



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 1522.

25 Julie 1984

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

No. 93 van 1984: Tweede Suid-Afrikaanse Vervoerdienstewysigingswet, 1984.

No. 1522.

25 July 1984

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

No. 93 of 1984: Second South African Transport Services Amendment Act, 1984.

Wet No. 93, 1984

TWEEDE SUID-AFRIKAANSE
VERVOERDIENSTEWYSIGINGSWET, 1984**ALGEMENE VERDUIDELIKENDE NOTA:**

[] Woorde in vet druk tussen vierkantige hake dui skappings uit bestaande verordenings aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van artikel 46 van die Suid-Afrikaanse Vervoerdienstewet, 1981, ten einde voorsiening te maak vir die toewysing aan die Suid-Afrikaanse Spoorwegpolisiesmag van persone wat onderworpe is aan toewysing vir opleiding of diens soos bepaal in die Verdedigingswet, 1957; tot vervanging van artikel 51 van gemelde Wet ten einde voorsiening te maak vir die maksimum tydperk wat 'n Spoorwegpolisierservis diens moet verrig; en om vir aangeleenthede wat daarmee in verband staan, voorsiening te maak.

*(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 3 Julie 1984.)*

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

Wysiging van
artikel 46 van
Wet 65 van 1981,
soos gewysig deur
artikel 11 van
Wet 13 van 1983.

1. Artikel 46 van die Suid-Afrikaanse Vervoerdienstewet, 1981, word hierby gewysig deur—

(a) subartikel (1) deur die volgende subartikel te vervang: 5

“(1) Die Polisiereserwe ingestel kragtens artikel 57C van die Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957 (Wet No. 70 van 1957), bly voortbestaan en bestaan uit—

(a) elke persoon wat vir 'n tydperk van minstens agt- en-veertig maande in die Mag gedien het en voor of na die inwerkingtreding van hierdie Wet sy diens beëindig het, uit die Mag ontslaan of afgedank is of met pensioen afgedank is; en

(b) elke persoon wat ingevolge die bepalinge van die Verdedigingswet, 1957 (Wet No. 44 van 1957), vir opleiding en diens aan die Mag toegewys is.”;

(b) paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

“(a) Elke in subartikel (1) (a) bedoelde lid van die Polisiereserwe moet binne drie maande en elke in subartikel (1) (b) bedoelde lid van die Polisiereserwe moet binne veertien dae nadat hy so 'n lid geword het, 'n polisiebeampte wat deur die Kommissaris van die Mag aangewys word, skriftelik van sy naam en woonadres in kennis stel.”;

(c) subartikel (4) deur die volgende subartikel te vervang:

“(4) Geen in subartikel (1) bedoelde lid van die Polisiereserwe word verplig om in 'n laer rang in die Mag diens te doen nie as die rang waarin hy by die beëindiging van sy diens in die Mag of in die Suid-Afrikaanse Weermag diens gedoen het.”;

(d) subartikel (5) deur die volgende subartikel te vervang:

SECOND SOUTH AFRICAN TRANSPORT SERVICES AMENDMENT
ACT, 1984

Act No. 93, 1984

GENERAL EXPLANATORY NOTE:

- []** Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend section 46 of the South African Transport Services Act, 1981, so as to provide for the allotment to the South African Railways Police Force of persons who are liable to be allotted for training or service as laid down in the Defence Act, 1957; to substitute section 51 of the said Act so as to provide for the maximum period a Railways Police Reservist is required to serve; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 3 July 1984.)

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

1. Section 46 of the South African Transport Services Act, 1981, is hereby amended by—
 - 5 (a) the substitution for subsection (1) of the following subsection:

“(1) The Police Reserve established in terms of section 57C of the South African Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957), shall continue in existence and shall consist of—

 - 10 (a) every person who has served in the Force for a period of not less than forty-eight months and who before or after the commencement of this Act terminated his service, was discharged or dismissed from the Force or was retired on pension; and
 - 15 (b) every person who in terms of the provisions of the Defence Act, 1957 (Act No. 44 of 1957), is allotted to the Force for training and service.”;
 - 20 (b) the substitution for paragraph (a) of subsection (2) of the following paragraph:

