

BUITENGEWONE  **EXTRAORDINARY**

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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CAPE TOWN, 10TH JULY, 1968.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 1170.]

[10 Julie 1968.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wette wat hierby ter algemene inligting gepubliseer word:—

BLADSY

No. 82 van 1968: Wet op die Bystand aan Goudmyne, 1968	3
No. 83 van 1968: Wysigingswet op Pneumokoniosevergoeding, 1968	13
No. 84 van 1968: Wet tot Aanvulling van Pensioene, 1968	19
No. 86 van 1968: Wet op die Staatstenderraad en die Staatsverkrygingsraad, 1968.	25
No. 87 van 1968: Wysigingswet op Werkloosheidversekering, 1968	33

DEPARTMENT OF THE PRIME MINISTER.

No. 1170.]

[10th July, 1968.

It is hereby notified that the State President has assented to the following Acts which are hereby published for general information:—

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No. 83 of 1968: Pneumoconiosis Compensation Amendment Act, 1968	14
No. 84 of 1968: Pensions (Supplementary) Act, 1968.	20
No. 86 of 1968: State Tender Board and State Procurement Board Act, 1968	26
No. 87 of 1968: Unemployment Insurance Amendment Act, 1968	34



STAATSKOERANT

AVAN DIE REPUBLIEK VAN SUID-AFRIKA

INHOUD.

Departement van die Eerste Minister.

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[No. 3155]

10 JULY, 1968.
CASE TOWN, 10 JULY, 1968.

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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

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- Act No. 86 of 1968: State Tender Board and State Procurement Board Act, 1968 ..
- Act No. 87 of 1968: Unemployment Insurance Amendment Act, 1968

No. 82, 1968.]

[No. 82, 1968.]

WET

Om voorsiening te maak vir finansiële bystand ten opsigte van sekere goudmyne; om te bepaal dat vir die doeleindes van sekere hure van die reg om goud te myn, 'n verlies ten opsigte van 'n ondersteunde myn gedurende 'n rekeningjaar of tydperk gely, nie teen die winste van 'n volgende jaar of tydperk verreken word nie; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)

(Goedgekeur op 20 Junie 1968.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:

1. Tensy uit die samehang anders blyk, beteken in hierdie **Woordomskrywings**.

Wet—

- (i) „Inkomstebelastingwet” die Inkomstebelastingwet, 1962 (Wet No. 58 van 1962); (iii)
- (ii) „jaar van aanslag”, met betrekking tot 'n maatskappy, 'n jaar van aanslag van sodanige maatskappy vir die doeleindes van die Inkomstebelastingwet, met inbegrip van 'n tydperk wat ingevolge die bepalings van artikel 67 (5) van daardie Wet afsonderlik aangeslaan moet word; (x)
- (iii) „Minister” die Minister van Mynwese; (ix)
- (iv) „myninkomste”, met betrekking tot 'n ondersteunde goudmyn, die bedrae uit die myn van goud op daardie myn verkry wat by die toepassing van die Inkomstebelastingwet by inkomste ingesluit word, met inbegrip van inkomste wat volgens die oordeel van die Sekretaris van Binnelandse Inkomste regstreeks uit die myn van goud voortvloeи maar met uitsluiting van enige bedrag in paragraaf (j) van die omskrywing van „bruto inkomste” in artikel 1 van die Inkomstebelastingwet bedoel; (v)
- (v) „myn van goud” ook die myn van silwer, osmiridium, uraan, piriet of ander minerale wat in die loop van die myn van goud gewin word; (iv)
- (vi) „Mynverhulingsraad” die Mynverhulingsraad by artikel 5 van die Wet op Mynregte, 1967 (Wet No. 20 van 1967), ingestel; (vi)
- (vii) „mynverlies”, met betrekking tot 'n ondersteunde goudmyn, die bedrag waarmee die som van die toelaatbare aftrekings wat ten opsigte van daardie myn ten opsigte van die jaar van aanslag toelaatbaar is, die myninkomste uit daardie myn gedurende bedoelde jaar verkry, oorskry; (vii)
- (viii) „mynwins”, met betrekking tot 'n ondersteunde goudmyn, die bedrag waarmee die myninkomste uit daardie myn gedurende die jaar van aanslag verkry, die som van die toelaatbare aftrekings wat ten opsigte van daardie myn ten opsigte van daardie jaar toelaatbaar is, oorskry; (viii)

No. 82, 1968.]

[8001-28-34]

ACT

To provide for financial assistance in respect of certain gold mines; to provide that for the purposes of certain leases of the right to mine gold, any loss incurred during any accounting year or period in respect of an assisted mine shall not be set off against the profits of any succeeding year or period; and to provide for incidental matters.

*(English text signed by the State President.)
(Assented to 20th June, 1968.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Definitions.

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

(i) “allowable deductions”, in relation to an assisted gold mine, means the sum of—

(a) the deductions from income which, in the determination under the Income Tax Act of the taxable income derived from such mine during the relevant year of assessment or of any assessed loss incurred in respect of such mine during such year, have been allowed under the provisions of section 11 of the Income Tax Act, excluding paragraphs (q) and (x) of that section; and

(b) any capital expenditure the deduction of which from the mining income derived from such mine during the relevant year of assessment is permissible in terms of section 6 (2) of this Act; (x)

(ii) “assisted gold mine” means a gold mine which is classified as an assisted gold mine under the provisions of section 2; (ix)

(iii) “Income Tax Act” means the Income Tax Act, 1962 (Act No. 58 of 1962); (i)

(iv) “mining for gold” includes mining for silver, osmiridium, uranium, pyrites or other minerals won in the course of mining for gold; (v)

(v) “mining income”, in relation to any assisted gold mine, means the amounts derived from mining for gold on such mine which are included in income for the purposes of the Income Tax Act, including any income which in the opinion of the Secretary for Inland Revenue results directly from mining for gold but excluding any amount referred to in paragraph (j) of the definition of “gross income” in section 1 of the Income Tax Act; (iv)

(vi) “Mining Leases Board” means the Mining Leases Board established by section 5 of the Mining Rights Act, 1967 (Act No. 20 of 1967); (vi)

(vii) “mining loss”, in relation to any assisted gold mine, means the amount by which the sum of the allowable deductions permissible in respect of such mine in respect of the year of assessment exceeds the mining income derived from such mine during such year; (vii)

- (ix) „ondersteunde goudmyn” 'n goudmyn wat ingevolge die bepalings van artikel 2 as 'n ondersteunde goudmyn geklassifiseer is; (ii)
- (x) „toelaatbare aftrekings”, met betrekking tot 'n ondersteunde goudmyn, die som van—
 - (a) die aftrekings van inkomste wat, by die vasstelling ingevolge die Inkomstebelastingwet van die belasbare inkomste uit daardie myn gedurende die betrokke jaar van aanslag verkry of van enige vasgestelde verlies ten opsigte van daardie myn gedurende bedoelde jaar gely, ingevolge die bepalings van artikel 11 van die Inkomstebelastingwet, behalwe paragrawe (q) en (x) van daardie artikel, toegelaat is; en
 - (b) enige kapitaaluitgawe wat ingevolge artikel 6 (2) van hierdie Wet van die myninkomste uit bedoelde myn gedurende die betrokke jaar van aanslag verkry, afgetrek kan word. (i)

2. (1) 'n Maatskappy wat goudmynbedrywighede beoefen, kan by die Minister aansoek doen om die klassifikasie as 'n ondersteunde goudmyn van 'n goudmyn waarop goudmynbedrywighede beoefen word en waaruit goud of uraan gewin word.

Klassifisering van myne as ondersteunde goudmyne.

(2) Die Minister kan, in oorleg met die Minister van Finansies en met inagneming van 'n aanbeveling deur die Mynverhuringraad gedoen, op die voorwaardes wat hy oplê, bedoelde myn as 'n ondersteunde goudmyn klassifiseer indien hy oortuig is—

- (a) dat bedoelde myn, tensy dit ondersteun word, waarskynlik binne agt jaar na die datum van die aansoek in subartikel (1) bedoel ondergrondse mynwerksamhede sal staak; en
- (b) dat indien die myn as 'n ondersteunde goudmyn geklassifiseer word en bedoelde voorwaardes nagekom word, die lewensduur van die myn aanmerklik verleng sal word en die produksie van goud of uraan of van sowel goud as uraan wat van daardie myn gewin word, aansienlik verhoog sal word.

(3) 'n Klassifisering deur die Minister ingevolge die bepalings van subartikel (2) gemaak, word geag gemaak te gewees het op 'n datum op of voor die datum van bedoelde klassifikasie deur hom bepaal.

(4) Die Minister kan die Staatsmyningenieur en ander geskikte staatsamprentare aanstel om van tyd tot tyd inspeksie te doen van die ondergrondse en oppervlakwerke en die planne, boeke, aantekenings, rekeninge en dokumente van 'n maatskappy wat op 'n ondersteunde goudmyn mynwerksamhede beoefen, en om aan hom verslag te doen of die werking van die myn bevredigend ooreenkomsdig die voorwaardes wat hy opgelê het, geskied.

(5) Die Minister, in oorleg met die Minister van Finansies en met inagneming van 'n aanbeveling van die Mynverhuringraad, kan, indien die Staatsmyningenieur verslag doen dat na sy oordeel die hoeveelheid goud of uraan of goud en uraan wat van 'n ondersteunde goudmyn gewin of waarskynlik gewin sal word, onvoldoende is of onvoldoende sal wees om die klassifikasie van daardie myn as 'n ondersteunde goudmyn verder te regverdig, die maatskappy wat die myn eksploteer in kennis stel dat die myn, met ingang van die eerste dag van 'n jaar van aanslag van die maatskappy wat begin minstens ses maande na die datum van bedoelde kennisgewing, sal ophou om as 'n ondersteunde goudmyn geklassifiseer te wees, en in so 'n geval hou daardie myn met ingang van bedoelde dag op om aldus geklassifiseer te wees.

(6) 'n Myn hou in iedere geval op om as 'n ondersteunde goudmyn geklassifiseer te wees met ingang van die dag wat volg op die dag waarop dit ondergrondse mynwerksamhede staak.

3. (1) Indien, in die geval van 'n maatskappy wat gedurende 'n jaar van aanslag goudmynbedrywighede op 'n ondersteunde goudmyn beoefen het, die mynwins deur die maatskappy gedurende die jaar van aanslag uit bedoelde myn verkry, minder Betalings aan maatskappye wat op ondersteunde goudmyne vir goud myn.

(viii) "mining profit", in relation to any assisted gold mine, means the amount by which the mining income derived from such mine during the year of assessment exceeds the sum of the allowable deductions permissible in respect of such mine in respect of such year; (viii)

(ix) "Minister" means the Minister of Mines; (iii)

(x) "year of assessment", in relation to any company, means a year of assessment of such company for the purposes of the Income Tax Act, including any period requiring to be assessed separately under the provisions of section 67 (5) of that Act. (ii)

Classification of mines as assisted gold mines.

(2.) (1) Any company carrying on gold mining operations may apply to the Minister for the classification as an assisted gold mine of any gold mine on which gold mining operations are being carried on and from which gold or uranium is being won.

(2) The Minister, in consultation with the Minister of Finance and having regard to any recommendation made by the Mining Leases Board, may, on such conditions as he may impose, classify such mine as an assisted gold mine if he is satisfied—

(a) that it is likely that such mine would, unless assisted, cease underground mining operations within eight years after the date of the application referred to in subsection (1); and

(b) that if the mine is classified as an assisted gold mine and the said conditions are observed, the life of the mine will be appreciably prolonged and there will be a significant increase in the production of gold or uranium or of both gold and uranium won from such mine.

