lid se voormelde pensioengewende diens vereis, tesame met rente teen die koers wat deur of kragtens die wet betreffende die ander fondse voorgeskryf word, maar hoogstens 5,5 persent per jaar, jaarliks saamgestel op 31 Maart en bereken vanaf die datum wat onmiddellik volg op die laaste dag waarop die lid tot die pensioenfondse bygedra het tot op die datum waarop bedoelde bedrag aan die ander fondse betaal word.

(3) Die bedrag wat deur die superannuasiefonds in subregulasie (1) genoem of die ander pensioenfondse of 'n voorsorgfondse in subregulasie (2) bedoel, vereis word ten opsigte van, die erkenning van 'n lid se pensioengewende diens as lid van die pensioenfondse, word verminder met 'n bedrag wat die betrokke lid ooreenkomstig hierdie regulasies aan die pensioenfondse of inkomste of 'n owerheid verskuldig was op die datum waarop hy opgehou het om tot die pensioenfondse by te dra en wat onbetaal is, en die rente wat ingevolge subregulasie (1) of (2), na gelang van die geval, betaalbaar is, word op die aldus verminderde bedrag bereken.

Lede aan ander diens afgestaan

6. (1) 'n Lid kan, terwyl hy aan ander diens afgestaan is, behoudens die goedkeuring van die Sekretaris, lid bly van en bydra tot die pensioenfondse op voorwaarde dat die werkgewer aan wie die lid aldus afgestaan is of die lid self iedere bedrag wat ten opsigte van sodanige lid vir die tydperk waarin hy aldus afgestaan is uit inkomste aan die pensioenfondse betaal is, aan inkomste terugbetaal.

(2) Die bydraes betaalbaar deur 'n lid in subregulasie (1) bedoel, word gebaseer op 'n bedrag wat die Sekretaris vir die toepassing van hierdie regulasies bepaal as die lid se pensioengewende verdienste terwyl hy aldus afgestaan is, en sodanige bedrag is nie minder nie as die pensioengewende verdienste wat die lid sou getrek het as hy nie aldus afgestaan was nie.

Transfers from the pension fund

5. (1) If, in the course of a member's service with an authority, his conditions of service change to such an extent that he is, in terms of regulation 2, disqualified from remaining a member of the pension fund, he shall, on the date on which such conditions of service so change, become a member of the superannuation fund, and such amount shall, subject to subregulation (3), be paid from the pension fund to the superannuation fund as the latter fund may require in respect of the recognition of such member's pensionable service as a member of the pension fund, together with interest at the rate prescribed by or under the act relating to the superannuation fund but not exceeding 5,5 per cent per annum, annually compounded on 31 March and calculated with effect from the date immediately following the last day on which the member contributed to the pension fund up to the date on which such amount is paid to the superannuation fund.

(2) If a member, without interruption of the continuity of his service or after such interruption as the Secretary may in the circumstances deem to be necessary and reasonable, in terms of any law becomes liable to contribute to any other pension fund or a provident fund and is permitted or required to contribute to the said fund in respect of his pensionable service as a member of the pension fund, such an amount shall, subject to subregulation (3), be paid out of the pension fund to the said other fund as the latter fund may require in respect of the recognition of such member's aforementioned pensionable service, together with interest at the rate prescribed by or under the act relating to the other fund but not exceeding 5,5 per cent per annum, annually compounded on 31 March and calculated from the date immediately following the last day on which the member contributed to the pension fund up to the date on which the said amount is paid to the other fund.

(3) The amount required by the superannuation fund referred to in subregulation (1) or by any other pension fund or a provident fund referred to in subregulation (2) in respect of the recognition of a member's pensionable service as a member of the pension fund, shall be reduced by any amount which the member concerned, in accordance with these regulations, owed to the pension fund or revenue or an authority on the date on which he ceased contributing to the pension fund and which is unpaid, and the interest payable in terms of subregulation (1) or (2), as the case may be, shall be calculated on the amount so reduced.

Members seconded to other employment

6. (1) A member may, while seconded to other employment, subject to the approval of the Secretary, remain a member of and contribute to the pension fund on condition that the employer to whom the member has been so seconded or the member personally shall refund to revenue every amount paid out, of revenue to the pension fund in respect of such member for the period during which he was so seconded.

(2) The contributions payable by a member referred to in subregulation (1), shall be based on an amount determined by the Secretary for the purposes of these regulations as the member's pensionable emoluments while so seconded, and such amount shall not be less than the pensionable emoluments the member would have drawn had he not been so seconded.

Bydraes en skulde

7. (1) 'n Lid dra vanaf die bepaalde datum tot die pensioenfonds by—

(a) in die geval van 'n manlike lid, teen die koers van 7 persent van sy pensioengewende verdienste;

(b) in die geval van 'n vroulike lid, teen die koers van 5 persent van haar pensioengewende verdienste.

(2) 'n Lid dra tot die pensioenfonds by terwyl hy met afwesighedsverlof van enige aard met volle of minder as volle besoldiging is, asof hy gedurende sodanige verlof sy volle pensioengewende verdienste ontvang het.

(3) Bydraes in subregulasie (1) bedoel en ander bedrae aan die pensioenfonds verskuldig wat ingevolge subregulasie (4) paaientseggewys ingevorder word, word maandeliks of op die tye wat die Sekretaris van tyd tot tyd bepaal, by wyse van verpligte aftrekkings van die betrokke lid se verdienste ingevorder deur die owerheid of die verklaarde departement of liggaam waar sodanige lid in diens is, en 'n bedrag wat aldus ingevorder is, word ooreenkomstig regulasie 19 vir krediet van die pensioenfonds by die Tesourie gestort.

(4) 'n Bedrag ingevolge hierdie regulasies deur 'n lid aan die pensioenfonds betaalbaar, kan, behoudens die goedkeuring van die Sekretaris, op dié voorwaardes en in dié paaientseggewys wat hy, hetsy voor die algemeen of in 'n besondere geval, van tyd tot tyd bepaal, ingevolge subregulasie (3) afgetrek word.

(5) Die betrokke lid betaal op die deel van 'n bedrag wat ingevolge subregulasie (4) in paaientseggewys betaalbaar is en wat aan die einde van elke maand onbetaald bly, rente teen 5,5 persent per jaar, jaarliks saamgestel op 31 Maart.

(6) As 'n lid, terwyl hy ingevolge subregulasie (4) of regulasie 8 (2) 'n bedrag in paaientseggewys betaal, te sterwe kom of aftree of afgedank of ontslaan word voordat sodanige bedrag ten volle betaal is, word die onbetaalde deel daarvan, behoudens subregulasie (7), verreken teen of afgetrek van die pensioen wat aan hom of sy afhanklikes of aan sy boedel betaalbaar is, en sodanige pensioen word behoudens regulasie 3 (8) bereken op die hele tydperk van sy pensioengewende diens: Met dien verstande dat indien sodanige onbetaalde deel meer is as sodanige pensioen, die verskil nie verhaalbaar is nie.

(7) 'n Lid aan wie 'n bedrag ingevolge regulasie 11 (2) betaal word, is met ingang van die datum van beëindiging van sy diens nie meer aanspreeklik nie vir enige onbetaalde saldo van die bedrag waarmee hy ingevolge regulasie 4 (9) van die regulasies afgekondig by Goewermentskennisgewing R. 1955 van 29 Oktober 1971 gedebiteer is of wat hy ingevolge regulasie 4 (13) van hierdie regulasies aan die pensioenfonds skuld.

(8) Enige bedrag wat op die dag onmiddellik voor die bepaalde datum aan die pensioenfonds verskuldig was, word, behoudens die bepalinge van subregulasies (4), (6) en (7), aan daardie fonds betaal ooreenkomstig die bedinge en voorwaardes en in die paaientseggewys wat ten opsigte van die bedrag aldus verskuldig, op genoemde dag gegeld het.

(9) As 'n lid per week, per dag of per uur besoldig word, word sy pensioengewende verdienste bereken op die basis van die jaarlikse ekwivalent van sodanige besoldiging tot die naaste rand bereken.

*Betalings uit inkomste aan die pensioenfonds en
deur lede aan inkomste*

8. (1) Met ingang van die bepaalde datum word daar elke maand uit inkomste aan die pensioenfonds 'n bedrag betaal wat gelyk staan met 2,25 maal die totaalbedrag van die lopende bydraes wat lede in dieselfde maand aan die pensioenfonds betaal het.

Contributions and debts

7. (1) As from the specified date a member shall contribute to the pension fund—

(a) in the case of a male member, at the rate of 7 per cent of his pensionable emoluments;

(b) in the case of a female member, at the rate of 5 per cent of her pensionable emoluments.

(2) A member shall contribute to the pension fund while he is on leave of absence of any nature on full or less than full pay as if, during such leave, he received his full pensionable emoluments.

(3) Contributions referred to in subregulation (1) and other amounts due to the pension fund, to be recovered in terms of subregulation (4) by way of instalments, shall be recovered monthly or at such times as the Secretary may from time to time determine, by means of compulsory deductions from the emoluments of the member concerned by the authority or declared department or body under which such member is serving and any amount so recovered shall, in accordance with regulation 19 be lodged with the Treasury to the credit of the pension fund.

(4) Any amount payable in terms of these regulations by a member to the pension fund may, subject to the approval of the Secretary, on such conditions and in such instalments as he may, whether in general or in any particular case, from time to time determine, be deducted in terms of subregulation (3).

(5) The member concerned shall, on such portion of an amount payable in instalments in terms of subregulation (4), as remains unpaid at the end of each month, pay interest at the rate of 5,5 per cent per annum annually compounded on 31 March.

(6) If a member dies or retires or is retired or discharged while he is paying any amount in instalments in terms of subregulation (4) or regulation 8 (2) before such amount has been paid in full, the unpaid portion thereof shall, subject to subregulation (7), be set off against or deducted from the pension payable to him or to his dependants or to his estate, and such pension shall, subject to regulation 3 (8), be calculated on the whole period of his pensionable service: Provided that if such unpaid portion exceeds such pension, the excess shall not be recoverable.

(7) Any member to whom an amount is paid in terms of regulation 11 (2) shall, with effect from the date of termination of his service, cease to be liable for any unpaid balance of the amount with which he was debited in terms of regulation 4 (9) of the regulations promulgated by Government Notice R. 1955 of 29 October 1971 or which is due by him in terms of regulation 4 (13) of these regulations.

(8) Any amount which was owing to the pension fund on the day immediately preceding the specified date shall, subject to the provisions of subregulations (4), (6) and (7), be paid to that fund in accordance with such terms and conditions and in such instalments as applied in respect of the amount so owing on the said day.

(9) If a member is remunerated at a weekly, daily or hourly rate of pay, his pensionable emoluments shall be assessed on the basis of the annual equivalent of such remuneration calculated to the nearest rand.

*Payments out of revenue to the pension fund and by
members to revenue*

8. (1) With effect from the specified date there shall be paid out of revenue to the pension fund each month an amount equal to 2,25 times the aggregate amount of the current contributions paid to the pension fund by members in the same month.

(2) 'n Bedrag wat ingevolge regulasie 4 (8) (b), (11) (b) of (12) (b) deur 'n lid aan 'n owerheid of aan inkomste betaalbaar word, word maandeliks in die paaieimente wat die betrokke owerheid van tyd tot tyd bepaal, van die lid se pensioengewende verdienste afgetrek en in inkomste gestort.

(3) Met ingang van die bepaalde datum word daar op 31 Maart elke jaar uit die Staatsinkomstefonds aan die pensioenfondse rente betaal teen die koers van 5,5 persent per jaar op die gemiddelde van die onbelegde bedrae in die pensioenfondse aan die einde van elke maand gedurende die tydperk ten opsigte waarvan die rente ingevolge hierdie subregulasie betaal word.

HOOFSTUK II

VOORDELE WAT UIT PENSIOENGEWENDE DIENS VOORTSPRUIT

Uitdienstrede voor 10 jaar pensioengewende diens

9. (1) Indien 'n lid wat minder as 10 jaar pensioengewende diens het, met ingang van die bepaalde datum of 'n datum na die bepaalde datum—

(a) ingevolge artikel 4 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; of

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

aftree of afgedank of ontslaan word, word daar, behoudens die bepalings van regulasie 15, 'n gratifikasie uit die pensioenfondse aan hom betaal wat bereken word, in die geval van 'n manlike lid, teen 15,5 persent en, in die geval van 'n vroulike lid, teen 11,5 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, naamlik die kortste tydperk vermenigvuldig met die getal voltooide jare en enige deel van 'n jaar in die tydperk van sy of haar pensioengewende diens.

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

Uitdienstrede na 10 jaar pensioengewende diens

10. (1) Indien 'n lid wat minstens 10 jaar pensioengewende diens het, met ingang van die bepaalde datum of 'n datum na die bepaalde datum weens 'n rede in regulasie 9 (1) vermeld, uit diens tree of afgedank of ontslaan word, word daar uit die pensioenfondse 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 getal voltooide jare en enige deel van 'n jaar in 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 getal voltooide jare en enige deel van 'n jaar in 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) Any amount which becomes payable by a member to an authority or to revenue in terms of regulation 4 (8) (b), (11) (b) or (12) (b) shall be deducted monthly from the member's pensionable emoluments in such instalments as the authority concerned may from time to time determine and shall be paid into revenue.

(3) With effect from the specified date there shall be paid from the State Revenue Fund to the pension fund interest at the rate of 5,5 per cent per annum on the average of the uninvested amounts in the pension fund at the end of each month in the period in respect of which the interest in terms of this subregulation is paid.

CHAPTER II

BENEFITS ARISING FROM PENSIONABLE SERVICE

Retirement prior to 10 years' pensionable service

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

(a) in terms of section 4 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; or

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

there shall, subject to the provisions of regulation 15, be paid to him out of the pension fund, a gratuity which shall be calculated, in the case of a male member, at 15,5 per cent, and, in the case of a female member, at 11,5 per cent, of such member's 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 number of completed years and any portion of a year in 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 subregulation shall be increased by one-third of the said amount.

Retirement after 10 years' pensionable service

10. (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 9 (1), with effect from the specified date or a date after the specified date there shall be paid to him out of the pension fund—

(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 number of completed years and any portion of a year in 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 number of completed years and any portion of a year in 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) 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 9 (1) vermeld, 'n jaargeld ontvang wat ingevolge 'n ander Wet van die Parlement of 'n regulasie daarkragtens uitgevaardig of ingevolge die regulasies by Goewermentskennisgewing R. 1955 van 29 Oktober 1971 afgekondig, betaalbaar is.