“(a) Every member of the Police Reserve referred to in subsection (1) (a) shall within three months and every member of the Police Reserve referred to in subsection (1) (b) shall within fourteen days in writing notify an officer designated by the Commissioner of the Force, of his name and residential address [within three months] after he became such a member.”;
 - 30 (c) the substitution for subsection (4) of the following subsection:

“(4) No member of the Police Reserve referred to in subsection (1) shall be compelled to serve in the Force in a rank inferior to the rank in which he served in the Force or in the South African Defence Force at the termination of his service.”;
 - 35 (d) the substitution for subsection (5) of the following subsection:

Amendment of
section 46 of
Act 65 of 1981,
as amended by
section 11 of
Act 13 of 1983.

Wet No. 93, 1984

TWEEDE SUID-AFRIKAANSE
VERVOERDIENSTEWYSIGINGSWET, 1984“(5) Die in subartikel (3) bedoelde tydperk oorskry,
behoudens subartikel (7)—

- (a) in die geval van 'n in subartikel (1) (a) bedoelde persoon nie negentig dae per jaar nie en in 'n siklus van twee jaar nie honderd-en-twintig dae nie: Met dien verstande dat sodanige gesamentlike diens nie sewehonderd-en-twintig dae oorskry nie en met dien verstande voorts dat waar sodanige persoon op of na 31 Desember 1982 meer as vier jaar ononderbroke diens in die Mag voltooi het sy verpligting om aldus diens te doen met honderd-en-twintig dae verminder word ten opsigte van elke voltooide jaar meer as vier jaar en met dien verstande voorts dat sodanige persoon, behalwe 'n persoon wat die ouderdom van vyf-en-vyftig jaar bereik het, verplig is om totdat hy die ouderdom van vyf-en-vyftig jaar bereik, sodanige verdere diens in die Mag te verrig as waartoe hy deur die Minister of 'n offisier wat op sy gesag handel, aangesê mag word, maar wat nie dertig dae in 'n tydperk van drie jaar oorskry nie;
- (b) in die geval van 'n in subartikel (1) (b) bedoelde persoon in hoogstens dertien dienstydsperke nie vier-en-twintig maande gedurende die eerste dienstydsperk nie en daarna nie meer as negentig dae per jaar en in 'n siklus van twee jaar meer as honderd-en-twintig dae nie: Met dien verstande dat die gesamentlike diens in die oorblywende twaalf dienstydsperke altesaam nie sewehonderd-en-twintig dae oorskry nie en met dien verstande voorts dat sodanige persoon, behalwe 'n persoon wat die ouderdom van vyf-en-vyftig jaar bereik het, verplig is om totdat hy die ouderdom van vyf-en-vyftig jaar bereik, sodanige verdere diens in die Mag te verrig as waartoe hy deur die Minister of 'n offisier wat op sy gesag handel, aangesê mag word, maar wat nie dertig dae in 'n tydperk van drie jaar oorskry nie.”; en
- (e) na subartikel (5) die volgende subartikel in te voeg:
- “(5A) (a) 'n Lid van die Polisiereserwe wat weens enige handeling of versuim van sy kant nie diens gedoen het waartoe hy ingevolge hierdie artikel verplig is nie, bly verplig om daardie diens te doen, tensy die Minister of 'n offisier wat op sy gesag handel anders gelas.
- (b) Die Kommissaris van die Mag moet volledige besonderhede van elke persoon wat uit die Polisiereserwe ontslaan of afgedank word voordat hy die diens voltooi het wat hy ingevolge hierdie subartikel verplig is om te doen, aan die Registrasie-beampte van die Suid-Afrikaanse Weermag verstrek en so 'n persoon kan ingevolge die Verdedigingswet, 1957, aan die Burgermag of die Kommando's toegewys word vir diens ingevolge daardie Wet.”.

Vervanging van
artikel 51 van
Wet 65 van 1981,
soos vervang deur
artikel 19 van
Wet 6 van 1982.

2. Artikel 51 van die Suid-Afrikaanse Vervoerdienstewet, 1981, word hierby deur die volgende artikel vervang:

“Aanstel van
reserviste.

