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OF SOUTH WEST AFRICA.

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OFFISIËLE KOERANT

UITGAWE OP GESAG.

VAN SUIDWES-AFRIKA.

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DEPARTEMENT VAN VERDEDIGING.

No. 139 (Republiek).] [28 Januarie 1966.

WYSIGING VAN DIE REGULASIES VIR DIE STAANDE MAG.

Dit het die Staatspresident behaag om, kragtens die bepaling van paragraaf (f) van subartikel (1) van artikel sewe-en-tagtig van die Verdedigingswet, 1957 (Wet No. 44 van 1957), soos gewysig, die regulasies vir die Staande Mag afgekondig by Goewermentskennisgewing No. 171, gedateer 26 Januarie 1923, soos gewysig, soos volg te wysig:—

HOOFSTUK V.

Voeg die volgende nuwe middelopskrif en nuwe regulasies 71, 72, 73, 74, 75, 76 en 77 na regulasie 70 in:—

„VOORTSETTING VAN MEDIESE VOORDELE VIR PENSIONARISSE, WEDUWEES EN AFHANKLIKES.

Instelling van 'n Voortsettingsfonds.

71. (1) Hierby word 'n fonds wat regs persoonlikheid het en as die „Staande Mag se Fonds vir die Voortsetting van Mediese Voordele“ bekend staan (hieronder die „Voortsettingsfonds“ genoem), ingestel om voorsiening te maak vir die geneeskundige, tandheelkundige en hospitaalbehandeling wat in regulasies 74 en 75 van hierdie hoofstuk bedoel word.

(2) Die Voortsettingsfonds is bevoeg om, behoudens regulasie 72 van hierdie hoofstuk—

- (a) enige inkomste wat genoemde Fonds ooreenkomstig hierdie regulasie uit bydraes deur of heffings van lede of uit rente op beleggings mag toekom of wat by wyse van 'n skenking, 'n toekenning of 'n subsidie of op enige ander wyse genoemde Fonds mag toeval, te ontvang;
- (b) uit gelde wat aldus ontvang is, uitgawes te besty—
 - (i) wat ontstaan het uit dié verskaffing van die behandeling wat in subregulasie (1) bedoel word;
 - (ii) wat redelikerwys aangegaan is vir die reëling en werking van die Voortsettingsfonds;
 - (iii) wat voor die instelling van die Voortsettingsfonds opgehoop het ten opsigte van die geneeskundige en hospitaalbehandeling van afgetrede lede en hul gesinne en die gesinne van afgestorwe lede waarvoor die Geneesheer-generaal uitdruklik en met die goedkeuring van die Tesourie magtiging verleen het; en

DEPARTMENT OF DEFENCE.

No. 139 (Republic).] [28th January, 1966.

AMENDMENT TO THE REGULATIONS FOR THE PERMANENT FORCE.

The State President has been pleased, in terms of paragraph (f) of sub-section (1) of section eighty-seven of the Defence Act, 1957 (Act No. 44 of 1957), as amended, to amend the regulations for the Permanent Force promulgated by Government Notice No. 171, dated 26th January, 1923, as amended, as follows:—

CHAPTER V.

Insert the following new centre heading and new regulations 71, 72, 73, 74, 75, 76 and 77 after regulation 70:—

“CONTINUATION OF MEDICAL BENEFITS FOR PENSIONERS, WIDOWS AND DEPENDANTS.

Establishment of a Continuation Fund.

71. (1) There shall be established as a body corporate a fund which shall be named the ‘Permanent Force Fund for the Continuation of Medical Benefits’ (hereinafter referred to as the ‘Continuation Fund’) to provide for the medical, dental and hospital treatment referred to in regulations 74 and 75 of this chapter.

(2) The Continuation Fund shall, subject to regulation 72 of this chapter, be competent—

- (a) to receive any income which may become due to the said fund in terms of these regulations from contributions by or levies on members or from interest on investments or which may accrue thereto by way of a donation, a grant or a subsidy or in any other manner;
- (b) from moneys thus received, to defray any expenses—
 - (i) which have arisen from the provision of the treatment referred to in sub-regulation (1);
 - (ii) which have reasonably been incurred for the regulation and operation of the Continuation Fund;
 - (iii) which have accrued before the establishment of the Continuation Fund with regard to the medical and hospital treatment of retired members and their families and the families of deceased members which the Surgeon General has authorised expressly and with the approval of the Treasury; and

- (c) enige saldo van sodanige inkomste, na die vereffening van genoemde uitgawes, in trust te hou, enige deel daarvan ten voordele van genoemde Fonds op rente te belê en enige sodanige belegging op te sê.

Instelling, pligte en bevoegdhede van 'n beheerliggaam.

72. (1) 'n Beheerraad, ooreenkomstig subregulasie (2) saamgestel, word vir die Voortsettingsfonds ingestel.

(2) Die Raad bestaan uit—

- (a) die Adjudant-generaal;
(b) die Geneesheer-generaal; en
(c) die Hoofrekenmeester van die Departement van Verdediging

as lede, wat elkeen in sy afwesigheid onderskeidelik vervang kan word deur—

- (i) die Adjunk-adjutant-generaal;
(ii) die Adjunk-geneesheer-generaal; en
(iii) die Senior Rekenmeester van genoemde Departement,

as sekondusse.

(3) Die Raad oefen op so 'n wyse beheer uit oor die bates en administrasie van die Voortsettingsfonds dat daar te eniger tyd voldoende likwiede bates beskikbaar is vir die bestryding van die uitgawes in paragraaf (b) van subregulasie (2) van regulasie 71 van hierdie hoofstuk bedoel, en die Raad is vir dié doel ook bevoeg om—

- (a) 'n bankrekening in die naam van die Voortsettingsfonds by 'n handelsbank te open, daarop te werk en te besluit oor die beskikbaarstelling van gelde uit die inkomste van die Voortsettingsfonds vir sodanige bestryding of vir belegging ooreenkomstig paragraaf (c) van genoemde subregulasie en om sodanige gelde te belê;
(b) algemene beheer uit te oefen oor die mate waarin en die wyse waarop die behandeling wat in regulasie 71 bedoel word, verskaf moet word en om, met betrekking tot sodanige verskaffing, 'n beslissing of opdrag wat kragtens hierdie regulasies deur die Adjudant-generaal, die Geneesheer-generaal of 'n beampete van die voortsettingsfonds gegee is, ter syde te stel of te wysig of dit deur 'n ander beslissing of opdrag te vervang;
(c) dié ander bevoegdhede uit te oefen en dié ander pligte uit te voer wat by hierdie regulasies aan die Raad verleen of hom opgelê word; en
(d) enigiets te doen wat nodig mag wees vir die reëling of werking van die Voortsettingsfonds of vir die verwesenliking van die doel waarvoor dit ooreenkomstig regulasie 71 van hierdie hoofstuk ingestel is.

(4) Die Adjunk-generaal of, in sy afwesigheid, die senior lid of sekondus wat teenwoordig is, tree op 'n vergadering van die Raad as Voorsitter op.

(5) Die Adjunk-generaal wys 'n offisier van die Mag as die Sekretaris van die Voortsettingsfonds aan, en daardie offisier tree op 'n vergadering van die Raad as Sekretaris op.

(6) Die Raad vergader so dikwels as die Voorsitter dit nodig ag maar minstens twee keer in 'n kalenderjaar.

