

EXTRAORDINARY



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DEPARTMENT OF THE PRIME MINISTER.

No. 1091.] [17th July, 1959.

It is hereby notified that His Excellency the Governor-General has been pleased to assent to the following Acts, which are hereby published for general information:—

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DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 1091.] [17 Julie 1959.

Hierby word bekend gemaak dat dit Sy Eksellensie die Goewerneur-generaal behaag het om sy goedkeuring te heg aan onderstaande Wette, wat hierby ter algemene inligting gepubliseer word:—

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No. 62, 1959.]

ACT

To Amend the Farmers' Assistance Act, 1935.

(Afrikaans text signed by the Governor-General.)
(Assented to 2nd July, 1959.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Insertion of
section 9bis
in Act 48 of
1935.

1. The following section is hereby inserted in the Farmers' Assistance Act, 1935, after section *nine*:

“Additional
method of
assistance
to farmers
who are
lessees of
State-
owned
land.

9bis. (1) Notwithstanding any provision to the contrary in any law, the board is hereby authorized, with the approval of the Minister of Lands, to lend money to an applicant who holds a holding under a lease as defined in sub-section (1) of section *one* of the Land Settlement Act, 1956 (Act No. 21 of 1956), subject to the provisions of sub-section (2) of this section and to such other conditions as the board, with the approval of the said Minister, may determine, to consolidate his debts or to enter into an arrangement with his creditors therewith.

(2) Any moneys lent and advanced by the board under sub-section (1) to such an applicant shall thereafter be deemed to be an advance lawfully granted by the Minister of Lands under the provisions of the Land Settlement Act, 1956, and shall, as the said Minister in his discretion may determine, be dealt with and recovered as if it were an advance under section *forty-two* or under section *fifty-three* or under both the said sections of the said Act, and in the lastmentioned case the said Minister shall in his discretion determine what part of the said advance shall be dealt with and recovered as an advance under the said section *forty-two* and what part thereof as an advance under the said section *fifty-three*.”.

Short title.

2. This Act shall be called the Farmers' Assistance Act Amendment Act, 1959, and shall be deemed to have come into operation on the first day of June, 1959.

No. 62, 1959.]

WET

Tot wysiging van die Boere-Bystandswet, 1935.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
Goedgekeur op 2 Julie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin,
die Senaat en die Volksraad van die Unie van Suid-Afrika,
soos volg:—

1. Die volgende artikel word hierby in die Boere-Bystands-
wet, 1935, na artikel *nege* ingevoeg:

„Bykom-
stige wyse
waarop
boere wat
huurders
van
Staats-
grond is,
gehelp kan
word.

9bis. (1) Ondanks andersluidende bepalings van
een of ander wet, word die raad hierby gemagtig
om, met die goedkeuring van die Minister van
Lande, aan 'n applikant wat 'n hoewe onder huur-
kontrak soos omskryf in sub-artikel (1) van artikel
een van die Nedersettingswet, 1956 (Wet No. 21
van 1956), hou, geld te leen onderworpe aan die
bepalings van sub-artikel (2) van hierdie artikel en
aan die ander voorwaardes wat die raad, met die
goedkeuring van bedoelde Minister, bepaal, om
daarmee sy skulde te konsolideer of 'n reëling met
sy skuldeisers aan te gaan.

(2) Enige gelde wat deur die raad kragtens sub-
artikel (1) aan so 'n applikant geleen en voorgeskiet
word, word daarna geag 'n voorskot te wees wat
wettiglik deur die Minister van Lande kragtens die
bepalings van die Nedersettingswet, 1956, toege-
staan is en word, soos bedoelde Minister na goed-
dunke bepaal, behandel en ingevorder asof dit 'n
voorskot kragtens artikel *twee-en-veertig* of kragtens
artikel *drie-en-vyftig* of kragtens albei genoemde
artikels van genoemde Wet was, en in die laas-
genoemde geval bepaal bedoelde Minister na goed-
dunke watter deel van die voorskot as 'n voorskot
kragtens genoemde artikel *twee-en-veertig* en watter
deel daarvan as 'n voorskot kragtens genoemde
artikel *drie-en-vyftig* behandel en ingevorder word.”.

Invoeging van
artikel *9bis*
in Wet 48 van
1935.

2. Hierdie Wet heet die Boere-bystandswysigingswet, 1959, Kort titel.
en word geag op die eerste dag van Junie 1959 in werking te
getree het.

No. 64, 1959.]

ACT

To assign the maintenance, management and control of the University College of Fort Hare to the Government of the Union, and to that end to transfer to the said Government certain assets, rights, liabilities and obligations of the council of that University College, to provide for the transfer of certain persons employed at the University College, for the preservation of certain leave and pension benefits, for conditions of service, for the admission of certain students to and their instruction at that University College and for matters incidental thereto.

(Afrikaans text signed by the Governor-General.)
(Assented to 2nd July, 1959.)

WHEREAS the University College of Fort Hare is a declared institution of higher education in terms of the Higher Education Act, 1923 (Act No. 30 of 1923):

AND WHEREAS the said University College became affiliated to the Rhodes University in March, 1951, in terms of the Rhodes University (Private) Act, 1949 (Act No. 15 of 1949):

AND WHEREAS the said University College has been recognized as a university institution in terms of the Universities Act, 1955 (Act No. 61 of 1955):

AND WHEREAS it is expedient to assign the maintenance, control and management of the said University College to the Government of the Union and to that end to transfer to the said Government certain assets, rights, liabilities and obligations of the council of that University College:

AND WHEREAS it is expedient to provide for the transfer of certain persons employed by the council of the said University College, for the preservation of certain leave and pension rights and retirement benefits, for conditions of service and for the recognition for certain purposes of continuous whole-time employment with the said council:

AND WHEREAS it is expedient to make provision for the admission of certain students to and their instruction at the said University College:

AND WHEREAS it is expedient that the Government assume control of all hostels attached to the said University College:

AND WHEREAS it is expedient to compensate certain churches for buildings erected by them under certain agreements for the use of the said University College:

AND WHEREAS it is expedient to provide for other incidental matters:

BE IT THEREFORE ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Interpretation of terms.

1. In this Act, unless the context otherwise indicates—

- (i) "advisory council" means the advisory council referred to in section *nine*; (i)
- (ii) "advisory senate" means the advisory senate referred to in section *eleven*; (ii)
- (iii) "Bantu Education Account" means the account referred to in section *twenty* of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956); (iii)
- (iv) "Bantu person" means a native as defined in section *one* of the Population Registration Act, 1950 (Act No. 30 of 1950); (iv)
- (v) "college council" means the governing authority of the university college established under the Higher Education Act, 1923 (Act No. 30 of 1923); (ix)
- (vi) "council" means the council of the university college referred to in section *seven*; (xvi)
- (vii) "council post" means any post on the establishment of the university college designated by the Minister in terms of section *twenty-five* as a council post; (xvii)
- (viii) "Minister" means the Minister of Bantu Education; (x)
- (ix) "non-white person" means any person who is not a white person; (xi)

No. 64, 1959.]

WET

Om die instandhouding en bestuur van en beheer oor die Universiteitskollege van Fort Hare aan die Unieregering oor te dra, en om te dien einde sekere bates, regte, laste en verpligtings van die raad van daardie Universiteitskollege aan bedoelde Regering oor te dra, voorsiening te maak vir die oorpasing van sekere persone in diens van die Universiteitskollege, vir die beskerming van sekere verlof- en pensioenvoordele, vir diensvoorwaardes, vir die toelating van sekere studente tot en hul onderrig aan daardie Universiteitskollege en vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 2 Julie 1959.)

NADEMAAL die Universiteitskollege van Fort Hare 'n verklaarde instelling vir hoër onderwys ingevolge die bepaling van die „Hoger Onderwijs Wet, 1923” (Wet No. 30 van 1923), is:

EN **NADEMAAL** bedoelde Universiteitskollege in Maart 1951 ingevolge die bepaling van die Private Wet op Rhodes-universiteit, 1949 (Wet No. 15 van 1949), met Rhodes-universiteit geaffilieer is:

EN **NADEMAAL** bedoelde Universiteitskollege as 'n universiteitsinrigting ingevolge die bepaling van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), erken is:

EN **NADEMAAL** dit raadsaam is om die instandhouding en bestuur van en beheer oor bedoelde Universiteitskollege aan die Unieregering oor te dra en om te dien einde sekere bates, regte, laste en verpligtings van die raad van daardie Universiteitskollege aan bedoelde Regering oor te dra:

EN **NADEMAAL** dit raadsaam is om voorsiening te maak vir die oorpasing van sekere persone in die diens van die raad van bedoelde Universiteitskollege, vir die beskerming van sekere verlof- en pensioenregte en uitdienstredingsvoordele, vir diensvoorwaardes en vir die erkenning vir sekere doeleindes van ononderbroke voltydse diens by bedoelde raad:

EN **NADEMAAL** dit raadsaam is om voorsiening te maak vir die toelating van sekere studente tot en hul onderrig aan bedoelde Universiteitskollege:

EN **NADEMAAL** dit raadsaam is dat die Regering die beheer oor alle koshuise verbonde aan bedoelde Universiteitskollege oorneem:

EN **NADEMAAL** dit raadsaam is om vergoeding te betaal aan sekere kerke ten opsigte van geboue wat hulle kragtens sekere ooreenkomste vir die gebruik van bedoelde Universiteitskollege opgerig het:

EN **NADEMAAL** dit raadsaam is om vir ander bykomstige aangeleenthede voorsiening te maak:

WORD DIT DERHALWE BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Tensy uit die samehang anders blyk, beteken in hierdie Woordbepaling. Wet—

- (i) „adviserende raad” die adviserende raad in artikel *nege* bedoel; (i)
- (ii) „adviserende senaat” die adviserende senaat in artikel *elf* bedoel; (ii)
- (iii) „Bantoe-onderwysrekening” die in artikel *twintig* van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956), bedoelde rekening; (iii)
- (iv) „Bantoe-persoon” 'n natuerel soos in artikel *een* van die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), omskryf; (iv)
- (v) „bepaalde datum” die datum kragtens sub-artikel (1) van artikel *twee* vasgestel; (xix)
- (vi) „blanke” 'n blanke soos in artikel *een* van die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), omskryf; (xxiv)
- (vii) „die universiteitskollege” die Universiteitskollege van Fort Hare; (xxi)
- (viii) „hierdie Wet” ook 'n regulasie; (xxii)
- (ix) „kollegeraad” die kragtens die „Hoger Onderwijs Wet, 1923” (Wet No. 30 van 1923), ingestelde behorende gesag van die universiteitskollege; (v)

- (x) "pensionable emoluments" has the meaning assigned thereto in section *one hundred and nine* of the Pensions Act; (xiii)
- (xi) "Pension Fund" means the Union Pension Fund established in terms of section *two* of the Pensions Act; (xii)
- (xii) "Pensions Act" means the Government Service Pensions Act, 1955 (Act No. 58 of 1955); (xv)
- (xiii) "pensions office" means the Minister of Social Welfare and Pensions or any officer in the Department of Social Welfare and Pensions authorized by him to perform any function assigned to the pensions office by this Act; (xiv)
- (xiv) "prescribed" means prescribed by regulation; (xxiv)
- (xv) "regulation" means any regulation made and in force under this Act; (xviii)
- (xvi) "Rhodes University" means the university established by the Rhodes University (Private) Act, 1949 (Act No. 15 of 1949); (xix)
- (xvii) "Secretary" means the Secretary for Bantu Education, and includes any Under-Secretary of the Department of Bantu Education; (xx)
- (xviii) "senate" means the senate referred to in section *ten*; (xxi)
- (xix) "specified date" means the date specified under subsection (1) of section *two*; (v)
- (xx) "State post" means any post on the establishment of the university college other than a council post; (xxii)
- (xxi) "the university college" means the University College of Fort Hare; (vii)
- (xxii) "this Act" includes any regulation; (viii)
- (xxiii) "University of South Africa" means the university established in terms of the University of South Africa Act, 1916 (Act No. 12 of 1916); (xxiii)
- (xxiv) "white person" means a white person as defined in section *one* of the Population Registration Act, 1950 (Act No. 30 of 1950). (vi)

Transfer of assets and liabilities and assignment of maintenance, management and control of University College of Fort Hare.

2. (1) The Governor-General may, by proclamation in the *Gazette*, assign the maintenance, management and control of the university college to the Minister with effect from a date specified in the proclamation.

(2) As from the specified date—

- (a) there shall cease to be vested in the college council any rights, powers, duties or functions in respect of the university college;
- (b) all powers, duties and functions conferred or imposed upon or entrusted to the college council by or under any law, shall be vested in the Minister, and for that purpose any reference in any such law to the college council shall be construed as a reference to the Minister;
- (c) all assets, liabilities, rights and obligations which immediately prior to the said date were vested in or had accrued to or devolved upon the college council or which, if this Act had not been passed, would have vested in or accrued to or devolved upon the college council after that date shall be transferred to the Government of the Union and shall be credited to the Bantu Education Account to be applied for the purposes of the university college or any other university college which may be established in its stead and no transfer duty, stamp duty or other fees or charges shall be payable in connection therewith: Provided that all moneys which were so vested or had so accrued or would have become so vested or would have so accrued by virtue of any trust, donation or bequest, shall be applied in accordance with the conditions of the trust, donation or bequest: Provided further that the Minister acting in consultation with the Minister of Finance shall pay out of moneys appropriated by Parliament for the purpose from the Bantu Education Account, to the Methodist Church of South Africa, the Church of the Province of South Africa and the Church of Scotland Trust such compensation as in the case of each of those churches is equal to the fair value of the buildings erected by that church upon any land which is hereby vested in the Government of the Union and such value shall, failing agreement between the Minister and the church concerned, be settled by arbitration in accordance with the provisions of the Expropriation of Lands and Arbitration Clauses Proclamation, 1902 (Proclamation No. 5 of 1902), of the Transvaal; and

- (x) „Minister” die Minister van Bantoe-onderwys; (viii)
- (xi) „nie-blanke” iemand wat nie ’n blanke is nie; (ix)
- (xii) „Pensioenfonds” die Unie-pensioenfonds ingestel by artikel *twee* van die Pensioenwet; (xi)
- (xiii) „pensioengewende verdienste” dieselfde as wat dit in artikel *honderd-en-nege* van die Pensioenwet beteken; (x)
- (xiv) „pensioenkantoor” die Minister van Volkswelsyn en Pensioene of ’n amptenaar in die Departement van Volkswelsyn en Pensioene wat hy gemagtig het om ’n werksaamheid te verrig wat deur hierdie Wet aan die pensioenkantoor opgedra word; (xiii)
- (xv) „Pensioenwet” die Regeringsdienspensioenwet, 1955 (Wet No. 58 van 1955); (xii)
- (xvi) „raad” die in artikel *sewe* bedoelde raad van die universiteitskollege; (vi)
- (xvii) „raadspos” ’n pos op die diensstaat van die universiteitskollege wat deur die Minister ingevolge artikel *vyf-en-twintig* as ’n raadspos aangewys is; (vii)
- (xviii) „regulasie” enige regulasie uitgevaardig en van krag ingevolge hierdie Wet; (xv)
- (xix) „Rhodes-universiteit” die universiteit ingestel by die Private Wet op Rhodes-universiteit, 1949 (Wet No. 15 van 1949); (xvi)
- (xx) „Sekretaris” die Sekretaris van Bantoe-onderwys, en ook ’n Ondersekretaris van die Departement van Bantoe-onderwys; (xvii)
- (xxi) „senaat” die senaat in artikel *tien* bedoel; (xviii)
- (xxii) „Staatspos” ’n ander pos op die diensstaat van die universiteitskollege as ’n raadspos; (xx)
- (xxiii) „Universiteit van Suid-Afrika” die universiteit wat by die „Universiteit van Zuid-Afrika Wet, 1916” (Wet No. 12 van 1916), ingestel is; (xxiii)
- (xxiv) „voorgeskryf” by regulasie voorgeskryf. (xiv)

2. (1) Die Goewerneur-generaal kan, by proklamasie in die *Staatskoerant*, die instandhouding en bestuur van en beheer oor die universiteitskollege aan die Minister opdra met ingang van ’n datum in die proklamasie bepaal.

(2) Vanaf die bepaalde datum—

- (a) is die kollegeraad onthef van alle regte, bevoegdhede, pligte en werksaamhede ten opsigte van die universiteitskollege;
- (b) gaan alle bevoegdhede, pligte en werksaamhede deur of kragtens een of ander wetsbepaling aan die kollegeraad verleen, opgelê of toevertrou, oor op die Minister, en vir dié doel word ’n verwysing in so ’n wetsbepaling na die kollegeraad as ’n verwysing na die Minister uitgelê;
- (c) gaan alle bates, laste, regte en verpligtings wat onmiddellik voor bedoelde datum aan die kollegeraad behoort of toegeval of op hom gerus het of wat, indien hierdie Wet nie ingevoer was nie, na daardie datum aan die kollegeraad sou behoort of toegeval of op hom sou gerus het, oor op die Regering van die Unie en word die Bantoe-onderwysrekening daarmee gekrediteer om aangewend te word vir die doeleindes van die universiteitskollege of enige ander universiteitskollege wat in sy plek ingestel mag word en geen hereregte, seëlregte of ander gelde of koste is in dié verband betaalbaar nie: Met dien verstande dat alle gelde wat aldus behoort of toegeval het of sou behoort of toegeval het uit hoofde van ’n trust, skenking of bemaking, ooreenkomstig die voorwaardes van die trust, skenking of bemaking aangewend moet word: Met dien verstande voorts dat die Minister, handelende in oorleg met die Minister van Finansies, uit gelde deur die Parlement uit die Bantoe-onderwysrekening vir die doel bewillig, aan die „Methodist Church of South Africa”, die „Church of the Province of South Africa” en die „Church of Scotland Trust” vergoeding moet betaal wat in die geval van elk van daardie kerke gelyk is aan die billike waarde van die geboue deur daardie kerk opgerig op enige grond wat hierby op die Regering van die Unie oorgaan, en bedoelde waarde word by ontstentenis van ooreenkoms tussen die Minister en die betrokke kerk by arbitrasie ooreenkomstig die bepaling van die „Expropriation of Lands and Arbitration Clauses Proclamation, 1902” (Proklamasie No. 5 van 1902), van Transvaal bepaal; en

Oordrag van bates en laste en opdrag van instandhouding en bestuur van en beheer oor Universiteitskollege van Fort Hare.

- (d) the Minister shall assume control of all hostels which immediately prior to that date were attached to the university college, and any existing agreement between the college council and any of the churches mentioned in the second proviso to paragraph (c) relating to the management and control of the said hostels and any registered lease held by any of the said churches in respect of any land on which any such hostel has been erected, shall lapse.

(3) The Minister may at any time after the specified date, by notice in the *Gazette*, change the name of the university college.

- (4) (a) The expenses involved in the maintenance, management and control of the university college under this Act shall be defrayed by the Minister in consultation with the Minister of Finance out of moneys appropriated by Parliament for the purpose from the Bantu Education Account.

- (b) The Minister may, in consultation with the Minister of Finance, and subject to such conditions and on such basis as the Minister may determine, out of moneys appropriated by Parliament out of the Bantu Education Account, pay to the council annually such amounts as are necessary for carrying out such functions as may be entrusted to it by or under this Act.

Transfer of
certain persons
employed by
college council.

3. (1) Every person (other than a person referred to in sub-section (4)) who immediately prior to the specified date was in the employ of the college council, shall, with effect from that date, and subject to the provisions of this Act, become an employee on the establishment of the university college and shall be deemed to have been appointed to a State post or a council post as may be determined by the Minister and notified to such person in writing by the Secretary prior to the said date: Provided that any such person may within ninety days from the date of such notification in writing notify the Secretary of his resignation, and any such resignation shall for the purposes of the laws governing the pension or provident fund rights of the person concerned be deemed to be a discharge owing to the abolition of his post at the expiration of the aforementioned period of ninety days.

(2) As from the specified date the conditions of service, scale of salary and allowances and leave and other privileges of every person who becomes an employee in terms of sub-section (1), shall be governed by the provisions of this Act, and every such person shall be adjusted to the scale of salary applicable to his post at such notch on that scale as may be approved by the Minister: Provided that except with his own consent or in accordance with the provisions of any law, the pensionable emoluments or the salary or scale of salary at or in accordance with which any such person was remunerated immediately prior to the said date, shall not be reduced.

(3) Any disciplinary proceedings in respect of misconduct committed before the specified date by any person who becomes an employee in terms of sub-section (1) may be continued or instituted under this Act.

(4) Any person who immediately prior to the specified date was in the employ of the college council, and who at least ninety days prior to that date was notified in writing by the Minister that he would not become an employee in terms of sub-section (1), shall be deemed to have been retired on superannuation on the day which immediately preceded the said date, and shall for the purposes of any law regulating the grant of any additional pension or provident fund benefits be deemed to have become a member of the provident fund and pension scheme concerned as from a date prior to the first day of August, 1949.

Preservation of
certain pension
rights and
retirement benefits.

4. (1) Subject to the provisions of this section—

- (a) any person who becomes an employee in terms of sub-section (1) of section *three*, shall remain a member of the appropriate provident fund or pension scheme under any law applicable to his case as if this Act had not been passed;

- (b) as from the specified date—

- (i) any contributions which in terms of the regulations governing the technical colleges provident fund or the university institutions provident fund, would have been payable by the college council or from the Consolidated Revenue Fund to the

- (d) neem die Minister beheer oor alle koshuise wat onmiddellik voor bedoelde datum aan die universiteitskollege verbonde was en verval enige ooreenkoms wat met betrekking tot die bestuur van en beheer oor bedoelde koshuise tussen die kollegeraad en enige van die in die tweede voorbehoudsbepaling by paragraaf (c) genoemde kerke mag bestaan en enige geregistreerde huurkontrak wat deur enige van bedoelde kerke gehou word ten opsigte van grond waarop so 'n koshuis opgerig is.
- (3) Die Minister kan te eniger tyd na die bepaalde datum, by kennisgewing in die *Staatskoerant* die naam van die universiteitskollege verander.
- (4) (a) Die koste verbonde aan die instandhouding en bestuur van en beheer oor die universiteitskollege ingevolge hierdie Wet word deur die Minister in oorleg met die Minister van Finansies betaal uit gelde wat die Parlement uit die Bantoe-onderwysrekening vir die doel bewillig.
- (b) Die Minister kan, in oorleg met die Minister van Finansies, en onderworpe aan die voorwaardes en op die grondslag wat die Minister bepaal, uit gelde wat die Parlement uit die Bantoe-onderwysrekening bewillig, jaarliks die bedrae aan die raad betaal wat nodig is vir die uitvoering van sodanige werksaamhede as wat deur of kragtens hierdie Wet aan die raad toevertrou word.

3. (1) Elke persoon (behalwe 'n in sub-artikel (4) bedoelde persoon) wat onmiddellik voor die bepaalde datum in diens van die kollegeraad was, word, onderworpe aan die bepalings van hierdie Wet, vanaf daardie datum 'n werknemer op die diensstaat van die universiteitskollege en word geag in 'n Staatspos of 'n raadspas aangestel te wees al na deur die Minister bepaal en voor die bepaalde datum skriftelik deur die Sekretaris aan bedoelde persoon bekend gemaak word: Met dien verstande dat so 'n persoon binne negentig dae vanaf die datum van sodanige bekendmaking die Sekretaris skriftelik van sy bedanking in kennis kan stel, en so 'n bedanking word by die toepassing van die wetsbepalings wat die pensioen- of voorsorgfondsregte van die betrokke persoon reël, geag 'n ontslag te wees weens die afskaffing van sy pos by verstryking van bedoelde tydperk van negentig dae.

Oorplasing van sekere persone in diens van kollegeraad.

(2) Vanaf die bepaalde datum word die diensvoorwaardes, salarisskaal en toelaes en verlof- en ander voorregte van elke persoon wat ingevolge sub-artikel (1) 'n werknemer word, ooreenkomstig die bepalings van hierdie Wet gereël, en elke sodanige persoon word aangepas by die salarisskaal wat op sy pos van toepassing is, teen die kerf op daardie skaal wat deur die Minister goedgekeur word: Met dien verstande dat, behalwe met sy eie toestemming of ooreenkomstig 'n wetsbepaling, die pensioengewende verdienste of die salaris of salarisskaal waarteen of waarvolgens so iemand onmiddellik voor bedoelde datum besoldig was, nie verminder mag word nie.

(3) Enige dissiplinêre stappe ten opsigte van wangedrag wat voor die bepaalde datum gepleeg is deur iemand wat ingevolge sub-artikel (1) 'n werknemer word, kan onder hierdie Wet voortgesit of ingestel word.

(4) Enige persoon wat onmiddellik voor die bepaalde datum in diens van die kollegeraad was, en wat ten minste negentig dae voor daardie datum deur die Minister skriftelik in kennis gestel is dat hy nie ingevolge sub-artikel (1) 'n werknemer sou word nie, word geag weens die bereiking van die pensioenleeftyd afgedank te gewees het op die dag wat bedoelde datum onmiddellik voorafgegaan het en word by die toepassing van enige wetsbepaling wat die toekenning van addisionele pensioen- of voorsorgfondsvoordele reël, geag vanaf 'n datum voor die eerste dag van Augustus 1949 'n lid van die betrokke voorsorgfonds en pensioenskema te geword het.

4. (1) Behoudens die bepalings van hierdie artikel—

- (a) bly iemand wat ingevolge sub-artikel (1) van artikel drie 'n werknemer word, 'n lid van die toepaslike voorsorgfonds of pensioenskema ingevolge enige wetsbepaling wat in sy geval geld, asof hierdie Wet nie aangeneem was nie;
- (b) word vanaf die bepaalde datum—

Beskerming van sekere pensioenregte en uitdienstredingsvoordele.

- (i) enige bydraes wat ingevolge die regulasies wat die voorsorgfonds vir tegniese kolleges of die voorsorgfonds vir universiteitsinrigtings reël, deur die kollegeraad of uit die Gekonsolideerde Inkomstefonds aan die betrokke voorsorgfonds

provident fund concerned in respect of any person mentioned in paragraph (a), if that person had not become an employee in terms of sub-section (1) of section *three*;

- (ii) any annuity or gratuity which may be granted to such a person or a dependant of such a person in addition to the benefits payable from either of the said provident funds, and any contribution which in terms of the said regulations is payable by the Government towards such annuity or gratuity; and
- (iii) any annuity awarded prior to the said date by the college council to an employee retired from its service or to a dependant of a deceased employee, and any contribution payable by the Government towards such annuity in terms of the said regulations,

shall be paid out of moneys appropriated by Parliament for the purpose from the Bantu Education Account.

(2) Any person to whom sub-section (1) applies, who under the provisions of sub-section (1) of section *three* is deemed to have been appointed to a State post and who immediately prior to the specified date was a member of the technical colleges provident fund and pension scheme or the university institutions provident fund and pension scheme, may on such conditions as the pensions office may determine, elect in writing, within six months after the said date, or within such further period as the pensions office may in special circumstances allow, to be released from all obligations and to relinquish all rights and privileges under such provident fund and pension scheme and to become a member of the Pension Fund in accordance with the provisions of sub-section (1) of section *thirteen* of the Pensions Act, as if he had been transferred from the service of the college council to a post in the service of the Government: Provided that—

- (a) if such person elects in terms of this sub-section to become a member of the Pension Fund, he shall for the purposes of sub-section (2) of section *thirteen* of the Pensions Act be deemed to have elected to count his past pensionable service as pensionable service under that Act;
- (b) for the purposes of sub-section (1) of section *thirteen* of the Pensions Act, such transfer shall be deemed to have taken place on the first day of the month immediately following the month in which the election is made;
- (c) if under the regulations governing the technical colleges provident fund or the university institutions provident fund a policy of insurance has been accepted and the premiums thereon have been paid as part of the provision made for such person, the policy shall be returned to him or may at his option be surrendered on his behalf for cash and the amount of the surrender value added to the amount standing to his credit in the said provident fund for payment into the Pension Fund; and
- (d) if the amount available in the said provident fund for payment to the Pension Fund is more or less than the amount which is required by such Pension Fund in respect of such person's past pensionable service, the excess shall be paid to such person or the deficit shall be made good by such person and out of the Bantu Education Account in such proportions as the pensions office may determine.

(3) Notwithstanding anything to the contrary in the Pensions Act contained, the amount computed in terms of section *thirteen* of that Act in respect of any period of past pensionable service of a person who has made an election in terms of sub-section (2) shall for the purposes of the Pension Fund be based on such emoluments as the pensions office may determine and such emoluments shall for the purpose of the said Act be deemed to have been or to be, as the case may be, the pensionable emoluments of that person.

(4) Any person to whom sub-section (2) applies and who immediately prior to the specified date was a member of the technical colleges provident fund and pension scheme, may, if he does not under that sub-section elect to become a member of the Pension Fund, within the period of sixty days immediately succeeding the date of expiration of a period of six months after the specified date, elect in writing to be released from all obligations and to relinquish all rights and privileges under that

ten opsigte van 'n in paragraaf (a) bedoelde persoon betaalbaar sou gewees het as daardie persoon nie ingevolge sub-artikel (1) van artikel *drie* 'n werknemer geword het nie;

(ii) enige jaargeld of gratifikasie wat aan so iemand of 'n afhanklike van so iemand toegeken mag word benewens die voordele wat uit een of ander van bedoelde voorsorgfondse betaalbaar is, en enige bydrae wat ingevolge bedoelde regulasies deur die Regering tot so 'n jaargeld of gratifikasie bygedra moet word; en

(iii) enige jaargeld voor bedoelde datum deur die kollegeraad toegeken aan 'n werknemer wat uit sy diens getree het of aan 'n afhanklike van 'n oorlede werknemer, en enige bedrag wat ingevolge bedoelde regulasies deur die Regering tot so 'n jaargeld bygedra moet word,

betaal uit gelde wat die Parlement uit die Bantoe-onderwysrekening vir daardie doel bewillig.

(2) Iemand op wie sub-artikel (1) van toepassing is en wat ingevolge die bepalings van sub-artikel (1) van artikel *drie* geag word in 'n Staatspos aangestel te wees en wat onmiddellik voor die bepaalde datum 'n lid van die voorsorgfonds en pensioenskema vir tegniese kolleges of die voorsorgfonds en pensioenskema vir universiteitsinrigtings was, kan, op die voorwaardes wat die pensioenkantoor bepaal, binne ses maande na bedoelde datum of binne so 'n verdere tydperk as wat die pensioenkantoor onder buitengewone omstandighede mag toelaat, skriftelik kies om van alle verpligtings onder daardie voorsorgfonds en pensioenskema onthef te word en van alle regte en voorregte daarop af te sien en om ooreenkomstig die bepalings van sub-artikel (1) van artikel *dertien* van die Pensioenwet 'n lid van die Pensioenfonds te word asof hy van die diens van die kollegeraad na 'n pos in Regeringsdiens oorgeplaas was: Met dien verstande dat—

(a) indien so iemand ingevolge hierdie sub-artikel kies om 'n lid van die Pensioenfonds te word, hy by die toepassing van sub-artikel (2) van artikel *dertien* van die Pensioenwet geag word te gekies het om sy vorige pensioengewende diens as pensioengewende diens kragtens daardie Wet te beskou;

(b) by die toepassing van sub-artikel (1) van artikel *dertien* van die Pensioenwet, so 'n oorplasing geag word te geskied het op die eerste dag van die maand wat onmiddellik op die maand volg waarin die keuse gedoen word;

(c) indien kragtens die regulasies wat die voorsorgfonds vir tegniese kolleges of die voorsorgfonds vir universiteitsinrigtings reël, 'n versekeringspolis aangeneem en die premies daarop betaal is as deel van die voorsiening wat vir so iemand gemaak is, die polis aan hom teruggegee word of (indien hy dit verkies) namens hom vir kontant afgekoop kan word en die bedrag van die afkoopwaarde by die bedrag wat in bedoelde voorsorgfonds in sy krediet staan, bygevoeg word vir oorbetalings aan die Pensioenfonds; en

(d) indien die bedrag wat in bedoelde voorsorgfonds beskikbaar is vir betaling aan die Pensioenfonds meer of minder is as die bedrag wat deur bedoelde Pensioenfonds ten opsigte van so iemand se vorige pensioengewende diens benodig word, die oorskot aan so iemand betaal of die tekort in die verhoudings wat die pensioenkantoor bepaal deur so iemand en uit die Bantoe-onderwysrekening aangesuiwer word.

(3) Ondanks andersluidende bepalings in die Pensioenwet vervat, word die bedrag ingevolge artikel *dertien* van daardie Wet bereken ten opsigte van enige vorige tydperk van pensioengewende diens van iemand wat 'n keuse ooreenkomstig sub-artikel (2) uitgeoefen het, vir die doeleindes van die Pensioenfonds gebaseer op die emolumente wat die pensioenkantoor bepaal, en bedoelde emolumente word by die toepassing van daardie Wet geag die pensioengewende emolumente van daardie persoon te gewees het of, al na die geval, te wees.

(4) Iemand op wie sub-artikel (2) van toepassing is en wat onmiddellik voor die bepaalde datum 'n lid van die voorsorgfonds en pensioenskema vir tegniese kolleges was, kan, indien hy nie ingevolge daardie sub-artikel kies om lid van die Pensioenfonds te word nie, binne die tydperk van sestig dae wat volg onmiddellik na die verstryking van 'n tydperk van ses maande vanaf die bepaalde datum, skriftelik kies om van alle verpligtings onder daardie skema onthef te word en van alle

scheme and to become a member of the university institutions provident fund and pension scheme, and if he so elects—

- (a) his membership of the technical colleges provident fund and pension scheme shall cease as from a date to be determined by the pensions office, but not earlier than six months after the specified date, and he shall become a member of the university institutions provident fund and pension scheme as from the firstmentioned date;
- (b) his contributions to the technical colleges provident fund shall cease and contributions to the university institutions provident fund shall commence from the date so determined;
- (c) any amount accrued to his credit in the technical colleges provident fund shall be transferred to his credit in the university institutions provident fund;
- (d) any policy of insurance which formed part of the provision made for him in terms of the regulations governing the technical colleges provident fund shall remain in the custody of the head of the Department of Social Welfare and Pensions and shall be accepted as part of the provision made for him under the regulations governing the university institutions provident fund;
- (e) he shall, if he became a member of the technical colleges provident fund and pension scheme from a date prior to the twenty-eighth day of April, 1950, be deemed for purposes of the university institutions provident fund and pension scheme to have become a member of the latter scheme from a date prior to that date.

