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GOVERNMENT NOTICE.

DEPARTMENT OF SOCIAL WELFARE AND PENSIONS.

No. 2016.] [4 December 1959.
REGULATIONS FRAMED IN TERMS OF SECTION
NINE OF THE SIMONSTOWN NAVAL BASE
EMPLOYEES' TRANSFER ACT, 1956 (ACT No.
72 OF 1956).

His Excellency the Governor-General has been pleased by virtue of the powers vested in him by section nine of the Simonstown Naval Base Employees' Transfer Act, 1956 (Act No. 72 of 1956), to make the subjoined regulations:—

REGULATIONS FRAMED IN TERMS OF SECTION
NINE OF THE SIMONSTOWN NAVAL BASE
EMPLOYEES' TRANSFER ACT, 1956 (ACT No.
72 OF 1956).

INTERPRETATION OF TERMS.

1. In these regulations, unless the context otherwise indicates, any expression not defined in these regulations to which in the Act a meaning has been assigned bears, when used in these regulations, the same meaning, and—

“annuity” means an amount which is payable each year;

“dependant”, except in Chapter II, means in relation to any person—

(a) the widow or a minor child or stepchild of such person; or

(b) any other relative or person dependent upon such person for maintenance;

“Government” means the Government of the Union;

“officer” means a person who in terms of sub-section (3) of section two of the Act is deemed to have been appointed to a post in the public service and includes a person referred to in paragraph (a) of sub-section (4) of that section;

“pension” means an annuity, gratuity or other benefit;

“pensionable pay” means the salaries, allowances and other remuneration recognised by the Treasury of the United Kingdom for determining the emoluments of a locally-entered person for pension purposes;

“public service” means the public service according to the provisions of section three of the Public Service Act;

“Public Service Act” means the Public Service Act, 1957 (Act No. 54 of 1957);

“revenue” means the Consolidated Revenue Fund;

“Secretary” means the Secretary for Social Welfare and Pensions;

“Superannuation Act” means the Superannuation Act, 1949, of the United Kingdom (as amended prior to the fixed date) and includes the practice thereunder of the Treasury of the United Kingdom prior to such date, either directly or by analogy;

“the Act” means the Simonstown Naval Base Employees' Transfer Act, 1956 (Act No. 72 of 1956).

GOEWERMENSKENNISGEWING.

DEPARTEMENT VAN VOLKSWELSYN EN PENSIOENE.

No. 2016.] [4 Desember 1959.
REGULASIES OPGESTEL INGEVOLGE ARTIKEL
NEGE VAN DIE WET OP OORPLASING VAN
WERKNEMERS BY DIE VLOOTBASIS SIMON-
STAD, 1956 (WET No. 72 VAN 1956).

Dit het Sy Eksellensie die Goewerneur-generaal behaag om kragtens die bevoegdheid aan hom verleen by artikel nege van die Wet op Oorplasing van Werknemers by die Vlootbasis Simonstad, 1956 (Wet No. 72 van 1956), onderstaande regulasies te maak:—

REGULASIES OPGESTEL INGEVOLGE ARTIKEL
NEGE VAN DIE WET OP OORPLASING VAN
WERKNEMERS BY DIE VLOOTBASIS SIMON-
STAD, 1956 (WET No. 72 VAN 1956).

WOORDOMSKRYWING.

1. In hierdie regulasies, tensy uit die samhang anders blyk, het 'n uitdrukking wat nie in hierdie regulasies omskryf word nie en waaraan in die Wet 'n betekenis geheg is, wanneer dit in hierdie regulasies gebesig word, dieselfde betekenis en beteken—

„afhanklike”, uitgesonderd in Hoofstuk II, met betrekking tot 'n persoon—

(a) die weduwee of 'n minderjarige kind of stiefkind van sodanige persoon; of

(b) 'n ander familiebetrekking of persoon wat van sodanige persoon afhanklik is vir onderhoud;

„amptenaar”, 'n persoon wat ingevolge subartikel (3) van artikel twee van die Wet geag word aangestel te wees in 'n betrekking in die staatsdiens en ook 'n persoon in paragraaf (a) van subartikel (4) van daardie artikel genoem;

„die Wet”, die Wet op die Oorplasing van Werknemers by die Vlootbasis Simonstad, 1956 (Wet No. 72 van 1956);

„inkomste”, die Gekonsolideerde Inkomstefonds;

„jaargeld”, 'n bedrag wat elke jaar betaalbaar is;

„pensioen”, 'n jaargeld, gratifikasie of ander voordeel;

„pensioengewende soldy”, die salaris, toelaes en ander besoldiging wat deur die Tesourie van die Verenigde Koninkryk erken word vir die vasstelling van die verdienste van 'n plaaslikgewerde persoon vir pensioendoeleindes;

„Regering”, die Regering van die Unie;

„Sekretaris”, die Sekretaris van Volkswelsyn en Pensioene;

„staatsdiens”, die staatsdiens ooreenkomstig die bepalinge van artikel drie van die Staatsdienswet;

„Staatsdienswet”, die Staatsdienswet, 1957 (Wet No. 54 van 1957);

„Superannuation Act”, die „Superannuation Act”, 1949, van die Verenigde Koninkryk (soos voor die vasgestelde datum gewysig) en omvat die toepassing daarvan deur die Tesourie van die Verenigde Koninkryk voor sodanige datum, of regstreeks of by analogie.

CHAPTER I.

PART A.

PENSION RIGHTS.—PERSONS APPOINTED TO THE PUBLIC SERVICE.

INTERPRETATION OF TERMS USED IN THIS PART.

2. In this Part, unless the context otherwise indicates—
- “contributory service” means service referred to in paragraph (1) of regulation 4 and in respect of which contributions have been paid or are payable in accordance with the provisions of regulation 3;
- “own contributions” means the contributions paid or due by an officer to revenue in respect of his contributory service;
- “pensionable age” means the age at which in terms of paragraph (a) of section three of the Act, an officer shall have the right to retire and shall be retired on pension;
- “pensionable service” means pensionable service according to the provisions of regulation 5.

CONTRIBUTIONS TO REVENUE.

3. (1) Any person—

- (a) who, in terms of sub-section (1) of section two of the Act, has become an employee of the Government;
- (b) who is deemed to have been appointed as an officer in accordance with sub-section (3) of that section; and
- (c) who, but for the provisions of sub-section (1) of section four of the Act, would, in accordance with the Pensions Act, have contributed to the Union pension fund;

shall, subject to the provisions of sub-section (2) of section four of the Act, contribute to revenue as from the fixed date at a percentage rate according to the following scale:—

MALES.		FEMALES.	
Age last birthday at commencement of reckonable service.	Percentage of pensionable emoluments.	Age last birthday at commencement of reckonable service.	Percentage of pensionable emoluments.
Up to 21.....	6½	Up to 21.....	5½
22-26.....	7	22-26.....	6
27-30.....	7½	27-30.....	6½
31-34.....	7¾	31-34.....	7
35 and over...	8	35-38.....	7½
		39 and over.....	8

(2) Contributions by an officer shall be made by deductions from his pensionable emoluments at the end of each month or at such other times as the Treasury may determine.

(3) (a) An officer shall continue to contribute to revenue while on sick or other leave with full or less than full pay and his contributions during such leave shall be based on his full pensionable emoluments.

(b) Subject to such conditions as the Secretary may determine an officer may elect to contribute in respect of any period of absence on sick or other leave without pay and, if he should elect so to contribute, his contributions shall be based on his full pensionable emoluments immediately prior to such leave.

(4) An officer who has been suspended from his office and reinstated in that office or any office or post shall, on such conditions as the Secretary may determine, contribute to revenue in respect of the period of suspension.

(5) If an officer is remunerated at a weekly, daily or hourly rate of pay, his pensionable emoluments for contribution purposes shall be assessed on the basis of the annual equivalent of such rate calculated to the nearest pound.

(6) If an officer by whom any amount in contributions is due to revenue dies or retires or is retired or discharged before the whole of such amount has been paid, the amount which remains unpaid shall be set off against the

HOOFSTUK I.

DEEL A.

PENSIOENREGTE.—PERSONE IN DIE STAATSDIENS AANGESTEL.

OMSKRYWING VAN WOORDE IN HIERDIE DEEL GEBESIG.

2. In hierdie Deel, tensy uit die samehang anders blyk, beteken—

- „bydraeplygtige diens”, diens in paragraaf (1) van regulasie 4 genoem en ten opsigte waarvan bydraes ooreenkomstig die bepalings van regulasie 3 betaal is of betaalbaar is;
- „eie bydraes”, die bydraes wat ten opsigte van sy bydraeplygtige diens deur ’n amptenaar in die inkomste gestort of daaraan verskuldig is;
- „pensioenleeftyd”, die leeftyd waarop ’n amptenaar ingevolge paragraaf (a) van artikel drie van die Wet die reg het om met pensioen af te tree en met pensioen afgedank moet word;
- „pensioengewende diens”, die pensioengewende diens volgens die bepalings van regulasie 5.

BYDRAES TOT INKOMSTE.

3. (1) ’n Persoon—

- (a) wat ingevolge subartikel (1) van artikel twee van die Wet ’n werknemer van die Regering geword het;
- (b) wat geag word as amptenaar aangestel te wees ooreenkomstig subartikel (3) van daardie artikel; en
- (c) wat, by ontstentenis van bepalings van subartikel (1) van artikel vier van die Wet ooreenkomstig die Pensioenwet tot die Unie-pensioenfonds sou bygedra het,

moet behoudens die bepalings van subartikel (2) van artikel vier van die Wet met ingang van die vasgestelde datum tot die inkomste bydra ooreenkomstig ’n persentasieskaal soos volg:—

MANS.		VROUENS.	
Leeftyd laaste verjaarsdag by aanvang van rekenbare diens.	Persentasie van pensioengewende verdienste.	Leeftyd laaste verjaarsdag by aanvang van rekenbare diens.	Persentasie van pensioengewende verdienste.
Tot 21.....	6½	Tot 21.....	5½
22-26.....	7	22-26.....	6
27-30.....	7½	27-30.....	6½
31-34.....	7¾	31-34.....	7
35 en ouer....	8	35-38.....	7½
		39 en ouer.....	8

(2) ’n Amptenaar dra by by wyse van aftrekkings van sy pensioengewende verdienste aan die end van elke maand of op ander tye wat die Tesourie mag bepaal.

(3) (a) ’n Amptenaar gaan voort om tot die inkomste by te dra onderwyl hy met siekte- of ander verlof met volle of minder as volle soldy afwesig is, en sy bydraes gedurende sodanige verlof word op sy volle pensioengewende verdienste gebaseer.

(b) Behoudens die voorwaardes wat die Sekretaris mag bepaal, kan ’n amptenaar kies om by te dra ten opsigte van ’n tydperk van afwesigheid met siekte- of ander verlof sonder soldy, en indien hy kies om aldus by te dra, word sy bydraes op sy volle pensioengewende verdienste onmiddellik voor sodanige verlof gebaseer.

(4) ’n Amptenaar wat in sy betrekking geskors en in daardie betrekking of enige betrekking of pos herstel is, moet, op die voorwaardes wat die Sekretaris mag bepaal, ten opsigte van die tydperk van skorsing tot die inkomste bydra.

(5) Indien ’n amptenaar per week, per dag of per uur besoldig word, word sy pensioengewende verdienste vir bydrae doeleindes vasgestel op die basis van die jaarlikse ekwivalent van sodanige besoldiging bereken tot op die naaste pond.

(6) Indien ’n amptenaar deur wie ’n bedrag aan bydraes aan die inkomste verskuldig is, te sterwe kom of met pensioen aftree of met pensioen afgedank of ontslaan word voordat die hele bedrag betaal is, word die nog onbetaalde bedrag verreken teen die pensioen uit die

pension payable from revenue to him or his dependants or to his estate, and the whole period of his contributory service shall be taken into account in computing the said pension.

CONTRIBUTORY SERVICE.

4. (1) The period of service on and after the fixed date in respect of which contributions are to be paid to revenue in terms of regulation 3 shall be continuous and shall include the time spent—

- (a) on normal duty;
- (b) on leave of absence;
- (c) under suspension from office, if followed by reinstatement in the same or another office or part;

and shall not be regarded as interrupted by leave of absence without pay.

(2) The period of contributory service, in respect of which any pension is to be paid in accordance with this part shall, unless otherwise provided for, be calculated by the year and month and fractions of a month shall be disregarded.

PENSIONABLE SERVICE.

5. The pensionable service with reference to which any pension is to be calculated in terms of this Part shall include—

- (a) the period of the officer's reckonable service; and
- (b) the period of his contributory service:

Provided that no period of employment, leave or suspension of an officer on or after the fixed date shall be included in his pensionable service unless he has contributed in respect of that period or unless his contributions in respect of that period are deducted from the pension in terms of paragraph (6) of regulation 3.

RETIREMENT GRATUITIES.

6. (1) An officer who immediately prior to the fixed date was an established officer and who before he has had ten years' pensionable service, retires or is retired or discharged from the public service—

- (a) in terms of section three of the Act;
- (b) on account of ill-health occasioned without his own default;
- (c) owing to the abolition of his office or to any reduction in or re-organisation or re-adjustment of departments, divisions, branches or offices;
- (d) in order to promote efficiency or economy in the department or office to which he belongs;
- (e) on account of being unfitted for or incapable of performing efficiently the duties of his office or post; or
- (f) under sub-section (9) of section fourteen of the Public Service Act;

shall be paid a gratuity equal to the sum of—

- (i) an amount equal to six per cent of his pensionable emoluments during the period of his pensionable service; and
- (ii) an amount equal to his own contributions:

Provided that the pensionable emoluments in respect of any period of the said officer's reckonable service which is included in his pensionable service shall be those emoluments which the Treasury, on the recommendation of the Commission, determines as the emoluments which would have been reckoned for pension purposes had he been an employee of the Government during that period: Provided further that the pensionable emoluments upon which the amount referred to in item (i) shall be calculated

inkomste aan hom of sy afhanklikes of aan sy boedel betaalbaar, en word die hele tydperk van sy bydraeplygtige diens by die berekening van gemelde pensioen in aanmerking geneem.

BYDRAEPLIGTIGE DIENS.

4. (1) Die dienstydyperk op en na die vasgestelde datum ten opsigte waarvan bydraes in die inkomste ingevolge regulasie 3 gestort moet word, moet ononderbroke wees en omvat die tyd wat deurgebring is—

- (a) in normale diens;
- (b) tydens afwesigheid met verlof;
- (c) tydens skorsing uit diens, indien gevolg deur herstelling in dieselfde of 'n ander betrekking of pos;

en word nie geag deur afwesigheid met verlof sonder soldy onderbreek te word nie.

(2) Die tydperk van bydraeplygtige diens ten opsigte waarvan 'n pensioen ooreenkomstig hierdie Deel betaal moet word, word behoudens andersluidende bepalings, by die jaar en maand bereken en breuke van 'n maand word buite rekening gelaat.

PENSIOENGEWENDE DIENS.

5. Die pensioengewende diens ten opsigte waarvan 'n pensioen ingevolge hierdie Deel bereken moet word, omvat—

- (a) die tydperk van die amptenaar se rekenbare diens; en
- (b) die tydperk van sy bydraeplygtige diens:

Met dien verstande dat geen tydperk van diens, verlof of skorsing van 'n amptenaar op of na die vasgestelde datum by sy pensioengewende diens gereken word nie, tensy hy ten opsigte van daardie tydperk bygedra het of tensy sy bydraes ten opsigte van daardie tydperk ingevolge paragraaf (6) van regulasie 3 van die pensioen afgetrek word.

GRATIFIKASIES BY UITDIENSTREDING.

