



REPUBLIC
OF
SOUTH AFRICA



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VAN
SUID-AFRIKA

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GOVERNMENT NOTICE

DEPARTMENT OF FINANCE.

No. R. 1092 21 June 1993

LAND AND AGRICULTURAL BANK OF SOUTH
AFRICA

STAFF REGULATIONS

It is hereby notified for general information that the Minister of Finance under the powers vested in him by section 69 (1) (b) of the Land Bank Act, 1944 (Act No. 13 of 1944), has been pleased to approve upon recommendation of the Board of the Land and Agricultural Bank of South Africa, of the following amendment to the regulations governing the rights, privileges and duties of the staff of that bank.

J. S. HUGO,
Managing Director.
Land and Agricultural Bank of South Africa, Pretoria.

LAND AND AGRICULTURAL BANK OF SOUTH AFRICA

STAFF REGULATIONS

- Regulation 1 of Chapter I is hereby amended (words in bold type in square brackets indicate omissions while words underlined with a solid line indicate insertions)—

- by the deletion of the definition of "actuary";
- by the substitution for the definition of "child" of the following definition:

"child", [other than eligible child,] shall mean a son or daughter and shall include—

- a posthumous child;
- a step-child, and
- an adopted child, on proof of adoption to the satisfaction of the Board:

Provided that a child as herein defined shall, for the purpose of Chapter VII, be the child of an official or pensioner or special pensioner;"

GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN FINANSIES

No. R. 1092 21 Junie 1993

LAND- EN LANDBOUBANK VAN SUID-
AFRIKA

PERSONEELREGULASIES

Vir algemene inligting word hierby bekendgemaak dat dit die Minister van Finansies kragtens die bevoegdheid hom verleen by artikel 69 (1) (b) van die Landbankwet, 1944 (Wet No. 13 van 1944), en soos aanbeveel deur die Raad van die Land- en Landbou-bank van Suid-Afrika, behaag het om in te stem met die ondervermelde wysiging tot die regulasies betreffende die regte, voorregte en pligte van die personeel van daardie bank.

J. S. HUGO,
Besturende Direkteur.
Land- en Landboubank van Suid-Afrika, Pretoria.

LAND- EN LANDBOUBANK VAN SUID- AFRIKA

PERSONEELREGULASIES

- Regulasie 1 van Hoofstuk I word hieby gewysig (woorde in vet gedruk tussen vierkantige hake dui skrappings aan terwyl woorde met 'n volstreep daaronder invoegings aandui)—

- deur die omskrywing van "afthanklike" te skrap;
- deur die omskrywing van "aktuaris" te skrap;
- deur die omskrywing van "benoemde" te skrap;
- deur die omskrywing van "bydraes" te skrap;
- deur die omskrywing van "Fonds" deur die volgende omskrywing te vervang:
"Fonds" deur die Landbankpensioen-fonds;"

- (c) by the deletion of the definition of "contributions";
- (d) by the deletion of the definition of "dependant";
- (e) by the deletion of the definition of "eligible child";
- (f) by the deletion of the definition of "eligible widow";
- (g) by the deletion of the definition of "eligible widower";
- (h) by the substitution for the definition of "Fund" of the following definition:
 " 'Fund' the Land Bank Pension Fund;";
- (i) by the insertion of the following definition after the definition "household":
 " 'Land Bank Pension Fund' referred to in the Rules;";
- (j) by the substitution for the definition of "member" of the following definition:
 " 'member' shall, for the purpose of Chapter IV, mean of official who **[becomes a member of the Fund in terms of regulation 2 of Chapter IV and who remains a member under the provisions of that Chapter]** is a member of the Land Bank Pension Fund;";
- (k) by the deletion of the definition of "nominee";
- (l) by the deletion of the definition of "old fund";
- (m) by the deletion of the definition of "pensionable emoluments";
- (n) by the insertion of the following definitions after the definition "officer and clerck":
 " 'pension' a pension benefit payable in terms of the Rules;";
 " 'pension benefit' a gratuity, pension or benefit payable in terms of the Rules;";
- (o) by the substitution for the definition of "pensionable service" of the following definition:
 " 'pensionable service' shall mean, for the purpose of Chapter IV **[and subject to the provisions thereof]**, the period during which an official has been continuously employed in service of the Bank and shall include any period—
 [(a) for which contributions were paid to the old fund;]
 [(b)] (a) whilst on leave of absence;
 [(c)] (b) whilst under suspension, if followed by reinstatement or any portion of the period of suspension for which remuneration may have been paid;