(5) Any person to whom sub-section (1) applies, who under the provisions of sub-section (1) of section *three* is deemed to have been appointed to a council post and who immediately prior to the specified date was a member of the technical colleges provident fund and pension scheme, may elect in writing, within six months after the said date or within such further period as the pensions office may in special circumstances allow, to be released from all obligations and to relinquish all rights and privileges under such provident fund and pension scheme and to become a member of the university institutions provident fund and pension scheme, and if he so elects the provisions of paragraphs (a), (b), (c), (d) and (e) of sub-section (4) shall apply *mutatis mutandis* to his case.

(6) For the purposes of this section—

“technical colleges provident fund” means the Technical Colleges Provident Fund established under the regulations made in terms of paragraph (g) of sub-section (1) of section *nineteen* of the Higher Education Act, 1923 (Act No. 30 of 1923), and “technical colleges provident fund and pension scheme” means the Provident Fund and Pension Scheme for Technical Colleges established under the said regulations;

“university institutions provident fund” means the University Institutions Provident Fund established under the regulations made in terms of paragraph (g) of sub-section (1) of section *twelve* of the Higher Education Additional Provision Act, 1917 (Act No. 20 of 1917), and “university institutions provident fund and pension scheme” means the Provident Fund and Pension Scheme for University Institutions established under the said regulations.

Certain continuous whole-time employment recognized for certain purposes as employment in terms of this Act.

5. Subject to the provisions of this Act, the continuous whole-time service with the college council of any person referred to in sub-section (1) of section *three*, immediately prior to the specified date, shall for leave purposes be deemed to be service in a post referred to in section *twenty-four*: Provided that sick and accumulative vacation leave standing to the credit of such person at that date shall, subject to such conditions as the Minister may determine, be deemed to be leave accrued in terms of this Act.

Constitution of the university college.

6. The university college shall consist of—

- (a) a council;
- (b) an advisory council;
- (c) a senate;
- (d) an advisory senate;
- (e) such other bodies as the Minister, after consultation with the council, may from time to time establish;

regte en voorregte daaronder af te sien en 'n lid van die voorsorgfonds en pensioenskema vir universiteitsinrigtings te word, en indien hy aldus kies—

- (a) hou hy vanaf 'n datum wat die pensioenkantoor vasstel, maar nie eerder as ses maande na die bepaalde datum nie, op om lid van die voorsorgfonds en pensioenskema vir tegniese kolleges te wees en word hy vanaf eersbedoelde datum lid van die voorsorgfonds en pensioenskema vir universiteitsinrigtings;
- (b) hou hy op om tot die voorsorgfonds vir tegniese kolleges by te dra en begin hy tot die voorsorgfonds vir universiteitsinrigtings by te dra vanaf die datum aldus vasgestel;
- (c) word enige bedrag wat in die voorsorgfonds vir tegniese kolleges tot sy krediet opgeloop het, na die voorsorgfonds vir universiteitsinrigtings tot sy krediet oorgedra;
- (d) bly enige versekeringspolis wat deel uitgemaak het van die voorsiening ingevolge die regulasies op die voorsorgfonds vir tegniese kolleges vir hom gemaak, in die bewaring van die hoof van die Departement van Volkswelsyn en Pensioene en word dit aangeneem as deel van die voorsiening ingevolge die regulasies op die voorsorgfonds vir universiteitsinrigtings vir hom gemaak;
- (e) word hy, indien hy vanaf 'n datum voor die agt-entwintigste dag van April 1950 'n lid van die voorsorgfonds en pensioenskema vir tegniese kolleges geword het, vir die doeleindes van die voorsorgfonds en pensioenskema vir universiteitsinrigtings geag vanaf 'n datum voor daardie datum 'n lid van laasbedoelde skema te geword het.

(5) Iemand op wie sub-artikel (1) van toepassing is, en wat ingevolge die bepalings van sub-artikel (1) van artikel *drie* geag word in 'n raadspos aangestel te wees, en wat onmiddellik voor die bepaalde datum 'n lid van die voorsorgfonds en pensioenskema vir tegniese kolleges was, kan binne ses maande na bedoelde datum of binne die verdere tydperk wat die pensioenkantoor onder buitengewone omstandighede toelaat, skriftelik kies om van alle verpligtings onder bedoelde voorsorgfonds en pensioenskema onthef te word en van alle regte en voorregte daaronder af te sien, en lid van die voorsorgfonds en pensioenskema vir universiteitsinrigtings te word, en indien hy aldus kies, is die bepalings van paragrafe (a), (b), (c), (d) en (e) van sub-artikel (4) *mutatis mutandis* op sy geval van toepassing.

(6) By die toepassing van hierdie artikel, beteken—

„voorsorgfonds vir tegniese kolleges” die Voorsorgfonds vir Tegniese Kolleges ingestel ingevolge die regulasies uitgevaardig kragtens paragraaf (g) van sub-artikel (1) van artikel *negentien* van die „Hoger Onderwys Wet, 1923” (Wet No. 30 van 1923), en beteken „voorsorgfonds en pensioenskema vir tegniese kolleges” die Voorsorgfonds en Pensioenskema vir Tegniese Kolleges ingevolge bedoelde regulasies ingestel;

„voorsorgfonds vir universiteitsinrigtings” die Voorsorgfonds vir Universiteitsinrigtings ingestel ingevolge die regulasies uitgevaardig kragtens paragraaf (g) van sub-artikel (1) van artikel *twaalf* van die „Wet tot Additionele Regeling van het Hoger Onderwys, 1917” (Wet No. 20 van 1917), en beteken „voorsorgfonds en pensioenskema vir universiteitsinrigtings” die Voorsorgfonds en Pensioenskema vir Universiteitsinrigtings ingevolge bedoelde regulasies ingestel.

5. Behoudens die bepalings van hierdie Wet, word die ononderbroke voltydse diens by die kollegeraad van iemand in sub-artikel (1) van artikel *drie* bedoel, onmiddellik voor die bepaalde datum, vir verlofdoeleindes geag diens in 'n pos bedoel in artikel *vier-en-twintig* te wees: Met dien verstande dat, onderworpe aan die voorwaardes wat die Minister bepaal, siekte- en oplopende vakansieverlof wat so iemand op daardie datum toekom, geag word verlof te wees wat ingevolge hierdie Wet toegeval het.

Sekere ononderbroke voltydse diens vir sekere doeleindes erken as diens ingevolge die bepalings van hierdie Wet.

6. Die universiteitskollege bestaan uit—

- (a) 'n raad;
- (b) 'n adviserende raad;
- (c) 'n senaat;
- (d) 'n adviserende senaat;
- (e) die ander liggame wat die Minister na oorlegpleging met die raad van tyd tot tyd instel;

Samestelling van die universiteitskollege.

(f) a rector; and

(g) the professors, lecturers and students of the university college.

Council.

7. (1) The council shall consist of—

(a) the rector *ex officio*; and

(b) not less than eight members to be appointed by the Governor-General, at least four of whom shall be appointed on the ground of their special knowledge of or connection with university affairs.

(2) The members of the council shall hold office for the period prescribed and shall be eligible for re-appointment.

(3) The Governor-General shall designate one of the members of the council as chairman who shall hold office as such for the period prescribed: Provided that if the chairman is not present at any meeting of the council the members present at such meeting shall elect one of their number to preside at such meeting.

(4) The powers, duties, functions and procedure at meetings of the council and the allowances of members shall be as prescribed: Provided that any allowance payable to any member who is in the whole-time employment of the State shall be in accordance with the laws governing the conditions of his employment.

(5) If any member of the council dies or for any reason vacates office before the expiry of his period of office, the Governor-General shall appoint another person in his place, and any person so appointed shall hold office as a member of the council for the unexpired portion of the period of office of the member who has died or vacated office.

(6) The council may in consultation with the Minister establish committees of the council, and the constitution, powers, functions and duties of such committees shall be as prescribed after consultation with the council.

Corporate status of council.

8. The council shall be a body corporate with perpetual succession, capable of suing and being sued in its own name and of performing all such acts as are necessary for or incidental to the carrying out or the performance of the powers, duties and functions conferred or imposed upon or entrusted to it by or under this Act or which may in terms of this Act from time to time be delegated to it by the Minister.

Advisory council.

9. (1) The advisory council shall consist of not less than eight members to be appointed by the Governor-General.

(2) The Governor-General shall designate one of the members of the advisory council as chairman.

(3) The chairman of the council may, and the rector or his representative shall attend meetings of the advisory council as advisers but shall not be entitled to vote.

(4) The term of office and allowances of members and of the chairman and the powers, duties, functions and procedure at meetings of the advisory council shall be as prescribed after consultation with the council: Provided that any allowance payable to any member who is in the whole-time employment of the State shall be in accordance with the laws governing the conditions of his employment.

Senate.

10. (1) The senate shall consist of—

(a) the rector who shall be *ex officio* chairman; and

(b) such professors and lecturers of the university college as the Minister, after consultation with the council, may from time to time designate for the purpose.

(2) The superintendence and regulation of the discipline and instruction of the several departments, lectures and classes of the university college shall be vested in the senate in accordance with the manner prescribed on the recommendation of the council.

(3) The senate shall from time to time submit to the council—

(a) reports upon its work;

(b) such recommendations as may seem expedient to the senate as to any matters of importance affecting the university college; and

(c) recommendations on any matters referred to it by the council.

(4) Subject to the provisions of this Act, the functions of the senate shall include the organization and control of examinations instituted in terms of section *twenty-three*.

(5) The senate may, with the consent of the council, delegate to the advisory senate any of the functions entrusted to it by sub-sections (2), (3) and (4).

(6) Subject to the provisions of sub-sections (2), (3) and (4)

- (f) 'n rektor; en
- (g) die professore, lektore en studente van die universiteitskollege.

7. (1) Die raad bestaan uit—

Raad.

- (a) die rektor *ex officio*; en
 - (b) minstens agt lede wat deur die Goewerneur-generaal aangestel word, van wie minstens vier aangestel word op grond van hul spesiale kennis van of verband met universiteitsaangeleenthede.
- (2) Die lede van die raad beklee hul amp vir die tydperk wat voorgeskryf word en hulle kan weer aangestel word.
- (3) Die Goewerneur-generaal wys een van die lede van die raad aan as voorsitter, wat daardie amp vir die voorgeskrewe tydperk beklee: Met dien verstande dat indien die voorsitter van enige raadsvergadering afwesig is, die aldaar aanwesige lede een uit hul midde moet kies om by daardie vergadering voor te sit.
- (4) Die bevoegdhede, pligte, werksaamhede en prosedure by vergaderings van die raad en die toelaes van lede is soos voorgeskryf: Met dien verstande dat enige toelae betaalbaar aan 'n lid wat in die voltydse diens van die Staat is, ooreenkomstig die wetsbepalings wat sy diensvoorwaardes reël, moet wees.
- (5) Indien 'n lid van die raad te sterwe kom of om enige rede sy amp ontruim voor die verstryking van sy ampstermyn, stel die Goewerneur-generaal 'n ander persoon in sy plek aan en 'n aldus aangestelde persoon beklee sy amp as lid van die raad vir die onverstreke deel van die ampstermyn van die lid wat gesterf of sy amp ontruim het.
- (6) Die raad kan, in oorleg met die Minister, komitees van die raad instel, en die samestelling, bevoegdhede, werksaamhede en pligte van sodanige komitees is soos na oorlegpleging met die raad voorgeskryf.

8. Die raad is 'n regspersoon met ewigdurende regsopvolging en kan in sy eie naam as eiser en as verweerder in regte optree en alle handeling verrig wat nodig is vir die uitvoering of verrigting van die bevoegdhede, pligte en werksaamhede wat deur of kragtens hierdie Wet aan hom verleen of opgelê of toevertrou word of wat daarmee in verband staan of wat ingevolge hierdie Wet van tyd tot tyd deur die Minister aan hom gedelegeer word.

Regspersoonlikheid van raad.

9. (1) Die adviserende raad bestaan uit minstens agt lede wat deur die Goewerneur-generaal aangestel word.

Adviserende raad.

- (2) Die Goewerneur-generaal wys een van die lede van die adviserende raad aan as voorsitter.
- (3) Die voorsitter van die raad kan, en die rektor of sy verteenwoordiger moet vergaderings van die adviserende raad as raadgewers bywoon, maar is nie geregtig om te stem nie.
- (4) Die ampstermyn en toelaes van lede en van die voorsitter en die bevoegdhede, pligte, werksaamhede en prosedure by vergaderings van die adviserende raad is soos na oorlegpleging met die raad voorgeskryf: Met dien verstande dat enige toelae betaalbaar aan 'n lid wat in die voltydse diens van die Staat is, ooreenkomstig die wetsbepalings wat sy diensvoorwaardes reël, moet wees.

10. (1) Die senaat bestaan uit—

Senaat.

- (a) die rektor wat *ex officio* voorsitter is; en
 - (b) die professore en lektore van die universiteitskollege wat die Minister na oorlegpleging met die raad van tyd tot tyd vir dié doel aanwys.
- (2) Die toesig oor en reëling van die tug en onderrig in die onderskeie departemente, voorlesings en klasse van die universiteitskollege berus by die senaat ooreenkomstig die wyse op aanbeveling van die raad voorgeskryf.
- (3) Die senaat lê van tyd tot tyd aan die raad voor—
- (a) verslae omtrent sy werksaamhede;
 - (b) aanbevelings wat die senaat dienstig ag omtrent aangeleenthede van belang wat die universiteitskollege raak; en
 - (c) aanbevelings omtrent sake wat die raad na hom verwys.
- (4) Behoudens die bepalinge van hierdie Wet, sluit die werksaamhede van die senaat in die organisasie van en beheer oor die eksamens wat ingevolge artikel drie-en-twintig ingestel word.
- (5) Die senaat kan met toestemming van die raad enige van die werksaamhede wat by sub-artikels (2), (3) en (4) aan hom opgedra word aan die adviserende senaat deleger.
- (6) Behoudens die bepalinge van sub-artikels (2), (3) en (4)

the term of office of members, powers, duties, functions and procedure at meetings of the senate shall be as prescribed after consultation with the council.

Advisory senate.

11. (1) The advisory senate shall consist of such professors and lecturers of the university college as the Minister, after consultation with the council, may from time to time designate for the purpose.

(2) The rector shall designate, after consultation with the council, one of the members of the advisory senate as chairman.

(3) The rector shall attend the meetings of the advisory senate as an adviser but shall not have the right to vote, and whenever the rector is unable to attend any meeting of the advisory senate, he shall depute another member of the senate to attend that meeting in his stead.

(4) Subject to the provisions of sub-section (5) of section *ten*, the term of office of the chairman and members and the powers, duties, functions and procedure at meetings of the advisory senate shall be as prescribed after consultation with the council.

Appointment of rector.

12. The rector shall be appointed by the Minister and his powers, privileges, duties and functions shall be as prescribed.

Acquisition and control of stores and equipment by council.

13. (1) The council may in such manner and on such conditions as may be determined by the Minister, acquire for the use of the university college such stores and equipment as may be so determined.

(2) The control to be exercised over such stores and equipment by the council shall be as determined by the Minister.

Faculties and departments.

14. There may be established at the university college such faculties and departments as may from time to time be prescribed after consultation with the council.

Registration as a student.

15. (1) No person shall be registered as a matriculated student at the university college unless—

(a) he has obtained the matriculation certificate issued by the Matriculation Board established under sub-section (1) of section *fifteen* of the Universities Act, 1955 (Act No. 61 of 1955), or has in the opinion of the Matriculation Board satisfied the conditions of exemption from the matriculation examination and has obtained a certificate to that effect: Provided that the Minister may on the recommendation of the council, in addition prescribe as a prerequisite to admission to any particular course at the university college, the attaining of a specified standard in specified subjects at the matriculation examination or at an examination recognized for the purpose by the Matriculation Board; or

(b) he is a graduate of a university or has been admitted by a university to the status of graduate; and

(c) he has complied with such other conditions as may be prescribed.

(2) Every person registered as a student of the university college shall renew his registration annually so long as he continues to be a student thereof and shall in respect of such renewal comply with such conditions as may be prescribed.

(3) A student of the university college who fails to satisfy the minimum requirements of study may be refused permission by the council to renew his registration as a student of the university college.

(4) The Minister may, after consultation with the council, in his discretion limit the number of students who may be permitted to register for any course.

(5) The Minister may limit the admission of Bantu persons to the university college, to persons of one or more groups as he may determine, but may in any particular case grant permission to any Bantu person of any other group to attend the university college.

Refusal of admission as student.

16. The Minister may refuse admittance to any person who applies for admission as a student of the university college if he considers it to be in the interests of the university college to do so.

Discipline.

17. A student of the university college shall be subject to such disciplinary provisions as may be prescribed after consultation with the council.

is die ampstermyn van lede, bevoegdheid, pligte, werksaamhede en prosedure by vergaderings van die senaat soos na oorlegpleging met die raad voorgeskryf.

11. (1) Die adviserende senaat bestaan uit die professore en lektore van die universiteitskollege wat die Minister na oorlegpleging met die raad van tyd tot tyd vir dié doel aanwys. Adviserende senaat.

(2) Die rektor wys na oorlegpleging met die raad een van die lede van die adviserende senaat aan as voorsitter.

(3) Die rektor moet die vergaderings van die adviserende senaat as raadgewer bywoon, maar is nie geregtig om te stem nie, en wanneer die rektor 'n vergadering van die adviserende senaat nie kan bywoon nie, moet hy 'n ander lid van die senaat aanwys om daardie vergadering in sy plek by te woon.

(4) Behoudens die bepalinge van sub-artikel (5) van artikel tien, is die ampstermyn van die voorsitter en lede en die bevoegdheid, pligte, werksaamhede en prosedure by vergaderings van die adviserende senaat soos na oorlegpleging met die raad voorgeskryf.

12. Die rektor word deur die Minister aangestel en sy bevoegdheid, voorregte, pligte en werksaamhede is soos voorgeskryf. Aanstelling van rektor.

13. (1) Die raad kan op die wyse en op die voorwaardes deur die Minister bepaal, sodanige voorrade en uitrusting vir die gebruik van die universiteitskollege verkry as wat insgelyks bepaal word. Verkryging en beheer van voorrade en uitrusting deur raad.

(2) Die beheer wat oor bedoelde voorrade en uitrusting deur die raad uitgeoefen moet word, is soos die Minister bepaal.

14. Daar kan aan die universiteitskollege sodanige fakulteite en departemente ingestel word as wat van tyd tot tyd na oorlegpleging met die raad voorgeskryf word. Fakulteite en departemente.

15. (1) Niemand mag as 'n gematrikuleerde student aan die universiteitskollege ingeskryf word nie, tensy— Inskrywing as student.

(a) hy die matrikulasiesertifikaat uitgereik deur die Matrikulasieraad ingestel kragtens sub-artikel (1) van artikel vyftien van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), verwerf het, of na die oordeel van die Matrikulasieraad aan die voorwaardes van vrystelling van die matrikulasie-eksamen voldoen het en 'n sertifikaat te dien effekte verkry het: Met dien verstande dat die Minister op aanbeveling van die raad daarbenewens die behaling van 'n vermelde standaard in vermelde vakke by die matrikulasie-eksamen of by 'n eksamen wat deur die Matrikulasieraad vir dié doel erken word, as 'n voorvereiste vir toelating tot enige besondere kursus aan die universiteitskollege kan voorskryf; of

(b) hy 'n gegradueerde van 'n universiteit is of tot die status van 'n gegradueerde deur 'n universiteit toegelaat is; en

(c) hy voldoen het aan die ander voorwaardes wat voorgeskryf word.

(2) Elke persoon wat as 'n student van die universiteitskollege ingeskryf word, moet solank hy 'n student daarvan bly, sy inskrywing jaarliks hernieu en moet ten opsigte van sodanige hernuwing aan die voorgeskrewe voorwaardes voldoen.

(3) Toestemming om sy inskrywing as student van die universiteitskollege te hernieu, kan deur die raad geweier word aan 'n student van die universiteitskollege wat nie aan die minimum studievereistes voldoen nie.

(4) Die Minister kan na oorlegpleging met die raad, die aantal studente wat toegelaat kan word om vir 'n kursus in te skryf, na goeddunke beperk.

(5) Die Minister kan die toelating van Bantoe-persone tot die universiteitskollege beperk tot persone van een of meer groepe soos hy bepaal, maar kan in 'n bepaalde geval aan 'n Bantoe-persoon van enige ander groep toestemming verleen om die universiteitskollege by te woon.

16. Die Minister kan die toelating van enige persoon wat aansoek doen om toelating as student van die universiteitskollege weier indien hy dit in die belang van die universiteitskollege beskou om dit te doen. Weiering van toelating as student.

17. 'n Student van die universiteitskollege is onderworpe aan sodanige tugbepalinge as wat na oorlegpleging met die raad voorgeskryf word. Tug.

Places of residence and instruction for students.

18. (1) The council may require a student to reside for the periods during which the university college is in session, at a place of residence approved for the purpose by it.

(2) The council may determine at which place under the control of the university college a student shall attend for the purpose of receiving instruction.

Prohibition on admission of white persons.

19. No white person shall register with or attend the university college as a student.

Financial and other assistance to Bantu students.

20. (1) The Minister may out of moneys appropriated by Parliament out of the Bantu Education Account for the purpose, and subject to such conditions as may be prescribed in consultation with the Minister of Finance, grant to any Bantu student such financial or other material assistance as he may determine.

(2) Any moneys recovered in respect of a loan or bursary granted to a Bantu student under sub-section (1) shall be paid into the Bantu Education Account.

Examinations.

21. (1) Until Parliament otherwise provides by law, the examinations of the university college for degrees, diplomas and certificates shall be the examinations of the University of South Africa.

(2) Notwithstanding anything to the contrary in any law contained, any person who is registered as a student of the university college on the specified date or who was so registered for the academic year which immediately preceded that date, may be prepared at the university college for the examinations of the Rhodes University for which he is or was so registered.

Degrees, diplomas and certificates.

22. The degrees, diplomas and certificates for which students at the university college may be prepared shall, until Parliament otherwise provides by law, be those of the University of South Africa: Provided that any person who is registered as a student of the university college on the specified date or who was so registered for the academic year which preceded the said date, may be prepared at the university college for the degree, diploma or certificate of the Rhodes University for which he is or was so registered, and the Rhodes University is hereby empowered until a date to be determined by the Minister in consultation with that university, to confer any such degree, diploma or certificate upon any such person as if this Act had not been passed.

Award of diplomas and certificates by university college.

23. Notwithstanding the provisions of sections *twenty-one* and *twenty-two*, the university college may, with the approval of the Minister—

- (a) determine the curricula;
- (b) prepare students for examinations;
- (c) conduct examinations; and
- (d) institute and award diplomas and certificates,

in any prescribed subject or course of instruction and training in which the University of South Africa does not issue diplomas or certificates.

Determination of establishment.

24. The establishment at the university college shall be determined by the Minister and the posts thereat shall be classified as—

- (a) posts for the teaching staff;
- (b) posts for the administrative and clerical staff; and
- (c) such other posts as the Minister may deem necessary.

Classification of posts.

25. The Minister may after consultation with the council designate any post on the establishment of the university college as a council post, and every post on such establishment which has not been so designated shall be a State post: Provided that the Minister may at any time after consultation with the council convert a State post into a council post or a council post into a State post, subject, in the case of a post for the time being occupied by any person, to the concurrence of the incumbent thereof.

Appointment of staff.

26. (1) The power to appoint, promote or discharge any person employed at the university college in a State post shall be vested in the Minister who may delegate any or all of the said powers in respect of any State post classified under paragraph (b) or (c) of section *twenty-four* to the Secretary: Provided that the appointment, promotion or discharge of any person employed in a State post classified under paragraph (a) of section *twenty-four* shall take place only after consultation with the council: Provided further that in respect

18. (1) Die raad kan vereis dat 'n student gedurende die tydperke wanneer die universiteitskollege aan die gang is by 'n verblyfplek inwoon wat vir die doel deur die raad goedgekeur is.

Verblyfplekke en plekke waar studente onderrig ontvang.

(2) Die raad kan die plek onder beheer van die universiteitskollege bepaal waar 'n student onderrig moet ontvang.

19. Geen blanke mag hom by die universiteitskollege as student laat inskryf of dit as student bywoon nie.

Verbod op toelating van blankes.

20. (1) Die Minister kan uit gelde wat die Parlement uit die Bantoe-onderwysrekening vir dié doel bewillig, en onderworpe aan die voorwaardes wat in oorleg met die Minister van Finansies voorgeskryf word, aan enige Bantoe-student die geldelike of ander materiële hulp verleen wat hy bepaal.

Finansiële en ander bystand aan Bantoe-studente.

(2) Gelde wat ingevorder word ten opsigte van 'n lening of beurs kragtens sub-artikel (1) aan 'n Bantoe-student toegestaan word in die Bantoe-onderwysrekening inbetaal.

21. (1) Totdat die Parlement anders by wet bepaal, is die eksamens van die universiteitskollege vir grade, diplomas en sertifikate, die eksamens van die Universiteit van Suid-Afrika.

Eksamens.

(2) Ondanks andersluidende wetsbepalings, kan iemand wat op die bepaalde datum as student van die universiteitskollege ingeskryf is of wat aldus ingeskryf was vir die akademiese jaar wat daardie datum onmiddellik voorafgegaan het, aan die universiteitskollege voorberei word vir die eksamens van die Rhodes-universiteit waarvoor hy aldus ingeskryf is of was.

22. Totdat die Parlement anders by wet bepaal, is die grade, diplomas en sertifikate waarvoor studente aan die universiteitskollege voorberei kan word, dié van die Universiteit van Suid-Afrika: Met dien verstande dat iemand wat op die bepaalde datum as 'n student van die universiteitskollege ingeskryf is of wat vir die akademiese jaar wat bedoelde datum voorafgegaan het aldus ingeskryf was, aan die universiteitskollege voorberei kan word vir die graad, diploma of sertifikaat van die Rhodes-universiteit waarvoor hy aldus ingeskryf is of was, en die Rhodes-universiteit word, tot 'n datum wat die Minister in oorleg met daardie universiteit bepaal, hierby gemagtig om so 'n graad, diploma of sertifikaat aan so iemand toe te ken asof hierdie Wet nie aangeneem was nie.

Grade, diplomas en sertifikate.

23. Ondanks die bepalinge van artikels *een-en-twintig* en *twee-en-twintig* kan die universiteitskollege met goedkeuring van die Minister—

Toekenning van diplomas en sertifikate deur die universiteitskollege.

- (a) die leerplanne bepaal;
- (b) studente voorberei vir eksamens;
- (c) eksamens afneem; en
- (d) diplomas en sertifikate instel en toeken,

in enige voorgeskrewe vak of kursus van onderrig en opleiding waarin die Universiteit van Suid-Afrika nie diplomas of sertifikate uitreik nie.

24. Die diensstaat by die universiteitskollege word deur die Minister bepaal en die poste aldaar word ingedeel as—

Bepaling van diensstaat.

- (a) poste vir die doserende personeel;
- (b) poste vir die administratiewe en klerklike personeel; en
- (c) die ander poste wat die Minister nodig ag.

25. Die Minister kan na oorlegpleging met die raad enige pos op die diensstaat van die universiteitskollege as 'n raadspos aanwys, en enige pos op daardie diensstaat wat nie aldus aangewys is nie, is 'n Staatspos: Met dien verstande dat die Minister te eniger tyd na oorlegpleging met die raad 'n Staatspos in 'n raadspos of 'n raadspos in 'n Staatspos kan omskep, onderworpe, in die geval van 'n pos wat dan deur iemand geokkupeer word, aan die instemming van die persoon wat dit beklee.

Indeling van poste.

26. (1) Die bevoegdheid om 'n persoon wat by die universiteitskollege in 'n Staatspos in diens geneem word of is, aan te stel, te bevorder, of te ontslaan, berus by die Minister, wat enige van of al die bedoelde bevoegdhede ten opsigte van 'n Staatspos wat onder paragraaf (b) of (c) van artikel *vier-en-twintig* ingedeel is, aan die Sekretaris kan delegeer: Met dien verstande dat die aanstelling, bevordering of ontslag van 'n persoon wat in diens geneem word of is in 'n Staatspos wat onder paragraaf (a) van artikel *vier-en-twintig* ingedeel is, alleen na oorlegpleging met die raad geskied: Met dien verstande voorts dat met betrekking tot enige Staatspos wat onder

Aanstelling van personeel.

of any State post classified under paragraph (b) or (c) of section *twenty-four*, and designated by the Minister any such appointment, promotion or discharge may be effected by an officer of his Department deputed thereto, either generally or specially in a particular case, by the Minister.

(2) The power to appoint, promote or discharge any person employed at the university college in a council post shall be vested in the council: Provided that every appointment, promotion or discharge by the council shall be subject to the approval of the Minister.

Conditions of service.

27. The conditions of service and leave and other privileges of all persons appointed permanently or temporarily to State posts shall be as prescribed and their scales of salary and allowances shall be as determined by the Minister after consultation with the Public Service Commission, and the conditions of service, salary, scales of salary, allowances and leave and other privileges of persons appointed to council posts shall be as determined by the council with the approval of the Minister.

Pension rights and retirement benefits.

28. (1) Any person appointed permanently to a State post shall in respect of pension rights and retirement benefits be dealt with as if he were appointed to a post classified in a division of the public service referred to in sub-paragraph (i) of paragraph (a) of sub-section (1) of section *three* of the Public Service Act, 1957 (Act No. 54 of 1957).

(2) Subject to the provisions of section *four*, any person occupying a council post who is employed full time and whose appointment has been approved by the Minister for the purpose shall become a member of and contribute to the provident fund and pension scheme established under any law for members of the staffs of universities, in the same manner and subject to the same conditions as if he were a member of the teaching or administrative staff of a university as defined in section *one* of the Universities Act, 1955 (Act No. 61 of 1955), and the university college shall for all purposes of the said provident fund and pension scheme be regarded as a university as so defined.

(3) The council shall for all purposes of the said provident fund and pension scheme be deemed to be a council as defined in section *one* of the Universities Act, 1955 (Act No. 61 of 1955).

(4) Notwithstanding anything contained in the regulations governing the provident fund and pension scheme referred to in sub-section (2), any amount which would in terms of such regulations have been payable by the council or from the Consolidated Revenue Fund in respect of the incumbent of a council post at the university college shall be paid from the Bantu Education Account.

(5) Notwithstanding the provisions of sub-sections (1) and (2), the incumbent of a post which has been converted in terms of section *twenty-five* shall in respect of pension rights and retirement benefits be dealt with as if that post had not been so converted.

Transfer of certain persons employed at university college.

29. Every person employed in a State post may be transferred from such post to any other State post at the university college or at any other university college established for non-white persons, whether or not such transfer is to a State post of a lower grade, but no such person shall suffer any reduction in his pensionable emoluments without his consent, unless the transfer is in consequence of a degradation imposed under the Public Service Act, 1957, as applied by sub-section (1) of section *thirty-one*, and any such person who has been transferred to a State post of a lower grade without reduction of pensionable emoluments shall be transferred to a State post of the grade to which his salary is appropriate as soon as a suitable vacancy occurs.

Discharge of persons permanently appointed.

30. (1) Any person appointed permanently to a State post may subject to the provisions of the first proviso to sub-section (1) of section *twenty-six* be discharged by the Minister—

- (a) on account of attaining the pensionable age;
- (b) in the case of a female member of the staff, on account of her marriage;
- (c) on account of continued ill-health;
- (d) owing to the abolition of his post or to any reduction in or re-organization or re-adjustment of the staff of the university college;
- (e) if in the opinion of the Minister his discharge will facilitate improvements in the organization of the university college by which greater efficiency or economy will be effected; or

paragraaf (b) of (c) van artikel *vier-en-twintig* ingedeel is en wat deur die Minister aangewys word, so 'n aanstelling, bevordering of ontslag bewerkstellig kan word deur 'n beampte van sy Departement wat of in die algemeen of spesiaal in 'n besondere geval deur die Minister daartoe gemagtig is.

(2) Die bevoegdheid om 'n persoon wat by die universiteitskollege in 'n raadspos in diens geneem word of is, aan te stel, te bevorder of te ontslaan, berus by die raad: Met dien verstande dat elke aanstelling, bevordering of ontslag deur die raad aan die Minister se goedkeuring onderworpe is.

27. Die diensvoorwaardes en verlof- en ander voorregte van persone wat vas of tydelik in Staatsposte aangestel is of word, is soos voorgeskryf, en hul salarisskale en toelaes is soos deur die Minister na oorlegpleging met die Staatsdienskommissie bepaal, en die diensvoorwaardes, salaris, salarisskale, toelaes en verlof- en ander voorregte van persone wat in raadsposte aangestel is of word, is soos deur die raad met die goedkeuring van die Minister bepaal.

Diensvoorwaardes.

28. (1) Iemand wat in 'n Staatspos vas aangestel is, word ten opsigte van pensioenregte en uitdienstredingsvoordele behandel asof hy aangestel is in 'n pos wat by 'n in sub-paragraaf (i) van paragraaf (a) van sub-artikel (1) van artikel *drie* van die Staatsdienswet, 1957 (Wet No. 54 van 1957), bedoelde afdeling van die Staatsdiens ingedeel is.

Pensioenregte en uitdienstredingsvoordele.