(3) Any classification made by the Minister under the provisions of subsection (2) shall be deemed to have been made on a date on or before the date of such classification determined by him.

(4) The Minister may appoint the Government Mining Engineer and other suitable Government officials to inspect from time to time the underground and surface works and the plans, books, records, accounts and documents of any company carrying on mining operations on an assisted gold mine and to report to him whether the working of the mine is in satisfactory accordance with the conditions he has imposed.

(5) The Minister, in consultation with the Minister of Finance and having regard to any recommendation of the Mining Leases Board, may, if the Government Mining Engineer reports that in his opinion the quantity of gold or uranium or of both gold and uranium won or likely to be won from any assisted gold mine is or will be insufficient to warrant such mine continuing to be classified as an assisted gold mine, notify the company operating the mine that the mine will, with effect from the first day of a year of assessment of the company commencing at least six months after the date of such notification, cease to be classified as an assisted gold mine, and in such event such mine shall with effect from the said day cease to be so classified.

(6) A mine shall in any case cease to be classified as an assisted gold mine as from the day following the day upon which it ceases underground mining operations.

Payments to companies mining for gold on assisted gold mines.

3. (1) If, in the case of any company which has during any year of assessment carried on gold mining operations on an assisted gold mine, the mining profit derived by the company from such mine during the year of assessment is less than eight

is as agt en sewe-en-vyftig agt-en-sestigste persent van die myninkomste deur die maatskappy gedurende bedoelde jaar uit daardie myn verkry, of indien die maatskappy gedurende bedoelde jaar 'n mynverlies ten opsigte van daardie myn gely het, word daar, mits 'n sertifikaat ten opsigte van bedoelde jaar volgens voorskrif van artikel 5 verstrek is, aan die maatskappy uit fondse deur die Parlement bewillig 'n bedrag betaal gelyk aan—

- (a) indien 'n mynwins soos voormeld verkry is, ses en een honderdste persent van die myninkomste deur die maatskappy gedurende die jaar van aanslag uit daardie myn verkry, min agt-en-sestig persent van bedoelde mynwins; of
- (b) indien 'n mynverlies soos voormeld gely is, die totaal van 'n bedrag gelyk aan ses en een honderdste persent van die myninkomste deur daardie maatskappy gedurende die jaar van aanslag uit daardie myn verkry en 'n bedrag gelyk aan agt-en-sestig persent van bedoelde mynverlies:

Met dien verstande dat die bedrag ingevolge hierdie subartikel ten opsigte van 'n jaar van aanslag betaal, nie vyf-en-twintig persent van die myninkomste deur die maatskappy verkry gedurende die jaar van aanslag uit die verkoop van goud, uraan en die ander minerale wat tesame daarmee uit bedoelde myn gewin word, oorskry nie.

(2) (a) Indien dit vir die Sekretaris van Mynwese blyk dat 'n maatskappy ingevolge die bepalings van subartikel (1) op 'n betaling ten opsigte van 'n jaar van aanslag geregtig sal wees, kan gemelde Sekretaris, op die grondslag van tussentydse opgawes in die vorm deur gemelde Sekretaris voorgeskryf en verstrek deur die maatskappy vir tydperke deur gemelde Sekretaris goedgekeur, die vooruitbetalings doen wat deur gemelde Sekretaris vasgestel word ten opsigte van die bedrag wat betaal moet word, maar 'n vooruitbetaling word nie ten opsigte van 'n tussentydse opgawe gedoen nie tensy 'n sertifikaat vir die tydperk van daardie opgawe volgens voorskrif van artikel 5 verstrek is.

(b) Wanneer die Sekretaris van Binnelandse Inkomste die bedrag wat ingevolge subartikel (1) ten opsigte van 'n jaar van aanslag betaalbaar is, finaal vasgestel het, word die aldus vasgestelde bedrag verminder met enige vooruitbetalings ten opsigte van daardie jaar gedoen en enige bedrag wat ingevolge subartikel (3) geag word vooruitbetalings te wees, en, indien die totaal van die vooruitbetalings en die bedrae wat soos voormeld geag word vooruitbetalings te wees, die voormalde finaal vasgestelde bedrag oorskry, word die oorskot geag 'n skuld te wees verskuldig aan die Staat en moet dit onverwyld deur die betrokke maatskappy aan die Sekretaris van Mynwese terugbetaal word.

(3) Waar 'n maatskappy ingevolge 'n staatsbystandskema 'n lening ontvang het om sy bedryfsverliese of kapitaaluitgawe vir 'n gedeelte van 'n jaar van aanslag ten opsigte waarvan 'n betaling ingevolge hierdie artikel gedoen word, te financier, word die lening aldus ontvang, geag 'n vooruitbetaling te wees wat op rekening van bedoelde betaling gedoen is en maak dit nie 'n skuld uit wat aan die Staat ingevolge die betrokke leningsooreenkoms verskuldig is nie.

4. (1) 'n Bedrag betaalbaar aan 'n maatskappy ingevolge die bepalings van artikel 3, behalwe 'n vooruitbetaling in subartikel (2) van daardie artikel bedoel, word deur die Sekretaris van Binnelandse Inkomste vasgestel.

(2) 'n Maatskappy wat daarop aanspraak maak dat hy op betaling van 'n bedrag ingevolge artikel 3 geregtig is, moet 'n skriftelike aansoek om sodanige betaling aan die Sekretaris van Binnelandse Inkomste rig wanneer die maatskappy die opgawe van inkomstebelastingwet moet verstrek, of aan die Sekretaris van Mynwese wanneer hy die tussentydse opgawe bedoel in artikel 3 (2) van hierdie Wet, verstrek.

and fifty-seven sixty-eighths per cent of the mining income derived by the company from such mine during the said year, or if the company has during such year incurred a mining loss in respect of such mine, there shall, provided a certificate in respect of such year has been furnished as prescribed by section 5, be paid to such company out of funds voted by Parliament, an amount equal to—

- (a) if a mining profit has been derived as aforesaid, six and one hundredth per cent of the mining income derived by such company from such mine during the year of assessment, less sixty-eight per cent of such mining profit; or
- (b) if a mining loss has been incurred as aforesaid, the aggregate of a sum equal to six and one hundredth per cent of the mining income derived by such company from such mine during the year of assessment and a sum equal to sixty-eight per cent of such mining loss:

Provided that the amount paid under this subsection in respect of any year of assessment shall not exceed twenty-five per cent of the mining income derived by the company during the year of assessment from sales of gold, uranium and such other minerals as may be won in conjunction therewith from such mine.

- (2) (a) If it appears to the Secretary for Mines that any company will in respect of any year of assessment be entitled to a payment under the provisions of subsection (1), the said Secretary may on the basis of interim returns in the form prescribed by the said Secretary and furnished by the company for periods approved by the said Secretary, make such advance payments as the said Secretary may determine in respect of the amount to be paid, but an advance payment shall not be made in respect of any interim return unless a certificate for the period of such return has been furnished as prescribed by section 5.
- (b) Upon the final determination by the Secretary for Inland Revenue of the amount payable under subsection (1) in respect of a year of assessment, the amount so determined shall be reduced by any advance payments made in respect of that year and any amounts deemed to be advance payments in terms of subsection (3), and, if the aggregate of the advance payments and the amounts deemed as aforesaid to be advance payments exceeds the amount finally determined as aforesaid, the excess shall be deemed to be a debt due to the State and shall forthwith be repaid to the Secretary for Mines by the company concerned.
- (3) Where any company has under any scheme of State assistance received a loan to finance its working losses or capital expenditure for part of any year of assessment in respect of which a payment is made under this section, the loan so received shall be deemed to be an advance payment made on account of such payment and shall not constitute a debt due to the State under the relevant loan agreement.

How payments shall be determined and made.

- 4. (1) Any amount payable to a company under the provisions of section 3, other than an advance payment referred to in subsection (2) of that section, shall be determined by the Secretary for Inland Revenue.

(-) Any company claiming to be entitled to be paid any amount under section 3 shall submit a written application for such payment to the Secretary for Inland Revenue when submitting the return of income required to be furnished by the company under the provisions of the Income Tax Act, or to the Secretary for Mines when submitting the interim return referred to in section 3 (2) of this Act.

(3) Die Sekretaris van Binnelandse Inkomste kan vir die doeleindes van hierdie Wet gebruik maak van enige sodanige opgawes en van enige inligting wat vir inkomstebelasting-doeleindes ingevolge die Inkomstebelastingwet tot sy beskikking is.

(4) Die Sekretaris van Binnelandse Inkomste is nie verplig om 'n bedrag wat ingevolge die bepalings van artikel 3 betaalbaar is, vas te stel nie alvorens die betrokke opgawe van inkomste in subartikel (2) bedoel, aan hom verstrek is.

(5) Sodra 'n bedrag wat ingevolge die bepalings van artikel 3 aan 'n maatskappy betaalbaar is, deur die Sekretaris van Binnelandse Inkomste vasgestel is, stel hy die Sekretaris van Mynwese in kennis van die bedrag betaalbaar en word bedoelde bedrag deur die Sekretaris van Mynwese aan die betrokke maatskappy betaal.

5. Elke maatskappy wat gedurende 'n jaar van aanslag mynbedrywighede op 'n ondersteunde goudmyn beoefen het, moet, wanneer hy sy opgawe van inkomste vir daardie jaar ingevolge die Inkomstebelastingwet en 'n tussentydse opgawe bedoel in artikel 3 (2) (a) van hierdie Wet verstrek, of binne die tydperk deur die Sekretaris van Binnelandse Inkomste of die Sekretaris van Mynwese, na gelang van die geval, goedkeur, 'n sertifikaat verstrek wat deur die Staatsmyningenieur uitgereik is ten effekte dat die voorwaardes deur die Minister opgeleë ingevolge artikel 2 (2) van hierdie Wet nagekom is.

Sertifikaat deur
Staats-
myningenieur.

6. (1) In hierdie artikel beteken „kapitaaluitgawe” kapitaal-uitgawe soos beoog in paragraaf (a) van die omskrywing van „kapitaaluitgawe” in artikel 36 (11) van die Inkomstebelasting-wet.

Delging van
kapitaaluitgawe
by vasstelling
van mynwins
of mynverlies.

(2) By die vasstelling van die mynwins verkry of die myn-verlies gely deur 'n maatskappy gedurende 'n jaar van aanslag ten opsigte van 'n ondersteunde goudmyn—

(a) word soveel van die kapitaaluitgawe ten opsigte van bedoelde myn gedurende die jaar van aanslag aangegaan wat terugontvangste gedurende die jaar uit kapitaaluitgawe ontvang te bove gaan (ongeag die datum waarop sodanige laasgenoemde kapitaal-uitgawe oorspronklik aangegaan is, hetsy voor of na die datum van inwerkingtreding van hierdie Wet of voor of na die datum waarop die myn 'n ondersteunde goudmyn geword het) min die bedrae aan die Staat terugbetaal ten opsigte van kapitaaluitgawe ingevolge 'n staatsbystandskema, as 'n af trekking van die myninkomste deur die maatskappy uit bedoelde myn gedurende bedoelde jaar verkry, toegelaat: Met dien verstande dat—

(i) geen af trekking gemaak word nie ten opsigte van uitgawe aangegaan aan 'n projek wat volgens die oordeel van die Staatsmyningenieur nie die produksie van goud of uraan sal bevorder nie;

(ii) die af trekking van bedoelde kapitaaluitgawe (na uitsluiting van die uitgawe aangegaan op 'n projek in paragraaf (i) van hierdie voorbehoudbepaling bedoel) beperk word tot 'n bedrag wat genoeg is om tot gevolg te hê dat 'n betaling ingevolge artikel 3 bereken word wat nie vyf-en-twintig persent van die inkomste verkry deur die maatskappy gedurende die jaar van aanslag uit verkope van goud, uraan en ander minerale wat tesame daarmee uit bedoelde myn gewin word, te bove gaan nie;

(iii) by die toepassing van hierdie paragraaf, kapitaal-uitgawe wat vir af trekking ingevolge hierdie subartikel in aanmerking kom, maar waarvan die af trekking deur paragraaf (ii) van hierdie voorbehoudbepaling verbied word, oorgedra word en die bedrag aldus oorgedra, geag word kapitaal-uitgawe te wees wat op die eerste dag van die daaropvolgende jaar van aanslag aangegaan is;

(3) The Secretary for Inland Revenue may for the purposes of this Act make use of any such returns and any information available to him for income tax purposes under the Income Tax Act.