(3) Vir die doeleindes van die berekening van 'n gratifikasie of jaargeld ingevolge subregulasie (1), word die tydperk van pensioengewende diens van 'n lid wat weens 'n rede vermeld in paragraaf (b), (c) of (d) van regulasie 9 (1) met pensioen afgedank of ontslaan word, verleng 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 4 (1) van die Wet met pensioen afgedank moet word, naamlik die korste tydperk, maar hoogstens vyf jaar.

Voordele by bedanking of ontslag

11. (1) 'n Lid wat met ingang van die bepaalde datum of 'n datum na die bepaalde datum uit sy werk bedank of weens wangedrag of weens swak gesondheid wat deur sy eie toedoen ontstaan het, daaruit ontslaan word, is, behoudens die bepalings van regulasie 3 (8), geregtig op betaling uit die pensioenfonds van 'n bedrag wat ooreenkomstig die formule bereken word, plus rente bereken teen die koers van 2,5 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 4 (13) van hierdie regulasies of regulasie 4 (9) van die regulasies by Goewermentskennisgewing R. 1955 van 29 Oktober 1971 afgekondig, word uit die pensioenfonds aan hom betaal tesame met die bedrag in genoemde subregulasie (1) bedoel.

(3) Aan 'n vroulike lid wat, nadat sy minstens vyf jaar pensioengewende diens voltooi het, met ingang van die bepaalde datum of 'n datum na die bepaalde 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 uit die pensioenfonds betaal wat ooreenkomstig onderstaande skaal bereken word ten opsigte van iedere jaar van haar pensioengewende diens tot en met die datum van haar huwelik:

<i>Getal jare pensioengewende diens</i>	<i>Persentasie van jaarlikse gemiddelde van pensioengewende verdienste oor die laaste drie jaar van haar diens</i>
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

12. (1) Indien 'n lid wat minder as 10 jaar pensioengewende diens voltooi het, op of na die bepaalde datum te sterwe kom, word daar aan sodanige afhanklikes van

(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 9 (1), is in receipt of an annuity payable in terms of any other Act of Parliament or any regulation made in terms thereof or in terms of the regulations promulgated by Government Notice R. 1955 of 29 October 1971.

(3) For the purposes of the calculation of a gratuity or an annuity in terms of subregulation (1), the period of pensionable service of a member who is retired or discharged on account of a reason mentioned in paragraph (b), (c) or (d) of regulation 9 (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 4 (1) of the Act, whichever is the shorter period, but not exceeding five years.

Benefits on resignation or discharge

11. (1) Any member who, with effect from the specified date or a date after the specified date, resigns from his employment or is discharged therefrom on account of misconduct or on account of ill-health which was occasioned by his own fault shall, subject to the provisions of regulation 3 (8), be entitled to payment from the pension fund of an amount calculated in accordance with the formula, plus interest calculated at the rate of 2,5 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 4 (13) of these regulations or regulation 4 (9) of the regulations promulgated by Government Notice R. 1955 of 29 October 1971, shall be paid to him out of the pension fund 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 specified date or a date after the specified 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 from the pension fund, which gratuity 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:

<i>Number of years of pensionable service</i>	<i>Percentage of annual average of pensionable emoluments over the last three years of her service</i>
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

12. (1) If a member who has completed less than 10 years' pensionable service, dies on or after the specified date there shall be paid from the pension fund to such

die lid as wat die Sekretaris aanwys, 'n bedrag uit die pensioenfonds 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, naamlik die kortste tydperk.

(2) Indien 'n lid wat minstens 10 jaar pensioengewende diens voltooi het, op of na die bepaalde datum te sterwe kom voordat 'n gratifikasie en jaargeld ingevolge regulasie 10 (1) aan hom betaal is, word daar aan sodanige afhanklikes van die lid as wat die Sekretaris aanwys, 'n gratifikasie uit die pensioenfonds betaal wat gelykstaan met die som van die gratifikasie en vyf maal die jaargeld wat ingevolge paragrawe (a) en (b) van bedoelde regulasie aan die lid betaalbaar sou gewees het indien hy op die dag van sy afsterwe weens 'n rede in regulasie 9 (1) (b) vermeld, met pensioen uit diens getree het.

(3) Indien 'n pensioenaris wat 'n lid van die pensioenfonds was, op of na die bepaalde datum te sterwe kom, binne 'n tydperk van vyf jaar nadat hy met pensioen afgetree het of afgedank of ontslaan is, word daar aan sodanige afhanklikes van die pensioenaris as wat die Sekretaris aanwys, 'n gratifikasie uit die pensioenfonds 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 maand waarin hy te sterwe kom 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) 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 werk bedank het, uit die pensioenfonds 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 regulasies aan die lid se afhanklikes betaalbaar is, met inagneming van die omstandighede van sodanige afhanklikes, na goëddunke verminder; en

(b) word so 'n voordeel, hetsy dit aldus verminder is al dan nie, onder sodanige van die lid se afhanklikes as 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

13. (1) (a) Indien 'n lid wat nie 'n pensioenaris is nie, op of na die bepaalde datum te sterwe kom en hy 'n weduwee nalaat, word daar uit die pensioenfonds 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 10 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 te bereik het waarop hy ingevolge artikel 4 (1) van die Wet met pensioen afgedank of ontslaan moet word.

(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.

dependants of the member as 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 specified date before a gratuity and an annuity have been paid to him in terms of regulation 10 (1), there shall be paid from the pension fund to such of the member's dependants as 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 the member in terms of paragraphs (a) and (b) of the said regulation if he had retired on pension for a reason mentioned in regulation 9 (1) (b) on the day of his death.

(3) If a pensioner who was a member of the pension fund, dies on or after the specified date within a period of five years after he retired or was retired or discharged on pension, there shall be paid from the pension fund to such of the pensioner's dependants 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 month in which he dies up to and including the last day of the month in which the said period of five years expires, had he not died.

(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 out of the pension fund.

(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; and

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

(6) Subregulation (5) (a) shall not be construed as debarring 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 the reconsideration of such a decision, the said benefit may not be further reduced.

Widows' pensions

13. (1) (a) If a member who is not a pensioner, dies on or after the specified date and he is survived by a widow, there shall be paid to his widow from the pension fund 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 10 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 at which he shall be retired or discharged on pension in terms of section 4 (1) 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) Indien 'n pensioenaris op of na die bepaalde datum te sterwe kom en hy 'n weduwee nalaat, word daar uit die pensioenfonds aan sodanige weduwee 'n weduwees-pensioen betaal wat—

(a) indien 'n jaargeld en 'n aanvullende bedrag ingevolge regulasie 10 op die datum van sy afsterwe aan die pensioenaris betaalbaar was, gelykstaan met die helfte van die som van sodanige jaargeld en aanvullende bedrag; en

(b) indien 'n jaargeld ingevolge die regulasies afgekondig by Goewermentskennisgewing R. 1955 van 29 Oktober 1971 uit die pensioenfonds aan die pensioenaris op die datum van sy afsterwe betaalbaar was, gelykstaan met die helfte van sodanige jaargeld.

(3) 'n Weduweespensioen wat ingevolge 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 'n jaargeld ontvang wat ingevolge die regulasies afgekondig by Goewermentskennisgewing R. 1955 van 29 Oktober 1971 betaalbaar is en wat onmiddellik voor die datum van sy uitdienstrede tot die pensioenfonds bygedra het.

Betaling van jaargelde en ander voordele

14. (1) Ondanks andersluidende wetsbepalings—

(a) word 'n jaargeld of voordeel wat ingevolge hierdie regulasies betaalbaar is, nie betaal nie tensy 'n gemagtigde persoon die Sekretaris van 'n behoorlik ingevulde diensstaat ten opsigte van die betrokke lid of afgestorwe pensioenaris voorsien;

(b) word sodanige jaargeld in gelyke maandelikse paaieimente voor of aan die einde van iedere betrokke maand betaal en word die eerste van sodanige paaieimente betaal voor of aan die einde van die maand wat onmiddellik volg op die maand waarin die vervaldatum voorkom; en

(c) word sodanige voordeel betaal voor of aan die einde van die maand wat onmiddellik volg op die maand waarin die vervaldatum voorkom.

(2) By die toepassing van hierdie regulasie beteken—

"diensstaat", met betrekking tot 'n lid of afgestorwe pensioenaris, 'n staat waarin die besonderhede van die lid of afgestorwe pensioenaris, in 'n vorm wat die Sekretaris vir die doeleindes van hierdie regulasies bepaal, verstrekk word;

"gemagtigde persoon", met betrekking tot—

(a) 'n lid, die hoof van die departement waarin die lid onmiddellik voor die beëindiging van sy diens in diens is of was en ook iemand in diens van sodanige departement wat deur sodanige hoof gemagtig is om 'n diensstaat uit te reik; of

(b) 'n afgestorwe pensioenaris, 'n persoon wat uit hoofde van die afsterwe van die betrokke pensioenaris op 'n voordeel ingevolge hierdie regulasies geregtig is of, in 'n geval waar niemand aldus op 'n voordeel geregtig is nie, die eksekuteur van die betrokke pensioenaris se boedel; en

"vervaldatum", in 'n geval waar die Sekretaris 'n diensstaat ontvang voor die datum waarop 'n jaargeld of voordeel ingevolge hierdie regulasies betaalbaar is, die datum waarop sodanige jaargeld of voordeel aldus betaalbaar is en, in enige ander geval, die datum waarop die Sekretaris 'n diensstaat ten opsigte van die betrokke lid of afgestorwe pensioenaris ontvang.

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

(a) if an annuity and supplementary amount were payable to the pensioner in terms of regulation 10 on the date of his death, is equal to one-half of the total of such annuity and supplementary amount; and

(b) if an annuity in terms of the regulations promulgated by Government Notice R.1955 of 29 October 1971 was payable from the pension fund to the pensioner on the date of his death, is equal to one-half of such annuity.

(3) A widow's pension which is payable to a widow in terms of 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 the regulations promulgated by Government Notice R. 1955 dated 29 October 1971, and who immediately prior to the date of his retirement contributed to the pension fund.

Payment of annuities and other benefits

14. (1) Notwithstanding anything to the contrary in any law contained—

(a) an annuity or benefit which is payable in terms of these regulations shall not be paid unless an authorised person furnishes the Secretary with a duly completed record of service in respect of the member concerned or the deceased pensioner;

(b) such an annuity shall be paid in equal monthly instalments at or before the end of each month concerned and the first of such instalments shall be paid at or before the end of the month immediately after the month in which the due date occurs; and

(c) such a benefit shall be paid at or before the end of the month immediately after the month in which the due date occurs.

(2) For the purposes of this regulation—

"authorised person" in relation to—

(a) a member, means the head of the department in which the member is or was employed immediately prior to the termination of his service and includes a person in the service of such a department who has been authorised by such head to issue a record of service; or

(b) a deceased pensioner, means a person who on account of the death of the pensioner concerned, is entitled to a benefit in terms of these regulations, or, in a case where no one is thus entitled to a benefit, the executor of the estate of the pensioner concerned;

"due date" means, in the case where the Secretary receives a record of service before the date on which an annuity or benefit is payable in accordance with these regulations, the date on which such annuity or benefit is thus payable, and, in any other case, the date on which the Secretary receives a record of service in respect of the member concerned or deceased pensioner; and

"record of service", in relation to a member or deceased pensioner, means a statement in which the particulars with regard to the member or deceased pensioner are furnished in a form which the Secretary determines for the purposes of these regulations.

HOOFSTUK III

VOORDELE WAT UIT REKENBARE DIENS
VOORTSPRUIT*Voordeel waar samegestelde diens minder as
10 jaar beloop*

15. As 'n lid op wie regulasie 9 (1) van toepassing is, minstens 'n jaar rekenbare diens maar minder as 10 jaar samegestelde diens voltooi het, dan word daar aan hom, benewens 'n voordeel waarop hy ingevolge regulasie 9 geregtig kan wees, uit inkomste 'n gratifikasie betaal wat bereken word volgens die skaal van een vier-en-twintigste van sy jaarlikse pensioengewende verdienste op die laaste dag van sy samegestelde diens vir elke jaar van sy rekenbare diens.

*Voordeel waar samegestelde diens minstens
10 jaar beloop*

16. (1) (a) As 'n lid wat minstens 'n jaar rekenbare diens as deel van minstens 10 jaar samegestelde diens voltooi het, om 'n rede in regulasie 9 (1) genoem uit owerheidsdiens aftree, afgedank of ontslaan word, is hy, ondanks andersluidende bepalings van hierdie regulasies en in plaas van die voordeel in regulasie 9 (1) of (2) of 10 vermeld, geregtig op 'n gratifikasie en 'n jaargeld wat, met betrekking tot sy pensioengewende diens, ongeag die duur daarvan, ooreenkomstig regulasie 10 (1) (a) en (b) bereken en uit die pensioenfonds betaal word, en as sy pensioengewende diens minder as drie jaar beloop, word sy gemiddelde pensioengewende verdienste, behoudens regulasie 1 (2), met betrekking tot die hele tydperk van sy pensioengewende diens bereken.

(b) Daar word uit die pensioenfonds aan bedoelde lid die aanvullende bedrag betaal wat die Minister van tyd tot tyd in oorleg met die Minister van Finansies bepaal.

(2) Benewens die voordeel in subregulasie (1) genoem, is sodanige lid, behoudens subregulasie (3), geregtig op 'n jaargeld uit inkomste wat bereken word as 1 persent van sy jaarlikse pensioengewende verdienste op die laaste dag van sy samegestelde diens vir elke jaar van sy rekenbare diens, onderworpe, in die geval van 'n tydperk van rekenbare diens—

(a) van minder as 25 jaar, aan 'n minimum van twee rand vir elke jaar van sodanige diens; of

(b) van minstens 25 jaar, aan 'n minimum van drie rand vir elke jaar van sodanige diens.

(3) Vyf-en-twintig persent van die jaargeld in subregulasie (2) bedoel word omgesit in en uit inkomste betaal as 'n gratifikasie op die grondslag van tien rand vir elke rand aldus omgesit.