(2) Iemand wat 'n raadspos voltyds beklee en wie se aanstelling vir dié doel deur die Minister goedgekeur is, word, behoudens die bepalinge van artikel *vier*, lid van en dra by tot die voorsorgfonds en pensioenskema kragtens een of ander wet ingestel vir lede van die personeel van universiteite, op dieselfde wyse en onderworpe aan dieselfde voorwaardes asof hy lid is van die doserende of administratiewe personeel van 'n universiteit soos in artikel *een* van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), omskryf, en die universiteitskollege word vir alle doeleindes van bedoelde voorsorgfonds en pensioenskema beskou as 'n universiteit soos aldus omskryf.

(3) Die raad word vir alle doeleindes van bedoelde voorsorgfonds en pensioenskema geag 'n raad te wees soos omskryf in artikel *een* van die Wet op Universiteite, 1955 (Wet No. 61 van 1955).

(4) Ondanks andersluidende bepalinge in die regulasies vervat wat die in sub-artikel (2) bedoelde voorsorgfonds en pensioenskema reël, word enige bedrag wat ingevolge daardie regulasies deur die raad of uit die Gekonsolideerde Inkomste-fonds betaalbaar sou gewees het ten opsigte van die bekleër van 'n raadspos aan die universiteitskollege uit die Bantoe-onderwysrekening betaal.

(5) Ondanks die bepalinge van sub-artikels (1) en (2), word met die bekleër van 'n pos wat kragtens artikel *vyf-en-twintig* omgeskep is, ten opsigte van pensioenregte en uitdienstredingsvoordele gehandel asof daardie pos nie aldus omgeskep was nie.

29. Elke persoon wat in 'n Staatspos diens doen, kan van daardie pos oorgeplaas word na enige ander Staatspos by die universiteitskollege of by enige ander universiteitskollege ingestel vir nie-blanke persone, hetsy die oorplasing na 'n Staatspos van 'n laer graad is al dan nie; maar so iemand se pensioengewende verdienste word nie sonder sy toestemming verminder nie, tensy die oorplasing geskied as gevolg van 'n degradering wat kragtens die Staatsdienswet, 1957, soos by sub-artikel (1) van artikel *een-en-dertig* toegepas, opgelê word, en so iemand wat sonder vermindering van pensioengewende verdienste na 'n Staatspos van 'n laer graad oorgeplaas is, moet na 'n Staatspos van dié graad wat by sy salaris pas, oorgeplaas word sodra 'n geskikte vakature ontstaan.

Oorplasing van sekere persone by universiteitskollege in diens.

30. (1) Iemand wat in 'n Staatspos vas aangestel is, kan behoudens die bepalinge van die eerste voorbehoudbepaling by sub-artikel (1) van artikel *ses-en-twintig* deur die Minister ontslaan word—

Ontslag van persone wat vas aangestel is.

- (a) weens bereiking van die pensioenleeftyd;
- (b) in die geval van 'n vroulike lid van die personeel, weens haar huwelik;
- (c) weens aanhoudende swak gesondheid;
- (d) weens die afskaffing van sy pos of enige vermindering in of herorganisasie of heraanpassing van die personeel van die universiteitskollege;
- (e) indien sy ontslag na die oordeel van die Minister verbeterings in die organisasie van die universiteitskollege sal vergemaklik waardeur groter doeltreffendheid of besparing bewerkstellig sal word; of

(f) under the provisions of the Public Service Act, 1957, as applied by sub-section (1) of section *thirty-one*.

(2) Any person appointed permanently to a council post may be discharged by the council, with the approval of the Minister—

- (a) on account of attaining the pensionable age;
- (b) in the case of a female member of the staff, on account of her marriage; or
- (c) in terms of the conditions of service governing his appointment.

(3) For the purposes of this section, "pensionable age" means—

- (a) in the case of a member of the Pension Fund, the pensionable age as defined in section *twenty-one* of the Pensions Act;
- (b) in the case of a member of the provident fund and pension scheme established under the regulations made in terms of section *nineteen* of the Higher Education Act, 1923 (Act No. 30 of 1923), the age at which the superannuation date as defined in those regulations is attained; and
- (c) in the case of a member of the provident fund and pension scheme provided for in the regulations made under section *nineteen* of the Universities Act, 1955 (Act No. 61 of 1955), or in force in terms of section *twenty-nine* of that Act, the age at which the superannuation date as defined in those regulations is attained.

(4) Notwithstanding anything to the contrary contained in the preceding sub-sections of this section or in section *twenty-six* of the Pensions Act, but subject to the provisions of sub-section (5) of this section and sub-section (4) of section *twenty-six* of the Pensions Act, any person who immediately prior to the twenty-fourth day of June 1955, was a member of a scheme referred to in paragraph (b) or (c) of sub-section (3) and who elects in terms of sub-section (2) of section *four* to become a member of the Pension Fund, shall have the right to retire on pension and shall be so retired—

- (a) on attaining the age of sixty-one years if he was born before the first day of January, 1900;
- (b) on attaining the age of sixty-three years, if he was born on or after the first day of January, 1900, but before the first day of January, 1903;
- (c) on attaining the age of sixty-five years if he was born on or after the first day of January, 1903,

and such age shall for the purposes of Part C of Chapter I of the Pensions Act be deemed to be his pensionable age.

(5) A person to whom sub-section (4) applies shall have the right at any time before or after attaining in the case of a male the age of sixty years or in the case of a female the age of fifty-five years, to give written notification to the Secretary of his wish to be retired on pension, and if he gives such notification he shall—

- (a) if such notification is given at least three months prior to the date on which he attains the said age, be so retired on attaining that age; or
- (b) if such notification is not given at least three months prior to the date on which he attains the said age, be so retired on the first day of the fourth month following the month in which such notification is received.

(6) Any person who retires or is retired in terms of sub-section (4) or (5) shall for the purposes of paragraph (a) of sub-section (1) of section *twenty-seven* and sub-section (1) of section *twenty-eight* of the Pensions Act be deemed to retire or to be retired in terms of section *twenty-six* of that Act, and any reference in the Pensions Act to sub-section (3) of section *twenty-six* of that Act shall be deemed to include a reference to sub-section (5) of this section.

Misconduct and
inefficient
employees.

31. (1) The provisions of the Public Service Act, 1957 (Act No. 54 of 1957), relating to misconduct and inefficient officers shall *mutatis mutandis* apply in respect of every person appointed permanently to a State post as if he were an officer in the public service.

(2) In respect of every person appointed permanently to a council post, the procedure to be adopted in the case of a staff member who is alleged to be inefficient or whose con-

- (f) ingevolge die bepalings van die Staatsdienswet, 1957, soos by sub-artikel (1) van artikel *een-en-dertig* toegepas.
- (2) Iemand wat in 'n raadspas vas aangestel is, kan deur die raad met goedkeuring van die Minister ontslaan word—
- (a) weens bereiking van die pensioenleeftyd;
 - (b) in die geval van 'n vroulike lid van die personeel, weens haar huwelik; of
 - (c) ingevolge die diensvoorwaardes wat sy aanstelling reël.
- (3) By die toepassing van hierdie artikel beteken „pensioenleeftyd”—
- (a) in die geval van 'n lid van die Pensioenfonds, die pensioenleeftyd soos in artikel *een-en-twintig* van die Pensioenwet omskryf;
 - (b) in die geval van 'n lid van die voorsorgfonds en pensioenskema ingestel ingevolge die regulasies uitgevaardig kragtens artikel *negentien* van die „Hoger Onderwijs Wet, 1923” (Wet No. 30 van 1923), die leeftyd waarop die pensioendatum, soos in daardie regulasies omskryf, bereik word; en
 - (c) in die geval van 'n lid van die voorsorgfonds en pensioenskema waarvoor voorsiening gemaak word in die regulasies wat kragtens artikel *negentien* van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), uitgevaardig of ooreenkomstig artikel *nege-en-twintig* van daardie Wet van krag is, die leeftyd waarop die pensioendatum soos in daardie regulasies omskryf, bereik word.
- (4) Ondanks andersluidende bepalings van die voorafgaande sub-artikels van hierdie artikel of van artikel *ses-en-twintig* van die Pensioenwet, maar behoudens die bepalings van sub-artikel (5) van hierdie artikel en sub-artikel (4) van artikel *ses-en-twintig* van die Pensioenwet, het enige persoon wat onmiddellik voor die vier-en-twintigste dag van Junie 1955 'n lid was van 'n skema in paragraaf (b) of (c) van sub-artikel (3) bedoel en wat kragtens die bepalings van sub-artikel (2) van artikel *vier* kies om lid te word van die Pensioenfonds, die reg om met pensioen af te tree en word hy afgedank met pensioen—
- (a) by bereiking van die ouderdom van een-en-sestig jaar as hy voor die eerste dag van Januarie 1900 gebore is;
 - (b) by bereiking van die ouderdom van drie-en-sestig jaar, as hy op of na die eerste dag van Januarie 1900 maar voor die eerste dag van Januarie 1903 gebore is;
 - (c) by bereiking van die ouderdom van vyf-en-sestig jaar, as hy op of na die eerste dag van Januarie 1903 gebore is,
- en bedoelde ouderdom word by die toepassing van Deel C van Hoofstuk I van die Pensioenwet geag sy pensioenleeftyd te wees.
- (5) 'n Persoon op wie sub-artikel (4) van toepassing is, het die reg om te eniger tyd voor of na bereiking van die ouderdom van sestig jaar in die geval van manlikes of die ouderdom van vyf-en-vyftig jaar in die geval van vroulikes, die Sekretaris skriftelik kennis te gee van sy begeerte om met pensioen af te tree, en indien hy aldus kennis gee moet hy—
- (a) indien kennis aldus gegee word ten minste drie maande voor die datum waarop hy die genoemde ouderdom bereik, by bereiking van daardie ouderdom met pensioen afgedank word; of
 - (b) indien nie ten minste drie maande voor die datum waarop hy die genoemde ouderdom bereik, aldus kennis gegee word nie, aldus afgedank word op die eerste dag van die vierde maand na die maand waarin die kennisgewing ontvang word.
- (6) Enige persoon wat kragtens die bepalings van sub-artikel (4) of (5) aftree of afgedank word, word by die toepassing van paragraaf (a) van sub-artikel (1) van artikel *sewe-en-twintig* en sub-artikel (1) van artikel *agt-en-twintig* van die Pensioenwet geag af te tree of afgedank te wees ingevolge artikel *ses-en-twintig* van daardie Wet, en enige verwysing in die Pensioenwet na sub-artikel (3) van artikel *ses-en-twintig* van daardie Wet word geag 'n verwysing na sub-artikel (5) van hierdie artikel in te sluit.

31. (1) Die bepalings van die Staatsdienswet, 1957 (Wet No. 54 van 1957), met betrekking tot wangedrag en onbekwame beamptes is *mutatis mutandis* van toepassing ten opsigte van elke persoon wat vas in 'n Staatspos aangestel is asof hy 'n beampte in die Staatsdiens is. Wangedrag en onbekwame personeel.

(2) Ten opsigte van elke persoon wat vas in 'n raadspas aangestel is, word in die geval van 'n personeellid wat beweer

duct is alleged to be unsatisfactory shall be as provided in the conditions of service as determined by the council and approved by the Minister.

(3) If in the opinion of the Minister any person to whom sub-section (2) applies, has committed any act or omitted to do any act which would render him liable to a charge of misconduct or inefficiency in terms of his conditions of service, and the council fails, within a period of one month after having been requested in writing by the Minister to do so, to institute an enquiry into the conduct of the person concerned in accordance with his conditions of service and to take appropriate steps on the findings arising out of the enquiry, the Minister may direct the council to institute such an enquiry or such further enquiry as he may consider necessary and to submit to him the record of the enquiry and a report on the action contemplated by the council on the findings at such enquiry.

(4) On receipt of the record and report referred to in sub-section (3), the Minister may approve the action contemplated by the council or direct the council to take such other steps as the council may lawfully take against the person concerned, and the council shall thereupon take such steps.

(5) A report of any action which has been taken in terms of sub-section (4) shall be laid by the Minister upon the Tables of both Houses of Parliament within thirty days thereafter if Parliament is then in session, or if Parliament is not then in session, within thirty days after the commencement of its next ensuing session.

Limitation on admission of non-white persons to university college.

32. (1) As from a date to be fixed by the Governor-General by proclamation in the *Gazette*—

- (a) no non-white person (other than a Bantu person) who was not registered as a student of the university college for the immediately preceding academic year, shall register with or attend the university college as a student without the consent of the Minister;
- (b) no non-white person (other than a Bantu person) shall register with or attend the university college as a student except for the purpose of completing a course of study or training for a degree, diploma or certificate for which he is registered with the university college at that date or was so registered in respect of the immediately preceding academic year.

(2) Different dates may be fixed for the purposes of paragraphs (a) and (b) of sub-section (1).

Fees.

33. The fees payable to the university college shall be as prescribed and shall be paid into the Bantu Education Account.

Post-graduate training.

34. The Minister may, in consultation with the Minister of Finance, out of moneys appropriated by Parliament from the Bantu Education Account for the purpose, make financial and other arrangements, including the appointment of temporary or part-time staff, for the post-graduate training of any Bantu student also at a place other than at the university college.

Regulations.

35. (1) The Minister may make regulations as to—

- (a) the maintenance, management and control of the university college and the transfer of such maintenance, management and control to the Minister;
- (b) the powers, duties and functions of the council, advisory council, senate, advisory senate and committees of the council;
- (c) the constitution of committees of the council;
- (d) the allowances payable to members of the council and the advisory council: Provided that such regulations shall be made in consultation with the Minister of Finance;
- (e) the term of office of members and the procedure at meetings of the council, advisory council, senate and advisory senate;
- (f) the constitution, term of office and allowances of members, functions, powers, duties and procedure at meetings of a body established under paragraph (e) of section six: Provided that the regulations in regard to the allowances shall be made in consultation with the Minister of Finance;
- (g) the conditions for the registration of students, and tuition, boarding and other fees;

word onbekwaam te wees of wie se gedrag beweer word onbevredigend te wees, gehandel soos bepaal in die diensvoorwaardes soos deur die raad vasgestel en deur die Minister goedgekeur.

(3) Indien volgens die oordeel van die Minister 'n persoon op wie sub-artikel (2) van toepassing is, 'n handeling verrig het of versuim het om 'n handeling te verrig wat hom ingevolge sy diensvoorwaardes aan 'n aanklag van wangedrag of onbekwaamheid sou blootstel, en die raad versuim om, binne 'n tydperk van een maand nadat die Minister die raad skriftelik versoek het om sulks te doen, ooreenkomstig die diensvoorwaardes van daardie persoon sy optrede te ondersoek en gepaste stappe na aanleiding van die bevindings by die ondersoek te doen, kan die Minister die raad gelas om so 'n ondersoek of so 'n verdere ondersoek as wat hy nodig ag in te stel en om die notule van die ondersoek en 'n verslag van die stappe wat die raad ingevolge die bevindings by die ondersoek van plan is om te doen, aan hom voor te lê.

(4) By ontvangs van die in sub-artikel (3) bedoelde notule en verslag, kan die Minister die voorgenome stappe van die raad goedkeur of die raad gelas om die ander stappe te doen wat die raad regtens teen die betrokke persoon kan doen, en die raad moet daarop bedoelde stappe doen.

(5) 'n Verslag van enige stappe wat ingevolge sub-artikel (4) gedoen is, moet binne dertig dae daarna deur die Minister in albei Huise van die Parlement ter Tafel gelê word as die Parlement dan sit, of as die Parlement nie dan sit nie, binne dertig dae na die aanvang van sy eersvolgende sitting.

32. (1) Vanaf 'n datum deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* bepaal—

Beperking op toelating van nie-blankes tot die universiteitskollege.

(a) mag geen nie-blanke (behalwe 'n Bantoe-persoon) wat nie as 'n student van die universiteitskollege vir die onmiddellik voorafgaande akademiese jaar ingeskryf was nie, hom sonder toestemming van die Minister by die universiteitskollege as 'n student laat inskryf of dit bywoon nie;

(b) mag geen nie-blanke (behalwe 'n Bantoe-persoon) hom as student by die universiteitskollege laat inskryf of dit bywoon nie, behalwe om 'n studie- of opleidingskursus te voltooi vir 'n graad, diploma of sertifikaat waarvoor hy op daardie datum aan die universiteitskollege ingeskryf is of ten opsigte van die onmiddellik voorafgaande akademiese jaar aldus ingeskryf was.

(2) Verskillende datums kan vir die doeleindes van paragrawe (a) en (b) van sub-artikel (1) bepaal word.

33. Die gelde betaalbaar aan die universiteitskollege is soos voorgeskryf en word in die Bantoe-onderwysrekening inbetaal.

Gelde.

34. Die Minister kan, in oorleg met die Minister van Finansies, uit gelde wat die Parlement uit die Bantoe-onderwysrekening vir dié doel bewillig, geldelike en ander reëlings tref, insluitende die aanstelling van tydelike of deeltydse personeel, vir die na-graadse opleiding van 'n Bantoe-student ook op 'n ander plek as by die universiteitskollege.

Na-graadse opleiding.

35. (1) Die Minister kan regulasies uitvaardig met betrekking tot—

Regulasies.

(a) die instandhouding en bestuur van en beheer oor die universiteitskollege en die oordrag van sodanige instandhouding, bestuur en beheer aan die Minister;

(b) die bevoegdhede, pligte en werksaamhede van die raad, adviserende raad, senaat, adviserende senaat en komitees van die raad;

(c) die samestelling van komitees van die raad;

(d) die toelaes betaalbaar aan lede van die raad en die adviserende raad: Met dien verstande dat sodanige regulasies uitgevaardig word in oorleg met die Minister van Finansies;

(e) die ampstermyn van lede en die prosedure by vergaderings van die raad, adviserende raad, senaat en adviserende senaat;

(f) die samestelling, ampstermyn en toelaes van lede, werksaamhede, bevoegdhede, pligte en prosedure by vergaderings van 'n liggaam kragtens paragraaf (e) van artikel ses ingestel: Met dien verstande dat die regulasies met betrekking tot die toelaes uitgevaardig word in oorleg met die Minister van Finansies;

(g) die voorwaardes vir die registrasie van studente en klas-, losies- en ander gelde;

- (h) the faculties and departments and the courses of instruction and training at the university college;
- (i) the admission of students to, the control of students at, and the discharge of students from the university college;
- (j) financial and other material assistance to students;
- (k) the appointment, grading, promotion, transfer, discharge, discipline, conduct, powers, duties, hours of attendance, leave and other privileges, and the conditions of service, including the occupation of official quarters, of persons appointed to State posts permanently, temporarily or part-time on the staff of the university college;
- (l) the circumstances in which medical examinations shall be required for the purposes of any particular provision of this Act;
- (m) the institution and award of diplomas and certificates in terms of section *twenty-three*;
- (n) any matter which by this Act is required or permitted to be prescribed;
- (o) generally, all matters which he considers it necessary or expedient to prescribe in order that the purposes of this Act may be achieved, the generality of the power conferred by this paragraph not being limited by the provisions of the preceding paragraphs.

(2) Different regulations may be made in respect of different persons or groups of classes of persons or races employed.

Delegation of
Minister's
powers.

36. (1) The Minister may delegate to the Secretary or to any other officer in his Department, any or all of the rights, duties, powers, authorities and functions conferred or imposed upon or entrusted to him by the proviso to section *five*, sub-section (4) of section *fifteen*, section *twenty* or *twenty-nine* or paragraph (a) or (b) of sub-section (1) of section *thirty*.

(2) The Minister may delegate to the council any or all of the rights, duties, powers, authorities and functions conferred or imposed upon or entrusted to him by paragraph (b) of sub-section (2) of section *two*, section *twelve*, sub-section (4) of section *fifteen* or section *sixteen*.

Expropriation of
land for purposes
of university
college.

37. The Minister may in consultation with the Minister of Finance expropriate any land required for or in connection with the university college, and the Expropriation of Lands and Arbitration Clauses Proclamation, 1902 (Proclamation No. 5 of 1902), of the Transvaal, shall *mutatis mutandis* apply in respect of any such expropriation.

Penalties.

38. Any person who contravenes any provision of section *nineteen* or *thirty-two* shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or in default of payment to imprisonment for a period not exceeding six months.

Amendment of
laws.

39. (1) The laws mentioned in the Schedule are hereby amended to the extent set forth in the third column of that Schedule.

(2) The repeal of sub-section (1) of section *thirty-three* of the Rhodes University (Private) Act, 1949 (Act No. 15 of 1949), and the amendment of section *one* of the Universities Act, 1955 (Act No. 61 of 1955), shall take effect on the specified date.

Short title.

40. This Act shall be called the University College of Fort Hare Transfer Act, 1959.

- (h) die fakulteite en departemente en kursusse van onderrig en opleiding aan die universiteitskollege;
 - (i) die toelating van studente tot, die beheer van studente aan en die ontslag van studente uit die universiteitskollege;
 - (j) geldelike en ander materiële hulp aan studente;
 - (k) die aanstelling, gradering, bevordering, oorplasing, ontslag, tug, gedrag, bevoegdheide, pligte, diensure, verlof- en ander voorregte, en die diensvoorwaardes, met inbegrip van die bewoning van amptelike wonings, van persone wat in Staatsposte vas, tydelik of deelyds in die personeel van die universiteitskollege aangesetel is;
 - (l) die omstandighede waaronder mediese ondersoek vereis word by die toepassing van enige besondere bepaling van hierdie Wet;
 - (m) die instelling en toekenning van diplomas en sertifikate ingevolge artikel *drie-en-twintig*;
 - (n) enige aangeleentheid wat kragtens hierdie Wet voorgeskryf moet of kan word;
 - (o) oor die algemeen, alle aangeleenthede wat hy nodig of dienstig ag om voor te skryf ten einde die doeleindes van hierdie Wet te verwesenlik, en die algemeenheid van die bevoegdheid by hierdie paragraaf verleen, word nie deur die bepaling van die voorafgaande paragraawe beperk nie.
- (2) Verskillende regulasies kan ten opsigte van verskillende persone of groepe of klasse persone of rasse in diens uitgevaardig word.

36. (1) Die Minister kan aan die Sekretaris of aan enige ander beampte in sy Departement enige van of al die regte, pligte, bevoegdheide, magte en werksaamhede kragtens die voorbehoudsbepaling by artikel *vyf*, sub-artikel (4) van artikel *vyftien*, artikel *twintig* of *nege-en-twintig*, of paragraaf (a) of (b) van sub-artikel (1) van artikel *dertig* aan hom verleen of opgelê of toevertrou, delegeer.

Delegasie van bevoegdheide van Minister.

(2) Die Minister kan aan die raad enige van of al die regte, pligte, bevoegdheide, magte en werksaamhede kragtens paragraaf (b) van sub-artikel (2) van artikel *twee*, artikel *twaaif*, sub-artikel (4) van artikel *vyftien* of artikel *sestien* aan hom verleen of opgelê of toevertrou, delegeer.

37. Die Minister kan in oorleg met die Minister van Finansies enige grond wat vir of in verband met die universiteitskollege benodig word, onteien, en die „Expropriation of Lands and Arbitration Clauses Proclamation, 1902” (Proklamasie No. 5 van 1902), van Transvaal, is *mutatis mutandis* ten opsigte van so 'n onteining van toepassing.

Onteining van grond vir doeleindes van universiteitskollege.

38. Iemand wat 'n bepaling van artikel *negentien* of *twee-en-dertig* oortree, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens honderd pond of by wanbetaling met gevangenisstraf vir 'n tydperk van hoogstens ses maande.

Strafbepalings.

39. (1) Die wette in die Bylae by hierdie Wet vermeld, word hierby gewysig vir sover in die derde kolom van daardie Bylae aangedui.

Wysiging van wette.

(2) Die herroeping van sub-artikel (1) van artikel *drie-en-dertig* van die Private Wet op Rhodes-universiteit, 1949 (Wet No. 15 van 1949), en die wysiging van artikel *een* van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), tree op die bepaalde datum in werking.

40. Hierdie Wet heet die Wet op Oordrag van die Universiteitskollege Fort Hare, 1959.

Kort titel.

No. 67, 1959.]

ACT

To amend the Old Age Pensions Act, 1928, the War Special Pensions Act, 1919, the War Pensions Act, 1942, the Pension Laws Amendment Act, 1943, the Pension Laws Amendment Act, 1951, the Pension Laws Amendment Act, 1955, the Government Service Pensions Act, 1955, the Universities Act, 1955, and to make further provision in connection with the retirement or pension benefits of certain teachers at Government Bantu Schools, to extend the power to perform certain functions assigned to the Treasury in certain laws, to officers in the Department of Social Welfare and Pensions, to assign certain powers, duties and functions to the head of the Department of Social Welfare and Pensions, to relieve certain persons of certain requirements prescribed by certain Acts, to provide for the making of regulations under paragraph (k) of section *eighty-six* of the Children's Act, 1937, with retrospective effect, to provide for the continuation, in certain circumstances, of the payment of the whole or part of any amount by which a pension or grant has been increased in terms of section *seventeen* of the Pension Laws Amendment Act, 1954, and to provide for other incidental matters.

(English text signed by the Governor-General.)

(Assented to 2nd July, 1959.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa as follows:—

Amendment of section 1 of Act 22 of 1928, as amended by section 1 of Act 34 of 1931, section 1 of Act 34 of 1937, section 2 of Act 48 of 1944, section 4 of Act 35 of 1949, and section 1 of Act 41 of 1955.

1. Section *one* of the Old Age Pensions Act, 1928, is hereby amended by the substitution in paragraph (iv) of the proviso thereto for the word "Minister", wherever it occurs, of the word "commissioner".

Amendment of section 9 of Act 22 of 1928, as substituted by section 5 of Act 34 of 1931 and amended by section 2 of Act 47 of 1951.

2. Section *nine* of the Old Age Pensions Act, 1928, is hereby amended by the substitution in the proviso thereto for the word "Minister", wherever it occurs, of the word "commissioner".

Amendment of section 10 of Act 22 of 1928.

3. Section *ten* of the Old Age Pensions Act, 1928, is hereby amended by the substitution in sub-section (2) for the word "Minister", wherever it occurs, of the word "commissioner".

Amendment of section 17 of Act 22 of 1928.

4. Section *seventeen* of the Old Age Pensions Act, 1928, is hereby amended by the deletion of paragraph (a).

Amendment of section 12*bis* of Act 42 of 1919, as inserted by section 3 of Act 17 of 1947, and substituted by section 1 of Act 41 of 1948.

5. Section *twelve bis* of the War Special Pensions Act, 1919, is hereby amended by the substitution for the table of rates thereunder of the following table:

	<i>"One artificial limb, crutch or crutches, or other appliance."</i>	<i>More than one artificial limb, or one artificial limb with crutch or crutches or with other appliance.</i>
Europeans ..	£20 per annum	£30 per annum
Non-Europeans	£15 per annum	£22½ per annum".

Amendment of section 8 of Act 44 of 1942, as inserted by section 10 of Act 58 of 1946.

6. Section *eight* of the War Pensions Act, 1942, is hereby amended by the substitution in paragraph (b) of the proviso to sub-section (3) for the words "secondary school" of the words "primary or secondary school".

No. 67, 1959.]

WET

Tot wysiging van die Ouderdomspensioenwet, 1928, die „Oorlogs Speciale Pensioenen Wet, 1919”, die Oorlogspensioenwet, 1942, die Wysigingswet op die Pensioenwette, 1943, die Wysigingswet op die Pensioenwette, 1951, die Wysigingswet op die Pensioenwette, 1955, die Regeringsdiens-pensioenwet, 1955, die Wet op Universiteite, 1955, en om verdere voorsiening te maak in verband met die uitdienstredings- of pensioenvoordele van sekere onderwysers aan Staatsbantoeskole, om die bevoegdheid om sekere werksaamhede te verrig wat in sekere wette aan die Tesourie opgedra is, aan amptenare van die Departement van Volkswelsyn en Pensioene te verleen, om sekere bevoegdheid, pligte en funksies aan die hoof van die Departement van Volkswelsyn en Pensioene op te dra, om sekere persone van sekere vereistes wat deur sekere wette voorgeskryf word te onthef, om voorsiening te maak vir die uitvaardiging van regulasies kragtens paragraaf (k) van artikel ses-en-tagtig van die Kinderwet, 1937, met terugwerkende krag, om voorsiening te maak vir die voortsetting, onder sekere omstandighede, van die betaling van die geheel of 'n gedeelte van 'n bedrag waarmee 'n pensioen of toelae ingevolge artikel sewentien van die Wysigingswet op die Pensioenwette, 1954, verhoog is, en om vir ander aangeleenthede wat daarmee in verband staan, voorsiening te maak.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 2 Julie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Artikel een van die Ouderdomspensioenwet, 1928, word hierby gewysig deur in paragraaf (iv) van die voorbehoudsbepaling daarby die woord „Minister”, waar dit ook al voorkom, deur die woord „kommissaris” te vervang.

Wysiging van artikel 1 van Wet 22 van 1928, soos gewysig deur artikel 1 van Wet 34 van 1931, artikel 1 van Wet 34 van 1937, artikel 2 van Wet 48 van 1944, artikel 4 van Wet 35 van 1949 en artikel 1 van Wet 41 van 1955.

2. Artikel nege van die Ouderdomspensioenwet, 1928, word hierby gewysig deur in die voorbehoudsbepaling daarby die woord „Minister”, waar dit ook al voorkom, deur die woord „kommissaris” te vervang.

Wysiging van artikel 9 van Wet 22 van 1928, soos vervang deur artikel 5 van Wet 34 van 1931 en gewysig deur artikel 2 van Wet 47 van 1951.

3. Artikel tien van die Ouderdomspensioenwet, 1928, word hierby gewysig deur in sub-artikel (2) die woord „Minister”, waar dit ook al voorkom, deur die woord „kommissaris” te vervang.

Wysiging van artikel 10 van Wet 22 van 1928.

4. Artikel sewentien van die Ouderdomspensioenwet, 1928, word hierby gewysig deur paragraaf (a) te skrap.

Wysiging van artikel 17 van Wet 22 van 1928.

5. Artikel twaalf bis van die „Oorlogs Speciale Pensioenen Wet, 1919”, word hierby gewysig deur die tabel van skale daaronder deur die volgende tabel te vervang:

Wysiging van artikel 12bis van Wet 42 van 1919, soos ingevoeg deur artikel 3 van Wet 17 van 1947 en vervang deur artikel 1 van Wet 41 van 1948.

	<i>„Eén kunstlid, kruk of krukken, of ander apparaat.</i>	<i>Meer dan één kunstlid, of één kunstlid met kruk of krukken of met ander apparaat.</i>
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Blanken ..	£20 per jaar	£30 per jaar
Niet-blanken ..	£15 per jaar	£22½ per jaar”.

6. Artikel agt van die Oorlogspensioenwet, 1942, word hierby gewysig deur in paragraaf (b) van die voorbehoudsbepaling by sub-artikel (3) die woorde „middelbare skool” deur die woorde „primêre of middelbare skool” te vervang.

Wysiging van artikel 8 van Wet 44 van 1942, soos ingevoeg deur artikel 10 van Wet 58 van 1946.

“(4) Any bonus payable in terms of sub-section (1) to any white person, coloured person or Indian shall be increased subject to such conditions and in accordance with such rates not exceeding—

- (a) six pounds per annum in the case of a white person; and
- (b) one pound ten shillings per annum in the case of a coloured person or an Indian,

as the Minister of Social Welfare and Pensions may determine from time to time in consultation with the Minister of Finance.

(5) The provisions of sub-section (4) shall be deemed to have come into operation on the first day of April, 1959, and may be applied with retrospective effect in respect of any person who was alive on that date and who on or after that date was in receipt of a pension under the Old Age Pensions Act, 1928 (Act No. 22 of 1928), or the Blind Persons Act, 1936 (Act No. 11 of 1936), or Part II of the War Pensions Act, 1941 (Act No. 45 of 1941), or a grant under the Disability Grants Act, 1946 (Act No. 36 of 1946), or to whom on or after that date a payment was being made in terms of sub-section (3) of section *fifteen* of the Pension Laws Amendment Act, 1948 (Act No. 41 of 1948).”.

Amendment of section 1 of Act 58 of 1955, as amended by section 9 of Act 56 of 1956.

12. Section *one* of the Government Service Pensions Act, 1955 (hereinafter referred to as the principal Act), is hereby amended by the substitution in sub-section (1) for the definition of “arrear contributions” of the following definition:

“‘arrear contributions’ means—

- (a) any contributions payable by a contributor in respect of any period of employment referred to in sub-section (1) of section *eight* or in pursuance of an election made by him in terms of sub-section (2) of section *twenty-two* or section *forty-two*; or
- (b) any amount payable by a contributor in respect of any period of past pensionable service referred to in section *twelve*, *thirteen* or *fifteen*;”.

Amendment of section 8 of Act 58 of 1955, as amended by section 10 of Act 56 of 1956 and section 5 of Act 62 of 1957.

13. (1) Section *eight* of the principal Act is hereby amended by the substitution for sub-section (1) of the following sub-section:

“(1) Subject to the provisions of sub-section (2) of this section, paragraph (a) of sub-section (2) of section *thirty-three* and paragraph (a) of sub-section (2) of section *forty-four*, any person who on the removal of a disability referred to in section *seven* becomes a member, shall contribute in respect of the period of his past continuous employment approved by the Commissioner: Provided that such person may within ninety days of the removal of such a disability or within such further period as the Commissioner may in special circumstances allow, elect in writing not so to contribute.”.

(2) Sub-section (1) of section *eight* of the principal Act as that sub-section existed prior to its replacement by sub-section (1) of this section shall continue to apply in respect of any person who prior to the commencement of this section and on removal of a disability referred to in section *seven* of that Act, became a member as defined in section *six* of the said Act.

Amendment of section 15 of Act 58 of 1955, as amended by section 13 of Act 56 of 1956.

14. Section *fifteen* of the principal Act is hereby amended by the addition at the end of sub-section (3) of the following proviso:

“Provided that in the case of a person in respect of whom sub-section (2) applies, the deficiency may be reduced by such portion of any amount paid to the New Railways and Harbours Superannuation Fund in terms of sub-section (1) of section *seventy-eight bis*, as the Commissioner may determine.”.