(4) The Secretary for Inland Revenue shall not be required to make any determination of any amount payable under the provisions of section 3 before the relevant return of income referred to in subsection (2) has been furnished to him.

(5) Upon the determination by the Secretary for Inland Revenue of an amount payable to any company under the provisions of section 3, he shall notify the Secretary for Mines of the amount payable and the payment of such amount shall be effected by the Secretary for Mines to the company concerned.

Certificate by
Government
Mining Engineer.

5. Every company which has during any year of assessment carried on mining operations on an assisted gold mine, shall, when rendering its return of income for such year under the Income Tax Act and any interim return referred to in section 3 (2) (a) of this Act, or within such period as the Secretary for Inland Revenue or the Secretary for Mines, as the case may be, may approve, furnish a certificate issued by the Government Mining Engineer to the effect that the conditions imposed by the Minister under section 2 (2) of this Act have been complied with.

Redemption of
capital expendi-
ture for purpose of
determining mining
profit or mining
loss.

6. (1) In this section "capital expenditure" means capital expenditure as contemplated in paragraph (a) of the definition of "capital expenditure" in section 36 (11) of the Income Tax Act.

(2) In the determination of the mining profit derived or the mining loss incurred by any company during any year of assessment in respect of any assisted gold mine—

(a) so much of the capital expenditure incurred in respect of such mine during the year of assessment as exceeds recoupments received during the year from capital expenditure (irrespective of the date when such lastmentioned capital expenditure was originally incurred, whether before or after the date of commencement of this Act or before or after the date on which such mine became an assisted gold mine) less any amounts repaid to the State in respect of capital expenditure under any scheme of State assistance, shall be allowed as a deduction from the mining income derived by the company from such mine during such year: Provided that—

(i) no deduction shall be made in respect of expenditure incurred on a project which, in the opinion of the Government Mining Engineer, will not benefit the production of gold or uranium;

(ii) the deduction of such capital expenditure (after the exclusion of expenditure incurred on a project referred to in paragraph (i) of this proviso) shall be restricted to an amount sufficient to result in the calculation of a payment under section 3 not exceeding twenty-five per cent of the income derived by the company during the year of assessment from sales of gold, uranium and other minerals that may be won in conjunction therewith from such mine;

(iii) for the purposes of this paragraph, capital expenditure which ranks for deduction under this subsection but which is prohibited by paragraph (ii) of this proviso shall be carried forward and the amount so carried forward shall be deemed to be capital expenditure incurred on the first day of the next succeeding year of assessment;

(b) word geen aftrekking of vermindering by wyse van verrekening of andersins toegelaat nie ten opsigte van kapitaaluitgawe (of 'n ongedelgde balans daarvan) wat voor die begin van die betrokke jaar van aanslag aangegaan is, behalwe kapitaaluitgawe in paragraaf (iii) van die voorbehoudsbepaling by paragraaf (a) bedoel, wat van die vorige jaar van aanslag oorgebring is.

7. Vir die doeleindes van 'n huur van die reg om goud te myn Sekere verliese word in die geval van sekere verrekening van sekere verrekening wat ten opsigte van 'n ondersteunde goudmyn van toepassing is en wat voorsiening maak vir die betaling aan die Staat van 'n winsaandeel vasgestel ingevolge die bepalings van die „Tweede Bijlage” by die „Transvaal Mijnverhuring en Minerale Wet Wijzigings Wet, 1918” (Wet No. 30 van 1918), word 'n verlies gely gedurende 'n rekeningjaar of tydperk ten opsigte waarvan 'n betaling ingevolge artikel 3 van hierdie Wet betaal word, ondanks die bepaling van paragraaf 4 (3) van bedoelde Bylae, nie teen die winste van 'n volgende jaar of tydperk verreken nie.

8. Hierdie Wet heet die Wet op Bystand aan Goudmyne, Kort titel.
1968.

(b) no deduction or allowance by way of set-off or otherwise shall be allowed in respect of any capital expenditure (or any unredeemed balance thereof) incurred earlier than prior to the commencement of the year of assessment in question, except capital expenditure referred to in (a) in paragraph (iii) of the proviso to paragraph (a) which has been brought forward from the preceding year of assessment.

Certain losses not to be set off in the case of certain mining leases. *In* For the purposes of any lease of the right to mine for gold which is applicable in respect of any assisted gold mine and which provides for the payment to the State of a share of profits determined under the provisions of the Second Schedule to the Transvaal Mining Leases and Minerals Law Amendment Act, 1918 (Act No 30 of 1918), any loss which is incurred during any accounting year or period in respect of which a payment is made under section 3 of this Act, shall notwithstanding the provisions of paragraph 4(3) of the said Schedule, not be set off against the profits of any succeeding year or period.

Short title. 8. This Act shall be called the Gold Mines Assistance Act, 1968.

WET

Toekondiging tot die basament van slegsdestyds vir leesdekt of
Om voorsiening te maak vir die betaling van bykomende voor-
dele ten opsigte van pneumokoniose en tuberkulose; en
om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 20 Junie 1968.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat
en die Volksraad van die Republiek van Suid-Afrika,
soos volg:

1.1. (1) In hierdie Wet beteken die uitdrukking, "die Hoofwet", Woordom-
die Pneumokoniosevergoedingswet, 1962 (Wet No. 64 van 1962) skrywing.
en ook die Wysigingswet op Pneumokoniosevergoeding, 1964

(Wet No. 50 van 1964), die Wysigingswet op Pneumokoniosevergoeding, 1965
(Wet No. 92 van 1965), artikel 6 van die Finansiewet, 1962 (Wet No. 77 van 1962), en artikel 6 van die Finansiewet, 1967 (Wet No. 103 van 1967), en tensy uit die samehang anders blyk, het elke woord of uitdrukking waaraan in die Hoofwet 'n betekenis toegeskryf is, die betekenis aldus daaraan toegeskryf.

(2) By die toepassing van artikel 3 van die Wysigingswet op pneumokoniosevergoeding, 1965, beteken "afhanklike", met betrekking tot 'n oorlede mynwerker of kleurlingarbeider, ook sy wettige kind, onegte kind (met inbegrip van 'n postume onegte kind), aangenome kind, stiefkind en postume kind ten opsigte van wie hy op 'n pensioen geregtig sou gewees het as hy voor sy dood op 'n pensioen geregtig geword het.

2. Behoudens die bepalings van artikel 131 van die Hoofwet, Verhoging van word 'n pensioen wat kragtens artikel 70 of 71 van die Hoofwet pensioene aan of ten opsigte van 'n mynwerker of kleurlingarbeider betaalbaar is, bereken op die wyse voorgeskryf in artikel 72 van die Hoofwet en word 'n pensioen wat ten opsigte van arbeiders wat van die Hoofwet en word 'n pensioen wat ten opsigte van arbeiders wat tuberkulose betaalbaar is, geag 'n pensioen te wees ten opsigte van pneumokoniose wat die kardio-respiratoriese funksies inwerking blywend meer as vyftig persent maar hoogstens vyf-en-sewintig Hoofwet ge- persent, of meer as vyf-en-sewintig persent na gelang van die sertifiseer is. geval belemmer het.

3. Behoudens die bepalings van artikel 131 van die Hoofwet, Pensioene word die pensioene wat kragtens artikel 75 van die Hoofwet betaalbaar aan ten opsigte van die afhanklikes van 'n oorlede mynwerker of kleurlingarbeider betaalbaar is, verhoog-

- (a) in die geval van 'n mynwerker—
(i) ten opsigte van sy weduwee met 'n bedrag van ses rand per maand; en
(ii) ten opsigte van elke afhanklike kind, met 'n bedrag van drie rand per maand;
(b) in die geval van 'n kleurlingarbeider wie se maandloon minder as vier-en-twintig rand was—
(i) ten opsigte van sy weduwee met 'n bedrag van vyf-en-tigting sent per maand; en
(ii) ten opsigte van elke afhanklike kind, met 'n bedrag van sesentig sent per maand;

No. 83, 1968.]

[S. 801, 88, 64]

ACT

To provide for the payment of additional benefits in respect of pneumoconiosis and tuberculosis; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 20th June, 1968.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Definitions.

1. (1) In this Act the expression "the principal Act" means the Pneumoconiosis Compensation Act, 1962 (Act No. 64 of 1962), and includes the Pneumoconiosis Compensation Amendment Act, 1964 (Act No. 50 of 1964), the Pneumoconiosis Compensation Amendment Act, 1965 (Act No. 92 of 1965), section 6 of the Finance Act, 1962 (Act No. 77 of 1962), and section 6 of the Finance Act, 1967 (Act No. 103 of 1967), and any word or expression to which a meaning has been assigned in the principal Act, shall, unless the context otherwise indicates, bear the meaning so assigned thereto.

(2) For the purposes of section 3 of the Pneumoconiosis Compensation Amendment Act, 1965, "dependant", in relation to a deceased miner or deceased coloured labourer, includes his legitimate child, illegitimate child (including any posthumous illegitimate child), adopted child, step-child and posthumous child in respect of whom he would have been entitled to a pension had he become entitled to a pension before his death.

Increase of pensions payable to miners and coloured labourers certified before commencement of principal Act.

2. Subject to the provisions of section 131 of the principal Act, a pension payable under section 70 or 71 of the principal Act to or in respect of a miner or coloured labourer shall be calculated in the manner set forth in section 72 of the principal Act and a pension payable in respect of tuberculosis shall be deemed to be a pension in respect of pneumoconiosis which has permanently impaired the cardio-respiratory functions by more than fifty percent but not more than seventy-five percent or by more than seventy-five percent, whichever the case may be.

Pensions payable to dependants of deceased miners and coloured labourers.

3. Subject to the provisions of section 131 of the principal Act, the pensions payable in respect of the dependants of a deceased miner or coloured labourer under section 75 of the principal Act shall be increased—

(a) in the case of a miner—

(i) in respect of his widow, by an amount of six rand per month; and
(ii) in respect of every dependent child, by an amount of three rand per month;

(b) in the case of a coloured labourer whose monthly earnings amounted to less than twenty-four rand—

(i) in respect of his widow, by an amount of eighty-five cents per month; and
(ii) in respect of every dependent child, by an amount of sixty cents per month;

- (c) in die geval van 'n kleurlingarbeider wie se maandloon minstens vier-en-twintig rand was—
 (i) ten opsigte van sy weduwee, met 'n bedrag van een rand en sewentig sent per maand; en
 (ii) ten opsigte van elke afhanklike kind, met 'n bedrag van vyf-en-tigtig sent per maand.