Voordele vir afhanklikes met betrekking tot rekenbare diens

17. (1) Benewens 'n voordeel wat ingevolge regulasie 12 (1) of (2) betaalbaar kan wees, word daar, behoudens subregulasie (3), ten opsigte van 'n lid wat minstens een jaar rekenbare diens voltooi het en voor sy uitdienststreding uit owerheidsdiens sterf, aan dié afhanklikes van die lid wat die Sekretaris aanwys, uit inkomste 'n gratifikasie betaal wat bereken word volgens die skaal van een vier-en-twintigste van sodanige lid se jaarlikse pensioengewende verdienste op die laaste dag van sy samegestelde diens vir elke jaar van sy rekenbare diens.

(2) As iemand aan wie 'n jaargeld ingevolge regulasie 15 (2) toegeken is of wat op die bepaalde datum 'n jaargeld ontvang wat ingevolge regulasie 16 (2) van die regulasies afgekondig by Goewermentskennisgewing R. 1955 van 29 Oktober 1971 toegeken is, binne vyf jaar na die datum van sy uitdienststreding of ontslag sterf, word daar

CHAPTER III

BENEFITS ARISING FROM RECKONABLE
SERVICE*Benefits where combined service amount to less than
10 years*

15. If a member to whom regulation 9 (1) applies has completed not less than one year of reckonable service but less than 10 years' combined service, then in addition to a benefit to which he may be entitled in terms of regulation 9, there shall be paid to him out of revenue a gratuity calculated at the rate of one twenty-fourth of his annual pensionable emoluments on the last day of his combined service for every year of his reckonable service.

*Benefits where combined service amounts to not less
than 10 years*

16. (1) (a) If a member who has completed not less than one year or reckonable service as part of at least 10 years' combined service, retires or is retired or discharged from the service of an authority on account of any reason referred to in regulation 9 (1), he shall, notwithstanding anything to the contrary contained in these regulations, in lieu of the benefit referred to in regulation 9 (1) or (2), or 10 be entitled to a gratuity and an annuity, which, in relation to his pensionable service, shall, irrespective of the duration thereof, be calculated in accordance with regulation 10 (1) (a) and (b) and paid out of the pension fund, and if his pensionable service amounts to less than three years, his average pensionable emoluments shall, subject to regulation 1 (2), be calculated in relation to the whole period of his pensionable service.

(b) There shall be paid from the pension fund to the said member such supplementary amount as the Minister may from time to time determine in consultation with the Minister of Finance.

(2) In addition to the benefit referred to in subregulation (1), such member shall, subject to subregulation (3), be entitled to an annuity out of revenue, calculated as 1 per cent of his annual pensionable emoluments on the last day of his combined service for each year of his reckonable service subject, in the case of a period of reckonable service—

(a) of less than 25 years, to a minimum of two rand for each year of such service; or

(b) of not less than 25 years, to a minimum of three rand for each year of such service.

(3) Twenty-five per cent of the annuity referred to in subregulation (2) shall be converted to and paid out of revenue as a gratuity on the basis of ten rand for every rand so converted.

Benefits for dependants in relation to reckonable service

17. (1) In addition to any benefit which may be payable in terms of regulation 12 (1) or (2), there shall, subject to subregulation (3), be paid out of revenue in respect of a member who has completed not less than one year of reckonable service and dies before his retirement from the service of an authority, to such of the member's dependants as the Secretary may designate, a gratuity calculated at the rate of one twenty-fourth of such member's annual pensionable emoluments on the last day of his combined service for every year of his reckonable service.

(2) If any person to whom an annuity has been awarded in terms of regulation 15 (2) or who, on the specified date, is in receipt of an annuity awarded in terms of regulation 16 (2) of the regulations promulgated by Government Notice R. 1955 of 29 October 1971, dies within five

aan dié van sy afhanklikes wat die Sekretaris aanwys, benewens 'n voordeel wat ingevolge regulasie 12 betaalbaar kan wees, 'n gratifikasie uit inkomste 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 maand waarin so iemand te sterwe kom tot en met die laaste dag van die maand waarin genoemde vyf jaar verstryk, aan so iemand betaal sou gewees het as hy nie gesterf het nie.

HOOFSTUK IV

ADMINISTRATIEWE EN ALGEMENE BEPALINGS

Bestuur en beheer, en rekeninge

18. (1) Die Sekretaris behartig die sake van die pensioenfondse, en die koste daaraan verbonde of aan enige aktuerse ondersoek of waardering of aangeleentheid wat daarmee in verband staan, word uit die Staatsinkomstefonds bestry.

(2) By die toepassing van hierdie regulasie en van regulasie 20, word 'n bedrag wat aan 'n lid (uitgesonderd 'n lid aan wie 'n jaargeld betaalbaar is) verskuldig is, geag 'n las van die pensioenfondse te geword het binne die boekjaar waarin genoemde bedrag betaal word.

Belegging van fondssaldo's

19. (1) Alle bedrae wat aan die pensioenfondse betaal is, word vir krediet van genoemde fondse by die Tesourie gestort.

(2) Soveel van die bedrae aldus gestort as wat nie vir lopende doeleindes nodig is nie, vorm 'n deposito vir die toepassing van die Wet op Staatskuldkommissarisse, 1969 (Wet 2 van 1969), en moet dienooreenkomstig belê word.

(3) As die rente wat deur die pensioenfondse op deposito's in subregulasie (2) genoem, verdien word, in die totaalbedrag minder is as 5,5 persent in enige jaar wat op 31 Maart eindig, word 'n bedrag gelyk aan die verskil tussen die rente aldus verdien en rente teen die koers van 5,5 persent per jaar uit die Staatsinkomstefonds aan die pensioenfondse betaal sodra die Ouditeur-generaal sodanige bedrag gesertifiseer het.

Staat van inkomste en uitgawe en balansstaat

20. (1) Die Sekretaris stel jaarliks 'n balansstaat op wat—

(a) die inkomste en uitgawe van die pensioenfondse vir die jaar eindigende 31 Maart weergee; en

(b) die bates en laste van die pensioenfondse soos op 31 Maart weergee;

en stel die betrokke state beskikbaar vir opname in die verslag van die Ouditeur-generaal.

(2) Indien die state bedoel in subregulasie (1) 'n aansienlike daling of 'n aansienlike styging in die balans van die pensioenfondse aandui, kan die Minister in oorleg met die Minister van Finansies die stappe doen wat hy nodig of dienstig ag.

(3) 'n Verklaring oor enige stappe wat die Minister ingevolge subregulasie (2) nodig ag, word binne drie maande na die datum waarop die Minister sodanige stappe nodig geag het, in die Senaat en in die Volksraad ter tafel gelê as die Parlement dan in sitting is of, as die Parlement nie dan in sitting is nie, binne drie maande na die aanvang van sy eersvolgende sessie.

Titel en inwerkingtreding

21. Hierdie regulasies heet die Regulasies betreffende die Owerheidsdienspensioenfondse, 1977, en tree in werking op 1 Maart 1978.

years of the date of his retirement or discharge, there shall be paid out of revenue to such of his dependants as the Secretary may designate, in addition to any benefit which may be payable in terms of regulation 12, a gratuity which is equal to the total of the annuity which would have been paid to such person during the period as from the first day of the month immediately following the month in which he dies up to the last day of the month in which the said five years expires, had he not died.

CHAPTER IV

ADMINISTRATIVE AND GENERAL PROVISIONS

Management and control, and accounts

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

(2) For the purposes of this regulation and of regulation 20, any amount which is owing to a member (except a member to whom any annuity is payable) shall be deemed to have become a liability of the pension fund in the financial year in which the said amount is paid.

Investment of fund balances

19. (1) All amounts paid to the pension fund shall be lodged in the Treasury to the credit of the said fund.

(2) As much of the amounts so lodged as is not required for current purposes shall be a deposit for the purposes of the Public Debt Commissioners Act, 1969 (Act 2 of 1969), and shall be invested accordingly.

(3) If the interest earned by the pension fund on deposits referred to in subregulation (2) should be less than 5,5 per cent in the aggregate in any year ending on 31 March, a sum equal to the difference between the interest so earned and interest at a rate of 5,5 per cent per annum shall be paid out of the State Revenue Fund to the pension fund as soon as the Auditor-General has certified such sum.

Revenue and expenditure and balance-sheet returns

20. (1) The Secretary shall annually compile a balance sheet on which—

(a) the revenue and expenditure of the pension fund for the year ending 31 March are reflected; and

(b) the assets and liabilities of the pension fund as at 31 March are reflected;

and shall make the relative returns available to be included in the Auditor-General's report.

(2) If the returns referred to in subregulation (1) reflect a considerable decline or a considerable rise in the balance of the pension fund, the Minister may, in consultation with the Minister of Finance, take such steps as he deems necessary or expedient.

(3) A statement on the steps which the Minister deems necessary in terms of subregulation (2) shall be laid upon the Table in the Senate and in the House of Assembly within three months after the date on which the Minister deemed such steps necessary if Parliament is then in session, or if Parliament is not then in session, within three months after the commencement of its next session.

Title and commencement

21. These regulations shall be called the Authorities' Service Pension Fund Regulations, 1977, and shall come into operation on 1 March 1978.

No. R. 349

24 Februarie 1978

**REGULASIES BETREFFENDE GEMEENSKAPS-
RADE IN DIE ADMINISTRASIEGEBIED VAN DIE
WES-RANDSE BANTOESAKE-ADMINISTRASIE-
RAAD.—WYSIGING VAN GOEWERMEN-
TSKENNISGEWING R. 2151 VAN 21 OKTOBER 1977**

Ek, Cornelius Petrus Mulder, Minister van Bantoe-administrasie en -ontwikkeling, wysig hierby, kragtens die bevoegdheid hom verleen by artikel 11 (4) van die Wet op Gemeenskapsrade, 1977 (Wet 125 van 1977), Goewermentskennigsgewing R. 2151 van 21 Oktober 1977 ooreenkomstig bygaande Bylae.

C. P. MULDER, Minister van Bantoe-administrasie en -ontwikkeling.

(Lêer A2/14/2/J8/1)

BYLAE

1. *Hoofstuk 4: Kwalifikasies.*—Vervang regulasies 12 (c) deur die volgende:

“(c) op die dag waarop nominasie van kandidate vir die verkiesing van lede van die Gemeenskapsraad sluit, vir meer as twee maande agterstallig is met die betaling van vorderings, gelde of ander bedrae wat deur hom aan die Raad of die Gemeenskapsraad verskuldig is;”.

2. *Hoofstuk 5: Verkiezings.*—Vervang regulasies 21 (1) deur die volgende:

“(1) Die nominasie van kandidate vir verkiesing tot lede van die Gemeenskapsraad moet skriftelik by die verkiesingsbeampte ingedien word in die vorm in Aanhangsel A hiervan vervat en wat deur die dorpsbestuurder verskaf word en dit moet gestaaf word deur die handtekeninge van 10 persone wat as kiesers geregistreer is in die wyk ten opsigte waarvan sodanige nominasie geskied.”.

3. *Hoofstuk 6: Vergaderings.*—Vervang “14” in regulasies 64 deur “60”.

DEPARTEMENT VAN DOEANE EN AKSYNS

No. R. 307

24 Februarie 1978

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN REGULASIES (No. MR/32)

Kragtens artikel 120 van die Doeane- en Aksynswet, 1964, word die regulasies gepubliseer by Goewermentskennigsgewing R. 1770 van 5 Oktober 1973 gewysig in die mate in die Bylae hiervan aangetoon.

O. P. F. HORWOOD, Minister van Finansies.

BYLAE

Deur na regulasie 12.10.01 die volgende in te voeg:

Verwydering van goedere na Afrika-gebiede.

12.11.01 Iemand wat goedere vanuit die Republiek na enige gebied in Afrika waarmee die Republiek 'n ooreenkoms kragtens artikel 51 van die Wet aangegaan het, verwyder, moet die beskrywing, hoeveelheid en waarde van sodanige goedere—

(a) in die geval van bedoelde verwydering per pos, per lug, per spoor of per Suid-Afrikaanse Spoorweë Padvervoerdienste op die betrokke versendingsvorm; of

(b) in die geval van bedoelde verwydering per ander amptelike of private padvervoer, met inbegrip van vervoerkontraheurs, op 'n vorm soos deur die Sekretaris van tyd tot tyd bepaal,

verklaar.

Opmerking.—Regulasie 12.11.01 word ingevoeg om voorsiening te maak vir die verklaring van die beskrywing, hoeveelheid en waarde van goedere wat na Afrika-gebiede verwyder word.

No. R. 349

24 February 1978

**REGULATIONS GOVERNING COMMUNITY
COUNCILS IN THE ADMINISTRATION AREA OF
THE WEST RAND BANTU AFFAIRS ADMINIS-
TRATION BOARD.—AMENDMENT OF GOVERNMENT
NOTICE R. 2151, DATED 21 OCTOBER 1977**

I, Cornelius Petrus Mulder, Minister of Bantu Administration and Development, do hereby, by virtue of the powers vested in him by section 11 (4) of the Community Councils Act, 1977 (Act 125 of 1977), amend Government Notice R. 2151, dated 21 October 1977, in accordance with the accompanying Schedule.

C. P. MULDER, Minister of Bantu Administration and Development.

(File A2/14/2/J8/1)

SCHEDULE

1. *Chapter 4: Qualifications.*—Substitute the following for regulation 12 (c):

“(c) is in arrears for more than two months with any charges, fees or other dues payable by him to the Board or the Community Council on the day when nominations of candidates for the election of members of the Community Council close;”.

2. *Chapter 5: Elections.*—Substitute the following for regulation 21 (1):

“(1) Nominations of candidates for election as members of the Community Council shall be submitted in writing to the electoral officer in the form contained in Annexure A hereto, which form shall be supplied by the Township manager, and shall be supported by the signatures of not less than 10 persons who are registered as voters in the ward for which the nomination is made.”.

3. *Chapter 6: Meetings.*—Substitute the figure “60” for “14” in regulation 64.

DEPARTMENT OF CUSTOMS AND EXCISE

No. R. 307

24 February 1978

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF REGULATIONS (No. MR/32)

Under section 120 of the Customs and Excise Act, 1964, the regulations published in Government Notice R. 1770 of 5 October 1973 are amended to the extent set out in the Schedule hereto.