Amendment of section 21 of Act 58 of 1955.

15. Section *twenty-one* of the principal Act is hereby amended by the deletion in the definition of “new member” of the words “but does not include a person contributing provisionally in terms of section *twenty-three*”.

Repeal of section 23 of Act 58 of 1955.

16. Section *twenty-three* of the principal Act is hereby repealed.

Amendment of section 26 of Act 58 of 1955, as amended by section 17 of Act 56 of 1956.

17. Section *twenty-six* of the principal Act is hereby amended by the addition of the following sub-section at the end thereof:

„(4) 'n Bonus wat ingevolge sub-artikel (1) aan 'n blanke, kleurling of Indiër betaalbaar is, word verhoog onderworpe aan sodanige voorwaardes en ooreenkomstig sodanige skale wat nie—

- (a) ses pond per jaar in die geval van 'n blanke; en
- (b) een pond tien sjelings per jaar in die geval van 'n kleurling of 'n Indiër,

te bowe gaan nie, as wat die Minister van Volkswelsyn en Pensioene van tyd tot tyd in oorleg met die Minister van Finansies bepaal.

(5) Die bepalings van sub-artikel (4) word geag op die eerste dag van April 1959 in werking te getree het, en kan met terugwerkende krag toegepas word ten opsigte van iemand wat op daardie datum in lewe was en wat op of na daardie datum 'n pensioen kragtens die Ouderdomspensioenwet, 1928 (Wet No. 22 van 1928), of die Wet op Blindes, 1936 (Wet No. 11 van 1936), of Deel II van die Oorlogspensioenwet, 1941 (Wet No. 45 van 1941), of 'n toelae kragtens die Wet op Ongeskiktheidstoelaes, 1946 (Wet No. 36 van 1946), ontvang het, of aan wie op of na daardie datum 'n betaling ingevolge sub-artikel (3) van artikel vyftien van die Wysigingswet op die Pensioenwette, 1948 (Wet No. 41 van 1948), gemaak is.”

12. Artikel een van die Regeringsdiens-pensioenwet, 1955 (hieronder die Hoofwet genoem), word hierby gewysig deur in sub-artikel (1) die omskrywing van „agterstallige bydraes” deur die volgende omskrywing te vervang:

Wysiging van artikel 1 van Wet 58 van 1955, soos gewysig deur artikel 9 van Wet 56 van 1956.

„agterstallige bydraes”—

- (a) enige bydraes deur 'n bydraer betaalbaar ten opsigte van 'n in sub-artikel (1) van artikel agt bedoelde diensttermyn of uit hoofde van 'n keuse kragtens sub-artikel (2) van artikel twee-en-twintig of artikel twee-en-veertig deur hom gedoen; of
- (b) enige bedrag deur 'n bydraer betaalbaar ten opsigte van 'n tydperk van vorige pensioengewende diens in artikel twaalf, dertien of vyftien bedoel;”

13. (1) Artikel agt van die Hoofwet word hierby gewysig deur sub-artikel (1) deur die volgende sub-artikel te vervang:

Wysiging van artikel 8 van Wet 58 van 1955, soos gewysig deur artikel 10 van Wet 56 van 1956 en artikel 5 van Wet 62 van 1957.

„(1) Behoudens die bepalings van sub-artikel (2) van hierdie artikel, paragraaf (a) van sub-artikel (2) van artikel drie-en-dertig en paragraaf (a) van sub-artikel (2) van artikel vier-en-veertig, moet iemand wat by verwydering van 'n in artikel sewe bedoelde diskwalifikasie 'n lid word, ten opsigte van die deur die Kommissaris goedgekeurde tydperk van sy vorige ononderbroke diens bydra: Met dien verstande dat so iemand binne negentig dae na die verwydering van so 'n diskwalifikasie of binne so 'n verdere tydperk as wat die Kommissaris in besondere omstandighede mag toelaat, skriftelik kan kies om nie aldus by te dra nie.”

(2) Sub-artikel (1) van artikel agt van die Hoofwet soos daardie sub-artikel gelui het voor die vervanging daarvan deur sub-artikel (1) van hierdie artikel, bly van toepassing ten opsigte van iemand wat voor die inwerkingtreding van hierdie artikel en by verwydering van 'n in artikel sewe van daardie Wet bedoelde diskwalifikasie, 'n lid soos omskrywe in artikel ses van bedoelde Wet geword het.

14. Artikel vyftien van die Hoofwet word hierby gewysig deur aan die end van sub-artikel (3) die volgende voorbehoudsbepaling by te voeg:

Wysiging van artikel 15 van Wet 58 van 1955, soos gewysig deur artikel 13 van Wet 56 van 1956.

„Met dien verstande dat in die geval van iemand ten opsigte van wie sub-artikel (2) van toepassing is, die tekort met so 'n gedeelte van die bedrag wat ingevolge sub-artikel (1) van artikel agt-en-sewentig bis in die „Nieuwe Spoorwag en Havens Superannuatie Fonds’ betaal word, verminder kan word, as wat die Kommissaris bepaal.”

15. Artikel een-en-twintig van die Hoofwet word hierby gewysig deur in die omskrywing van „nuwe lid” die woorde „maar nie ook iemand wat ooreenkomstig artikel drie-en-twintig voorlopig bydra nie” te skrap.

Wysiging van artikel 21 van Wet 58 van 1955.

16. Artikel drie-en-twintig van die Hoofwet word hierby herroep.

Herroeping van artikel 23 van Wet 58 van 1955.

17. Artikel ses-en-twintig van die Hoofwet word hierby gewysig deur aan die end daarvan die volgende sub-artikel by te voeg:

Wysiging van artikel 26 van Wet 58 van 1955, soos gewysig deur artikel 17 van Wet 56 van 1956.

“(7) Notwithstanding anything to the contrary contained in sub-section (1) or in any other law, the provisions of sub-sections (2) and (3) shall *mutatis mutandis* apply in respect of the following persons as if such persons were contributors to the old fund immediately prior to the commencement of this Act, namely—

- (a) any person who immediately prior to such commencement was a teacher to whom sub-section (5) of section *ten* of the Bantu Education Act, 1953 (Act No. 47 of 1953), applied and who elected or elects in terms of sub-regulation (2) of regulation 56 of the regulations made under the said Bantu Education Act, 1953, and published in Government Notice No. 2583 of the 30th December, 1955, or in terms of sub-section (1) of section *fifty-two* of the Pension Laws Amendment Act, 1959, to become a member of the fund;
- (b) any person—
 - (i) who in terms of sub-regulation (3) of regulation 3 of the said regulations is deemed to have been appointed under such regulations;
 - (ii) who immediately prior to the commencement of this Act was a contributor to a pension fund established by a provincial ordinance for the benefit of teachers; and
 - (iii) who prior to the commencement of the Pension Laws Amendment Act, 1959, was admitted to membership of the fund in pursuance of the provisions of sub-regulation (1) of regulation 56 of the said regulations;
- (c) any person—
 - (i) to whom sub-section (2) of section *fifty-two* of the Pension Laws Amendment Act, 1959, applies;
 - (ii) who elects in terms of the proviso to that sub-section to become a member of the fund; and
 - (iii) who immediately prior to the commencement of this Act, was a contributor to a pension fund established by a provincial ordinance for the benefit of teachers.”.

Amendment of section 29 of Act 58 of 1955, as amended by section 20 of Act 56 of 1956.

18. Section *twenty-nine* of the principal Act is hereby amended by the substitution for sub-section (2) of the following sub-section:

“(2) (a) If a new member referred to in paragraph (c) of sub-section (1) of section *twenty-two* was appointed to a post in the public service on probation and becomes entitled to a benefit under this section or dies without leaving a dependant, before his appointment is confirmed or before being permanently appointed, any amount paid to the fund from revenue in respect of such member shall be repaid to revenue.

- (b) The provisions of paragraph (a) shall not apply in respect of the said member if he was transferred from pensionable employment under any government referred to in section *sixty-four* or under any administration or from such employment in respect of which he was a contributor to another fund administered by the Treasury, or if immediately prior to his appointment to a post in the public service he had had not less than one year's pensionable service as a non-contributor to a new fund within the meaning of sub-section (12) of section *sixty-nine* and elected in terms of sub-section (3) of the said section *sixty-nine* to be subject to the provisions of this Chapter.”.

Amendment of section 31 of Act 58 of 1955.

19. Section *thirty-one* of the principal Act is hereby amended by the deletion in the definition of “member” of the words “but does not include a person contributing provisionally in terms of section *thirty-four*”.

Amendment of section 33 of Act 58 of 1955.

20. Section *thirty-three* of the principal Act is hereby amended by the substitution in paragraph (a) of sub-section (2) for the words “elects to contribute in respect of such employment” of the words “contributes in respect of such employment”.

Repeal of section 34 of Act 58 of 1955.

21. Section *thirty-four* of the principal Act is hereby repealed.

„(7) Ondanks andersluidende bepalings van sub-artikel (1) of van enige ander wet, is die bepalings van sub-artikels (2) en (3) *mutatis mutandis* van toepassing ten opsigte van die volgende persone asof sodanige persone onmiddellik voor die inwerkingtreding van hierdie Wet bydraers tot die ou fonds was, naamlik—

(a) iemand wat onmiddellik voor bedoelde inwerkingtreding 'n onderwyser was op wie sub-artikel (5) van artikel *tien* van die Wet op Bantoe-onderwys, 1953 (Wet No. 47 van 1953), van toepassing was en wat ingevolge sub-regulasie (2) van regulasie 56 van die regulasies uitgevaardig kragtens bedoelde Wet op Bantoe-onderwys, 1953, en gepubliseer in Goewermentskennigsgewing No. 2583 van 30 Desember 1955, of ingevolge sub-artikel (1) van artikel *twee-en-vyftig* van die Wysigingswet op die Pensioenwette, 1959, kies of gekies het om 'n lid van die fonds te word;

(b) iemand—

(i) wat ooreenkomstig sub-regulasie (3) van regulasie 3 van bedoelde regulasies beskou word asof hy kragtens daardie regulasies aangestel is;

(ii) wat onmiddellik voor die inwerkingtreding van hierdie Wet 'n bydraer was tot 'n pensioenfonds wat kragtens 'n provinsiale ordonnansie ten voordele van onderwysers gestig is; en

(iii) wat, voor die inwerkingtreding van die Wysigingswet op die Pensioenwette, 1959, uit hoofde van die bepalings van sub-regulasie (1) van regulasie 56 van bedoelde regulasies tot lidmaatskap van die fonds toegelaat is;

(c) iemand—

(i) op wie sub-artikel (2) van artikel *twee-en-vyftig* van die Wysigingswet op die Pensioenwette, 1959, van toepassing is;

(ii) wat ingevolge die voorbehoudsbepaling by daardie sub-artikel kies om 'n lid van die fonds te word; en

(iii) wat onmiddellik voor die inwerkingtreding van hierdie Wet, 'n bydraer was tot 'n pensioenfonds wat kragtens 'n provinsiale ordonnansie ten voordele van onderwysers gestig is.”.

18. Artikel *nege-en-twintig* van die Hoofwet word hierby gewysig deur sub-artikel (2) deur die volgende sub-artikel te vervang:

„(2) (a) Indien 'n in paragraaf (c) van sub-artikel (1) van artikel *twee-en-twintig* bedoelde nuwe lid op proef in 'n pos in die staatsdiens aangestel is en, voordat sy aanstelling bekragtig word of voordat hy vas aangestel word, ingevolge hierdie artikel op 'n voordeel geregtig word of te sterwe kom en geen afhanklike nalaat nie, word enige bedrag wat ten opsigte van so 'n lid uit inkomste in die fonds gestort is, in inkomste teruggestort.

(b) Die bepalings van paragraaf (a) is nie ten opsigte van bedoelde lid van toepassing nie indien hy uit pensioengewende diens by 'n in artikel *vier-en-sestig* bedoelde regering of by 'n administrasie of uit sulke diens ten opsigte waarvan hy 'n bydraer was tot 'n ander fonds wat deur die Tesourie bestuur word, oorgeplaas is, of indien hy onmiddellik voor sy aanstelling in 'n pos in die staatsdiens minstens een jaar pensioengewende diens as 'n nie-bydraer tot 'n nuwe fonds binne die bedoeling van sub-artikel (12) van artikel *nege-en-sestig* gehad het en ingevolge sub-artikel (3) van genoemde artikel *nege-en-sestig* gekies het om onder die bepalings van hierdie Hoofstuk te val.”.

Wysiging van artikel 29 van Wet 58 van 1955, soos gewysig deur artikel 20 van Wet 56 van 1956.

19. Artikel *een-en-dertig* van die Hoofwet word hierby gewysig deur in die omskrywing van „lid” die woorde „maar nie ook iemand wat ooreenkomstig artikel *vier-en-dertig* voorlopig bydra nie” te skrap.

Wysiging van artikel 31 van Wet 58 van 1955.

20. Artikel *drie-en-dertig* van die Hoofwet word hierby gewysig deur in paragraaf (a) van sub-artikel (2) die woorde „kies om ten opsigte van daardie diens by te dra” deur die woorde „ten opsigte van daardie diens bydra” te vervang.

Wysiging van artikel 33 van Wet 58 van 1955.

21. Artikel *vier-en-dertig* van die Hoofwet word hierby herroep.

Herroeping van artikel 34 van Wet 58 van 1955.

Amendment of section 38 of Act 58 of 1955.

22. Section *thirty-eight* of the principal Act is hereby amended by the substitution for sub-section (2) of the following sub-section:

- “(2) (a) If a member to whom sub-section (1) of section *thirty-three* refers, becomes entitled to a benefit under this section or dies without leaving a dependant, before—
- (i) in the case of a member who was appointed to commissioned rank, his probationary service with the permanent force has terminated;
 - (ii) in the case of a member who was not appointed to commissioned rank, he has completed three years’ employment in the said force; or
 - (iii) in the case of a member who was not appointed to commissioned rank but who during the first three years of his employment in the said force was appointed to such rank, his probationary service with that force has terminated,
- any amount paid to the fund from revenue in respect of such member shall be repaid to revenue.
- (b) The provisions of paragraph (a) shall not apply in respect of the said member—
- (i) if he was transferred from pensionable employment under any government referred to in section *sixty-four*, or under any administration or from such employment in respect of which he was a contributor to another fund (other than the Government Employees’ Provident Fund referred to in section *eighty-four*) administered by the Treasury; or
 - (ii) if he was appointed to commissioned rank and immediately prior to such appointment was a member of the said Provident Fund.
- (c) If the said member (other than a member referred to in sub-paragraph (ii) of paragraph (b)) was immediately prior to his appointment a member of the said Provident Fund, his continuous service prior to such appointment shall, for the purposes of sub-paragraph (ii) or (iii) of paragraph (a), be deemed to be employment in the said permanent force.”.

Amendment of section 40 of Act 58 of 1955, as amended by section 21 of Act 56 of 1956.

23. Section *forty* of the principal Act is hereby amended by the deletion in the definition of “member” of the words “but does not include a person contributing provisionally in terms of section *forty-five*”.

Amendment of section 44 of Act 58 of 1955.

24. Section *forty-four* of the principal Act is hereby amended by the substitution in paragraph (a) of sub-section (2) for the words “elects to contribute in respect of such employment” of the words “contributes in respect of such employment”.

Repeal of section 45 of Act 58 of 1955, as amended by section 22 of Act 56 of 1956.

25. Section *forty-five* of the principal Act is hereby repealed.

Amendment of section 49 of Act 58 of 1955, as amended by section 25 of Act 56 of 1956.

26. Section *forty-nine* of the principal Act is hereby amended by the substitution for sub-section (2) of the following sub-section:

- “(2) (a) If a member to whom sub-section (1) of section *forty-four* refers becomes entitled to a benefit under this section or dies without leaving a dependant, before he has completed three years’ employment in the police force or prisons service, any amount paid from revenue in respect of such member shall be repaid to revenue.
- (b) The provisions of paragraph (a) shall not apply in respect of the said member if he was transferred from pensionable employment under any government referred to in section *sixty-four* or under any administration or from such employment in respect of which he was a contributor to another fund (other than the Government Employees’ Provident Fund referred to in section *eighty-four*) administered by the Treasury.
- (c) If a member in respect of whom paragraph (a) applies was immediately prior to his appointment to a post in the police force or prisons service a member of the said Provident Fund, his continuous service prior

22. Artikel *agt-en-dertig* van die Hoofwet word hierby gewysig deur sub-artikel (2) deur die volgende sub-artikel te vervang: Wysiging van artikel 38 van Wet 58 van 1955.

„(2) (a) Indien 'n in sub-artikel (1) van artikel *drie-en-dertig* bedoelde lid ingevolge hierdie artikel op 'n voordeel geregtig word of te sterwe kom en geen afhanklike nalaat nie voordat—

- (i) in die geval van 'n lid wat tot offisersrang aangestel is, sy proefdiensttermyn in die staande mag geëindig het;
- (ii) in die geval van 'n lid wat nie tot offisersrang aangestel is nie, hy drie jaar diens in bedoelde mag voltooi het; of
- (iii) in die geval van 'n lid wat nie tot offisersrang aangestel is nie maar wat gedurende die eerste drie jaar van sy diens in bedoelde mag tot sodanige rang aangestel is, sy proefdiens in daardie mag geëindig het,

word enige bedrag wat ten opsigte van so 'n lid uit inkomste in die fonds gestort is, in inkomste teruggestort.

(b) Die bepalinge van paragraaf (a) is nie ten opsigte van bedoelde lid van toepassing nie—

- (i) indien hy uit pensioengewende diens by 'n in artikel *vier-en-sestig* bedoelde regering of by 'n administrasie of uit sulke diens ten opsigte waarvan hy 'n bydraer was tot 'n ander fonds (behalwe die Regeringswerknemersondersteuningsfonds in artikel *vier-en-tagtig* bedoel) wat deur die Tesourie bestuur word, oorgeplaas is; of
- (ii) indien hy tot offisersrang aangestel is en onmiddellik voor bedoelde aanstelling 'n lid van genoemde ondersteuningsfonds was.

(c) Indien bedoelde lid (behalwe 'n in sub-paragraaf (ii) van paragraaf (b) bedoelde lid) onmiddellik voor sy aanstelling 'n lid van bedoelde ondersteuningsfonds was, word sy ononderbroke diens voor bedoelde aanstelling by die toepassing van sub-paragraaf (ii) of (iii) van paragraaf (a) geag diens in bedoelde staande mag te wees.”.

23. Artikel *veertig* van die Hoofwet word hierby gewysig deur in die omskrywing van „lid” die woorde „maar nie ook iemand wat ooreenkomstig artikel *vyf-en-veertig* voorlopig bydra nie” te skrap. Wysiging van artikel 40 van Wet 58 van 1955, soos gewysig deur artikel 21 van Wet 56 van 1956.

24. Artikel *vier-en-veertig* van die Hoofwet word hierby gewysig deur in paragraaf (a) van sub-artikel (2) die woorde „kies om ten opsigte van daardie diens by te dra” deur die woorde „ten opsigte van daardie diens bydra” te vervang. Wysiging van artikel 44 van Wet 58 van 1955.

25. Artikel *vyf-en-veertig* van die Hoofwet word hierby herroep. Herroeping van artikel 45 van Wet 58 van 1955 soos gewysig deur artikel 22 van Wet 56 van 1956.

26. Artikel *nege-en-veertig* van die Hoofwet word hierby gewysig deur sub-artikel (2) deur die volgende sub-artikel te vervang: Wysiging van artikel 49 van Wet 58 van 1955, soos gewysig deur artikel 25 van Wet 56 van 1956.

„(2) (a) Indien 'n in sub-artikel (1) van artikel *vier-en-veertig* bedoelde lid, voordat hy drie jaar diens in die polisiemag of gevangenisdiens voltooi het, ingevolge hierdie artikel op 'n voordeel geregtig word of te sterwe kom en geen afhanklike nalaat nie, word enige bedrag wat ten opsigte van so 'n lid uit inkomste in die fonds gestort is, in inkomste teruggestort.

(b) Die bepalinge van paragraaf (a) is nie ten opsigte van bedoelde lid van toepassing nie indien hy uit pensioengewende diens by 'n in artikel *vier-en-sestig* bedoelde regering of by 'n administrasie of uit sulke diens ten opsigte waarvan hy 'n bydraer was tot 'n ander fonds (behalwe die Regeringswerknemersondersteuningsfonds in artikel *vier-en-tagtig* bedoel) wat deur die Tesourie bestuur word, oorgeplaas is.

(c) Indien 'n lid ten opsigte van wie paragraaf (a) van toepassing is, onmiddellik voor sy aanstelling in 'n pos in die polisiemag of gevangenisdiens 'n lid van bedoelde ondersteuningsfonds was, word sy onon-

to such appointment shall for the purposes of the said paragraph be deemed to be employment in the said force or service.”.

Amendment of section 53 of Act 58 of 1955.

27. Section *fifty-three* of the principal Act is hereby amended by the substitution for sub-section (1) of the following sub-section:

“(1) The Treasury shall cause full and true accounts of each new fund to be kept showing particulars in connection with any matter of which it is necessary to keep an account for the purposes of this Act or in order that an actuarial valuation of such fund may be made at any time.”.

Amendment of section 54 of Act 58 of 1955.

28. Section *fifty-four* of the principal Act is hereby amended—
(a) by the substitution for sub-section (1) of the following sub-section:

“(1) An actuary shall separately value the assets and liabilities of each new fund as at the thirty-first day of March, 1963, and every five years thereafter, and shall declare any surplus or deficiency which his investigation discloses and shall report thereon to the Minister.”;

(b) by the deletion in sub-section (2) of the words “of Finance”;

(c) by the substitution in sub-section (3) for the words “of Finance” of the words “in consultation with the Minister of Finance and”; and

(d) by the deletion in sub-section (4) of the words “of Finance”.

Insertion of section 54bis in Act 58 of 1955.

29. The following section is hereby inserted in the principal Act after section *fifty-four*:

“Financial year for purposes of sections 53 and 54. 54bis. For the purposes of sections *fifty-three* and *fifty-four* any amount due to a member of a new fund (other than a member to whom an annuity is payable) shall be deemed to have become a liability of the relevant new fund within the financial year in which payment of the said amount is made.”.

Amendment of section 57 of Act 58 of 1955.

30. (1) Section *fifty-seven* of the principal Act is hereby amended by the substitution for sub-section (2) of the following sub-section:

“(2) There shall be paid from revenue to the account such amounts as the Minister in consultation with the Minister of Finance may from time to time determine.”.

(2) Any amount which, on the date of commencement of this section, is due to the Additional Benefits Account in terms of sub-section (2) of section *fifty-seven* of the principal Act as that sub-section existed prior to its replacement by sub-section (1) of this section, but which is unpaid on that date, shall cease to be payable.

Amendment of section 58 of Act 58 of 1955, as amended by section 27 of Act 56 of 1956.

31. Section *fifty-eight* of the principal Act is hereby amended by the insertion in sub-section (1) after the words “*forty-eight*” where they appear for the first time, of the words “or *sixty-five*”.

Repeal of section 60 of Act 58 of 1955.

32. Section *sixty* of the principal Act is hereby repealed.

Amendment of section 65 of Act 58 of 1955.

33. Section *sixty-five* of the principal Act is hereby amended—

(a) by the insertion in sub-section (1) after the words “under this Act” of the words “other than Chapter II”; and

(b) by the deletion in paragraph (iii) of the proviso to that sub-section of the words “(other than provisional contributions under section *twenty-three*, *thirty-four* or *forty-five*)”.

Amendment of section 66 of Act 58 of 1955.

34. Section *sixty-six* of the principal Act is hereby amended by the deletion in sub-section (1) of the words “(other than provisional contributions under section *twenty-three*, *thirty-four* or *forty-five*)”.

Amendment of section 69 of Act 58 of 1955.

35. Section *sixty-nine* of the principal Act is hereby amended by the substitution for paragraph (b) of sub-section (7) of the following paragraph:

derbroke diens voor bedoelde aanstelling by die toepassing van bedoelde paragraaf geag diens in bedoelde mag of diens te wees."

27. Artikel *drie-en-vyftig* van die Hoofwet word hierby gewysig deur sub-artikel (1) deur die volgende sub-artikel te vervang: Wysiging van artikel 53 van Wet 58 van 1955.

„(1) Die Tesourie laat met betrekking tot elke nuwe fonds volledige en juiste rekenings hou, met vermelding van besonderhede in verband met enige aangeleentheid waarvan dit nodig is om boek te hou vir die doeleindes van hierdie Wet of sodat so 'n fonds te eniger tyd aktuarieel gewaardeer kan word."

28. Artikel *vier-en-vyftig* van die Hoofwet word hierby gewysig— Wysiging van artikel 54 van Wet 58 van 1955.

(a) deur sub-artikel (1) deur die volgende sub-artikel te vervang:

„(1) 'n Aktuaris waardeer afsonderlik die bates en laste van elke nuwe fonds op die een-en-dertigste dag van Maart 1963 en elke vyf jaar daarna, en moet die oorsake of tekort wat sy ondersoek openbaar, vasstel en 'n verslag dienaangaande by die Minister indien."

(b) deur in sub-artikel (2) die woorde „van Finansies" te skrap;

(c) deur in sub-artikel (3) die woorde „van Finansies" deur die woorde „in oorleg met die Minister van Finansies en" te vervang; en

(d) deur in sub-artikel (4) die woorde „of Finansies" te skrap.

29. Die volgende artikel word hierby na artikel *vier-en-vyftig* van die Hoofwet ingevoeg: Invoeging van artikel 54bis in Wet 58 van 1955.

„Boekjaar vir doeleindes van artikels 53 en 54.

54bis. Enige bedrag wat aan 'n lid van 'n nuwe fonds (behalwe 'n lid aan wie 'n jaargeld betaalbaar is) verskuldig is, word by die toepassing van artikels *drie-en-vyftig* en *vier-en-vyftig* geag 'n las van die betrokke nuwe fonds te geword het binne die boekjaar waarin die betaling van bedoelde bedrag geskied."

30. (1) Artikel *sewe-en-vyftig* van die Hoofwet word hierby gewysig deur sub-artikel (2) deur die volgende sub-artikel te vervang: Wysiging van artikel 57 van Wet 58 van 1955.

„(2) Daar word uit inkomste in die rekening die bedrae gestort wat die Minister in oorleg met die Minister van Finansies van tyd tot tyd bepaal."

(2) Enige bedrag wat ingevolge sub-artikel (2) van artikel *sewe-en-vyftig* van die Hoofwet soos daardie sub-artikel gelui het voor sy vervanging deur sub-artikel (1) van hierdie artikel, aan die Bykomstige Voordelerekening verskuldig is op die datum van inwerkingtreding van hierdie artikel, maar wat op daardie datum nog nie betaal is nie, hou op om betaalbaar te wees.

31. Artikel *agt-en-vyftig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) na die woorde „*agt-en-veertig*" waar hulle vir die eerste maal voorkom, die woorde „of *vyf-en-sestig*" in te voeg. Wysiging van artikel 58 van Wet 58 van 1955, soos gewysig deur artikel 27 van Wet 56 van 1956.

32. Artikel *sestig* van die Hoofwet word hierby herroep. Herroeping van artikel 60 van Wet 58 van 1955.

33. Artikel *vyf-en-sestig* van die Hoofwet word hierby gewysig— Wysiging van artikel 65 van Wet 58 van 1955.

(a) deur in sub-artikel (1) na die woorde „ingevolge hierdie Wet" die woorde „behalwe Hoofstuk II" in te voeg; en

(b) deur in paragraaf (iii) van die voorbehoudsbepaling by daardie sub-artikel die woorde „(behalwe voorlopige bydraes ingevolge artikel *drie-en-twintig*, *vier-en-dertig* of *vyf-en-veertig*)" te skrap.

34. Artikel *ses-en-sestig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woorde „(behalwe voorlopige bydraes ingevolge artikel *drie-en-twintig*, *vier-en-dertig* of *vyf-en-veertig*)" te skrap. Wysiging van artikel 66 van Wet 58 van 1955.

35. Artikel *nege-en-sestig* van die Hoofwet word hierby gewysig deur paragraaf (b) van sub-artikel (7) deur die volgende paragraaf te vervang: Wysiging van artikel 69 van Wet 58 van 1955.

"(b) in terms of sub-section (1) of section *eight* of this Act, he contributes to the Union pension fund in respect of the approved period of his continuous employment prior to the date on which he became subject to the provisions of Part C of Chapter I."

Amendment of
section 70 of Act
58 of 1955.

36. Section *seventy* of the principal Act is hereby amended—

(a) by the insertion after the definition of "additional contributions" of the following definition:

"'approved fund' means a pension fund which has been established by or under an ordinance of any province or the territory, which is administered by a provincial administration or the administration of the territory and which the Minister, in consultation with the Minister of Finance, may approve for the purpose of the fund;" and

(b) by the substitution for the definition of "the tables" of the following definition:

"'the tables' means the tables and rules referred to in sub-section (1) of section *seventy-six*."

Amendment of
section 72 of Act
58 of 1955.

37. Section *seventy-two* of the principal Act is hereby amended—

(a) by the substitution for sub-section (3) of the following sub-section:

"(3) A male contributor to a new fund or an approved fund whose pensionable emoluments are less than one hundred and twenty pounds per annum shall not become a member of the fund until such time as he is in receipt of pensionable emoluments of not less than one hundred and twenty pounds per annum;" and

(b) by the insertion after sub-section (3) of the following sub-section:

"(3)*bis* A male person who, by reason of the fact that he was contributing provisionally to a new fund, was not permitted in terms of the provisions of sub-section (3) as that sub-section existed prior to its replacement by section *thirty-seven* of the Pension Laws Amendment Act, 1959, to become a member of the fund, shall as from the commencement of the said section *thirty-seven* become such a member."

Insertion of
section 72*bis* in
Act 58 of 1955.

38. The following section is hereby inserted in the principal Act after section *seventy-two*:

"Male contributors to approved funds may become members. 72*bis*. (1) Male contributors to an approved fund may be permitted to become members of the fund subject to such conditions as may be prescribed.

(2) A provincial council and the legislative assembly of the territory shall be competent to make ordinances requiring male contributors to an approved fund to become members of the fund subject to the prescribed conditions referred to in sub-section (1)."

Amendment of
section 73 of Act
58 of 1955,
as amended by
section 7 of Act
62 of 1957.

39. Section *seventy-three* of the principal Act is hereby amended—

(a) by the insertion after the words "under this Act" wherever they occur of the words "or any ordinance governing his pension rights"; and

(b) by the insertion in sub-section (3) after the words "public service" of the words "or while he is a contributor to an approved fund".

Amendment of
section 76 of Act
58 of 1955.

40. Section *seventy-six* of the principal Act is hereby amended by the substitution in sub-section (1) for all the words after the words "in accordance with" of the words "such tables and rules as the Minister in consultation with the Minister of Finance may approve on the advice of an actuary".

Amendment of
section 78 of Act
58 of 1955.

41. Section *seventy-eight* of the principal Act is hereby amended—

(a) by the insertion after the word "section" where it occurs for the first time, of the words "*seventy-eight bis* and"; and

(b) by the substitution for paragraphs (a), (b), (c) and (d), of the following paragraphs:

"(a) he retires or is retired or discharged, otherwise than on an annuity, from employment in respect of which he is liable to contribute to the fund;

- „(b) hy ingevolge sub-artikel (1) van artikel *agt* van hierdie Wet bydra ten opsigte van die goedgekeurde tydperk van sy ononderbroke diens voor die datum waarop hy aan die bepalings van Deel C van Hoofstuk I onderhewig geword het.”.
36. Artikel *sewentig* van die Hoofwet word hierby gewysig— Wysiging van artikel 70 van Wet 58 van 1955.
- (a) deur na die omskrywing van „die tabelle” die volgende omskrywing in te voeg:
- „goedgekeurde fonds’ ’n pensioenfonds wat deur of kragtens ’n ordonnansie van enige provinsie of die gebied gestig is, wat deur ’n provinsiale administrasie of die administrasie van die gebied bestuur word en wat die Minister, in oorleg met die Minister van Finansies, vir die doeleindes van die fonds goedkeur;” en
- (b) deur die omskrywing van „die tabelle” deur die volgende omskrywing te vervang:
- „die tabelle” die in sub-artikel (1) van artikel *ses-en-sewentig* bedoelde tabelle en reëls.”.
37. Artikel *twee-en-sewentig* van die Hoofwet word hierby gewysig— Wysiging van artikel 72 van Wet 58 van 1955.
- (a) deur sub-artikel (3) deur die volgende sub-artikel te vervang:
- „(3) ’n Manlike bydraer tot ’n nuwe fonds of ’n goedgekeurde fonds wie se pensioengewende verdienste minder as honderd-en-twintig pond per jaar bedra, word nie ’n lid van die fonds nie alvorens hy ’n pensioengewende verdienste van minstens honderd-en-twintig pond per jaar trek.”; en
- (b) deur na sub-artikel (3) die volgende sub-artikel in te voeg:
- „(3)bis ’n Manspersoon wat uit hoofde van die feit dat hy voorlopig tot ’n nuwe fonds bygedra het, ingevolge die bepalings van sub-artikel (3) soos daardie sub-artikel gelui het voor sy vervanging deur artikel *sewe-en-dertig* van die Wysigingswet op die Pensioenwette, 1959, nie toegelaat is om ’n lid van die fonds te word nie, word vanaf die inwerkingtreding van bedoelde artikel *sewe-en-dertig* so ’n lid.”.
38. Die volgende artikel word hierby na artikel *twee-en-sewentig* van die Hoofwet ingevoeg: Invoeging van artikel 72bis in Wet 58 van 1955.
- „Manlike bydraers tot goedgekeurde fondse kan lede word.
- 72bis. (1) Manlike bydraers tot ’n goedgekeurde fonds kan toegelaat word om lede van die fonds te word onderworpe aan die voorwaardes wat voorgeskryf word.
- (2) ’n Provinsiale raad en die wetgewende vergadering van die gebied is bevoeg om ordonnansies te maak waardeur manlike bydraers tot ’n goedgekeurde fonds verplig word om lede van die fonds te word onderworpe aan die voorgeskrewe voorwaardes in sub-artikel (1) bedoel.”.
39. Artikel *drie-en-sewentig* van die Hoofwet word hierby gewysig— Wysiging van artikel 73 van Wet 58 van 1955, soos gewysig deur artikel 7 van Wet 62 van 1957.
- (a) deur na die woorde „kragtens hierdie Wet” waar hulle ook al voorkom, die woorde „of ’n ordonnansie wat sy pensioenregte beheer” in te voeg; en
- (b) deur in sub-artikel (3) na die woord „staatsdiens” die woorde „of terwyl hy ’n bydraer is tot ’n goedgekeurde fonds” in te voeg.
40. Artikel *ses-en-sewentig* van die Hoofwet word hierby gewysig deur in sub-artikel (1) al die woorde na die woord „ooreenkomstig” deur die woorde „die tabelle en reëls wat die Minister in oorleg met die Minister van Finansies en op advies van ’n aktuaris goedkeur.” te vervang. Wysiging van artikel 76 van Wet 58 van 1955.
41. Artikel *agt-en-sewentig* van die Hoofwet word hierby gewysig— Wysiging van artikel 78 van Wet 58 van 1955.
- (a) deur na die woord „artikel” waar dit vir die eerste maal voorkom die woorde „*agt-en-sewentig bis* en” in te voeg; en
- (b) deur paragrawe (a), (b), (c) en (d) deur die volgende paragrawe te vervang:
- „(a) hy anders as met ’n jaargeld uit diens ten opsigte waarvan hy onder verpligting is om tot die fonds by te dra, aftree of afgedank of ontslaan word;

- (b) he is transferred or is appointed directly without a break in his service to employment in respect of which he is not liable to contribute to the fund; or
- (c) he terminates his membership in terms of sub-section (4) of section *seventy-two*."