4. (1) Indien 'n pensioen wat kragtens 'n bepaling van die Hoofwet betaalbaar is, uit hoofde van die bepalings van subartikel (1) van artikel 94 van die Hoofwet verminder word en beperk word tot die maandloon van die persoon aan wie of ten opsigte van wie die pensioen betaal word, kan die Minister, na oorleg met die raad, die raad gelas om of in die algemeen met betrekking tot al sodanige gevalle of spesiaal met betrekking tot 'n bepaalde geval, sodanige pensioen te bereken en te betaal asof die bepalings van bedoelde subartikel nie van toepassing was nie.

(2) Indien 'n pensioen kragtens subartikel (1) verhoog word, word die verhoging betaal uit die rekening vermeld in artikel 108 (2) van die Hoofwet waaruit sodanige pensioen kragtens artikel 127 van die Hoofwet betaalbaar is.

- 5.** (1) Die raad moet die C-rekening belas met—
 (a) die verhoging van 'n pensioen ingevolge artikel 2;
 (b) die verhoging ingevolge artikel 3 betreffende 'n pensioen waarop iemand voor die inwerkingtreding van hierdie Wet geregtig geword het of betreffende 'n pensioen waarop iemand na die inwerkingtreding van hierdie Wet geregtig geword het uit hoofde van 'n bevinding waartoe vir die eerste keer geraak is voor die inwerkingtreding van hierdie Wet; en
 (c) die verhoging ingevolge artikel 3 betreffende 'n pensioen waarop iemand na die inwerkingtreding van hierdie Wet geregtig geword het ten opsigte van werk op 'n myn wat voor sodanige inwerkingtreding opgehou het om 'n beheerde myn van Groep A of 'n ingelyste myn kragtens 'n herroope Wet of 'n beheerde myn van Groep B of 'n geregistreerde myn kragtens 'n herroope Wet te wees.

(2) Die raad moet die A-rekening of die B-rekening of die A-rekening gedeeltelik en die B-rekening gedeeltelik, na gelang van die geval, met inagneming van die toepaslike bepalings van die Hoofwet, belas met die uitgawe wat ontstaan uit die verhoging ingevolge artikel 3 van 'n voordeel waarop iemand na die inwerkingtreding van hierdie Wet geregtig geword het uit hoofde van 'n bevinding waartoe vir die eerste keer geraak is na die inwerkingtreding van hierdie Wet, maar behoudens die bepalings van subartikel (1) (c) van hierdie artikel.

6. (1) Die raad moet, wanneer hy 'n raming van die in artikels 120 (1) en 121 (1) van die Hoofwet beoogde bedrae maak, die verhoogde voordele ingevolge hierdie Wet by die raming insluit.

(2) Wanneer die raad die in subartikel (1) bedoelde raming maak, moet hy 'n rentekoers aanwend, bereken tot die voltooiende kwart van een persent onmiddellik benede die gemiddelde opbrengs tot die datum van delging van die beleggings van onderskeidelik die A-rekening en die B-rekening soos op die een-en-dertigste dag van Maart van die jaar waarin die raming gemaak word.

7. (1) Wanneer 'n voordeel aan 'n mynwerker of kleurlingarbeider toegeken is of wanneer 'n voordeel ten opsigte van 'n oorlede mynwerker of kleurlingarbeider toegeken is uit hoofde van 'n bevinding waartoe daar na die dood van die mynwerker of kleurlingarbeider geraak is, en 'n kind van so 'n mynwerker of kleurlingarbeider aan wie geen bystand om aan 'n universiteit of aan 'n kollege te studeer ingevolge artikel 86 van die Hoofwet verleent is nie, nogtans aan so 'n inrigting studeer, kan die raad op aansoek, na goeddunke, bystand aan bedoelde kind verleen, ongeag die kind se ouderdom, om hom in staat te stel om die opleiding ten opsigte waarvan om bystand aansoek gedoen is, te voltooi.

Verhoging van pensioene beperk deur maandloon.

Rekenings wat met verhoging van voordele belas moet word.

Verhoogde voordele moet by raming van uitstaande verpligtings van mynienaars ingesluit word.

Raad kan by stand verleent in verband met opleiding van 'n kind aan wie bystand nie ingevolge artikel 86 van die Hoofwet verleent is nie.

(c) in the case of a coloured labourer whose monthly earnings amounted to not less than twenty-four rand—
 (i) in respect of his widow, by an amount of one rand and seventy cents per month; and
 (ii) in respect of every dependent child, by an amount of eighty-five cents per month.

Increase of pensions limited by monthly earnings.

4. (1) If a pension payable under any provision of the principal Act is decreased and limited to the amount of the monthly earnings of the person to whom the pension is paid by virtue of the provisions of subsection (1) of section 94 of the principal Act, the Minister may, after consultation with the council, direct the council either generally in respect of all such cases or specially in respect of a particular case, to calculate and pay such pension as if the provisions of the said subsection did not apply.

(2) If a pension is increased under subsection (1) such increase shall be paid from the account mentioned in section 108 (2) of the principal Act from which such pension is payable under the provisions of section 127 of the principal Act.

Accounts to be charged with increase in benefits.

5. (1) The council shall charge the C-account with—
 (a) the increase of any pension under section 2;
 (b) the increase under section 3 relating to any pension to which a person became entitled before the commencement of this Act or to any pension to which a person became entitled after the commencement of this Act by virtue of a finding expressed for the first time before the commencement of this Act; and
 (c) the increase under section 3 relating to a pension to which a person became entitled after the commencement of this Act in respect of service at a mine which before such commencement ceased to be a controlled mine of Group A or a scheduled mine under a repealed Act or a controlled mine of Group B or a registered mine under a Repealed Act.

(2) The council shall charge the A-account or the B-account or the A-account partly and the B-account partly, as the case may be, having regard to the applicable provisions of the principal Act, with the expenditure due to the increase under section 3 of any benefit to which a person became entitled after the commencement of this Act by virtue of a finding expressed for the first time after the commencement of this Act but subject to the provisions of subsection (1) (c) of this section.

Increased benefits to be included in estimate of outstanding liabilities of mine owners.

6. (1) The council shall, when estimating the amounts contemplated in sections 120 (1) and 121 (1) of the principal Act, include in the estimate the increased benefits under this Act.
 (2) When the council makes the estimate mentioned in subsection (1) the council shall use a rate of interest calculated to the complete quarter of one percent immediately below the average yield to the date of redemption of the investments of the A-account and the B-account respectively, as at the thirty-first day of March of the year in which the estimate is made.

Council may assist with training of child to whom assistance was not granted under section 86 of principal Act.

7. (1) When a benefit has been awarded to a miner or coloured labourer or when a benefit has been awarded in respect of a deceased miner or deceased coloured labourer by virtue of a finding expressed after the death of the miner or coloured labourer and a child of such miner to whom assistance to attend a university or a college was not granted under section 86 of the principal Act, nevertheless attends such an institution, the council may on application in its discretion, grant that child assistance irrespective of the age of the child, to enable the child to complete the training in respect of which the assistance was applied for.

s n(2) Bystand ingevolge subartikel (1) kan verleen word op 'n skaal en vir dié tydperk en op die voorwaardes wat met die Minister se goedkeuring deur die raad bepaal word.

(3) Die bepalings van artikel 127 van die Hoofwet geld mutatis mutandis met betrekking tot 'n betaling kragtens subartikel (1).

§ 8(1)(1) In hierdie artikel beken „ander Wet” die Kinderwet, 1960 (Wet No. 33 van 1960); die Wet op Bejaarde Persone, 1967 (Wet No. 181 van 1967); die Wet op Blinde Persone, 1968 (Wet No. 26 van 1968); die Wet op Oudstryderspensioene, 1968 (Wet No. 25 van 1968), of die Wet op Ongeskiktheidstoelaes, 1968 (Wet No. 27 van 1968).⁹

(2) Wanneeremand wat op die datum onmiddellik voor die inwerkingtreding van hierdie Wet in ohtwangs was van 'n voordeel of ander bedrag ingevolge die Hoofwet, op daardie o datum ook 'n pensioen of toelaag of 'n pensioen en 'n toelaag ingevolge 'n ander Wet ontvang het, bly bedoelde persoon geregtig op sodanige pensioen of toelaag of pensioen en toelaag ingevolge 'n ander Wet nieteenstaande die verhoging kragtens hierdie Wet van die voordeel of ander bedrag aan die betrokke persoon betaalbaar kragtens 'n bepaling van die Hoofwet, en by die bepaling van die vraag of die betrokke persoon na die inwerkingtreding van hierdie Wet geregtig bly op 'n pensioen of 'n toelaag of 'n pensioen en 'n toelaag ingevolge 'n ander Wet, word die verhoging ingevolge hierdie Wet van 'n voordeel of ander bedrag wat ingevolge die Hoofwet aan die betrokke persoon betaalbaar is, nie geag middele te wees nie.

⁹ Tuisverpleging en Leuningsvoorsiening

Verhogings
ingevolge van die
hierdie Wet
word buite
rekening
gelaat vir die
doeleindes van
die betaling van
maatskaplike
pensioene.

Kont tittel en
inwerkingtreding.

(2) Assistance under subsection (1) may be granted on a scale and for such period and on the conditions determined by the council with the approval of the Minister.

(3) The provisions of section 127 of the principal Act shall *mutatis mutandis* apply with reference to any payment under subsection (1).

Increases under
this Act to be
disregarded for
purpose of
payment of
social pensions.

8. (1) In this section "other Act" means the Children's Act, 1960 (Act No. 33 of 1960), the Aged Persons Act, 1967 (Act No. 81 of 1967), the Blind Persons Act, 1968 (Act No. 26 of 1968), the War Veterans' Pensions Act, 1968 (Act No. 25 of 1968), or the Disability Grants Act, 1968 (Act No. 27 of 1968).

(2) If any person who on the date immediately preceding the commencement of this Act was in receipt of a benefit or other amount under the principal Act, was on that date also in receipt of a pension or an allowance or a pension and an allowance under any other Act, that person shall continue to be entitled to such pension or allowance or pension and allowance under any other Act notwithstanding the increase under this Act of the benefit or other amount payable to the person concerned under any provision of the principal Act, and for the purpose of determining whether the person concerned continues to be entitled, after the commencement of this Act, to a pension or an allowance or a pension and an allowance under any other Act, the increase under this Act of any benefit or other amount which is payable under the principal Act to the person concerned shall not be deemed to be means.

Short title and
commencement.

9. This Act shall be called the Pneumoconiosis Compensation Amendment Act, 1968, and, except as to section 1 (2), which shall be deemed to have come into operation on the first day of October, 1965, shall come into operation on the first day of October, 1968.

No. 84, 1968.]

[80 JUL 1968]

WET

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

*(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 20 Junie 1968.)*

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Ondanks andersluidende wetsbepalings, is elke persoon wat in 'n item van die Bylae by hierdie Wet as 'n bevoordeelde aangewys word, op die in daardie item vermelde voordeel geregtyig.

2. Hierdie Wet heet die Wet tot Aanvulling van Pensioene, Kort titel. 1968.

Bylae.

1. C. J. Combrinck, voorheen administratiewe beampete, Departement van Arbeid, word geag—

- (a) aansoek te gedoen het ingevolge regulasie 6 (4) van die regulasies wat die Staatsdiens-pensioenfonds beheer en kragtens die Regeringsdienspensioenwet, 1965, uitgevaardig is, op die laaste dag waarop hy 'n bydraer tot daardie fonds was; en
- (b) toegelaat te gewees het om ingevolge daardie regulasie die tydperk tussen die datum waarop hy die leeftyd van agtien jaar bereik het en die datum waarop sy pensioengewende diens begin het, by sy pensioengewende diens in te reken behoudens die bedinge en voorwaardes in genoemde regulasie bedoel en behoudens enige ander bedinge en voorwaardes wat die Sekretaris van Volkswelyn en Pensioene bepaal.