(7) Besluite van die Raad word by 'n meerderheidstem geneem, en die Voorsitter het as lid van die Raad 'n beraadslagende stem.

(8) Die notule van elke vergadering van die Raad word opgeteken in boeke wat vir dié doel deur die Sekretaris daarvan gehou moet word, en die notule van iedere vergadering word by die daaropvolgende vergadering voorgelê, en indien dit beskou word as gelees, moet sodanige notule met die handtekening van die Voorsitter bekragtig word as *prima facie* bewys dat die verrigtinge soos opgeteken in die betrokke notule, die verrigtinge van die onmiddellik voorafgaande vergadering is.

- (c) to hold any balance, after settlement of the said expenses, of such income in trust, to invest any portion thereof at interest for the benefit of the said fund and to terminate any such investment.

Establishment, Duties and Powers of a Controlling Body.

72. (1) A Board of Control, constituted in accordance with sub-regulation (2), shall be established for the Continuation Fund.

(2) The Board shall consist of—

- (a) the Adjutant General;
(b) the Surgeon General; and

(c) the Chief Accountant of the Department of Defence, as members, who may each, respectively, in his absence be substituted by—

- (i) the Deputy Adjutant General;
(ii) the Deputy Surgeon General; and
(iii) the Senior Accountant of the said Department,

as alternate members.

(3) The Board shall control the assets and administration of the Continuation Fund so that sufficient liquid assets shall at any time be available for the defrayment of the expenses referred to in paragraph (b) of sub-regulation (2) of regulation 71 of this chapter, and for the purpose the Board shall also be competent to—

- (a) open and operate a banking account with any commercial bank in the name of the Continuation Fund, decide on the provision of moneys from the income of the Continuation Fund for such defrayment or for investment in accordance with paragraph (c) of the said sub-regulation and to invest such moneys;
(b) exercise general control over the extent to and the manner in which the treatment referred to in regulation 71 shall be provided and, in relation to such provision, to set aside or alter any decision or instruction given in terms of these regulations by the Adjutant General, the Surgeon General or an official of the Continuation Fund or to substitute any other decision or instruction therefor;
(c) exercise such other powers and perform such other duties as are conferred or imposed on the Board by these regulations; and
(d) do anything which may be necessary for the regulation or operation of the Continuation Fund or for the realisation of the purpose for which it has been established in terms of regulation 71 of this chapter.

(4) The Adjutant General, or in his absence the senior member or alternate member present, shall be the Chairman at any meeting of the Board.

(5) The Adjutant General shall designate an officer of the Force to be the Secretary of the Continuation Fund and that officer shall act as secretary at any meeting of the Board.

(6) The Board shall meet as often as the Chairman deems necessary, but not less than twice in any calendar year.

(7) Decisions of the Board shall be taken by majority vote and the Chairman shall have a deliberative vote as a member of the Board.

(8) The minutes of each meeting of the Board shall be recorded in books which shall be maintained for the purpose by the secretary thereof and the minutes of each meeting shall be laid before the next succeeding meeting and if considered as read such minute shall be confirmed under the signature of the Chairman as *prima facie* proof that the proceedings as recorded in the minutes concerned are the proceedings of the immediately preceding meeting.

(9) Enige akte, kontrak, prokurasie, promesse-of-ander dokument word geag namens die Voortsettingsfonds of die Raad verly te wees indien dit deur een lid van die Raad wat die Raad vir die doel aangewys het en deur die Sekretaris daarvan in naam van die Voortsettingsfonds onderteken is, en 'n tjek wat op 'n bankrekening van genoemde Fonds getrek word, word onderteken deur twee persone wat genoemde Hoofrekenmeester vir die doel aanwys.

(10) Die Sekretaris van die Voortsettingsfonds in sy hoedanigheid as sodanig is die gemagtigde persoon om te dagvaar of gedagvaar te word in enige geding deur of teen die Voortsettingsfonds, en die Staat in sy Departement van Verdediging en die lede van die Raad is nie afsonderlik of gesamentlik vir enige skuld wat deur of ten behoeve van die Voortsettingsfonds aangegaan is, aanspreeklik nie.

Lidmaatskap van die Voortsettingsfonds.

73. (1) Iedere blanke lid wat ingevolge die Regeringsdienspensioenwet, 1955 (Wet No. 58 van 1955), tot die Staandemagpensioenfonds bydra, is lid van die Voortsettingsfonds en moet ooreenkomstig subregulasie (2) tot daardie Fonds bydra.

(2) Van die salaris van elke lid van genoemde Fonds word maandeliks—

- (a) indien hy lid van die Vroueverdedigingskorps of die Suid-Afrikaanse Militêre Verpleegdiens is, 'n bydrae ten bedrae van vyf-en-twintig sent; en
- (b) indien hy lid van 'n ander deel van die Mag is, 'n bydrae ten bedrae van vyftig sent;

ten bate van die Voortsettingsfonds afgetrek en aan genoemde Fonds oorbetaal.

(3) Indien 'n lid van die Voortsettingsfonds—

- (a) met pensioen afgetree het en kragtens genoemde Regeringsdienspensioenwet 'n jaargeld sal ontvang;
- (b) as geneeskundige ongeskik uit die Mag afgedank is, en, in plaas van of benewens 'n jaargeld soos in paragraaf (a) bedoel, 'n jaargeld kragtens die Ongevalwet, 1941 (Wet No. 30 van 1941), sal ontvang;
- (c) by bereiking van 'n aftree leeftyd wat by of kragtens artikel vyf-en-dertig van genoemde Regeringsdienspensioenwet bepaal is, afgedank is en kragtens artikel ses-en-dertig van daardie Wet nog 'n gratifikasie ontvang; of
- (d) terwyl hy lid was soos in paragraaf (b) van subregulasie (2) bedoel, gesterf het en deur sy weduwee oorleef is,

bly hy 'n lid van genoemde Fonds of word sy weduwee lid van die Voortsettingsfonds, na gelang van die geval, en sodanige lid of weduwee betaal dan geen verdere bydrae, uitgesonderd 'n vrywillige bydrae, tot genoemde Fonds nie: Met dien verstande dat indien sodanige lid aldus afgetree of gesterf het voordat hy vir 'n tydperk van tien jaar ooreenkomstig subregulasie (2) tot die Voortsettingsfonds bygedra het, die bedrag van die verskil tussen die totale bedrag wat die betrokke lid in tien jaar sou betaal het en die totale bedrag wat hy werklik aldus bygedra het, by die finale berekening van sy salaris as ledegeld ten bate van die Voortsettingsfonds afgetrek of uit enige gelde wat die Staat aan sodanige lid of weduwee verskuldig is, verhaal en aan genoemde Fonds oorgedra moet word.

(4) Indien 'n lid van die Voortsettingsfonds wat in subregulasie (3) of in paragraaf (a) van subregulasie (5) bedoel word, sterf nadat hy afgetree het en deur sy weduwee oorleef word, word sodanige weduwee lid van die Voortsettingsfonds sonder enige verpligting om daartoe by te dra.

(5) (a) 'n Blanke lid wat op of na die eerste dag van Januarie 1964 maar voor die inwerkingtreding van hierdie regulasie afgetree het en wat 'n jaargeld soos in paragraaf (a) of (b), van subregulasie (2) bedoel, ontvang; en

(9) Any deed, contract, power of attorney, promisory note, or other document shall be deemed to have been executed on behalf of the Continuation Fund or the Board if it has been signed under the name of the Continuation Fund by one member of the Board designated by the Board for the purpose, and by the secretary thereof and a cheque drawn against a banking account of the said Fund shall be signed by two persons designated by the said Chief Accountant for the purpose.