O. P. F. HORWOOD, Minister of Finance.

SCHEDULE

By the insertion after regulation 12.10.01 of the following:

Removal of goods to territories in Africa.

12.11.01 Any person who removes goods from the Republic to a territory in Africa with whom the Republic has concluded an agreement in terms of section 51 of the Act, shall declare the description, quantity and value of such goods—

(a) in the case of such removal by post, by air, by rail or by South African Railway Road Transport Service on the relative dispatch form; or

(b) in the case of such removal by other official or private road transport, including transport contractors, on a form as determined by the Secretary from time to time.

Note.—Regulation 12.11.01 is inserted to provide for the declaration of the description, quantity and value of goods removed to territories in Africa.

DEPARTEMENT VAN GEMEENSKAPSBOU

No. R. 301

24 Februarie 1978

TOEVOEGING TOT DIE LYS WAARUIT DIE EERSTE BYLAE TOT DIE SLUMSWET, 1934 (WET 53 VAN 1934), BESTAAN

Hierby word vir algemene inligting bekendgemaak dat die Minister van Gemeenskapsbou, kragtens die bevoegdheid hom verleen by artikel 1 (3) van die Slumswet, 1934 (Wet 53 van 1934), goedgekeur het dat die dorp Delmas vanaf die datum van publikasie hiervan, tot die lys waaruit die Eerste Bylae van genoemde Wet bestaan, toegevoeg word.

DEPARTEMENT VAN JUSTISIE

No. R. 327

24 Februarie 1978

LANDDROSHOWE.—WYSIGING VAN DIE REËLS VAN DIE HOF

Die Minister van Justisie het ooreenkomstig artikel 25 (5) van die Wet op Landdroshowe, 1944 (Wet 32 van 1944), onderstaande wysigings bekragtig wat deur die Reglementsraad kragtens subartikel (3) van genoemde artikel aangebring is aan die Reëls van die Hof, afgekondig by Goewermentskennisgewing R. 1108 van 21 Junie 1968:

1. Die skrapping van reël 33 (5) (aA).
2. Die wysiging van Deel I van Tabel A van Bylae 2 deur—

(a) item 1 te vervang deur die volgende:

“1 (a) Behoudens die bepalings van subparagraaf (b), word die koste in bestrede aksies volgens Skaal A getakseer.

(b) Wanneer die bedrag in geskil meer as R400 is, word die koste volgens Skaal B getakseer.

(c) Wanneer die bedrag in geskil nie uit die stukke blyk nie, word die koste, tensy die hof anders gelas, teen die laer tarief bereken.”;

(b) in item 6 die uitdrukking “1 (b), (c) of (d) val” te vervang deur die uitdrukking “1 (b) val of wanneer die hof ’n bevel ingevolge reël 33 (8) gegee het”;

(c) in item 8 (a) en (c) die uitdrukking “50c” te vervang deur die uitdrukking “R1”;

(d) in item 11 (a) die uitdrukking “25c” en “60c” te vervang deur onderskeidelik die uitdrukking “50c” en “R1”;

(e) in item 12 die uitdrukking “50c” te vervang deur die uitdrukking “R1”; en

(f) item 13 (b) te vervang deur die volgende:

“Gelde van 10 persent op elke paaient ingevorder ter delging van die kapitaal en koste van die aksie word toegelaat.”.

3. Die wysiging van Deel II van Tabel A van Bylae 2 deur—

(a) in item 1 die uitdrukking “4.50” te vervang deur die uitdrukking “6,00”;

(b) in item 2 die uitdrukking “2.50” te vervang deur die uitdrukking “4,00”;

(c) in item 3 die uitdrukking “2,00” te vervang deur die uitdrukking “3,00”; en

(d) in item 4 die uitdrukking “2,00” te vervang deur die uitdrukking “3,00”.

DEPARTMENT OF COMMUNITY DEVELOPMENT

No. R. 301

24 February 1978

ADDITION TO THE LIST OF WHICH THE FIRST SCHEDULE TO THE SLUMS ACT, 1934 (ACT 53 OF 1934), CONSISTS

It is hereby notified for general information that the Minister of Community Development, under the powers vested in him by section 1 (3) of the Slums Act, 1934 (Act 53 of 1934), has approved that the Town of Delmas from date of publication hereof, be added to the list of which the First-Schedule to the said Act, consists.

DEPARTMENT OF JUSTICE

No. R. 327

24 February 1978

MAGISTRATES' COURTS.—AMENDMENT OF RULES OF COURT

The Minister of Justice has, in terms of section 25 (5) of the Magistrates' Courts Act, 1944 (Act 32 of 1944), confirmed the following amendments made by the Rules Board in terms of subsection (3) of the said section to the Rules of Court published under Government Notice R. 1108, dated 21 June 1968:

1. The deletion of rule 33 (5) (aA).
2. The amendment of Part I of Table A of Annexure 2 by—

(a) the substitution for item 1 of the following:

“1. (a) Save as provided in subparagraph (b) costs in defended actions shall be taxed on Scale A.

(b) When the amount in dispute exceeds R400, costs shall be taxed on Scale B.

(c) Where the amount in dispute is not apparent on the face of the proceedings, costs shall, unless the court orders otherwise, be computed at the lower rate.”;

(b) the substitution in item 6 for the expression “1 (b), (c) or (d)” of the expression “1 (b) or where the court has made an order in terms of rule 33 (8)”;

(c) the substitution in item 8 (a) and (c) for the expression “50c” of the expression “R1”;

(d) the substitution in item 11 (a) for the expressions “25c” and “60c” of the expressions “50c” and “R1”, respectively;

(e) the substitution in item 12 for the expression “50c” of the expression “R1”; and

(f) the substitution for item 13 (b) of the following:

“A fee of 10 per cent on each instalment collected in reduction of the capital and costs of the action shall be allowed.”.

3. The amendment of Part II of Table A of Annexure 2 by—

(a) the substitution in item 1 for the expression “4.50” of the expression “6,00”;

(b) the substitution in item 2 for the expression “2.50” of the expression “4,00”;

(c) the substitution in item 3 for the expression “2.00” of the expression “3,00”; and

(d) the substitution in item 4 for the expression “2.00” of the expression “3,00”.

4. Die vervanging van Deel III van Tabel A van Bylae 2 deur die volgende:

"DEEL III
BESTREDE AKSIES

Item	Skaal A	Skaal B
1. Instruksies om te dagvaar of te bestry of om 'n teenis te stel of te bestry.....	R 17,50	R 30,00
2. Instruksies op getuienismemende kommissie.....	3,00	3,00
3. Dagvaarding.....	10,00	15,00
4. Verskyning.....	1,50	1,50
5. Kennisgewing kragtens reël 12 (1) (b) en (2).....	1,50	1,50
6. Verweerskrif.....	10,00	15,00
7. Instruksies na ontvangs van verweerskrif.....	10,00	15,00
8. Eis in rekonvensie.....	10,00	15,00
9. Replik, indien nodig.....	10,00	15,00
10. Versoek om nadere besonderhede.....	—	—
11. Nadere besonderhede.....	—	—
12. Toestemming tot verdagting of verlenging van tyd.....	3,00	3,00
13. Verskyning, aansoek om koste by staking.....	4,50	4,50
14. Lys van dokumente en beëdigde verklaring.....	—	—
15. Voorlegging van dokumente ter insae, per halfuur van die tyd daaraan bestee.....	5,00	5,00
16. Insae van dokumente, per halfuur van die tyd daaraan bestee.....	5,00	5,00
<i>Opmerking.</i> —Die minimum gelde ten opsigte van hierdie item is R2,50.		
17. Subpoena (nie meer as een vir elke vier gedagvaarde getuies nie).....	1,50	1,50
18. Elke afskrif vir betekening.....	0,50	0,50
19. (a) Enige kennisgewing waarvoor andersins nie voorsiening gemaak is nie.....	—	—
(b) Enige opsomming of verskaffing van 'n afskrif van 'n verslag ingevolge reël 24.....	—	—
20. Beëdigde verklaring (uitgesonderd dié van blootlegging).....	—	—
21. Vraagpunte.....	—	—
22. Afneem van verklarings van getuies (elk).....	—	—
<i>Opmerking.</i> —Die minimum gelde vir elke verklaring is R3,00.		
23. Kennisgewing van verhoor of herstel.....	1,50	1,50
24. Voorbereiding vir verhoor (as 'n advokaat nie verskyn nie).....	30,00	50,00
25. Verskyning in die hof wanneer aksie vir verhoor ter rolle geplaas is maar verdaag word.....	4,50	4,50
26. Verskyning in die hof tydens verhoor of by ondersoek op kommissie, vir elke uur of gedeelte daarvan in die hof teenwoordig terwyl die saak werklik verhoor word—		
(a) waar 'n advokaat nie verskyn nie.....	12,50	20,00
(b) waar 'n advokaat verskyn.....	10,00	10,00
27. Verskyning by voorverhooronderhoud: Vir elke uur of gedeelte daarvan wat werklik aan sodanige onderhoud bestee is.....	7,50	10,00
28. Verskyning in hof om voorbehoue vonnis te hoor.....	7,50	7,50
<i>Opmerking.</i> —Waar 'n ongekwalifiseerde persoon verskyn, word geen gelde toegelaat nie.		
29. Briefwisseling en bywonings: Vir elke brief of telegram wat noodsaaklikerwys geskryf of ontvang word, insluitende 'n afskrif om te hou, en vir elke noodsaaklike bywoning waarvoor andersins nie voorsiening gemaak is nie: R1,00: Met dien verstande dat gelde vir deurlesing nie bykomend by die hierin genoemde gelde toegelaat word nie.		
30. Ooreenkoms om nie te appelleer nie.....	3,00	3,00
31. Ondersoek ter plaatse voor die verhoor, indien die hof aldus gelas.....	5,00	10,00
32. Noodsaaklike konsultasies.....	10,00	10,00"

4. The substitution for Part III of Table A of Annexure 2 of the following:

"PART III
DÉFENDED ACTIONS

Item	Scale A	Scale B
1. Instructions to sue or defend or to counterclaim or defend counterclaim....	R 17,50	R 30,00
2. Instructions on commission <i>de bene esse</i>	3,00	3,00
3. Summons.....	10,00	15,00
4. Appearance.....	1,50	1,50
5. Notice under rule 12 (1) (b) and (2).....	1,50	1,50
6. Plea.....	10,00	15,00
7. Instructions after receipt of plea.....	10,00	15,00
8. Claim in reconvention.....	10,00	15,00
9. Reply, if necessary.....	10,00	15,00
10. Request for further particulars.....	—	—
11. Further particulars.....	—	—
12. Consent to adjournment or extension of time.....	3,00	3,00
13. Attendance, applying for costs on discontinuance.....	4,50	4,50
14. Schedule of documents and affidavit.....	—	—
15. Production of documents for inspection, per half hour of the time spent.....	5,00	5,00
16. Inspecting documents, per half hour of the time spent.....	5,00	5,00
<i>Note.</i> —The minimum fee in respect of this item shall be R2,50.		
17. Subpoena (not more than one for each four witnesses summoned).....	1,50	1,50
18. Each copy for service.....	0,50	0,50
19. (a) Any notice not otherwise provided for.....	—	—
(b) Any summary or copy of a report furnished in terms of rule 24.....	—	—
20. Affidavit (other than of discovery).....	—	—
21. Interrogatories.....	—	—
22. Taking proof of witness (each).....	—	—
<i>Note.</i> —The minimum fee for any one statement shall be R3,00.		
23. Notice of trial or reinstatement.....	1,50	1,50
24. Preparing for trial (if counsel not employed).....	30,00	50,00
25. Attending court when action on roll for trial but adjourned.....	4,50	4,50
26. Attending court on trial or at examination on commission, for each hour or part of an hour spent in court while case is actually being heard—		
(a) where counsel not employed.....	12,50	20,00
(b) where counsel employed.....	10,00	10,00
27. Attending pre-trial conference: For each hour or part of an hour actually occupied in such conference.....	7,50	10,00
28. Attending court to hear reserved judgment.....	7,50	7,50
<i>Note.</i> —Where an unqualified person appears no fee shall be allowed.		
29. Correspondence and attendances: For each necessary letter or telegram written or received, including copy to keep, and each necessary attendance not otherwise provided for: R1,00: Provided that a charge for perusing shall not be allowed in addition to the fee herein provided for.		
30. Agreement not to appeal.....	3,00	3,00
31. Inspection <i>in loco</i> before trial, if the court so orders.....	5,00	10,00
32. Necessary consultations.....	10,00	10,00"

5. Die vervanging van Deel IV van Tabel A van Bylae 2 deur die volgende:

"DEEL IV

ANDER AANGELEENTHEDE

[Eksepsies, aansoeke om deurhaling, aansoeke om summiere vonnis, tussenaansoeke, arres, interdik en *ex parte*-aansoeke kragtens reël 27 (9) of aansoeke om hersiening van vonnis of bevel]

	R
1. Instruksies om aansoek te doen of te bestry of om gronde aan te voer.....	4,00
2. Opstel van alle dokumente, beëdigde verklarings, aansoeke en kennisgewings, bevele, ens.....	—
3. Verskyning in die hof by verhoor:	
(a) Indien onbestrede.....	5,00
(b) Indien bestrede (waar advokaat verskyn), vir elke uur werklik teenwoordig in die hof.....	7,50
(c) Indien bestrede (waar advokaat nie verskyn nie), vir elke uur of gedeelte daarvan werklik in die hof teenwoordig.....	15,00

Opmerking.—Die hof kan op aansoek gedoen tydens die verhoor, benewens die gelde in subparagraaf (c) voorgeskryf, gelde vir die voorbereiding van beredenering ingevolge item 24 van die skaal vir bestrede aksies toelaat.

TUSSENPLEITDAGVAARDING

4. Instruksies:	
(a) Waar tussenpleitverrigtinge deur geregsbode begin is.....	10,00
(b) Andersins.....	17,50
5. Dagvaarding (as dit nie deur die geregsbode uitge- neem word nie).....	10,00
6. Beëdigde verklaring.....	—
7. Verskyning in die hof op keerdag van dagvaarding (indien die saak nie verhoor word nie).....	5,00
8. Verskyning in die hof by verhoor van tussenpleit- geskil, vir elke uur werklik in die hof teenwoordig....	15,00

Opmerking.—Die hof kan op aansoek gedoen tydens die verhoor, benewens die gelde by item 8 voorgeskryf, gelde vir die voorbereiding van beredenering ingevolge item 24 van die skaal vir bestrede aksies toelaat.