6. (1) Daar word aan 'n beampte wat onmiddellik voor die vasgestelde datum 'n vaste amptenaar was en wat voordat hy tien jaar pensioengewende diens gehad het, uit die staatsdiens met pensioen aftree of met pensioen afgedank of ontslaan word—

- (a) ooreenkomstig artikel drie van die Wet;
- (b) weens slegte gesondheid sonder sy eie toedoen veroorsaak;
- (c) weens die afskaffing van sy betrekking of vermindering in of reorganisasie of herreëling van departemente, afdelings, takke of kantore;
- (d) ten einde doeltreffendheid of besuiniging in die departement of kantoor waartoe hy behoort te bevorder;
- (e) omdat hy ongeskik is vir sy betrekking of pos of nie in staat is om die werksaamhede daaraan verbonde op bekwame wyse te verrig nie; of
- (f) kragtens subartikel (9) van artikel veertien van die Staatsdienswet;

'n gratifikasie betaal gelyk aan die totaal van—

- (i) 'n bedrag gelyk aan ses persent van sy pensioengewende verdienste gedurende die tydperk van sy pensioengewende diens; en
- (ii) 'n bedrag gelyk aan sy eie bydraes:

Met dien verstande dat die pensioengewende verdienste ten opsigte van enige tydperk van gemelde amptenaar se rekenbare diens wat by sy pensioengewende diens gereken word, daardie verdienste is wat die Tesourie op aanbeveling van die Kommissie bepaal as die verdienste wat vir pensioendoeleindes gereken sou gewees het indien hy gedurende daardie tydperk 'n werknemer van die Regering was: Met dien verstande voorts dat gemelde pensioengewende verdienste waarvolgens die bedrag in

shall include any allowance (additional to his substantive salary) of which the said officer may be in receipt immediately prior to the date of his retirement or discharge and which, had he retired or been retired or discharged immediately prior to the fixed date, would have been included in his pensionable pay for purposes of any gratuity payable in terms of section six of the Superannuation Act, 1859, of the United Kingdom.

(2) An officer who immediately prior to the fixed date was not an established officer, who has had not less than seven years pensionable service and who, before he has had ten years' contributory service, retires or is retired or discharged from the public service in terms of section three of the Act or for a reason mentioned in sub-paragraph (b), (c), (d) or (e) of paragraph (1) or under subsection (9) of section fourteen of the Public Service Act, shall be paid a gratuity equal to the sum of—

- (a) an amount equal to six per cent of his pensionable emoluments during the period of his contributory service;
- (b) an amount equal to his own contributions; and
- (c) an amount equal to one-twenty-fourth of the annual average of his pensionable emoluments for the last three years of his pensionable service for each completed year of reckonable service: Provided that if the said officer has had less than three years' contributory service, any emoluments included in the said pensionable emoluments in respect of any period of reckonable service shall be those emoluments which the Treasury, on the recommendation of the Commission, determines as the emoluments which would have been reckoned for pension purposes had he been an employee of the Government during that period: Provided further that the said pensionable emoluments shall include any allowance (additional to his substantive salary) of which the said officer may be in receipt immediately prior to the date of his retirement or discharge and which, had he retired or been retired or discharged immediately prior to the fixed date, would have been included in his pensionable pay for the purposes of the gratuity referred to in section thirty-nine of the Superannuation Act.

(3) An officer who immediately prior to the fixed date was not an established officer and who, before he has had seven years' pensionable service, retires or is retired or discharged from the public service in terms of section three of the Act or for a reason mentioned in sub-paragraph (b), (c), (d) or (e) of paragraph (1) or under subsection (9) of section fourteen of the Public Service Act shall be paid a gratuity equal to the sum of—

- (a) an amount equal to six per cent of his pensionable emoluments during the period of his contributory service; and
- (b) an amount equal to his own contributions.

(4) If an officer to whom paragraph (1), (2) or (3) refers is retired or discharged for a reason mentioned in sub-paragraph (c) or (d) of paragraph (1) before he has attained the pensionable age, he shall, in addition to the gratuity payable under the said paragraph, be entitled—

- (a) if he is an officer to whom paragraph (1) refers, to a further amount equal to one-third of such gratuity; or
- (b) if he is an officer to whom paragraph (2) or (3) refers, to a further amount equal to one-third of the amounts payable in terms of sub-paragraphs (a) and (b) of the paragraph applicable.

GRATUITY ON MARRIAGE.

7. A female officer, who has had not less than five years' pensionable service and who resigns voluntarily in contemplation of marriage after having notified the head

item (1) genoem, bereken word, enige toelae (benewens sy substantiewe salaris) insluit wat gemelde beampte onmiddellik voor die datum van sy uitdienstreding of ontslag ontvang het en wat, indien hy onmiddellik voor die vasgestelde datum met pensioen afgetree het of met pensioen afgedank of ontslaan is, by sy pensioengewende soldy ingesluit sou gewees het vir die doel van enige gratifikasie betaalbaar ingevolge artikel ses van die „Superannuation Act”, 1859, van die Verenigde Koninkryk.

(2) Daar word aan 'n amptenaar wat onmiddellik voor die vasgestelde datum nie 'n vaste amptenaar was nie, wat minstens sewe jaar pensioengewende diens gehad het en wat, voordat hy tien jaar bydraeplygtige diens gehad het, ingevolge artikel drie van die Wet of om 'n rede genoem in subparagraaf (b), (c), (d) of (e) van paragraaf (1) of ingevolge subartikel (9) van artikel veertien van die Staatsdienswet, uit die staatsdiens met pensioen aftree of met pensioen afgedank of ontslaan word, 'n gratifikasie betaal gelyk aan die totaal van—

- (a) 'n bedrag gelyk aan ses persent van sy pensioengewende verdienste gedurende die tydperk van sy bydraeplygtige diens;
- (b) 'n bedrag gelyk aan sy eie bydraes; en
- (c) 'n bedrag gelyk aan een vier-en-twintigste van die jaarlikse gemiddelde van sy pensioengewende verdienste vir die laaste drie jaar van sy pensioengewende diens vir elke voltooide jaar van sy rekenbare diens: Met dien verstande dat indien gemelde amptenaar minder as drie jaar bydraeplygtige diens gehad het, enige verdienste by die gemelde pensioengewende verdienste ten opsigte van enige tydperk van rekenbare diens ingesluit, daardie verdienste is wat die Tesourie op aanbeveling van die Kommissie bepaal as die verdienste wat vir pensioendoeleindes gereken sou gewees het indien hy gedurende daardie tydperk 'n werknemer van die Regering was: Met dien verstande voorts dat gemelde pensioengewende verdienste enige toelae (benewens sy substantiewe salaris) insluit wat gemelde amptenaar onmiddellik voor die datum van sy uitdienstreding of ontslag ontvang het en wat, indien hy onmiddellik voor die vasgestelde datum met pensioen afgetree het of met pensioen afgedank of ontslaan is, by sy pensioengewende soldy ingesluit sou gewees het vir die doel van enige gratifikasie in artikel nege-en-dertig van die „Superannuation Act” genoem.

(3) Daar word aan 'n amptenaar wat onmiddellik voor die vasgestelde datum nie 'n vaste amptenaar was nie en wat voordat hy sewe jaar pensioengewende diens gehad het, of ingevolge artikel drie van die Wet of om 'n rede genoem in subparagraaf (b), (c), (d) of (e) van paragraaf (1) of ingevolge subartikel (9) van artikel veertien van die Staatsdienswet, uit die staatsdiens met pensioen aftree of met pensioen afgedank of ontslaan word, 'n gratifikasie betaal gelyk aan die totaal van—

- (a) 'n bedrag gelyk aan ses persent van sy pensioengewende verdienste gedurende die tydperk van sy bydraeplygtige diens; en
- (b) 'n bedrag gelyk aan sy eie bydraes.

(4) Indien 'n amptenaar wat in paragraaf (1), (2) of (3) genoem word, met pensioen afgedank of ontslaan word om 'n rede in subparagraaf (c) of (d) van paragraaf (1) genoem, voordat hy die pensioenleeftyd bereik het, is hy, benewens die gratifikasie betaalbaar kragtens gemelde paragraaf, geregtig op—

- (a) indien hy 'n amptenaar is wat in paragraaf (1) genoem word, 'n verdere bedrag gelyk aan een derde van sodanige gratifikasie; of
- (b) indien hy 'n amptenaar is wat in paragraaf (2) of (3) genoem word, 'n verdere bedrag gelyk aan een derde van die bedrae betaalbaar ingevolge subparagraaf (a) en (b) van die toepaslike paragraaf.

GRATIFIKASIE BY HUWELIK.

7. 'n Vroulike amptenaar wat minstens vyf jaar pensioengewende diens gehad het, en wat met die oog op haar huwelik vrywillig bedank nadat sy die hoof van haar

of her department in writing to that effect, and marries within three months after such resignation, shall receive a gratuity equal to the sum of—

(a) an amount, according to whichever is the greater, equal to either—

(i) her own contributions together with four per cent of those contributions in respect of each completed year of her contributory service in excess of ten years; or

(ii) a percentage of the amount of the monthly average of her pensionable emoluments for the last seven years of her contributory service, or for the whole period of such service, whichever is the lesser period, in respect of each completed year of her contributory service calculated according to the following scale:—

Number of completed years of contributory service.	Percentage of monthly average of pensionable emoluments during contributory service.
Up to 5.....	68½
6.....	75
7.....	81½
8.....	87½
9.....	93½
10 and over.....	100

(b) an amount, according to whichever is the greater, calculated at the rate of either—

(i) one-twelfth of the annual average of her pensionable emoluments for the last three years of her pensionable service in respect of each completed year of the period included in her reckonable service when she served as an established officer, but not exceeding an amount equal to such annual average; or

(ii) one-fifty-second of the said annual average for each completed year of the period or aggregate periods during her reckonable service when she either served as an established officer or was employed in a whole-time non-established capacity:

Provided that if the said period of three years includes a period of reckonable service, the provisions of the first proviso to sub-paragraph (c) of paragraph (2) of regulation 6 shall *mutatis mutandis* apply: Provided further that the said pensionable emoluments shall include any allowance (additional to her substantive salary) of which the said officer may be in receipt immediately prior to the date of her resignation and which, had she so resigned immediately prior to the fixed date, would have been included in her pensionable pay for any gratuity which might have been paid had she been eligible for an award in accordance with the practice of the Treasury of the United Kingdom (as directed in Treasury minutes of the 15th October, 1946, and the 14th September, 1949).

ANNUITY AND GRATUITY AFTER TEN YEARS' PENSIONABLE SERVICE.

8. (1) An officer who immediately prior to the fixed date was an established officer and who has had not less than ten years' pensionable service and who retires or is retired or discharged from the public service in terms of section three of the Act or for a reason mentioned in sub-paragraph (b), (c), (d) or (e) of paragraph (1) of regulation 6 or under sub-section (9) of section fourteen of the Public Service Act, shall be entitled to the payment of—

(a) an annuity, which shall be based on the emoluments referred to in paragraph (3), and which shall be calculated at the rate of one-eighth of such emoluments for each year of pensionable service; and

departement skriftelik daarvan in kennis gestel het en binne drie maande na sodanige bedanking in die huwelik tree, ontvang 'n gratifikasie gelyk aan die totaal van—

(a) 'n bedrag, naamlik die grootste, gelyk aan of—

(i) haar eie bydraes tesame met vier persent van daardie bydraes ten opsigte van elke voltooide jaar van haar bydraeplichtige diens bo tien jaar; of

(ii) 'n persentasie van die bedrag van die maandelikse gemiddelde van haar pensioengewende verdienste gedurende die laaste sewe jaar van haar bydraeplichtige diens of die hele tydperk van sodanige diens, naamlik die korste tydperk, ten opsigte van elke voltooide jaar van haar bydraeplichtige diens bereken ooreenkomstig die volgende skaal:—

Getal voltooide jare bydraeplichtige diens.	Persentasie van maandelikse gemiddelde van pensioengewende verdienste gedurende bydraeplichtige diens.
Tot 5.....	68½
6.....	75
7.....	81½
8.....	87½
9.....	93½
10 en meer.....	100

(b) 'n bedrag, naamlik die grootste, bereken teen of—

(i) een-twaalfde van die jaarlikse gemiddelde van haar pensioengewende verdienste gedurende die laaste drie jaar van haar pensioengewende diens ten opsigte van elke voltooide jaar van die tydperk by haar rekenbare diens ingesluit, toe sy as 'n vaste amptenaar in diens was, maar hoogstens 'n bedrag gelyk aan sodanige jaarlikse gemiddelde; of

(ii) een twee-en-veertigste van gemelde jaarlikse gemiddelde ten opsigte van elke voltooide jaar van die tydperk of totale tydperke gedurende haar rekenbare diens toe sy of as 'n vaste amptenaar in diens was of in 'n voltydse nie-vaste hoedanigheid in diens was:

Met dien verstande dat indien gemelde tydperk van drie jaar 'n tydperk van rekenbare diens insluit, die bepalings van die eerste voorbehoudsbepaling van subparagraaf (c) van paragraaf (2) van regulasie 6 *mutatis mutandis* van toepassing is: Met dien verstande voorts dat gemelde pensioengewende verdienste enige toelae (benewens haar substantiewe salaris) insluit wat gemelde amptenaar onmiddellik voor die datum van haar bedanking ontvang het en wat, indien sy onmiddellik voor die vasgestelde datum bedank het, by haar pensioengewende soldy ingesluit sou gewees het vir die doel van enige gratifikasie wat betaal kon gewees het indien sy vir 'n toekenning in aanmerking gekom het ooreenkomstig die gebruik van die Tesourie van die Verenigde Koninkryk (soos in Tesourie-minute van 15 Oktober 1946, en 14 September 1949, voorgeskryf).

JAARGELD EN GRATIFIKASIE NA TIEN JAAR PENSIOENGEWENDE DIENS.

8. (1) 'n Amptenaar wat onmiddellik voor die vasgestelde datum 'n vaste amptenaar was en wat minstens tien jaar pensioengewende diens gehad het en wat ingevolge artikel drie van die Wet of om 'n rede genoem in subparagraaf (b), (c), (d) of (e) van paragraaf (1) van regulasie 6 of ingevolge subartikel (9) van artikel veertien van die Staatsdienswet, uit die staatsdiens met pensioen aftree of met pensioen afgedank of ontslaan word, is geregtig op die betaling van—

(a) 'n jaargeld, wat gebaseer word op die verdienste in paragraaf (3) genoem, en wat bereken word teen een-tagtigste van sodanige verdienste vir elke jaar pensioengewende diens; en

(b) a gratuity which shall be based upon the said emoluments and which shall—

- (i) if such officer is discharged on account of ill-health occasioned without his own default, be calculated at a percentage of the said emoluments in respect of each year pensionable service, according to the following scale:—

MALES.		FEMALES.	
Nearest age at date of retirement or discharge.	Percentage of emoluments.	Nearest age at date of retirement or discharge.	Percentage of emoluments.
Up to 60.....	4.50	Up to 55....	5.70
61.....	4.36	56.....	5.57
62.....	4.23	57.....	5.43
63.....	4.09	58.....	5.30
64.....	3.95	59.....	5.16
65.....	3.81	60.....	5.02
		61.....	4.87
		62.....	4.72
		63.....	4.57
		64.....	4.42
		65.....	4.27

- (ii) if such officer retires or is retired or discharged in terms of section three of the Act or for a reason mentioned in sub-paragraph (c), (d) or (e) of paragraph (1) of regulation 6 or under sub-section (9) of section fourteen of the Public Service Act, be calculated at a percentage of the said emoluments in respect of each year of pensionable service according to the following scales:—

Nearest age at date of retirement or discharge.	Percentage of emoluments.	
	Males.	Females.
Up to 30.....	7.40	7.61
31.....	7.33	7.56
32.....	7.26	7.50
33.....	7.19	7.44
34.....	7.12	7.38
35.....	7.05	7.32
36.....	6.98	7.25
37.....	6.90	7.18
38.....	6.82	7.11
39.....	6.74	7.04
40.....	6.66	6.97
41.....	6.57	6.90
42.....	6.48	6.82
43.....	6.39	6.74
44.....	6.30	6.66
45.....	6.20	6.58
46.....	6.10	6.50
47.....	5.99	6.42
48.....	5.88	6.33
49.....	5.77	6.24
50.....	5.65	6.15
51.....	5.53	6.06
52.....	5.42	5.97
53.....	5.30	5.88
54.....	5.19	5.79
55.....	5.07	5.70
56.....	4.96	5.57
57.....	4.84	5.43
58.....	4.73	5.30
59.....	4.61	5.16
60.....	4.50	5.02
61.....	4.36	4.87
62.....	4.23	4.72
63.....	4.09	4.57
64.....	3.95	4.42
65 or over.....	3.81	4.27

(2) (a) If an officer to whom paragraph (1) refers is discharged for a reason mentioned in sub-paragraph (c) or (d) of paragraph (1) of regulation 6, there shall be added to his pensionable service, for the purpose of calculating any annuity and gratuity to which he is entitled under the first-mentioned paragraph, either one-third of the period of the said service or the period, not exceeding five years, by which his pensionable age exceeds his age at the date of his discharge, whichever is the lesser period.