(10) The Secretary of the Continuation Fund in his capacity as such shall be the person authorised to sue or be sued in any action by or against the Continuation Fund and the State in its Department of Defence and the members of the Board shall not be liable jointly or separately for any debt which has been incurred by or on behalf of the Continuation Fund.

Membership of the Continuation Fund.

73. (1) Every white member who contributes to the Permanent Force Pension Fund in terms of the Government Service Pensions Act, 1955 (Act No. 58 of 1955), shall be a member of the Continuation Fund and shall contribute to that Fund in accordance with sub-regulation (2).

(2) There shall monthly be deducted for the benefit of the Continuation Fund from the salary of every member of the said Fund and paid over to the said Fund—

- (a) if such member is a member of the Women's Defence Corps or the South African Military Nursing Services, a contribution in the amount of twenty-five cents; and
- (b) if such member is a member of any other part of the Force, a contribution in the amount of fifty cents.

(3) If a member of the Continuation Fund—

- (a) has retired on pension and will, in terms of the said Government Service Pensions Act, receive an annuity;
- (b) has been retired from the Force as medically unfit and will receive an annuity in terms of the Workmen's Compensation Act, 1941 (Act No. 30 of 1941) in lieu of or in addition to an annuity referred to in paragraph (a);
- (c) has on attainment of an age of retirement determined by or in terms of section thirty-five of the said Government Service Pensions Act been retired and still receive a gratuity in terms of section thirty-six of that Act; or
- (d) has died while he was a member referred to in paragraph (b) of sub-regulation (2), and has been survived by his widow,

he shall remain a member of the said Fund or, as the case may be, his widow shall become a member of the Continuation Fund and such member or widow shall make no further contribution other than a voluntary contribution to the said Fund: Provided that if such member has thus retired or died before he has contributed in terms of sub-regulation (2) to the Continuation Fund for a period of ten years, the amount of the difference between the total amount which the member concerned would have paid in ten years and the total amount which he actually has thus contributed, shall at the final accounting for his salary be deducted as a membership fee for the benefit of the Continuation Fund or be recovered from any moneys due by the State to such member or widow and transferred to the said Fund.

(4) If a member of the Continuation Fund referred to in sub-regulation (3) or in paragraph (a) of sub-regulation (5) dies after he has retired and is survived by his widow, such widow shall become a member of the Continuation Fund without any liability to contribute thereto.

(5) (a) A white member who has retired on or after the first day of January, 1964, but before the commencement of this regulation and who is in receipt of an annuity referred to in paragraph (a) or (b) of sub-regulation (2); and

(b) die oorlewende weduwee van—

- (i) 'n Blanke lid wat op of na die eerste dag van Januarie 1964 uit die diens getree het en wat 'n jaargeld soos bedoel in paragraaf (a), ontvang of sou ontvang het indien hy nie gesterf het nie, of wat gesterf het voordat hy lid geword het van die Voortsettingsfonds; of
- (ii) 'n Blanke lid wat tot die Staandemagpensioenfonds bygedra het en op of na die eerste dag van Januarie 1964 maar voor die inwerkingtreding van hierdie regulasie gesterf het,

kan lid van die Voortsettingsfonds word op voorwaarde dat hy of sy die hele bedrag wat oor 'n tydperk van tien jaar deur 'n dienende lid betaalbaar is, as ledegeld ten bate van die Voortsettingsfonds betaal, en niemand wat aldus lid van genoemde Fonds geword het, hoof 'n verdere bydrae tot genoemde Fonds te betaal nie. Met dien verstande dat die Voortsettingsfonds, behoudens paragraaf (b) (iii) van subregulasie (2) van regulasie 71 van hierdie hoofstuk, nie aanspreeklik is nie vir enige uitgawes wat deur of ten behoeve van enigiemand wat ingevolge hierdie subregulasie lid van genoemde Fonds geword het, of wat deur of ten behoeve van die eggenote, weduwee of kind van so iemand vir mediese, tandheelkundige of hospitaalbehandeling of in verband met die verkryging van medisyne, verbande of mediese hulpmiddels aangegaan is voordat so iemand, op die datum waarop die ontvangs van genoemde ledegeld amptelik erken is, lid van die Voortsettingsfonds geword het.

(6) Indien 'n lid se diens in die Mag om enige rede wat nie in subregulasie (3) bedoel word nie, beëindig is, verval sy lidmaatskap van die Voortsettingsfonds op die datum van sodanige beëindiging, en diens wat sodanige datum voorafgegaan het, word nie, indien die betrokke lid na 'n onderbreking in sy diens weer by die Mag ingeskryf word, by die berekening van die tien jaar soos in die voorbehoudsbepaling van subregulasie (3) bedoel, in aanmerking geneem nie.

(7) Die lidmaatskap van 'n weduwee wat kragtens hierdie regulasie lid van die Voortsettingsfonds geword het, verval op die datum waarop sy weer in die huwelik tree.

(8) Niemand wie se lidmaatskap ingevolge subregulasie (6) of (7) verval het of ingevolge subregulasie (6) van regulasie 74 beëindig is, is op die terugbetaling van bydraes wat deur of ten behoeve van hom aan die Voortsettingsfonds betaal is, geregtig nie.

(9) Die Raad is bevoeg om in uitsonderlike gevalle kwytstelling van die betaling van die ledegelde in subregulasies (3) en (5) bedoel of van enige deel daarvan te verleen en om 'n weduwee aan wie aldus kwytstelling verleen is, as lid van die Voortsettingsfonds toe te laat.

(10) Behoudens subregulasie (2) van regulasie 74 van hierdie hoofstuk, moet die Raad die kind van 'n afgestorwe lid wat in subregulasie (3) of (5) bedoel word en wat nie deur 'n weduwee oorleef word nie of wie se weduwee gesterf het, as lid van die Voortsettingsfonds inskryf en kan die Raad, nadat 'n weduwee wat lid van genoemde Fonds is, weer in die huwelik getree het en indien hy oortuig is dat die kind van die betrokke afgestorwe lid, wat as gevolg van sodanige hertrouwe sy aanspraak op behandeling ooreenkomstig hierdie regulasies verbeur het, andersins nie voldoende geneeskundige, tandheelkundige of hospitaalbehandeling sal geniet nie, magtiging daartoe verleen dat sodanige kind as lid van die Voortsettingsfonds inskryf word asof die betrokke weduwee gesterf het, of dat daar van tyd tot tyd aan sodanige kind dié behandeling, ingevolge hierdie regulasies, wat die Raad voldoende ag, verskaf word asof die betrokke kind as lid van die Voortsettingsfonds inskryf is.

Regte, voorregte en verantwoordelikhede van lede van die Voortsettingsfonds.