2. By die toepassing van artikel 14 (3) van die Staatsdienswet, 1957 (Wet No. 54 van 1957), en artikel 6 (3) en (4) van die Regeringsdienspensioenwet, 1965 (Wet No. 62 van 1965), word F. X. Laubscher, Departement van Landbou-tegniese Dienste, geag met ingang van 'n datum voor die vier-en-twintigste dag van Junie 1955 in 'n pos in die Staatsdiens aangestel te gewees het.

3. Helena S. Pienaar, vroulike assistent (klerklik), Departement van Justisie, word 'n bydraer tot die Staatsdiens-pensioenfonds met ingang van die eerste dag van die maand wat onmiddellik volg op die maand waarin hierdie Wet in die *Staatskoerant* gepubliseer word en sy word toegelaat om tot daardie fonds by te dra ten opsigte van haar ononderbroke diens in die Staatsdiens voor bedoelde dag behoudens die voorwaardes wat die Sekretaris van Volkswelyn en Pensioene bepaal.

4. Die pensioen van W. de Villiers, voorheen regter van die Hoë Hof van Suidwes-Afrika, word met ingang van 1 April 1968 van R800 tot R1,200 per jaar verhoog.

5. S. Hugo, voorheen kolonel, Suid-Afrikaanse Staande Mag, word geag—

- (a) aansoek te gedoen het ingevolge regulasie 6 (4) van die regulasies wat die Staandemagpensioenfonds beheer en kragtens die Regeringsdienspensioenwet, 1965, uitgevaardig is, op die laaste dag waarop hy 'n bydraer tot daardie fonds was; en
- (b) toegelaat te gewees het om ingevolge daardie regulasie die tydperk tussen die datum waarop hy die leeftyd van agtien jaar bereik het en die datum waarop sy pensioengewende diens begin het, by sy pensioengewende diens in te reken behoudens

No. 84, 1968.]

[No. 84, 1968]

TACT

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

(English text, signed by the State President.)
(Assented to 20th June, 1968.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

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

Short title. **2.** This Act shall be called the Pensions (Supplementary) Act, 1968.

Schedule.

1. C. J. Combrinck, formerly Administrative Officer, Department of Labour, shall be deemed—
 (a) to have submitted an application in terms of regulation 6 (4) of the regulations governing the Public Service Pension Fund and made under the Government Service Pensions Act, 1965, on the last day on which he was a contributor to that fund; and
 (b) to have been permitted in terms of that regulation to include in his pensionable service the period between the date on which he attained the age of eighteen years and the date on which his pensionable service commenced, subject to the terms and conditions referred to in the said regulation and to any other terms and conditions which the Secretary for Social Welfare and Pensions may determine.

2. For the purposes of section 14 (3) of the Public Service Act, 1957 (Act No. 54 of 1957), and section 6 (3) and (4) of the Government Service Pensions Act, 1965 (Act No. 62 of 1965), F. X. Laubscher, Department of Agricultural Technical Services, shall be deemed to have been appointed to a post in the Public Service with effect from a date prior to the twenty-fourth day of June, 1955.

3. Helena S. Pienaar, woman assistant (clerical), Department of Justice, shall become a contributor to the Public Service Pension Fund with effect from the first day of the month immediately following the month in which this Act is published in the Gazette and she shall be permitted to contribute to that fund in respect of her continuous service in the Public Service prior to the said day subject to such conditions as the Secretary for Social Welfare and Pensions may determine.

4. The pension of W. de Villiers, formerly judge of the High Court of South-West Africa, shall be increased from R800 to R1,200 per annum with effect from 1st April, 1968.

5. S. Hugo, formerly colonel, South African Permanent Force, shall be deemed—
 (a) to have submitted an application in terms of regulation 6 (4) of the regulations governing the Permanent Force Pension Fund and made under the Government Service Pensions Act, 1965, on the last day on which he was a contributor to that fund; and
 (b) to have been permitted in terms of that regulation to include in his pensionable service the period between the date on which he attained the age of eighteen years and the date on which his pensionable service commenced, subject to the terms

die bedinge en voorwaarde in genoemde regulasie bedoel en behoudens eniger ander bedinge en voorwaarde wat die Sekretaris van Volkswelyn en Pensioene bepaal.

6. Daar word aansoek om vergoeding deur D. J. Crawford, voorheen No. 375, korporaal, 5de Suid-Afrikaanse Infanterie, word geag voor die in artikel 48 van die Wet op Spesiale Oorlogspensioene, 1962, bedoelde datum ingedien te gewees het, behoudens die voorwaarde dat geen vergoeding ten opsigte van enige tydperk voor die eerste dag van April 1968 betaalbaar is nie.

7. Daar word aansoek om vergoeding deur T. H. Gaylard, voorheen No. 15837, manskap, 1ste Suid-Afrikaanse Infanterie, word geag voor die in artikel 48 van die Wet op Spesiale Oorlogspensioene, 1962, bedoelde datum ingedien te gewees het, behoudens die voorwaarde dat geen vergoeding ten opsigte van enige tydperk voor die eerste dag van April 1968 betaalbaar is nie.

8. Daar word aansoek om vergoeding deur T. H. Mackay, voorheens onderwyseres, Departement van Gesondheid, met ingang van 1 April 1968 in bykomende pensioen van R7,50 per maand betaal.

9. Daar word aansoek om vergoeding deur S. D. W. Monk, voorheen No. 122667, manskap, 6de Suid-Afrikaanse Infanterie, word geag voor die in artikel 48 van die Wet op Spesiale Oorlogspensioene, 1962, bedoelde datum ingedien te gewees het, behoudens die voorwaarde dat geen vergoeding ten opsigte van enige tydperk voor die eerste dag van April 1968 betaalbaar is nie.

10. Daar word aansoek om vergoeding deur S. D. W. Monk, voorheen No. 100000, Daar word aan Hendrina S. Potgieter, weduwe van J. H. Potgieter, lid van die Sentrale Landraad, 'n gratifikasie van R2,000 betaal.

11. By die toepassing van die regulasies wat die Staatsdiens-pensioenfonds beheer en kragtens die Regeringsdienspensiowet, 1965, uitgevaardig is, word D. J. van der Merve, voorheen senior provinsiale inspekteur in die Transvaliese Proviniale Administrasie, geag ooreenkomsdig regulasie 12 (1) van genoemde regulasies 'n keuse te gedoen het op die eerste dag van Desember 1967.

12. Die pensioen van Hermina E. van Hees, weduwe van A. S. M. van Hees, voorheen lid van die Volksraad, word met ingang van 1 April 1968 van R50 per maand tot R70 per maand verhoog.

13. Daar word aan Cornelia M. Erasmus, weduwe van Sy Eeple F. C. Erasmus, voorheen Kabinetsminister en Ambassadeur, benewens enige pensioen wat ingevolge die Wet op Pensioene vir Parlementsdiens Administrateurs, 1951, soos gewysig, aan haar bepaalbaar is, met ingang van 1 April 1968 'n pensioen van R800 per jaar gedurende weduweeskap betaal vir dienste deur haar oorlede eggenoot namens Suid-Afrika in die buitenland gelewer.

14. Daar word aan D. P. Liebenberg, voorheen lid van die Sentrale Landraad, 'n gratifikasie van R2,100 betaal.

15. Daar word aansoek om vergoeding deur A. M. B. Robertson, voorheen No. 751, manskap, Pretoria-kommando, word geag voor die in artikel 48 van die Wet op Spesiale Oorlogspensioene, 1962, bedoelde datum ingedien te gewees het, behoudens die voorwaarde dat geen vergoeding ten opsigte van enige tydperk voor die eerste dag van April 1968 betaalbaar is nie.

16. Indien G. J. J. Smit, superintendent-generaal van onderwys, ingevolge regulasie 6 (4) van die regulasies wat die Staatsdiens-pensioenfonds beheer en kragtens die Regeringsdienspensiowet, 1965, uitgevaardig is, 'n keuse uittoe, word daar uit die Proviniale Inkomstefonds van die Kaap die Goeie Hoop aan die Staatsdiens-pensioenfonds 'n bedrag betaal wat te staan kom op die verskil tussen die bedrag bereken teen 'n aanvangsalaris van R7,200 per jaar en die bereken teen R450 per jaar.

17. Die diensonderbreking van Josephine L. Smith, onderwyseres, Departement van Kleurlingsake, vanaf 1 Julie 1956 tot 30 September 1956 word vir pensioendoelindes verskuut en beskou as spesiale afwisselingsdienst of sonder betrek wat nie as diens geld nie, en sy word toegelaat om haar pensioengewende diens by die Nataliese Onderwysdepartement vanaf 21 Januarie 1951 tot 30 Junie 1956 te tel as pensioengewende diens vir die doeleindes van die Staatsdiens-pensioenfonds asof die bepalings van artikel 13 (2) van die Regeringsdienspensiowet, 1955, op haar geval van toepassing was.

18. Daar word aan J. J. P. C. L. Steyn, voorheen voorsitter van die Sentrale Landraad, 'n gratifikasie van R2,400 betaal.

19. Daar word aan S. A. Venter-Korff, voorheen lid van die Plaaslike Landraad (die gedeelte van die Provincies Natal en Transval), soos omskryf in paragraaf 1 van Proklamasie No. 73 van 1959, 'n gratifikasie van R1,050 betaal.

20. Daar word aan L. Wassenaar, superintendent Andrew McColl-hospitaal, 'n pensioen van R3,000 per jaar bepaal met ingang van datum van uitdienstreding uit die diens van die Transvaliese Proviniale Administrasie, as 'n las teen die Proviniale Inkomstefonds van Transval.

21. Behoudens die voorwaarde wat die Sekretaris van Volkswelyn en Pensioene bepaal en op voorwaarde dat J. P. Nel, hoofrekenmeester, Universiteit van Pretoria, aan die Voorsorgfonds vir Universiteits-

and conditions referred to in the said regulation and to any other terms and conditions which the Secretary for Social Welfare and Pensions may determine.

6. The application for compensation by D. J. Crafford, formerly No. 375, corporal, 5th South African Infantry, shall be deemed to have been lodged prior to the date referred to in section 48 of the War Special Pensions Act, 1962, subject to the condition that no compensation shall be payable in respect of any period prior to the first day of April, 1968.

7. The application for compensation by T. H. Gaylard, formerly No. 15837, private, 1st South African Infantry, shall be deemed to have been lodged prior to the date referred to in section 48 of the War Special Pensions Act, 1962, subject to the condition that no compensation shall be payable in respect of any period prior to the first day of April, 1968.

8. There shall be paid to Maud K. Mackay, formerly teacher, Department of Health, an additional pension of R7.50 per month with effect from 1st April, 1968.

9. The application for compensation by S. D. W. Monk, formerly No. 12667, private, 6th South African Infantry, shall be deemed to have been lodged prior to the date referred to in section 48 of the War Special Pensions Act, 1962, subject to the condition that no compensation shall be payable in respect of any period prior to the first day of April, 1968.

10. There shall be paid to Hendrina S. Potgieter, widow of J. H. Potgieter, member of the Central Land Board, a gratuity of R2,000.

11. For the purposes of the regulations governing the Public Service Pension Fund and made under the Government Service Pensions Act, 1965, D. J. van der Merwe, formerly senior provincial inspector in the Transvaal Provincial Administration, shall be deemed to have made an election in terms of regulation 12 (1) of the said regulations on the first day of December, 1967.

12. The pension of Hermina E. van Hees, widow of A. S. M. van Hees, formerly member of the House of Assembly, shall be increased from R50 per month to R70 per month, with effect from 1st April, 1968.

