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OF
SOUTH AFRICA



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No. 16626

PROCLAMATION

*by the
President*

of the Republic of South Africa

No. R. 75, 1995

ASSIGNMENT OF CERTAIN POWERS AND FUNCTIONS OF THE PUBLIC SERVICE COMMISSION TO PROVINCIAL SERVICE COMMISSIONS

Under the powers vested in me by section 210 (6) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), I hereby assign, in accordance with the recommendation of the Public Service Commission, the power of the Public Service Commission to make recommendations as provided for in section 210 (1) (a) (iii) of the Constitution, 1993, read with section 14 (2) (d) of the Public Service Act, 1994, with regard to the filling of a vacant post on the establishment of a provincial administration by means of a transfer/transfer linked to promotion where the nominee for the post is not in the service of the relevant provincial administration, to the provincial service commission established for that province, subject to the stipulations contained in Chapter G.II of the Public Service Staff Code.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Tenth day of August, One thousand Nine hundred and Ninety-five.

N. R. MANDELA,
President.

By Order of the President-in-Cabinet:

Z. S. T. SKWEYIYA,
Minister of the Cabinet.

91203—A

PROKLAMASIE

*van die
President*

van die Republiek van Suid-Afrika

No. R. 75, 1995

OPDRA VAN BEPAALDE BEVOEGDHEDE EN FUNKSIES VAN DIE STAATSDIENSKOMMISSIE AAN PROVINSIALE DIENSKOMMISSIES

Kragtens die bevoegdheid my verleen by artikel 210 (6) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), dra ek hierby, ooreenkomstig die aanbeveling van die Staatsdienskommissie, die bevoegdheid van die Staatsdienskommissie om aanbevelings te maak soos vervat in artikel 210 (1) (a) (iii) van die Grondwet, 1993, saamgelees met artikel 14 (2) (d) van die Staatsdienswet, 1994, met betrekking tot die vulling van 'n vakante pos op die diensstaat van 'n provinsiale administrasie by wyse van 'n oorplasing/oorplasing gekoppel aan 'n bevordering waar die benoemde vir die pos nie in diens van die betrokke provinsiale administrasie is nie, op aan die provinsiale dienskommissie wat vir daardie provinsie ingestel is, onderworpe aan die voorwaardes soos in Hoofstuk G.II van die Staatsdienspersoneelkode vervat.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Tiende dag van Augustus Eenduisend Negehoenderd Vyf-en-negentig.

N. R. MANDELA,
President.

Op las van die President-in-Kabinet:

Z. S. T. SKWEYIYA,
Minister van die Kabinet.

16626—1

GOVERNMENT NOTICES**OFFICE OF THE PUBLIC SERVICE
COMMISSION****No. R. 1278****17 August 1995****ANNEXURE**

For general information it is hereby notified that the President has, under the powers vested in him by section 41 (1) of the Public Service Act, 1994, issued the following regulations:

The Public Service Regulations, published under Government Notice No. R. 1091 of 10 June 1994, as amended, are hereby further amended by—

(a) substituting the following new paragraph (a) of the definition of "household", in Chapter A1.1 for the existing paragraph (a):

"(a) the spouse of a married officer or employee: Legal marriages as well as marriages solemnised in terms of customary or religious law, are acknowledged for this purpose. In the case of a marriage solemnised in terms of customary or religious law, the spouse is the person whom the officer or employee indicated as his or her spouse and who is permanently part of his or her household, on condition that only one person is indicated as spouse; and/or";

(b) the deletion of the existing paragraphs (b) and (c) of the definition of "household" in Chapter A1.1 and the insertion of the following new paragraph (b):

"(b) the necessarily dependent child of an officer or employee or of his or her spouse who is permanently part of the officer's or employee's household, on condition that, if such a child studies at an institution for post-school education, whether intramurally or extramurally, he/she may be deemed to be a member of the household, but only—

(i) if he/she did not take up any permanent full-time employment (including any type of vocational training to which remuneration is attached) after leaving school, i.e. excluding compulsory military service which he/she had to undergo after leaving school and/or work during vacations or temporary full-time employment which he/she had taken up between—