74. (1) 'n Lid wat met pensioen afgetree en ooreenkomstig regulasie 73 lid van die Voortsettingsfonds gebly of geword het, sy eggenote en kind en 'n weduwee wat

(b) the surviving widow of—

- (i) a white member who retired on or after the first day of January, 1964, and who is, or would, have been, had he not died, in receipt of an annuity referred to in paragraph (a) or who has died before he became a member of the Continuation Fund; or
- (ii) a white member who has contributed to the Permanent Force Pension Fund and who died on or after the first day of January, 1964, but before the commencement of this regulation,

may become a member of the Continuation Fund on condition that he or she pays over the whole amount payable by a serving member over a period of ten years as a membership fee for the benefit of the Continuation Fund, and no person who has thus become a member of the said Fund shall be liable to make any further contribution to the said Fund: Provided that the Continuation Fund, shall, subject to paragraph (b) (iii) of sub-regulation (2) of regulation 71 of this chapter, not be liable for any expenses incurred by or on behalf of any person who has, in terms of this sub-regulation, become a member of the said Fund or the wife, widow or child of such person for medical, dental or hospital treatment or in relation to the acquisition of medicine, dressings or medical aids before such person has, on the date on which the receipt of the said membership fee has been officially acknowledged, become a member of the Continuation Fund.

(6) If the service in the Force of a member has been terminated for any reason not referred to in sub-regulation (3), his membership of the Continuation Fund shall lapse on the date of such termination and service which preceded such date shall not, if the member concerned is re-enlisted in the Force after a break in service, be taken into account in the determination of the ten years referred to in the proviso to sub-regulation (3).

(7) The membership of a widow who has become a member of the Continuation Fund shall lapse on the date on which she remarries.

(8) No person whose membership has lapsed in terms of sub-regulation (6) or (7) or has been terminated in terms of sub-regulation (6) of regulation 74, shall be entitled to the refund of contributions made to the Continuation Fund by him or on his behalf.

(9) The Board shall be competent in exceptional cases to grant exemption from the payment of the membership fees referred to in sub-regulations (3) and (5) or of any portion thereof and to admit to membership of the Continuation Fund any widow to whom exemption has so been granted.

(10) Subject to sub-regulation (2) of regulation 74 of this chapter, the Board shall enrol the child of a deceased member, who is referred to in sub-regulation (3) or (5) and has not been survived by a widow or whose widow has died, as a member of the Continuation Fund and may, after the remarriage of a widow who is a member of the said Fund if it is satisfied that the child of the deceased member concerned, who in consequence of such remarriage has forfeited his claim to treatment in terms of these regulations, shall otherwise not enjoy adequate medical, dental or hospital treatment, authorise the enrolment of such child as a member of the Continuation Fund as if the widow concerned had died or the provision from time to time to such child of such treatment in terms of these regulations, as the Board may deem sufficient, as if the child concerned had been enrolled as a member of the Continuation Fund.

Rights, Privileges and Responsibilities of Members of the Continuation Fund.

74. (1) A member who has retired on pension and has in terms of regulation 73 remained or become a member of the Continuation Fund, his wife and child and a widow

ooreenkomstig daardie regulasie lid van genoemde Fonds geword het en haar kind, en 'n kind wat in subregulasie (10) van daardie regulasie bedoel word, is, na gelang van die geval, ondanks die betrokke lid se aftreding of dood en terwyl sy of haar lidmaatskap van die Voortsettingsfonds voortduur maar behoudens die ander bepalings van hierdie regulasie en regulasie 75, op die geneeskundige, tandheelkundige en hospitaalbehandeling wat in hierdie hoofstuk voorgeskryf word vir dienende lede en hul eggenotes en kinders, geregtig asof die betrokke lid nie afgetree of gesterf het nie.

(2) Die Raad kan, met behoorlike inagneming van die omstandighede, ouderdom en verstandelike ontwikkeling van en die beheer of voogdy oor 'n kind wat in subregulasie (10) van regulasie 73 van hierdie hoofstuk bedoel word, dié voorwaardes bepaal wat die Raad, met betrekking tot sodanige kind, ter aanvulling van hierdie regulasie vir die beheer oor en administrasie van die behandeling van sodanige kind ooreenkomstig subregulasie (1) en vir die toepassing van hierdie regulasies nodig ag, en sodanige voorwaardes moet nagekom word deur sodanige kind, sy voog, die persoon wat beheer oor hom het of 'n ander persoon wat die Raad vir die doel aanwys.

(3) Iedere lid van die Voortsettingsfonds wat in subregulasie (1) bedoel word, moet as voorwaarde vir die verskaffing van die behandeling daarin bedoel—

(a) op dié tye, op dié wyse en aan enige persoon wat die Adjutant-generaal bepaal, dié persoonlike besonderhede en besonderhede omtrent sy woonplek, huwelikstaat en kinders verstrek wat die Adjutant-generaal nodig ag vir die toepassing van hierdie regulasies en vir beheer oor genoemde verskaffing;

(b) die opdragte wat die Adjutant-generaal van tyd tot tyd mag uitreik in verband met die identifikasie van lede van die Voortsettingsfonds en lede van hul gesinne en die prosedure wat sodanige lede en gesinne moet volg om genoemde behandeling te bekom, stiptelik nakom en verseker dat lede van sy gesin sodanige opdragte nakom; en

(c) ondanks die bepalings van subregulasie (1), 'n heffing van vyftig sent vir elke voorskrif vir medisyne, wat as deel van die behandeling ooreenkomstig hierdie regulasie aan hom of sy eggenote of kind verskaf word, ten bate van die Voortsettingsfonds betaal aan die leweransier wat sodanige voorskrif toeberei het.

(4) Indien 'n lid van die Voortsettingsfonds versuim het om besonderhede ooreenkomstig paragraaf (a) van subregulasie (3) te verstrek of indien sodanige lid of sy eggenote of kind versuim of geweier het om enige opdrag wat kragtens paragraaf (b) daarvan uitgereik is, na te kom, moet die Geneesheer-generaal op versoek van die Adjutant-generaal die verskaffing van die behandeling wat in subregulasie (1) bedoel word, met betrekking tot sodanige lid of sy gesin opskort solank sodanige versuim of weiering, volgens die oordeel van die Adjutant-generaal voortduur.

(5) Waar 'n lid van die Voortsettingsfonds versuim het om die Adjutant-generaal betyds te verwittig van dié omstandighede betreffende sy huwelikstaat of gesin wat sy reg of die reg van 'n lid van sy gesin of van sy gewone eggenote op behandeling ooreenkomstig subregulasie (1) raak, en waar, as gevolg van sodanige versuim, behandeling wat met hierdie regulasies onbestaanbaar is, aan enigiemand verskaf is, moet die Adjutant-generaal die feite van die saak rapporteer aan die Raad, wat die betrokke lid kan gelas om die koste van die behandeling wat aldus verskaf is, aan die Voortsettingsfonds terug te betaal op dié voorwaardes wat die Raad in verband met sodanige terugbetaling bepaal en wat die opskorting van die reg van die betrokke lid of sy gesin op genoemde behandeling kan insluit indien hy versuim of weier om sodanige voorwaardes na te kom, maar sodanige opskorting duur slegs voort solank die betrokke lid versuim of weier om sodanige voorwaardes na te kom.

who has in terms of that regulation become a member of the said Fund and her child and a child referred to in sub-regulation (10) of that regulation shall, as the case may be, notwithstanding the retirement or death of the member concerned and during the continuance of his or her membership of the Continuation Fund, but subject to the other provisions of this regulation and regulation 75, be entitled to the medical, dental and hospital treatment prescribed in this chapter for serving members and their wives and children as though the member concerned did not retire or die.