- (f) deur die omskrywing van "kind" deur die volgende omskrywing te vervang:

" 'kind', **[maar nie 'n kwalifiserende kind nie,**] 'n seun of 'n dogter, en ook—

- (a) 'n nakind;
- (b) 'n stiefkind; en
- (c) 'n aangenome kind by bewys van aan-neming tot bevrediging van die Raad:

Met dien verstande dat 'n kind soos hierin bepaal, by die toepassing van Hoofstuk VII, die kind is van 'n amptenaar of pensioen-trekker of spesiale pensioentrekker;";

- (g) deur die omskrywing van "kwalifiserende kind" te skrap;
- (h) deur die omskrywing van "kwalifiserende weduwee" te skrap;
- (i) deur die omskrywing van "kwalifiserende wewenaar" te skrap;
- (j) deur die invoeging van die volgende omskrywing na die omskrywing van "kind":
 " 'Landbankpensioenfonds' waarna in die Reglement verwys word;";
- (k) deur die omskrywing van "lid" deur die volgende omskrywing te vervang:

" 'lid' by die toepassing van Hoofstuk IV, 'n amptenaar wat **[ooreenkomstig regulasie 2 van Hoofstuk IV]** 'n lid van die **[fonds word en 'n lid bly kragtens die bepalings van daardie Hoofstuk]** Landbankpensioenfonds is;";

- (l) deur die omskrywing van "ou fonds" te skrap;
- (m) deur die omskrywing van "Pensioen-fondswet" te skrap;
- (n) deur die invoeging van die volgende omskrywing na die omskrywing van "onderhoudstoelae":

" 'pensioen' 'n pensioenvoordeel wat ingevolge die Reglement betaalbaar is;";

- (o) deur die omskrywing van "pensioenge-wende diens" deur die volgende omskrywing te vervang:

" 'pensioengewende diens' by die toe-passing van Hoofstuk IV **[en onderworpe aan die bepalings daarvan]**, die tydperk van 'n amptenaar se onafgebroke diens in die Bank en sluit in enige tydperk—

[(a) ten opsigte waarvan tot die ou fonds bygedra is;]

[(b)] (a) van afwesigheidsverlof;

[(c)] (b) tydens skorsing, indien gevolg deur herstelling, of enige deel van die tydperk van skorsing waarvoor besoldiging betaal mag gewees het;

and shall not be regarded as interrupted by leave of absence without pay: Provided that no period of employment, leave or suspension of an official shall be included in his pensionable service unless there has been contributed by him to the **[Fund or the old fund, as the case may be,]** Land Bank Pension Fund an amount equivalent to the full contributions due for such period. The period of such pensionable service shall be calculated in years and days;"

- (p) by the insertion of the following definition after the definition "pensionable service";
- (q) by the deletion of the definition of "Pension Funds Act";
- (r) by the deletion of the definition of "special contribution";
- (s) by the insertion of the following definition after the definition "personal effects":

" 'Rules' the Rules of the Land Bank Pension Fund;" and

- (t) by the substitution for the definition of "special pensioner" of the following definition:

" 'special pensioner' shall mean a former member of the Fund who **[, in terms of regulation 24 (1) (b) of Chapter IV of the Staff Regulations in force before the 1st July, 1963,]** is in receipt of a pension from the Fund;"

2. Regulation 5 of Chapter II is hereby amended by the substitution for subregulation (3) of the following subregulation (words in bold type in square brackets indicate omissions while words underlined with a solid line indicate insertions):

"(3) Whenever an official proceeds on leave and at the expiration retires on pension **[in terms of regulation 7, 10, 11 or 12 of Chapter IV of these regulations]**, the Board may fill the vacant post of such official with effect from the date of commencement of his leave."