13. There shall be paid to Cornelia M. Erasmus, widow of the Honourable F. C. Erasmus, formerly Cabinet Minister and Ambassador, in addition to any pension payable to her under the Parliamentary Service and Administrators' Pensions Act, 1951, as amended, a pension of R800 per annum with effect from 1st April, 1968, during widowhood, in respect of services rendered abroad on behalf of South Africa by her late husband.

14. There shall be paid to D. P. Liebenberg, formerly member of the Central Land Board, a gratuity of R2,100.

15. The application for compensation by A. M. B. Robertson, formerly No. 751, private, Pretoria Commando, shall be deemed to have been lodged prior to the date referred to in section 48 of the War Special Pensions Act, 1962, subject to the condition that no compensation shall be payable in respect of any period prior to the first day of April, 1968.

16. If G. J. J. Smit, superintendent-general of education, elects in terms of regulation 6 (4) of the regulations governing the Public Service Pension Fund and made under the Government Service Pensions Act, 1965, there shall be paid from the Provincial Revenue Fund of the Cape of Good Hope to the Public Service Pension Fund an amount equal to the difference between the amount calculated on a commencing salary of R7,200 per annum and that calculated at R450 per annum.

17. The break in service of Josephine L. Smith, teacher, Department of Coloured Affairs, from 1st July, 1956, to 30th September, 1956, shall be condoned for pension purposes, being regarded as special leave of absence without pay not counting as service, and she shall be permitted to reckon her pensionable service under the Natal Education Department from 21st January, 1951, to 30th June, 1956, as pensionable service for the purposes of the Public Service Pension Fund as if the provisions of section 13 (2) of the Government Service Pensions Act, 1955, applied in her case.

18. There shall be paid to J. J. P. C. L. Steyn, formerly chairman of the Central Land Board, a gratuity of R2,400.

19. There shall be paid to S. A. Venter-Korff, formerly member of the Local Land Board (that part of the Provinces of Natal and the Transvaal as defined in paragraph 1 of Proclamation No. 73 of 1959), a gratuity of R1,050.

20. There shall be paid to T. Wassenaar, superintendent, Andrew McColl Hospital, a pension of R3,000 per annum with effect from date of retirement from the service of the Transvaal Provincial Administration, as a charge against the Provincial Revenue Fund of the Transvaal.

21. Subject to such conditions as the Secretary for Social Welfare and Pensions may determine and to the payment by J. P. Nel, chief accountant, University of Pretoria, to the University Institutions Provident

inrigtings 'n bedrag betaal gelyk aan die bedrag wat uit die Nuwe Spoorweg- en Hawesuperannuasiefonds aan eersgenoemde fonds betaal sou gewees het indien bedoelde J. P. Nel toegelaat was om sy pensioenregte ten opsigte van die tydperk van diens vanaf 3 Junie 1936 tot 31 Desember 1944 by die Spoorwegadministrasie na eersgenoemde fonds oor te plaas, word genoemde tydperk van diens vir die doeleindeste van die Voorsorgfonds en Pensioenskema vir Universiteitsinrigtings as goedgekeurde diens beskou.

22. Die diensonderbreking van A. G. Pieterse, voorheen onderwyser, Departement van Kleurlingsake, vanaf 1 Januarie 1954 tot 30 Junie 1954 word vir pensioendoeleindeste verskoon en beskou as spesiale afwesigheidsverlof sonder betaling wat nie as diens geld nie, en hy word geag te gekies het om die hele tydperk van sy pensioengewende diens as onderwyser in die Kaapse Onderwysdepartement vanaf 1 Januarie 1925 tot 31 Desember 1963 as diens vir die doeleindeste van die Staatsdiens-pensioenfonds te reken.

23. Die diensonderbreking van F. R. J. Söhnge, senior organiseerde van opvoeding buite skoolverband, Departement van Kleurlingsake, vanaf 1 Julie 1956 tot 31 Desember 1960 word vir pensioendoeleindeste verskoon en beskou as spesiale afwesigheidsverlof sonder betaling wat nie as diens geld nie, en hy word geag te gekies het om die hele tydperk van sy pensioengewende diens as onderwyser in die Kaapse Onderwysdepartement vanaf 23 Januarie 1933 tot 31 Desember 1964 as diens vir die doeleindeste van die Staatsdiens-pensioenfonds te reken.

24. J. J. Turner, administratiewe beampte, Departement van Arbeid, word toegelaat om tot die Staatsdiens-pensioenfonds by te dra teen die skaal van ses en 'n halfpersent van sy pensioengewende verdienste ten opsigte van sy diens vanaf 2 Desember 1930 tot 31 Maart 1936, en die bepalings van artikel 14 (6) van die Wysigingswet op die Pensioenwette, 1960, is *mutatis mutandis* op hom van toepassing asof hy 'n keuse ingevolge subartikel (1) van daardie artikel gedoen het.

25. Die diens van Cedric Piers Compton Pechey, senior kaptein, Suid-Afrikaanse Lugdiens, Jan Smutslughawe, van 30 Januarie 1939 tot 6 Januarie 1947 by die Natalse Onderwysdepartement, word as pensioengewende diens by die Suid-Afrikaanse Spoorwegadministrasie beskou op voorwaarde dat hy bydraes aan die Nuwe Spoorweg- en Hawesuperannuasiefonds betaal teen die skale voorgeskryf in artikel 8 (1) en (2) (a) (ii) van die Wet op die Spoorweg- en Hawesuperannuasiefonds, 1960 (Wet No. 39 van 1960), plus R vir R daarop, plus rente op albei teen die koers van vyf persent per jaar, jaarliks saamgestel, van die datum waarop genoemde bydraes betaalbaar geword het tot die laaste dag van sy diens in die Natalse Onderwysdepartement, plus verdere rente op die bedrag aldus verskuldig teen die koers van vier en 'n halfpersent per jaar, maandeliks saamgestel, van die dag na genoemde datum tot die datum of datums wanneer betaling op rekening daarvan werklik gemaak word.

26. Die diens van Jacob Daniel de Villiers Rademan, vlootkaptein, Suid-Afrikaanse Lugdiens, Jan Smutslughawe, van 1 Mei 1933 tot 13 Maart 1935 by die Departement van Verdediging, word as pensioengewende diens by die Suid-Afrikaanse Spoorwegadministrasie beskou op voorwaarde dat hy bydraes aan die Nuwe Spoorweg- en Hawesuperannuasiefonds betaal teen die skale voorgeskryf in artikel 8 (1) en (2) (a) (ii) van die Wet op die Spoorweg- en Hawesuperannuasiefonds, 1960 (Wet No. 39 van 1960), plus R vir R daarop, plus rente op albei teen die koers van vyf persent per jaar, jaarliks saamgestel, van die datum waarop genoemde bydraes betaalbaar geword het tot die laaste dag van sy diens in die Departement van Verdediging, plus verdere rente op die bedrag aldus verskuldig teen die koers van vier en 'n halfpersent per jaar, maandeliks saamgestel, van die dag na genoemde datum tot die datum of datums wanneer betaling op rekening daarvan werklik gemaak word.

27. Charmaine Ann Goodwin (nou Van de Linde), voorheen tikster, Durban, word geag met ingang van 18 Februarie 1967 uit die diens van die Administrasie van die Suid-Afrikaanse Spoorweë en Hawens te bedank het om in die huwelik te tree, as gevolg waarvan twee keer haar pensioenbydraes ooreenkomsdig artikel 28 (1) van die Wet op die Spoorweg- en Hawesuperannuasiefonds, 1960 (Wet No. 39 van 1960), aan haar betaalbaar is.

28. Die toekenning aan Sy Edele C. M. van Coller, voorheen Speaker van die Volksraad, van 'n gratifikasie van R1,200 betaalbaar in maandelikse paaiemente van R100 met ingang van 1 April 1968.

Fund of an amount equal to the amount which would have been paid to that Fund from the New Railways and Harbours Superannuation Fund, had the said J. P. Nel been permitted to transfer his pension rights in respect of the period of service from 3rd June, 1936, to 31st December, 1944, with the Railway Administration to the first-mentioned fund, the said period of service shall be deemed to be approved service for the purposes of the University Institutions Provident Fund and Pension Scheme.

22. The break in service of A. G. Pieterse, formerly teacher, Department of Coloured Affairs, from 1st January, 1954, to 30th June, 1954, shall be condoned for pension purposes, being regarded as special leave of absence without pay not counting as service, and he shall be deemed to have elected to reckon the whole period of his pensionable service as a teacher in the Cape Education Department from 1st January, 1922, to 31st December, 1963, as service for the purposes of the Public Service Pension Fund.

23. The break in service of F. R. J. Söhngé, senior organizer of adult education, Department of Coloured Affairs, from 1st July, 1956, to 31st December, 1960, shall be condoned for pension purposes, being regarded as special leave of absence without pay not counting as service, and he shall be deemed to have elected to reckon the whole period of his pensionable service as a teacher in the Cape Education Department from 23rd January, 1933, to 31st December, 1964, as service for the purposes of the Public Service Pension Fund.

24. J. J. Turner, administrative officer, Department of Labour, shall be permitted to contribute to the Public Service Pension Fund at the rate of six and one half per cent of his pensionable emoluments in respect of his service from 2nd December, 1930, to 31st March, 1936, and the provisions of section 14 (6) of the Pension Laws Amendment Act, 1960, shall *mutatis mutandis* apply to him as if he had made an election in terms of subsection (1) of that section.

25. The service of Cedric Piers Compton Pechey, senior captain, South African Airways, Jan Smuts Airport, from 30th January, 1939, to 6th January, 1947, with the Natal Education Department, shall be regarded as pensionable service with the South African Railways Administration subject to the payment by him of contributions to the New Railways and Harbours Superannuation Fund at the rates prescribed in section 8 (1) and (2) (a) (ii) of the Railways and Harbours Superannuation Fund Act 1960 (Act No. 39 of 1960), plus R for R thereon, plus interest on both at the rate of five per cent per annum, compounded annually, from the date such contributions became payable up to the last day of his service in the Natal Education Department, plus further interest on the amount thus due at the rate of four-and-one-half per cent per annum, compounded monthly, from the day following such date up to the date or dates payment on account thereof is actually made.

26. The service of Jacob Daniel de Villiers Rademan, fleet captain, South African Airways, Jan Smuts Airport, from 1st May, 1933, to 13th March, 1935, with the Department of Defence, shall be regarded as pensionable service with the South African Railways Administration subject to the payment by him of contributions to the New Railways and Harbours Superannuation Fund at the rates prescribed in section 8 (1) and (2) (a) (ii) of the Railways and Harbours Superannuation Fund Act 1960 (Act No. 39 of 1960), plus R for R thereon, plus interest on both at the rate of five per cent per annum, compounded annually, from the date such contributions became payable up to the last day of his service in the Department of Defence, plus further interest on the amount thus due at the rate of four-and-one-half per cent per annum, compounded monthly, from the day following such date up to the date or dates payment on account thereof is actually made.

27. Charmaine Ann Goodwin (now Van de Linde), formerly a typist, Durban, shall be deemed to have resigned from the service of the Administration of the South African Railways and Harbours with effect from 18th February, 1967, in contemplation of marriage, in consequence of which twice her pension contributions in terms of section 28 (1) of the Railways and Harbours Superannuation Fund Act, 1960 (Act No. 39 of 1960), shall be payable to her.

28. The award to the Honourable C. M. van Coller, formerly Speaker of the House of Assembly, of a gratuity of R1 200 payable in monthly instalments of R100 with effect from 1st April, 1968.

No. 86, 1968.]