TAKSASIE VAN KOSTE

9. Kosterekening: 5 persent van die gelde wat toege- laat word.	
10. Verskyning by taksasie: 5 persent van die totaal van die rekening wat toegelaat word.	
11. Kennisgewing van aansoek om hersiening van taksasie en betekening.....	—
12. Beëdigde verklaring, waar nodig.....	—
13. Verskyning by hersiening van taksasie, vir elke uur of gedeelte daarvan in hof terwyl hersiening werklik verhoor word.....	8,00

TENUITVOERLEGGING

14. (a) Uitreiking van lasbrief vir eksekusie, uitsetting, arres, in besitstelling, ens.....	4,50
(b) Vir elke heruitreiking daarvan.....	2,00
15. Allesinsluitende gelde vir werk verrig in verband met vrystelling van onroerende goed waarop beslag gelê is.....	4,00
16. Allesinsluitende gelde vir werk verrig in verband met die eksekusieverkoop van slegs onroerende goed (uitgesonderd werk ten opsigte waarvan gelde reeds elders voorgeskryf is en die opstel van verkoopvoor- waardes).....	17,50
17. (a) Opstel van kennisgewing van verkoping in- gevolge reël 41 (8) of reël 43 (6), of voorwaardes van verkoop ingevolge reël 43 (7), per folio.....	—
(b) Vir alle ander werk gedoen en stukke en doku- mente verskaf aan die geregsbode in verband met 'n geregtelike verkoping van roerende goed— allesinsluitende gelde van.....	10,00
18. Sekerheidstelling vir restitusie, waar nodig.....	4,00

WANNEER 'N ADVOKAAT VERSKYN

19. Instruksies by eksepsie of op aansoek waar toegelaat	7,50
20. Instruksies by verhoor.....	10,00
21. Opstel van opdrag by eksepsie of aansoek waar toegelaat.....	—
22. Opstel van opdrag by verhoor.....	—
23. Bywoning van elke noodsaaklike konsultasie met advokaat.....	5,00

5. The substitution for Part IV of Table A of Annexure 2 of the following:

"PART IV

OTHER MATTERS

[Exceptions, applications to strike out, applications for summary judgment, interlocutory applications, arrest, interdict and *ex parte* orders under rule 27 (9) or application to review judgment or order]

	R
1. Instructions to make application or to oppose or to show cause.....	4,00
2. Drawing up of all documents, affidavits, applications and notices, orders, etc.....	—
3. Attending court on hearing:	
(a) If unopposed.....	5,00
(b) If opposed (where counsel employed), per hour actually spent in court.....	7,50
(c) If opposed (counsel not employed), per hour or part thereof actually spent in court.....	15,00

Note.—The court may on application made at the hearing allow, in addition to the fee prescribed under subparagraph (c), a fee for preparing argument under item 24 of the scale for defended actions.

INTERPLEADER SUMMONS

4. Instructions:	
(a) Where interpleader proceedings initiated by messenger.....	10,00
(b) Otherwise.....	17,50
5. Summons (if not sued out by the messenger).....	10,00
6. Affidavit.....	—
7. Attending court on return of summons (if the matter is not being heard).....	5,00
8. Attending court on trial of interpleader issue, per hour actually spent in court.....	15,00

Note.—The court may on application made at the hearing allow, in addition to the fee prescribed in item 8, a fee for preparing argument under item 24 of the scale for defended actions.

TAXATION OF COSTS

9. Bill of costs: 5 per cent of the fees allowed.	
10. Attending taxation: 5 per cent of the total of the bill allowed.	
11. Notice of application for review of taxation and service.....	—
12. Affidavit, where necessary.....	—
13. Attending on review of taxation, per hour or part of an hour in court while review is actually being heard.....	8,00

EXECUTION

14. (a) Issue of warrant of execution, ejectment, arrest, delivery up of possession, etc.....	4,50
(b) For each re-issue thereof.....	2,00
15. Inclusive fee for work involved in releasing of attachment of immovable property.....	4,00
16. Inclusive fee for work done in connection with sale in execution of immovable property only (excluding work for which fees are already provided for elsewhere and the drawing up of the conditions of sale).....	17,50
17. (a) Drawing up of notice of sale in terms of rule 41 (8) or rule 43 (6), or conditions of sale in terms of rule 43 (7), per folio.....	—
(b) For all other work done and papers and docu- ments supplied to the messenger in connection with a sale in execution of movable property— an inclusive fee.....	10,00
18. Security for restitution, where necessary.....	4,00

WHERE COUNSEL IS EMPLOYED

19. Instructions on exception or application where allowed.....	7,50
20. Instructions on trial.....	10,00
21. Drawing brief on exception or application where al- lowed.....	—
22. Drawing brief on trial.....	—
23. Attending each necessary consultation with counsel.....	5,00

ADVOKAATSGELDE

24. Met opdrag om eksepsie of aansoek te beredeneer	50,00
<i>Opmerking.</i> —Gelde aan 'n advokaat word net toegelaat wanneer die hof sertifiseer dat die opdrag aan 'n advokaat geregverdig was.	
25. Met opdrag vir verhoor, vir die eerste dag, hoogstens	150,00
26. In 'n hof gehou meer as 30 kilometer van die naaste dorp waar 'n provinsiale of plaaslike afdeling van die Hooggeregshof (uitgesonderd 'n Rondgaande Hof) sitting hou, kan 'n reistoelae op spesiale bevel van die hof toegelaat word (benewens die gelde vir opdrag):	
(a) Waar die afstand van sodanige naaste dorp 80 kilometer of minder is.	20,00
(b) Waar die hof meer as 80 kilometer van sodanige naaste dorp is: 15c per kilometer vir elke verdere kilometer tussen sodanige naaste dorp en die setel van die hof, soontoe en terug.	
<i>Opmerking.</i> —Waar 'n verhoor van dag tot dag ononderbroke voortgaan of waar gedeeltes van die verhoor aldus voortgaan, word voormelde toelaes slegs een keer vir sodanige verhoor of vir sodanige gedeelte van die verhoor, na gelang van die geval, toegelaat.	
27. Elke noodsaaklike konsultasie.	10,00
28. Vir elke dag wat meer is as een, waarop getuienis afgeneem word of beredenering gehoor word, aanvullingsgeld van hoogstens.	100,00
29. Wanneer die verhoor verdaag word, by betaling van die dag se koste, as deel van sodanige koste (slegs deur die party wat sodanige verdagting aanvra).	17,50
30. Opstel van pleitstukke.	17,50

DIVERSE

31. Verkryging van gewaarmerkte afskrif van vonnis.	4,00
32. Verkryging van uitbetaling ingevolge reël 18 (4).	2,00
33. Versoek om sekerheid ingevolge reël 62 (1).	—
34. Die stel van sekerheid ingevolge reël 62 (1).	—

6. Die wysiging van Deel I van Tabel B van Bylae 2 deur—

(a) in item 3 (b) die eerste sin deur die volgende te vervang:

“(b) gelde van 10 persent op elke paalement ingevorder ter delging van die kapitaal en koste van die aksie.”;

(b) in item 3 (d) die uitdrukking “R10” te vervang deur die uitdrukking “R15”; en

(c) die Tarief deur die volgende te vervang:

“TARIEF

	R
(a) Waar die eis minder as R40 is.	10,00
(b) Waar die eis R40 of meer maar minder as R100 is.	15,00
(c) Waar die eis R100 of meer is.	17,50
(d) Lasbrief vir arres (Vorm 44).	5,00
(e) Skuldbeslagorder (Vorm 41).	4,00
(f) Kennisgewing om redes aan te voer (verskyning in hof ingesluit).	10,00
(g) Lasbrief vir arres en gevangesetting (Vorms 46, 47 en 48).	5,00
(h) Aansoek om koste op kennisgewing (verskyning in hof ingesluit).	4,50
(i) Verkryging van 'n gewaarmerkte afskrif van 'n vonnis.	4,00
(j) Beëdigde verklaring van skuldenaar [Reël 45 (6)].	6,00

7. Die wysiging van Deel II van Tabel C van Bylae 2 deur—

(a) in item 1 (a) die uitdrukking “85c” te vervang deur die uitdrukking “R1”;

(b) in item 2 (a) die sin voor die eerste voorbehoudsbepaling te vervang deur die volgende:

“2. Vir die tenuitvoerlegging of gepoogde tenuitvoerlegging van 'n lasbrief, interdik of skuldbeslagorder, met inbegrip van 'n relaas of kennisgewing ingevolge die bepalings van reël 8 (4) aan 'n party wat 'n prosesstuk uitgeneem het: R3.”;

(c) items 2 (b) en 2 (c) te skrap;

(d) in item 3 die uitdrukking “15” te vervang deur die uitdrukking “17”;

FEES TO COUNSEL

24. With brief to argue exception or application.	50,00
<i>Note.</i> —A fee to counsel on application shall be allowed only where the court certifies that the briefing of counsel was warranted.	
25. With trial brief for the first day, not to exceed.	150,00
26. In any court held more than 30 km from the nearest town where a provincial or local division (other than a Circuit Court) of the Supreme Court sits, there may be allowed by special order of the court a travelling allowance (in addition to the fee on brief):	
(a) Where the distance from such nearest town is 80 km or less.	20,00
(b) Where the court is more than 80 km from such nearest town: 15c per km for each km further between such nearest town and the seat of the court, on both the outward and return journeys.	
<i>Note.</i> —Where a trial continues uninterrupted from day to day, or where portions of the trial so continue, the aforementioned allowances shall be allowed only once for such trial or for such portion of the trial, as the case may be.	
27. Each necessary consultation.	10,00
28. For every day exceeding one, on which evidence is taken or arguments heard, a refresher not exceeding	100,00
29. Where trial is adjourned upon payment of the costs of the day, as part of such costs (only by the party requesting such adjournment).	17,50
30. Drawing pleadings.	17,50

MISCELLANEOUS

31. Obtaining certified copy of judgment.	4,00
32. Obtaining payment out in terms of rule 18 (4).	2,00
33. Request for security in terms of rule 62 (1).	—
34. Giving security in terms of rule 62 (1).	—

6. The amendment of Part I of Table B of Annexure 2 by—

(a) the substitution in item 3 (b) for the first sentence of the following:

“(b) A fee of 10 per cent on each instalment collected in reduction of the capital and costs of the action.”;

(b) the substitution in item 3 (d) for the expression “R10” of the expression “R15”; and

(c) the substitution for the Tariff of the following:

“TARIFF

	R
(a) Where claim is under R40.	10,00
(b) Where claim is R40 or over but under R100.	15,00
(c) Where claim is R100 or over.	17,50
(d) Warrant of arrest (Form 44).	5,00
(e) Garnishee order (Form 41).	4,00
(f) Notice to show cause (including appearance in court)	10,00
(g) Warrant of arrest and committal to prison (Forms 46, 47 and 48).	5,00
(h) Application for costs on notice (including appearance in court).	4,50
(i) Obtaining a certified copy of a judgment.	4,00
(j) Affidavit by debtor [Rule 45 (6)].	6,00

7. The amendment of Part II of Table C of Annexure 2 by—

(a) the substitution in item 1 (a) for the expression “85c” of the expression “R1”;

(b) the substitution in item 2 (a) for the sentence preceding the first proviso of the following:

“2. For the execution or attempted execution of any warrant, interdict or garnishee order, including return or notification in terms of the provisions of rule 8 (4) to a party who has sued out process: R3.”;

(c) the deletion of items 2 (b) and 2 (c);

(d) the substitution in item 3 for the expression “15” of the expression “17”;

(e) item 5 (a) en (b) te vervang deur die volgende:
 "5. Opstel van 'n inventaris, insluitende die maak van alle nodige afskrifte en tyd bestee aan voorraadopname: 50c vir die eerste 30 minute en daarna R2,50 per uur of 'n gedeelte daarvan";

(f) item 9 te vervang deur die volgende:

"9. (a) Indien 'n lasbrief vir eksekusie of 'n skuldbeslagorder ten volle of gedeeltelik aan die geregsbode betaal word of daar word in tenuitvoerlegging teen roerende goed, op geld beslag gelê, 5 persent van die bedrag wat aldus betaal of waarop beslag gelê is.

(b) Indien 'n vonnisskuldenaar by die gepoogde tenuitvoerlegging van 'n lasbrief vir arres of arres en gevangesetting, met die goedkeuring van die eiser, die volle of 'n gedeelte van die verskuldigde bedrag aan die geregsbode betaal, 5 persent van die bedrag aldus betaal. Die reëls van toepassing op die invordering van geld op lasbriewe vir eksekusie of skuldbeslagorders, is *mutatis mutandis* van toepassing op geld ingevolge hierdie paragraaf ontvang";

(g) in item 12 die uitdrukking "R5" te vervang deur die uitdrukking "R10";

(h) in item 13 (a) en (b) die uitdrukkings "R4.20" en "R2.10" te vervang deur onderskeidelik die uitdrukkings "R10" en "R5";

(i) in item 20 die uitdrukking "R1.25" te vervang deur die uitdrukking "R3"; en

(j) na item 23 die volgende item by te voeg:

"24. Vir die opstel en uitreiking van 'n tussenpleitdagvaarding: R2.".

8. Hierdie wysigings tree op die 28ste dag van Maart 1978 in werking.

(e) the substitution for items 5 (a) and (b) of the following:

"5. Making an inventory, including the making of all necessary copies and time spent on stock-taking:

50c for the first 30 minutes and thereafter R2,50 per hour or part thereof";

(f) the substitution for item 9 of the following:

"9. (a) Where a warrant of execution or garnishee order is paid in full or in part to the messenger or moneys are attached in execution against movables, 5 per cent on the amount so paid or attached.

(b) Where an execution debtor, at the attempted execution of a warrant of arrest or arrest and committal to prison, and with the approval of the plaintiff, pays the amount due in full or in part to the messenger, 5 per cent on the amount so paid. The rules that apply to the collection of money on warrants of execution or garnishee orders shall apply *mutatis mutandis* to moneys received in terms of this paragraph.";

(g) the substitution in item 12 for the expression "R5" of the expression "R10";

(h) the substitution in item 13 (a) and (b) for the expressions "R4.20" and "R2.10" of the expressions "R10" and "R5", respectively;

(i) the substitution in item 20 for the expression "R1.25" of the expression "R3"; and

(j) the addition after item 23 of the following item:

"24. For the drawing-up and issuing of an interpleader summons: R2.".

