OFFICIAL GAZETTE
EXTRAORDINARY
OF SOUTH WEST AFRICA

BUITENGEWONE
OFFISIËLE KOERANT
VAN SUIDWES-AFRIKA

PUBLISHED BY AUTHORITY — UITGAWE OP GESAG

30c — Friday 19 May 1989 — WINDHOEK — Vrydag 19 Mei 1989 — No. 5717

CONTENTS:

Page

AG. PROCLAMATION

No. AG. 10 Amendment of the Judges' Pensions Act, 1982 (Act 11 of 1982) 1

INHOUD:

Bladsy

AG. PROKLAMASIE

No. AG. 10 Wysiging van die Wet op Pensioene vir Regters, 1982 (Wet 11 van 1982) 1

PROCLAMATION

by the

ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

(Approved by the State President on 11 May 1989)

No. AG. 10 — 1989

AMENDMENT OF THE JUDGES' PENSIONS ACT, 1982 (ACT 11 OF 1982)

Under the powers vested in me by Proclamation 181 of 19 August 1977, I hereby make the laws set out in the Schedule.

L.A. PIENAAR
Administrator-General — Windhoek, 12 May 1989

PROKLAMASIE

van die

ADMINISTRATEUR-GENERAAL VIR DIE GEBIED SUIDWES-AFRIKA

(Deur die Staatspresident goedgekeur op 11 Mei 1989)

No. AG. 10 — 1989

WYSIGING VAN DIE WET OP PENSIOENE VIR REGTERS, 1982 (WET 11 VAN 1982)

Kragtens die bevoegdheid my verleen by Proklamasie 181 van 19 Augustus 1977, maak ek hierby die wette in die Bylae vervat.

L.A. PIENAAR
Administrateur-generaal — Windhoek, 12 Mei 1989

SCHEDULE

Amendment of section 1 of Act 11 of 1982

1. Section 1 of the Judges' Pensions Act, 1982 (hereinafter referred to as the Act), is hereby amended by the deletion in the definition of "gratuity" of the expression "or (3)".

Amendment of section 2 of Act 11 of 1982

2. Section 2 of the Act is hereby amended -

(a) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

"(b) a gratuity which in respect of each office held by him during his pensionable service shall be calculated in accordance with the formula -

$$D \times 2 \times \frac{E}{15}$$

in which formula -

D represents the pensionable emoluments applicable to the office concerned at the time of such a judge's retirement from office;

E represents the period of pensionable service of such a judge in the office concerned, but not exceeding 20 years."; and

(b) by the substitution for subsection (3) of the following subsection:

" (3) The amount of a gratuity payable to a judge in terms of subsection (1)(b) shall not be less than his highest pensionable emoluments during the period of his pensionable service and not exceed three times such highest pensionable emoluments.".

BYLAE

Wysiging van artikel 1 van Wet 11 van 1982

1. Artikel 1 van die Wet op Pensioene vir Regters, 1982 (hieronder die Wet genoem), word hierby gewysig deur in die omskrywing van "gratifikasie" die uitdrukking "of (3)" te skrap.

Wysiging van artikel 2 van Wet 11 van 1982

2. Artikel 2 van die Wet word hierby gewysig -

(a) deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

"(b) 'n gratifikasie betaal wat ten opsigte van elke amp deur hom tydens sy pensioengewende diens beklee ooreenkomstig die formule -

$$D \times 2 \times \frac{E}{15}$$

bereken word, in welke formule -

D die pensioengewende verdienste voorstel wat ten tyde van so 'n regter se aftrede aan die betrokke amp verbonde is;

E die tydperk van pensioengewende diens, maar hoogstens 20 jaar, van so 'n regter in die betrokke amp voorstel."; en

(b) deur subartikel (3) deur die volgende subartikel te vervang:

" (3) Die bedrag van 'n gratifikasie ingevolge subartikel (1)(b) aan 'n regter betaalbaar, bedra nie minder nie as sy hoogste pensioengewende verdienste gedurende sy tydperk van pensioengewende diens en nie meer nie as drie maal sodanige hoogste pensioengewende verdienste.".

Amendment of section 3 of Act 11 of 1982

3. Section 3 of the Act is hereby amended -

(a) by the deletion in subsection (2) of the words "six times"; and

(b) by the deletion of subsection (3).

Short title and commencement

4. This Proclamation shall be called the Judges' Pensions Amendment Proclamation, 1989 and shall be deemed to have come into operation on 1 April 1989.

Wysiging van artikel 3 van Wet 11 van 1982

3. Artikel 3 van die Wet word hierby gewysig -

(a) deur in subartikel (2) die woorde "ses maal" te skrap; en

(b) deur subartikel (3) te skrap.

Kort titel en inwerkingtreding

4. Hierdie Proklamasie heet die Wysigingsproklamasie op Pensioene vir Regters, 1989 en word geag op 1 April 1989 in werking te getree het.

Printed by
JOHN MEINERT (PTY) LTD.
Obtainable from
STAR BINDERS & PRINTERS
P.O. Box 56, Windhoek
South West Africa

Gedruk deur
JOHN MEINERT (EDMS) BPK.
Verkrygbaar by
STAR BINDERS & PRINTERS
Posbus 56, Windhoek
Suidwes-Afrika