(b) If an officer to whom paragraph (1) refers has had not less than ten years' pensionable service and not more than twenty years' pensionable service and is discharged on account of ill-health occasioned without his own default there shall be added to his pensionable service, for the purpose of calculating any annuity and gratuity to which

(b) 'n gratifikasie wat gebaseer word op gemelde verdienste en wat—

- (i) indien sodanige amptenaar ontslaan word op grond van slegte gesondheid sonder sy eie toedoen veroorsaak, bereken word volgens 'n persentasie van gemelde verdienste ten opsigte van elke jaar pensioengewende diens, ooreenkomstig die volgende skaal:—

MANS.		VROUENS.	
Naaste leeftyd op datum van uitdienstreding of ontslag.	Persentasie van verdienste.	Naaste leeftyd op datum van uitdienstreding of ontslag.	Persentasie van verdienste.
Tot 60.....	4.50	Tot 55.....	5.70
61.....	4.36	56.....	5.57
62.....	4.23	57.....	5.43
63.....	4.09	58.....	5.30
64.....	3.95	59.....	5.16
65.....	3.81	60.....	5.02
		61.....	4.87
		62.....	4.72
		63.....	4.57
		64.....	4.42
		65.....	4.27

- (ii) indien sodanige amptenaar ingevolge artikel drie van die Wet of om 'n rede genoem in paragraaf (c), (d) of (e) van paragraaf (1) van regulasie 6 of ingevolge subartikel (9) van artikel veertien van die Staatsdienswet, met pensioen aftree of met pensioen afgedank of ontslaan word, bereken word volgens 'n persentasie van gemelde verdienste ten opsigte van elke jaar pensioengewende diens ooreenkomstig die volgende skaal:—

Naaste leeftyd op datum van uitdienstreding of ontslag.	Persentasie van verdienste.	
	Mans.	Vrouens.
Tot 30.....	7.40	7.61
31.....	7.33	7.56
32.....	7.26	7.50
33.....	7.19	7.44
34.....	7.12	7.38
35.....	7.05	7.32
36.....	6.98	7.25
37.....	6.90	7.18
38.....	6.82	7.11
39.....	6.74	7.04
40.....	6.66	6.97
41.....	6.57	6.90
42.....	6.48	6.82
43.....	6.39	6.74
44.....	6.30	6.66
45.....	6.20	6.58
46.....	6.10	6.50
47.....	5.99	6.42
48.....	5.88	6.33
49.....	5.77	6.24
50.....	5.65	6.15
51.....	5.53	6.06
52.....	5.42	5.97
53.....	5.30	5.88
54.....	5.19	5.79
55.....	5.07	5.70
56.....	4.96	5.57
57.....	4.84	5.43
58.....	4.73	5.30
59.....	4.61	5.16
60.....	4.50	5.02
61.....	4.36	4.87
62.....	4.23	4.72
63.....	4.09	4.57
64.....	3.95	4.42
65 of ouer.....	3.81	4.27

(2) (a) Indien 'n amptenaar wat in paragraaf (1) genoem word, om 'n rede in subparagraaf (c) of (d) van paragraaf (1) van regulasie 6 genoem, ontslaan word, word by die berekening van 'n jaargeld of gratifikasie waarop hy kragtens eersgenoemde paragraaf geregtig is, by sy pensioengewende diens bygevoeg of een-derde van die tydperk van gemelde diens of die tydperk, hoogstens vyf jaar, waarmee sy pensioenleefyd sy leeftyd op die datum van sy ontslag te bowe gaan, naamlik die kortste tydperk.

(b) Indien 'n amptenaar wat in paragraaf (1) genoem word, minstens tien jaar pensioengewende diens en hoogstens twintig jaar pensioengewende diens gehad het en ontslaan word op grond van slegte gesondheid sonder sy eie toedoen veroorsaak, word by die berekening van 'n jaargeld of gratifikasie waarop hy kragtens gemelde

he is entitled under the said paragraph, either a period equal to that by which his pensionable service is less than twenty years or the period by which his pensionable age exceeds his age at the date of his discharge, whichever is the lesser period.

(3) An officer's emoluments, for purposes of calculating any pension payable in terms of paragraph (1) or (2) shall be, according to whichever is the greater, either—

(a) the annual average of his pensionable emoluments during the last seven years of his pensionable service: Provided that if the said officer has had less than seven years' contributory service, the pensionable emoluments in respect of any period of reckonable service which forms part of the said seven years, shall be those emoluments which the Treasury, on the recommendation of the Commission, determines as the pensionable emoluments which he would have received had he been an employee of the Government during that period; or

(b) the annual average of the pensionable pay which the Treasury, on the recommendation of the Commission, determines that the said officer would have received during the last three years of his pensionable service had he not become an employee of the Government and had continued to be remunerated in accordance with the scales of pay and allowances applicable to him immediately prior to the fixed date.

(4) If an officer, who immediately prior to the fixed date was not an established officer and who has had not less than ten years' contributory service, retires or is retired or discharged in terms of section three of the Act or for a reason mentioned in sub-paragraph (b), (c), (d) or (e) of paragraph (1) of regulation 6 or under sub-section (9) of section fourteen of the Public Service Act, there shall be paid to him—

(a) an annuity which shall be based on the annual average of his pensionable emoluments for the last seven years of his contributory service and which shall be calculated at the rate of one-eighth of such emoluments for each year of contributory service;

(b) a gratuity which shall be based upon the said average and which shall—

(i) if such officer is discharged on account of ill-health occasioned without his own default, be calculated at a percentage of the said average in respect of each year of contributory service, according to the scale referred to in item (i) of sub-paragraph (b) of paragraph (1); or

(ii) if such officer retires or is retired or discharged for a reason other than ill-health, be calculated at a percentage of the said average in respect of each year of contributory service according to the scale referred to in item (ii) of sub-paragraph (b) of paragraph (1); and

(c) a gratuity in respect of his reckonable service, calculated in accordance with the provisions of sub-paragraph (c) of paragraph (2) of regulation 6.

(5) If an officer to whom paragraph (4) refers is discharged for a reason mentioned in sub-paragraph (c) or (d) of paragraph (1) of regulation 6, there shall be added to his contributory service, for the purpose of calculating any annuity and gratuity to which he is entitled under the first-mentioned paragraph, either one-third of the period of his said contributory service or the period, not exceeding five years, by which his pensionable age exceeds his age at the date of his discharge, whichever is the lesser period.

paragraaf geregtig is, by sy pensioengewende diens bygevoeg of 'n tydperk gelyk aan dié wat sy pensioengewende diens minder is as twintig jaar of die tydperk waarmee sy pensioenleef tyd sy leef tyd op die datum van sy ontslag te bowe gaan, naamlik die korste tydperk.

(3) 'n Amptenaar se verdienste vir die berekening van enige pensioen ingevolge paragraaf (1) of (2) betaalbaar, is die bedrag, naamlik die grootste, gelyk aan, of—

(a) die jaarlikse gemiddelde van sy pensioengewende verdienste gedurende die laaste sewe jaar van sy pensioengewende diens: Met dien verstande dat, indien gemelde amptenaar minder as sewe jaar bydraeplygtige diens gehad het, die pensioengewende verdienste ten opsigte van enige tydperk van rekenbare diens wat deel van gemelde sewe jaar uitmaak, daardie verdienste is wat die Tesourie op aanbeveling van die Kommissie bepaal as die pensioengewende verdienste wat hy sou ontvang het, indien hy gedurende daardie tydperk 'n werknemer van die Regering was; of

(b) die jaarlikse gemiddelde van die pensioengewende soldy wat die Tesourie op aanbeveling van die Kommissie bepaal as dié wat gemelde amptenaar gedurende die laaste drie jaar van sy pensioengewende diens sou ontvang het, indien hy nie 'n werknemer van die Regering geword het nie en nog steeds besoldig is ooreenkomstig die skale van soldy en toelaes wat onmiddellik voor die vasgestelde datum op hom van toepassing was.

(4) Indien 'n amptenaar wat onmiddellik voor die vasgestelde datum nie 'n vaste amptenaar was nie en wat minstens tien jaar bydraeplygtige diens gehad het, ingevolge artikel drie van die Wet of om 'n rede genoem in subparagraaf (b), (c), (d) of (e) van paragraaf (1) van regulasie 6 of ingevolge subartikel (9) van artikel veertien van die Staatsdienswet, met pensioen aftree of met pensioen afgedank of ontslaan word, word daar aan hom betaal—

(a) 'n jaargeld wat gebaseer word op die jaarlikse gemiddelde van sy pensioengewende verdienste vir die laaste sewe jaar van sy bydraeplygtige diens en wat bereken word teen een-tagtigste van sodanige verdienste vir elke jaar bydraeplygtige diens;

(b) 'n gratifikasie wat gebaseer word op gemelde gemiddelde en wat—

(i) indien sodanige amptenaar ontslaan word op grond van slegte gesondheid sonder sy eie toedoen veroorsaak, bereken word volgens 'n persentasie van gemelde gemiddelde ten opsigte van elke jaar bydraeplygtige diens, ooreenkomstig die skaal in item (i) van subparagraaf (b) van paragraaf (1) genoem; of

(ii) indien sodanige amptenaar om 'n ander rede as slegte gesondheid met pensioen aftree of met pensioen afgedank of ontslaan word, bereken word volgens 'n persentasie van gemelde gemiddelde ten opsigte van elke jaar bydraeplygtige diens, ooreenkomstig die skaal in item (ii) van subparagraaf (b) van paragraaf (1) genoem; en

(c) 'n gratifikasie ten opsigte van sy rekenbare diens, bereken ooreenkomstig die bepalinge van subparagraaf (c) van paragraaf (2) van regulasie 6.

(5) Indien 'n amptenaar wat in paragraaf (4) genoem word, om 'n rede in subparagraaf (c) of (d) van paragraaf (1) van regulasie 6 genoem, ontslaan word, word by die berekening van 'n jaargeld en gratifikasie waarop hy kragtens eersgenoemde paragraaf geregtig is, by sy bydraeplygtige diens bygevoeg of een-derde van die tydperk van sy gemelde bydraeplygtige diens of die tydperk, hoogstens vyf jaar, waarmee sy pensioenleef tyd sy leef tyd op die datum van sy ontslag te bowe gaan, naamlik die kortste tydperk.

BENEFITS ON RESIGNATION OR DISMISSAL.

9. (1) An officer [other than an officer who retires under the provisions of paragraph (c) of section three of the Act or a female officer to whom regulation 7 refers] who resigns voluntarily from the public service before attaining the pensionable age shall be paid an amount equal to his own contributions, together with four per cent of the said amount in respect of each completed year of his contributory service in excess of ten years.

(2) If an officer to whom paragraph (1) refers was not an established officer immediately prior to the fixed date, he shall, in addition to the amount payable in terms of that paragraph, be paid an amount equal to the gratuity (if any) which in the opinion of the Secretary, he would have received in terms of section thirty-nine of the Superannuation Act in respect of the period of his reckonable service had he not become an employee of the Government: Provided that—

(a) an officer who immediately prior to the fixed date had not qualified for the said gratuity by reason of the fact that he had not had seven years' reckonable service shall be deemed to have so qualified if the period of his pensionable service is not less than seven years;

(b) the said amount shall be based on the annual average of his pensionable emoluments for the last three years of his pensionable service and if the said officer has had less than three years' contributory service, the provisions of the first proviso to sub-paragraph (c) of paragraph (2) of regulation 6 shall *mutatis mutandis* apply;

(c) the pensionable emoluments on which such amount is to be based shall include any allowance (additional to his substantive salary) of which the said officer may be in receipt immediately prior to the date of his resignation and which, had he so resigned immediately prior to the fixed date, would have been included in his pensionable pay for purposes of assessing the said gratuity.

(3) If an officer, other than an officer to whom an annuity is granted in terms of regulation 21, is discharged from the public service on account of misconduct, or resigns or is called upon to resign from such service in order to avoid such discharge, or is discharged therefrom for a reason not specifically mentioned in these regulations he shall be paid an amount equal to his own contributions.

(4) The Secretary may deduct from any amount payable under this regulation to any officer the amount of any loss certified by the Controller and Auditor General to have been sustained by the Government through theft, fraud, negligence or any misconduct on the part of such officer.

GRATUITIES ON DEATH.

10. (1) If an officer dies before his retirement or discharge from the public service there shall, subject to the provisions of paragraph (6), be paid to or for the benefit of such of his dependants as the Secretary may determine—

(a) if such officer has had less than ten years' contributory service, a gratuity equal to the sum of—

(i) an amount equal to six per cent of the said officer's pensionable emoluments during the period of his contributory service; and

(ii) an amount equal to his own contributions;

(b) if such officer has had not less than ten years' contributory service, a gratuity calculated at a percentage of the annual average of his pensionable emoluments for the last seven years of his con-

VOORDELE BY BEDANKING OF ONTSLAG.

9. (1) Daar word aan 'n amptenaar [uitgesonderd 'n amptenaar wat kragtens die bepalings van paragraaf (c) van artikel drie van die Wet bedank of 'n vroulike amptenaar wat in regulasie 7 genoem word] wat vrywillig uit die staatsdiens bedank voordat hy die pensioenleeftyd bereik het, 'n bedrag betaal gelyk aan sy eie bydraes tesame met vier persent van gemelde bedrag ten opsigte van elke voltooide jaar van sy bydraeplichtige diens bo tien jaar.

(2) Indien 'n amptenaar wat in paragraaf (1) genoem word, voor die vasgestelde datum nie 'n vaste amptenaar was nie, word daar aan hom betaal, benewens die bedrag betaalbaar ingevolge daardie paragraaf, 'n bedrag gelyk aan die gratifikasie (as daar is) wat hy, na die mening van die Sekretaris, ingevolge artikel nege-en-dertig van die „Superannuation Act" sou ontvang het ten opsigte van die tydperk van sy rekenbare diens, indien hy nie 'n werknemer van die Regering geword het nie: Met dien verstande dat—

(a) 'n amptenaar wat onmiddellik voor die vasgestelde datum nie vir gemelde gratifikasie in aanmerking gekom het nie uit hoofde van die feit dat hy nie sewe jaar rekenbare diens gehad het nie, geag word aldus in aanmerking te gekom het, indien die tydperk van sy pensioengewende diens minstens sewe jaar is;

(b) die gemelde bedrag gebaseer word op die jaarlikse gemiddelde van sy pensioengewende verdienste vir die laaste drie jaar van sy pensioengewende diens, en indien gemelde amptenaar minder as drie jaar bydraeplichtige diens gehad het, die bepalings van die eerste voorbehoudsbepaling van subparagraaf (c) van paragraaf (2) van regulasie 6 *mutatis mutandis* van toepassing is;

(c) die pensioengewende verdienste waarop sodanige bedrag gebaseer moet word, enige toelae (benewens sy substantiewe salaris) insluit wat gemelde amptenaar onmiddellik voor die datum van sy bedanking ontvang het en wat, indien hy onmiddellik voor die vasgestelde datum aldus bedank het, by sy pensioengewende soldy ingesluit sou gewees het by die vasstelling van gemelde gratifikasie.

(3) Indien 'n amptenaar, uitgesonderd 'n amptenaar aan wie 'n jaargeld ingevolge regulasie 21 toegeken word, weens wangedrag uit die staatsdiens ontslaan word, of uit sodanige diens bedank of aangesê word om te bedank ten einde sodanige ontslag te vermy, of daaruit ontslaan word om 'n rede nie uitdruklik in hierdie regulasies vermeld nie, word 'n bedrag gelyk aan sy eie bydraes aan hom betaal.

