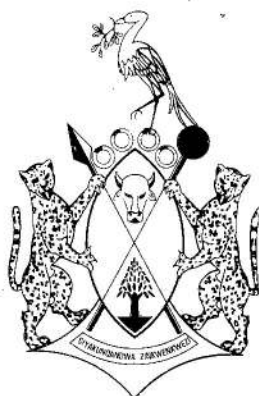


**IRIPHABLIKI  
YECISKEI**

**REPUBLIC OF  
CISKEI**

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**DEPARTMENT OF FINANCE AND ECONOMIC  
DEVELOPMENT**

**GOVERNMENT NOTICE No. 66 OF 1988**

**IT IS HEREBY NOTIFIED THAT THE PRESIDENT HAS  
ASSENTED TO THE FOLLOWING ACT WHICH IS HEREBY  
PUBLISHED FOR GENERAL INFORMATION:-**

**PENSION LAW AMENDMENT ACT, 1988**

**ACT No. 12 OF 1988**

# PENSION LAW AMENDMENT ACT, 1988

## ACT

To provide for the merging of the Ciskeian Government Service Superannuation Fund and the Ciskeian Government Service Pension Fund, to amend the Government Service Pensions Act, 1981 and to provide for incidental matters.

(English text signed by the President. Assented to on 2 August 1988).

*BE IT ENACTED by the National Assembly of the Republic of Ciskei, as follows:-*

**1. Definitions.-** In this Act unless the context requires otherwise —

“the fixed date” means 1 April 1988;

“the Pensions Act” means the Government Service Pensions Act, 1981 (Act 7 of 1981);

“the Pension Fund” means the Ciskeian Government Service Pension Fund established by section 2(1) of the Pensions Act; and

“the Superannuation Fund” means the Ciskeian Government Service Superannuation Fund established by section 2(2) of the Pensions Act.

**2. Merger of the Superannuation Fund and the Pension Fund and consequences thereof.-** As from the fixed date, notwithstanding anything to the contrary in the Pensions Act contained —

(a) the Superannuation Fund shall be amalgamated with the Pension Fund, whereafter such amalgamated fund shall be continued under the name of the Pension Fund;

(b) every person in the service of the State who, immediately prior to the fixed date, was a member of the Superannuation Fund shall cease to be a member of the Superannuation Fund and, subject to the applicable regulations and if he is still in the service of the State, become a member of and contribute to the Pension Fund, and such person shall for all purposes be deemed to have been a member of the Pension Fund for the whole of the period during which he was a member of and contributed to the Superannuation Fund;

(c) every person, who enters the service of the State and who, but for the provisions of this Act, would have qualified for membership of the Pension Fund or the Superannuation Fund, shall become a member of and contribute to the Pension Fund;

(d) all amounts then standing to the credit of or due to the Superannuation Fund and all investments registered in the name of that Fund shall become assets of, vest in and be transferred to and registered in the name of the Pension Fund; and

(e) the liabilities of the Superannuation Fund regarding the payment of benefits to members or former members of that Fund shall become the liabilities of the Pension Fund.

**3. Disestablishment of the Superannuation Fund.-** As from the fixed date —

(a) the Superannuation Fund shall cease to exist; and

(b) any reference in the Pensions Act to the Superannuation Fund shall, to the extent to which it may be necessary, be construed as a reference to the Pension Fund.

**4. Savings.-** Nothing in this Act contained shall be construed —

(a) as affecting the rights and obligations of the persons who immediately prior to the fixed date were members of the Pension Fund and who, as from the fixed date, continue as members of the Pension Fund; or

(b) as affecting the retirement age, prescribed in section 4(1)(b) of the Pensions Act, of the persons who, but for the provisions of this Act, would have remained, or would have become, members of the Superannuation Fund.

**5. Amendment of Act 7 of 1981.-** The Pensions Act is hereby amended in accordance with the Schedule.

**6. Short title and commencement.-** This Act shall be called the Pension Law Amendment Act, 1988 and shall be deemed to have come into operation on the fixed date.

SCHEDULE

AMENDMENT OF GOVERNMENT SERVICE PENSIONS ACT, 1981

(1) Section 1 amended.—

(a) by the substitution in the definition of "dependant" for the word "Secretary" of the word "Director-General";

(b) by the insertion after the definition of "dependant" of the following definition:

"'Director-General' means the Director-General : Finance and Economic Development";

(c) by the substitution in the definition of "Government school" for the expression "Ciskeian Education Act, 1974 (Act 6 of 1974)" of the expression "Education Act, 1985 (Act 27 of 1985)";

(d) by the substitution for the definition of "Minister" for the word "Affairs" of the word "Development";

(e) by the substitution for the definition of "permanent force" of the following definition:

"'permanent force' means the permanent force established by section 5(a) of the Defence Act, 1986 (Act 17 of 1986)";

(f) by the substitution for the definition of "police force" of the following definition:

"'police force' means the Ciskeian Police established by section 2 of the Police Act, 1983 (Act 32 of 1983)";

(g) by the substitution for the definition of "prisons' service" of the following definition:

"'prisons' service" means the prisons' service established by section 2 of the Prisons Act, 1983 (Act 36 of 1983)";

(h) by the substitution in the definition of "public service" for the expression "Ciskeian Public Service Act, 1972 (Act 2 of 1972)" of the expression "Public Service Act, 1981 (Act 2 of 1981)";

(i) by the substitution in the definition of "reform school" for the expression "Ciskeian Education Act, 1974" of the expression "Children's Act, 1985 (Act 18 of 1985)";

(j) by the substitution in the definition of "revenue" for the words "Ciskeian Legislative Assembly" of the words "National Assembly";

(k) by the deletion of the definition of "Secretary";

(l) by the substitution for the definition of "widow" of the following definition:

"'widow' includes any surviving partner of a customary union and, in relation to a female member of the Pension Fund, a widower."

(2) Sections 7(3), (4) and (5), 9 and 12 amended by the substitution for the word "Secretary", wherever it occurs, of the word "Director-General".

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DEVELOPMENT**

**GOVERNMENT NOTICE No. 66 OF 1988**

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