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STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 745.

10 April 1985

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

No. 28 of 1985: University Staff (Education and Training) Amendment Act, 1985.

No. 745.

10 April 1985

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

No. 28 van 1985: Wysigingswet op Universiteitspersoneel (Onderwys en Opleiding), 1985.

Act No. 28, 1985

UNIVERSITY STAFF (EDUCATION AND TRAINING)
AMENDMENT ACT, 1985

GENERAL EXPLANATORY NOTE:

Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the University Staff (Education and Training) Act, 1984, so as to provide for the defrayal out of the State Revenue Fund of certain pension benefits which are paid out of the Associated Institutions Pension Fund to a person who in terms of the said Act shall be deemed to have been discharged on pension; and to provide for the creation of additional posts at certain institutions in the Republic for certain staff members of universities in independent states; and to provide for matters connected therewith.

(English text signed by the State President.)
(Assented to 19 March 1985.)

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

Amendment of
section 5 of
Act 91 of 1984.

1. Section 5 of the University Staff (Education and Training) Act, 1984, is hereby amended—

(a) by the addition to subsection (3) of the following paragraph:

- “(c) If by virtue of paragraph (a) a benefit calculated in terms of the regulations applicable to the Pension Fund mentioned in paragraph (b) and with due regard to that paragraph, is paid to any person, there may be paid out of the State Revenue Fund—
- (i) the full amount which is so paid in respect of an annuity as defined in the said regulations up to the last day of the month in which the person concerned attains the retirement age as defined in the said regulations;
 - (ii) with effect from the first day of the month following upon the month referred to in subparagraph (i), the amount by which such annuity is increased by reason of the period which is added in terms of paragraph (b) to the pensionable service of the person concerned;
 - (iii) the amount by which a gratuity as defined in the said regulations is increased by reason of the period so added to the pensionable service of the person concerned;
 - (iv) if the person concerned has died, the amount by which any benefit in favour of the widow, a child or dependant of that person is increased by reason of the period so added to the pensionable service of that person.”;

WYSIGINGSWET OP UNIVERSITEITSPERSONEEL (ONDERWYS
EN OPLEIDING), 1985

Wet No. 28, 1985

ALGEMENE VERDUIDELIKENDE NOTA:

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

WET

Tot wysiging van die Wet op Universiteitspersoneel (Onderwys en Opleiding), 1984, ten einde voorsiening te maak vir die betaling uit die Staatsinkomstefonds van sekere pensioenvoordele wat uit die Pensioenfonds vir Geassosieerde Inrigtings betaal word aan 'n persoon wat ingevolge genoemde Wet geag word met pensioen ontslaan te gewees het; en voorsiening te maak vir die skepping van addisionele poste by sekere inrigtings in die Republiek vir sekere personeelle van universiteite in onafhanklike state; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 19 Maart 1985.)

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

1. Artikel 5 van die Wet op Universiteitspersoneel (Onderwys en Opleiding), 1984, word hierby gewysig—
- 5 (a) deur die volgende paragraaf by subartikel (3) te voeg:
- “(c) Indien uit hoofde van paragraaf (a) 'n voordeel
- 10 bereken ingevolge die regulasies wat op die Pensioenfonds in paragraaf (b) vermeld van toepassing is en met inagneming van daardie paragraaf, aan iemand betaal word, kan daar uit die Staatsinkomstefonds betaal word—
- 15 (i) die volle bedrag wat aldus ten opsigte van 'n jaargeld soos in vermelde regulasies omskryf, betaal word tot die laaste dag van die maand waarin die betrokke persoon die uitdienstredingsleeftyd soos in genoemde regulasies omskryf, bereik;
- 20 (ii) met ingang van die eerste dag van die maand wat volg op die maand in subparagraaf (i) bedoel, die bedrag waarmee sodanige jaargeld vermeerder word weens die tydperk wat ingevolge paragraaf (b) by die pensioengewende diens van die betrokke persoon gevoeg word;
- 25 (iii) die bedrag waarmee 'n gratifikasie soos in genoemde regulasies omskryf, verhoog word weens die tydperk wat aldus by die pensioengewende diens van die betrokke persoon gevoeg word;
- 30 (iv) indien die betrokke persoon oorlede is, die bedrag waarmee 'n voordeel ten gunste van die weduwee, 'n kind of afhanklike van daardie persoon verhoog word weens die tydperk wat aldus by die pensioengewende diens van daardie persoon gevoeg word.”;