(4) Die Sekretaris kan van 'n bedrag kragtens hierdie regulasie aan 'n amptenaar betaalbaar, die bedrag van enige verlies aftrek wat deur die Kontroleur en Ouditeur-generaal gesertifiseer word deur die Regering gelyk te gewees het weens diefstal, bedrog, nalatigheid of enige wangedrag van die kant van sodanige amptenaar.

GRATIFIKASIES BY AFSTERWE.

10. (1) Indien 'n amptenaar te sterwe kom voor sy uitdienstreding of ontslag uit die staatsdiens, word daar behoudens die bepalings van paragraaf (6) aan of ten bate van diegene van sy afhanklikes wat die Sekretaris mag bepaal—

(a) indien sodanige amptenaar minder as tien jaar bydraeplichtige diens gehad het, 'n gratifikasie betaal gelyk aan die totaal van—

(i) 'n bedrag gelyk aan ses persent van gemelde amptenaar se pensioengewende verdienste gedurende die tydperk van sy bydraeplichtige diens; en

(ii) 'n bedrag gelyk aan sy eie bydraes;

(b) indien sodanige amptenaar minstens tien jaar bydraeplichtige diens gehad het, 'n gratifikasie betaal bereken teen 'n persentasie van die jaarlikse gemiddelde van sy pensioengewende verdienste vir

tributory service in respect of each year of contributory service according to the following scale:—

MALES.		FEMALES.	
Nearest age at date of death.	Percentage of pensionable emoluments.	Nearest age at date of death.	Percentage of pensionable emoluments.
Up to 60....	10.75	Up to 55....	11.95
61....	10.61	56....	11.82
62....	10.48	57....	11.68
63....	10.34	58....	11.55
64....	10.20	59....	11.41
65 and over	10.06	60....	11.27
		61....	11.12
		62....	10.97
		63....	10.82
		64....	10.67
		65 and over.	10.52

(2) If an officer to whom paragraph (1) refers and who immediately prior to the fixed date was an established officer has had not less than five years' reckonable service there may be paid to the said dependants, in addition to the gratuity payable in respect of his contributory service, a further gratuity in respect of his reckonable service, according to whichever is the greater, equal to either—

- the annual pensionable emoluments of which he was in receipt at the date of his death; or
- an amount calculated at the rate of three-eightieths of the annual average of his pensionable emoluments for the last three years of his pensionable service for each completed year of his reckonable service, but not exceeding one and a half times the amount of such annual average:

Provided that if the said period of three years includes a period of reckonable service the provisions of the first proviso to sub-paragraph (c) of paragraph (2) of regulation 6 shall *mutatis mutandis* apply: Provided further that the said pensionable emoluments shall include any allowance (additional to his substantive pay) of which the said officer was in receipt at the date of his death and which, had he died immediately prior to the fixed date, would have been included in the pensionable pay taken for the calculation of any gratuity referred to in section two of the Superannuation Act, 1909, of the United Kingdom.

(3) If an officer to whom paragraph (1) refers was an established officer immediately prior to the fixed date and has had less than five years' reckonable service and not less than seven years' pensionable service, or if immediately prior to the said date he was not an established officer and has had not less than seven years' pensionable service there may, subject to the provisions of paragraph (6), be paid to the said dependants, in addition to the gratuity payable in respect of his contributory service, a further gratuity in respect of his reckonable service calculated in accordance with sub-paragraph (c) of paragraph (2) of regulation 6.

(4) If an officer who immediately prior to the fixed date was an established officer retires or is retired or discharged on an annuity and dies within five years after the date of his retirement or discharge there shall, subject to the provisions of paragraph (6), be paid to or for the benefit of such of his dependants as the Secretary may determine—

- if the period of his contributory service was less than ten years, a gratuity equal to the sum of—
 - the aggregate amount of an annuity which shall be based on the annual average of his pensionable emoluments for the last seven years of his contributory service or for the whole period of his contributory service, whichever is the lesser period, which shall be calculated at the rate of one-eightieth of such emoluments for each year of contributory service and which, had he not died, would have been paid to him from the date of his death until the expiry of the said five years; and

die laaste sewe jaar van sy bydraeplygtige diens ten opsigte van elke jaar bydraeplygtige diens, ooreenkomstig die volgende skaal:—

MANS.		VROUENS.	
Naaste leeftyd op datum van dood.	Persentasie van pensioengewende verdienste.	Naaste leeftyd op datum van dood.	Persentasie van pensioengewende verdienste.
Tot 60.....	10.75	Tot 55.....	11.95
61.....	10.61	56.....	11.82
62.....	10.48	57.....	11.68
63.....	10.34	58.....	11.55
64.....	10.20	59.....	11.41
65 en ouer...	10.06	60.....	11.27
		61.....	11.12
		62.....	10.97
		63.....	10.82
		64.....	10.67
		65 en ouer...	10.52

(2) Indien 'n amptenaar wat in paragraaf (1) genoem word en wat onmiddellik voor die vasgestelde datum 'n vaste amptenaar was, minstens vyf jaar rekenbare diens gehad het, kan daar, benewens die gratifikasie betaalbaar ten opsigte van sy bydraeplygtige diens, aan gemelde afhanklikes 'n verdere gratifikasie ten opsigte van sy rekenbare diens betaal word, gelyk aan die bedrag, naamlik die grootste, van of—

- die jaarlikse pensioengewende verdienste wat hy op die datum van sy dood ontvang het; of
- 'n bedrag bereken teen drie-tagtigstes van die jaarlikse gemiddelde van sy pensioengewende verdienste vir die laaste drie jaar van sy pensioengewende diens vir elke voltooide jaar van sy rekenbare diens, maar hoogstens anderhalf maal die bedrag van sodanige jaarlikse gemiddelde:

Met dien verstande dat indien gemelde tydperk van drie jaar 'n tydperk van rekenbare diens insluit, die bepaling van die eerste voorbehoudbepaling van subparagraaf (c) van paragraaf (2) van regulasie 6 *mutatis mutandis* van toepassing is: Met dien verstande voorts dat gemelde pensioengewende verdienste enige toelae (benewens sy substantiewe soldy) insluit wat gemelde amptenaar op die datum van sy dood ontvang het, en wat, indien hy onmiddellik voor die vasgestelde datum te sterwe gekom het, ingesluit sou gewees het by die pensioengewende soldy waarvolgens enige gratifikasie in artikel twee van die „Superannuation Act”, 1909, van die Verenigde Koninkryk genoem, bereken word.

(3) Indien 'n amptenaar wat in paragraaf (1) genoem word, onmiddellik voor die vasgestelde datum 'n vaste amptenaar was en minder as vyf jaar rekenbare diens en minstens sewe jaar pensioengewende diens gehad het, of indien hy onmiddellik voor gemelde datum nie 'n vaste amptenaar was nie en minstens sewe jaar pensioengewende diens gehad het, kan daar, behoudens die bepaling van paragraaf (6), benewens die gratifikasie betaalbaar ten opsigte van sy bydraeplygtige diens, aan gemelde afhanklikes 'n verdere gratifikasie ten opsigte van sy rekenbare diens ooreenkomstig subparagraaf (c) van paragraaf (2) van regulasie 6 bereken, betaal word.

(4) Indien 'n amptenaar wat onmiddellik voor die vasgestelde datum 'n vaste amptenaar was, met 'n jaargeld aftree of afgedank of ontslaan word en binne vyf jaar na die datum van sy uitdienstreding of ontslag te sterwe kom, word daar behoudens die bepaling van paragraaf (6) betaal aan of ten bate van diegene van sy afhanklikes wat die Sekretaris bepaal—

- indien die tydperk van sy bydraeplygtige diens minder as tien jaar was, 'n gratifikasie gelyk aan die totaal van—
 - die totale bedrag van 'n jaargeld wat gebaseer moet word op die jaarlikse gemiddelde van sy pensioengewende verdienste vir die laaste sewe jaar van sy bydraeplygtige diens, of vir die hele tydperk van sy bydraeplygtige diens, naamlik die kortste tydperk wat bereken moet word teen die koers van een-tagtigste van sodanige verdienste vir elke jaar van bydraeplygtige diens en wat aan hom betaal sou gewees het vanaf die datum van sy dood tot by die verstryking van gemelde vyf jaar indien hy nie gesterf het nie; en

(ii) an amount calculated in accordance with the provisions of paragraph (2) and reduced by an amount equal to the difference between the pension received by the said officer up to and including the day of his death in terms of sub-paragraphs (a) and (b) of paragraph (1) of regulation 8 and an amount equal to the sum of—

(aa) the aggregate amount of an annuity, calculated in terms of item (i) of this sub-paragraph, which he would have received up to and including the said day; and

(bb) a gratuity which shall be based on the emoluments referred to in item (i) and which, if such officer was discharged on account of ill-health, shall be calculated at a percentage of the said emoluments in respect of each year of pensionable service according to the scale referred to in item (i) of sub-paragraph (b) of paragraph (1) of regulation 8, or if he was not discharged on account of ill-health, according to the scale referred to in item (ii) of the said sub-paragraph;

(b) if the period of his contributory service was not less than ten years, a gratuity equal to the sum of—

(i) the aggregate amount of the annuity which had the officer not been an established officer immediately prior to the fixed date, would have been paid to him in terms of sub-paragraph (a) of paragraph (4) of regulation 8 from the date of his death until the expiry of the said five years had he not died; and

(ii) an amount calculated in accordance with the provisions of paragraph (2) and reduced by an amount equal to the difference between the pension received by the said officer up to and including the day of his death in terms of sub-paragraphs (a) and (b) of paragraph (1) of regulation 8, or the pension which would have been so received and the provisions of sub-paragraph (b) of paragraph (2) of regulation 8 not been applicable in his case, and the pension he would have received up to and including the said day in terms of sub-paragraphs (a) and (b) of paragraph (4) of that regulation had he not been an established officer immediately prior to the fixed date.

(5) If an officer who immediately prior to the fixed date was not an established officer retires or is retired or discharged on an annuity payable in terms of sub-paragraph (a) of paragraph (4) of regulation 8 and dies within five years after the date of his retirement or discharge, there shall, subject to the provisions of paragraph (6), be paid to or for the benefit of such of his dependants as the Secretary may determine, a gratuity equal to the aggregate amount of the said annuity which would have been paid to such officer from the date of his death until the expiry of the said five years, had he not died.

(6) The gratuities referred to in paragraphs (1), (3), (4) and (5) of this regulation shall be allocated amongst the said dependants in such manner as the Secretary may determine and the Secretary, in the case of dependants other than the widow of the deceased officer, and having regard to the circumstances of such dependants, may reduce a gratuity to an extent which appears to him to be reasonable: Provided that any gratuity payable in terms of paragraph (3) shall not be reduced to an amount less than an amount computed in terms of paragraph (2) of regulation 9.

(ii) 'n bedrag wat bereken word ooreenkomstig die bepalings van paragraaf (2) en verminder word met 'n bedrag gelyk aan die verskil tussen die pensioen wat ingevolge subparagrafe (a) en (b) van paragraaf (1) van regulasie 8 deur gemelde amptenaar tot en met die dag van sy dood ontvang is en 'n bedrag gelyk aan die totaal van—

(aa) die totale bedrag van 'n jaargeld, bereken ooreenkomstig item (1) van hierdie subparagraaf, wat hy sou ontvang het tot en met die gemelde dag; en

(bb) 'n gratifikasie wat gebaseer moet word op die verdienste in item (i) genoem en wat, indien sodanige amptenaar op grond van slegte gesondheid ontslaan is, bereken moet word teen 'n persentasie van gemelde verdienste ten opsigte van elke jaar van pensioengewende diens ooreenkomstig die skaal in item (i) van subparagraaf (b) van paragraaf (1) van regulasie 8 genoem, of indien hy nie op grond van slegte gesondheid ontslaan is nie, ooreenkomstig die skaal in item (ii) van gemelde subparagraaf genoem;

(b) indien die tydperk van sy bydraeplygtige diens minstens tien jaar was, 'n gratifikasie gelyk aan die totaal van—

(i) die totale bedrag van die jaargeld wat, indien die amptenaar voor die vasgestelde datum nie 'n vaste amptenaar was nie, aan hom betaal sou gewees het ingevolge subparagraaf (a) van paragraaf (4) van regulasie 8 vanaf die datum van sy dood tot by die verstryking van die gemelde vyf jaar, indien hy nie gesterf het nie; en

(ii) 'n bedrag wat bereken word ooreenkomstig die bepalings van paragraaf (2) en verminder word met 'n bedrag gelyk aan die verskil tussen die pensioen wat ingevolge subparagrafe (a) en (b) van paragraaf (1) van regulasie 8 deur gemelde amptenaar tot en met die dag van sy dood ontvang is of die pensioen wat aldus ontvang sou gewees het indien die bepalings van subparagraaf (b) van paragraaf (2) van regulasie 8 nie in sy geval van toepassing was nie en die pensioen wat hy tot en met gemelde dag ingevolge subparagrafe (a) en (b) van paragraaf (4) van daardie regulasie sou ontvang het indien hy nie onmiddellik voor die vasgestelde datum 'n vaste amptenaar was nie.

(5) Indien 'n amptenaar wat onmiddellik voor die vasgestelde datum nie 'n vaste amptenaar was nie, ingevolge subparagraaf (a) van paragraaf (4) van regulasie 8 met 'n jaargeld aftree of afgedank of ontslaan word en binne vyf jaar na die datum van sy uitdienstreding of ontslag te sterwe kom, word daar, behoudens die bepalings van paragraaf (6) aan of ten bate van diegene van sy afhanklikes wat die Sekretaris mag bepaal, 'n gratifikasie betaal gelyk aan die totale bedrag van gemelde jaargeld wat vanaf die datum van sy dood tot by die verstryking van gemelde vyf jaar aan hom betaal sou gewees het, as hy nie gesterf het nie.

(6) Die gratifikasies in paragrafe (1), (3), (4) en (5) van hierdie regulasie genoem, word onder gemelde afhanklikes toegewys op die wyse wat die Sekretaris mag bepaal, en die Sekretaris kan 'n gratifikasie in die geval van ander afhanklikes as die weduwee van die oorlede amptenaar en met inagneming van die omstandighede van sodanige afhanklikes, verminder in die mate wat hy redelik ag: Met dien verstande dat enige gratifikasie betaalbaar ingevolge paragraaf (3) nie tot 'n kleiner bedrag as die bedrag wat ingevolge paragraaf (2) van regulasie 9 bereken word, verminder word nie.

(7) If an officer dies before his retirement or discharge from the public service without leaving a dependant, there shall be paid to his estate an amount equal to the sum of—

(a) his own contributions; and

(b) (i) if immediately prior to the fixed date he was an established officer, a gratuity calculated in terms of paragraph (3) of this regulation; or

(ii) if immediately prior to the fixed date he was not an established officer, an amount equal to the amount he would have been paid in terms of paragraph (2) of regulation 9 had he not died but voluntarily resigned with effect from the day immediately succeeding the last day of his pensionable service.

PART B.

PENSION RIGHTS.—EUROPEAN PERSONS NOT APPOINTED TO THE PUBLIC SERVICE.

INTERPRETATION OF TERMS USED IN THIS PART.

11. In this Part, unless the context otherwise indicates—

“own contributions” means the amounts other than interest, paid or due by an employee to revenue in terms of regulation 12;

“contributor” means an employee who contributes to revenue in terms of this Part or to or in respect of whom a benefit or other amount is payable from revenue and includes—

(a) an employee who is on leave of absence or, in the case of a person to whom leave of absence cannot be granted under regulations made under the Public Service Act who is absent from duty, and who was a contributor immediately prior to such leave or absence; and

(b) an employee who ceased to contribute on attaining the age of sixty-five years and who has not retired or been retired or discharged from the service of the Government;

“full benefit” with reference to a contributor or his dependants, means an amount equal to twice the amount of his own contributions together with interest at the rate of four per cent per annum on twice the said contributions compounded annually on the thirty-first day of March, and calculated according to the dates upon which the contributions were paid and up to the date upon which any benefit is paid from revenue to or in respect of a contributor or to or for the benefit of his dependants in terms of this Part.

