



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the Post Office as a Newspaper

Prys 20c Price
Oorsee 30c Overseas
POSVRY—POST FREE

[Vol. 105]

KAAPSTAD, 8 MAART 1974

[No. 4198]

CAPE TOWN, 8 MARCH 1974

DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 364. 8 Maart 1974.

No. 364. 8 March 1974

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

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

No. 15 van 1974: Wysigingswet op die Pensioenwette, 1974.

No. 15 of 1974: Pension Laws Amendment Act, 1974.

WET

Tot wysiging van artikel 15 van die Wysigingswet op die Pensioenwette, 1968, om die bonus te verhoog wat betaalbaar is aan persone wat militêre pensioene ontvang; en om voorsiening te maak vir betaling van vergoeding aan of ten opsigte van, of aan afhanklikes van, sekere persone; vir die verlening van geneeskundige behandeling aan sekere persone; vir die staking van die Kaapse Weduweespensioenfonds (Staatsdiens) en die oorgaan van die bates, regte en verpligtinge van bedoelde Fonds op die Gekonsolideerde Inkomstefonds; vir die staking van die gesamentlike voor-Unie-fonds en die oorgaan van die bates, regte en verpligtinge van bedoelde Fonds op die Gekonsolideerde Inkomstefonds; en vir bykomstige aangeleenthede.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 28 Februarie 1974.)

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

Wysiging van artikel 15 van Wet 79 van 1968, soos gewysig deur artikel 17 van Wet 98 van 1969, artikel 11 van Wet 20 van 1970, artikel 6 van Wet 93 van 1971, artikel 10 van Wet 97 van 1972 en artikel 1 van Wet 73 van 1973.

Regulasies betreffende betaling van vergoeding en verlening van geneeskundige behandeling.

1. (1) Artikel 15 (1) van die Wysigingswet op die Pensioenwette, 1968, word hierby gewysig deur al die woorde wat die voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang:

„(1) Daar kan aan iemand wat 'n pensioen, toelae of kleretoeëning ingevolge of op die grondslag van die Wet op Speciale Oorlogspensioene, 1962 (Wet No. 35 van 1962), of die Oorlogspensioenwet, 1967 (Wet No. 82 van 1967), ontvang, 'n bonus van veertig persent van sodanige pensioen, toelae of toeëning betaal word:”

(2) Die bepalings van subartikel (1) word geag in werking te getree het op 1 Oktober 1973.

2. (1) Ondanks andersluidende wetsbepalings, kan die Minister van Volkswelsyn en Pensioene, in oorleg met die Minister van Finansies, die Minister van Pos- en Telekommunikasiewese en die Administrateurs, en na oorleg met—

- (a) die Minister wat vir die Buro verantwoordelik is;
- (b) die Minister van Binnelandse Sake;
- (c) die Minister van Verdediging;
- (d) die Minister van Polisie; en
- (e) die Minister van Gevangnisse,

regulasies uitvaardig wat voorsiening maak vir die betaling van vergoeding aan of ten opsigte van, of aan 'n afhanklike van, 'n beampete of werknemer wat weens besering of swak gesondheid wat ontstaan uit en in die loop van sy diens by die Regering of by 'n administrasie van 'n provinsie of van die gebied Suidwes-Afrika, sterf of afgedank of ontslaan word, en vir die verlening van geneeskundige behandeling (met inbegrip van heelkundige of hospitaalbehandeling, geskoolde verpligting, en die verskaffing en herstelling van 'n kunstliggaamsdeel of 'n toestel), aan sodanige beampete of werknemer ten opsigte van sodanige besering of swak gesondheid.

PENSION LAWS AMENDMENT ACT, 1974.