Insertion of
section 78bis
in Act 58 of 1955.

42. The following section is hereby inserted in the principal Act after section *seventy-eight*:

"Members becoming members of pension funds other than approved funds.

78bis. (1) If a member is transferred to employment under the railway administration and as from the date of such transfer becomes a member of the New Railways and Harbours Superannuation Fund referred to in section *three* of the Railways and Harbours Superannuation Fund Act, 1925 (Act No. 24 of 1925), and if the period in respect of which the member has contributed to the fund, or any part of such period, is recognized as pensionable service for the purpose of that superannuation fund, such an amount as may be prescribed may, subject to the provisions of sub-section (3) and in accordance with such terms and conditions as may be prescribed, be paid from the fund to the member or to the said superannuation fund or partly to the member and partly to that superannuation fund.

(2) If a member is transferred or appointed directly without a break in his service to employment in respect of which he becomes subject to a pension law administered by a provincial administration or the administration of the territory or a department of education (whether in the Union or the territory) or any pension law (other than this Act) administered by the Treasury and as from the date of such transfer or appointment becomes a contributor to a pension fund which is not an approved fund, and if such a law makes provision for the payment from such a pension fund of annuities to the widows of the members thereof and if the period in respect of which the member has contributed to the fund, or any part of such period, is recognized as pensionable service for the purpose of such a pension fund, such an amount as may be prescribed may, subject to the provisions of sub-section (3) and in accordance with such terms and conditions as may be prescribed, be paid from the fund to the member or to such a pension fund or partly to the member and partly to such a pension fund.

(3) The Commissioner shall determine whether any payment is to be made from the fund in terms of sub-section (1) or (2) and if the Commissioner determines that payment is not so to be made, the member shall be entitled to the surrender value of both the contributions paid by and in respect of him and any additional contributions, calculated according to the tables."

Amendment of
section 79 of Act
58 of 1955.

43. Section *seventy-nine* of the principal Act is hereby amended—

- (a) by the deletion of the words "from the public service"; and
- (b) by the addition at the end thereof of the following proviso:

"Provided that in the case of a member who is a member of a new fund and in respect of whom paragraph (a) of sub-section (2) of section *twenty-nine*, paragraph (a) of sub-section (2) of section *thirty-eight* or paragraph (a) of sub-section (2) of section *forty-nine* applies, an amount equal to such surrender value shall be paid from the fund to revenue."

Amendment of
section 81 of Act
58 of 1955.

44. Section *eighty-one* of the principal Act is hereby amended—

- (a) by the deletion in sub-sections (1), (2) and (4) of the words "of Finance"; and
- (b) by the substitution in sub-section (3) for the words "of Finance" of the words "in consultation with the Minister of Finance".

- (b) hy oorgeplaas word na of sonder onderbreking van sy diens regstreeks aangestel word in diens ten opsigte waarvan hy nie onder verpligting is om tot die fonds by te dra nie; of
- (c) hy ooreenkomstig sub-artikel (4) van artikel twee-en-sewentig sy lidmaatskap beëindig.”.

42. Die volgende artikel word hierby na artikel agt-en-sewentig van die Hoofwet ingevoeg:

Invoeging van artikel 78bis in Wet 58 van 1955.

„Lede wat lede word van pensioenfondse wat nie goedgekeurde fondse is nie

78bis. (1) Indien ’n lid na diens in die spoorwegadministrasie oorgeplaas word en vanaf die datum van bedoelde oorplasing ’n lid word van die in artikel drie van die „Spoorwegan en Havens Superannuatie Fonds Wet, 1925” (Wet No. 24 van 1925), bedoelde „Nieuwe Spoorwegan en Havens Superannuatie Fonds”, en indien die tydperk ten opsigte waarvan die lid tot die fonds bygedra het, of enige gedeelte van bedoelde tydperk, as pensioengewende diens vir die doeleindes van daardie superannuasiefonds erken word, kan so ’n bedrag as wat voorgeskryf mag word, behoudens die bepalings van sub-artikel (3) en ooreenkomstig sodanige bedinge en voorwaardes as wat voorgeskryf mag word, uit die fonds betaal word aan die lid of aan bedoelde superannuasiefonds, of gedeeltelik aan die lid en gedeeltelik aan daardie superannuasiefonds.

(2) Indien ’n lid oorgeplaas word na of sonder onderbreking van sy diens regstreeks aangestel word in diens ten opsigte waarvan hy onderhewig word aan ’n pensioenwet wat deur ’n provinsiale administrasie of die administrasie van die gebied of ’n onderwysdepartement (hetsy in die Unie of die gebied) uitgevoer word of aan ’n ander pensioenwet as hierdie Wet wat deur die Tesourie uitgevoer word en vanaf die datum van so ’n oorplasing of aanstelling ’n bydraer word tot ’n pensioenfonds wat nie ’n goedgekeurde fonds is nie, en indien so ’n wet voorsiening maak vir die betaling uit so ’n pensioenfonds van jaargelde aan die weduwees van die lede daarvan en indien die tydperk ten opsigte waarvan die lid tot die fonds bygedra het, of enige gedeelte van bedoelde tydperk, as pensioengewende diens vir die doeleindes van so ’n pensioenfonds erken word, kan so ’n bedrag as wat voorgeskryf mag word, behoudens die bepalings van sub-artikel (3) en ooreenkomstig sodanige bedinge en voorwaardes as wat voorgeskryf mag word, uit die fonds betaal word aan die lid of aan so ’n pensioenfonds of gedeeltelik aan die lid en gedeeltelik aan so ’n pensioenfonds.

(3) Die Kommissaris bepaal of betaling ingevolge sub-artikel (1) of (2) uit die fonds geskied al dan nie en indien die Kommissaris bepaal dat betaling nie aldus geskied nie, is die lid geregtig op die afkoopwaarde van sowel die bydraes deur en ten opsigte van hom betaal as enige addisionele bydraes, volgens die tabelle bereken.”.

43. Artikel nege-en-sewentig van die Hoofwet word hierby gewysig—

Wysiging van artikel 79 van Wet 58 van 1955.

- (a) deur die woorde „uit die staatsdiens” te skrap; en
- (b) deur aan die end daarvan die volgende voorbehoudsbepaling by te voeg:

„Met dien verstande dat in die geval van ’n lid wat ’n lid is van ’n nuwe fonds en ten opsigte van wie paragraaf (a) van sub-artikel (2) van artikel nege-entwintig, paragraaf (a) van sub-artikel (2) van artikel agt-en-dertig of paragraaf (a) van sub-artikel (2) van artikel nege-en-veertig van toepassing is, ’n bedrag gelyk aan bedoelde afkoopwaarde uit die fonds in inkomste gestort word.”.

44. Artikel een-en-tagtig van die Hoofwet word hierby gewysig—

Wysiging van artikel 81 van Wet 58 van 1955.

- (a) deur in sub-artikels (1), (2) en (4) die woorde „van Finansies” te skrap; en
- (b) deur in sub-artikel (3) die woorde „van Finansies” deur die woorde „in oorleg met die Minister van Finansies en” te vervang.

Amendment of
section 93 of Act
58 of 1955.

45. Section *ninety-three* of the principal Act is hereby amended—

- (a) by the deletion in paragraph (a) of sub-section (1) of the words "a new fund or";
- (b) by the insertion after sub-section (1) of the following sub-section:
 "(1)*bis* If a member without a break in his service becomes liable to contribute and contributes to a new fund, there shall be paid out of the fund—
 (a) to the relevant new fund, as an instalment referred to in sub-section (2) of section *ten*, an amount equal to the member's contributions to the fund; and
 (b) to revenue an amount equal to the difference between the full benefit and the amount payable in terms of paragraph (a)."; and
- (c) by the insertion after sub-section (2) of the following sub-section:
 "(2)*bis* If a member fails to make an election in terms of sub-section (2), he shall be deemed to have elected the benefits under paragraph (a) of that sub-section."

Amendment of
section 98 of Act
58 of 1955.

46. Section *ninety-eight* of the principal Act is hereby amended—

- (a) by the deletion in sub-sections (1), (2) and (4) of the words "of Finance"; and
- (b) by the substitution in sub-section (3) for the words "of Finance" of the words "in consultation with the Minister of Finance and".

Amendment of
section 101 of Act
58 of 1955.

47. Section *one hundred and one* of the principal Act is hereby amended by the deletion in sub-section (2) of the words "of Finance" wherever they occur.

Amendment of
section 102 of Act
58 of 1955.

48. Section *one hundred and two* of the principal Act is hereby amended by the deletion of the words "of Finance".

Amendment of
section 109 of Act
58 of 1955.

49. Section *one hundred and nine* of the principal Act is hereby amended—

- (a) by the insertion after the definition of "Government" of the following definition:
 "'Minister' means the Minister of State to whom the Governor-General has assigned the administration of this Act;"; and
- (b) by the substitution for the definition of "Treasury" of the following definition:
 "'Treasury' means—
 (a) the Minister; or
 (b) any officer in the Department of Social Welfare and Pensions whom the Minister has authorized to perform any of the functions assigned to the Treasury in this Act; or
 (c) any officer in the Department of Finance whom the Minister, in consultation with the Minister of Finance, has authorized to perform any of the said functions,".

Amendment of
section 111 of Act
58 of 1955.

50. Section *one hundred and eleven* of the principal Act is hereby amended by the substitution for the expression "(3)" of the expression "(1)".

Amendment of
section 19 of Act
61 of 1955.

51. Section *nineteen* of the Universities Act, 1955, is hereby amended by the substitution for the words "Finance may, in consultation with the Minister" of the words "Social Welfare and Pensions may, in consultation with the Minister and the Minister of Finance".

Further pro-
visions relating
to retirement or
pension benefits
of certain teachers
at Government
Bantu Schools.

52. (1) Notwithstanding anything to the contrary contained in sub-regulation (2) of regulation 56 of the regulations made under the Bantu Education Act, 1953 (Act No. 47 of 1953), and published in Government Notice No. 2583 of the 30th December, 1955, or in any other law, any teacher to whom the said sub-regulation refers and who, after having been called upon to do so, did not make an election in terms of that sub-regulation, may elect in writing within ninety days after the date upon which he is called upon by the Commissioner to do so, to relinquish all rights accruing to him and to be freed from all obligations imposed upon him in terms of sub-section (5) of section *ten* of the said Act, and to become a member of the

45. Artikel *drie-en-negentig* van die Hoofwet word hierby gewysig— Wysiging van artikel 93 van Wet 58 van 1955.

(a) deur in paragraaf (a) van sub-artikel (1) die woorde „'n nuwe fonds of” te skrap;

(b) deur na sub-artikel (1) die volgende sub-artikel in te voeg:

„(1)*bis* Indien 'n lid sonder onderbreking van sy diens onder verpligting kom om tot 'n nuwe fonds by te dra en daartoe bydra, word daar uit die fonds—

(a) in die betrokke nuwe fonds, as 'n in sub-artikel (2) van artikel *tien* bedoelde paalement, 'n bedrag gestort wat gelykstaan aan die lid se bydraes tot die fonds; en

(b) in inkomste 'n bedrag gestort wat gelykstaan aan die verskil tussen die volle voordeel en die bedrag betaalbaar ingevolge paragraaf (a).”; en

(c) deur na sub-artikel (2) die volgende sub-artikel in te voeg:

„(2)*bis* Indien 'n lid versuim om ooreenkomstig sub-artikel (2) 'n keuse te doen, word hy geag die voordele ingevolge paragraaf (a) van daardie artikel te gekies het.”.

46. Artikel *agt-en-negentig* van die Hoofwet word hierby gewysig— Wysiging van artikel 98 van Wet 58 van 1955.

(a) deur in sub-artikels (1), (2) en (4) die woorde „van Finansies” te skrap; en

(b) deur in sub-artikel (3) die woorde „van Finansies” deur die woorde „in oorleg met die Minister van Finansies en” te vervang.

47. Artikel *honderd-en-een* van die Hoofwet word hierby gewysig deur in sub-artikel (2) die woorde „van Finansies” waar hulle ook al voorkom te skrap. Wysiging van artikel 101 van Wet 58 van 1955.

48. Artikel *honderd-en-twee* van die Hoofwet word hierby gewysig deur die woorde „van Finansies” te skrap. Wysiging van artikel 102 van Wet 58 van 1955.

49. Artikel *honderd-en-nege* van die Hoofwet word hierby gewysig— Wysiging van artikel 109 van Wet 58 van 1955.

(a) deur na die omskrywing van „Kommissaris” die volgende omskrywing in te voeg:

„Minister’ die Staatsminister aan wie die Goewerneur-generaal die uitvoering van hierdie Wet opgedra het;”; en

(b) deur die omskrywing van „Tesourie” deur die volgende omskrywing te vervang:

„Tesourie”—

(a) die Minister; of

(b) enige amptenaar in die Departement van Volkswelsyn en Pensioene wat die Minister gemagtig het om enige van die werksaamhede te verrig wat in hierdie Wet aan die Tesourie opgedra word; of

(c) enige amptenaar in die Departement van Finansies wat die Minister, in oorleg met die Minister van Finansies, gemagtig het om enige van bedoelde werksaamhede te verrig.”.

50. Artikel *honderd-en-elf* van die Hoofwet word hierby gewysig deur die uitdrukking „(3)” deur die uitdrukking „(1)” te vervang. Wysiging van artikel 111 van Wet 58 van 1955.

51. Artikel *negentien* van die Wet op Universiteite, 1955, word hierby gewysig deur die woorde „Finansies kan in oorleg met die Minister” deur die woorde „Volkswelsyn en Pensioene kan in oorleg met die Minister en die Minister van Finansies” te vervang. Wysiging van artikel 19 van Wet 61 van 1955.

52. (1) Ondanks die bepalings van sub-regulasie (2) van regulasie 56 van die regulasies uitgevaardig kragtens die Wet op Bantoe-onderwys, 1953 (Wet No. 47 van 1953), en gepubliseer in Goewermentskennisgewing No. 2583 van 30 Desember 1955, of van enige ander wetsbepalings, kan 'n in daardie sub-regulasie bedoelde onderwyser wat, nadat hy aangesê is om dit te doen, nie ingevolge gemelde regulasie 'n keuse gedoen het nie, binne negentig dae na die datum waarop hy deur die Kommissaris aangesê word om dit te doen, skriftelik kies om af te sien van al die regte en onthef te word van al die verpligtings wat ingevolge sub-artikel (5) van artikel *tien* van bedoelde Wet hom toekom of op hom gelê word, en om vanaf die eerste Verdere bepalings met betrekking tot uitdienstredings- of pensioenvoordele van sekere onderwysers aan Staatsban-toeskoole.

Union pension fund as from the first day of the month immediately following the month in which his election is made, and if he so elects the provisions of sub-sections (2) and (3) of section *thirteen* of the Government Service Pensions Act, 1955 (Act No. 58 of 1955), shall *mutatis mutandis* apply to and in respect of him as if he were a person who had become liable in terms of sub-section (1) of the said section *thirteen* to contribute to such fund as from the said day.

(2) Notwithstanding anything to the contrary contained in sub-regulation (1) of regulation 56 of the said regulations, any person—

- (a) to whom the said sub-regulation (1) refers;
- (b) who in terms of sub-regulation (3) of regulation 3 of such regulations is deemed to have been appointed under those regulations;
- (c) who immediately prior to such appointment was a contributor to a pension fund established under a provincial ordinance for the benefit of teachers; and
- (d) who at the commencement of this Act is not contributing to the Union pension fund,

shall retain the retirement or pension benefits applicable to him immediately prior to such appointment: Provided that any such person may elect in writing within ninety days after the date upon which he is called upon by the Commissioner to do so, to relinquish all rights and to be freed from all obligations attaching to the said benefits, and to become a member of the Union pension fund as from the first day of the month immediately following the month in which his election is made, and if he so elects the provisions of sub-sections (2) and (3) of section *thirteen* of the Government Service Pensions Act, 1955, shall *mutatis mutandis* apply to and in respect of him as if he were a person who had become liable in terms of sub-section (1) of the said section *thirteen* to contribute to such fund as from the said day.

(3) For the purposes of this section the expressions "Commissioner" and "Union pension fund" shall bear the meanings assigned to them in section *one hundred and nine* of the Government Service Pensions Act, 1955.

Reference to officer in Department of Pensions in certain laws to be deemed to be reference to officer in Department of Social Welfare and Pensions.

53. Any reference in any law relating to pensions to an officer in the Department of Pensions shall be deemed to be a reference to an officer in the Department of Social Welfare and Pensions.

Assignment of certain powers, duties and functions to head of Department of Social Welfare and Pensions.

54. Wherever any provision in any law confers a power or imposes a duty or entrusts a function to the Commissioner of Pensions or to the Secretary for Social Welfare, that power may be exercised and that duty shall and that function may be performed by the person who, in terms of the Public Service Act, 1957 (Act No. 54 of 1957), is for the time being the head of the Department of Social Welfare and Pensions or by any person lawfully acting in the stead of the head of that Department.

Certain persons deemed to satisfy requirements of certain provisions of certain laws.

55. (1) Any white person who satisfies the commissioner that he has been repatriated to the Union from Angola and that he is the descendant of a person born in any part of South Africa now included in the Union shall be deemed to satisfy the requirements of paragraph (d) of section *one* of the Old Age Pensions Act, 1928 (Act No. 22 of 1928), paragraph (d) of section *four* of the Blind Persons Act, 1936 (Act No. 11 of 1936), paragraph (c) of sub-section (1) of section *thirty* of the War Pensions Act, 1941 (Act No. 45 of 1941), or paragraph (d) of section *three* of the Disability Grants Act, 1946 (Act No. 36 of 1946), as the case may be.

(2) For the purposes of this section, the expression "commissioner" shall bear the meaning assigned to it in section *twenty* of the Old Age Pensions Act, 1928.

(3) The provisions of this section shall be deemed to have come into operation on the first day of October, 1958, and shall cease to be in operation on a date to be fixed by the Governor-General by proclamation in the *Gazette*.

Regulations made under paragraph (k) of section 86 of

56. Any regulation which is made after the commencement of this Act under paragraph (k) of section *eighty-six* of the Children's Act, 1937 (Act No. 31 of 1937), and which amends

dag van die maand onmiddellik na die maand waarin sy keuse gedoen word, 'n lid van die Unie-pensioenfonds te word, en indien hy aldus kies, is die bepalings van sub-artikels (2) en (3) van artikel *dertien* van die Regeringsdiens-pensioenwet, 1955 (Wet No. 58 van 1955), *mutatis mutandis* op en ten opsigte van hom van toepassing asof hy iemand is wat ingevolge sub-artikel (1) van bedoelde artikel *dertien* onder verpligting gekom het om vanaf bedoelde dag tot gemelde fonds by te dra.

(2) Ondanks die bepalings van sub-regulasie (1) van regulasie 56 van bedoelde regulasies behou iemand—

- (a) wat in daardie sub-regulasie (1) bedoel word;
- (b) wat ooreenkomstig sub-regulasie (3) van regulasie 3 van genoemde regulasies beskou word asof hy kragtens daardie regulasies aangestel is;
- (c) wat onmiddellik voor sodanige aanstelling 'n bydraer was tot 'n pensioenfonds wat kragtens 'n provinsiale ordonnansie ten voordele van onderwysers gestig is; en
- (d) wat by die inwerkingtreding van hierdie Wet nie tot die Unie-pensioenfonds bydra nie,

die uitdienstredings- of pensioenvoordele wat onmiddellik voor sodanige aanstelling op hom van toepassing was: Met dien verstande dat so iemand binne negentig dae na die datum waarop hy deur die Kommissaris aangesê word om dit te doen, skriftelik kan kies om af te sien van al die regte en onthef te word van al die verpligtings aan daardie voordele verbonde, en om vanaf die eerste dag van die maand onmiddellik na die maand waarin sy keuse gedoen word, 'n lid van die Unie-pensioenfonds te word, en indien hy aldus kies, is die bepalings van sub-artikels (2) en (3) van artikel *dertien* van die Regeringsdiens-pensioenwet, 1955, *mutatis mutandis* op en ten opsigte van hom van toepassing asof hy iemand is wat ingevolge sub-artikel (1) van bedoelde artikel *dertien* onder verpligting gekom het om vanaf bedoelde dag tot gemelde fonds by te dra.

(3) By die toepassing van hierdie artikel het die uitdrukking „Kommissaris” en „Unie-pensioenfonds” die betekenis wat daaraan by artikel *honderd-en-nege* van die Regeringsdiens-pensioenwet, 1955, toegeskryf word.

53. 'n Verwysing in enige wet wat op pensioene betrekking het, na 'n beampte in die Departement van Pensioene word geag 'n verwysing na 'n beampte in die Departement van Volkswelsyn en Pensioene te wees.

Verwysing in sekere wette na beampte in Departement van Pensioene word geag 'n verwysing na beampte in Departement van Volkswelsyn en Pensioene te wees.

54. Wanneer 'n bepaling in 'n wet aan die Kommissaris van Pensioene of die Sekretaris van Volkswelsyn 'n bevoegdheid verleen of 'n plig opleë of 'n funksie toevertrou, kan daardie bevoegdheid uitgeoefen word en moet daardie plig en kan daardie funksie uitgevoer word deur die persoon wat ingevolge die Staatsdienswet, 1957 (Wet No. 54 van 1957), dan die hoof van die Departement van Volkswelsyn en Pensioene is of deur iemand wat wettiglik in die plek van die hoof van daardie departement optree.

Oordrag van sekere bevoegdhede, pligte en funksies aan hoof van Departement van Volkswelsyn en Pensioene.

55. (1) 'n Blanke persoon wat die kommissaris oortuig dat hy uit Angola na die Unie gerepatrieer is en dat hy 'n afstammelings is van iemand wat in 'n deel van Suid-Afrika wat nou in die Unie opgeneem is, gebore is, word geag aan die vereistes van paragraaf (d) van artikel *een* van die Ouderdomspensioenwet, 1928 (Wet No. 22 van 1928), paragraaf (d) van artikel *vier* van die Wet op Blindes, 1936 (Wet No. 11 van 1936), paragraaf (c) van sub-artikel (1) van artikel *dertig* van die Oorlogspensioenwet, 1941 (Wet No. 45 van 1941), of paragraaf (d) van artikel *drie* van die Wet op Ongeskiktheidstoelaes, 1946 (Wet No. 36 van 1946), na gelang van die geval, te voldoen.

Sekere persone word geag aan vereistes van sekere bepalings van sekere wette te voldoen.

(2) By die toepassing van hierdie artikel het die uitdrukking „kommissaris” die betekenis wat daaraan by artikel *twintig* van die Ouderdomspensioenwet, 1928, toegeskryf word.

(3) Die bepalings van hierdie artikel word geag op die eerste dag van Oktober 1958 in werking te getree het en tree buite werking op 'n datum deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* bepaal te word.

56. 'n Regulasie wat na die inwerkingtreding van hierdie Wet kragtens paragraaf (k) van artikel *ses-en-tagtig* van die Kinderwet, 1937 (Wet No. 31 van 1937), uitgevaardig word en

Regulasies kragtens paragraaf (k) van artikel 86 van Wet 31 van 1937 uitgevaardig

Act 31 of 1937
may be made with
retrospective
effect.

Continuation
of payment,
in whole or
in part, of
amount payable
under section 17
of Act 52 of 1954.

or replaces any regulation in force at such commencement,
may be made with retrospective effect from a date not earlier
than the first day of April, 1959.

57. (1) If—

- (a) a pension granted to any person under the Old Age Pensions Act, 1928 (Act No. 22 of 1928), is discontinued under the provisions of section *eight* of that Act; or
- (b) a pension granted to any person under the Blind Persons Act, 1936 (Act No. 11 of 1936), is discontinued under the provisions of section *eight* of the Old Age Pensions Act, 1928 (as applied by section *six* of the said Blind Persons Act, 1936); or
- (c) a veteran's pension granted to any person under Part II of the War Pensions Act, 1941 (Act No. 45 of 1941), is discontinued under the provisions of section *eight* of the Old Age Pensions Act, 1928 (as applied by section *thirty-one* of the said War Pensions Act, 1941); or
- (d) a grant made to any person under the Disability Grants Act, 1946 (Act No. 36 of 1946), is discontinued under the provisions of section *eleven* of that Act,

by reason of the fact that the annuity which such person receives as an annuitant or widow annuitant, has been increased with effect from the first day of April, 1959 in terms of section *forty-five* of the Railways and Harbours Acts Amendment Act, 1959, payment of the whole or part of the amount by which such pension or grant was increased in terms of sub-section (1) of section *seventeen* of the Pension Laws Amendment Act, 1954 (Act No. 52 of 1954), may nevertheless be continued at such rate and subject to such conditions as the commissioner may from time to time determine.

(2) The provisions of this section shall apply only in respect of a person who on the first day of April, 1959—

- (a) was an annuitant or widow annuitant; and
- (b) was in receipt of a pension or grant awarded to him under one or other of the Acts referred to in paragraph (a), (b), (c) or (d) of sub-section (1).

(3) For the purposes of this section the expression "commissioner" shall bear the meaning assigned to it in section *twenty* of the Old Age Pensions Act, 1928, and the expressions "annuitant" and "widow annuitant" shall bear the meanings assigned to them in section *one* of the Railways and Harbours Acts Amendment Act, 1959.

Commencement
of certain
provisions.

58. (1) Sections *five*, *six*, *seven* and *ten* shall be deemed to have come into operation on the first day of April, 1959.

(2) Paragraph (a) of section *eight* shall be deemed to have come into operation on the twenty-sixth day of July, 1951.

(3) Paragraphs (b) and (c) of section *eight*, section *thirty-one*, paragraph (a) of section *thirty-three* and section *fifty* shall be deemed to have come into operation on the twenty-fourth day of June, 1955.

(4) Sections *fifty-three* and *fifty-four* shall be deemed to have come into operation on the twenty-third day of October, 1958.

(5) The provisions of sections *twelve* to *sixteen*, inclusive, sections *eighteen* to *twenty-six*, inclusive, paragraph (b) of section *thirty-three*, sections *thirty-four*, *thirty-five*, *thirty-seven*, *thirty-eight*, *thirty-nine*, *forty-one*, *forty-two* and *forty-three* shall come into operation on such dates as may be fixed by the Governor-General by proclamation in the *Gazette* and different dates may be so fixed in respect of different provisions.

(6) Section *thirty* shall come into operation on the first day of August, 1959.

Short title.

59. This Act shall be called the Pension Laws Amendment Act, 1959.

wat enige regulasie wat by sodanige inwerkingtreding van krag kan met terugwerkende krag is, wysig of vervang, kan met terugwerkende krag tot 'n datum uitgevaardig word. nie vroeër as die eerste dag van April 1959 nie, uitgevaardig word.

57. (1) Indien—

- (a) 'n pensioen wat kragtens die Ouderdomspensioenwet, 1928 (Wet No. 22 van 1928), aan iemand toegeken is, ingevolge die bepalings van artikel *agt* van daardie Wet gestaak word; of
- (b) 'n pensioen wat kragtens die Wet op Blindes, 1936 (Wet No. 11 van 1936), aan iemand toegeken is, ingevolge die bepalings van artikel *agt* van die Ouderdomspensioenwet, 1928 (soos toegepas deur artikel *ses* van bedoelde Wet op Blindes, 1936), gestaak word; of
- (c) 'n oudstryderspensioen wat kragtens Deel II van die Oorlogspensioenwet, 1941 (Wet No. 45 van 1941), aan iemand toegeken is, ingevolge die bepalings van artikel *agt* van die Ouderdomspensioenwet, 1928 (soos toegepas deur artikel *een-en-dertig* van bedoelde Oorlogspensioenwet, 1941), gestaak word; of
- (d) 'n toelae wat kragtens die Wet op Ongeskiktheids-toelaes, 1946 (Wet No. 36 van 1946), aan iemand toegeken is, ingevolge die bepalings van artikel *elf* van daardie Wet gestaak word,

Voortsetting van betaling van die geheel of 'n gedeelte van bedrag betaalbaar kragtens artikel 17 van Wet 52 van 1954.

uit hoofde van die feit dat die jaargeld wat so iemand as 'n jaargeldtrekker of weduwee-jaargeldtrekker ontvang, ingevolge artikel *vyf-en-veertig* van die Wysigingswet op Spoorweg- en Hawewette, 1959, met ingang van die eerste dag van April 1959 verhoog is, kan nietemin met betaling van die geheel of 'n gedeelte van die bedrag waarmee sodanige pensioen of toelae ooreenkomstig sub-artikel (1) van artikel *sewentien* van die Wysigingswet op die Pensioenwette, 1954 (Wet No. 52 van 1954), verhoog is, voortgegaan word teen so 'n skaal en onderhewig aan sodanige voorwaardes as wat die kommissaris van tyd tot tyd bepaal.

(2) Die bepalings van hierdie artikel is slegs van toepassing ten opsigte van iemand wat op die eerste dag van April 1959—

- (a) 'n jaargeldtrekker of 'n weduwee-jaargeldtrekker was; en
- (b) 'n pensioen of toelae wat kragtens een of ander van die in paragraaf (a), (b), (c) of (d) van sub-artikel (1) bedoelde wette aan hom toegeken is, ontvang het.

(3) By die toepassing van hierdie artikel het die uitdrukking „kommissaris” die betekenis wat daaraan by artikel *twintig* van die Ouderdomspensioenwet, 1928, toegeskryf word, en het die uitdrukkings „jaargeldtrekker” en „weduwee-jaargeldtrekker” die betekenis wat daaraan by artikel *een* van die Wysigingswet op Spoorweg- en Hawewette, 1959, toegeskryf word.

58. (1) Artikels *vyf*, *ses*, *sewe* en *tien* word geag op die eerste dag van April 1959 in werking te getree het.

Inwerkingtreding van sekere bepalings.

(2) Paragraaf (a) van artikel *agt* word geag op die ses-en-twintigste dag van Julie 1951 in werking te getree het.

(3) Paragraaf (b) en (c) van artikel *agt*, artikel *een-en-dertig*, paragraaf (a) van artikel *drie-en-dertig* en artikel *vyftig* word geag op die vier-en-twintigste dag van Junie 1955 in werking te getree het.

(4) Artikels *drie-en-vyftig* en *vier-en-vyftig* word geag op die drie-en-twintigste dag van Oktober 1958 in werking te getree het.

(5) Die bepalings van artikels *twaalf* tot en met *sestien*, artikels *agtien* tot en met *ses-en-twintig*, paragraaf (b) van artikel *drie-en-dertig*, artikels *vier-en-dertig*, *vyf-en-dertig*, *sewe-en-dertig*, *agt-en-dertig*, *nege-en-dertig*, *een-en-veertig*, *twee-en-veertig* en *drie-en-veertig* tree in werking op sodanige datums as wat die Goewerneur-generaal by proklamasie in die *Staatskoerant* bepaal en verskillende datums kan aldus ten opsigte van verskillende bepalings bepaal word.

(6) Artikel *dertig* tree in werking op die eerste dag van Augustus 1959.

59. Hierdie Wet heet die Wysigingswet op die Pensioen- Kort titel. wette, 1959.

No. 68, 1959.]

ACT

To provide for certain pensions, grants, gratuities and other benefits.

(Afrikaans text signed by the Governor-General.)
(Assented to 2nd July, 1959.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Granting of
certain benefits.

1. Notwithstanding anything to the contrary in any law, every person indicated as a beneficiary in an item of the Schedule to this Act shall be entitled to the benefit specified in that item.

Short title.

2. This Act shall be called the Pensions (Supplementary) Act, 1959.

Schedule

1. F. J. Bezuidenhout, P. J. C. Bosch, P. R. de Wet, L. A. T. du Plessis, A. S. Fourie, J. W. Houtbraken, M. H. C. le Page, G. C. Mulder, D. W. Timm, J. A. van Amerom and H. Welby-Cooke who prior to 1st January, 1959, were seconded from the service of the Free State Technical College to the service of the Orange Free State Goldfields Technical Institute, shall as from that date be deemed for pension purposes to be persons to whom the provisions of sub-section (1) of section *nineteen* and section *twenty-five* of the Vocational Education Act, 1955, apply.