(2) The Board may, with due regard to the circumstances, age and mental development of and the control or guardianship over a child referred to in sub-regulation (10) of regulation 73 of this chapter, stipulate such conditions as in respect of such child the Board may, in amplification of this regulation, deem necessary for the control and administration of the treatment of such child in terms of sub-regulation (1) and for the application of these regulations, for compliance, as the case may be, by such child, his guardian, the person having control over him or any other person designated by the Board for the purpose.

(3) Each member of the Continuation Fund referred to in sub-regulation (1) shall, as a condition for the provision of the treatment referred to therein—

(a) furnish at such times, in the manner and to any person determined by the Adjutant General, such personal particulars and particulars concerning his place of residence, marital status and children as the Adjutant General deem necessary for the application of these regulations and for control over the said provision;

(b) strictly comply with the instructions which the Adjutant General may issue from time to time regarding the identification of members of the Continuation Fund and members of their families and the procedure to be adopted by such members and families in obtaining the said treatment and ensure that members of his family comply with such instructions; and

(c) notwithstanding the provisions of sub-regulation (1), pay a levy of fifty cents for the benefit of the Continuation Fund in respect of each prescription for medicine provided to him or his wife or child as part of the treatment in terms of this regulation to the supplier who was dispensed such prescription.

(4) If any member of the Continuation Fund has failed to furnish any particulars in terms of paragraph (a) of sub-regulation (3) or if such member or his wife or child has failed or refused to comply with any instructions, issued in terms of paragraph (b) thereof, the Surgeon General shall, on request of the Adjutant General, suspend the treatment referred to in sub-regulation (1) in relation to such member or his family for so long as, in the opinion of the Adjutant General such failure or refusal continues.

(5) Where a member of the Continuation Fund has failed to inform the Adjutant General timeously of circumstances concerning his marital state or family, which affect his entitlement or the entitlement of a member of his family or of his former wife to treatment in terms of sub-regulation (1), and in consequence treatment, inconsistent with these regulations, has been provided to any person, the Adjutant General shall report the facts of the matter to the Board, who may order the member concerned, to refund the cost of the treatment so provided to the Continuation Fund in accordance with conditions determined by the Board concerning such refund, which may include the suspension of the entitlement to the said treatment of the member concerned or his family if he fails or refuses to comply with such conditions, but such suspension shall continue only while the member concerned fails in or refuses such compliance,

(6) Die Geneesheer-generaal moet die feite van elke geval waar—

- (a) behandeling wat met hierdie regulasies onbestaanbaar is, deur 'n lid van die Voortsettingsfonds, sy eggenote of kind verkry is gedurende enige tydperk waarin die reg van die betrokke lid of sy gesin ingevolge subregulasie (4) of (5) opgeskort is; of
- (b) 'n lid van die Voortsettingsfonds, na die mening van die Geneesheer-generaal, hom te eniger tyd skuldig gemaak het aan enige wanpraktyk of onreëlmatigheid in verband met die verskaffing, deur 'n apteker, van medisyne, verbande of geneeskundige hulpmiddels volgens 'n voorskrif wat ingevolge hierdie regulasies aan sodanige lid of 'n lid van sy gesin uitgereik is;

by die Raad aanmeld, en die Kommandant-generaal, SAW, kan op aanbeveling van die Raad die betrokke lid se lidmaatskap van genoemde Fonds beëindig of gelas dat sodanige lid die betrokke ongemagtigde uitgawe aan die Voortsettingsfonds terugbetaal op voorwaardes soos in subregulasie (5) voorgeskryf.

(7) (a) Die Geneesheer-generaal kan in enige geval waar hy, in verband met die verskaffing van hospitaalbehandeling aan iemand wat in subregulasie (1) bedoel word, dit nodig ag, magtiging verleen vir die vervoer van die betrokke persoon na of van 'n hospitaal met 'n ambulans of enige Staats- of openbare vervoer, en kan vir dié doel magtiging verleen vir die uitreiking van spoorwegorders teen terugbetaling.

(b) Die Voortsettingsfonds moet vir die gebruik van enige vervoer wat kragtens paragraaf (a) gemagtig word, betaal teen, na gelang van die geval—

- (i) die tariewe wat die Tesourie ten opsigte van Staatsvervoer bepaal;
- (ii) die openbare tarief wat die SA Spoorweg- en Hawensadministrasie ten opsigte van vervoer per trein of per vliegtuig van die SA Lugdiens bepaal; of
- (iii) die betrokke tarief wat vir dié doel op enige ander vervoer van toepassing is.

(8) Hierdie regulasies mag nie so uitgelê word nie dat dit op enige wyse inbreuk maak op die reg van 'n lid van die Voortsettingsfonds om op eie koste behandeling vir homself, sy eggenote of kind te bekom: Met dien verstande dat—

(a) die Raad op aanbeveling van die Geneesheer-generaal magtiging daartoe kan verleen dat die Voortsettingsfonds betaal vir dringende geneeskundige, tandheelkundige of hospitaalbehandeling of vir behandeling wat aldus deur 'n lid van genoemde Fonds of 'n lid van sy gesin verkry is, waar sodanige behandeling, as gevolg van nood, nie ooreenkomstig hierdie regulasies gemagtig kan word nie; en

(b) indien 'n lid van die Voortsettingsfonds ter aanvulling van die behandeling wat kragtens hierdie regulasies verskaf staan te word, ook ander behandeling of die gebruik van alternatiewe geriewe in 'n hospitaal wat die Geneesheer-generaal vir sodanige behandeling aangewys het, op eie koste wil bekom, hy goedkeuring daarvoor moet verkry van die Geneesheer-generaal wat, na gelang van elke geval, voorwaardes kan stel in verband met die verskaffing van of betaling vir daardie deel van sodanige behandeling wat hy op koste van die Voortsettingsfonds mag magtig en dat, indien die voorwaardes wat aldus gestel is, nie nagekom is nie, die Voortsettingsfonds nie vir die betaling van enige deel van die behandeling wat aldus verskaf is, aanspreeklik is nie.

(9) Die Voortsettingsfonds kan die koste van enige behandeling wat ingevolge hierdie hoofstuk op koste van genoemde Fonds aan 'n lid of sy afhanklike verskaf is weens enige wond, besering of ongesteldheid veroorsaak deur 'n persoon teen wie sodanige lid of sy afhanklike uit

(6) The Surgeon General shall report to the Board the facts of every case where—

- (a) any treatment, inconsistent with these regulations, has been obtained by a member of the Continuation Fund, his wife or child during any period in which the entitlement of the member concerned or his family was suspended in terms of sub-regulation (4) or (5); or
- (b) in his opinion a member of the Continuation Fund has at any time been guilty of any malpractice or irregularity in connection with the provision by any chemist of medicine, dressings or medical aids against a prescription issued in terms of these regulations to such member or any member of his family;

and the Commandant General, SADF may on the recommendation of the Board terminate the membership of the said Fund of the member concerned or order the refund of the unauthorised expenditure concerned by such member to the Continuation Fund on conditions as prescribed in sub-regulation (5).

(7) (a) The Surgeon General may in any case where he deems it necessary in connection with the provision of hospital treatment to a person referred to in sub-regulation (1), authorise the transportation of the person concerned to or from any hospital by means of an ambulance or any Government or public transport and may for this purpose authorise the issue of rail warrants against repayment.

(b) The Continuation Fund shall pay for the use of any transport authorised in terms of paragraph (a), as the case may be, at—

- (i) the rates determined by the Treasury in respect of Government transport;
- (ii) the public rate determined by the SA Railways and Harbours Administration in respect of transport by train or by aircraft of the South African Airways; or
- (iii) the appropriate rate applicable for the purpose to any other transport.