CONTRIBUTIONS TO REVENUE.

12. (1) Any person who in terms of sub-section (1) of section two of the Act has become an employee of the Government, and who has not become an officer in terms of sub-section (3) of that section, shall, if he is a European, pay contributions to revenue as from the fixed date at the rate he would have paid to the Government Employees' Provident Fund referred to in section eighty-four of the Pensions Act, had he been a member of that Fund: Provided that any such person who immediately prior to the fixed date had had less than two years' continuous whole-time employment shall not be allowed to contribute until he has had jointly two years' continuous whole-time employment with the United Kingdom and the Government: Provided further that no such person shall contribute while under the age of sixteen years and over the age of sixty-five years or if his pensionable emoluments are less than ninety pounds per annum.

(7) Indien 'n amptenaar te sterwe kom voor sy uitdienstreding of ontslag uit die staatsdiens en geen afhanklike nalaat nie, word aan sy boedel 'n bedrag betaal gelyk aan die totaal van—

(a) sy eie bydraes; en

(b) (i) indien hy onmiddellik voor die vasgestelde datum 'n vaste amptenaar was, 'n gratifikasie bereken ingevolge paragraaf (3) van hierdie regulasie; of

(ii) indien hy onmiddellik voor die vasgestelde datum nie 'n vaste amptenaar was nie, 'n bedrag gelyk aan die bedrag wat ingevolge paragraaf (2) van regulasie 9 aan hom betaal sou gewees het, as hy nie gesterf het nie, maar vrywillig bedank het met ingang van die dag onmiddellik na die laaste dag van sy pensioengewende diens.

DEEL B.

PENSIOENREGTE.—BLANKE PERSONE WAT NIE IN DIE STAATSDIENS AANGESTEL IS NIE.

OMSKRYWING VAN WOORDE IN HIERDIE DEEL GEBESIG.

11. In hierdie Deel, tensy uit die samehang anders blyk, beteken—

„eie bydraes”, die bedrae, uitgesonderd rente, deur 'n werknemer in die inkomste gestort of verskuldig ingevolge regulasie 12;

„bydraer”, 'n werknemer wat ingevolge hierdie Deel tot die inkomste bydra of aan wie of ten opsigte van wie 'n voordeel of ander bedrag uit die inkomste betaalbaar is en omvat—

(a) 'n werknemer wat met verlof afwesig is of in die geval van 'n persoon aan wie afwesigheidsverlof nie kragtens regulasies uitgevaardig ingevolge die Staatsdienswet, toegestaan kan word nie, wat van diens afwesig is en wat onmiddellik voor sodanige verlof of afwesigheid 'n bydraer was; en

(b) 'n werknemer wat opgehou het om by te dra wanneer hy die leeftyd van vyf-en-sestig jaar bereik het en wat nie uit die diens van die Regering met pensioen afgetree het of met pensioen afgedank of ontslaan is nie;

„volle voordeel”, met betrekking tot 'n bydraer of sy afhanklikes 'n bedrag gelyk aan dubbel die bedrag van sy eie bydraes met rente teen die koers van vier persent per jaar op dubbel gemelde bydraes, jaarliks saamgestel op die een-en-dertigste dag van Maart, en bereken volgens die datums waarop die bydraes betaal is en tot die datum waarop ingevolge hierdie Deel enige voordeel uit die inkomste aan of ten opsigte van 'n bydraer of aan of ten bate van sy afhanklikes betaal word.

BYDRAES TOT DIE INKOMSTE.

12. (1) 'n Persoon wat ingevolge subartikel (1) van artikel twee van die Wet 'n werknemer van die Regering geword het, en wat nie ingevolge subartikel (3) van daardie artikel 'n amptenaar geword het nie, stort indien hy 'n blanke is, bydraes in die inkomste met ingang van die vasgestelde datum volgens die skaal waarvolgens hy tot die Regerings-werknemersondersteuningsfonds in artikel vier-en-tagtig van die Pensioenwet genoem, sou betaal het as hy lid van daardie Fonds was: Met dien verstande dat sodanige persoon wat onmiddellik voor die vasgestelde datum minder as twee jaar ononderbroke voltydse diens gehad het, nie toegelaat word om by te dra nie totdat hy gesamentlik twee jaar ononderbroke voltydse diens by die Verenigde Koninkryk en die Regering gehad het: Met dien verstande voorts dat niemand bydra terwyl hy onder die leeftyd van sestien jaar en bo die leeftyd van vyf-en-sestig jaar is of as sy pensioengewende verdienste minder as neëntig pond per jaar behoort nie.

(2) The period of employment in respect of which contributions are to be paid in terms of paragraph (1) shall be continuous and any such period shall not be regarded as interrupted by absence on leave, whether with or without pay or by suspension if followed by reinstatement in the same or another office or post.

(3) A contributor to whom—

- (a) leave of absence can be granted under regulations made under the Public Service Act shall continue to contribute while on sick or other leave with full or less than full pay, and may elect to contribute in respect of any period of sick or other leave without pay;
- (b) leave of absence cannot be so granted may elect to contribute in respect of any period of absence without pay not exceeding ninety days, or in respect of such longer period of such absence as the Secretary may in special circumstances allow.

(4) The contributions payable in terms of this regulation shall be at the rate of five per cent per annum of the employee's full pensionable emoluments and the provisions of paragraphs (2), (4) and (5) of regulation 3 shall *mutatis mutandis* apply in respect of such contributions.

PAYMENTS UPON RETIREMENT RESIGNATION OR DISCHARGE.

13. (1) A contributor who retires or is retired or discharged in circumstances other than those referred to in paragraph (2) or (3), shall be paid the full benefit.

(2) A contributor who—

- (a) resigns voluntarily before attaining the age of sixty years; or
- (b) is retired on account of ill-health not occasioned without his own default,

shall be paid an amount equal to fifty per cent of the full benefit together with one per cent of the full benefit in respect of each complete year in excess of five years of the period in respect of which contributions have been paid to revenue.

(3) A contributor who is discharged on account of misconduct or unsatisfactory service or who resigns or is called upon to resign in order to avoid such discharge, shall be refunded his own contributions.

(4) The Secretary may deduct from any sum payable to any contributor under this regulation the amount of any loss certified by the Controller and Auditor-General to have been sustained by the Government through theft, fraud, negligence or any misconduct on the part of such contributor.

PAYMENT ON DEATH.

14. (1) If a contributor dies before his retirement from the service of the Government, the full benefit shall, subject to the provisions of paragraph (2), be paid to or for the benefit of such of his dependants as the Secretary may determine.

(2) Any amount payable to any dependants in terms of paragraph (1) shall be allocated amongst the said dependants in such manner as the Secretary may determine, and the Secretary, in the case of dependants other than the widow of a deceased employee and having regard to the circumstances of such dependants, may reduce the amount to an extent which appears to him to be reasonable.

(3) If a contributor dies before his retirement without leaving a dependant there shall be paid to his estate an amount equal to the sum of—

- (a) his own contributions; and
- (b) an amount equal to the amount which would have been paid to him in terms of sub-paragraph (b) of paragraph (1) of regulation 15 had he not died but voluntarily resigned with effect from the day immediately succeeding the last day of his pensionable service.

(2) Die dienstydperk ten opsigte waarvan bydraes ingevolge paragraaf (1) betaal moet word, moet ononderbroke wees en enige sodanige tydperk word nie geag as onderbreek te wees deur afwesigheid met verlof, met of sonder soldy, of deur skorsing indien gevolg deur herstelling in dieselfde of 'n ander betrekking of pos nie.

(3) 'n Bydraer aan wie—

- (a) afwesigheidverlof toegestaan kan word kragtens regulasies ingevolge die Staatsdienswet uitgevaardig, gaan voort om by te dra onderwyl hy met siekte- of ander verlof met volle of minder as volle soldy afwesig is, en kan kies om by te dra ten opsigte van 'n tydperk van siekte- of ander verlof sonder soldy;
- (b) afwesigheidverlof nie aldus toegestaan kan word nie, kan kies om by te dra ten opsigte van 'n tydperk van afwesigheid sonder soldy van hoogstens neëntig dae, of ten opsigte van 'n langer tydperk van afwesigheid wat die Sekretaris in spesiale omstandighede mag toelaat.

(4) Die bydraes betaalbaar ingevolge hierdie regulasie is volgens die skaal van vyf persent per jaar van die werknemer se volle pensioengewende verdienste en die bepalings van paragrafe (2), (4) en (5) van regulasie drie is *mutatis mutandis* van toepassing ten opsigte van sodanige bydraes.

BETALINGS BY UITDIENSTREDING, BEDANKING OF ONTSLAG.

13. (1) Aan 'n bydraer wat met pensioen aftree of met pensioen afgedank of ontslaan word in ander omstandighede as dié in paragraaf (2) of (3) genoem, word die volle voordeel betaal.

(2) Aan 'n bydraer wat—

- (a) vrywillig bedank voordat hy die leeftyd van sestig jaar bereik het; of
- (b) met pensioen afgedank word weens slegte gesondheid wat nie sonder sy eie toedoen veroorsaak is nie,

word 'n bedrag betaal gelyk aan vyftig persent van die volle voordeel tesame met een persent van die volle voordeel ten opsigte van elke voltooidde jaar bo vyf jaar van die tydperk ten opsigte waarvan bydraes in die inkomste gestort is.

(3) Aan 'n bydraer wat weens wangedrag of onbevredigende diens ontslaan word of wat bedank of aangesê word om te bedank ten einde sodanige ontslag te vermy, word sy eie bydraes terugbetaal.

(4) Die Sekretaris kan van 'n bedrag kragtens hierdie regulasie aan 'n bydraer betaalbaar, die bedrag van enige verlies aftrek wat deur die Kontroleur en Ouditeur-generaal gesertifiseer word deur die Regering gelyk te gewees het weens diefstal, bedrog, nalatigheid of enige wangedrag van die kant van sodanige bydraer.

BETALING BY AFSTERWE.

14. (1) Indien 'n bydraer te sterwe kom voor sy uitdienstreding uit die diens van die Regering, word die volle voordeel, behoudens die bepalings van paragraaf (2), aan of ten bate van diegene van sy afhanklikes wat die Sekretaris mag bepaal, betaal.

(2) 'n Bedrag ingevolge paragraaf (1) aan enige afhanklikes betaalbaar word onder gemelde afhanklikes toegewys op die wyse wat die Sekretaris mag bepaal, en die Sekretaris kan die bedrag in die geval van ander afhanklikes as die weduwee van 'n oorlede werknemer, en met inagneming van die omstandighede van sodanige afhanklikes verminder in die mate wat hy redelik ag.

(3) Indien 'n bydraer voor sy uitdienstreding te sterwe kom en gaan afhanklikes nalaat nie, word daar aan sy boedel 'n bedrag betaal gelyk aan die totaal van—

- (a) sy eie bydraes; en
- (b) 'n bedrag gelyk aan die bedrag wat ingevolge subparagraaf (b) van paragraaf (1) van regulasie vyftien aan hom betaal sou gewees het as hy nie gesterf het nie, maar vrywillig bedank het met ingang van die dag onmiddellik na die laaste dag van sy pensioengewende diens.

PAYMENTS IN RESPECT OF UNITED KINGDOM SERVICE.

15. (1) Subject to the provisions of paragraphs (2) and (3)—

(a) (i) if an employee, whose combined period of reckonable service and service as a contributor with the Government is not less than seven years, retires or is retired or discharged and is paid a full benefit in terms of paragraph (1) of regulation 13, or if such an employee dies and a payment is made to his dependants in terms of paragraph (1) of regulation 14, there shall be paid to the said employee or his dependants, as the case may be, in addition to the said full benefit or payment, an amount equal to one-twenty-fourth of the annual average of his pensionable emoluments during the three years immediately preceding his retirement, discharge or death for each completed year of his reckonable service;

(ii) the provisions of paragraph (2) of regulation 14 shall *mutatis mutandis* apply in respect of any amount payable to a dependant in terms of this sub-paragraph: Provided that such amount shall not be less than an amount computed in accordance with sub-paragraph (b) of this paragraph;

(b) if an employee voluntarily resigns or is retired in circumstances referred to in paragraph (2) of regulation 13 there may be added to any payment made to him in terms of that paragraph an amount equal to the gratuity (if any) which in the opinion of the Secretary he would have received under the provisions of section thirty-nine of the Superannuation Act in respect of his reckonable service had he not become an employee of the Government: Provided that the said amount shall be based on the annual average of his pensionable emoluments during the three years immediately preceding his resignation or retirement: Provided further that an employee who immediately prior to the fixed date had not qualified for the said gratuity by reason of the fact that he had not had seven years' reckonable service shall be deemed to have so qualified if his combined periods of reckonable service and service with the Government exceed seven years.

(2) (a) If an employee has had less than three years' service under the Government, any emoluments which are included in the pensionable emoluments upon which any amount payable in terms of this regulation is calculated and which are in respect of a period of reckonable service, shall be those emoluments which the Treasury, on the recommendation of the Commission, determines as the emoluments which would have been reckoned for pension purposes had the said employee been in the service of the Government during that period.

(b) The said pensionable emoluments shall include any allowance (additional to his substantive salary) of which the said employee may be in receipt immediately prior to the date of his retirement, discharge, resignation or death and which had he retired or resigned or been retired or discharged or died immediately prior to the fixed date, would have been included in his pensionable pay for purposes of the gratuity referred to in the said section thirty-nine of the Superannuation Act.

(3) If an employee immediately prior to the fixed date had had less than two years' continuous whole-time employment the period of his whole-time employment with the Government in respect of which, in accordance with the provisions of the first proviso to paragraph (1) of regulation 12, contributions were not paid to revenue shall be deemed for the purposes of any gratuity payable in terms of this paragraph to have been service under the Government of the United Kingdom, and to have been

BETALINGS TEN OPSIGTE VAN DIENS IN DIE VERENIGDE KONINKRYK.

15. (1) Behoudens die bepalings van paragrafe (2) en (3)—

(a) (i) indien 'n werknemer wie se gesamentlike tydperk van rekenbare diens en diens as 'n bydraer by die Regering minstens sewe jaar is, met pensioen aftree of met pensioen afgedank of ontslaan word en daar aan hom 'n volle voordeel ingevolge paragraaf (1) van regulasie 13, betaal word, of indien sodanige werknemer te sterwe kom en 'n bedrag ingevolge paragraaf (1) van regulasie 14 aan sy afhanklikes betaal word, word daar aan gemelde werknemer of sy afhanklikes, na gelang van die geval, benewens gemelde volle voordeel, of betaling, 'n bedrag betaal gelyk aan een vier-en-twintigste van die jaarlikse gemiddelde van sy pensioengewende verdienste gedurende die drie jaar onmiddellik voor sy uitdiens-treding, ontslag of dood vir elke voltooide jaar van sy rekenbare diens;

(ii) is die bepalings van paragraaf (2) van regulasie 14 *mutatis mutandis* van toepassing ten opsigte van enige bedrag betaalbaar aan 'n afhanklike ingevolge hierdie subparagraaf: Met dien verstande dat sodanige bedrag nie kleiner mag wees as die bedrag wat ooreenkomstig subparagraaf (b) van hierdie paragraaf bereken is nie;

(b) indien 'n werknemer vrywillig bedank of afgedank word in omstandighede in paragraaf (2) van regulasie 13 genoem, kan daar aan hom, benewens enige bedrag ingevolge daardie paragraaf aan hom betaal, 'n bedrag betaal word gelyk aan die gratifikasie (as daar is), wat hy, na die mening van die Sekretaris, kragtens die bepalings van artikel nege-en-dertig van die „Superannuation Act”, sou ontvang het ten opsigte van sy rekenbare diens, indien hy nie 'n werknemer van die Regering geword het nie: Met dien verstande dat gemelde bedrag gebaseer word op die jaarlikse gemiddelde van sy pensioengewende verdienste gedurende die drie jaar onmiddellik voor sy bedanking of uitdiens-treding: Met dien verstande voorts dat 'n werknemer wat onmiddellik voor die vasgestelde datum nie vir gemelde gratifikasie in aanmerking gekom het nie uit hoofde van die feit dat hy nie sewe jaar rekenbare diens gehad het nie, geag word aldus in aanmerking te gekom het, indien sy gesamentlike tydperke van rekenbare diens en diens by die Regering sewe jaar te bowe gaan.