2. The award to Inez M. Beyers, widow of the Honourable F. W. Beyers, formerly Minister of State and judge of appeal of the appellate division of the Supreme Court of South Africa, with effect from 1st April, 1959, of a pension of £300 per annum payable during widowhood.

3. The award of Louise E. Lansdown, widow of C. W. H. Lansdown, formerly Judge President of the Eastern Districts Local Division of the Supreme Court of South Africa, with effect from 1st April, 1959, of a pension of £240 per annum, payable during widowhood.

4. The award to Martha S. D. Gey van Pittius, widow of J. H. F. E. R. C. Gey van Pittius, puisne judge of the Transvaal Provincial Division of the Supreme Court of South Africa, with effect from 1st October, 1958, of a pension of £180 per annum, payable during widowhood.

5. The award to Wilhelmina F. van der Walt, widow of Senator the Hon. E. A. van der Walt, with effect from 1st April, 1959, of a pension of £180 per annum payable during widowhood.

6. The award on compassionate grounds to Theodore Goddefroy, Ex-Chief Supervisor, Training Camp for Coloureds, Department of Social Welfare, of an annuity of £150, payable from the Consolidated Revenue Fund, with effect from 1st April, 1957, in addition to the pension benefits granted to him from the New Railways and Harbours Superannuation Fund.

7. The award to Anna S. A. Jacobs, mother of the late A. S. Jacobs, constable, South African Police, of a pension of £36 per annum with effect from 1st October, 1958, payable during widowhood.

8. The award to Alice M. Selby, with effect from 1st April, 1959, of the pension to which she would have been entitled under the provisions of the Old Age Pensions Act, 1928, had her case conformed to the requirements of paragraph (d) of section *one* of that Act.

9. The pension of Helena C. Muller, widow of C. H. Muller, formerly Assistant Commandant-General, Anglo-Boer War, to be increased from £180 to £300 per annum with effect from 1st October, 1958; the pension to terminate upon her remarriage.

10. The gratuity of £728 5s. 3d. and the annuity of £183 11s. awarded to J. J. Bouwer, formerly detective constable, South African Police, shall be increased by £26 14s. 2d. and £52 2s. respectively, with effect from 1st April, 1959.

11. The payment to Muriel M. Ochtman, remarried widow of G. F. Garton, formerly messenger, House of Assembly, of a pension of £60 per annum for the period 29th May, 1952, to 30th April, 1957, is hereby validated: Provided that the amount recovered in terms of sub-section (2) of section *thirty-eight* of Act No. 44 of 1942 up to and including 31st March, 1959, shall not be refunded to her.

12. The award to W. L. W. Poles, formerly teacher, Orange Free State Education Department, of a gratuity of £542 19s. 11d. as a charge against the Provincial Revenue Fund of the Orange Free State.

No. 68, 1959.]

WET

Om voorsiening te maak vir sekere pensioene, toelaes, gratifikasies en ander voordele.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 2 Julie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Ondanks andersluidende wetsbepalings, is elke persoon wat in 'n item van die Bylae by hierdie Wet as 'n bevoordeelde aangewys word, op die in daardie item vermelde voordeel geregtig. Toekenning van sekere voordele.
2. Hierdie Wet heet die Wet tot Aanvulling van Pensioene, Kort titel. 1959.

Bylae

1. F. J. Bezuidenhout, P. J. C. Bosch, P. R. de Wet, L. A. T. du Plessis, A. S. Fourie, J. W. Houtbraken, M. H. C. le Page, G. C. Mulder, D. W. Timm, J. A. van Ameron en H. Welby-Cooke wat voor 1 Januarie 1959 tydelik uit die diens van die Vrystaatse Tegniese Kollege na die diens van die Tegniese Instituut Oranje-Vrystaatse Goudvelde oorgeplaas is, word vanaf daardie datum vir pensioendoeleindes geag persone te wees op wie die bepalinge van sub-artikel (1) van artikel *negentien* en artikel *vyf-en-twintig* van die Wet op Beroepsonderwys, 1955, van toepassing is.

2. Die toekenning aan Inez M. Beyers, weduwee van Sy Edele F. W. Beyers, voorheen Staatsminister en appèlregter van die appèlafdeling van die Hooggeregshof van Suid-Afrika, met ingang van 1 April 1959, van 'n pensioen van £300 per jaar, betaalbaar gedurende weduweeskap.

3. Die toekenning aan Louise E. Lansdown, weduwee van C. W. H. Lansdown, voorheen Regter-president van die Plaaslike Afdeling Oostelike Distrikte van die Hooggeregshof van Suid-Afrika, met ingang van 1 April 1959, van 'n pensioen van £240 per jaar, betaalbaar gedurende weduweeskap.

4. Die toekenning aan Martha S. D. Gey van Pittius, weduwee van J. H. F. E. R. C. Gey van Pittius, onderregter van die Transvaalse Provinsiale Afdeling van die Hooggeregshof van Suid-Afrika, met ingang van 1 Oktober 1958, van 'n pensioen van £180 per jaar, betaalbaar gedurende weduweeskap.

5. Die toekenning aan Wilhelmina F. van der Walt, weduwee van Senator die Ed. Agb. E. A. van der Walt, met ingang van 1 April 1959, van 'n pensioen van £180 per jaar, betaalbaar gedurende weduweeskap.

6. Die toekenning op grond van barmhartigheid aan Theodore Goddefroy, gewese hoofopsiener, opleidingskamp vir Kleurlinge, Departement van Volkswelsyn, van 'n jaargeld van £150, betaalbaar met ingang van 1 April 1957 uit die Gekonsolideerde Inkomstefonds, benewens die pensioenvoordele aan hom toegeken uit die Nuwe Spoorweg- en Hawesuperannuasiefonds.

7. Die toekenning aan Anna S. A. Jacobs, moeder van wyle A. S. Jacobs, konstabel, Suid-Afrikaanse Polisie, met ingang van 1 Oktober 1958, van 'n pensioen van £36 per jaar, betaalbaar gedurende weduweeskap.

8. Die toekenning aan Alice M. Selby, met ingang van 1 April 1959, van die pensioen waarop sy kragtens die bepalinge van die Ouderdomspensioenwet, 1928, geregtig sou gewees het indien haar geval aan die vereistes van paragraaf (d) van artikel *een* van daardie Wet voldoen het.

9. Dat die pensioen van Helena C. Muller, weduwee van C. H. Muller, voorheen Assistent-kommandant-generaal, Anglo-Boere-oorlog, met ingang van 1 Oktober 1958, van £180 tot £300 per jaar verhoog word en dat die pensioen verval indien sy weer trou.

10. Die gratifikasie van £728 5s. 3d. en die jaargeld van £183 11s. 0d. wat aan J. J. Bouwer, voorheen speurder-konstabel, Suid-Afrikaanse Polisie, toegeken is, word met ingang van 1 April 1959 onderskeidelik met £26 14s. 2d. en £52 2s. 0d. verhoog.

11. Die betaling aan Muriel M. Ochtman, hertroude weduwee van G. F. Garton, voorheen bode, Volksraad, van 'n pensioen van £60 per jaar vir die tydperk 29 Mei 1952 tot 30 April 1957 word hierby bekragtig: Met dien verstande dat die bedrag wat ingevolge sub-artikel (2) van artikel *agt-en-dertig* van Wet No. 44 van 1942 tot en met 31 Maart 1959 verhaal is, nie aan haar terugbetaal word nie.

12. Die toekenning aan W. L. W. Poles, voorheen onderwyser, Onderwysdepartement van die Oranje-Vrystaat, van 'n gratifikasie van £542 19s. 11d. as 'n las teen die Provinsiale Inkomstefonds van die Oranje-Vrystaat.

13. The award to R. J. Whitley, formerly major, South African Armoured Corps, of the sum of £105 in respect of medical expenses incurred by him.

14. For the purposes of section *four* of the War Special Pensions Act, 1919, the pre-war earnings of G. H. Smith, formerly No. 17116, private, 1st South African Infantry, shall be accepted at £450 per annum with effect from 1st October, 1958.

15. For the purposes of section *four* of the War Special Pensions Act, 1919, the pre-war earnings of M. J. Smith, formerly No. 13372, private, 2nd South African Infantry, shall be accepted at £450 per annum with effect from 1st October, 1958.

16. The award to Margaretha P. S. Arnold, widow of E. F. Arnold, formerly No. 648, corporal, South African Medical Corps, with effect from 1st April, 1959, of the alternative allowance to which she would have been entitled in terms of section *eighteen* of the War Special Pensions Act, 1919, had the pre-war earnings of the said E. F. Arnold amounted to £312 10s. per annum.

17. The award to Irene B. Colquhoun, widow of W. P. Colquhoun, formerly No. 234, staff sergeant, 1st South African Rifles, with effect from 1st April, 1959, of the alternative allowance to which she would have been entitled in terms of section *eighteen* of the War Special Pensions Act, 1919, had the pre-war earnings of the said W. P. Colquhoun amounted to £312 10s. per annum.

18. The award to Sybella W. du Plooy, widow of G. J. du Plooy, formerly No. A.63, burgher, Van Tonder's Horse, with effect from 1st October, 1958, of the alternative allowance to which she would have been entitled in terms of section *eighteen* of the War Special Pensions Act, 1919, had the pre-war earnings of the said G. J. du Plooy amounted to £312 10s. per annum.

19. The award to Florence I. Meade, widow of G. F. Meade, formerly No. 8990, corporal, 2nd South African Infantry, with effect from 1st April, 1959, of the alternative allowance to which she would have been entitled in terms of section *eighteen* of the War Special Pensions Act, 1919, had the pre-war earnings of the said G. F. Meade amounted to £312 10s. per annum.

20. The award to Jane E. Odendaal, widow of W. N. Odendaal, formerly No. 15307, private, 8th South African Infantry, with effect from 1st April, 1959, of the alternative allowance to which she would have been entitled in terms of section *eighteen* of the War Special Pensions Act, 1919, had the pre-war earnings of the said W. N. Odendaal amounted to £312 10s. per annum.

21. The award to Muriel A. Simpson, widow of J. J. Simpson, formerly No. 971, private, South African Service Corps, with effect from 1st April, 1959, of the alternative allowance to which she would have been entitled in terms of section *eighteen* of the War Special Pensions Act, 1919, had the pre-war earnings of the said J. J. Simpson amounted to £312 10s. per annum.

22. The award to G. L. Watkins, formerly No. 614518, lance corporal, South African Engineering Corps, with effect from 1st October, 1958, of the additional compensation to which he would have been entitled under the War Pensions Act, 1942, had his case conformed to the requirements of paragraph (iii) of the proviso to section *six* of that Act.

23. The application for compensation by S. Knoetze, formerly No. C.2900, private, 20th Mounted Rifles, shall be considered as if it had been lodged under the War Special Pensions Act, 1919, prior to the first day of April, 1932, subject to the condition that no compensation shall be payable in respect of any period prior to the first day of April, 1958.

24. The applications for compensation by the following persons shall be considered as if such applications had been lodged under the War Special Pensions Act, 1919, prior to the first day of April, 1932, subject to the condition that no compensation shall be payable in respect of any period prior to the first day of October, 1958:—

- (a) R. W. Godfrey, formerly No. 18485, private, 4th South African Infantry;
- (b) C. J. Randlehoff, formerly No. E.2916, private, 4th Mounted Rifles; and
- (c) N. J. Scriven, formerly No. 4764, private, 9th South African Horse.

25. The applications for compensation by the following persons shall be considered as if such applications had been lodged under the War Special Pensions Act, 1919, prior to the first day of April, 1932, subject to the condition that no compensation shall be payable in respect of any period prior to the first day of April, 1959:—

- (a) N. A. Jessop, formerly No. 5586, 2nd South African Infantry;
- (b) G. S. Johnston, formerly No. 312, private, 4th South African Horse; and
- (c) J. H. van Heerden, formerly burgher, Wolmaransstad Kommando.

26. The application for compensation by J. A. van Niekerk, formerly burgher, Kroonstad Kommando, Anglo-Boer War, shall be considered as if it had been lodged under the War Special Pensions Act, 1919, within the period prescribed by sub-section (3) of section *forty-five* of that Act, subject to the condition that no compensation shall be payable in respect of any period prior to the first day of October, 1958.

27. The application for compensation by P. J. Gouws, formerly No. 14871, private, 8th South African Infantry, in respect of the effects of injuries to his back, right foot and right leg shall be considered as if it had been lodged under the War Special Pensions Act, 1919, prior to the first day of April, 1932, subject to the condition that no compensation in respect of such effects shall be payable in respect of any period prior to the first day of October, 1958.

28. The application for compensation by C. J. N. Lever, formerly captain, South African Field Artillery, in respect of the effects of a hernia operation shall be considered as if it had been lodged under the War Special Pensions Act, 1919, prior to the first day of April, 1932, subject to the condition that no compensation in respect of such effects shall be payable in respect of any period prior to the first day of October, 1958.

13. Die toekenning aan R. J. Whitley, voorheen majoor, Suid-Afrikaanse Pantserkorps, van die bedrag van £105 ten opsigte van mediese onkoste wat deur hom aangegaan is.

14. Vir die doeleindes van artikel vier van die „Oorlogs Speciale Pensioenen Wet, 1919”, word die vooroorlogse verdienste van G. H. Smith, voorheen No. 17116, manskap, 1ste Suid-Afrikaanse Infanterie, met ingang van 1 Oktober 1958 as £450 per jaar aanvaar.

15. Vir die doeleindes van artikel vier van die „Oorlogs Speciale Pensioenen Wet, 1919”, word die vooroorlogse verdienste van M. J. Smith, voorheen No. 13372, manskap, 2de Suid-Afrikaanse Infanterie, met ingang van 1 Oktober 1958 as £450 per jaar aanvaar.

16. Die toekenning aan Margaretha P. S. Arnold, weduwee van E. F. Arnold, voorheen No. 648, korporaal, Suid-Afrikaanse Mediese Korps, met ingang van 1 April 1959, van die alternatiewe toelae waarop sy ingevolge artikel agtien van die „Oorlogs Speciale Pensioenen Wet, 1919”, geregtig sou gewees het indien die vooroorlogse verdienste van bedoelde E. F. Arnold £312 10s. 0d. per jaar bedra het.

(17) Die toekenning aan Irene B. Colquhoun, weduwee van W. P. Colquhoun, voorheen No. 234, stafserant, 1ste Suid-Afrikaanse Skutters, met ingang van 1 April 1959, van die alternatiewe toelae waarop sy ingevolge artikel agtien van die „Oorlogs Speciale Pensioenen Wet, 1919”, geregtig sou gewees het indien die vooroorlogse verdienste van bedoelde W. P. Colquhoun £312 10s. 0d. per jaar bedra het.

18. Die toekenning aan Sybella W. du Plooy, weduwee van G. J. du Plooy, voorheen No. A.63, burger, Van Tonder's Horse, met ingang van 1 Oktober 1958, van die alternatiewe toelae waarop sy ingevolge artikel agtien van die „Oorlogs Speciale Pensioenen Wet, 1919” geregtig sou gewees het indien die vooroorlogse verdienste van bedoelde G. J. du Plooy £312 10s. 0d. per jaar bedra het.

19. Die toekenning aan Florence I. Meade, weduwee van G. F. Meade, voorheen No. 8990, korporaal, 2de Suid-Afrikaanse Infanterie, met ingang van 1 April 1959, van die alternatiewe toelae waarop sy ingevolge artikel agtien van die „Oorlogs Speciale Pensioenen Wet, 1919”, geregtig sou gewees het indien die vooroorlogse verdienste van bedoelde G. F. Meade £312 10s. 0d. per jaar bedra het.

20. Die toekenning aan Jane E. Odendaal, weduwee van W. N. Odendaal, voorheen No. 15307, manskap, 8ste Suid-Afrikaanse Infanterie, met ingang van 1 April 1959, van die alternatiewe toelae waarop sy ingevolge artikel agtien van die „Oorlogs Speciale Pensioenen Wet, 1919”, geregtig sou gewees het indien die vooroorlogse verdienste van bedoelde W. N. Odendaal £312 10s. 0d. per jaar bedra het.

21. Die toekenning aan Muriel A. Simpson, weduwee van J. J. Simpson, voorheen No. 971, manskap, Suid-Afrikaanse Dienskorps, met ingang van 1 April 1959, van die alternatiewe toelae waarop sy ingevolge artikel agtien van die „Oorlogs Speciale Pensioenen Wet, 1919”, geregtig sou gewees het indien die vooroorlogse verdienste van bedoelde J. J. Simpson £312 10s. 0d. per jaar bedra het.

22. Die toekenning aan G. L. Watkins, voorheen No. 614518, onderkorporaal, Suid-Afrikaanse Genie, met ingang van 1 Oktober 1958, van die bykomstige vergoeding waarop hy kragtens die Oorlogspensioenwet, 1942, geregtig sou gewees het indien sy geval aan die vereistes van paragraaf (iii) van die voorbehoudsbepaling by artikel ses van daardie Wet voldoen het.

23. Die aansoek om vergoeding deur S. Knoetze, voorheen No. C.2900, manskap, 20ste Berede Skutters, word beskou asof dit voor die eerste dag van April 1932 ingevolge die „Oorlogs Speciale Pensioenen Wet, 1919”, ingedien was, onderworpe aan die voorwaarde dat geen vergoeding ten opsigte van enige tydperk voor die eerste dag van April 1958 betaalbaar is nie.

24. Die aansoek om vergoeding deur die volgende persone word beskou asof bedoelde aansoek voor die eerste dag van April 1932 ingevolge die „Oorlogs Speciale Pensioenen Wet, 1919”, ingedien was, onderworpe aan die voorwaarde dat geen vergoeding ten opsigte van enige tydperk voor die eerste dag van Oktober 1958 betaalbaar is nie:—

(a) R. W. Godfrey, voorheen No. 18485, manskap, 4de Suid-Afrikaanse Infanterie;

(b) C. J. Randlehoff, voorheen No. E.2916, manskap, 4de Berede Skutters; en

(c) N. J. Scriven, voorheen No. 4764, manskap, 9de Suid-Afrikaanse Ruiters.

25. Die aansoek om vergoeding deur die volgende persone word beskou asof bedoelde aansoek voor die eerste dag van April 1932 ingevolge die „Oorlogs Speciale Pensioenen Wet, 1919”, ingedien was, onderworpe aan die voorwaarde dat geen vergoeding ten opsigte van enige tydperk voor die eerste dag van April 1959 betaalbaar is nie:—

(a) N. A. Jessop, voorheen No. 5586, 2de Suid-Afrikaanse Infanterie;

(b) G. S. Johnston, voorheen No. 312, manskap, 4de Suid-Afrikaanse Ruiters; en

(c) J. H. van Heerden, voorheen burger, Wolmaransstad-kommando.

26. Die aansoek om vergoeding deur J. A. van Niekerk, voorheen burger, Kroonstad-kommando, Anglo-Boere-oorlog, word oorweeg asof dit ingedien is ingevolge die „Oorlogs Speciale Pensioenen Wet, 1919”, binne die tydperk wat deur sub-artikel (3) van artikel vyf-en-veertig van daardie wet voorgeskryf word, onderworpe aan die voorwaarde dat geen vergoeding ten opsigte van enige tydperk voor die eerste dag van Oktober 1958 betaalbaar is nie.

27. Die aansoek om vergoeding deur P. J. Gouws, voorheen No. 14871, manskap, 8ste Suid-Afrikaanse Infanterie, ten opsigte van die gevolge van beserings aan sy rug, regtervoet en regterbeen word beskou asof dit voor die eerste dag van April 1932 ingevolge die „Oorlogs Speciale Pensioenen Wet, 1919”, ingedien was, onderworpe aan die voorwaarde dat geen vergoeding ten opsigte van bedoelde gevolge ten opsigte van enige tydperk voor die eerste dag van Oktober 1958 betaalbaar is nie.

28. Die aansoek om vergoeding deur C. J. N. Lever, voorheen kaptein, Suid-Afrikaanse Veldartillerie, ten opsigte van die gevolge van 'n breukoperasie word beskou asof dit voor die eerste dag van April 1932 ingevolge die „Oorlogs Speciale Pensioenen Wet, 1919”, ingedien was, onderworpe aan die voorwaarde dat geen vergoeding ten opsigte van bedoelde gevolge ten opsigte van enige tydperk voor die eerste dag van Oktober 1958 betaalbaar is nie.

29. The application for compensation by R. W. A. Lewis, formerly No. 701, private, 2nd South African Field Ambulance, in respect of arthritis shall be considered as if it had been lodged under the War Special Pensions Act, 1919, prior to the first day of April, 1932, subject to the condition that no compensation in respect of such condition shall be payable in respect of any period prior to the first day of April, 1959.

30. The application for compensation by L. A. Noble, formerly No. 903, private, 3rd South African Infantry, in respect of the effects of bronchial pneumonia shall be considered as if it had been lodged under the War Special Pensions Act, 1919, prior to the first day of April, 1932, subject to the condition that no compensation in respect of such effects shall be payable in respect of any period prior to the first day of April, 1959.

31. The award to Casper Hendrik de Bruin, Slinger, South African Railways, of compensation for permanent disablement in respect of silicosis which he contracted prior to 25th September, 1951, while employed as a castings dresser in the service of the South African Railways, which shall be assessed as if the provisions of the Second Schedule to the Workmen's Compensation Act, 1941 (Act No. 30 of 1941), as amended by Proclamation No. 63 of 1952 dated 18th March, 1952, had been applicable to him as at 1st April, 1959, from which date the said compensation shall be payable to him.

32. Harold Arnold Banister-Jones, a servant of the Railway Administration, shall have the option of electing to have his period of service with the Department of Defence from 22nd February, 1940, to 11th July, 1946, admitted for pension purposes under the provisions of the Railways and Harbours Superannuation Fund Act, 1925 (Act No. 24 of 1925), subject to the following conditions:

(a) Contributions shall be paid to the New Railways and Harbours Superannuation Fund at the rates per cent prescribed in paragraph (1) of section eight of the Railways and Harbours Superannuation Fund Act, 1925 (Act No. 24 of 1925), as amended, plus £ for £ thereon, plus interest on both at the rate of five per cent per annum, compounded annually, from the dates such contributions became payable up to the last day of his service in the Department of Defence, plus further interest on the amount thus due at the rate of four and one-half per cent per annum, compounded monthly, from the day following such date up to the date payment on account thereof is actually made. The total amount thus due shall be advanced to him from the Railway and Harbour Fund and shall be paid to the said Superannuation Fund on his behalf;

(b) the amount paid on his behalf to the said Superannuation Fund in terms of sub-paragraph (a) shall be repaid by him to the Railway Administration in such instalments as the Administration's Chief Accountant may direct, provided that, if his services are terminated for any reason or he dies before the amount so advanced has been fully repaid or recovered, the amount still outstanding shall be deducted from benefits payable under the appropriate section of the Railways and Harbours Superannuation Fund Act, 1925 (Act No. 24 of 1925), to him, or, in the event of his death, to some other person. For the purpose of this sub-paragraph the expression "benefits" shall be deemed to include, in the event of his death, the capital sum on which, in terms of section thirty-one of the Railways and Harbours Superannuation Fund Act, 1925 (Act No. 24 of 1925), as amended, the calculation of any annuity payable to his widow is to be based. Any amount so deducted shall be refunded to the Railway and Harbour Fund; and,

(c) the said option shall be exercised by the servant within a period of three months from the date on which there is furnished to him by the Administration's Chief Accountant an official statement setting out the total amount that will become payable to the New Railways and Harbours Superannuation Fund should he exercise the option.

33. Subject to such conditions as the Secretary for Social Welfare and Commissioner of Pensions may determine, W. F. Bezuidenhout, No. 14168, lance sergeant, South African Police, shall be deemed to have elected in terms of sub-section (1) of section five of the Government Service Pensions Act, 1955, to become a contributor to the South African Police and Prisons Service Pension Fund.

34. Subject to such conditions as the Secretary for Social Welfare and Commissioner of Pensions may determine, D. A. Smart, registrar of the Witwatersrand Technical College, shall be permitted to pay contributions to the Technical Colleges Provident Fund in respect of his service from 18th March, 1940, to 31st December, 1944.

35. (a) C. S. Strauss, administrative officer, Department of Social Welfare and Pensions, may elect in writing within thirty days after the date upon which he is called upon to do so, to contribute to the Union pension fund in respect of his service from 12th September, 1935, to 1st December, 1936, and if he elects so to contribute, he shall, in respect of that period, pay contributions to the said fund at such rate as the Secretary for Social Welfare and Commissioner of Pensions may determine, together with interest on such contributions at the rate of four per cent per annum, annually compounded as at the thirty-first day of March and calculated according to the dates upon which the said contributions would have been payable had he during that period been a contributor to the said fund.

(b) The provisions of sub-sections (3) and (4) of section thirty-five of the Pension Laws Amendment Act, 1956, shall *mutatis mutandis* apply to his case.

36. Subject to the repayment by H. B. J. Basson, teacher, Transvaal Education Department, of the sum of £44 19s. 2d. paid to him from the Transvaal Teachers' Pension Fund on his resignation in 1942, together with interest thereon at the rate of four per cent per annum, compounded annually, from date of payment to date of repayment,

29. Die aansoek om vergoeding deur R. W. A. Lewis, voorheen No. 701, manskap, 2de Suid-Afrikaanse Veldambulans, ten opsigte van gewrigsontsteking word beskou asof dit voor die eerste dag van April 1932 ingevolge die „Oorlogs Speciale Pensioenen Wet, 1919”, ingedien was, onderworpe aan die voorwaarde dat geen vergoeding ten opsigte van bedoelde ongeskiktheid ten opsigte van enige tydperk voor die eerste dag van April 1959 betaalbaar is nie.

30. Die aansoek om vergoeding deur L. A. Noble, voorheen No. 903, manskap, 3de Suid-Afrikaanse Infanterie, ten opsigte van die gevolge van long- en lugpytpontsteking word beskou asof dit voor die eerste dag van April 1932 ingevolge die „Oorlogs Speciale Pensioenen Wet, 1919”, ingedien was, onderworpe aan die voorwaarde dat geen vergoeding ten opsigte van bedoelde gevolge ten opsigte van enige tydperk voor die eerste dag van April 1959 betaalbaar is nie.

31. Die toekenning aan Casper Hendrik de Bruin, slingerwerker, Suid-Afrikaanse Spoorweë, van skadeloosstelling vir blywende arbeidsongeskiktheid ten opsigte van silikose wat hy voor 25 September 1951 opgedoen het toe hy as 'n gietselafwerker in die diens van die Suid-Afrikaanse Spoorweë werksaam was, wat bereken sal word asof die bepaling van die Tweede Bylae van die Ongevallewet, 1941 (Wet No. 30 van 1941), soos gewysig deur Proklamasie No. 63 van 1952 gedateer 18 Maart 1952, op hom van toepassing was op 1 April 1959, vanaf welke datum genoemde skadeloosstelling aan hom betaalbaar sal wees.

32. Harold Arnold Banister-Jones, 'n dienaar van die Spoorweg-administrasie, sal die keuse hê om te kies om die tydperk van sy pensioendraende diens by die Departement van Verdediging van 22 Februarie 1940 tot 11 Julie 1946 vir pensioendoeleindes te laat geld kragtens die bepaling van die „Spoorwegen en Havens Superannuasie Fonds Wet, 1925” (Wet No. 24 van 1925), onderworpe aan die volgende voorwaardes:

- (a) Bydraes moet aan die Nuwe Spoorweg- en Hawesuperannuasiefonds betaal word teen die persentasieskale voorgeskryf in paragraaf (1) van artikel *agt* van die „Spoorwegen en Havens Superannuasie Fonds Wet, 1925” (Wet No. 24 van 1925), soos gewysig, plus £ vir £ daarop, plus rente op albei teen die koers van vyf persent per jaar, jaarliks saamgestel, vanaf die datums waarop genoemde bydraes betaalbaar geword het tot die laaste dag van sy diens in die Departement van Verdediging, plus verdere rente op die bedrag aldus verskuldig teen die koers van vier en 'n half persent per jaar, maandeliks saamgestel, vanaf die dag na genoemde datum tot die datum wanneer die betaling op rekening daarvan werklik gedoen word. Die totale bedrag wat aldus verskuldig is, moet uit die Spoorweg- en Hawefonds aan hom voorgeskiet word en moet ten behoeve van hom aan bedoelde Superannuasiefonds betaal word;
- (b) die bedrag wat ooreenkomstig sub-paragraaf (a) ten behoeve van hom aan bedoelde Superannuasiefonds betaal word, moet deur hom aan die Spoorwegadministrasie terugbetaal word in sodanige paaiemente as wat die Administrasie se Hoofrekenmeester bepaal, met dien verstande dat indien sy dienste om enige rede beëindig word, of hy te sterwe kom, voordat die bedrag wat aldus voorgeskiet is ten volle terugbetaal of verhaal is, die bedrag wat nog uitstaande is, verhaal moet word op voordele, wat, kragtens die toepaslike artikel van die „Spoorwegen en Havens Superannuasie Fonds Wet, 1925” (Wet No. 24 van 1925), aan hom, of, in geval van sy dood, aan iemand anders betaalbaar is. Vir die doeleindes van hierdie sub-paragraaf word onder die uitdrukking „voordele”, in geval van sy dood, ook verstaan die kapitaalsom waarop die berekening van 'n jaargeld wat aan sy weduwee betaalbaar is, ingevolge artikel *een-en-dertig* van die „Spoorwegen en Havens Superannuasie Fonds Wet, 1925” (Wet No. 24 van 1925), soos gewysig, gebaseer moet word. Enige bedrag wat aldus verhaal is, moet aan die Spoorweg- en Hawefonds terugbetaal word; en
- (c) die bedoelde keuse moet deur die dienaar gedoen word binne 'n tydperk van drie maande van die datum waarop hy deur die Administrasie se Hoofrekenmeester voorsien word van 'n amptelike staat wat die totale bedrag aantoon wat deur hom aan die Nuwe Spoorweg- en Hawesuperannuasiefonds betaalbaar sal word as hy die keuse doen.

33. Behoudens enige voorwaardes wat die Sekretaris van Volkswelsyn en Kommissaris van Pensioene bepaal, word W. F. Bezuidenhout, No. 14168, onder-sersant, Suid-Afrikaanse Polisie, geag om ooreenkomstig sub-artikel (1) van artikel *vyf* van die Regeringsdiens-pensioenwet, 1955, te verkies het om 'n bydraer tot die Suid-Afrikaanse Polisie- en Gevangensdiens-pensioenfonds te word.

34. Behoudens sodanige voorwaardes as wat die Sekretaris van Volkswelsyn en Kommissaris van Pensioene bepaal, word D. A. Smart, registrateur van die Witwatersrandse Tegniese Kollege, toegelaat om bydraes tot die Voorsorgfonds vir Tegniese Kolleges te betaal ten opsigte van sy diens vanaf 18 Maart 1940 tot 31 Desember 1944.

35. (a) C. S. Strauss, administratiewe beampste, Departement van Volkswelsyn en Pensioene, kan binne dertig dae na die datum waarop hy aangesê word om dit te doen, skriftelik kies om tot die Unie-pensioenfonds by te dra ten opsigte van sy diens vanaf 12 September 1935 tot 1 Desember 1936, en indien hy aldus kies om by te dra, moet hy, ten opsigte van daardie tydperk aan bedoelde fonds bydraes betaal volgens die skaal wat die Sekretaris van Volkswelsyn en Kommissaris van Pensioene bepaal, tesame met rente op bedoelde bydraes teen die koers van vier persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel en bereken volgens die datums waarop genoemde bydraes betaalbaar sou gewees het as hy gedurende daardie tydperk 'n bydraer tot bedoelde fonds was.

- (b) Die bepaling van sub-artikels (3) en (4) van artikel *vyf-en-dertig* van die Wysigingswet op die Pensioenwette, 1956, is *mutatis mutandis* van toepassing op sy geval.

36. Die diensonderbreking van H. B. J. Basson, onderwyser, Transvaalse Onderwysdepartement vanaf 1 Januarie 1942 tot 10 Oktober 1949, word vir pensioendoeleindes verskoon en beskou as spesiale afwesigheidsverlof sonder betaling wat nie as diens geld nie, maar wat hom die voordeel van sy vorige pensioengewende diens laat behou, op voorwaarde dat hy

the break in his service from the 1st January, 1942, to the 10th October, 1949, shall be condoned for pension purposes being regarded as special leave of absence without pay, not counting as service but preserving to him the benefit of his previous pensionable service.

37. Subject to the repayment by G. P. J. du Toit, registrar of the University of the Orange Free State, of the sum of £522 10s. 0d. paid to him from the Union Public Service Pension Fund on his resignation in 1945, together with interest on such sum at the rate of four per cent per annum, compounded annually, from date of payment to date of repayment, and to such conditions as the Secretary for Social Welfare and Commissioner of Pensions may determine, the break in his service from 1st March, 1945, to 31st March, 1946, shall be condoned for pension purposes, being regarded as special leave of absence without pay not counting as service, and, for the purposes of section *fourteen* of the Government Service Pensions Act, 1955, and the regulations governing the Provident Fund and Pension Scheme for University Institutions he shall be deemed—

- (a) to have been transferred from the public service to the service of the said University with effect from 1st April, 1946; and
- (b) to have elected to reckon his past pensionable service as service for the purpose of the said scheme.

38. The break in service of Adolf Walter Schneider, Leading Hand Electrician, South African Railways, from 26th May, 1940, to 8th November, 1948, shall be condoned for pension purposes, being regarded as special leave of absence without pay not counting as service, but preserving to him for pension purposes the benefit of his previous service from 17th February, 1939, to 25th May, 1940, on condition that the amount of contributions which would have been payable in respect of the said period to the New Railways and Harbours Superannuation Fund had he been admitted to membership thereof from 17th February, 1939, be paid by him to that fund together with interest thereon at the rate of four and one-half per cent per annum, compounded monthly, from the date such contributions were due to the date of payment.

39. The award to Johannes Jozua Hendrikus de Vos, formerly Secretary of Spoorbond, of an annuity of £300 from 1st April, 1959, payable from the Consolidated Revenue Fund.