(8) These regulations shall not be construed as infringing in any manner whatsoever on the right of a member of the Continuation Fund to obtain at his own expense any treatment for himself, his wife or child: Provided that—

(a) the Board may on the recommendation of the Surgeon General authorise payment by the Continuation Fund for any urgent medical, dental or hospital treatment or for any treatment so obtained by any member of the said Fund or a member of his family, where owing to emergency, such treatment could not be authorised in terms of these regulations; and

(b) if a member of the Continuation Fund in supplementation of treatment due to be provided in terms of these regulations, also desires at own expense to obtain other treatment or the use of alternative facilities in a hospital designated by the Surgeon General for such treatment, he shall obtain approval therefor from the Surgeon General, who, according to the circumstances of each case may determine conditions regarding the provision of or payment for that part of such treatment which he may authorise at the expense of the Continuation Fund and that, if the conditions so determined have not been complied with, the Continuation Fund shall not be liable for payment for any part of the treatment so provided.

(9) The Continuation Fund may recover from any member thereof the cost of any treatment provided in terms of this chapter at the expense of the said Fund to such member or his dependant for any wound, injury or illness caused by any person against whom such member

hoofde daarvan 'n eis vir vergoeding ten opsigte van sodanige koste mag inste¹ op die betrokke lid verhaal: Met dien verstande dat genoemde koste nie op sodanige lid verhaal word nie indien hy—

- (a) die Sekretaris van die Voortsettingsfonds nie later nie as negentig dae nadat die gronde vir sodanige eis ontstaan het, skriftelik van sodanige gronde verwittig het;
- (b) op een tydstip sonder die goedkeuring van die Raad 'n skikking van sodanige eis aanvaar of aldus tot die aanvaarding van 'n skikking deur sy afhanklike ingestem het nie; en
- (c) die koste van sodanige behandeling of 'n deel daarvan verhaal het en die Voortsettingsfonds in die mate waarin hy sodanige koste verhaal het, vergoed het of sy eis vir die vergoeding van sodanige koste aan genoemde Fonds gesedeer het.

(10) Hierdie regulasie mag nie so uitgelê word nie dat dit magtiging verleen vir—

- (a) die verskaffing, op koste van die Voortsettingsfonds, van dié behandeling wat ingevolge regulasie 70 van hierdie hoofstuk of ingevolge enige ander wet verskaf staan te word; of
- (b) die verskaffing van behandeling aan die eggenoot, eggenote, wewenaar, weduwee of kind, na gelang van elke geval, van 'n lid of voormalige lid van die Vroueverdedigingskorps of die Suid-Afrikaanse Militêre Verpleegdiens of van 'n lid of voormalige lid van die Suid-Afrikaanse Kleurlingkorps of enige van sy afhanklikes.

(11) Die Adjutant-generaal kan 'n dokument wat uit hoofde van hierdie regulasies uitgereik is om 'n lid van die Voortsettingsfonds of die afhanklike van sodanige lid te identifiseer of om magtiging vir enige behandeling ingevolge hierdie regulasies te verleen, intrek waar die lidmaatskap van 'n persoon wat daarin gemeld word of die reg van sodanige persoon op behandeling kragtens hierdie regulasies, opgeskort of beëindig is, en indien die Adjutant-generaal of iemand aan wie hy magtiging daartoe verleen het, te eniger tyd sodanige dokument opeis, moet die betrokke lid of 'n persoon in wie se besit sodanige dokument op daardie tydstip is, sodanige dokument oorhandig aan die Adjutant-generaal of die persoon aldus gemagtig.

Grondslag vir die verskaffing van behandeling.

75. (1) Die Geneesheer-generaal reël en beheer die verskaffing van die geneeskundige, tandheelkundige en hospitaalbehandeling van die persone wat kragtens regulasie 74 van hierdie hoofstuk daarop geregtig is, en wat die verskaffing van genoemde behandeling betref, word sodanige persone, behoudens subregulasie (3), geag dieneende lede en die vrouens en kinders van sodanige lede te wees.

(2) Die Geneesheer-generaal of 'n offisier wat hy vir die doel aanwys, kan by die verskaffing van die behandeling wat in subregulasie (1) bedoel word en behoudens subregulasie (3)—

- (a) die militêre mediese dienste of fasiliteite wat onder sy beheer is, gebruik;
- (b) in oorleg met die Sekretaris van Gesondheid enige ander Staatsmediese diens of fasiliteit, met inbegrip van die dienste van 'n distriksgeneesheer en 'n Provinsiale of ander Staatshospitaal, vir die doel aanwend;
- (c) ter aanvulling van die dienste en fasiliteite in paragraaf (a) en (b) bedoel, magtiging verleen vir die lewering van sodanige diens of fasiliteit deur 'n private praktisyn of instansie; en
- (d) aan 'n persoon in subregulasie (1) bedoel, medisyne, verbande en geneeskundige hulpmiddels as deel van sodanige persoon se behandeling uit Staatsvoorrade verskaf of behoudens paragraaf (c) van subregulasie (3) van regulasie 74 van hierdie Hoofstuk, magtiging verleen vir die verskaffing daarvan op 'n ander wyse.

or dependant may, pursuant thereto institute a claim for reparation in respect of such costs; Provided that the said costs shall not be recovered from such member if he—

- (a) has notified the Secretary of the Continuation Fund in writing of the grounds of such claim not later than ninety days after such grounds have arisen;
- (b) has at no time, without the approval of the Board, accepted any settlement of such claim or so agreed to the acceptance of a settlement by his dependant; and
- (c) has recovered the cost of such treatment or any portion thereof and reimbursed the Continuation Fund to the extent to which he has recovered such costs or has ceded his claim for reparation of such costs to the said Fund.

(10) This regulation shall not be constructed as authorising—

- (a) the provision at the expense of the Continuation Fund of any treatment due to be provided in terms of regulation 70 of this chapter or in terms of any other law; or
- (b) the provision of any treatment to the husband, wife, widower, widow or child in accordance with the circumstances of each case of a member or former member of the Women's Defence Corps, or the South African Military Nursing Services or of a member or former member of the South African Coloured Corps or any of his dependants.

(11) The Adjutant General may withdraw any document issued pursuant to these regulations for the identification of any member of the Continuation Fund or the dependant of such member or to authorise any treatment in terms of these regulations where the membership of any person referred to in such document or the right of such person to treatment in terms of these regulations has been suspended or terminated and if the Adjutant General or any person authorised thereto by him at any time demands any such document the member concerned or any person in whose possession such document may at that time be, shall deliver such document to the Adjutant General or the person so authorised.

Basis for the Provision of Treatment.

75. (1) The Surgeon General shall regulate and control the provision of the medical, dental and hospital treatment of the persons entitled thereto in terms of regulation 74 of this chapter and such persons shall, in relation to the provision of the said treatment be deemed, subject to sub-regulation (3), to be serving members and the wives and children of such members.