8. These amendments shall come into operation on the 28th day of March 1978.

No. R. 340

24 Februarie 1978

REËLS VAN DIE HOF BETREFFENDE DIE PRAKTIËSE EKSAMENS EN DIE TOELATING VAN PROKUREURS, NOTARISSE EN TRANSPORTBESORGER

Die Hoofregter het, na oorlegpleging met die Regters-president van die onderskeie provinsiale afdelings van die Hooggeregshof van Suid-Afrika en die onderskeie presidente van die prokureursordes, die reëls van die hof betreffende die praktiese eksamens en die toelating van prokureurs, notaris en transportbesorgers, afgekondig by Goewermentskennisgewing R. 1127 van 4 Julie 1969, soos volg kragtens artikel 31 (1) van die Toelating van Prokureurs, Notaris en Transportbesorgers Wet, 1934 (Wet 23 van 1934), gewysig:

Die vervanging van reël 4 deur die volgende:

"4. (1) (a) Elke kandidaat wat inskryf vir eksamen of hereksamen ten opsigte van die vakke in artikel 27 (1) (a), (b) en (c) van die Wet bedoel, moet ten opsigte van enige sodanige eksamen of hereksamen 'n bedrag van R40 betaal aan die sekretaris van die prokureursorde van die provinsie waarin hy sodanige eksamen of hereksamen gaan aflê.

(b) Elke kandidaat wat inskryf vir eksamen of hereksamen ten opsigte van die vakke in artikel 27 (1) (d) of (e) van die Wet bedoel, moet ten opsigte van enige sodanige eksamen of hereksamen 'n bedrag van R30 betaal aan die sekretaris van die prokureursorde van die provinsie waarin hy sodanige eksamen of hereksamen gaan aflê.

(2) 'n Bedrag ingevolge subreël (1) betaal, moet deur die Sekretaris van die prokureursorde in gelyke dele onder die eksaminatore wat die eksamen afgeneem het, verdeel word."

No. R. 340

24 February 1978

RULES OF COURT GOVERNING THE PRACTICAL EXAMINATIONS AND THE ADMISSION OF ATTORNEYS, NOTARIES AND CONVEYANCERS

The Chief Justice, after consultation with the Judges President of the provincial divisions of the Supreme Court of South Africa and the several presidents of the law societies has, in terms of section 31 (1) of the Attorneys, Notaries and Conveyancers Admission Act, 1934 (Act 23 of 1934), made the following amendments to the rules of court governing the practical examinations and the admission of attorneys, notaries and conveyancers promulgated by Government Notice R. 1127, dated 4 July 1969:

The substitution for rule 4 of the following:

"4. (1) (a) Every candidate entering for examination or re-examination in respect of the subjects referred to in section 27 (1) (a), (b) and (c) of the Act shall pay a fee of R40 in respect of any such examination or re-examination to the secretary of the law society of the province where he is to sit for such examination or re-examination.

(b) Every candidate entering for examination or re-examination in respect of the subjects referred to in section 27 (1) (d) or (e) of the Act shall pay a fee of R30 in respect of any such examination or re-examination to the secretary of the law society of the province where he is to sit for such examination or re-examination.

(2) Any fee paid in terms of subrule (1) shall be distributed by the secretary of the law society in equal proportions among the examiners who conducted the examination."

**DEPARTEMENT VAN KLEURLING-, REHOBOTH-
EN NAMABETREKKINGE**

No. R. 304

24 Februarie 1978

TOEPASSING VAN STANDAARDREGULASIES INSAKE HUISHOUDELIKE WATER, BESPROEINGSWATER, SANITASIE EN BOU KRAGTENS ARTIKEL 30 (2) (a) VAN DIE WET OP LANDELIKE KLEURLINGGEBIEDE, 1963 (WET 24 VAN 1963), OP DIE LANDELIKE KLEURLINGGEBIED CONCORDIA

Ek, David Michael George Curry, aangewese lid van die Uitvoerende Bestuur van die Verteenwoordigende Kleurlingraad belas met landelike gebiede en nedersettings, verklaar hierby dat die Bestuursraad van die landelike Kleurlinggebied Concordia, afdeling Namakwaland, Dele I, II, III en IV van die standaardregulasies gepubliseer by Goewermentskennisgewing R. 1052 van 30 Mei 1975 as regulasies vir sy regsgebied aangeneem het.

D. M. G. CURRY, Aangewese Lid.

No. R. 305

24 Februarie 1978

TOEPASSING VAN STANDAARDREGULASIES INSAKE HUISHOUDELIKE WATER, BESPROEINGSWATER, SANITASIE EN BOU KRAGTENS ARTIKEL 30 (2) (a) VAN DIE WET OP LANDELIKE KLEURLINGGEBIEDE, 1963 (WET 24 VAN 1963), OP DIE LANDELIKE GEBIED OPPERMANSGRONDE

Ek, David Michael George Curry, aangewese lid van die Uitvoerende Bestuur van die Verteenwoordigende Kleurlingraad belas met landelike gebiede en nedersettings, verklaar hierby dat die Bestuursraad van die landelike Kleurlinggebied Oppermansgronde, afdeling Jacobsdal, O.V.S., Dele I, II, III en IV van die standaardregulasies gepubliseer by Goewermentskennisgewing R. 1052 van 30 Mei 1975 as regulasies vir sy regsgebied aangeneem het.

D. M. G. CURRY, Aangewese Lid.

No. R. 306

24 Februarie 1978

TOEPASSING VAN STANDAARDREGULASIES INSAKE HUISHOUDELIKE WATER, BESPROEINGSWATER, SANITASIE EN BOU KRAGTENS ARTIKEL 30 (2) (a) VAN DIE WET OP LANDELIKE KLEURLINGGEBIEDE, 1963 (WET 24 VAN 1963), OP DIE LANDELIKE GEBIED STEINKOPF

Ek, David Michael George Curry, aangewese lid van die Uitvoerende Bestuur van die Verteenwoordigende Kleurlingraad belas met landelike gebiede en nedersettings, verklaar hierby dat die Bestuursraad van die landelike Kleurlinggebied Steinkopf, afdeling Namakwaland, Dele I, II, III en IV van die standaardregulasies gepubliseer by Goewermentskennisgewing R. 1052 van 30 Mei 1975 as regulasies vir sy regsgebied aangeneem het.

D. M. G. CURRY, Aangewese Lid.

**DEPARTMENT OF COLOURED, REHOBOTH
AND NAMA RELATIONS**

No. R. 304

24 February 1978

APPLICATION OF STANDARD REGULATIONS RELATING TO DOMESTIC WATER, IRRIGATION WATER, SANITATION AND BUILDING IN TERMS OF SECTION 30 (2) (a) OF THE RURAL COLOURED AREAS ACT, 1963 (ACT 24 OF 1963), TO THE CONCORDIA RURAL AREA

I, David Michael George Curry, designated Member of the Executive of the Coloured Persons Representative Council entrusted with rural areas and settlements, hereby notify the adoption of Part I, Part II, Part III and Part IV of the standard regulations published in Government Notice R. 1052 of 30 May 1975, by the Board of Management of the Concordia Rural Coloured Area, Division of Namaqualand as regulations for the area under its jurisdiction.

D. M. G. CURRY, Designated Member.

No. R. 305

24 February 1978

APPLICATION OF STANDARD REGULATIONS RELATING TO DOMESTIC WATER, IRRIGATION WATER, SANITATION AND BUILDING IN TERMS OF SECTION 30 (2) (a) OF THE RURAL COLOURED AREAS ACT, 1963 (ACT 24 OF 1963), TO THE OPPERMANSGRONDE RURAL AREA

I, David Michael George Curry, designated Member of the Executive of the Coloured Persons Representative Council entrusted with rural areas and settlements, hereby notify the adoption of Part I, Part II, Part III and Part IV of the standard regulations published in Government Notice R. 1052 of 30 May 1975, by the Board of Management of the Oppermansgronde Rural Coloured Area, Division of Jacobsdal, O.F.S., as regulations for the area under its jurisdiction.

D. M. G. CURRY, Designated Member.

No. R. 306

24 February 1978

APPLICATION OF STANDARD REGULATIONS RELATING TO DOMESTIC WATER, IRRIGATION WATER, SANITATION AND BUILDING IN TERMS OF SECTION 30 (2) (a) OF THE RURAL COLOURED AREAS ACT, 1963 (ACT 24 OF 1963), TO THE STEINKOPF RURAL AREA

I, David Michael George Curry, designated Member of the Executive of the Coloured Persons Representative Council entrusted with rural areas and settlements, hereby notify the adoption of Part I, Part II, Part III and Part IV of the standard regulations published in Government Notice R. 1052 of 30 May 1975, by the Board of Management of the Steinkopf Rural Coloured Area, Division of Namaqualand, as regulations for the area under its jurisdiction.

D. M. G. CURRY, Designated Member.

DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING

No. R. 310

24 Februarie 1978

VOERPRODUKTE VERKLAAR TOT 'N PRODUK VIR DIE DOELEINDES VAN DIE WET OP UITVOER VAN LANDBOUPRODUKTE, 1971.—VERBETERING

Die Bylae van Proklamasie R. 198 van 2 September 1977 word hierby verbeter deur in die Engelse teks paragraaf (iii) deur die volgende paragraaf te vervang:

"(iii) from which a certain substance or substances have been removed;"

No. R. 311

24 Februarie 1978

REGULASIES TER REELING VAN DIE VEREISTES IN VERBAND MET DIE UITVOER VAN VOERPRODUKTE UIT DIE REPUBLIEK VAN SUID-AFRIKA.—VERBETERING

Die Bylae van Goewermentskennisgewing R. 1734 van 2 September 1977 word hierby verbeter deur in die Engelse teks van regulasie 15 (7) die sin wat op die woorde "rejected for export" volg, deur die bysin "but the rest of the consignment shall be approved." te vervang.

No. R. 328

24 Februarie 1978

WET OP AGENTS-KAPSVERKOPING VAN LANDBOUPRODUKTE, 1975 (WET 12 VAN 1975)

REGULASIES

Die Minister van Landbou het, kragtens die bevoegdheid hom verleen by artikel 63 van die Wet op Agentskapsverkoop van Landbouprodukte, 1975 (Wet 12 van 1975), die regulasies afgekondig by Goewermentskennisgewing R. 426 van 19 Maart 1976, soos gewysig deur Goewermentskennisgewing R. 20 van 14 Januarie 1977 en R. 2140 van 21 Oktober 1977, verder gewysig soos in die Bylae hiervan uiteengesit.

BYLAË

Die Bylae van Goewermentskennisgewing R. 426 van 19 Maart 1976, soos gewysig, word hierby verder gewysig deur regulasie 30 daarvan deur die volgende regulasie te vervang:

"30. (1) 'n Kommissie-agent mag die in artikel 22 (1) van die Wet bedoelde deel van die afwagsaldo van sy trustrekening by dieselfde bankinstelling waar sy trust-tjekrekening gehou word op die volgende wyse belê:

(a) 'n Bedrag wat nie die in artikel 21 (4) (a) van die Bankwet, 1965 (Wet 23 van 1965), bedoelde bedrag oorskry nie, in 'n spesiale spaarrekening sodat dit ten alle tye op aanvraag beskikbaar is vir aanwending in die trust-tjekrekening;

(b) van die bedrag, indien enige, waarmee die in subregulasie (1) bedoelde deel die in paragraaf (a) bedoelde bedrag oorskry—

(i) hoogstens een-helfte op een-en-dertig dae kennis van opvraging;

(ii) hoogstens een-kwart op ses maande kennis van opvraging; en

(iii) die balans op so 'n wyse dat dit ten alle tye op aanvraag beskikbaar is vir aanwending in die trust-tjekrekening;

Met dien verstande dat die volle bedrag van die in subregulasie (1) bedoelde deel of die in paragraaf (b) bedoelde bedrag volgens hierdie subparagraaf belê mag word.

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 310

24 February 1978

FEED PRODUCTS PROCLAIMED TO BE A PRODUCT FOR THE PURPOSES OF THE AGRICULTURAL PRODUCE EXPORT ACT, 1971.—CORRECTION

The Schedule to Proclamation R. 198 of 2 September 1977 is hereby amended by the substitution for subparagraph (iii) of the following subparagraph:

"(iii) from which a certain substance or substances have been removed;"

No. R. 311

24 February 1978

REGULATIONS FOR REGULATING THE REQUIREMENTS IN CONNECTION WITH THE EXPORT OF FEED PRODUCTS FROM THE REPUBLIC OF SOUTH AFRICA.—CORRECTION

The Schedule to Government Notice R. 1734 of 2 September 1977 is hereby corrected by the substitution in regulation 15 (7) for the sentence which follows the words "rejected for export" of the clause "but the rest of the consignment shall be approved."

No. 328

24 February 1978

AGRICULTURAL PRODUCE AGENCY SALES ACT, 1975 (ACT 12 OF 1975)

REGULATIONS

The Minister of Agriculture has, in terms of the powers vested in him by section 63 of the Agricultural Produce Agency Sales Act, 1975 (Act 12 of 1975), further amended the regulations, published by Government Notice R. 426 of 19 March 1976, as amended by Government Notice R. 20 of 14 January 1977 and R. 2140 of 21 October 1977, as set out in the Schedule hereto.

SCHEDULE

The Schedule to Government Notice R. 426 of 19 March 1976, as amended, is hereby further amended by the substitution for regulation 30 thereof of the following regulation:

"30. (1) A commission agent may invest the portion of the suspense balance of his trust account referred to in section 22 (1) of the Act at the same banking institution where his trust cheque account is kept, in the following manner:

(a) An amount which does not exceed the amount referred to in section 21 (4) (a) of the Banks Act, 1965 (Act 23 of 1965), in a special savings account so that it shall at all times be available on application for utilisation in the trust cheque account;

(b) of the amount, if any, by which the portion referred to in subregulation (1) exceeds the amount referred to in paragraph (a)—

(i) not more than one-half on thirty-one days notice of withdrawal;

(ii) not more than one-quarter on six months notice of withdrawal; and

(iii) the balance in such a manner that it shall at all times be available on application for utilisation in the trust cheque account;

Provided that the full amount of the portion referred to in subregulation (1) or the amount referred to in paragraph (b) may be invested in accordance with this subparagraph.