(2) (a) Indien 'n werknemer minder as drie jaar diens by die Regering gehad het, is enige verdienste wat ingesluit word by die pensioengewende verdienste waarvolgens enige bedrag betaalbaar ingevolge hierdie regulasie bereken word, en wat ten opsigte van 'n tydperk van rekenbare diens betaal is, daardie verdienste wat die Tesourie op aanbeveling van die Kommissie, bepaal as die verdienste wat vir pensioendoeleindes gereken sou gewees het, indien gemelde werknemer gedurende daardie tydperk in diens van die Regering was.

(b) Die gemelde pensioengewende verdienste sluit enige toelae in (benewens sy substantiewe salaris) wat gemelde werknemer onmiddellik voor die datum van sy uitdiens-treding, ontslag, bedanking of dood ontvang het, en wat, indien hy onmiddellik voor die vasgestelde datum afgetree of bedank het of afgedank of ontslaan is of gesterf het, by sy pensioengewende soldy ingesluit sou gewees het vir die doel van die gratifikasie in gemelde artikel nege-en-dertig van die „Superannuation Act” genoem.

(3) Indien 'n werknemer onmiddellik voor die vasgestelde datum minder as twee jaar ononderbroke voltydse diens gehad het, word die tydperk van sy diens by die Regering ten opsigte waarvan ooreenkomstig die bepalings van die eerste voorbehoudbepaling van paragraaf (1) van regulasie 12 bydraes nie in die inkomste gestort is nie, geag vir die doel vir enige gratifikasie betaalbaar ingevolge hierdie paragraaf, diens by die Regering van die Verenigde Koninkryk en aaneenlopend

continuous with and part of his reckonable service: Provided that the inclusion of the said period shall not increase the maximum period of reckonable service which the employee could have had, or make his reckonable service commence from a date prior to that from which it would have commenced, had he in fact remained in the service of the Government of the United Kingdom until the date immediately prior to the date on which he became liable to contribute to revenue.

PART C.

PENSION RIGHTS.—NON-EUROPEAN PERSONS NOT APPOINTED TO THE PUBLIC SERVICE.

INTERPRETATION OF TERMS USED IN THIS PART.

16. In this Part, unless the context otherwise indicates—
“pensionable service” means pensionable service according to regulation 18;

“pensionable service as a non-contributor” means service under the Government according to paragraph (2) of regulation 17.

PENSIONABLE SERVICE UNDER THE GOVERNMENT.

17. (1) Any person who is a non-European, who has become an employee of the Government in terms of sub-section (1) of section two of the Act and who has not become an officer in terms of sub-section (3) of that section, shall not be required to pay contributions to revenue in respect of his employment with the Government while he remains subject to this Part.

(2) The period of service with the Government in respect of which any benefit is to be paid in terms of this Part shall be continuous whole-time service, shall not be regarded as interrupted by leave of absence without pay or any period of suspension, and shall include time spent—

- (a) on normal duty;
- (b) on leave of absence with full or less than full pay;
- (c) under suspension, with full or less than full pay, if followed by reinstatement,

but shall not include the time spent on leave of absence or under suspension without pay, or any period of service after the employee has attained the age of sixty-five years.

PENSIONABLE SERVICE.

18. The pensionable service with reference to which any amount is to be calculated in terms of this Part shall include—

- (a) the period of the employee's reckonable service; and
- (b) the period of his pensionable service as a non-contributor.

BENEFIT ON RETIREMENT, DISCHARGE OR VOLUNTARY RESIGNATION.

19. An employee who has had not less than seven years' pensionable service and—

- (a) who is retired or discharged for any reason other than misconduct or unsatisfactory service; or
- (b) who retires or resigns for any reason other than to avoid discharge for misconduct or unsatisfactory service;

shall be paid a gratuity equal to one-fifty-second of the annual average of his pensionable emoluments during the three years immediately preceding his retirement, discharge or resignation for each completed year of his pensionable service: Provided that any emoluments included in the said pensionable emoluments in respect of a period of reckonable service shall be those emoluments which the Treasury, on the recommendation of the Commission, determines as the emoluments which would have been reckoned for pension purposes had he been an employee of the Government during that period: Provided further that the said pensionable emoluments shall include any allowance (additional to his substantive salary) of

met en deel van sy rekenbare diens te gewees het: Met dien verstande dat die insluiting van gemelde tydperk nie die maksimum tydperk rekenbare diens wat die werknemer kon gehad het verhoog nie, of sy rekenbare diens laat begin op 'n datum voor dié waarop dit sou begin het, indien hy werklik in die diens van die Regering van die Verenigde Koninkryk aangebly het tot die datum onmiddellik voor die datum waarop hy bydraeplichtig geword het.

DEEL C.

PENSIOENREGTE.—NIE-BLANKE PERSONE WAT NIE IN DIE STAATSDIENS AANGESTEL IS NIE.

OMSKRYWING VAN WOORDE IN HIERDIE DEEL GEBESIG.

16. In hierdie Deel, tensy uit die samehang anders blyk, beteken—

„pensioengewende diens”, pensioengewende diens ooreenkomstig regulasie 18;

„pensioengewende diens as 'n nie-bydraer”, diens by die Regering ooreenkomstig paragraaf (2) van regulasie 17;

PENSIOENGEWENDE DIENS BY DIE REGERING.

17. (1) Enige persoon wat 'n nie-blanke is, wat ingevolge subartikel (1) van artikel twee van die Wet 'n werknemer van die Regering geword het, en wat nie ingevolge subartikel (3) van daardie artikel 'n amptenaar geword het nie, is nie verplig om bydraes in die inkomste te stort ten opsigte van sy diens by die Regering onderwyl hy aan hierdie Deel onderworpe bly nie.

(2) Die dienstydsperk by die Regering ten opsigte waarvan enige voordeel ingevolge hierdie Deel betaal moet word, moet ononderbroke voltydse diens wees, word nie geag as onderbreek te wees deur afwesigheid met verlof sonder soldy of enige tydperk van skorsing nie, en omvat die tyd wat deurgebring is—

- (a) in normale diens;
- (b) tydens afwesigheid met verlof met volle of minder as volle soldy;
- (c) tydens skorsing, met volle of minder as volle soldy, indien gevolg deur herstelling;

maar omvat nie die tyd wat deurgebring is tydens afwesigheid met verlof of tydens skorsing sonder soldy, of enige tydperk van diens nadat die werknemer die leeftyd van vyf-en-sestig jaar bereik het nie.

PENSIOENGEWENDE DIENS.

18. Die pensioengewende diens ten opsigte waarvan enige bedrag ingevolge hierdie Deel bereken moet word, omvat—

- (a) die tydperk van die werknemer se rekenbare diens; en
- (b) die tydperk van sy pensioengewende diens as 'n nie-bydraer.

VOORDEEL BY UITDIENSTREDING, ONTSLAG OF VRYWILLIGE BEDANKING.

19. Aan 'n werknemer wat minstens sewe jaar pensioengewende diens gehad het en—

- (a) wat om enige ander rede as wangedrag of onbevredigende diens afgedank of ontslaan word; of
- (b) wat aftree of bedank om enige ander rede as om ontslag weens wangedrag of onbevredigende diens te vermy;

word 'n gratifikasie betaal gelyk aan een twee-en-veertigste van die jaarlikse gemiddelde van sy pensioengewende verdienste gedurende die drie jaar onmiddellik voor sy uitdienstreding, ontslag of bedanking vir elke voltooide jaar van sy pensioengewende diens: Met dien verstande dat enige verdienste by gemelde pensioengewende verdienste ten opsigte van 'n tydperk van rekenbare diens ingesluit, daardie verdienste is wat die Tesourie, op aanbeveling van die Kommissie bepaal as die verdienste wat vir pensioendoeleindes gereken sou gewees het indien hy gedurende daardie tydperk 'n werknemer van die Regering was: Met dien verstande voorts dat gemelde pensioengewende verdienste enige toelae (benewens sy substan-

which the said employee may be in receipt immediately prior to the date of his retirement, discharge or resignation and which, had he so retired or been so retired or discharged or had so resigned immediately prior to the fixed date, would have been included in his pensionable pay for purposes of assessing the gratuity referred to in section *thirty-nine* of the Superannuation Act.

BENEFIT ON DEATH.

20. (1) If an employee who has had not less than seven years' pensionable service dies before retirement or discharge there shall be paid to or for the benefit of such of his dependants as the Secretary may determine a gratuity calculated on the same basis as the gratuity referred to in regulation 19.

(2) If the said employee dies without leaving a dependant, an amount equal to a gratuity calculated on the same basis as the gratuity referred to in regulation 19 shall be paid to his estate.

PART D.

PENSION RIGHTS.—SPECIAL BENEFITS.

SPECIAL ANNUITIES.

21. (1) An officer—

(a) who is retired or discharged from the public service on account of ill-health not occasioned without his own default and who has rendered not less than twenty years of satisfactory service with the Government; or

(b) who is discharged from the said service on account of misconduct or is called upon to resign from such service to avoid such discharge and who, prior to the act of misconduct had rendered not less than twenty years of satisfactory service with the Government;

may in lieu of any other benefit payable in terms of these regulations, be granted such annuity as the Treasury on the recommendation of the Commission, may determine.

(2) Twenty-five per cent of any annuity granted in terms of sub-section (1) may, at the discretion of the Secretary and if written application therefor is made by the officer concerned before he has received any payment in respect of the said annuity, be converted into a gratuity in accordance with the following scale:—

MALES.		FEMALES.	
Nearest age at date of retirement or discharge.	Amount in respect of each pound converted. £ s. d.	Nearest age at date of retirement or discharge.	Amount in respect of each pound converted. £ s. d.
Up to 60.....	10 16 0	Up to 55.....	13 13 0
61.....	10 9 0	56.....	13 7 0
62.....	10 3 0	57.....	13 1 0
63.....	9 16 0	58.....	12 14 0
64.....	9 10 0	59.....	12 8 0
65.....	9 3 0	60.....	12 1 0
		61.....	11 14 0
		62.....	11 7 0
		63.....	10 19 0
		64.....	10 12 0
		65.....	10 5 0

SPECIAL BENEFITS ON RETIREMENT OR DEATH THROUGH INJURY OR ILL-HEALTH ATTRIBUTABLE TO EMPLOYMENT.

22. The provisions of sections *sixty-five* and *sixty-six* of the Pensions Act shall *mutatis mutandis* apply to any officer or employee who is retired or discharged from the service of the Government by reason of bodily injury or permanent ill-health arising out of and in the course of his employment on or after the fixed date and whose pension rights are governed by the provisions of these regulations and to the dependants of such an officer or employee: Provided that any benefit under the said provisions shall be in lieu of any pension payable under these regulations, not being a pension in terms of Chapter II.

tiewe salaris) insluit wat gemelde werknemer onmiddellik voor die datum van sy uitdienstreding, ontslag of bedanking ontvang het, en wat indien hy voor die vasgestelde datum aldus afgetree het of aldus afgedank of ontslaan is, by sy pensioengewende soldy ingesluit sou gewees het vir die vasstelling van die gratifikasie in artikel *nege-en-dertig* van die „Superannuation Act” genoem.

VOORDEEL BY AFSTERWE.

20. (1) Indien 'n werknemer wat minstens sewe jaar pensioengewende diens gehad het voor sy uitdienstreding of ontslag te sterwe kom, word daar aan of ten bate van diegene van sy afhanklikes wat die Sekretaris mag bepaal, 'n gratifikasie betaal wat bereken word op dieselfde basis as die gratifikasie in regulasie 19 genoem.

(2) Indien gemelde werknemer te sterwe kom en geen afhanklike nalaat nie, word 'n bedrag gelyk aan 'n gratifikasie wat bereken word op dieselfde basis as die gratifikasie in regulasie 19 genoem, aan sy boedel betaal.

DEEL D.

PENSIOENREGTE.—SPESIALE VOORDELE.

SPESIALE JAARGELDE.

21. (1) Aan 'n amptenaar—

(a) wat uit die staatsdiens afgedank of ontslaan word weens slegte gesondheid wat nie sonder sy eie toedoen veroorsaak is nie en wat minstens twintig jaar bevredigende diens by die Regering verrig het; of

(b) wat weens wangedrag uit gemelde diens ontslaan word of aangesê word om daaruit te bedank ten einde sodanige ontslag te vermy, en wat voor die wangedrag minstens twintig jaar bevredigende diens by die Regering verrig het.

kan, in die plek van enige ander voordeel ingevolge die regulasies betaalbaar, die jaargeld toegeken word wat die Tesourie op aanbeveling van die Kommissie mag bepaal.

(2) Vyf-en-twintig persent van 'n jaargeld ingevolge sub-artikel (1) toegeken, kan, na goeddunke van die Sekretaris, en indien die betrokke lid voordat hy enige betaling ten opsigte van gemelde jaargeld ontvang het, skriftelik daarom aansoek doen, in 'n gratifikasie omgesit word ooreenkomstig die volgende skaal:—

MANS.		VROUENS.	
Naaste leeftyd op datum van uitdienstreding of ontslag.	Bedrag ten opsigte van elke pond omgesit. £ s. d.	Naaste leeftyd op datum van uitdienstreding of ontslag.	Bedrag ten opsigte van elke pond omgesit. £ s. d.
Tot 60.....	10 16 0	Tot 55.....	13 13 0
61.....	10 9 0	56.....	13 7 0
62.....	10 3 0	57.....	13 1 0
63.....	9 16 0	58.....	12 14 0
64.....	9 10 0	59.....	12 8 0
65.....	9 3 0	60.....	12 1 0
		61.....	11 14 0
		62.....	11 7 0
		63.....	10 19 0
		64.....	10 12 0
		65.....	10 5 0

SPESIALE VOORDELE BY UITDIENSTREDING OF DOOD WEENS BESERING OF SLEGTE GESONDHEID WAT AAN DIENS TE WYTE IS.

22. Die bepalinge van artikels *vyf-en-sestig* en *ses-en-sestig* van die Pensioenwet is *mutatis mutandis* van toepassing op enige amptenaar of werknemer wat uit die diens van die Regering afgedank of ontslaan word op grond van liggaamlike besering of blywende slegte gesondheid wat op of na die vasgestelde datum uit sy diens ontstaan en in die loop daarvan plaasvind en wie se pensioenregte deur die bepalinge van hierdie regulasies gereël word en op die afhanklikes van sodanige amptenaar of werknemers: Met dien verstande dat enige voordeel kragtens gemelde bepalinge in die plek van enige pensioen betaalbaar kragtens hierdie regulasies gestel word, uitgesonderd 'n pensioen ingevolge Hoofstuk II.

TREATMENT FOR DISABLEMENT ATTRIBUTABLE TO EMPLOYMENT.

23. The provisions of section *sixty-eight* of the Pensions Act shall *mutatis mutandis* apply in respect of any officer or employee who is retired or discharged in circumstances described in section *sixty-five* of that Act and who has suffered any disablement as the result of the bodily injury or permanent ill-health arising out of and in the course of his employment, no matter whether the said bodily injury or permanent ill-health was sustained or suffered prior to or on or after the fixed date.

CHAPTER II.

PART A.

RETENTION OF RIGHTS AND OBLIGATIONS IN UNITED KINGDOM WIDOWS', CHILDREN'S AND DEPENDANTS' PENSION SCHEMES.

RETENTION BY CERTAIN OFFICERS OF RIGHTS AND OBLIGATIONS UNDER CERTAIN UNITED KINGDOM SCHEMES FOR WIDOWS, CHILDREN AND OTHER DEPENDANTS.