3. Regulation 7 of Chapter II is hereby amended by the substitution for subregulation (3) of the following subregulation (words in bold type in square brackets indicate omissions while words underlined with a solid line indicate insertions):

"(3) The Board may, upon such conditions as it may determine, pay in respect of completed service which does not come into consideration for **[any]** a pension benefit **[benefits in terms of the stipulations of Chapter IV]**, to or in respect of an official, at his retirement or death, such gratuity and/or pension out of the funds of the Bank as the Board may deem fit."

en word nie geag onderbreek te wees deur verlof sonder besoldiging nie: Met dien verstande dat geen tydperk van diens, verlof of skorsing van 'n amptenaar by sy pensioengewende diens gereken word nie, tensy 'n bedrag gelyk aan die volle bydraes vir daardie tydperk deur hom bygedra is tot die **[Fonds of die ou fonds, na gelang van die geval.]** Landbankpensioenfonds. Die tydperk van sodanige pensioengewende diens word in jare en dae bereken;"

- (p) deur die omskrywing van "pensioengewende verdienste" te skrap;
- (q) deur die invoeging van die volgende omskrywing na die omskrywing van "pensioentrekker":

" 'pensioenvoordeel' 'n gratifikasie, pensioen of voordeel betaalbaar ingevolge die Reglement;"

- (r) deur die invoeging van die volgende omskrywing na die omskrywing van "Raad":

" 'Reglement' die Reglement van die Landbankpensioenfonds;"

- (s) deur die omskrywing van "spesiale bydrae" te skrap; en
- (t) deur die omskrywing van "spesiale pensioentrekker" deur die volgende omskrywing te vervang:

" 'spesiale pensioentrekker' 'n voormalige lid van die Fonds wat **[kragtens regulasie 24 (1) (b) van Hoofstuk IV van die Personeelregulasies wat van krag was vóór 1 Julie 1963,]** 'n pensioen uit die Fonds ontvang."

2. Regulasie 5 van Hoofstuk II word hierby gewysig deur subregulasie (3) deur die volgende subregulasie te vervang (woorde in vet gedruk tussen vierkantige hake dui skappings aan terwyl woorde met 'n volstreep daaronder invoegings aandui):

"(3) Wanneer 'n amptenaar met verlof gaan en by verstryking van die verlofperiode met pensioen uit die Bank se diens tree **[ooreenkomstig regulasie 7, 10, 11 of 12 van Hoofstuk IV van hierdie regulasies]**, kan die Raad die pos van sodanige amptenaar vul met ingang van die datum waarop hy met verlof gaan."

3. Regulasie 7 van Hoofstuk II word hierby gewysig deur subregulasie (3) deur die volgende subregulasie te vervang (woorde in vet gedruk tussen vierkantige hake dui skappings aan terwyl woorde met 'n volstreep daaronder invoegings aandui):

"(3) Die Raad kan op die voorwaardes wat hy bepaal ten opsigte van voltooide diens wat nie vir **[enige]** 'n **[voordele]** pensioenvoordeel **[ingevolge die bepalings van Hoofstuk IV]** in aanmerking kom nie, aan of ten gunste van 'n amptenaar, by sy uitdienstreding of afsterwe, sodanige gratifikasie en/of pensioen uit die fondse van die Bank betaal as wat die Raad goedvind."

4. Chapter IV is hereby amended by the substitution for Regulations 1 to 43 of the following regulations:

"1. Taking into account the provisions of these regulations, each official who has not yet attained the pensionable age, shall become a member of the Fund as from the date of his appointment, subject to the provisions of the Rules.;"

'2. A member shall retire from the service of the Bank at the end of the last day before he attains the pensionable age: Provided that when a member reaches his pensionable age, he may be retained in the service of the Bank from time to time, on the recommendation of the Board and subject to the approval of the Minister, for a further period which shall not exceed in the aggregate a period of two years, in which case such periods of extended service may be deemed to be a continuance of such member's pensionable service.;"

'3. Notwithstanding the provisions of regulation 2—

(a) a male member who became a member prior to 1st July 1963, or a female member who became a member on or after 1st July 1963 but prior to 1st January 1981, or a female member who has elected to become a member on 1st January 1981, and who has had not less than 10 years' pensionable service, may retire within a period of 5 years before attaining the pensionable age; and