(aa) leaving school and the commencement of the academic year; or

(bb) leaving school and the commencement of such military service; and/or

(cc) the completion of such military service and the commencement of the academic year,

and had commenced his/her studies at such an institution at the commencement of the academic year following the completion of his/her schooling or military service; and

GOEWERMENSKENNISGEWINGS**KANTOOR VAN DIE STAATSDIENS-
KOMMISSIE****No. R. 1278****17 Augustus 1995****BYLAE**

Vir algemene inligting word hiermee bekendgemaak dat die President, kragtens die bevoegdhede aan hom verleen in artikel 41 (1) van die Staatsdienswet, 1994, die volgende regulasies uitgevaardig het:

Die Staatsdiensregulasies gepubliseer in Goewermenskennisgewing No. R. 1901 van 10 Junie 1994, soos gewysig, word hierby verder gewysig deur—

(a) die vervanging van die bestaande paragraaf (a) van die omskrywing van "huishouding" in Hoofstuk A1.1, deur die volgende nuwe paragraaf (a):

"(a) die gade van 'n getroude beamppte of werknemer: Wettige huwelike sowel as huwelike wat ingevolge gewoonte- of godsdienstreg voltrek is, word vir hierdie doel erken. Die gade in die geval van huwelike wat ingevolge gewoonte- of godsdienstreg voltrek is, is die persoon wat die beamppte of werknemer aanwys as sy of haar gade en wat permanent deel is van sy of haar huishouding, op voorwaarde dat slegs een sodanige persoon as gade aangewys kan word en/of";

(b) die skraping van die bestaande paragrawe (b) en (c) van die omskrywing van "huishouding" in Hoofstuk A1.1 en die invoeging van die volgende nuwe paragraaf (b):

"(b) die noodsaaklikerwys nie-selfonderhoudende kind van 'n beamppte of werknemer of van sy of haar gade wat permanent deel is van die beamppte of werknemer se huishouding, op voorwaarde dat indien sodanige kind aan 'n naskoolse opvoedkundige inrigting studeer, hetsy binne-muurs of buitemuurs, hy/sy geag kan word lid van die huishouding te wees, dog slegs—

(i) indien hy/sy na skoolverlating geen permanente voltydse betrekking (met inbegrip van enige vorm van beroepsopleiding waaraan besoldiging verbonde is) aanvaar het nie, dit wil sê uitgesonderd verpligte militêre diens wat hy/sy na skoolverlating moes verrig en/of vakansiewerk of 'n tydelike voltydse betrekking wat hy/sy aanvaar het tussen—

(aa) skoolverlating en die aanvang van die akademiese jaar; of

(bb) skoolverlating en die aanvang van sodanige militêre diens; en/of

(cc) die voltooiing van sodanige militêre diens en die aanvang van die akademiese jaar,

en hy/sy by die aanvang van die akademiese jaar wat volg op die voltooiing van sy/haar skoolopleiding of militêre diensplig met sy/haar studies aan sodanige inrigting begin het; en

(ii) until—

(aa) he/she attains the minimum post-school qualification (or minimum combination of post-school qualifications) which will enable him/her to take up employment in the field of study for which he/she originally intended to qualify himself/herself; or

(bb) the normal duration of the course, as prescribed by the institution concerned, plus one academic year, expires, if it takes him/her longer than such prescribed period to attain the relevant qualification as a result of poor academic performance; or

(cc) he/she discontinues the relevant course of study; or

(dd) he/she changes his/her course of study, whichever of the said four events occurs first; and/or”;

(c) the deletion of the existing paragraph (d) of the definition of “household” in Chapter A1.1 and the insertion of the following new paragraph (c):

“(c) a relative of an officer or employee who is permanently part of his or her household and necessarily dependent on him/her and whose income, from any source, does not exceed the sum of—

(i) the appropriate maximum basic social pension; PLUS

(ii) the maximum allowance for a war veteran to whom a social pension has been awarded; PLUS