[No. 86, 1968]

WET

Om voorsiening te maak vir die reëling van die verkryging van leveransies en dienste vir, en die verneemding van voorrade van die Staat en om te dien einde in Staatstenderaad en 'n Staatsverkrygingsraad in te stel en hul werkzaamhede te bepaal; en om vir bykomstige aangeleentheide voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)

(Goedgekeur op 20 Junie 1968.)

BEELDEND DEUR DIE STAATSKOERANT, DIE SENAAT EN DIE VOLKSRAAD VAN DIE REPUBLIEK VAN SUID-AFRIKA, SOOS VOLG:

1. Tensy uit die samehang anders blyk, beteken in hierdie Woordomskrywing.

Wet—

(vi); (v); (iv); (iii); (ii); (i)

- (i) "beampte" 'n beampte soos in artikel 1(1) van die Staatsdienswet, 1957 (Wet No. 54 van 1957) omskryf;
- (ii) "die Dienste" die dienste soos in artikel 1(1) van die Staatsdienswet, 1957, omskryf; (vi)
- (i) "Minister" die Minister van Finansies; (iii) "raad"
- (iv) "raad" die by artikel 2 ingestelde Staatstenderaad; (i)
- (v) "Staatsverkrygingsraad" die by artikel 7 ingestelde Staatsverkrygingsraad; (v)
- (vi) "werkneem" 'n werkneem soos in artikel 1(1) van die Staatsdienswet, 1957, omskryf. (ii)

DEEL I.

DIE STAATSTENDERAAD.

2. (1) Met ingang van 'n datum wat die Staatspresident by proklamasie in die Staatskoerant bepaal, word daar 'n raad ingestel wat die Staatstenderaad heet.

(2) Op die in subartikel (1) bedoelde datum hou die Staatstenderaad wat kragtens artikel 61bis van die Skatkis en Oudit wet, 1956 (Wet No. 23 van 1956), ingestel is, op om te bestaan en vanaf daardie datum word 'n verwysing in enige wet of ander sins na daardie raad geag en verwysing na die in subartikel (1) bedoelde raad te wees.

b3. (1) Die raad bestaan uit minstens sesstien en hoogstens twintig lede deur die Minister aangestel, van wie minstens die helfte beamptes of werkneemers moet wees.

b(2) Die Minister wys 'n lid van die raad as voorsitter en 'n ander lid as vicevoorsitter aan en laasgenoemde tree as voorsitter van die raad op wanneer die voorsitter afwesig is of nie in staat is om sy pligte uit te voer nie, en wanneer sowel die voorsitter as die vicevoorsitter van 'n vergadering van die raad afwesig is, kan die lede wat daarop aanwesig is, een uit hul midde kies om op dié vergadering voor te sit.

No. 86, 1968.]

ACT

To provide for the regulation of the procurement of supplies and services for, and the disposal of stores of, the State and to that end to establish a State Tender Board and a State Procurement Board and to define their functions; and to provide for incidental matters.

*(English text signed by the State President.)
(Assented to 20th June, 1968.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Definitions.

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

- (i) "board" means the State Tender Board established by section 2; (iv)
- (ii) "employee" means an employee as defined in section 1 (1) of the Public Service Act, 1957 (Act No. 54 of 1957); (vi)
- (iii) "Minister" means the Minister of Finance; (iii)
- (iv) "officer" means an officer as defined in section 1 (1) of the Public Service Act, 1957; (i)
- (v) "State Procurement Board" means the State Procurement Board established by section 7; (v)
- (vi) "the Services" means the services as defined in section 1 (1) of the Public Service Act, 1957. (ii)

PART I.

THE STATE TENDER BOARD.

Establishment of the State Tender Board.

2. (1) As from a date to be fixed by the State President by proclamation in the *Gazette*, there shall be established a board to be known as the State Tender Board.

(2) On the date referred to in subsection (1) the State Tender Board established under section 61bis of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956), shall cease to exist and as from that date a reference in any law or otherwise to such board shall be deemed to be a reference to the board referred to in subsection (1).

Constitution of the board.

3. (1) The board shall consist of not less than sixteen and not more than twenty members, to be appointed by the Minister, of whom at least half shall be officers or employees.

(2) The Minister shall designate any member of the board as chairman and any other member as vice-chairman who shall act as chairman of the board when the chairman is absent or is unable to perform his duties, and when both the chairman and the vice-chairman are absent from a meeting of the board, the members present thereat may elect one of their number to preside at such meeting.

(3) Behoudens die bepalings van subartikel (4) beklee 'n lid van die raad wat 'n beampie of werknemer is, sy amp vir so lank dit die Minister behaag en beklee 'n ander lid sy amp vir 'n tydperk van drie jaar.

(4) 'n Lid van die raad ontruim sy amp—

- (a) as hy bedank;
- (b) indien hy sonder verlof van die raad van twee agtereenvolgende raadsvergaderings afwesig is; of
- (c) indien hy deur die Minister afgedank word om redes wat hom volgens die Minister se oordeel ongeskik maak om in die raad te dien.

(5) Die besoldiging en toelaes van 'n lid van die raad wat nie in die heeltydse diens van die Staat is nie word van tyd tot tyd deur die Minister bepaal.

4. (1) Behoudens die bepalings van artikel 9 is die raad bevoeg om leweransies en dienste vir die Staat te verkry en Staatsvoorrade te vervoer en kan hy te dien einde—

- (a) namens die Staat met 'n persoon binne of buite die Republiek, 'n ooreenkoms aangaan vir die verskaffing van leweransies en dienste aan die Staat of die vervoerding van Staatsvoorrade;
- (b) met die oog op die aangaan van 'n ooreenkoms in paragraaf (a) bedoel, op enige wyse wat hy goeddink, aanbiedinge aanvra en die wyse en voorwaardes waarop sodanige aanbiedinge gemaak moet word, bepaal;
- (c) leweransies en dienste wat aangebied word inspekteer en toets of laat inspekteer en toets;
- (d) sonder om redes daarvoor te verstrek, enige aanbod vir die aangaan van 'n in paragraaf (a) bedoelde ooreenkoms, aanvaar of verwerp;
- (e) stappe doen of laat doen om 'n ooreenkoms wat kragtens hierdie artikel aangegaan is, af te dwing;
- (f) behoudens die bepalings van subartikel (2) op die voorwaardes wat hy bepaal, 'n persoon met wie so 'n ooreenkoms aangegaan is, van nakoming van so 'n ooreenkoms vrystel, of die versuim van so 'n persoon om aan so 'n ooreenkoms te voldoen, kondoneer;
- (g) behoudens die bepalings van subartikel (2), met 'n persoon in paragraaf (f) bedoel, 'n skikking aangaan of, met die goedkeuring van so 'n persoon, die betrokke ooreenkoms wysig;
- (h) die ander bevoegdhede wat die Minister aan hom by regulasie verleen, uitoefen.

(2) Geen vrystelling, kondonering, skikking of wysiging wat tot nadeel van die Staat kan strek, word kragtens paragrawe (f) en (g) van subartikel (1) verleent, aangegaan of gemaak nie sonder die voorafverkreeë goedkeuring van die Tesourie.

(3) Die Minister kan by ooreenkoms tussen die Minister en die Administrateur van die gebied Suidwes-Afrika, die raad magtig om 'n bevoegdheid van die raad vir en namens die Administrasie van bedoelde gebied uit te oefen, hetsy teen vergoeding al dan nie, op dié voorwaardes wat in die ooreenkoms bepaal word.

5. (1) Die raad kan uit sy geledere komitees aanstel en 'n Komitees van voorsitter van elke sodanige komitee aanwys.

(2) Die raad kan van tyd tot tyd enige van sy bevoegdhede aan enige van sy komitees, 'n lid van die raad, 'n beampie of werknemer of 'n persoon in diens by die Dienste deleger, maar word nie van 'n bevoegdheid aldus gedelegeer ontdoen nie, en kan 'n besluit van so 'n komitee of lid of beampie of werknemer of persoon wysig of intrek.

6. Geen besluit van die raad of handeling verrig op gesag van die raad, is ongeldig bloot vanweë 'n vakature in die raad nie, die raad, of omdat 'n persoon wat nie geregtig was om as 'n raadslid sitting te neem nie, as 'n lid sitting geneem het toe die besluit geneem of die handeling gemagtig is, indien die besluit geneem of die handeling gemagtig is deur die vereiste meerderheid van die lede van die raad wat toe aanwesig was en geregtig was om as lede sitting te neem.

(3) Subject to the provisions of subsection (4) a member of the board who is an officer or employee shall hold office during the Minister's pleasure and any other member shall hold office for a period of three years.

(4) A member of the board shall vacate his office—

- (a) if he resigns;
- (b) if he absents himself from two consecutive meetings of the board without its leave; or
- (c) if he is dismissed by the Minister for reasons which, in the opinion of the Minister, render him unsuitable to serve on the board.

(5) The remuneration and allowances of a member of the board not being in the full-time employment of the State shall be determined from time to time by the Minister.

Powers of the board.

4. (1) Subject to the provisions of section 9 the board shall have power to procure supplies and services for the State and to dispose of State stores, and may for that purpose—

- (a) on behalf of the State, conclude an agreement with a person within or outside the Republic for the furnishing of supplies and services to the State or the disposal of State stores;
- (b) with a view to concluding an agreement referred to in paragraph (a), in any manner it may deem fit, invite offers and determine the manner in which and the conditions subject to which such offers shall be made;
- (c) inspect and test or cause to be inspected and tested supplies and services which are offered;
- (d) without giving reasons therefor, accept or reject any offer for the conclusion of an agreement referred to in paragraph (a);
- (e) take steps or cause steps to be taken to enforce an agreement concluded under this section;
- (f) subject to the provisions of subsection (2), on such conditions as it may determine, exempt any person with whom such an agreement has been concluded from compliance with such agreement or condone the failure of such person to comply with such agreement;
- (g) subject to the provisions of subsection (2) negotiate a settlement with a person referred to in paragraph (f) or amend the agreement concerned with the approval of such person;
- (h) exercise such other powers as may be conferred upon it by the Minister by regulation.

(2) No exemption, condonation, settlement or amendment which may be to the prejudice of the State shall be granted, negotiated or made under paragraphs (f) and (g) of subsection (1) without the prior approval of the Treasury.

(3) The Minister may by agreement between the Minister and the Administrator of the territory of South-West Africa, authorize the board to exercise any of its powers for and on behalf of the Administration of the said territory, whether or not for a consideration, on such conditions as may be determined in such agreement.

Committees of the board and delegation of powers.

5. (1) The board may from among its members appoint committees and designate a chairman in respect of every such committee.

(2) The board may from time to time delegate any of its powers to any of its committees, a member of the board, an officer or employee or a person employed in the Services but shall not be divested of any power so delegated and may amend or withdraw any decision of any such committee or member or officer or employee or person.

Decisions of the board.

6. No decision of the board or act performed under authority of the board shall be invalid by reason only of a vacancy on the board, or of the fact that a person who was not entitled to sit as a member of the board sat as a member at the time when the decision was taken or the act was authorized, if the decision was taken or the act was authorized by the requisite majority of the members of the board who were present at the time and entitled to sit as members.

DEEL II.

DIE STAATSVERKRYGINGSRAAD.

7. Met ingang van 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal, word daar 'n raad ingestel wat die Staatsverkrygingsraad heet. Instelling van die Staatsverkrygingsraad.

8. (1) Die Staatsverkrygingsraad bestaan uit minstens ses en hoogstens agt lede deur die Minister aangestel. Samestelling van Staatsverkrygingsraad.