Wysiging van
artikel 5 van
Wet 91 van 1984.

Act No. 28, 1985

UNIVERSITY STAFF (EDUCATION AND TRAINING)
AMENDMENT ACT, 1985

- (b) by the substitution for subsection (5) of the following subsection:
- “(5) (a) For the purposes of an appointment referred to in subsection (2) the Minister may, with the concurrence of the council of the university concerned or the body charged with the management of the other educational institution concerned, create any post or have any post created additional to the establishment of that university or other educational institution.”
- (b) The Minister shall reimburse the university or other educational institution concerned all expenditure incurred by it in connection with any such post.
- (c) A council or body referred to in paragraph (a) shall not grant its concurrence as contemplated in that paragraph, except after consultation with the Minister charged with the administration of the law whereby or whereunder the university or other educational institution concerned was instituted.”; and
- (c) by the substitution for subsection (6) of the following subsection:
- “(6) The conditions of service on which and the salary at which any person is appointed to a post referred to in subsection (5), may differ from those applicable or payable in terms of any law to other persons in the employ of the university or other educational institution concerned and shall, in so far as they so differ, be determined by the Minister with the concurrence of the Minister of Finance and the Minister charged with the administration of the law whereby or whereunder the university or other educational institution concerned was instituted.”.

Short title.

2. This Act shall be called the University Staff (Education and Training) Amendment Act, 1985.

WYSIGINGSWET OP UNIVERSITEITSPERONEEL (ONDERWYS
EN OPLEIDING), 1985

Wet No. 28, 1985

- (b) deur subartikel (5) deur die volgende subartikel te vervang:

5 “(5) (a) Vir die doeleindes van ’n aanstelling in subartikel (2) bedoel, kan die Minister, met die instemming van die raad van die betrokke universiteit of die liggaam wat belas is met die bestuur van die betrokke ander opvoedkundige inrigting, ’n pos addisioneel tot die diensstaat van daardie universiteit of ander opvoedkundige inrigting skep of laat skep.

10 (b) Die Minister moet alle uitgawes wat daardie universiteit of ander opvoedkundige inrigting in verband met so ’n pos oploop aan die betrokke universiteit of ander opvoedkundige inrigting vergoed.

15 (c) ’n Raad of liggaam in paragraaf (a) bedoel, verleen nie sy instemming soos in daardie paragraaf beoog nie, behalwe na oorleg met die Minister belas met die administrasie van die wet waarby of waarkragtens die betrokke universiteit of ander opvoedkundige inrigting ingestel is.”; en

- (c) deur subartikel (6) deur die volgende subartikel te vervang:

25 “(6) Die voorwaardes waarop en die salaris waarteen ’n persoon in ’n pos in subartikel (5) bedoel, aangestel word, kan verskil van dié wat ingevolge die een of ander wet van toepassing is of betaalbaar is aan ander persone in diens van die betrokke universiteit of ander opvoedkundige inrigting, en word, vir sover dit aldus verskil, deur die Minister met die instemming van die Minister van Finansies en die Minister belas met die administrasie van die wet waarby of waarkragtens die betrokke universiteit of ander opvoedkundige inrigting ingestel is, bepaal.”.

35 2. Hierdie Wet heet die Wysigingswet op Universiteitspersoneel (Onderwys en Opleiding), 1985. Kort titel.