24. An officer to whom sub-section (3) of section *four* of the Act refers, shall, subject to the provisions of that sub-section and to the succeeding regulations of this Part, retain all the rights and remain subject to all the obligations acquired or incurred by him through his participation in the widows' and children's pension schemes referred to in Part I of the Superannuation Act or in the dependants' pension scheme referred to in Part II of that Act.

CERTAIN RIGHTS AND OBLIGATIONS OF UNITED KINGDOM TREASURY TO VEST IN THE MINISTER OF SOCIAL WELFARE AND PENSIONS.

25. All rights and obligations of the Treasury of the United Kingdom in respect of an officer referred to in regulation 24 shall, as from the fixed date, vest in the Minister of Social Welfare and Pensions.

MEANING OF CERTAIN EXPRESSIONS IN THE SUPERANNUATION ACT, 1949, OF THE UNITED KINGDOM IN RELATION TO THESE REGULATIONS.

26. For the purpose of calculating any benefit payable under the schemes referred to in regulation 24—

- (a) any contributions paid to revenue in terms of sub-section (3) of section *four* of the Act shall be deemed to be "periodical contributions" referred to in either sub-section (4) of section *seven* or sub-section (3) of section *twenty* of the Superannuation Act, as the case may be;
- (b) an "additional allowance" as defined in section *sixty-three* of the Superannuation Act shall be deemed to refer to a gratuity payable in terms of sub-paragraph (b) of paragraph (1) of regulation 8;
- (c) a "superannuation allowance" as defined in section *sixty-three* of the Superannuation Act shall be deemed to refer to an annuity payable in terms of sub-paragraph (a) of paragraph (1) of regulation 8.

PART B.

ALTERNATIVE WIDOWS' PENSION SCHEME.

INTERPRETATION OF TERMS USED IN THIS PART.

27. In this Part, unless the context otherwise indicates—

"contributor" means an officer who contributes to revenue in terms of this Part and includes a person who has ceased to contribute in terms of regulation 29 or 30 and in respect of whom a pension or any other amount is payable under such Part;

BEHANDELING VIR LIGGAAMSGBREK WAT AAN DIENS TE WYTE IS.

23. Die bepalings van artikel *agt-en-sestig* van die Pensioenwet is *mutatis mutandis* van toepassing ten opsigte van enige amptenaar of werknemer wat in die omstandighede in artikel *vyf-en-sestig* van daardie Wet beskryf, afgedank of ontslaan word en wat enige liggaamsgebrek opgedoen het as gevolg van die liggaamlike besering of blywende slegte gesondheid wat uit sy diens ontstaan en in die loop daarvan plaasgevind het, afgesien daarvan of gemelde liggaamlike besering of blywende slegte gesondheid voor of op of na die vasgestelde datum opgedoen is.

HOOFSTUK II.

DEEL A.

BEHOUD VAN REGTE EN VERPLIGTINGE OOREENKOMSTIG DIE VERENIGDE KONINKRYK SE PENSIOENSKEMAS VIR WEDUWEES, KINDERS EN AFHANKLIKES.

BEHOUD DEUR SEKERE AMPTENARE VAN REGTE EN VERPLIGTINGE OOREENKOMSTIG SEKERE SKEMAS VAN DIE VERENIGDE KONINKRYK VIR WEDUWEES, KINDERS EN AFHANKLIKES.

24. 'n Amptenaar wat in subartikel (3) van artikel *vier* van die Wet genoem word, behou, behoudens die bepalings van daardie subartikel en die hieropvolgende regulasies van hierdie Deel, al die regte en bly onderworpe aan al die verpligtinge deur hom verkry of aangegaan deur sy deelneming aan die pensioenskemata vir weduwees en kinders in Deel I van die „Superannuation Act" genoem of aan die pensioenskema vir afhanklikes in Deel II van daardie Wet genoem.

SEKERE REGTE EN VERPLIGTINGE VAN DIE TESOURIE VAN DIE VERENIGDE KONINKRYK GAAN OOR OP DIE MINISTER VAN VOLKSWELSYN EN PENSIOENE.

25. Alle regte en verpligtinge van die Tesourie van die Verenigde Koninkryk ten opsigte van 'n amptenaar in regulasie 24 genoem, gaan met ingang van die vasgestelde datum oor op die Minister van Volkswelsyn en Pensioene.

BETEKENIS VAN SEKERE UITDRUKKINGS IN DIE „SUPERANNUATION ACT", 1949, VAN DIE VERENIGDE KONINKRYK MET BETREKKING TOT HIERDIE REGULASIES.

26. Vir die berekening van enige voordeel betaalbaar ooreenkomstig die skemas in regulasie 24 genoem—

- (a) word enige bydraes wat ingevolge subartikel (3) van artikel *vier* van die Wet in die inkomste gestort word, geag „periodieke bydraes" („periodical contributions") te wees in of subartikel (4) van artikel *sewe* of subartikel (3) van artikel *twintig* van die „Superannuation Act", na gelang van die geval, genoem;
- (b) word 'n „addisionele toelae" („additional allowance") soos in artikel *drie-en-sestig* van die „Superannuation Act" omskryf, geag betrekking te hê op 'n gratifikasie betaalbaar ingevolge subparagraaf (b) van paragraaf (1) van regulasie 8;
- (c) word 'n „aftredingstoelae" („superannuation allowance") soos in artikel *drie-en-sestig* van die „Superannuation Act" omskryf, geag betrekking te hê op 'n jaargeld betaalbaar ingevolge subparagraaf (a) van paragraaf (1) van regulasie 8.

DEEL B.

ALTERNATIEWE WEDUWEESPENSIOENSKEMA.

OMSKRYWING VAN WOORDE IN HIERDIE DEEL GEBESIG.

27. In hierdie Deel, tensy uit die samehang anders blyk, beteken—

„bydraer", 'n amptenaar wat ingevolge hierdie Deel tot die inkomste bydra en ook 'n persoon wat sy bydraes ingevolge regulasie 29 of 30 gestaak het en ten opsigte van wie 'n pensioen of enige ander bedrag kragtens sodanige Deel betaalbaar is;

"the tables" means the actuarial tables referred to in Chapter IV of the Pensions Act in so far as the said tables apply to persons who become members of the Union Widows' Pension Fund on or after the fixed date.

CONTRIBUTIONS.

28. (1) A male officer—

- (a) who immediately prior to the fixed date was not a participant in—
 - (i) the widows' and children's pension schemes described in Part I of the Superannuation Act; or
 - (ii) the dependants' pension scheme described in Part II of the said Act; and
- (b) to whom or to whose widow, child, nominee or estate, no benefit would have been paid under either of those two schemes had his service terminated for any reason on the day immediately preceding the said date;

shall, as from the fixed date and subject to the succeeding paragraphs of this regulation, pay the contributions to revenue which, had he been a member of the Union Widows' Pension Fund, he would have paid to that Fund.

(2) Contributions shall be made monthly by deductions from the contributor's pensionable emoluments or annuity, as the case may be, and in calculating the amount of such deductions a fraction of a penny shall be taken as one penny.

(3) A contributor on sick or other leave with or without pay shall contribute to revenue on his full pensionable emoluments.

(4) If a contributor is suspended from his office and re-instated in that office or in another office or post, he shall, on such conditions as the Secretary may determine, contribute in respect of the period of suspension, and the contributions so to be made by him shall be deducted from the first amount of his pensionable emoluments paid after such reinstatement.

(5) Any contributions payable by a contributor to revenue under this paragraph which remain unpaid at the time of his death shall be deducted from the annuity payable to his widow.

PERIOD OF WHICH CONTRIBUTIONS ARE PAYABLE.

29. Contributions shall be at the rate of two per cent of the contributor's pensionable emoluments and shall be paid up to and including the day immediately preceding the date on which he attains the age of sixty years when he shall cease to contribute: Provided that if the said contributor retires or is retired or discharged on pension prior to attaining the age of sixty years and becomes entitled to and is granted an annuity under these regulations, he shall, subject to the provisions of regulation 30, after such retirement or discharge, continue to contribute to revenue up to and including such day at the rate of two per cent of his pensionable emoluments immediately prior to his retirement or discharge: Provided further that if such contributor does not retire or is not retired or discharged on pension on attaining the age of sixty years he shall continue to contribute at the rate of two per cent of his pensionable emoluments until the date of his retirement or discharge, when he shall cease to contribute.

CESSATION OF CONTRIBUTIONS IN SPECIAL CIRCUMSTANCES.

30. A contributor who retires or is retired or is discharged on pension and who under these regulations becomes entitled to or is granted an annuity of less than one hundred and fifty pounds may, whether or not a gratuity is also payable to him, elect at any time prior to attaining the age of sixty years to cease to contribute.

„die tabelle”, die aktuariële tabelle in Hoofstuk IV van die Pensioenwet genoem vir sover gemelde tabelle van toepassing is op persone wat op of na die vasgestelde datum lid van die Unie-weduwees-pensioenfonds word.

BYDRAES.

28. (1) 'n Manlike amptenaar—

- (a) wat onmiddellik voor die vasgestelde datum nie 'n deelhebber was nie aan—
 - (i) die pensioenskemas vir weduwees en kinders wat in Deel I van die „Superannuation Act” beskryf word; of
 - (ii) die pensioenskema vir afhanklikes wat in Deel II van gemelde Wet beskryf word; en
- (b) aan wie of aan wie se weduwee, kind, genomineerde of boedel geen voordeel ooreenkomstig enigeen van daardie twee skemas betaal sou gewees het nie, indien sy dienste om enige rede op die dag onmiddellik voor gemelde datum geëindig het,

stort met ingang van die vasgestelde datum en behoudens die hieropvolgende paragrawe van hierdie regulasies in die inkomste die bydraes wat hy, indien hy lid van die Unie-weduwees-pensioenfonds was, aan daardie fonds sou betaal het.

(2) Daar word maandeliks bygedra by wyse van aftrekkings van die bydraer se pensioengewende verdienste of jaargeld, na gelang van die geval, en by die berekening van die bedrag van sodanige aftrekkings word 'n breuk van 'n pennie as een pennie gereken.

(3) 'n Bydraer wat met siekte- of ander verlof met of sonder soldy afwesig is, dra tot die inkomste by op sy volle pensioengewende verdienste.

(4) Indien 'n bydraer in sy betrekking geskors word en in daardie betrekking of in 'n ander betrekking of pos herstel word, dra hy op die voorwaardes wat die Sekretaris mag bepaal, by ten opsigte van die tydperk van skorsing, en die bydraes wat aldus deur hom gelewer moet word, word afgetrek van die eerste bedrag van sy pensioengewende verdienste wat na sodanige herstelling betaal word.

(5) Enige bydraes kragtens hierdie paragraaf deur 'n bydraer aan die inkomste betaalbaar, wat by sy dood nog nie betaal is nie, word van die jaargeld wat aan sy weduwee betaalbaar is, afgetrek.

TYDPERK TEN OPSIGTE WAARVAN BYDRAES BETAALBAAR IS.

29. Die skaal van bydraes is twee persent van die bydraer se pensioengewende verdienste en die bydraes word betaal tot en met die dag onmiddellik voor die datum waarop hy die leeftyd van sestig jaar bereik wanneer sy bydraes gestaak word: Met dien verstande dat, indien gemelde bydraer met pensioen aftree of met pensioen afgedank of ontslaan word voordat hy die leeftyd van sestig jaar bereik en kragtens hierdie regulasies op 'n jaargeld geregtig word en 'n jaargeld daarkragtens aan hom toegeken word, hy behoudens die bepalings van regulasie 30, na sodanige uitdienstreding of ontslag voortgaan om tot die inkomste by te dra tot en met sodanige dag teen twee persent van sy pensioengewende verdienste onmiddellik voor sy uitdienstreding of ontslag: Met dien verstande voorts dat indien sodanige bydraer nie met pensioen aftree of met pensioen afgedank of ontslaan word wanneer hy die leeftyd van sestig jaar bereik nie, hy voortgaan om teen twee persent van sy pensioengewende verdienste by te dra tot die datum van sy uitdienstreding of ontslag, wanneer sy bydraes gestaak word.

STAKING VAN BYDRAES IN SPESIALE OMSTANDIGHEDE.

30. 'n Bydraer wat met pensioen aftree of met pensioen afgedank of ontslaan word en wat kragtens hierdie regulasies op 'n jaargeld van minder as honderd-en-veertig pond geregtig word en aan wie so 'n jaargeld daarkragtens toegeken word, kan, hetsy 'n gratifikasie ook aan hom betaalbaar is al dan nie, te eniger tyd voordat hy die leeftyd van sestig jaar bereik, kies om sy bydrae te staak.

PROOF DATES OF MARRIAGE AND BIRTH AND OTHER DATES.

31. Every contributor, other than a contributor who is a bachelor, shall submit to the Secretary documentary evidence of—

- (a) the date of his marriage or re-marriage;
- (b) the date of his wife's birth;
- (c) any other date in respect of which evidence is required by the Secretary.

ANNUITIES PAYABLE TO WIDOWS.

32. (1) There shall be paid to the widow of a deceased contributor an annuity based on twice the contributions paid by such contributor to revenue in terms of regulation 28 and calculated in accordance with the tables.

(2) Such annuity shall be paid in addition to any other benefit to which the widow may be entitled under these regulations or under any other law.

(3) If the annuity payable to a widow does not exceed eighteen pounds it may, if the widow makes written application therefor before any payment in respect of such annuity has been made to her, be commuted into a single cash payment calculated in accordance with the tables.

BENEFITS TO MINOR CHILDREN.

33. (1) If a contributor dies without leaving a widow to whom an annuity is payable under this Part, there shall be paid to such of his minor children or step-children, and according to such allocation amongst them, as the Secretary may determine, an amount equal to twice the contributions paid by him to revenue in terms of regulation 28.

(2) If a contributor's widow to whom an annuity is payable dies before she has drawn in respect of the annuity secured by the contributions referred to in the preceding paragraph an amount equal to twice those contributions, the difference between the aggregate of the payments made in respect of that annuity and the said amount shall be paid to such of the minor children or step-children of the contributor, and according to such allocation amongst them, as the Secretary may determine.

CONTRIBUTORS ENTITLED TO SURRENDER VALUE OF TWICE THEIR CONTRIBUTIONS.

34. Subject to the provisions of regulation 35 a contributor shall be entitled to the payment of an amount equal to twice the surrender value of the contributions paid by him to revenue in terms of regulation 28, calculated according to the tables, if—

(a) he retires or is retired or discharged from the public service otherwise than on an annuity under these regulations;

(b) he is transferred to a post which is not a post in one of the divisions of the public service;

and neither he, nor his widow nor his minor children shall thereafter have any further claim under this Part.

CONTRIBUTORS ENTITLED TO SURRENDER VALUE OF OWN CONTRIBUTIONS.

35. A contributor shall be entitled to the surrender value of the contributions paid by him to revenue in terms of regulation 28 calculated in accordance with the tables, if—

(a) he has retired or been retired or discharged on an annuity, has attained the age of sixty years, is a bachelor, widower or divorcee, and applies at any time to be allowed to terminate his rights under this Part;

(b) he voluntarily resigns from the public service or is discharged from the public service on account of misconduct, or resigns, or is called upon to resign in order to avoid such discharge, or is discharged from such service for a reason not specifically mentioned in these regulations;

and neither he, nor his widow nor his minor children shall thereafter have any further claim under this Part.

BEWYS VAN DATUMS VAN HUWELIK EN GEBOORTE EN ANDER DATUMS.

31. Elke ander bydraer as 'n bydraer wat 'n vrygesel is, moet aan die Sekretaris dokumentêre bewys voorlê van—

- (a) die datum van sy huwelik of hertrouing;
- (b) die datum van sy eggenote se geboorte;
- (c) enige ander datum ten opsigte waarvan bewys deur die Sekretaris vereis word.

JAARGELDE AAN WEDUWES BETAALBAAR.

32. (1) Aan die weduwee van 'n oorlede bydraer word 'n jaargeld betaal wat gebaseer word op dubbel die bydraes deur sodanige bydraer in die inkomste gestort ingevolge regulasie 28 en wat ooreenkomstig die tabelle bereken word.