(b) a female member who became a member prior to 1 July 1963, or a female member who initially became a member prior to 1 July 1963, but who had to retire from the service of the Bank upon her marriage in terms of the provisions of these regulations and was thereafter appointed in a temporary capacity in the Bank and who has again become a member before or on 1 January 1981, and has converted all her previous service in the Bank into pensionable service, and who has had not less than 10 years' pensionable service, may retire within a period of 10 years before attaining the pensionable age.' "

5. Regulation 20 of Chapter V is hereby amended by the substitution for subregulation (2) of the following subregulation (words in bold type in square brackets indicate omissions while words underlined with a solid line indicate insertions):

"(2) If, at the expiration of such extended period of sick leave, the official is, on medical advice, still unfit to resume duty and if the official is not retired on pension **[for one or more of the reasons envisaged in regulation 11 or 12 of Chapter IV of these regulations]**, the Board may in its discretion, grant such further period or periods of sick leave on half pay as it deems fit."

4. Hoofstuk IV word hierby gewysig deur Regulasies 1 tot 43 deur die volgende regulasies te vervang:

"1. Elke amptenaar wat nog nie die pensioenleeftyd bereik het nie, word met inagneming van die bepalings van hierdie regulasies vanaf die datum van aanstelling 'n lid van die Fonds, onderworpe aan die bepalings van die Reglement.;"

'2. 'n Lid tree uit die diens van die Bank aan die einde van die laaste dag voordat hy die pensioenleeftyd bereik: Met dien verstande dat 'n lid se diens in die Bank, wanneer hy die pensioenleeftyd bereik, van tyd tot tyd op aanbeveling van die Raad en met goedkeuring van die Minister, voortgesit kan word vir verdere tydperke wat altesaam nie twee jaar te bowe gaan nie, in welke geval sodanige tydperke van verdere diens as 'n voortsetting van die lid se pensioengewende diens beskou kan word.;" en

'3. Ondanks die bepalings van regulasie 2—

(a) kan 'n manlike lid wat vòòr 1 Julie 1963 'n lid geword het, of 'n vroulike lid wat op of ná 1 Julie 1963 en vòòr 1 Januarie 1981 'n lid geword het, of 'n vroulike lid wat gekies het om op 1 Januarie 1981 'n lid te word, en met nie minder as 10 jaar pensioengewende diens nie, binne 'n tydperk van 5 jaar vòòr die bereiking van die pensioenleeftyd uit diens tree; en

(b) kan 'n vroulike lid wat vòòr 1 Julie 1963 'n lid geword het, of 'n vroulike lid wat vòòr 1 Julie 1963 vir die eerste keer 'n lid geword het maar wat by haar huweliksluiting kragtens die bepalings van hierdie regulasies uit die diens van die Bank moes tree en daarna in 'n tydelike hoedanigheid in die Bank aangestel is en wat voor of op 1 Januarie 1981 weer 'n lid geword het en al haar vorige diens in die Bank in pensioengewende diens omskep het, en met nie minder as 10 jaar pensioengewende diens nie, binne 'n tydperk van 10 jaar vòòr die bereiking van die pensioenleeftyd uit diens tree.' "

5. Regulasie 20 van Hoofstuk V word hierby gewysig deur subregulasie (2) deur die volgende subregulasie te vervang (woorde in vet gedruk tussen vierkantige hake dui skrapings aan terwyl woorde met 'n volstreep daaronder invoegings aandui):

"(2) Indien die amptenaar by verstryking van sodanige verlengde tydperk van siekteverlof, volgens geneeskundige advies nog ongeskik is om sy werksaamhede te hervat, en indien die amptenaar nie uit diens gepensioeneer word **[om een of meer van die redes beoog in regulasie 11 of 12 van Hoofstuk IV van hierdie regulasies]** nie, kan die Raad na goeddunke so 'n verdere tydperk of tydperke van siekteverlof teen halfbesoldiging toestaan, as wat hy goedvind."

6. The following regulation is hereby substituted for regulation 25 of Chapter V (words in bold type in square brackets indicate omissions while words underlined with a solid line indicate insertions):

"25. Nothing to the contrary in these regulations contained shall preclude the retirement of an official from the Bank's service for one or more of the reasons envisaged in **[regulation 11 or 12 of Chapter IV of these regulations,]** rule 4.4 or 4.7 of the Rules of the Land Bank Pension Fund, before the maximum or any other period of sick leave has been enjoyed by him under these regulations."