(2) Die Minister wys een van die lede van die Staatsverkrygingsraad as voorsitter en 'n ander lid as vise-voorsitter aan en laasgenoemde tree as voorsitter op wanneer die voorsitter afwesig is of nie in staat is om sy pligte uit te voer nie, en wanneer sowel die voorsitter as die vise-voorsitter van 'n vergadering van die Staatsverkrygingsraad afwesig is, kan die lede wat daarop aanwesig is, een uit hul midde kies om op dié vergadering voor te sit.

(3) Die bepalings van artikel 3 (3), (4) en (5) is *mutatis mutandis* van toepassing op lede van die Staatsverkrygingsraad.

9. (1) Behoudens die bepalings van artikel 4 (1) (a) van die Krygstuigwet, 1964 (Wet No. 87 van 1964), is die Staatsverkrygingsraad bevoeg om vir en namens die Staat dié leveransies en dienste vir gebruik en aanwending in die Dienste te verkry en om dié voorrade wat in die Dienste gebruik is, te vervreem, wat deur die Minister in oorleg met die Minister van die betrokke Diens bepaal word. Bevoegdheid van die Staatsverkrygingsraad.

(2) Ten einde die in subartikel (1) bedoelde bevoegdheid uit te oefen, kan die Staatsverkrygingsraad enige van die in paragrawe (a) tot en met (g) van artikel 4 (1) bedoelde bevoegdhede, en die ander bevoegdhede wat die Minister by regulasie aan hom verleen, uitoefen.

(3) Die bepalings van artikels 4 (2), 5 en 6 is *mutatis mutandis* op die Staatsverkrygingsraad van toepassing.

10. (1) Niemand mag sonder die voorafverkreë toestemming van die Staatsverkrygingsraad aan enigiemand binne of buite die Republiek, enige inligting met betrekking tot enigets gedoen deur die Staatsverkrygingsraad by die uitoefening van sy bevoegdhede versend of bekend maak nie. Verbod op bekendmaking van inligting.

(2) Enigiemand wat die bepalings van subartikel (1) oortree is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstra vir 'n tydperk van hoogstens ses maande of met sowel sodanige boete as sodanige gevangenisstraf.

DEEL III.

DIVERSE BEPALINGS.

11. Behoudens die bepalings van hierdie Wet of 'n ooreenkoms kragtens hierdie Wet aangegaan, word alle uitgawes in verband met die verrigting van die werksaamhede en die uitoefening van die bevoegdhede van die raad of die Staatsverkrygingsraad bestry uit gelde vir die doel deur die Parlement bewillig. Uitgawes.

12. (1) Alle administratiewe werk, met inbegrip van die betaling en ontvangs van geld, in verband met die verrigting van die werksaamhede en die uitoefening van die bevoegdhede van die raad of die Staatsverkrygingsraad, na gelang van die geval, word deur beampies en werknemers verrig wat deur die Sekretaris van die Tesourie aangewys word. Administratiewe werk.

(2) Die voorsitter van die raad of 'n ander persoon deur die raad aangewys is bevoeg om alle stukke namens die raad te verly.

(3) Die voorsitter van die Staatsverkrygingsraad of 'n ander persoon deur die Staatsverkrygingsraad aangewys, is bevoeg om alle dokumente namens die Staatsverkrygingsraad te verly.

PART II.

THE STATE PROCUREMENT BOARD.

Establishment of the State Procurement Board.

7. As from a date to be fixed by the State President by proclamation in the *Gazette* there shall be established a board to be known as the State Procurement Board.

Constitution of State Procurement Board.

8. (1) The State Procurement Board shall consist of not less than six and not more than eight members to be appointed by the Minister.

(2) The Minister shall designate a member of the State Procurement Board as chairman and any other member as vice-chairman who shall act as chairman when the chairman is absent or is unable to perform his duties, and when both the chairman and the vice-chairman are absent from a meeting of the State Procurement Board the members present thereat may elect one of their number to preside at such meeting.

(3) The provisions of section 3 (3), (4) and (5) shall apply *mutatis mutandis* to members of the State Procurement Board.

Powers of the State Procurement Board.

9. (1) Subject to the provisions of section 4 (1) (a) of the Armaments Act, 1964 (Act No. 87 of 1964), the State Procurement Board shall have power to procure for and on behalf of the State such supplies and services for use and utilization in the Services, and to dispose of such stores which have been used in the Services, as may be determined by the Minister in consultation with the Minister of the Service concerned.

(2) For the purpose of exercising the power referred to in subsection (1) the State Procurement Board may exercise any of the powers referred to in paragraphs (a) to (g), inclusive, of section 4 (1) and such other powers as may be conferred upon it by the Minister by regulation.

(3) The provisions of sections 4 (2), 5 and 6 shall apply *mutatis mutandis* to the State Procurement Board.

Disclosure of information prohibited.

10. (1) No person shall without the prior approval of the State Procurement Board send or disclose to any person within or outside the Republic any information relating to anything done by the State Procurement Board in the exercise of its powers.

(2) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

PART III.

MISCELLANEOUS PROVISIONS.

Expenditure.

11. Subject to the provisions of this Act or an agreement concluded under this Act, all expenditure in connection with the performance of the functions and the exercise of the powers of the board or the State Procurement Board shall be defrayed from moneys appropriated by Parliament for the purpose.

Administrative work.

12. (1) All administrative work, including the payment and receipt of moneys, in connection with the performance of the functions and the exercise of the powers of the board or the State Procurement Board, as the case may be, shall be performed by officers and employees designated by the Secretary to the Treasury.

(2) The chairman of the board or any other person designated by the board shall be competent to execute all documents on behalf of the board.

(3) The chairman of the State Procurement Board or any other person designated by the State Procurement Board shall be competent to execute all documents on behalf of the State Procurement Board.

13. (1) Die Minister kan regulasies uitvaardig— (1) Ei Regulasies.

- (a) met betrekking tot die byeenroep van en prosedure en kworum op vergaderings van die raad of enige komitee daarvan en van die Staatsverkrygingsraad of enige komitee daarvan, na gelang van die geval, met inbegrip van die wyse waarop stemme uitgebring word en die getal stemme benodig vir 'n besluit van die raad of die Staatsverkrygingsraad, na gelang van die geval;
- (b) wat, behoudens die bepalings van 'n Wet van die Parlement, bepaal dat leweransies en dienste nie vir en namens die Staat verkry word nie en dat Staatsvoorrade nie vervreem word nie behalwe deur bemiddeling van die raad of die Staatsverkrygingsraad of op die ander wyse wat in sodanige regulasie voorgeskryf of daarvolgens bepaal word;
- (c) met betrekking tot alle aangeleenthede waarvoor hy dit nodig of dienstig ag dat regulasies uitgevaardig moet word ten einde die oogmerke van hierdie Wet te bereik.
- (2) Ondanks andersluidende wetsbepalings kan regulasies ingevolge subartikel (1) uitgevaardig, benewens enige ander remedies daarin voorgeskryf, voorsiening maak vir die opplegging deur die raad of die Staatsverkrygingsraad, na gelang van die geval, van 'n geldboete, bereken op die grondslag of grondslae wat daarin voorgeskryf word, aan enige persoon met wie die raad of die Staatsverkrygingsraad, na gelang van die geval, 'n ooreenkoms namens die Staat aangegaan het op grond van inligting deur die persoon verstrek ten opsigte waarvan daar na die sluiting van bedoelde ooreenkoms bewys word dat dit onjuiste inligting was, en die regulasies kan die wyse voorskryf waarop so 'n geldboete verhaal kan word.

14. Artikel 61bis van die Skatkis- en Auditwet, 1956 (Wet No. 23 van 1956), word hierby herroep.

Herroeping van
artikel 61bis
van Wet 23
van 1956, soos
ingevoeg deur
artikel 16 van
Wet 76 van 1964.

15. Hierdie Wet heet die Wet op die Staatstenderraad en die Staatsverkrygingsraad, 1968, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die Staatskoerant bepaal.

Regulations.

13. (1) The Minister may make regulations—

(a) with regard to the calling of and procedure and quorum at meetings of the board or any committee thereof and of the State Procurement Board or any committee thereof, as the case may be, including the manner of voting and the number of votes required for a decision of the board or the State Procurement Board, as the case may be;

(b) providing that, subject to the provisions of any Act of Parliament, supplies and services shall not be procured for and on behalf of the State and that State stores shall not be disposed of except through the board or the State Procurement Board or in such other manner as may be prescribed in or determined in accordance with such regulations;

(c) with regard to all matters for which he deems it necessary or expedient to make regulations in order to achieve the objects of this Act.

(2) Notwithstanding anything to the contrary in any law contained, any regulations made in terms of subsection (1) may, in addition to any other remedies prescribed therein, provide for the imposition by the board or the State Procurement Board, as the case may be, of a monetary penalty, calculated on such basis or bases as may be prescribed therein, on any person with whom the board or the State Procurement Board, as the case may be, concluded an agreement on behalf of the State on the strength of information furnished by such person which, subsequent to the conclusion of such agreement, is shown to have been incorrect information, and may prescribe the manner in which any such monetary penalty may be recovered.

Repeal of
section 61bis
of Act 23 of 1956,
as inserted by
section 16 of
Act 76 of 1964.

14. Section 61bis of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956), is hereby repealed.

Short title
and commence-
ment.

15. This Act shall be called the State Tender Board and State Procurement Board Act, 1968, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

No. 87, 1968.]

WET

Tot wysiging van artikel 2 van die Werkloosheidversekeringswet,
1966, om die maksimum verdienste waarop bydraes betaalbaar is, te verhoog.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 20 Junie 1968.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:

1. Artikel 2 van die Werkloosheidversekeringswet, 1966 Wysiging van (hieronder die Hoofwet genoem), word hierby gewysig deur artikel 2 van paragraaf (d) van subartikel (2) deur die volgende paragraaf te vervang:
„(d) persone wie se verdienste, bereken op die wyse uiteengesit in artikel 50, drieduisend vyfhonderd ses-enderd rand per jaar te bowe gaan, en, in die geval van Bantoes, nie vyfhonderd ses-en-veertig rand per jaar te bowe gaan nie; of”.
2. Bylae 1 by die Hoofwet word hierby gewysig deur in Wysiging van Groep XII die uitdrukking „R3,120” deur die uitdrukking „R3,536” te vervang.
Bylae 1 by Wet 30 van 1966, soos gewysig deur artikel 2 van Wet 27 van 1967.
3. Hierdie Wet heet die Wysigingswet op Werkloosheid-versekeringswet, 1968, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die Staatskoerant bepaal.

No. 87, 1968.]

[No. 87, 1968]

ACT

**To amend section 2 of the Unemployment Insurance Act, 1966,
in order to increase the maximum earnings in respect of
which contributions are payable.**

*(Afrikaans text signed by the State President.)
(Assented to 20th June, 1968.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of
section 2 of
Act 30 of 1966,
as amended by
section 1 of
Act 27 of 1967.

Amendment of
Schedule 1 to
Act 30 of 1966,
as amended by
section 2 of
Act 27 of 1967.

Short title and
commencement.

1. Section 2 of the Unemployment Insurance Act, 1966 (hereinafter referred to as the principal Act), is hereby amended by the substitution for paragraph (d) of subsection (2) of the following paragraph:

“(d) persons whose rate of earnings calculated in the manner set out in section 50 exceeds three thousand five hundred and thirty-six rand a year and, in the case of Bantu, does not exceed five hundred and forty-six rand a year; or”.

2. Schedule 1 to the principal Act is hereby amended by the substitution in Group XII for the expression “R3,120” of the expression “R3,536”.

3. This Act shall be called the Unemployment Insurance Amendment Act, 1968, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.