(iii) the maximum allowance paid to a person as a result of a late application for a social pension,

and if the relative concerned is a social pensioner, then any allowances other than those mentioned in subparagraphs (ii) and (iii) above, which he/she may receive in terms of the relevant regulations referred to above, e.g. an attendant's allowance, should be ignored for the purposes of this paragraph, on condition that where two relatives so reside with him/her and are dependent on him/her and where the one relative would normally have been a dependant of the other relative, for instance a father and a mother, both such relatives may be regarded as members of his/her household only if half of their joint income, from any source, does not exceed the sum of the maximum basic social pension in question and the allowances contemplated in paragraphs (i) to (iii) above; and”;

(d) the renumbering of the existing paragraph (e) of the definition of “household” in Chapter A1.1 to (d);

(e) the deletion of the following definitions in Chapter A1.1:

“equipment officer”;
“expendable items”;
“landlord department”;
“married quarters”;
“official quarters”;
“single quarters”; and
“tenant”;

(ii) totdat—

(aa) hy/sy die minimum naskoolse kwalifikasie (of minimum kombinasie van naskoolse kwalifikasies) verwerf wat hom/haar in staat stel om 'n betrekking te aanvaar in dié studierigting waarin hy/sy hom/haar aanvanklik wou bekwaam; of

(bb) die normale voorgeskrewe studietydperk, soos vir bedoelde studierigting deur die betrokke inrigting voorgeskryf, plus een akademiese jaar, verstryk, indien hy/sy as gevolg van swak akademiese prestasies langer as bedoelde studietydperk sou neem om die betrokke kwalifikasies te verwerf; of

(cc) hy/sy die betrokke studiekursus staak; of

(dd) hy/sy van studierigting verander, watter een van genoemde vier gebeure ook al eerste plaasvind; en/of”;

(c) die skapping van die bestaande paragraaf (d) van die omskrywing van “huishouding” in Hoofstuk A1.1 en die invoeging van die volgende nuwe paragraaf (c):

“(c) 'n familielid van 'n beampte of werknemer wat permanent deel is van sy of haar huishouding en noodsaaklikerwys van hom/haar afhanklik is en wie se inkomste, uit enige bron, nie meer is nie as die totaal van—

(i) die toepaslike maksimum basiese maatskaplike pensioen; PLUS

(ii) die maksimum toelae vir 'n oudstryder aan wie 'n maatskaplike pensioen toegeken is; PLUS

(iii) die maksimum toelae wat as gevolg van 'n laat aansoek om 'n maatskaplike pensioen aan 'n persoon betaal word,

en as die betrokke familielid 'n maatskaplike pensioentrekker is, moet enige ander toelaes as dié in subparagrafe (ii) en (iii) hierbo genoem, wat hy/sy kragtens die toepaslike regulasies hierbo bedoel, mag ontvang, byvoorbeeld 'n oppasserstoelae, vir die doeleindes van hierdie paragraaf geïgnoreer word, op voorwaarde dat waar twee familieledes aldus by hom/haar inwoon en van hom/haar afhanklik is en die een familielid normaalweg 'n afhanklike van die ander familielid sou wees, byvoorbeeld 'n vader en 'n moeder, albei sodanige familieledes geag kan word lede van die huishouding te wees slegs as die helfte van hulle gesamentlike inkomste, uit enige bron, nie meer is nie as die totaal van die toepaslike maksimum basiese maatskaplike pensioen en die toelaes in subparagraaf (i) tot (iii) hierbo bedoel; asook”;

(d) die hernoëmering van die bestaande paragraaf (e) van die omskrywing van “huishouding” in Hoofstuk A1.1 na (d);

(e) die skapping van die volgende omskrywings in Hoofstuk A1.1:

“amptelike kwartiere”;
“enkelkwartiere”;
“getroude kwartiere”;
“huurder”;
“uitrustingsbeampte”;
“verbruikbare artikels”; en
“verskaffingsdepartement”;

(f) substituting the following new paragraph A13.1 for the existing paragraph:

"A13.1 If an officer or employee is nominated in terms of sections 44 (2), 48 (1), 51 (2) or 133 (2) of the Constitution of the Republic of South Africa, 1993 (Act 200 of 1993), as member of Parliament or a provincial legislature, he/she is deemed to have voluntarily retired from the Public Service with effect from the date on which he/she accepted such nomination.";

(g) substituting the following new definition of "officer or employee" in Chapter F2 for the existing definition:

"'officer or employee' means officer or employee as defined in the Public Service Act, 1994, as well as a person who was in the employ of an institution mentioned in regulation C9.2 and who, without a break in service, was appointed in terms of section 15 (1) of the Public Service Act, 1994;"

No. R. 1279 17 August 1995

ANNEXURE

For general information it is hereby notified that the President has, under the powers vested in him by section 41 (1) of the Public Service Act, 1994, issued the following Regulations:

The Public Service Regulations, published under Government Notice No. R. 1091 of 10 June 1994, are hereby amended by—

- withdrawal of the amendments to Annexure A of Chapter J of the Public Service Regulations, published under Government Notice No. R. 937 of 23 June 1995;
- in paragraph 2.1 of Annexure A of Chapter J of the Public Service Regulations substituting for the formulae:

"DG	1
SG	$\frac{TPV \times 1,8}{65}$
DDG	$\frac{TPV \times 7,2}{65}$
CD	$\frac{TPV \times 21,6}{65}$
D	$\frac{TPV \times 86,4}{65}$ "

the formulae:

"DG	1
SG	$\frac{TPV \times 2}{65}$
DDG	$\frac{TPV \times 8}{65}$
CD	$\frac{TPV \times 24}{65}$
D	$\frac{TPV \times 96}{65}$ ";

(f) die vervanging van die bestaande paragraaf A13.1 deur die volgende nuwe paragraaf:

"A13.1 Indien 'n beampte of werknemer kragtens artikels 44 (2), 48 (1), 51 (2) of 133 (2) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet 200 van 1993), benoem word tot lid van die Parlement, of 'n provinsiale wetgewer, word hy/sy geag vrywillig uit die Staatsdiens te getree het met ingang van die datum waarop hy/sy sodanige benoeming aanvaar het.";

(g) die vervanging van die omskrywing van "beampte of werknemer" in Hoofstuk F2 deur die volgende nuwe omskrywing:

"'beampte of werknemer' 'n beampte of werknemer soos omskryf in die Staatsdienswet, 1994, en ook 'n persoon wat in diens was by 'n instelling in regulasie C9.2 vermeld en wat sonder diensonderbreking aangestel word ingevolge artikel 15 (1) van die Staatsdienswet, 1994;"

No. R. 1279 17 Augustus 1995

BYLAE

Vir algemene inligting word hiermee bekendgemaak dat die President, kragtens die bevoegdhede aan hom verleen in artikel 41 (1) van die Staatsdienswet, 1994, die volgende Regulasies uitgevaardig het:

Die Staatsdiensregulasies gepubliseer in Goewermentskennisgewing No. R. 1091 van 10 Junie 1994, word hierby gewysig deur—

- die terugtrekking van die wysigings aan Bylae A van Hoofstuk J van die Staatsdiensregulasies gepubliseer in Goewermentskennisgewing No. R. 937 van 23 Junie 1995;
- paragraaf 2.1 van Bylae A van Hoofstuk J van die Staatsdiensregulasies te wysig deur die vervanging van die formules:

"DG	1
SG	$\frac{TPW \times 1,8}{65}$
ADG	$\frac{TPW \times 7,2}{65}$
HD	$\frac{TPW \times 21,6}{65}$
D	$\frac{TPW \times 86,4}{65}$ "

met die formules:

"DG	1
SG	$\frac{TPW \times 2}{65}$
ADG	$\frac{TPW \times 8}{65}$
HD	$\frac{TPW \times 24}{65}$
D	$\frac{TPW \times 96}{65}$ ";

- (c) in paragraph 2.4 (a) of Annexure A of Chapter J of the Public Service Regulations substituting for the factor table:

"Factor Table 1—Geographical Area

<i>1 000 km²</i>	<i>Points</i>
0-100	0
101-300	1
300 PLUS	2 "

the factor table:

"Factor Table 1—Geographical Area

<i>1 000 km²</i>	<i>Points</i>
0-100	1
101-200	2
201-300	3
301-400	4 "; and

- (d) in paragraph 2.4 (d) of Annexure A of Chapter J of the Public Service Regulations substituting for the factor table:

"Factor Table 4—Per Capita Income

<i>Rand</i>	<i>Points</i>
0- 2 000	4
2 001- 4 000	3
4 001- 7 000	2
7 001-10 000	1
10 000 PLUS	1 "

the factor table:

"Factor Table 4—Per Capita Income

<i>Rand</i>	<i>Points</i>
0-1 000	10
1 001-2 000	9
2 001-3 000	8
3 001-4 000	7
4 001-5 000	6
5 001-6 000	5
6 001-7 000	4
7 001-8 000	3
8 001-9 000	2
9 001 PLUS	1 "

- (c) in paragraaf 2.4 (a) van Bylae A van Hoofstuk J van die Staatsdiensregulasies die faktor tabel:

"Faktor Tabel 1—Geografiese Area

<i>1 000 km²</i>	<i>Punte</i>
0-100	0
101-300	1
300 PLUS	2 "

te vervang met die faktor tabel:

"Faktor Tabel 1—Geografiese Area

<i>1 000 km²</i>	<i>Punte</i>
0-100	1
101-200	2
201-300	3
301-400	4 "; en

- (d) in paragraaf 2.4 (d) van Bylae A van Hoofstuk J van die Staatsdiensregulasies die faktor tabel:

"Faktor Tabel 4—Per Kapita Inkomste

<i>Rand</i>	<i>Punte</i>
0- 2 000	4
2 001- 4 000	3
4 001- 7 000	2
7 001-10 000	1
10 000 PLUS	1 "

te vervang met die faktor tabel:

"Faktor Tabel 4—Per Kapita Inkomste

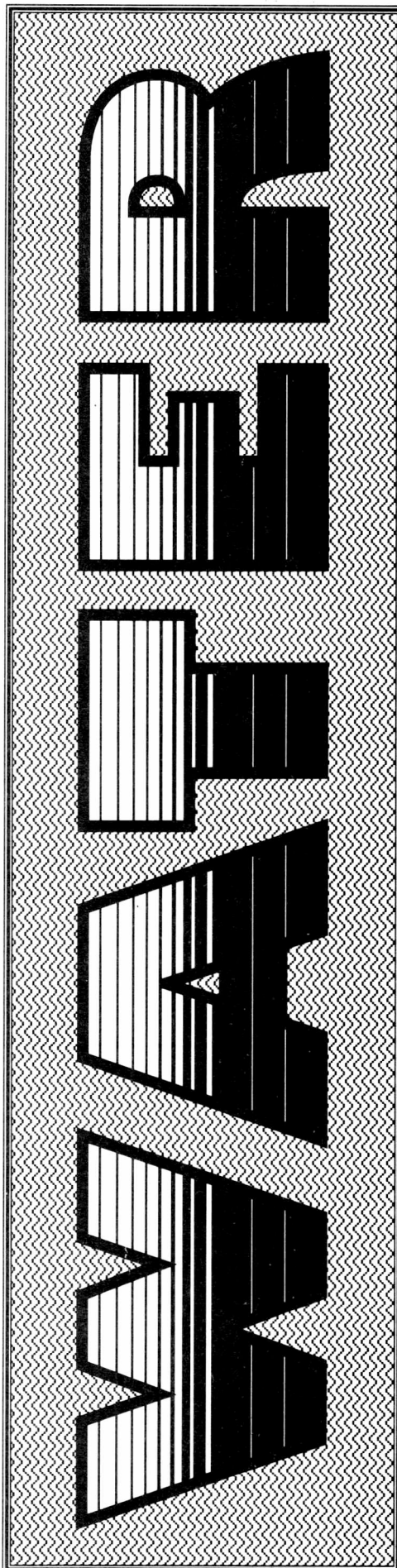
<i>Rand</i>	<i>Punte</i>
0-1 000	10
1 001-2 000	9
2 001-3 000	8
3 001-4 000	7
4 001-5 000	6
5 001-6 000	5
6 001-7 000	4
7 001-8 000	3
8 001-9 000	2
9 001 PLUS	1 "



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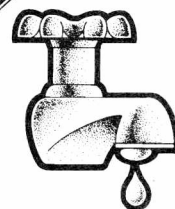




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