40. That, if Sophia J. Jurgens, formerly Speaker's Secretary, House of Assembly, and presently an officer in the Department of External Affairs, retires or is retired from the public service in terms of sub-section (1) or (5) of section *fourteen* of the Public Service Act, 1957, or is discharged therefrom for a reason mentioned in paragraph (a), (b), (c) or (d) of sub-section (6) of that section, she shall be entitled to an annuity of £336 as from the date of such retirement or discharge: Provided that she may elect in writing not later than thirty days after the said date to receive in lieu of that annuity—

- (a) an annuity equal to seventy-five per cent of the first-mentioned annuity; and
- (b) a gratuity which shall be calculated in accordance with the relevant scale set forth in paragraph (b) of sub-section (2) of section *nineteen* of the Government Service Pensions Act, 1955.

No. 74, 1959.]

ACT

To amend the Attorneys' Admission Amendment and Legal Practitioners' Fidelity Fund Act, 1941.

(Afrikaans text signed by the Governor-General.)
(Assented to 3rd July, 1959.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of section 40 of Act 19 of 1941, as amended by section 22 of Act 18 of 1956.

1. Section *forty* of the Attorneys' Admission Amendment and Legal Practitioners' Fidelity Fund Act, 1941, is hereby amended by the substitution in sub-section (1) for the words "after consultation as provided for in section *thirty* of the principal Act" of the words "in consultation with the Chief Justice of South Africa and after consultation with the presidents of the several law societies".

Short title.

2. This Act shall be called the Legal Practitioners' Fidelity Fund Amendment Act, 1959.

die bedrag van £44 19s. 2d. wat by sy bedanking in 1942 uit die Transvaalse Onderwyserspensioenfonds aan hom betaal is, terugbetaal tesame met rente daarop teen die koers van vier persent per jaar, jaarliks saamgestel, vanaf die datum van betaling tot datum van terugbetaling.

37. Op voorwaarde dat G. P. J. du Toit, registrateur van die Universiteit van die Oranje-Vrystaat die bedrag van £522 10s. 0d. wat by sy bedanking in 1945 uit die Unie-staatsdienspensioenfonds aan hom betaal is, terugbetaal, tesame met rente op daardie bedrag teen die koers van vier persent per jaar, jaarliks saamgestel, vanaf die datum van betaling tot die datum van terugbetaling en behoudens sodanige voorwaardes as wat die Sekretaris van Volkswelsyn en Kommissaris van Pensioene bepaal, word sy diensonderbreking vanaf 1 Maart 1945 tot 31 Maart 1946 vir pensioendoeleindes verskoon en beskou as spesiale afwesigheidsverlof sonder betaling wat nie as diens geld nie, en by die toepassing van artikel *veertien* van die Regeringsdiens-pensioenwet, 1955 en die regulasies wat die Voorsorgfonds- en Pensioenskema vir Universiteitsinrigtings beheer, word hy geag—

(a) met ingang van 1 April 1946 uit die staatsdiens na die diens van bedoelde universiteit oorgeplaas te gewees het; en

(b) te gekies het om sy vorige pensioengewende diens as diens vir die doeleindes van bedoelde skema te reken.

38. Die diensonderbreking van Adolf Walter Schneider, Leier-elektrisiën, Suid-Afrikaanse Spoorweë, van 26 Mei 1940 tot 8 November 1948, word vir pensioendoeleindes verskoon en beskou as spesiale afwesigheidsverlof sonder besoldiging, wat nie as diens geld nie, maar wat hom die voordeel van sy vorige diens van 17 Februarie 1939 tot 25 Mei 1940 vir pensioendoeleindes laat behou op voorwaarde dat die bedrag van bydraes wat aan die Nuwe Spoorweg- en Hawesuperannuasiefonds ten opsigte van genoemde tydperk verskuldig sou gewees het indien hy tot lidmaatskap daarvan op 17 Februarie 1939 toegelaat was aan die genoemde fonds deur hom betaal word plus rente daarop teen vier en 'n half-persent per jaar maandeliks saamgestel vanaf die datum waarop sodanige bydraes verskuldig was tot die datum van betaling.

39. Die toekenning aan Johannes Jozua Hendrikus de Vos, voorheen Sekretaris van Spoorbond, van 'n jaargeld van £300 met ingang van 1 April 1959 betaalbaar uit die Gekonsolideerde Inkomstefonds.

40. Dat, indien Sophia J. Jurgens, voorheen Speaker se Sekretaresses, Volksraad, en tans 'n amptenaar in die Departement van Buitelandse Sake, ooreenkomstig sub-artikel (1) of (5) van artikel *veertien* van die Staatsdienswet, 1957, uit die Staatsdiens aftree of daaruit afgedank word, of om 'n rede in paragraaf (a), (b), (c) of (d) van sub-artikel (6) van daardie artikel gemeld, daaruit ontslaan word, sy vanaf die datum van sodanige uitdienstreding of ontslag op 'n jaargeld van £336 geregtig is: Met dien verstande dat sy nie later as dertig dae na bedoelde datum nie skriftelik kan kies om in plaas van daardie jaargeld—

(a) 'n jaargeld gelyk aan vyf-en-sewentig persent van eersbedoelde jaargeld te ontvang; en

(b) 'n gratifikasie te ontvang wat bereken word ooreenkomstig die toepaslike skaal in paragraaf (b) van sub-artikel (2) van artikel *negentien* van die Regeringsdiens-pensioenwet, 1955, uiteengesit.

No. 74, 1959.]

WET

Tot wysiging van die Toelating van Prokureurs Wysigings- en Regspraktisyns-getrouheidsfonds-wet, 1941.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 3 Julie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Artikel *veertig* van die Toelating van Prokureurs Wysigings- en Regspraktisyns-getrouheidsfonds-wet, 1941, word hierby gewysig deur in sub-artikel (1) die woorde „na oorleg, soos in artikel *dertig* van die Hoofwet bepaal” deur die woorde „in oorleg met die Hoofregter van Suid-Afrika en na oorlegpleging met die presidente van die onderskeie wetsgenootskappe” te vervang.

Wysiging van artikel 40 van Wet 19 van 1941, soos gewysig deur artikel 22 van Wet 18 van 1956.

2. Hierdie Wet heet die Wysigingswet op die Getrouheids- fonds vir Regspraktisyns, 1959. Kort titel.

No. 70, 1959.]

ACT

To amend the Artificial Insemination of Animals Act, 1954.

(Afrikaans text signed by the Governor-General.)

(Assented to 3rd July, 1959.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of
section 1 of
Act 23 of 1954.

1. Section one of the Artificial Insemination of Animals Act, 1954 (hereinafter referred to as the principal Act), is hereby amended—

- (a) by the substitution for the definition of "Minister" of the following definition:
"Minister" means the Minister of Agricultural Technical Services;"; and
- (b) by the substitution for the definition of "Registrar" of the following definition:
"Registrar" means the Secretary for Agricultural Technical Services or an officer in the public service acting under his authority;".

Substitution of
section 3 of
Act 23 of 1954.

2. The following section is hereby substituted for section three of the principal Act:

"Appoint-
ment of
Artificial
Insemina-
tion Board.

3. (1) The Minister shall appoint a board to be known as the Artificial Insemination Board consisting of sixteen members, of whom—

- (a) two shall be appointed from a panel of four names submitted by the South African Agricultural Union;
- (b) two shall be appointed from a panel of four names submitted by an association or associations representative, in the opinion of the Minister, of milk producers;
- (c) six shall be appointed from a panel of twelve names submitted by an association or associations representative, in the opinion of the Minister, of breeders of stud animals;
- (d) two shall be appointed from a panel of four names submitted by an association or associations representative, in the opinion of the Minister, of producers of animals who practise artificial insemination;
- (e) one shall be appointed from a panel of two names submitted by the South African Veterinary Medical Association; and
- (f) three shall be officers of the Department of Agricultural Technical Services.

(2) Whenever the submission of a panel of names in terms of paragraph (a), (b), (c), (d) or (e) of sub-section (1) becomes necessary, the Minister shall, by notice in writing, call upon the organization or association concerned to submit, within a period stated in the notice, the names which it is entitled to submit in terms of the relevant paragraph.

(3) Whenever the number of persons whose names appear on a panel submitted in pursuance of a notice under paragraph (a), (b), (c), (d) or (e) of sub-section (1) and who are, in the opinion of the Minister, suitable for appointment to the board, is less than the number required to be appointed in terms of the paragraph concerned, the Minister may by notice in writing call upon the organization or association concerned to submit within a period stated in the notice, the names of two persons for each person still required to make up the required number of members.

(4) If none of the persons whose names appear on a panel submitted in pursuance of a notice under sub-section (3), is, in the opinion of the Minister, suitable to be appointed to the board, or if the

No. 70, 1959.]

WET

Tot wysiging van die Wet op die Kunsmatige Inseminering van Diere, 1954.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 3 Julie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Artikel een van die Wet op die Kunsmatige Inseminering van Diere, 1954 (hieronder die Hoofwet genoem), word hierby gewysig—

Wysiging van artikel 1 van Wet 23 van 1954.

- (a) deur die woordskrywing van „Minister” deur die volgende woordskrywing te vervang:
„Minister” die Minister van Landbou-tegniese Dienste;” en
- (b) deur die woordskrywing van „Registrateur” deur die volgende woordskrywing te vervang:
„Registrateur” die Sekretaris van Landbou-tegniese Dienste of ’n amptenaar in die Staatsdiens wat onder sy gesag handel;”.

2. Artikel drie van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 3 van Wet 23 van 1954.

„Aanstelling van ’n Raad vir Kunsmatige Inseminering.

3. (1) Die Minister stel ’n raad aan, bekend as die Raad vir Kunsmatige Inseminering, wat bestaan uit sestien lede, van wie—

- (a) twee uit ’n paneel van vier name voorgelê deur die Suid-Afrikaanse Landbou-unie, aangestel word;
- (b) twee uit ’n paneel van vier name voorgelê deur ’n vereniging of verenigings wat, volgens die oordeel van die Minister, verteenwoordigend van produsente van melk is, aangestel word;
- (c) ses uit ’n paneel van twaalf name voorgelê deur ’n vereniging of verenigings wat, volgens die oordeel van die Minister, verteenwoordigend van telers van stoetdiere is, aangestel word;
- (d) twee uit ’n paneel van vier name voorgelê deur ’n vereniging of verenigings wat, volgens die oordeel van die Minister, verteenwoordigend van produsente van diere is wat kunsmatige inseminering toepas, aangestel word;
- (e) een uit ’n paneel van twee name voorgelê deur die Suid-Afrikaanse Vereniging van Veeartse, aangestel word; en
- (f) drie amptenare van die Departement van Landbou-tegniese Dienste is.

(2) Wanneer die voorlegging van ’n paneel van name uit hoofde van paragraaf (a), (b), (c), (d) of (e) van sub-artikel (1) nodig word, sê die Minister die betrokke organisasie of vereniging by skriftelike kennisgewing aan om, binne ’n in die kennisgewing vermelde tydperk, die name voor te lê wat hy kragtens die toepaslike paragraaf geregtig is om voor te lê.

(3) Wanneer die aantal persone wie se name op ’n uit hoofde van ’n kennisgewing ingevolge paragraaf (a), (b), (c), (d) of (e) van sub-artikel (1) voorgelegde paneel verskyn en wat, volgens die oordeel van die Minister, vir aanstelling op die raad geskik is, minder is as die vereiste getal wat uit hoofde van die betrokke paragraaf aangestel moet word, kan die Minister die betrokke organisasie of vereniging by skriftelike kennisgewing aansê om, binne ’n in die kennisgewing vermelde tydperk, die name van twee pe sone vir elke persoon wat nog benodig word om die vereiste getal lede te verkry, voor te lê.

(4) Indien geeneen van die persone wie se name op ’n uit hoofde van ’n kennisgewing ingevolge sub-artikel (3) voorgelegde paneel verskyn, volgens die oordeel van die Minister vir aanstelling in die raad

number of persons whose names appear on the said panel and who are, in the opinion of the Minister, suitable to be so appointed, is still insufficient to make up the number of members required, the Minister may appoint one or more persons whom he deems suitable in the place of the person or persons whose names are required to be submitted in terms of paragraph (a), (b), (c), (d) or (e) of sub-section (1), as the case may be, to make up the number of members still required to be appointed.

(5) If the organization or association concerned fails to submit a panel of names in pursuance of a notice under sub-section (2) or (3), within the period specified in the said notice or if no association referred to in paragraph (b), (c) or (d) of sub-section (1) is in existence, the Minister may appoint one or more persons whom he deems suitable in the place of the person or persons whose names are required to be submitted by such organization or association."

Amendment of
section 5 of
Act 23 of 1954.

3. Section five of the principal Act is hereby amended by the substitution for sub-sections (1), (2) and (3) of the following sub-sections:

"(1) A member of the board (except a member referred to in paragraph (f) of sub-section (1) of section three who shall hold office during the Minister's pleasure) shall, subject to the provisions of sub-sections (2), (5) and (7), hold office for a period of two years and shall be eligible for reappointment on the expiration of his period of office: Provided that the Minister may at any time, if he is satisfied that there are good reasons for doing so, terminate the period of office of any member of the board.

(2) At the expiration of one year from the appointment of the first members of the board, half of the members referred to in each of the paragraphs (a), (b), (c) and (d) of sub-section (1) of section three shall vacate their offices and the vacancies so arising shall be filled *mutatis mutandis* in manner provided by sub-sections (2), (3), (4) and (5) of the said section: Provided that the organization or association concerned shall submit the names of only two persons for each member required to be appointed under any particular paragraph of sub-section (1) of section three.

(3) The members who shall vacate their offices in accordance with the provisions of sub-section (2) shall be determined by the drawing of lots prior to the expiration of one year from the date of the appointment of the first members of the board."

Amendment of
section 6 of
Act 23 of 1954.

4. Section six of the principal Act is hereby amended by the substitution for sub-section (1) of the following sub-section:

"(1) The Minister shall designate one of the members of the board referred to in paragraph (f) of sub-section (1) of section two as chairman of the board."

Short title.

5. This Act shall be called the Artificial Insemination of Animals Amendment Act, 1959.

geskik is nie, of as die getal persone wie se name op bedoelde paneel verskyn en wat volgens die Minister se oordeel geskik is om aldus aangestel te word, nog nie voldoende is om die vereiste getal lede te verkry nie, kan die Minister een of meer persone wat hy geskik ag, aanstel in die plek van die persoon of persone wie se name ingevolge paragraaf (a), (b), (c), (d) of (e) van sub-artikel (1), na gelang van die geval, voorgelê moet word, om die vereiste getal lede wat nog aangestel moet word, te verkry.

(5) Indien die betrokke organisasie of vereniging in gebreke bly om 'n paneel van name uit hoofde van 'n kennisgewing ingevolge sub-artikel (2) of (3) binne 'n in bedoelde kennisgewing vermelde tydperk voor te lê, of indien daar geen in paragraaf (b), (c) of (d) van sub-artikel (1) bedoelde vereniging bestaan nie, kan die Minister een of meer persone, wat hy geskik ag, aanstel in die plek van die persoon of persone wie se name deur bedoelde organisasie of vereniging voorgelê moet word."

3. Artikel vyf van die Hoofwet word hierby gewysig deur sub-artikels (1), (2) en (3) deur die volgende sub-artikels te vervang: Wysiging van artikel 5 van Wet 23 van 1954.

„(1) 'n Lid van die raad (uitgesonderd 'n in paragraaf (f) van sub-artikel (1) van artikel *drie* bedoelde lid wat sy amp beklee vir solank dit die Minister behaag), beklee sy amp, onderworpe aan die bepalings van sub-artikels (2), (5) en (7), vir 'n tydperk van twee jaar en kan by verstryking van sy ampstermyn weer as lid van die raad aangestel word: Met dien verstande dat indien die Minister oortuig is dat daar gegronde redes daarvoor bestaan, hy te eniger tyd die ampstermyn van 'n lid van die raad kan beëindig.

(2) Na die verstryking van een jaar vanaf die datum van aanstelling van die eerste lede van die raad, tree die helfte van die lede waarna verwys word in elk van paragrawe (a), (b), (c) en (d) van sub-artikel (1) van artikel *drie* af en die vakatures wat aldus ontstaan word gevul op die wyse bepaal in sub-artikels (2), (3), (4) en (5) van genoemde artikel: Met dien verstande dat die betrokke organisasie of vereniging die name van slegs twee persone moet voorlê vir elke lid wat ingevolge 'n bepaalde paragraaf van sub-artikel (1) van artikel *drie* aangestel moet word.

(3) Die lede wat hulle amp ingevolge die bepalings van sub-artikel (2) moet ontruim, word voor die verstryking van een jaar vanaf die datum van die aanstelling van die eerste lede van die raad, deur loting aangewys."

4. Artikel ses van die Hoofwet word hierby gewysig deur sub-artikel (1) deur die volgende sub-artikel te vervang: Wysiging van artikel 6 van Wet 23 van 1954.

„(1) Die Minister wys een van die in paragraaf (f) van sub-artikel (1) van artikel *twee* bedoelde lede van die raad as voorsitter van die raad aan."

5. Hierdie Wet heet die Wysigingswet op die Kunsmatige Kort titel. Inseminering van Diere, 1959.

No. 71, 1959.]

ACT

To amend the Public Health Act, 1919.

(English text signed by the Governor-General.)
Assented to 3rd July, 1959.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of
section 6 of
Act 36 of 1919.

1. Section *six* of the Public Health Act, 1919 (hereinafter referred to as the principal Act), is hereby amended—

- (a) by the insertion after the word "district" where it occurs for the first time and where it occurs for the second time of the words "or any portion thereof or any premises situate therein"; and
- (b) by the addition of the following sub-section, the existing section becoming sub-section (1):

"(2) The Minister may cause any information furnished to him under sub-section (1), to be communicated to any department of State or any public body or any person in the employment of the Government, where in the opinion of the Minister such information is reasonably required by that department, body or person for the effective performance of its or his functions."

Amendment of
section 18 of
Act 36 of 1919,
as amended by
section 3 of
Act 15 of 1928.

2. Section *eighteen* of the principal Act is hereby amended by the substitution in sub-section (1) for the words "malta fever" of the word "brucellosis".

Amendment of
section 36 of
Act 36 of 1919.

3. Section *thirty-six* of the principal Act is hereby amended—

- (a) by the substitution in paragraph (a) for the words "school attendance" of the words "the attendance by any person at any school";
- (b) by the insertion in paragraph (b) after the word "children" in both places where it occurs of the words "scholars or students"; and
- (c) by the substitution in paragraph (p) for the words "the health of those engaged therein" of the word "health" and the addition to that paragraph of the words "including the prohibition of the carrying on of any such trade or occupation except under licence".

Substitution of
section 104 of
Act 36 of 1919,
as amended by
section 19 of
Act 44 of 1952

4. The following section is hereby substituted for section *one hundred and four* of the principal Act:

"Vaccination of certain persons intended to be appointed to the service of the State or local authorities. 104. Any candidate for appointment to a post in the public service or in the service of the Railway Administration, or for enrolment in the South African Police Force or the South African Defence Force, or for appointment to a post of sanitary inspector or any similar post by any local authority, may be required as a condition of such appointment or enrolment—

- (a) to produce proof that he has already suffered from small-pox or has within the immediately preceding three years been successfully vaccinated or found to be insusceptible to vaccination and, where he has been so found to be insusceptible, that a certificate of insusceptibility has been issued in respect of him in accordance with the provisions of section *ninety-three*; or
- (b) to undertake to submit himself to vaccination and to produce proof of successful vaccination, within one month after the date of his appointment or enrolment, or to produce proof that a certificate of insusceptibility has been issued in respect of him in accordance with the provisions of section *ninety-three*, within three months after the said date."

No. 71, 1959.]

WET

Tot wysiging van die „Volksgezondheidswet, 1919”.

(Engelse teks deur die Gowerneur-generaal geteken.)
(Goedgekeur op 3 Julie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Artikel *ses* van die „Volksgezondheidswet, 1919” (hieronder die Hoofwet genoem) word hierby gewysig—

Wysiging van artikel 6 van Wet 36 van 1919.

(a) deur na die woord „distrikten” en na die woord „distrikt” waar dit die eerste maal voorkom die woorde „of enig deel daarvan of enig daarin gelegen perceel” in te voeg; en

(b) deur die volgende sub-artikel daarby te voeg, terwyl die bestaande artikel sub-artikel (1) word:—

„(2) De Minister kan inlichting ingevolge sub-artikel (1) aan hem verstrekt, aan een Staatsdepartement of een openbaar lichaam of iemand in de dienst van de Regering doen mededelen, waar die inlichting naar het oordeel van de Minister redelijkerwijs door dat departement of lichaam of door zo iemand voor de doeltreffende verrichting van zijn werkzaamheden vereischt wordt.”.

2. Artikel *agtien* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woorde „maltakoorts (bokkoorts)” deur die woord „brucellose” te vervang.

Wysiging van artikel 18 van Wet 36 van 1919, soos gewysig deur artikel 3 van Wet 15 van 1928.

3. Artikel *ses-en-dertig* van die Hoofwet word hierby gewysig—

Wysiging van artikel 36 van Wet 36 van 1919.

(a) deur in paragraaf (a) die woord „schoolbezoek” deur die woorde „bezoek aan een school door enige persoon” te vervang;

(b) deur in paragraaf (b) na die woord „schoolkinderen” en na die woord „kinderen” die woorde „scholieren of studenten” in te voeg; en

(c) deur in paragraaf (p) die woorde „van hen die daarin werkzaam zijn” te skrap, en by daardie paragraaf die woorde „met inbegrip van het verbieden van het drijven van zulk een bedrijf of beroep tenzij onder licentie” by te voeg.

4. Artikel *honderd-en-vier* van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 104 van Wet 36 van 1919, soos gewysig deur artikel 19 van Wet 44 van 1952.

„Inenten van zekere personen voor aanstelling in dienst van de Staat of plaatselijke autoriteiten. 104. Er kan van een kandidaat voor aanstelling in een ambt in de Staatsdienst of in de dienst van de Spoorwegadministratie, of voor inschrijving bij de Zuidafrikaanse Politie-macht of de Zuidafrikaanse Verdedigingsmacht, of voor aanstelling in een betrekking als een inspekteur van gezondheid of in een soortgelijke betrekking bij een plaatselijke autoriteit als een voorwaarde van zodanige aanstelling of inschrijving worden vereischt—

(a) het voorleggen van bewijs dat hij reeds aan de kinderpokken (pokken) geleden heeft of binnen de onmiddellijk voorafgaande drie jaren met goede uitslag ingeënt is geworden of voor inenting onvatbaar bevonden is, en, waar hij aldus onvatbaar bevonden is dat overeenkomstig de bepalingen van artikel *drie en negentig* een certificaat van onvatbaarheid ten opzichte van hem uitgereikt is; of

(b) een onderneming om zich te doen inenten en bewijs van geslaagd inenting te verstrekken binnen een maand na de datum van zijn aanstelling of inschrijving, of om bewijs dat een certificaat van onvatbaarheid overeenkomstig de bepalingen van artikel *drie en negentig* ten opzichte van hem uitgereikt is, te verstrekken binnen drie maanden na bedoelde datum.”.

Amendment of
section 153 of
Act 36 of 1919.

5. (1) Section *one hundred and fifty-three* of the principal Act is hereby amended by the substitution for the words "and the divisional council of Kimberley" of the words "the municipal council of Warrenton and the village management board of Ritchie".

(2) The municipal council of Warrenton shall be deemed to have been duly empowered to do anything done by it prior to the commencement of this Act which it would have been empowered to do if sub-section (1) had then been in operation.

Short title.

6. This Act shall be called the Public Health Amendment Act, 1959.

No. 69, 1959.]

ACT

To amend the Canned Fruit and Vegetables Export Control Act, 1956.

(English text signed by the Governor-General.)
(Assented to 3rd July, 1959.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of
section 3 of
Act 66 of 1956,
as amended by
section 1 of
Act 83 of
1957 and section
1 of Act 28 of
1958.

1. Section *three* of the Canned Fruit and Vegetables Export Control Act, 1956, is hereby amended—

- (a) by the insertion in sub-section (1) after the word "who" of the words "are canners thereof and";
- (b) by the substitution for sub-section (2) of the following sub-section:

"(2) No exporter who is a canner of a particular kind of canned fruit or canned vegetables and who wishes to become a party to an agreement referred to in sub-section (1) in respect of that kind of canned fruit or canned vegetables and who undertakes to comply with the terms of such an agreement shall be debarred from becoming a party thereto."

Amendment of
section 8 of
Act 66 of 1956,
as amended by
section 2 of Act
83 of 1957, and
section 2 of Act 28
of 1958.

2. Section *eight* of the Canned Fruit and Vegetables Export Control Act, 1956, is hereby amended by the substitution for the figures "1959" of the figures "1961".

Application of
laws to South-
West Africa.

3. The Canned Fruit and Vegetables Export Control Amendment Act, 1957 (Act No. 83 of 1957), the Canned Fruit and Vegetables Export Control Amendment Act, 1958 (Act No. 28 of 1958) and this Act shall apply also in the territory of South-West Africa.

Short title.

4. This Act shall be called the Canned Fruit and Vegetables Export Control Amendment Act, 1959.

5. (1) Artikel *honderd drie-en-vyftig* van die Hoofwet word hierby gewysig deur die woorde „en de afdelingsraad van Kimberley” deur die woorde „de stadsraad van Warrenton en de dorpsbeheerraad van Ritchie” te vervang. Wysiging van artikel 153 van Wet 36 van 1919.

(2) Die stadsraad van Warrenton word geag behoorlik gemagtig te gewees het om enigiets te doen wat voor die inwerkingtreding van hierdie Wet deur hom gedoen is en wat hy gemagtig sou gewees het om te doen indien sub-artikel (1) toe in werking was.

6. Hierdie Wet heet die Wysigingswet op Volksgesondheid, Kort titel. 1959.

No. 69, 1959.]

WET

Tot wysiging van die Wet op Beheer van die Uitvoer van Ingemaakte Vrugte en Groente, 1956.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 3 Julie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Artikel *drie* van die Wet op Beheer van die Uitvoer van Ingemaakte Vrugte en Groente, 1956, word hierby gewysig— Wysiging van artikel 3 van Wet 66 van 1956, soos gewysig by artikel 1 van Wet 83 van 1957 en artikel 1 van Wet 28 van 1958.

(a) deur in sub-artikel (1) ná die woord „wat”, waar dit die eerste maal voorkom, die woorde „inmakers daarvan is en” in te voeg;

(b) deur sub-artikel (2) deur die volgende sub-artikel te vervang:

„(2) Geen uitvoerder wat ’n inmaker van ’n bepaalde soort ingemaakte vrugte of ingemaakte groente is en wat begerig is om ’n party by ’n in sub-artikel (1) bedoelde ooreenkoms ten opsigte van daardie soort ingemaakte vrugte of ingemaakte groente te word en wat onderneem om die bepalings van so ’n ooreenkoms na te kom, mag verhinder word om ’n party daarby te word nie.”.

2. Artikel *agt* van die Wet op Beheer van die Uitvoer van Ingemaakte Vrugte en Groente, 1956, word hierby gewysig deur die syfers „1959” deur die syfers „1961” te vervang. Wysiging van artikel 8 van Wet 66 van 1956, soos gewysig by artikel 2 van Wet 83 van 1957 en artikel 2 van Wet 28 van 1958.

3. Die Wysigingswet op Beheer van die Uitvoer van Ingemaakte Vrugte en Groente, 1957 (Wet No. 83 van 1957), die Wysigingswet op Beheer van die Uitvoer van Ingemaakte Vrugte en Groente, 1958 (Wet No. 28 van 1958), en hierdie Wet is ook in die gebied Suidwes-Afrika van toepassing. Toepassing van wette op Suidwes-Afrika.

4. Hierdie Wet heet die Wysigingswet op Beheer van die Kort titel. Uitvoer van Ingemaakte Vrugte en Groente, 1959.

No. 72, 1959.]

ACT

To amend the Housing Act, 1957.

(Afrikaans text signed by the Governor-General.)
(Assented to 3rd July, 1959.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of
section 6 of
Act 10 of 1957.

1. (1) Section *six* of the Housing Act, 1957 (hereinafter referred to as the principal Act), is hereby amended by the addition of the following sub-section:

“(9) Any reference in any other law to the Central Housing Board or the National Housing and Planning Commission, shall be construed as a reference to the National Housing Commission.”.

(2) Sub-section (1) shall be deemed to have come into operation on the first day of June, 1957.

Amendment of
section 42 of
Act 10 of 1957.

2. Section *forty-two* of the principal Act is hereby amended by the insertion in paragraph (b) after the word “notice” of the words “by letter delivered either to the tenant personally or to some adult inmate of the dwelling or”.

Insertion of
section *52bis* in
Act 10 of 1957.

3. The following section is hereby inserted in the principal Act after section *fifty-two*:

“Restriction *52bis*. (1) Notwithstanding anything to the contrary in the Deeds Registries Act, 1937 (Act No. 47 of 1937), or in this Act contained, no dwelling constructed by a utility company or other body by means of a loan granted to it from moneys advanced to the local authority concerned out of the fund, shall at any time be sold by such utility company or other body to any natural person unless it is a condition of the sale, which condition shall be incorporated in the deed of transfer of the dwelling, that the purchaser or his successors in title shall not sell or otherwise alienate such dwelling within a period of five years from the date on which it was purchased from the utility company or other body, unless such dwelling has first been offered for sale to the local authority concerned and, if the local authority refuses to purchase, also to the Commission.

(2) The provisions of sub-sections (2), (3), (4), (5), (6), (7) and (10) of section *fifty-two* shall *mutatis mutandis* apply in respect of any dwelling which has been sold subject to the condition referred to in sub-section (1) of this section and for the purpose of such application the reference in sub-section (10) of section *fifty-two* to the condition referred to in sub-section (1) of that section shall be deemed to be a reference to the condition referred to in sub-section (1) of this section.”

Amendment of
section 58 of
Act 10 of 1957.

4. Section *fifty-eight* of the principal Act is hereby amended by the insertion in paragraph (b) after the word “notice” of the words “by letter delivered either to the tenant personally or to some adult inmate of the dwelling or”.

Short title.

5. This Act shall be called the Housing Amendment Act, 1959.

No. 72, 1959.]

WET

Tot wysiging van die Behuisingswet, 1957.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 3 Julie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. (1) Artikel *ses* van die Behuisingswet, 1957 (hieronder die Hoofwet genoem), word hierby gewysig deur die volgende sub-artikel by te voeg: Wysiging van artikel 6 van Wet 10 van 1957.

„(9) Enige verwysing in enige ander wetsbepaling na die Sentrale Woningraad of die Nasionale Behuisings- en Plannekommissie word as 'n verwysing na die Nasionale Behuisingskommissie uitgelê.”

(2) Sub-artikel (1) word geag op die eerste dag van Junie 1957 in werking te getree het.

2. Artikel *twee-en-veertig* van die Hoofwet word hierby gewysig deur in paragraaf (b) na die woorde „gegee is” die woorde „per brief gelewer of aan die huurder persoonlik of aan 'n volwasse inwoner van die woning of” in te voeg. Wysiging van artikel 42 van Wet 10 van 1957.

3. Die volgende artikel word hierby in die Hoofwet na artikel *twee-en-vyftig* ingevoeg: Invoeging van artikel 52bis in Wet 10 van 1957.

„Beperking op verkoop van sekere wonings deur nutsmaatskappye of ander liggame.

52bis. (1) Ondanks andersluidende bepalings van die Registrasie van Aktes Wet, 1937 (Wet No. 47 van 1937) of van hierdie Wet, mag geen woning wat deur 'n nutsmaatskappy of ander liggaam gebou is deur middel van 'n lening wat aan hom toegestaan is uit gelde wat aan die betrokke plaaslike bestuur uit die fonds voorgesket is, te eniger tyd deur sodanige nutsmaatskappy of ander liggaam aan 'n natuurlike persoon verkoop word nie tensy dit 'n voorwaarde van die verkoping is, watter voorwaarde in die transportakte van die woning opgeneem moet word, dat die koper of sy regsopvolgers sodanige woning nie binne 'n tydperk van vyf jaar vanaf die datum waarop dit van die nutsmaatskappy of ander liggaam gekoop is, mag verkoop of andersins vervreem nie, tensy sodanige woning eers aan die betrokke plaaslike bestuur te koop aangebied is en, indien die plaaslike bestuur weier om te koop, ook aan die Kommissie.

(2) Die bepalings van sub-artikels (2), (3), (4), (5), (6), (7) en (10) van artikel *twee-en-vyftig* is *mutatis mutandis* van toepassing ten opsigte van enige woning wat verkoop is onderworpe aan die in sub-artikel (1) van hierdie artikel bedoelde voorwaarde en vir die doel van sodanige toepassing word die verwysing in sub-artikel (10) van artikel *twee-en-vyftig* na die in sub-artikel (1) van daardie artikel bedoelde voorwaarde geag 'n verwysing na die in sub-artikel (1) van hierdie artikel bedoelde voorwaarde te wees.”

4. Artikel *agt-en-vyftig* van die Hoofwet word hierby gewysig deur in paragraaf (b) na die woorde „gegee is” die woorde „per brief gelewer of aan die huurder persoonlik of aan 'n volwasse inwoner van die woning of” in te voeg. Wysiging van artikel 58 van Wet 10 van 1957.

5. Hierdie Wet heet die Wysigingswet op Behuising, 1959. Kort titel.

No. 73, 1959.]

ACT

To consolidate and amend the laws relating to the salaries, retirement from office and retiring pensions of judges of the Supreme Court of South Africa and to the payment of pensions to widows of such judges, and to provide for matters incidental thereto.

(English text signed by the Governor-General.)
(Assented to 3rd July, 1959.)

BE IT ENACTED by the Queen's most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

CHAPTER I.

JUDGES' SALARIES AND PENSIONS.

Salaries of
judges.