7. Regulation 30 of Chapter V is hereby amended by the substitution for subregulations (1) and (2) of the following subregulations (words in bold type in square brackets indicate omissions while words underlined with a solid line indicate insertions):

"(1) Should an official die, while in the service of the Bank, the Board may pay the cash value of the vacation leave accumulated by him but not enjoyed at the date of his death and of which the cash value had not previously been paid to him at his written request, to any one or more of the **[persons defined in paragraphs (a), (b) or (c) of the definition of 'dependant' for the purpose of Chapter IV and in the order therein set out or, failing any one in respect of whom the member is legally liable for maintenance, or a spouse, to his estate]** following persons—

(a) a person in respect of whom the official is legally liable for maintenance;

(b) a person in respect of whom the official is not legally liable for maintenance, if such person—

(i) was, in the opinion of the Board, in fact dependent on the official for maintenance at time of death of the same;

(ii) is a spouse of the official;

(c) a person in respect of whom the official would have become legally liable for maintenance had the official not died,

unless the official, in writing addressed to the Managing Director, shall have requested that payment be made in some other order, to be approved by the Board, or to some other person substituted as a nominee, who shall be approved by the Board.

Failing any one in respect of whom the official is legally liable for maintenance, or a spouse, the Board may pay such accumulated vacation leave to the official's estate;

6. Regulasie 25 van Hoofstuk V word hierby deur die volgende regulasie vervang (woorde in vet gedruk tussen vierkantige hake dui skrappings aan terwyl woorde met 'n volstreep daaronder invoegings aandui):

"25. Die bepalings van hierdie regulasies verhoed geensins die pensioenering van 'n amptenaar uit die Bank se diens om een of meer van die redes beoog in **[regulasie 11 of 12 van Hoofstuk IV van hierdie regulasies]** reël 4.4 of 4.7 van die Reglement van die Landbankpensioenfonds voordat die maksimum of enige ander tydperk van siekteverlof kragtens hierdie regulasies deur hom benut is nie."

7. Regulasie 30 van Hoofstuk V word hierby gewysig deur subregulasies (1) en (2) deur die volgende subregulasies te vervang (woorde in vet gedruk tussen vierkantige hake dui skrappings aan terwyl woorde met 'n volstreep daaronder invoegings aandui):

"(1) Ingeval 'n amptenaar te sterwe kom terwyl hy in diens van die Bank is, kan die Raad die kontantwaarde van die opgegaarde vakansieverlof wat op datum van sy dood nie deur hom benut was en waarvan die kontantwaarde nie voorheen op sy skriftelike versoek aan hom uitbetaal is nie, uitbetaal aan een of meer van die **[persone omskryf in paragraawe (a), (b) of (c) van die woordbepaling 'afhanklike' by die toepassing van Hoofstuk IV, en in die volgorde soos daarin vermeld, of by gebrek aan iemand ten opsigte van wie hy regtens vir onderhoud aanspreeklik is, of 'n gade, aan sy boedel,]** volgende persone—

(a) iemand ten opsigte van wie die amptenaar regtens vir onderhoud aanspreeklik is;

(b) iemand ten opsigte van wie die amptenaar nie regtens vir onderhoud aanspreeklik is nie, indien so iemand—

(i) by afsterwe van die amptenaar, na oordeel van die Raad, inderdaad van die amptenaar vir onderhoud afhanklik was;

(ii) 'n gade van die amptenaar is;

(c) iemand ten opsigte van wie die amptenaar vir onderhoud aanspreeklik sou geword het indien die amptenaar nie gesterf het nie,

tensy die amptenaar in geskrif aan die Besturende Direkteur versoek het dat 'n betaling gemaak word in 'n ander volgorde deur die Raad goedgekeur te word, of aan iemand anders wat as benoemde gesubstitueer is en wat deur die Raad goedgekeur moet word.