(2) By die belegging van geld kragtens subregulasie (1), moet die betrokke kommissie-agent die bankinstelling waar die belegging gemaak word, skriftelik meedeel dat die belegging uitsluitlik ten behoeve van sy trustrekening gemaak word.

(3) (a) 'n Kommissie-agent moet binne sewe dae nadat hy 'n in subregulasie (1) bedoelde belegging gemaak het, die Sekretaris skriftelik in kennis stel van die bedrag van sodanige belegging, die voorwaardes daarvan (met inbegrip van die rentekoers waarteen die geld belê is) en die verwysingsnommer wat deur die bankinstelling aan die betrokke belegging toegeken is, en hy moet terselfdertyd bevestig dat uitvoering aan die bepalinge van subregulasie (2) gegee is.

(b) 'n Kommissie-agent moet die Sekretaris aldus in kennis stel van enige wysiging van bedoelde voorwaardes of bedoelde verwysingsnommer of enige te gelde making van sodanige belegging of deel daarvan, binne sewe dae na datum van sodanige wysiging of te gelde making, na gelang van die geval."

No. R. 326

24 Februarie 1978

SAGTEVRUGTESKEMA. — BEHEER OOR DIE INBRING VAN SAGTEVRUGTE IN SEKERE GEBIEDE

Kragtens die bevoegdheid my verleen by artikel 79 (c) van die Bemarkingswet, 1968 (No. 59 van 1968), maak ek, Hendrik Stephanus Johan Schoeman, Minister van Landbou, hierby bekend dat die Sagtevrugteraad, genoem in artikel 3 van die Sagtevrugteskema, afgekondig by Proklamasie R. 288 van 1962, soos gewysig, kragtens artikel 17 (s) van daardie Skema, die maksimum hoeveelhede sagtevrugte in Bylae 3 van Goewermentskennissgewing R. 2397 van 18 November 1977 gewysig het soos in die Bylae hiervan uiteengesit.

En voorts kragtens die bevoegdheid my verleen by artikel 75 (2) van die Bemarkingswet, 1968 (No. 59 van 1968), wysig ek hierby die verbodsbepalinge, permitte en voorwaardes voorgeskryf in Bylae 4 van Goewermentskennissgewing R. 2397 van 18 November 1977 soos in die Bylae hiervan uiteengesit.

H. S. J. SCHOEMAN, Minister van Landbou.

BYLAE

Die Bylaes van Goewermentskennissgewing R. 2397 van 18 November 1977 word hierby soos volg gewysig:

1. Bylae 3 word hierby gewysig—

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

"Hoeveelheid pere van die cultivar Bon Chrétien

2. Die maksimum hoeveelheid Bon Chrétien-pere wat gedurende die tydperk tot 31 Julie 1978 in Tafelbaai- en Port Elizabeth-dokkegebied ingebring mag word, is 650 000 kartonne."

(b) deur klousule 4 te skrap; en

(c) deur klousule 5 deur die volgende klousule te vervang:

"Tellingkodes 7 en 8 van sekere cultivars

5. Die maksimum hoeveelheid appels van tellingkodes 7 en 8 gesamentlik of tellingkode 8 alleen van ondergenoemde cultivars wat gedurende die tydperk tot 31

(2) When investing money in terms of subregulation (1), the commission agent concerned shall notify the banking institution where the investment is made in writing that the investment is made exclusively for the benefit of his trust account.

(3) (a) A commission agent shall within seven days after having made an investment referred to in subregulation (1), notify the Secretary in writing of the amount of such investment, the conditions thereof (including the rate of interest at which the money has been invested) and the reference number allocated by the banking institution to the investment concerned, and he shall at the same time confirm that effect has been given to the provisions of subregulation (2).

(b) A commission agent shall likewise notify the Secretary of any change in the said conditions or said reference number or any liquidation of such investment or part thereof within seven days after date of such change or liquidation, as the case may be."

No. R. 326

24 February 1978

DECIDUOUS FRUIT SCHEME.—CONTROL OF THE INTRODUCTION OF DECIDUOUS FRUIT INTO CERTAIN AREAS

Under the powers vested in me by section 79 (c) of the Marketing Act, 1968 (No. 59 of 1968), I, Hendrik Stephanus Johan Schoeman, Minister of Agriculture, hereby make known that the Deciduous Fruit Board, referred to in section 3 of the Deciduous Fruit Scheme, published by Proclamation R. 288 of 1962, as amended, has, in terms of section 17 (s) of that Scheme, amended the maximum quantities of deciduous fruit in Schedule 3 of Government Notice R. 2397 of 18 November 1977 as set out in the Schedule hereto.

And I hereby further amend, in terms of the powers vested in me by section 75 (2) of the Marketing Act, 1968 (No. 59 of 1968), the prohibitions, permits and conditions prescribed in Schedule 4 of Government Notice R. 2397 of 18 November 1977 as set out in the Schedule hereto.

H. S. J. SCHOEMAN, Minister of Agriculture.

SCHEDULE

The Schedule to Government Notice R. 2397 of 18 November 1977 is hereby amended as follows:

1. Schedule 3 is hereby amended—

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

"Quantity of pears of the cultivar Bon Chrétien

2. The maximum quantity of Bon Chrétien pears which may during the period to 31 July 1978 be introduced into the Table Bay Docks Area and the Port Elizabeth Docks Area shall be 650 000 cartons."

(b) by the deletion of clause 4; and

(c) by the substitution for clause 5 of the following clause:

"Count codes 7 and 8 of certain cultivars

5. The maximum quantity of apples of count codes 7 and 8 combined and count code 8 alone of the following cultivars which may be introduced into the Table

Julie 1978 in die Tafelbaai- en Port Elizabeth-dokkegebied ingebring mag word, is soos volg:

Cultivar	Tellingkodes 7 en 8 gesamentlik	Tellingkode 8 alleen
	Kartonne	Kartonne
Dunn's Seedling.....	560 000	280 000
Starking.....	1 175 000	500 000
Golden Delicious.....	1 820 000	910 000
Winter Pearmain.....	595 000	315 000
Granny Smith.....	3 200 000	1 280 000."

2. Bylae 4 word hierby gewysig—

(a) deur paragraaf (b) van klousule 1 deur die volgende paragraaf te vervang:

"(b) pere van die cultivar Bon Chrétien;"

(b) deur paragraaf (d) van klousule 1 te skrap;

(c) deur paragraaf (c) van klousule 2 te skrap;

(d) deur paragraaf (e) van klousule 2 te skrap;

(e) deur klousule 5 te skrap;

(f) deur klousule 7 te skrap; en

(g) deur die permit in Aanhangsel F deur die volgende permit te vervang:

"AANHANGSEL F

PERMIT

OM APPELS VAN TELLINGKODES 7 EN 8 IN TE BRING IN DIE TAFELBAAI-DOKKEGEBIED/PORT ELIZABETH-DOKKEGEBIED

AAN.....

U word hierby gemagtig om slegs 'n hoeveelheid kartonne bevattende appels van tellingkodes 7 en 8 gesamentlik gelykstaande aan ondervermelde persentasies van die totale getal kartonne appels van ondervermelde cultivars wat u in Tafelbaai-dokkegebied/Port Elizabeth-dokkegebied gedurende die tydperk tot 31 Julie 1978 inbring, in sodanige gebied in te bring: Met dien verstande dat die getal kartonne bevattende appels van tellingkode 8 alleen nie ondervermelde persentasies mag oorskry nie.

	Tellingkodes 7 en 8 gesamentlik	Tellingkode 8 alleen
Dunn's Seedling.....	80%	40%
Starking.....	55%	25%
Golden Delicious.....	53%	25%
Winter Pearmain.....	85%	45%
Granny Smith.....	40%	15%

Per pro Sagtevrugteraad

Hierdie permit word uitgereik behoudens die voorwaardes wat kragtens artikel 75 (2) (b) van die Bemarkingswet, 1968 (No. 59 van 1968), voorgeskryf is."

No. R. 345

24 Februarie 1978

GRADERING EN MERK VAN VLEIS WAT IN SEKERE GEBIEDE VAN DIE REPUBLIEK VAN SUID-AFRIKA VERKOOP WORD. — WYSIGING

Die Minister van Landbou het kragtens die bevoegdheid hom verleen by artikel 89 van die Bemarkingswet, 1968 (No. 59 van 1968), die regulasies in die Bylae hiervan uiteengesit, gemaak.

BYLAE

1. In hierdie Bylae beteken "regulasies" die regulasies afgekondig by Goewermentskennisgewing R. 2387 van 22 Desember 1972, soos gewysig deur Goewermentskennisgewings R. 312 van 27 Februarie 1976 en R. 1885 van 16 September 1977.

Bay Docks Area and the Port Elizabeth Docks Area during the period to 31 July 1978 shall be as follows:

Cultivar	Count codes 7 and 8 combined	Count code 8 alone
	Cartons	Cartons
Dunn's Seedling.....	560 000	280 000
Starking.....	1 175 000	500 000
Golden Delicious.....	1 820 000	910 000
Winter Pearmain.....	595 000	315 000
Granny Smith.....	3 200 000	1 280 000."

2. Schedule 4 is hereby amended—

(a) by the substitution for paragraph (b) of clause 1 of the following paragraph:

"(b) pears of the cultivar Bon Chrétien;"

(b) by the deletion of paragraph (d) of clause 1;

(c) by the deletion of paragraph (c) of clause 2;

(d) by the deletion of paragraph (e) of clause 2;

(e) by the deletion of clause 5;

(f) by the deletion of clause 7; and

(g) by the substitution for the permit in Annexure F of the following permit:

"ANNEXURE F

PERMIT

TO INTRODUCE APPLES OF COUNT CODES 7 AND 8 INTO THE TABLE BAY DOCKS AREA/PORT ELIZABETH DOCKS AREA

TO.....

You are hereby authorised to introduce into the Table Bay Docks Area/Port Elizabeth Docks Area during the period to 31 July 1978 only a quantity of cartons containing apples of count codes 7 and 8 equivalent of the following percentage of the total number of cartons of apples of the following cultivars which you may introduce into such area: Provided that the quantity of cartons containing apples of count code 8 alone shall not exceed the percentage hereunder.

	Count codes 7 and 8 combined	Count code 8 alone
Dunn's Seedling.....	80%	40%
Starking.....	55%	25%
Golden Delicious.....	53%	25%
Winter Pearmain.....	85%	45%
Granny Smith.....	40%	15%

Per pro Deciduous Fruit Board

This permit is issued subject to any conditions prescribed in terms of section 75 (2) of the Marketing Act, 1968 (No. 59 of 1968)."

No. R. 345

24 February 1978

GRADING AND MARKING OF MEAT SOLD IN CERTAIN AREAS OF THE REPUBLIC OF SOUTH AFRICA.—AMENDMENT

The Minister of Agriculture has, under the powers vested in him by section 89 of the Marketing Act, 1968 (No. 59 of 1968), made the regulations set out in the Schedule hereto.

SCHEDULE

1. In this Schedule "regulations" mean the regulations published by Government Notice R. 2387 of 22 December 1972, as amended by Government Notices R. 312 of 27 February 1976 and R. 1885 of 16 September 1977.

2. Regulasie 17 van die regulasies word hierby gewysig deur subregulasie (2) deur die volgende subregulasie te vervang:

2. Regulation 17 of the regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

(2) *Spesifikasies*

Graad	Reeks minimum vereistes	Geslag	Gehaltefaktore van karkas				
			Maksimum koue skoon massa	Bevleising	Markklaarheid	Veteienskappe	Ander eienskappe
Super....	1.....	Geen bere....	60 kg....	Baie goed..	Rugvettidke hoogstens 12 mm....	Goed ...	Goed uitgegroeide varke van aantreklike voorkoms.
1.....	2.....	Jong bere....	55 kg....	Baie goed..	Soos vir Reeks 1.....	Goed ...	Soos vir Reeks 1.
	1.....	Geen bere....	60 kg....	Goed	Rugvettidke hoogstens 15 mm	Goed ...	Soos vir Super.
2.....	2.....	Jong bere....	55 kg....	Goed	Soos vir Reeks 1.....	Goed ...	Soos vir Super.
	1.....	Geen bere....	60 kg....	Redelik goed	Redelik tot matig oorvet.....	Redelik..	*
3.....	2.....	Jong bere....	55 kg....	Redelik goed	Redelik tot matig oorvet.....	Redelik..	*
	—	*	60 kg....	Redelik... ..	Swak tot meer as matig oorvet	Redelik..	*

* Dui aan geen spesifikasie.

(2) *Specification*

Grade	Series of minimum requirements	Sex	Quality factors of carcass				
			Maximum cold dressed mass	Fleshing	Finish	Fat properties	Other properties
Super....	1.....	No boars....	60 kg....	Very good..	Back fat measurement not exceeding 12 mm	Good....	Well-grown pigs of attractive appearance.
1.....	2.....	Young boars.	55 kg....	Very good..	As for Series 1.....	Good....	As for Series 1.....
	1.....	No boars....	60 kg....	Good.....	Back fat measurement not exceeding 15 mm	Good....	As for Super.
2.....	2.....	Young boars.	55 kg....	Good.....	As for Series 1.....	Good....	As for Super.
	1.....	No boars....	60 kg....	Fairly good	Fair to moderately over-fat.....	Fair.....	*
3.....	2.....	Young boars.	55 kg....	Fairly good	Fair to moderately over-fat.....	Fair.....	*
	—	*	60 kg....	Fair.....	Poor to more than moderately over-fat	Fair.....	*

* Indicates no specifications.

No. R. 339

24 Februarie 1978

MELKSKEMA.—HEFFING EN SPESIALE HEFFING OP MELK EN ROOM

Kragtens artikel 79 (a) van die Bemarkingswet, 1968 (No. 59 van 1968), maak ek, Hendrik Stephanus Johan Schoeman, Minister van Landbou, hierby bekend dat die Melkraad, genoem in artikel 3 van die Melkskema, afgekondig by Proklamasie R. 225 van 1966, soos gewysig, kragtens artikels 18 en 19 van daardie Skema, met my goedkeuring en met ingang van 1 Maart 1978, die heffing en spesiale heffing in die Bylae hiervan uiteengesit, opgelê het ter vervanging van die heffing en spesiale heffing afgekondig by Goewermentskennisgewing R. 1915 van 23 September 1977 wat hierby met ingang van dieselfde datum herroep word.