(2) The Surgeon General or an officer designated by him for the purpose may, in providing the treatment referred to in sub-regulation (1), subject to sub-regulation (3)—

- (a) employ the military medical services or facilities under his control;
- (b) in consultation with the Secretary for Health apply any State medical service or facility including the services of a district surgeon and a Provincial or other Government Hospital, for the purposes;
- (c) in supplementation of the services and facilities referred to in paragraph (a) or (b), authorise the provision of any such service or facility by a private practitioner or authority; and
- (d) provide any person referred to in sub-regulation (1) with medicines, dressings and medical aids from State supplies as part of such person's treatment or, subject to paragraph (c) of sub-regulation (3) of regulation 74 of this chapter, authorise the provision thereof in any other manner.

(3) Die Voortsettingsfonds moet vir enige behandeling en vir die medisyne, verbande en geneeskundige hulpmiddels wat ingevolge hierdie regulasie verskaf is, betaal ooreenkomstig dié voorwaardes en teen dié tariewe wat die Geneesheer-generaal, behoudens die goedkeuring van die Tesourie, van tyd tot tyd—

- (a) met betrekking tot die gebruik van militêre mediese dienste en fasiliteite en tot medisyne, verbande en geneeskundige hulpmiddels wat uit Staatsvoorrade onder sy beheer verskaf word, bepaal;
- (b) met betrekking tot die lewering van 'n diens of die gebruik van 'n fasiliteit in paragraaf (b) van subregulasie (2) bedoel, in oorleg met die Sekretaris van Gesondheid bepaal; en
- (c) met betrekking tot 'n diens of fasiliteit in paragraaf (c) van subregulasie (2) bedoel, by ooreenkoms met die betrokke instansie of persoon vasstel:

Met dien verstande dat—

- (i) die tariewe ingevolge paragraaf (a) en (b) bepaal, nie die verskaffing insluit nie van enigiets wat nie in Staatsvoorrade beskikbaar is nie en wat vir die uitvoering van enige behandeling ingevolge daardie paragraawe, deur die Staat aangeskaf moet word, of van medisyne, verbande of geneeskundige hulpmiddels wat vir die toepassing van hierdie regulasie deur 'n private apteker op voorskrif aan 'n lid van die Voortsettingsfonds of sy eggenote of kind verskaf word en dat die koste van sodanige ding of medisyne, verbande of geneeskundige hulpmiddels ten volle deur die Voortsettingsfonds betaal word; en
- (ii) die tariewe ingevolge paragraaf (c) vasgestel, nie hoër mag wees nie as die tariewe wat die SA Mediese Vereniging van tyd tot tyd vir die verskaffing van soortgelyke dienste en fasiliteite aan lede van mediese hulpverenigings goedkeur.

Administratiewe Bepalings.

76. (1) Die Sekretaris van Verdediging wys uit sy personeel 'n tesourier en ander personeel vir die Voortsettingsfonds aan wat, as deel van hul gewone werksaamhede,—

- (a) ooreenkomstig die opdrag van genoemde Sekretaris boeke moet aanlê en byhou wat die kredits en debets van die Fonds weerspieël;
- (b) ooreenkomstig besluite van die Raad die finansiële administrasie van genoemde Fonds moet onderneem; en
- (c) reëlings moet tref vir die ouditering van die rekenings van genoemde Fonds deur 'n geëkstrooierde rekenmeester wat deur die Raad aangewys is en vir die voorlegging aan die Raad van die opgawe en staat wat in subregulasie (6) bedoel word.

(2) Die Adjutant-generaal hou die registers van lede van die Voortsettingsfonds en oefen deur tussenkoms van die Sekretaris van genoemde Fonds beheer ooreenkomstig regulasie 74 van hierdie hoofstuk oor sodanige lede uit.

(3) Die Hoofbetaalmeester trek die bydraes wat in regulasie 73 van hierdie hoofstuk voorgeskryf word, van die betrokke lede se besoldiging af, betaal die totale bedrag van sodanige aftrekkings maandeliks aan die Voortsettingsfonds en verwittig die Sekretaris van genoemde Fonds van—

- (a) die totale bedrag aldus oorgedra;
- (b) besonderhede van bedrae wat ingevolge die voorbehoudsbepaling van subregulasie (3) van genoemde regulasie afgetrek is; en
- (c) besonderhede van enige geval waar hy, weens gebrek aan geld, nie 'n bedrag soos in paragraaf (b) bedoel, kon aftrek nie.

(4) Die Sekretaris van die Voortsettingsfonds en enige dienende lid wat die Adjutant-generaal vir die doel aanwys, verrig, as deel van sy gewone werksaamhede, onder

(3) The Continuation Fund shall pay for any treatment and for the medicine, dressings and medical aids provided in terms of this regulation in accordance with such conditions and at such tariffs as, subject to approval by the Treasury, the Surgeon General shall from time to time—

- (a) in relation to the employment of military medical services and facilities and to medicines, dressings and medical aids provided from State supplies under his control, determine;
- (b) in relation to the provision of any service or the use of any facility referred to in paragraph (b) of sub-regulation (2) determine in consultation with the Secretary for Health; and
- (c) in relation to any service or facility referred to in paragraph (c) or sub-regulation (2), fix by agreement with the authority or person concerned;

Provided that—

- (i) the rates determined in terms of paragraph (a) or (b), shall not be inclusive of any thing which is not available in State supplies and is to be procured by the State for the execution of any treatment in terms of those paragraphs, or of any medicines, dressings or medical aids provided for the purposes of this regulation by a private chemist on prescription to a member of the Continuation Fund or his wife or child and that the cost of any such a thing or of such medicine, dressings or medical aids shall be paid in full by the Continuation Fund; and
- (ii) the tariffs fixed in terms of paragraph (c), shall not exceed the tariffs approved from time to time by the SA Medical Association for the provision of similar services and facilities to members of medical aid associations.

Administrative Provisions.

76. (1) The Secretary for Defence shall, from his personnel, designate a treasurer and other personnel for the Continuation Fund, who shall, as part of their normal duties—

- (a) in accordance with the direction of the said Secretary open and keep books to house the credits and debits of the said Fund;
- (b) undertake the financial administration of the said Fund in accordance with decisions of the Board;
- (c) arrange for the audit of the accounts of the said Fund by a chartered accountant designated by the Board and the submission to the Board of the statement and state referred to in sub-regulation (6).

(2) The Adjutant General shall keep the records of members of the Continuation Fund and shall through the Secretary of the said Fund exercise the control over such members in accordance with regulation 74 of this chapter.

(3) The Chief Paymaster shall deduct the contributions prescribed in regulation 73 from the emoluments of the members concerned, shall monthly pay the aggregate of such deductions over to the Continuation Fund and shall inform the Secretary of the said Fund of—

- (a) the amount of such aggregate transfer;
- (b) particulars of deductions made in terms of the proviso to sub-regulation (3) of the said regulation 73; and
- (c) particulars of any case where, owing to a lack of funds, he has not been able to make any deduction referred to in paragraph (b).

(4) The Secretary of the Continuation Fund and any serving member designated for the purpose by the Adjutant General, shall under control of the Adjutant

die beheer van die Adjudant-generaal en behoudens die opdragte van die Raad, dié koördinerende of administratiewe pligte wat die Raad of die Adjudant-generaal aan hom opdra.