By gebrek aan iemand ten opsigte van wie die amptenaar regtens vir onderhoud aanspreeklik is, of 'n gade, kan die Raad sodanige opgegaarde vakansieverlof aan die amptenaar se boedel uitbetaal;

(2) an official whose service in the Bank is terminated as intended in regulation 9 of Chapter II, or an official who retires from the service of the Bank on pension **[in the circumstances contemplated in regulation 7, 10, 11 or 12 of Chapter IV]** shall be paid the cash value of the vacation leave accumulated by him (excluding part of a day) but not enjoyed at the date of such termination of service or retirement;"

8. Regulation 7 of Chapter VI is hereby amended by substitution for subregulation (2) of the following subregulation (words in bold type in square brackets indicate omissions while words underlined with a solid line indicate insertions):

"(2) In the event of **[the retirement of]** an official who has had not less than ten years pensionable service retiring on pension, **[for the reasons set out in regulation 7, 10, 11 or 12 of Chapter IV of these regulations,]** the cost of transporting himself, his household and personal effects from the place at which he is thus retired, to the place, being within the Republic, where he wishes to reside shall, subject to the provisions of subregulations (3) and (4) hereof, be paid by the Bank: Provided that the official shall, unless the Board otherwise directs, apply for such transport benefit not later than 90 days after the date of his retirement."

(2) aan 'n amptenaar wie se diens in die Bank beëindig word soos in regulasie 9 van Hoofstuk II beoog, of 'n amptenaar wat met pensioen uit die Bank se diens tree **[onder die omstandighede soos in regulasie 7, 10, 11 of 12 van Hoofstuk IV beoog]**, word die kontantwaarde uitbetaal van die vakansieverlof wat deur hom opgegaar (met uitsondering van 'n gedeelte van 'n dag), maar by datum van sy diensbeëindiging of uitdienstreding nie benut is nie;"

8. Regulasie 7 van Hoofstuk VI word hierby gewysig deur subregulasie (2) deur die volgende subregulasie te vervang (woorde in vet gedruk tussen vierkantige hake dui skrapings aan terwyl woorde met 'n volstreep daaronder invoegings aandui):

"(2) In die geval waar **[van die uitdienstreding van]** 'n amptenaar met nie minder nie as tien jaar pensioengewende diens met pensioen uit die Bank se diens tree **[om die redes uiteengesit in regulasie 7, 10, 11 of 12 van Hoofstuk IV van hierdie regulasies]**, word die vervoerkoste van homself, sy huisgesin en persoonlike besittings, van die plek waar hy aldus uit diens getree het, na die plek binne die Republiek waar hy wil woon, deur die Bank betaal, met inagneming van die bepalinge van subregulasies (3) en (4) hiervan: Met dien verstande dat die amptenaar aansoek om hierdie vervoervoorreg doen nie later nie as 90 dae na die datum van sy uitdienstreding, tensy die Raad anders besluit."

IMPORTANT ANNOUNCEMENT

Closing times PRIOR TO PUBLIC HOLIDAYS for

LEGAL NOTICES
GOVERNMENT NOTICES **1993**

The closing time is 15:00 sharp on the following days:

- ▶ **31 March**, Wednesday, for the issue of Thursday **8 April**
- ▶ **7 April**, Wednesday, for the issue of Friday **16 April**
- ▶ **13 May**, Thursday, for the issue of Friday **21 May**
- ▶ **9 December**, Thursday, for the issue of Friday **17 December**

Late notices will be published in the subsequent issue. If, under special circumstances, a late notice is being accepted, a double tariff will be charged

The copy for a **SEPARATE Government Gazette** must be handed in not later than three calendar weeks before date of publication

BELANGRIKE AANKONDIGING

Sluitingstye VOOR VAKANSIEDAE vir

WETLIKE KENNISGEWINGS
GOEWERMENTSKENNISGEWINGS **1993**

Die sluitingstyd is stiptelik 15:00 op die volgende dae:

- ▶ **31 Maart**, Woensdag, vir die uitgawe van Donderdag **8 April**
- ▶ **7 April**, Woensdag, vir die uitgawe van Vrydag **16 April**
- ▶ **13 Mei**, Donderdag, vir die uitgawe van Vrydag **21 Mei**
- ▶ **9 Desember**, Donderdag, vir die uitgawe van Vrydag **17 Desember**

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word

Wanneer 'n **APARTE Staatskoerant** verlang word moet die kopie drie kalenderweke voor publikasie ingedien word

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