H. S. J. SCHOEMAN, Minister van Landbou.

BYLAE

1. In hierdie kennisgewing, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Melkskema, afgekondig by Proklamasie R. 225 van 1966, soos gewysig, 'n betekenis geheg is, 'n ooreenstemmende betekenis.

No. R. 339

24 February 1978

MILK SCHEME.—LEVY AND SPECIAL LEVY ON MILK AND CREAM

In terms of section 79 (a) of the Marketing Act, 1968 (No. 59 of 1968), I, Hendrik Stephanus Johan Schoeman, Minister of Agriculture, hereby make known that the Milk Board, referred to in section 3 of the Milk Scheme, published by Proclamation R. 225 of 1966, as amended, has in terms of sections 18 and 19 of that Scheme, with my approval, and with effect from 1 March 1978, imposed the levy and special levy set out in the Schedule hereto, in substitution for the levy and special levy published by Government Notice R. 1915 of 23 September 1977 which is hereby repealed with effect from the same date.

H. S. J. SCHOEMAN, Minister of Agriculture.

SCHEDULE

1. In this notice, unless inconsistent with the context, any word or expression to which a meaning has been assigned in the Milk Scheme, published by Proclamation R. 225 of 1966, as amended, shall have a corresponding meaning.

2. (1) Hierby word 'n heffing en spesiale heffing teen die koerse in subklousule (2) uiteengesit, opgelê op melk en room wat—

(a) ten behoeve van produsente deur bemiddeling van die Raad verkoop word; of

(b) deur produsente anders as deur bemiddeling van die Raad in 'n gebied verkoop word.

(2) Die koerse van die heffing en spesiale heffing vir die onderskeie gebiede is soos hieronder uiteengesit: Met dien verstande dat die toepaslike koers bepaal word, in die geval van 'n in subklousule (1) (a) bedoelde heffing en spesiale heffing, na gelang van die gebied ten opsigte waarvan die betrokke produsent ingevolge artikel 22 van die genoemde Skema geregistreer is, en, in geval van 'n in subklousule (1) (b) bedoelde heffing en spesiale heffing, na gelang van die gebied waarin die melk of room deur die betrokke produsent verkoop is:

Gebied	Heffing per liter op—		Spesiale heffing per liter op—	
	Melk	Room	Melk	Room
(a) Pretoria.....	0,195	1,95	0,904	9,04
(b) Witwatersrand.....	0,227	2,27	0,525	5,25
(c) Kaapse Skiereiland.....	0,198	1,98	0,539	5,39
(d) Bloemfontein.....	0,330	3,30	0,933	9,33
(e) Wes-Transvaal.....	0,261	2,61	0,696	6,96

2. (1) A levy and special levy at the rates set out in subclause (2) are hereby imposed on milk and cream—

(a) sold through the Board on behalf of producers; or

(b) sold in an area by producers otherwise than through the Board.

(2) The rates of the levy and special levy for the respective areas shall be as indicated hereunder: Provided that the appropriate rate shall be determined, in the case of a levy and special levy referred to in subclause (1) (a), according to the area in respect of which the producer in question has been registered under section 22 of the said Scheme, and in the case of a levy and special levy referred to in subclause (1) (b), according to the area in which the milk or cream is sold by the producer in question:

Area	Levy per litre on—		Special levy per litre on—	
	Milk	Cream	Milk	Cream
(a) Pretoria.....	0,195	1,95	0,904	9,04
(b) Witwatersrand.....	0,227	2,27	0,525	5,25
(c) Cape Peninsula.....	0,198	1,98	0,539	5,39
(d) Bloemfontein.....	0,330	3,30	0,933	9,33
(e) Western Transvaal.....	0,261	2,61	0,696	6,96

No. R. 346

24 Februarie 1978

REGULASIES MET BETREKKING TOT DIE GRADERING, VERPAKKING EN MERK VAN GRONDBONE BESTEM, VIR EETDOELEINDES.—VERBETERING

Die Skedule van Goewermenskennisgewing R. 2511 van 9 Desember 1977 word hierby verbeter deur—

(a) in die Engelse teks van paragraaf (d) van regulasie 15 (8) die uitdrukking "kernel" waar dit na die woord "the" voorkom deur die woord "kernels" te vervang;

(b) in paragraaf (c) van regulasie 16 (4) die woorde "bepaal die massa van die verkrimpte pitte aldus sonde" met die woorde "bepaal vir elke monster die massa van die ongesonde," te vervang;

(c) in paragraaf (c) van regulasie 16 (5) die uitdrukking "onge—" met die woorde "verkrimpte pitte aldus" te vervang; en

(d) in die Engelse teks van die eerste paragraaf van regulasie 22 die uitdrukking "pointed" waar dit ongeveer in die middel van die paragraaf en in dieselfde lyn as "above the deals until the" voorkom, met die woorde "pointer" te vervang.

No. R. 346

24 February 1978

REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF GROUNDNUTS INTENDED FOR EDIBLE PURPOSES.—CORRECTION

The Schedule to Government Notice R. 2511 of 9 December 1977 is hereby corrected by—

(a) the substitution in paragraph (d) of regulation 15 (8) for the word "kernel" where it appears after the word "the" of the word "kernels";

(b) the substitution in the Afrikaans text of paragraph (c) of regulation 16 (4) for the words "bepaal die massa van die verkrimpte pitte aldus sonde" of the words "bepaal vir elke monster die massa van die ongesonde,";

(c) the substitution in the Afrikaans text of paragraph (c) of regulation 16 (5) for the expression "onge" of the words "verkrimpte pitte aldus"; and

(d) the substitution in the first paragraph of regulation 22 for the word "pointed" where it appears more or less in the middle of the paragraph and after the words "above the deals until the", of the word "pointer".

No. R. 347

24 Februarie 1978

MINIMUM VERKOOPPRYSE VIR TABAK.—VERBETERING

Die bylae van Goewermenskennisgewing R. 2517 van 2 Desember 1977 word hierby verbeter deur onder subhoof (iii) "Klas—Burleytabak" die uitdrukking "BPX . . . 233,75" deur die uitdrukking "BPX . . . 223,75" te vervang.

No. R. 347

24 February 1978

MINIMUM SELLING PRICES FOR TOBACCO.—CORRECTION

The Schedule to Government Notice R. 2517 of 2 December 1977 is hereby corrected by the substitution in the Afrikaans text under subheading (iii) "Klas—Burleytabak" for the expression "BPX . . . 233,75" of the expression "BPX . . . 223,75".

DEPARTEMENT VAN VERDEDIGING

No. R. 341

24 Februarie 1978

AFKONDIGING VAN ALGEMENE REGULASIES VIR DIE SUID-AFRIKAANSE WEERMAG EN DIE RESERWE

Die Staatspresident het kragtens artikel 87 (1) (S) van die Verdedigingswet, 1957 (Wet 44 van 1957), die volgende Algemene Regulasies vir die Suid-Afrikaanse Weermag en die Reserwe, uitgevaardig:

"HOOFSTUK X

VRYWILLIGE DIENSVERBINDING Kragtens DIE TWEDE VOORBEHOUDSBEPALING BY ARTIKEL 2 (1) VAN DIE VERDEDIGINGSWET, 1957 (WET 44 VAN 1957)

Toepassing van regulasies

1. Hoofstukke I, II, III, IV, V, VI, IX, XI, XV en XIX van hierdie regulasies is *mutatis mutandis* van toepassing op persone wat hulle vrywilliglik kragtens die tweede voorbehoudsbepaling by artikel 2 (1) van die Verdedigingswet, 1957 (Wet 44 van 1957), tot diens in enige doel van die Suid-Afrikaanse Weermag verbind."

DEPARTMENT OF DEFENCE

No. R. 341

24 February 1978

PROMULGATION OF GENERAL REGULATIONS FOR THE SOUTH AFRICAN DEFENCE FORCE AND THE RESERVE

The State President has in terms of section 87 (1) (S) of the Defence Act, 1957 (Act 44 of 1957), promulgated the following General Regulations for the South African Defence Force and the Reserve:

"CHAPTER X

VOLUNTARY ENGAGEMENT FOR SERVICE IN TERMS OF THE SECOND PROVISIO TO SECTION 2 (1) OF THE DEFENCE ACT, 1957 (ACT 44 OF 1957)

Application of regulations

1. Chapters I, II, III, IV, V, VI, IX, XI, XV and XIX of these regulations shall apply *mutatis mutandis* to persons engaging voluntary for service in any part of the South African Defence Force in terms of the second proviso to section 2 (1) of the Defence Act, 1957 (Act 44 of 1957)."

Werk mooi daarmee.

Ons leef daarvan

Use it.

Don't abuse it.

water is for everybody

Om 'n

Bevredigende Telefoondiens

te verseker:

- Lees die nuttige wenke en aanwysings wat op die bladsye in verband met spesiale dienste en oor ander inligting in u telefoongids voorkom.
- Maak u gesprekke so kort moontlik.
- Wees seker dat u die regte nommer het voordat u 'n oproep maak.
- Beantwoord u telefoon onmiddellik en praat duidelik.

To ensure a

Satisfactory Telephone Service

- Read the special services and other information pages of your directory for useful hints and directions.
- Avoid long conversations.
- Be sure of the number you want before making a call.
- Answer your telephone promptly and speak distinctly.

INHOUD

No.	Bladsy No.	Staats- koerant No.
Bantoe-administrasie en -ontwikkeling, Departement van		
<i>Goewermentskennisgewings</i>		
R. 317. Wet op Pensioene vir Bantoe-owerheids- diens (6/1971): Soos gewysig ...	1	5888
R. 349. Wet op Gemeenskapsrade (125/1977): Administrasiegebied: Wes-Rand ...	17	5888
Doeane en Aksyns, Departement van		
<i>Goewermentskennisgewing</i>		
R. 307. Doeane en Aksynswet (91/1964): Wysig- ging van Regulasies: No. MR/32 ...	17	5888
Gemeenskapsbou, Departement van		
<i>Goewermentskennisgewing</i>		
R. 301. Slumswet (53/1934): Delmas: Toevoeging	18	5888
Justisie, Departement van		
<i>Goewermentskennisgewings</i>		
R. 327. Wet op Landdroshowe (32/1944): Wysig- ging van die Reëls van die Hof ...	18	5888
R. 340. Toelating van Prokureurs, Notarisse en Transportbesorgers Wet, (Wet 23 van 1934), gewysig: Reëls van die Hof betref- fende die praktiese eksamens en die toelating van prokureurs, notarisse en trans- portbesorgers ...	22	5888
Kleurling-, Rehoboth- en Namabetrekkinge, Departement van		
<i>Goewermentskennisgewings</i>		
R. 304. Wet op Landelike Kleurlinggebiede (24/ 1963): Standaardregulasie insake Huishou- delike Water: Concordia ...	23	5888
R. 305. do.: do.: Jacobsdal ...	23	5888
R. 306. do.: do.: Steinkopf ...	23	5888
Landbou-ekonomie en Bemaking, Departement van		
<i>Goewermentskennisgewings</i>		
R. 310. Verbeteringskennisgewing ...	24	5888
R. 311. Verbeteringskennisgewing ...	24	5888
R. 326. Bemakingswet (59/1968): Beheer oor die inbring van sagtevrugte in sekere gebiede	25	5888
R. 328. Wet op Agentskapsverkoop van Landbou- produkte (12/1975): Soos gewysig ...	24	5888
R. 339. Bemakingswet (59/1968): Heffing en spesiale heffing op melk en room ...	27	5888
R. 345. do.: Gradering en merk van vleis: Wysig- ging ...	26	5888
R. 346. Verbeteringskennisgewing: Gradering, ens: Grondbone ...	28	5888
R. 347. Verbeteringskennisgewing: Verkooppryse vir tabak ...	28	5888
Verdediging, Departement van		
<i>Goewermentskennisgewing</i>		
R. 341. Verdedigingswet (44/1957): Vrywillige diensverbinding ...	29	5888

CONTENTS

No.	Page No.	Gazette No.
Agricultural Economics and Marketing, Department of		
<i>Government Notices</i>		
R. 310. Correction notice ...	24	5888
R. 311. Correction notice ...	24	5888
R. 326. Marketing Act (59/1968): Control of the introduction of deciduous fruit into certain areas ...	25	5888
R. 328. Agricultural Produce Agency Sales Act (12/1975): As amended ...	24	5888
R. 339. Marketing Act (59/1968): Levy and special levy on milk and cream ...	27	5888
R. 345. do.: Grading and marking of meat: Amendment ...	26	5888
R. 346. Correction notice: Grading, etc. of ground- nuts ...	28	5888
R. 347. Correction notice: Selling prices for tobacco	28	5888
Bantu Administration and Development, Department of		
<i>Government Notices</i>		
R. 317. Bantu Authorities Service Pensions Act (6/1971): As amended ...	1	5888
R. 349. Community Councils Act (125/1977): Administration area: West Rand ...	17	5888
Defence, Department of		
<i>Government Notice</i>		
R. 341. Defence Act (44/1957): Voluntary engage- ment ...	29	5888
Coloured, Rehoboth and Nama Relations, Department of		
<i>Government Notices</i>		
R. 304. Rural Coloured Areas Act (24/1963): Stan- dard regulation relating to Domestic Water: Concordia ...	23	5888
R. 305. do.: do.: Jacobsdal ...	23	5888
R. 306. do.: do.: Steinkopf ...	23	5888
Community Development, Department of		
<i>Government Notice</i>		
R. 301. Slums Act (53/1934): Delmas: Addition	18	5888
Customs and Excise, Department of		
<i>Government Notice</i>		
R. 307. Customs and Excise Act (91/1964): Amend- ment of regulations: No. MR/32 ...	17	5888
Justice, Department of		
<i>Government Notices</i>		
R. 327. Magistrates' Courts Act (32/1944): Amend- ment of Rules of Court ...	18	5888
R. 340. Attorneys, Notaries and Conveyancers Admission Act, (Act 23 of 1934), made the following amendments: Rules of Court governing the practical examinations and admission of attorneys, notaries and conveyancers ...	22	5888