(5) Die Geneesheer-generaal lewer, vir vereffening, gereeld aan die tesourier van die Voortsettingsfonds—

- (a) rekenings wat hy ooreenkomstig die tariewe wat kragtens regulasie 75 van hierdie hoofstuk bepaal is, opgestel het vir dienste, fasiliteite, medisyne, verbande en mediese hulpmiddels wat deur die militêre mediese organisasie ingevolge daardie regulasie gelewer is;
- (b) rekenings wat deur enige instansie of persoon uit hoofde van regulasie 75 aan hom gelewer is, nadat hy sodanige rekenings ondersoek en as betaalbaar gesertifiseer het; en
- (c) enige rekening wat in paragraaf (b) bedoel word en wat hy nie aldus gesertifiseer het nie maar waarvan die betaling spesiaal deur die Raad gemagtig is.

(6) Die Raad lê jaarliks of so dikwels as die Tesourie mag gelas—

- (a) 'n geauditeerde rekeningstaat wat die bates en laste van die Voortsettingsfonds op die betrokke datum aantoon, en ook die staat van inkomste en uitgawes oor die betrokke tydperk; en
- (b) sy verslag oor die uitvoering van sy beheerfunksie oor daardie tydperk en sy voornemens met betrekking tot toekomstige werksaamhede,

voor aan Kommandant-generaal, SAW, en die Sekretaris van Verdediging, wat genoemde rekeningstaat, staat van inkomste en uitgawes en verslag met hul kommentaar, in oorleg met mekaar, na die Tesourie moet verwys vir inligting en kommentaar.

(7) Die Voortsettingsfonds betaal jaarliks of met dié korter tussenpose wat die Tesourie mag bepaal, 'n bedrag wat die Tesourie van tyd tot tyd goedkeur, aan die Staat vir die lewering, ooreenkomstig hierdie regulasies, deur beamptes en werknemers van die Staat, van administratiewe dienste ten behoeve van genoemde Fonds.

Woordbepaling.

77. (1) By die toepassing van regulasies 71 tot en met 77 van hierdie hoofstuk, tensy uit die samehang anders blyk—

- (i) beteken ,afhanklike' die eggenote en die kind, soos in hierdie regulasie omskryf, van 'n afgetrede of afgestorwe lid en het ,gesin' dieselfde betekenis;
- (ii) beteken ,heffing' 'n heffing wat in subregulasie (3) van regulasie 74 bedoel word;
- (iii) het ,kind' met betrekking tot 'n afgetrede lid, gedurende sodanige lid se leeftyd die betekenis wat by die woordbepaling in regulasie 4 van Hoofstuk I daaraan geheg word en beteken ,lid', waar dit ook al in genoemde woordbepaling voorkom, met betrekking tot die kind van 'n afgestorwe lid, afgesien daarvan of sodanige lid voor of na sy aftreding gesterf het, ook die weduwee van sodanige lid terwyl sy lid van die Voortsettingsfonds is;
- (iv) beteken ,lid van die Voortsettingsfonds' ook 'n weduwee wat ingevolge hierdie regulasie lid van genoemde Fonds geword het;
- (v) beteken ,Raad' die Beheerraad van die Voortsettingsfonds, wat in regulasie 72 van hierdie hoofstuk bedoel word;
- (vi) beteken ,weduwee' nie iemand wat voor die afsterwe van die betrokke lid wettig van sodanige lid geskei is nie en ook nie 'n ,wewenaar' nie;

General and subject to the directions of the Board, perform as part of his normal duties such co-ordinating or administrative duties as may be entrusted to him by the Board or the Adjutant General.

(5) The Surgeon General shall, regularly submit to the Treasurer of the Continuation Fund for settlement—

- (a) accounts constructed by him in accordance with tariffs determined in terms of regulation 75 of this chapter for services, facilities, medicines, dressings or medical aids provided by the military medical organisation in terms of that regulation;
 - (b) accounts rendered to him by any authority or person pursuant to regulation 75 after he has examined and certified such accounts as payable; and
 - (c) any account referred to in paragraph (b) which he has not so certified but the payment of which has specially been authorised by the Board.
- (6) The Board shall annually or as frequently as the Treasury may instruct, submit—

- (a) an audited statement of accounts, showing the assets and liabilities of the Continuation Fund on the date concerned and the state of income and expenditure over the period concerned; and
- (b) its report on the execution of its function of control during that period and its intentions in relation to future operation;

to the Commandant General, SADF and the Secretary for Defence who will refer the said statement, state and report with their comment, in consultation, to the Treasury for information and comment.

(7) The Continuation Fund shall annually or at such shorter intervals as may be determined by the Treasury pay an amount approved from time to time by the Treasury to the State for the rendition, in accordance with these regulations, of administrative services by officers and employees of the State on behalf of the said Fund.

Definitions.

77. (1) For the purposes of regulations 71 to 77 (both inclusive) of this chapter, unless the context otherwise indicates:

- (i) 'Board' means the Board of Control of the Continuation Fund referred to in regulation 72 of this chapter;
- (ii) 'child' in relation to a retired member, shall, during the lifetime of such member, have the meaning ascribed thereto by the definition in regulation 4 of Chapter 1 and 'member' shall wherever it appears in the said definition, in relation to the child of a deceased member, whether such member died before or after his retirement, include the widow of such member while she is a member of the Continuation Fund;
- (iii) 'dependant' means the wife and the child, as defined in this regulation, of a retired or deceased member and 'family' shall have the same meaning;
- (iv) 'levy' means a levy referred to in sub-regulation (3) of regulation 74;
- (v) 'member of the Continuation Fund' includes a widow who has, in terms of these regulations, become a member of the said Fund;
- (vi) 'widow' shall not include any person who was legally divorced from the member concerned before his death, nor shall it include 'widower';

(vii) word daar, wanneer melding gemaak word van 'n, bydrae tot die Staandemagpensioenfonds of van 'n jaargeld of 'n gratifikasie wat kragtens die Regeeringsdienspensioenwet, 1955 (Wet No. 58 van 1955), betaal word of betaalbaar is, ook 'n ooreenstemmende bydrae, jaargeld of gratifikasie bedoel wat betaal word of betaalbaar is ooreenkomstig die regulasies wat kragtens artikel *nege* van die Wet op Oorplasing van Werknemers by die Vlootbasis, Simonstad, 1956 (Wet No. 72 van 1956), opgestel en by Goewermentskennisgewing No. 119 van 25 Januarie 1963 uitgevaardig is.

(2) Die regulasies in subregulasie (1) bedoel, word nie so uitgelê dat dit enige aanspraak wat die eggenote, geskeie vrou, weduwee of kind van 'n lid op behandeling ingevolge hierdie hoofstuk mag gehad het, as gevolg van sodanige lid se aftrede of afsterwe laat herleef nie in gevalle waar sodanige aanspraak gedurende die leeftyd van die betrokke lid ingevolge die regulasies verval het of verbeur is.”

Wysigingsblad No. 327.]

(vii) any reference to a contribution to the Permanent Force Pension Fund or to an annuity or a gratuity being paid or payable in terms of the Government Service Pensions Act, 1955 (Act No. 58 of 1955) shall include a reference to a corresponding contribution, annuity or gratuity being paid or payable in terms of the Regulations framed in terms of section *nine* of the Simonstown Naval Base Employer's Transfer Act, 1956 (Act No. 72 of 1956) promulgated by Government Notice No. 119 of the 25th January, 1963.

(2) The regulations referred to in sub-regulation (1) shall not be construed as reviving by reason of the retirement or death of any member, any claim of such member's wife, divorced wife, widow or child to treatment in terms of this chapter, where, during the lifetime of the member concerned, such claim had in terms of the regulations lapsed or been forfeited.”

Amendment Slip No. 327.]