51. (a) Enige persoon kan as reservis van die Mag op 'n vrywillige grondslag aangestel word onder sodanige voorwaardes as wat die Kommissaris van die Mag, onderworpe aan die voorskrifte van die Minister, mag voorskryf.
- (b) Elke persoon wat as reservis in die Mag aangestel is, is verplig om die diens in die Mag te verrig waartoe hy deur die Kommissaris of 'n offisier wat op sy gesag handel, aangesê mag word: Met dien verstande dat so 'n persoon nie

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“(5) The period referred to in subsection (3) shall, subject to subsection (7), not exceed—

(a) in the case of a person referred to in subsection (1) (a), ninety days per year, and, in a cycle of two years, one hundred and twenty days: Provided that such combined service does not exceed seven hundred and twenty days and provided further that where any such member has on or after 31 December 1982 completed more than four years continuous service in the Force his obligation so to serve shall be reduced by one hundred and twenty days in respect of every completed year in excess of four years and provided further that such a person, except a person who has attained the age of fifty-five years, shall be liable to serve such further service in the Force until he has attained the age of fifty-five years as may be directed by the Minister or an officer acting under his authority, but which does not exceed thirty days in a period of three years;

(b) in the case of a person referred to in subsection (1) (b) in not more than thirteen periods of service, not more than twenty-four months during the initial period of service and thereafter not more than ninety days per year and one hundred and twenty days in a cycle of two years: Provided that the combined service in the remaining twelve periods of service does not exceed seven hundred and twenty days in the aggregate and provided further than such a person, except a person who has attained the age of fifty-five years, shall be liable to serve until he has attained the age of fifty-five years such further service in the Force as may be directed by the Minister or an officer acting under his authority, but which does not exceed thirty days in a period of three years.”; and

(e) the insertion after subsection (5) of the following subsection:

“(5A) (a) A member of the Police Reserve who due to any act or omission on his part has not rendered service to which he is liable in terms of this section shall remain liable to serve in the Force until he has rendered such service, unless the Minister or an officer acting under his authority otherwise directs.

(b) The Commissioner of the Force shall submit full particulars of every person who was dismissed or discharged from the Police Reserve before he has completed the service for which he is liable in terms of this subsection, to the Registration Officer of the South African Defence Force and such a person may in terms of the Defence Act, 1957, be allotted to the Citizen Force or the Commando's for service in terms of that Act.”.

55 2. The following section is hereby substituted for section 51 of the South African Transport Services Act, 1981:

“Appoint-
ment of re-
servists.

51. (a) Any person may be appointed on a voluntary basis as a reservist of the Force under such conditions as the Commissioner of the Force may, subject to the directions of the Minister, prescribe.

(b) Every person who is appointed as a reservist in the Force, is obliged to render service in the Force whereto he has been directed by the Commissioner or an officer acting under his authority: Provided that such a person is not liable to

Substitution of
section 51 of
Act 65 of 1981,
as substituted by
section 19 of
Act 6 of 1982.

Wet No. 93, 1984

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verplig is om meer as een diensbeurt van agt uur per maand of twee diensbeurte van vier uur per maand, of in totaal twaalf diensbeurte van agt uur of vier-en-twintig diensbeurte van vier uur in enige kalenderjaar te verrig nie.”

5

Toepassing van
hierdie Wet op
Suidwes-Afrika.

3. Hierdie Wet en 'n wysiging daarvan is ook van toepassing op die gebied Suidwes-Afrika.

Kort titel.

4. Hierdie Wet heet die Tweede Suid-Afrikaanse Vervoerdienswysigingswet, 1984.

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ACT, 1984

Act No. 93, 1984

5 render more than one period of service of eight
hours per month or two periods of service of
four hours per month, or a total of twelve
periods of service of eight hours or twenty-four
periods of service of four hours in any calendar
year.”

3. This Act and any amendment thereof shall apply also to the
Territory of South West Africa.

Application of
this Act to
South West Africa.

4. This Act shall be called the Second South African Trans-
10 port Services Amendment Act, 1984.

Short title.