1. (1) Any person who holds office, whether in an acting or a permanent capacity, as Chief Justice of South Africa, judge of appeal of the Appellate Division of the Supreme Court of South Africa or judge president or judge of a provincial or local division of the said court, shall be paid monthly in respect thereof a salary at the rate specified in the second column of the First Schedule opposite the designation of the office in which he serves.

(2) The amount of every salary payable in terms of sub-section (1) shall, with effect from the first day of the month of April next succeeding the date of commencement of this Act, be a charge on and payable out of the Consolidated Revenue Fund or the Territory Revenue Fund established under section *thirty-six* of the South-West Africa Constitution Act, 1925 (Act No. 42 of 1925), according as such amount is payable by the State or the administration of the territory of South-West Africa.

Retirement
of judges.

2. (1) Any person who holds an office referred to in sub-section (1) of section *one* in a permanent capacity—

(a) may retire from office if he has attained the age of sixty-five years and has served continuously, whether in an acting or a permanent capacity, in such office or in such office and one or more of the other offices referred to in the said sub-section for a period of not less than ten years; and

(b) shall retire from office on attaining the age of seventy years.

(2) If any person who holds an office referred to in sub-section (1) of section *one* in a permanent capacity becomes afflicted with a permanent infirmity of mind or body which disables him from the proper discharge of the duties of his office, the Governor-General may allow him to retire from office.

Pensions
payable to
judges after
retirement or
removal from
office on
grounds of
infirmity.

3. (1) Any person who retires from office in terms of paragraph (a) of sub-section (1) of section *two* shall, after retirement, be paid monthly a pension at the rate specified in the third column of the First Schedule opposite the designation of the office held by him in a permanent capacity on retirement.

(2) Any person who—

(a) retires from office in terms of paragraph (b) of sub-section (1) of section *two*;

(b) is allowed in terms of sub-section (2) of section *two* to retire from office; or

(c) holds an office referred to in sub-section (1) of section *one* in a permanent capacity and is removed from office under sub-section (7) of section *ten* of the Supreme Court Act, 1959, on the grounds of incapacity arising out of an infirmity such as is referred to in sub-section (2) of section *two*,

shall, after retirement or removal from office, as the case may be, be paid monthly a pension at the following rate, namely—

No. 73, 1959.]

WET

Tot samevatting en wysiging van die wette op die salarisse, aftreding en pensioene van regters van die Hooggeregshof van Suid-Afrika en op die betaling van pensioene aan weduwees van sodanige regters, en om vir aangeleenthede wat daarmee in verband staan, voorsiening te maak.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 3 Julie 1959.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

HOOFSTUK I.

SALARISSE EN PENSIOENE VAN REGTERS.

1. (1) Aan iemand wat die amp van Hoofregter van Suid-Afrika, Salarisse van
appèlregter van die Appèlafdeling van die Hooggeregshof van Regters.
Suid-Afrika of regter-president of regter van 'n provinsiale of plaaslike afdeling van genoemde hof bekleë, hetsy in 'n waarnemende of permanente hoedanigheid, moet ten opsigte daarvan maandeliks 'n salaris betaal word teen die skaal vermeld in die tweede kolom van die Eerste Bylae teenoor die naam van die amp waarin hy diens doen.

(2) Die bedrag van iedere salaris ingevolge sub-artikel (1) betaalbaar, moet vanaf die eerste dag van die maand April wat volg op die datum van inwerkingtreding van hierdie Wet, ten laste kom van en betaal word uit die Gekonsolideerde Inkomstefonds of die inkomstefonds van die gebied ingestel kragtens artikel *ses-en-dertig* van die „Zuidwest-Afrika Konstitutie Wet, 1925” (Wet No. 42 van 1925), na gelang dié bedrag deur die Staat of die administrasie van die gebied Suidwest-Afrika betaalbaar is.

2. (1) Iemand wat 'n amp in sub-artikel (1) van artikel *een* Aftreding van
vermeld, in 'n permanente hoedanigheid bekleë— regters.

(a) kan aftree indien hy die ouderdom van vyf-en-sestig jaar bereik het en in daardie amp of in daardie amp en een of meer van die ander ampte in genoemde sub-artikel vermeld, onafgebroke gedien het vir 'n tydperk van minstens tien jaar, hetsy in 'n waarnemende of permanente hoedanigheid; en

(b) moet aftree by bereiking van die ouderdom van sewentig jaar.

(2) Indien iemand wat 'n amp in sub-artikel (1) van artikel *een* vermeld, in 'n permanente hoedanigheid bekleë, aangetas raak deur 'n permanente geestes- of liggaamsgebrek wat hom ongeskik maak om sy ampspligte behoorlik te vervul, kan die Goewerneur-generaal hom toelaat om af te tree.

3. (1) Aan iemand wat ingevolge paragraaf (a) van sub-artikel (1) van artikel *twee* aftree, moet, ná aftreding, maandeliks 'n Pensioene
betaalbaar
aan regters
ná aftreding
of ontheffing
van amp weens
'n gebrek.
pensioen betaal word teen die skaal vermeld in die derde kolom van die Eerste Bylae teenoor die naam van die amp wat hy by aftreding in 'n permanente hoedanigheid bekleë.

(2) Aan iemand wat—

(a) ingevolge paragraaf (b) van sub-artikel (1) van artikel *twee* aftree;

(b) ingevolge sub-artikel (2) van artikel *twee* toegelaat word om af te tree; of

(c) 'n amp in sub-artikel (1) van artikel *een* vermeld, in 'n permanente hoedanigheid bekleë en kragtens sub-artikel (7) van artikel *tien* van die Wet op die Hooggeregshof, 1959, van sy amp onthef word op grond van onbekwaamheid wat voortspruit uit 'n gebrek in sub-artikel (2) van artikel *twee* vermeld,

moet, ná aftreding of ontheffing van sy amp, na gelang van die geval, maandeliks 'n pensioen betaal word teen die volgende skaal, naamlik—

if at the time of such retirement or removal he held office in a permanent capacity as—

- (i) Chief Justice of South Africa, one hundred and eighty pounds;
- (ii) judge of appeal, one hundred and seventy pounds;
- (iii) judge president, one hundred and sixty pounds; and
- (iv) any other judge, one hundred and fifty pounds,

per annum for every completed year of continuous service, whether in an acting or a permanent capacity, in the office so held by him or in such office and one or more of the other said offices, or portion of such a year: Provided that in no case shall any such person be paid a pension which is less than six hundred pounds per annum or more than the pension which is payable in terms of sub-section (1) of this section to a person who so holds the same office and retires from office in terms of paragraph (a) of sub-section (1) of section *two*.

Regulations.

- 4. The Governor-General may make regulations as to—
 - (a) the periods for which and the circumstances and conditions under which leave of absence may be granted to judges or acting judges;
 - (b) the methods of transport of such judges, the scales of transport, travelling and subsistence allowances to be paid to them and the circumstances in which any such transport may be provided and any such allowances paid; and
 - (c) the clerical assistance or allowances in lieu thereof which may be provided out of public revenues to such judges in the discharge of their duties.

CHAPTER II.

JUDGES' WIDOWS PENSIONS.

Definitions.

- 5. In this chapter, unless the context otherwise indicates—
 - (i) "fixed date" means the first day of June, 1956;
 - (vi)
 - (ii) "judge" means any person holding the office of—
 - (a) Chief Justice of South Africa;
 - (b) judge of appeal of the Appellate Division of the Supreme Court of South Africa; or
 - (c) judge president or judge of any provincial or local division of the said court; (iv)
 - (iii) "pensionable service" means any period in respect of which contributions have been paid in terms of section *six* or *seven* and any period which has become pensionable service by virtue of an election under this Act or any law repealed by this Act; (iii)
 - (iv) "revenue" means, in the application of the said chapter in the Union, the Consolidated Revenue Fund, and, in its application in the territory of South-West Africa, the Territory Revenue Fund established under section *thirty-six* of the South-West Africa Constitution Act, 1925 (Act No. 42 of 1925); (ii)
 - (v) "salary" means the salary payable to a judge in terms of sub-section (1) of section *one*; (v)
 - (vi) "service" means service as a judge and for the purposes of section *eight* includes—
 - (a) any service as a judge of the Natal Native High Court which was constituted under section *seven* of the Courts Act, 1898 (Act No. 49 of 1898 (Natal)); and
 - (b) any continuous period of service whether as an acting judge or as a judge or an acting judge of the High Court of South-West Africa, which is continuous with any service as a judge. (i)

Contributions by persons who became judges on or after the fixed date or become judges at or after commencement of this Act.

- 6. Any person who—
 - (a) became a judge on or after the fixed date; or
 - (b) becomes a judge at or after the commencement of this Act,
 shall, subject to the provisions of section *twelve*, pay contributions to revenue at the rate of four pounds per month as long as he remains a judge.

indien hy ten tyde van dié aftreding of ontheffing in 'n permanente hoedanigheid die amp bekleë het van—

- (i) Hoofregter van Suid-Afrika, honderd-en-tagtig pond;
- (ii) appèlregter, honderd-en-sewentig pond;
- (iii) regter-president, honderd-en-sestig pond; en
- (iv) 'n ander regter, honderd-en-vyftig pond,

per jaar vir elke voltooide jaar van ononderbroke diens, hetsy in 'n waarnemende of permanente hoedanigheid, in die amp wat hy aldus bekleë het of in dié amp en een of meer van die ander genoemde ampte, of deel van so 'n jaar: Met dien verstande dat aan so iemand in geen geval 'n pensioen betaal word nie wat minder is as seshonderd pond per jaar of meer as die pensioen wat ingevolge sub-artikel (1) van hierdie artikel betaalbaar is aan iemand wat dieselfde amp aldus bekleë en ingevolge paragraaf (a) van sub-artikel (1) van artikel twee aftree.

4. Die Goewerneur-generaal kan regulasies uitvaardig be- Regulasies.
treffende—

- (a) die tydperke waarvoor, die omstandighede waaronder en die voorwaardes waarop verlof aan regters of waarnemende regters verleen kan word;
- (b) die wyse van vervoer van sodanige regters, die skale van vervoer-, reis- en onderhoudstoelaes wat aan hulle betaal moet word, en die omstandighede waaronder sodanige vervoer verskaf en sodanige toelaes betaal kan word; en
- (c) die klerklike hulp, of die toelaes in plaas daarvan, uit openbare inkomste bestry te word, wat aan sodanige regters by die vervulling van hul pligte verskaf kan word.

HOOFTUK II.

PENSIOENE VAN WEDUWES VAN REGTERS.

5. Tensy uit die samehang anders blyk, beteken in hierdie Woordbepaling. hoofstuk—

- (i) „diens” diens as 'n regter en, by die toepassing van artikel agt, ook—
 - (a) diens as 'n regter van die Natalse Naturellehoëhof wat kragtens artikel sewe van die „Courts Act, 1898” (Wet No. 49 van 1898 (Natal)), ingestel was; en
 - (b) enige ononderbroke tydperk van diens hetsy as 'n waarnemende regter of as 'n regter of waarnemende regter van die Hoëhof van Suidwes-Afrika, wat aaneenlopend is met diens as 'n regter; (vi)
- (ii) „inkomste”, by die toepassing van genoemde hoofstuk in die Unie, die Gekonsolideerde Inkomstefonds, en, by die toepassing daarvan in die gebied Suidwes-Afrika, die inkomstefonds van die gebied ingestel kragtens artikel ses-en-dertig van die „Zuidwest-Afrika Konstitutie Wet, 1925” (Wet No. 42 van 1925); (iv)
- (iii) „pensioengewende diens” enige tydperk ten opsigte waarvan bydraes ingevolge artikel ses of sewe betaal is, en enige tydperk wat ingevolge 'n keuse kragtens hierdie Wet, of 'n wet herroep deur hierdie Wet, pensioengewende diens geword het; (iii)
- (iv) „regter” iemand wat die amp bekleë van—
 - (a) Hoofregter van Suid-Afrika;
 - (b) appèlregter van die Appèlafdeling van die Hoogeregshof van Suid-Afrika; of
 - (c) regter-president of regter van 'n provinsiale of plaaslike afdeling van genoemde hof; (ii)
- (v) „salaris” die salaris wat ingevolge sub-artikel (1) van artikel een aan 'n regter betaalbaar is; (v)
- (vi) „vasgestelde datum” die eerste dag van Junie 1956. (i)

6. Iemand wat—

- (a) op of ná die vasgestelde datum 'n regter geword het; of
 - (b) by of ná die inwerkingtreding van hierdie Wet 'n regter word,
- moet, behoudens die bepalinge van artikel twaalf, bydraes teen die skaal van vier pond per maand aan inkomste betaal solank hy 'n regter bly.

Bydraes deur persone wat op of ná die vasgestelde datum regters geword het of by of ná inwerkingtreding van hierdie Wet regters word.

Contributions by certain judges who held the office of judge immediately prior to the fixed date.

7. (1) Any judge who held the office of judge immediately prior to the fixed date and in terms of any law repealed by this Act elected in writing on or before the thirty-first day of December, 1956, to contribute shall, subject to the provisions of section *twelve*, pay contributions to revenue at the rate of four pounds per month as long as he remains a judge.

(2) A judge who held the office of judge immediately prior to the fixed date and did not on or before the thirty-first day of December, 1956, elect in writing in terms of any such law to contribute shall not be permitted to contribute.

Option to contribute in respect of previous service.

8. Any judge referred to in paragraph (b) of section *six* who had service immediately prior to the date on which he became a judge may elect in writing within sixty days after such date to have any period of such service counted as pensionable service.

Option to contribute in respect of certain periods after retirement.

9. Any judge who had pensionable service and who is appointed to act as a judge immediately after his retirement in terms of sub-section (1) of section *two* may elect in writing within one month after he ceased so to act to have any period during which he so acted counted as pensionable service.

Contributions in respect of periods in regard to which an election has been made.

10. Any person who in terms of this Act or any law repealed by this Act elected to have any period counted as pensionable service shall contribute to revenue an amount calculated at the rate of four pounds for every month of such period, and if he so desires he may pay such amount in instalments at a rate of not less than two pounds per month.

Collection of contributions.

11. Contributions payable in terms of section *six* or sub-section (1) of section *seven* and instalments payable in terms of section *ten* shall be deducted by the responsible accounting officer in monthly instalments from—

(a) the salary of the person concerned, if he is a judge; or

(b) the pension of the person concerned, if he is a retired judge,

and shall be paid to revenue: Provided that when any judge is on leave without pay any contributions payable by him shall be paid by him to the said accounting officer.

Maximum contributions payable.

12. As soon as contributions amounting in the aggregate to nine hundred and sixty pounds have, in terms of this chapter, been obtained in respect of any person, such person shall not be required or permitted to make any further contributions.

Pension payable to widow of person who had pensionable service.

13. (1) On the death of any person who contributed there shall be paid to his widow a pension of three hundred pounds per annum together with thirty pounds per annum in respect of each completed year of the pensionable service of such person: Provided that the maximum pension to which such widow shall be entitled under this section shall not exceed six hundred pounds per annum.

(2) Such pension shall be payable with effect from the day following the day of the death of the person concerned and shall be paid from revenue.

(3) Any pension due to a widow under this section shall cease to be payable when she remarries.

(4) For the purposes of this section "widow" shall not include the widow of a person who contributed whose marriage to such person took place after he ceased to be a judge.

Unpaid contributions to form first charge on pension.

14. Whenever the widow of a person who contributed becomes entitled to a pension under section *thirteen* before the total amount payable by such person in terms of this chapter has been paid by him, the amount which remains unpaid shall be set off against the pension payable to her.

Contributions to be refunded in certain circumstances.

15. (1) If—

(a) any person is unmarried when he ceases to be a judge; (b) any person becomes a widower after he ceased to be a judge; or

(c) any person ceases to be a judge under circumstances in which no pension becomes payable to him in terms of Chapter I,

7. (1) 'n Regter wat onmiddellik vóór die vasgestelde datum die amp van regter bekleë het en op of vóór die een-en-dertigste dag van Desember 1956 ingevolge 'n wet herroep deur hierdie Wet skriftelik gekies het om by te dra, moet behoudens die bepalings van artikel *twalf*, bydraes teen die skaal van vier pond per maand aan inkomste betaal solank hy 'n regter bly.

Bydraes deur sekere regters wat onmiddellik vóór die vasgestelde datum die amp van regter bekleë het.

(2) 'n Regter wat onmiddellik vóór die vasgestelde datum die amp van regter bekleë het en nie op of vóór die een-en-dertigste dag van Desember 1956 ingevolge so 'n wet skriftelik gekies het om by te dra nie, word nie toegelaat om by te dra nie.

8. 'n Regter in paragraaf (b) van artikel *ses* vermeld wat diens gehad het onmiddellik vóór die datum waarop hy 'n regter geword het, kan binne sestig dae ná dié datum skriftelik kies dat enige tydperk van daardie diens as pensioengewende diens gereken word.

Keuse om by te dra ten opsigte van vorige diens.

9. 'n Regter wat pensioengewende diens gehad het en wat aangestel word om as 'n regter waar te neem onmiddellik ná sy aftreding ingevolge sub-artikel (1) van artikel *twee* kan binne een maand nadat hy opgehou het om aldus waar te neem, skriftelik kies dat enige tydperk gedurende welke hy aldus waargeneem het, as pensioengewende diens gereken word.

Keuse om by te dra ten opsigte van sekere tydperke ná aftreding.

10. Iemand wat ingevolge hierdie Wet of 'n wet herroep deur hierdie Wet gekies het dat 'n tydperk as pensioengewende diens gereken word, moet 'n bedrag bereken teen vier pond vir elke maand van dié tydperk aan inkomste bydra, en indien hy dit verkies kan hy die bedrag in paaielemente van minstens twee pond per maand betaal.

Bydraes ten opsigte van tydperke met betrekking waartoe 'n keuse gedoen is.

11. Bydraes ingevolge artikel *ses* of sub-artikel (1) van artikel *sewe* betaalbaar en paaielemente ingevolge artikel *tien* betaalbaar word deur die verantwoordelike rekenpligtige amptenaar in maandelikse paaielemente afgetrek van—

Vordering van bydraes.

(a) die salaris van die betrokke persoon, indien hy 'n regter is; of

(b) die pensioen van die betrokke persoon, indien hy 'n afgetrede regter is,

en word aan inkomste betaal: Met dien verstande dat wanneer 'n regter met verlof sonder betaling afwesig is enige bydraes wat deur hom betaalbaar is, deur hom aan genoemde rekenpligtige amptenaar betaal moet word.

12. Sodra bydraes van altesaam negenhonderd-en-sestig pond ingevolge hierdie hoofstuk ten opsigte van iemand verkry is, is hy nie verplig en word hy nie toegelaat om enige verdere bydraes te maak nie.

Maksimum bydraes betaalbaar.

13. (1) By die dood van iemand wat bygedra het, word daar aan sy weduwee 'n pensioen betaal van driehonderd pond per jaar, tesame met dertig pond per jaar ten opsigte van elke voltooide jaar van sy pensioengewende diens: Met dien verstande dat die maksimum pensioen waarop sodanige weduwee kragtens hierdie artikel geregtig is, nie seshonderd pond per jaar te bowe gaan nie.

Pensioen betaalbaar aan weduwee van iemand wat pensioengewende diens gehad het.

(2) So 'n pensioen is met ingang van die dag ná die dag van die dood van die betrokke persoon betaalbaar en word uit inkomste betaal.

(3) 'n Pensioen wat kragtens hierdie artikel aan 'n weduwee betaalbaar is, hou op om betaalbaar te wees wanneer sy hertrou.

(4) By die toepassing van hierdie artikel beteken „weduwee” nie ook die weduwee nie van iemand wat bygedra het wie se huwelik met so iemand plaasgevind het nadat hy opgehou het om 'n regter te wees.

14. Wanneer die weduwee van iemand wat bygedra het, op 'n pensioen geregtig word kragtens artikel *dertien* voordat die volle bedrag wat ingevolge hierdie hoofstuk deur so iemand betaalbaar is, deur hom betaal is, word die bedrag wat nog onbetaald is teen die pensioen wat aan haar betaalbaar is, verreken.

Onbetaalde bydraes word eers van pensioen afgetrek.

15. (1) Indien—

(a) iemand ongetroud is wanneer hy ophou om 'n regter te wees;

(b) iemand 'n wewenaar word nadat hy opgehou het om 'n regter te wees; of

(c) iemand ophou om 'n regter te wees onder omstandighede waaronder geen pensioen ingevolge Hoofstuk I aan hom betaalbaar word nie,

Bydraes terugbetaal te word onder sekere omstandighede.

an amount equal to the aggregate of the amounts contributed by him in terms of this chapter shall be paid to him from revenue and the provisions of this chapter shall thereafter cease to apply in respect of him.

(2) If any judge who has contributed dies without leaving a widow an amount equal to the aggregate of the amounts contributed by him in terms of this chapter shall be paid to his estate from revenue.

Rights in respect of pensions not cedable or subject to execution.

16. (1) No right in respect of a pension payable under this chapter shall be capable of being ceded or of being hypothecated, and any such right shall not be liable to be attached or be subject to any form of execution under a judgment or order of court.

(2) If any person attempts to cede or hypothecate any right in respect of any such pension to which she is entitled under this chapter, payment of such pension may, if the Minister of Social Welfare and Pensions so directs, be withheld, suspended or discontinued: Provided that the said Minister may direct that such pension or part thereof be paid to one or more of the dependants of such person or to a trustee for such person or her dependants during such period as he may determine.

Effect of insolvency.

17. If the estate of any person who is in receipt of a pension under this chapter is sequestrated or surrendered, such person's pension shall be deemed not to form part of the assets in her insolvent estate.

Method of making election.

18. Any person who is entitled to make any election under this chapter shall do so by notice in writing to the Secretary for Justice.

Administration of Chapter II.

19. The head of the Department of Social Welfare and Pensions shall, subject to the control of the Minister of Social Welfare and Pensions, be charged with the general administration of this chapter.

Method of payment of pension.

20. Pensions payable under this chapter shall be paid in such instalments and on such dates and in such manner as the Minister of Social Welfare and Pensions may determine.

Contributions deemed for the purposes of income tax to be contributions to a pension fund.

21. Any sum contributed in terms of section *six* or sub-section (1) of section *seven* shall for the purposes of paragraph (i) of sub-section (2) of section *eleven* of the Income Tax Act, 1941 (Act No. 31 of 1941), and paragraph (k) of sub-section (2) of section *eleven* of the Income Tax Ordinance, 1942 (Ordinance No. 15 of 1942), of the territory of South-West Africa, be deemed to be a sum contributed to a pension fund.

CHAPTER III.

GENERAL.

Application of Act in South-West Africa.

22. (1) This Act and any amendment thereof shall also apply in the territory of South-West Africa.

(2) Any service, whether in an acting or a permanent capacity in the office of judge president or judge of the High Court of South-West Africa prior to the date of commencement of this Act shall for the purposes of sections *two* and *three* and sub-section (4) of this section, be deemed to be like service in the office of judge president or judge, respectively, of a provincial division of the Supreme Court of South Africa.

(3) Any salary or pension which is payable under Chapter I to a person in respect of service in the office of judge president or judge of the High Court of South-West Africa or the South-West Africa Division of the Supreme Court of South Africa shall be paid by the administration of the territory of South-West Africa.

(4) If any pension is payable under Chapter I to any person who has served continuously in the Union and in the territory of South-West Africa, whether in an acting or in a permanent capacity, in one or more of the offices referred to in sub-section (1) of section *one*, such an amount of such pension as bears to the whole thereof the same ratio as the period so served in the Union bears to the total of the period so served in the Union and the said territory, shall be paid by the State and the balance by the administration of the said territory.

(5) If any pension is payable in terms of section *thirteen*

word 'n bedrag gelyk aan die totaal van die bedrae wat ingevolge hierdie hoofstuk deur hom bygedra is, aan hom uit inkomste betaal, en die bepalings van hierdie hoofstuk is daarná nie meer ten opsigte van hom van toepassing nie.

(2) Indien 'n regter wat bygedra het te sterwe kom sonder dat hy 'n weduwee nalaat, word 'n bedrag gelyk aan die totaal van die bedrae wat ingevolge hierdie hoofstuk deur hom bygedra is, uit inkomste aan sy boedel betaal.

16. (1) Geen reg ten opsigte van 'n pensioen kragtens hierdie hoofstuk betaalbaar, kan gesedeer of verhipotekeer word nie, en so 'n reg is nie vatbaar vir beslaglegging of onderhewig aan enige vorm van eksekusie ingevolge 'n uitspraak of bevel van 'n hof nie.

Regte ten opsigte van pensioene nie sedgebaar of aan eksekusie onderhewig nie.

(2) Indien iemand 'n poging aanwend om enige reg ten opsigte van so 'n pensioen waarop sy kragtens hierdie hoofstuk geregtig is, te sedgeer of te verhipotekeer, kan uitbetaling van dié pensioen, indien die Minister van Volkswelsyn en Pensioene dit gelas, teruggehou, opgeskort of gestaak word: Met dien verstande dat dié Minister kan gelas dat dié pensioen of 'n gedeelte daarvan aan een of meer van die afhanklikes van so iemand of aan 'n kurator ten behoeve van so iemand of haar afhanklikes betaal word gedurende so 'n tydperk as wat hy mag vasstel.

17. Indien die boedel van iemand wat kragtens hierdie hoofstuk 'n pensioen ontvang, gesekwestreer of oorgegee word, word geag dat die pensioen van daardie persoon nie deel uitmaak van die bates in haar insolvente boedel nie.

Gevolge van insolvensie.

18. Iemand wat kragtens hierdie hoofstuk geregtig is om 'n keuse te doen, moet dit doen deur skriftelike kennisgewing aan die Sekretaris van Justisie.

Wyse waarop keuse gedoen word.

19. Die hoof van die Departement van Volkswelsyn en Pensioene word, onderhewig aan die beheer van die Minister van Volkswelsyn en Pensioene, met die algemene uitvoering van hierdie hoofstuk belas.

Uitvoering van Hoofstuk II.

20. Pensioene kragtens hierdie hoofstuk betaalbaar, word betaal in sodanige paaiemente en op sodanige datums en wyse as wat die Minister van Volkswelsyn en Pensioene bepaal.

Betaal-metode.

21. Enige bedrag ingevolge artikel *sê*s of sub-artikel (1) van artikel *sewe* bygedra, word by die toepassing van paragraaf (i) van sub-artikel (2) van artikel *elf* van die Inkomstebelastingwet, 1941 (Wet No. 31 van 1941), en paragraaf (k) van sub-artikel (2) van artikel *elf* van die Inkomstebelastingordonnansie, 1942 (Ordonnansie No. 15 van 1942), van die gebied Suidwes-Afrika, geag 'n bedrag te wees wat tot 'n pensioenfonds bygedra is.

Bydraes word vir die doeleindes van inkomstebelasting geag bydraes tot 'n pensioenfonds te wees.

HOOFSTUK III.

ALGEMEEN.

22. (1) Hierdie Wet en enige wysiging daarvan is ook in die gebied Suidwes-Afrika van toepassing.

Toepassing van Wet in Suidwes-Afrika.

(2) Enige diens, hetsy in 'n waarnemende of permanente hoedanigheid, in die amp van regter-president of regter van die Hoëhof van Suidwes-Afrika vóór die datum van inwerking-treding van hierdie Wet word, by die toepassing van artikels *twee* en *drie* en sub-artikel (4) van hierdie artikel, geag soortgelyke diens te wees in die amp van onderskeidelik regter-president of regter van 'n provinsiale afdeling van die Hooggeregshof van Suid-Afrika.

(3) 'n Salaris of pensioen wat kragtens Hoofstuk I betaalbaar is aan iemand ten opsigte van diens in die amp van regter-president of regter van die Hoëhof van Suidwes-Afrika of die Suidwes-Afrika-afdeling van die Hooggeregshof van Suid-Afrika, moet deur die administrasie van die gebied Suidwes-Afrika betaal word.

(4) Indien 'n pensioen kragtens Hoofstuk I betaalbaar is aan iemand wat onafgebroke in die Unie en die gebied Suidwes-Afrika gedien het in een of meer van die ampte in sub-artikel (1) van artikel *een* vermeld, hetsy in 'n waarnemende of permanente hoedanigheid, word 'n bedrag van dié pensioen wat tot die totaal daarvan in dieselfde verhouding staan as wat die tydperk aldus in die Unie gedien staan tot die hele tydperk aldus in die Unie en genoemde gebied gedien, deur die Staat betaal en die balans deur die administrasie van genoemde gebied.

(5) Indien 'n pensioen ingevolge artikel *dertien* betaalbaar

or any refund of contributions is to be made in terms of section *fifteen* in respect of any person who had service (which was or became pensionable service as defined in section *five*) both in the Union and the territory of South-West Africa—

(a) such an amount of such pension as bears to the whole thereof the same ratio as the period of such service in the Union bears to the total period of such service in the Union and the said territory, shall be paid out of the Consolidated Revenue Fund and the balance out of the Territory Revenue Fund established under section *thirty-six* of the South-West Africa Constitution Act, 1925 (Act No. 42 of 1925); and

(b) such refund shall be made out of the fund into which such contributions had been paid in terms of this Act.

(6) For the purposes of sub-section (5) any period which became pensionable service by virtue of an election made under this Act or a law repealed by this Act by a person who became a judge or, after retirement, an acting judge in the Union or the said territory, shall be deemed to be service by such person in the Union or the said territory, respectively.

Repeal of laws.

23. (1) Subject to the provisions of sub-section (2), the laws mentioned in the Second Schedule are hereby repealed to the extent set out in the third column of the said Schedule.

(2) Anything done under any provision of a law repealed by sub-section (1) shall be deemed to have been done under the corresponding provision of this Act.

Short title and commencement.

24. This Act shall be called the Judges' Salaries and Pensions Act, 1959, and shall come into operation on the date of commencement of the Supreme Court Act, 1959.

First Schedule.

Designation of office.	Salary per annum.	Pension per annum.
Chief Justice of South Africa	£5,500.	£1,800.
Judge of Appeal	£5,000.	£1,700.
Judge President	£4,500.	£1,600.
Judge	£4,250.	£1,500.

Second Schedule.

LAWS REPEALED.

No. and year of law.	Title.	Extent of repeal.
Act No. 16 of 1912.	Judges' Salaries and Pensions Act, 1912.	The whole.
Act No. 30 of 1934.	Judges' Salaries (Amendment) Act, 1934.	The whole.
Act No. 27 of 1940.	Finance Act, 1940.	Section <i>eighteen</i> .
Act No. 41 of 1941.	Judges' Act, 1941.	The whole.
Act No. 36 of 1948.	Judges' Salaries and Pensions Amendment Act, 1948.	The whole.
Act No. 43 of 1952.	Judges' Salaries and Pensions Amendment Act, 1952.	The whole.
Act No. 44 of 1956.	Judges' Widows Pensions Act, 1956.	The whole.
Act No. 19 of 1958.	Judges' Salaries and Pensions Amendment Act, 1958.	The whole.

is, of 'n terugbetaling van bydraes ingevolge artikel vyftien gedoen moet word, ten opsigte van iemand wat diens (wat pensioengewende diens, soos in artikel vyf omskryf, was of geword het) in die Unie sowel as die gebied Suidwes-Afrika gehad het—

(a) moet 'n bedrag van dié pensioen wat tot die totaal daarvan in dieselfde verhouding staan as wat die tydperk van daardie diens in die Unie staan tot die hele tydperk van dié diens in die Unie en genoemde gebied, uit die Gekonsolideerde Inkomstefonds betaal word en die balans uit die Inkomstefonds van die gebied ingestel kragtens artikel ses-en-dertig van die „Zuidwest-Afrika Konstitutie Wet, 1925” (Wet No. 42 van 1925); en

(b) moet daardie terugbetaling gedoen word uit die fonds waarin daardie bydraes ingevolge hierdie Wet gestort is.

(6) By die toepassing van sub-artikel (5) word 'n tydperk wat pensioengewende diens geword het uit hoofde van 'n keuse kragtens hierdie Wet, of 'n wet deur hierdie Wet herroep, uitgeoefen deur iemand wat 'n regter of, ná aftreding, 'n waarnemende regter in die Unie of genoemde gebied geword het, geag diens deur so iemand in onderskeidelik die Unie of genoemde gebied te wees.

23. (1) Behoudens die bepalings van sub-artikel (2) word die wette in die Tweede Bylae vermeld hierby herroep vir sover in die derde kolom daarvan aangedui. Wets-herroeping.

(2) Enigiets gedoen kragtens 'n bepaling van 'n wet by sub-artikel (1) herroep, word geag kragtens die ooreenstemmende bepaling van hierdie Wet gedoen te gewees het.

24. Hierdie Wet heet die Wet op Salarisse en Pensioene van Regters, 1959, en tree in werking op die datum van inwerking-treding van die Wet op die Hooggeregshof, 1959. Kort titel en inwerking-treding.

Eerste Bylae.

Naam van amp.	Salaris per jaar.	Pensioen per jaar.
Hoofregter van Suid-Afrika	£5,500.	£1,800.
Appèlregter	£5,000.	£1,700.
Regter-president	£4,500.	£1,600.
Regter	£4,250.	£1,500.

Tweede Bylae.

WETTE HERROEP.

No. en jaar van Wet.	Titel.	Hoever herroep.
Wet No. 16 van 1912.	„Rechters' Salarissen en Pensioen Wet, 1912”.	Die geheel.
Wet No. 30 van 1934.	Regterssalarisse-Wysigingswet, 1934.	Die geheel.
Wet No. 27 van 1940.	Finansiewet, 1940.	Artikel agtien.
Wet No. 41 van 1941.	Wet op Regters, 1941.	Die geheel.
Wet No. 36 van 1948.	Wysigingswet op Regterssalarisse en -pensioene, 1948.	Die geheel.
Wet No. 43 van 1952.	Wysigingswet op Regterssalarisse en -pensioene, 1952.	Die geheel.
Wet No. 44 van 1956.	Wet op Pensioene vir Weduwees van Regters, 1956.	Die geheel.
Wet No. 19 van 1958.	Wysigingswet op Regterssalarisse en -pensioene, 1958.	Die geheel.