(2) Sodanige jaargeld word betaal bo en behalwe enige ander voordeel waarop die weduwee kragtens hierdie regulasies of kragtens enige ander wet geregtig mag wees.

(3) Indien die jaargeld aan 'n weduwee betaalbaar agtien pond nie te bowe gaan nie, kan dit, as die weduwee skriftelik daarom aansoek doen voordat enige betaling ten opsigte van sodanige jaargeld aan haar geskied het, omgesit word in 'n enkele kontantbetaling ooreenkomstig die tabelle bereken.

VOORDELE AAN MINDERJARIGE KINDERS.

33. (1) Indien 'n bydraer sterf en nie 'n weduwee na-laat aan wie 'n jaargeld ingevolge hierdie Deel betaalbaar is nie, word aan die van sy minderjarige kinders of stiefkinders, en volgens die toewysing onder hulle wat die Sekretaris mag bepaal, 'n bedrag betaal gelyk aan dubbel die bydraes ingevolge regulasie 28 deur hom in die inkomste gestort.

(2) Indien 'n bydraer se weduwee aan wie 'n jaargeld betaalbaar is, te sterwe kom voordat sy ten opsigte van die jaargeld wat verkry is deur die bydraes in die voorgaande paragraaf genoem, 'n bedrag getrek het gelyk aan dubbel daardie bydraes, word die verskil tussen die totale bedrae wat ten opsigte van daardie jaargeld betaal is, en gemelde bedrag betaal aan die van die minderjarige kinders of stiefkinders van die bydraer, en volgens die toewysing onder hulle, wat die Sekretaris mag bepaal.

BYDRAERS GEREGTIG OP AFKOOPWAARDE VAN DUBBEL HULLE BYDRAES.

34. 'n Bydraer is, behoudens die bepalings van regulasie 35, geregtig op die betaling van 'n bedrag gelyk aan dubbel die afkoopwaarde van die bydraes ingevolge regulasie 28 deur hom in die inkomste gestort, ooreenkomstig die tabelle bereken, indien—

(a) hy anders as met 'n jaargeld kragtens hierdie regulasies uit die staatsdiens affree of afgedank of ontslaan word;

(b) hy verplaas word na 'n betrekking wat nie 'n betrekking in een van die afdelings van die staatsdiens is nie,

en nóg hy, nóg sy weduwee, nóg sy minderjarige kinders het daarna kragtens hierdie Deel enige verdere aanspraak.

BYDRAERS GEREGTIG OP AFKOOPWAARDE VAN EIE BYDRAES.

35. 'n Bydraer is geregtig op die afkoopwaarde van die bydraes ingevolge regulasie 28 deur hom in die inkomste gestort, ooreenkomstig die tabelle bereken, indien—

(a) hy met 'n jaargeld afgetree het of afgedank of ontslaan is, die leeftyd van sestig jaar bereik het, 'n vrygesel, wewenaar of geskeie persoon is en te eniger tyd aansoek doen om toegelaat te word om sy regte kragtens hierdie Deel op te sê;

(b) hy vrywillig uit die staatsdiens bedank of weens wangedrag uit die staatsdiens ontslaan word, of bedank, of aangesê word om te bedank ten einde sodanige ontslag te vermy of uit sodanige diens ontslaan word om 'n rede wat nie uitdruklik in hierdie regulasies vermeld word nie;

en nóg hy, nóg sy weduwee, nóg sy minderjarige kinders het daarna kragtens hierdie Deel enige verdere aanspraak.

CHAPTER III.

GENERAL AND MISCELLANEOUS.

TRANSFER OF PENSION RIGHTS.—EUROPEAN PERSONS.

36. (1) If any person referred to in paragraph (1) of regulation 12 is after the fixed date appointed under the Public Service Act to a classified post in the public service, the provisions of Part B of Chapter I shall cease to apply to and in respect of him as from the date of such appointment.

(2) The provisions of Part A of Chapter I shall *mutatis mutandis* apply to and in respect of such person as if he had become an officer as from the fixed date.

(3) There shall be set off against the amount of any contributions which become payable by such person in terms of regulation 3 in respect of his service under the Government prior to the date of his appointment to a classified post, the amount of any contributions paid by him in terms of paragraph (1) of regulation 12 and the balance due may, notwithstanding anything to the contrary in these regulations, be deducted from his pensionable emoluments in monthly instalments at the rate of not less than two per cent of those emoluments.

(4) The provisions of Part B of Chapter II shall, notwithstanding anything to the contrary in these regulations, *mutatis mutandis* apply to and in respect of such person as from the date of his appointment to a classified post in public service.

TRANSFER OF PENSION RIGHTS.—NON-EUROPEAN PERSONS.

37. (1) If any person referred to in paragraph (1) of regulation 17 is after the fixed date appointed under the Public Service Act to a classified post in the public service, the provisions of Part C of Chapter I shall cease to apply to and in respect of him as from the date of such appointment.

(2) The provisions of Part A of Chapter I, shall *mutatis mutandis* apply to and in respect of such person as if he had become an officer as from the fixed date.

(3) The amount of any contributions which become payable by such person in terms of regulation 3 in respect of his service under the Government prior to the date of his appointment to a classified post, may, notwithstanding anything to the contrary in these regulations, be deducted from his pensionable emoluments in monthly instalments at the rate of not less than two per cent of those emoluments.

(4) The provisions of Part B of Chapter II shall, notwithstanding anything to the contrary in these regulations, *mutatis mutandis* apply to and in respect of such person as from the date of his appointment to a classified post in the public service.

RIGHTS IN RESPECT OF PENSIONS NOT CEDABLE OR SUBJECT TO EXECUTION.

38. (1) No right in respect of a pension payable under these regulations 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 a court.

(2) If any person attempts to cede or hypothecate any right in respect of any such pension to which he is entitled, payment of such pension may, if the Minister of Social Welfare and Pensions so directs, be withheld, suspended or discontinued: Provided that the Minister of Social Welfare and Pensions may direct that such pension or a part thereof be paid to one or more of the dependants of such person or to a trustee for such person or his dependants during such period as he may determine.

(3) Notwithstanding anything contained in paragraph (1) any amount payable by any officer or employee to the Government at the date of his retirement or discharge, or which the Government is liable to pay in re-

HOOFSTUK III.

ALGEMEEN EN DIVERSE.

OORPLASING VAN PENSIOENREGTE.—BLANKE PERSONE.

36. (1) Indien enige persoon in paragraaf (1) van regulasie 12 genoem na die vasgestelde datum in 'n geklassifiseerde pos in die staatsdiens ingevolge die Staatsdienswet aangestel word, hou die bepalings van Deel B van Hoofstuk I op om van toepassing te wees op of ten opsigte van hom vanaf die datum van sodanige aanstelling.

(2) Die bepalings van Deel A van Hoofstuk I is *mutatis mutandis* van toepassing op of ten opsigte van sodanige persoon asof hy 'n amptenaar geword het vanaf die vasgestelde datum.

(3) Die bedrag van enige bydraes deur sodanige persoon betaal ingevolge paragraaf (1) van regulasie 12 word aangewend in mindering van die bedrag van enige bydraes wat ingevolge regulasie 3 deur hom betaalbaar word ten opsigte van sy diens onder die Regering voor die datum van sy aanstelling in 'n geklassifiseerde pos, en die balans verskuldig kan, ondanks andersluidende bepalings in hierdie regulasies, van sy pensioegewende verdienste in maandelikse paaieimente teen die koers van minstens twee persent van daardie verdienste afgetrek word.

(4) Die bepalings van Deel B van Hoofstuk II is ondanks enige andersluidende bepaling in hierdie regulasies, *mutatis mutandis* van toepassing op of ten opsigte van sodanige persoon vanaf die datum van sy aanstelling in 'n geklassifiseerde pos in die staatsdiens.

OORPLASING VAN PENSIOENREGTE.—NIE-BLANKE PERSONE.

37. (1) Indien enige persoon in paragraaf (1) van regulasie 17 genoem na die vasgestelde datum in 'n geklassifiseerde pos in die staatsdiens ingevolge die Staatsdienswet aangestel word, hou die bepalings van Deel C van Hoofstuk I op om van toepassing te wees op of ten opsigte van hom vanaf die datum van sodanige aanstelling.

(2) Die bepalings van Deel A van Hoofstuk I is *mutatis mutandis* van toepassing op of ten opsigte van sodanige persoon asof hy 'n amptenaar geword het vanaf die vasgestelde datum.

(3) Die bedrag van enige bydrae wat deur sodanige persoon betaalbaar word ingevolge regulasie 3 ten opsigte van sy diens onder die Regering voor die datum van sy aanstelling in 'n geklassifiseerde pos kan, ondanks andersluidende bepalings in hierdie regulasies, van sy pensioengewende verdienste in maandelikse paaieimente teen die koers van minstens twee persent van daardie verdienste afgetrek word.

(4) Die bepalings van Deel B van Hoofstuk II is, ondanks andersluidende bepalings in hierdie regulasies, *mutatis mutandis* van toepassing op of ten opsigte van sodanige persoon vanaf die datum van sy aanstelling in 'n geklassifiseerde pos in die staatsdiens.

REGTE TEN OPSIGTE VAN PENSIOENE NIE SEDEERBAAR OF ONDERWORPE AAN EKSEKUSIE NIE.

38. (1) Geen reg ten opsigte van 'n pensioen wat kragtens hierdie regulasies betaalbaar is, kan gesedeer of verhipotekeer word nie en enige sodanige reg is nie onderworpe aan beslaglegging of enige vorm van eksekusie ingevolge 'n vonnis of order van 'n hof nie.

(2) Indien enige persoon probeer om enige reg ten opsigte van enige sodanige pensioen waarop hy geregtig is, te sedeer of te verhipotekeer, kan betaling van sodanige pensioen, indien die Minister van Volkswelsyn en Pensioene dit gelas, teruggehou, opgeskort of gestaak word: Met dien verstande dat die Minister van Volkswelsyn en Pensioene kan gelas dat sodanige pensioen of 'n gedeelte daarvan aan een of meer van die afhanklikes van sodanige persoon of aan 'n kurator ten behoeve van sodanige persoon of sy afhanklikes betaal word gedurende die tydperk wat hy mag vasstel.

(3) Ondanks andersluidende bepalings in paragraaf (1) vervat, kan enige bedrag wat deur enige amptenaar of werknemer op die datum van sy uitdienstreding of ontslag aan die Regering betaalbaar is, of wat die Regering ten

spect of such officer or employee, may be deducted from the pension to be paid to such officer or employee, in a lump sum or in such instalments as the Secretary may determine.

ANNUITIES ON SEQUESTRATION.

39. If the estate of any annuitant under these regulations is sequestrated, the annuity shall not form part of the assets in his insolvent estate.

ANNUITIES ON CONVICTION.

40. (1) If any annuitant under these regulations is convicted of any offence and sentenced to any term of imprisonment exceeding twelve months without the option of a fine, payment of the annuity to him shall be discontinued.

(2) The annuity or a portion thereof shall, during such annuitant's imprisonment, be paid to or for the benefit of such of his dependants and according to such allocation amongst them as the Secretary may determine.

(3) On the discharge of such annuitant from prison, the payment to him of the annuity shall be resumed and he shall also be paid any portion of his annuity which may have been withheld.

PENSIONS MAY BE PAID TO OTHER PERSON THAN PENSIONER HIMSELF.

41. If the Secretary is satisfied that it is undesirable for any reason to pay the whole amount of any pension payable to a person under these regulations directly to such person himself, the Secretary may order that such pension or a portion thereof shall be paid to some other person under such conditions as to its administration for the benefit of such pensioner or his dependants as the Secretary may determine.

PAYMENT OF AWARDS FROM CONSOLIDATED REVENUE FUND.

42. (1) In accordance with section eight of the Act, all payments in respect of pension and other benefits to which any officer or employee or his representatives, dependants or nominees may become entitled in terms of these regulations shall be made from revenue.

(2) Any amount for which liability is accepted by the Treasury of the United Kingdom or any department of the civil service of the United Kingdom and which is in payment or part-payment of any pension, or part of any pension, awarded under these regulations shall be remitted to the Secretary and shall be paid to revenue.

DATE OF COMMENCEMENT AND ADMINISTRATION.

43. These regulations shall be deemed to have come into operation with effect from the first day of April, 1957, and, except where otherwise provided for, these regulations shall be administered by the Secretary for Social Welfare and Pensions: Provided that in respect of any event occurring before the first day of August, 1957, any reference to a provision in the Public Service Act shall be deemed to be a reference to a corresponding provision in the Public Service Act, 1923 (Act No. 27 of 1923).

opsigte van sodanige amptenaar of werknemer onder verpligting is om te betaal, in 'n enkele bedrag of in die paalemente wat die Sekretaris mag bepaal, afgetrek word van die pensioen wat aan sodanige amptenaar of werknemer betaal moet word.

JAARGELDE BY SEKWESTRASIE.

39. Indien die boedel van enige persoon wat kragtens hierdie regulasies 'n jaargeld trek, gesekwestreer word, maak die jaargeld nie deel uit van die bates in sy insolvente boedel nie.

JAARGELDE BY SKULDIGBEVINDING.

40. (1) Indien enige persoon wat kragtens hierdie regulasies 'n jaargeld trek, aan 'n misdryf skuldig bevind word en tot enige tydperk van gevangenisstraf van meer as twaalf maande sonder die keuse van 'n boete gevonniss word, word die betaling van die jaargelde aan hom gestaak.

(2) Die jaargeld of 'n gedeelte daarvan word gedurende sodanige jaargeldtrekker se gevangenskap betaal aan of ten bate van die van sy afhanklikes en volgens die toewysing onder hulle wat die Sekretaris mag bepaal.

(3) Wanneer sodanige jaargeldtrekker uit die gevangenis ontslaan word, word die betaling van die jaargeld aan hom hervat en word ook enige gedeelte van sy jaargeld wat teruggehou mag gewees het, aan hom betaal.

PENSIOENE KAN AAN IEMAND ANDERS AS PENSIOENTREKKER SELF BETAAL WORD.

41. Indien die Sekretaris daarvan oortuig is dat dit om die een of ander rede onwenslik is om die hele bedrag van enige pensioen wat kragtens hierdie regulasies aan 'n persoon betaalbaar is, regstreeks aan sodanige persoon self te betaal, kan die Sekretaris gelas dat sodanige pensioen of 'n gedeelte daarvan aan iemand anders betaal word op die voorwaardes wat die administrasie daarvan betref ten bate van sodanige pensioentrekker of die van sy afhanklikes wat die Sekretaris mag bepaal.

BETALING VAN TOEKENNINGS UIT GEKONSOLIDEERDE INKOMSTEFONDS.

42. (1) Ooreenkomstig artikel agt van die Wet moet alle betalings ten opsigte van pensioen en ander voordele waarop enige amptenaar of werknemer of sy verteenwoordigers, afhanklikes of genomineerdes ingevolge hierdie regulasies geregtig mag word, uit die inkomste geskied.

(2) Enige bedrag waarvoor aanspreeklikheid deur die Tesourie van die Verenigde Koninkryk of enige departement van die staatsdiens van die Verenigde Koninkryk aanvaar word en wat bedoel is ter betaling of gedeeltelike betaling van enige pensioen of gedeelte van enige pensioen wat kragtens hierdie regulasies toegeken is, moet aan die Sekretaris oorgedra en in die inkomste gestort word.

DATUM VAN INWERKINGTREDDING EN TOEPASSING.

43. Hierdie regulasies word geag met ingang van die eerste dag van April 1957 in werking te getree het en behalwe waar anders bepaal word, word hierdie regulasies deur die Sekretaris van Volkswelsyn en Pensioene toegepas: Met dien verstande dat ten opsigte van enige gebeurtenis voor die eerste dag van Augustus 1957, enige verwysing na 'n bepaling in die Staatsdienswet geag word 'n verwysing te wees na 'n ooreenstemmende bepaling in die Staatsdienst en Pensioenen Wet, 1923 (Wet No. 27 van 1923).

Buy Union Loan Certificates

Koop Unie-leningssertifikate