Act No. 15, 1974

ACT

To amend section 15 of the Pension Laws Amendment Act, 1968, to increase the bonus payable to persons who are in receipt of military pensions; and to provide for the payment of compensation to and in respect of, or to dependants of, certain persons; for the rendering of medical treatment to certain persons; for the disestablishment of the Cape Widows' Pension Fund (Public Service) and the vesting of the assets, rights and obligations of the said Fund in the Consolidated Revenue Fund; for the disestablishment of the joint pre-Union fund and the vesting of the assets, rights and obligations of the said Fund in the Consolidated Revenue Fund; and for incidental matters.

(English text signed by the State President.)
(Assented to 28 February 1974.)

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

1. (1) Section 15 (1) of the Pension Laws Amendment Act, 1968, is hereby amended by the substitution for all the words preceding the proviso of the following words:

“(1) Any person who is in receipt of a pension, allowance or clothing grant in terms of or on the basis of the War Special Pensions Act, 1962 (Act No. 35 of 1962), or the War Pensions Act, 1967 (Act No. 82 of 1967), may be paid a bonus of forty per cent of such pension, allowance or grant.”

(2) The provisions of subsection (1) shall be deemed to have come into operation on 1 October 1973.

2. (1) Notwithstanding anything to the contrary in any law contained, the Minister of Social Welfare and Pensions may, in consultation with the Minister of Finance, the Minister of Posts and Telecommunications and the Administrators, and after consultation with—

- (a) the Minister who is responsible for the Bureau;
- (b) the Minister of the Interior;
- (c) the Minister of Defence;
- (d) the Minister of Police; and
- (e) the Minister of Prisons,

make regulations which provide for the payment of compensation to or in respect of, or to a dependant of, any officer or employee who dies or is retired or discharged as a result of injury or ill-health arising out of and in the course of his employment by the Government or by an administration of any province or of the territory of South West Africa, and for the rendering of medical treatment (including surgical or hospital treatment, skilled nursing services and the supply and repair of any artificial part of the body or any device), to such officer or employee in respect of such injury or ill-health.

Amendment of section 15 of Act 79 of 1968, as amended by section 17 of Act 98 of 1969, section 11 of Act 20 of 1970, section 6 of Act 93 of 1971, section 10 of Act 97 of 1972 and section 1 of Act 73 of 1973.

Regulations relating to payment of compensation and rendering of medical treatment.

(2) Regulasies bedoel in subartikel (1), behalwe regulasies wat vergoeding verminder, kan met terugwerkende krag uitgevaardig word en verskillende regulasies kan ten opsigte van verskillende klasse of kategorieë beamptes of werknemers uitgevaardig word.

(3) By die toepassing van hierdie artikel beteken—

„beampte” ’n lid van die Regeringsdienspensioenfonds ingestel kragtens artikel 3 van die Regeringsdienspensioenwet, 1973 (Wet No. 57 van 1973), en ook ’n bepaalde beampte soos omskryf in artikel 3 (6) van die Wysigingswet op die Pensioenwette, 1973 (Wet No. 73 van 1973), maar nie ook ’n beampte op wie die bepalings van die Oorlogspensioenwet, 1967 (Wet No. 82 van 1967), met betrekking tot die besering of swak gesondheid in subartikel (1) van hierdie artikel bedoel van toepassing is nie;

„werknemer” ’n lid van die Reserwepolisiesmag ingestel kragtens artikel 34 (2) van die Polisie wet, 1958 (Wet No. 7 van 1958), of ’n lid van die Polisereserwe ingestel kragtens artikel 34A (1) van die Polisie wet, 1958, of ’n lid van die Regerings-werknemersondersteuningsfonds bedoel in artikel 2 (3) van die Regeringsdienspensioenwet, 1965 (Wet No. 62 van 1965), en ook iemand wat ingevolge artikel 2 van die Wet op die Oorplasing van Werknemers by die Vlootbasis, Simonstad, 1956 (Wet No. 72 van 1956), ’n werknemer soos bedoel in daardie artikel, geword het, maar nie ook ’n werknemer op wie die bepalings van die Oorlogspensioenwet, 1967, met betrekking tot die besering of swak gesondheid in subartikel (1) van hierdie artikel bedoel van toepassing is nie.

(4) ’n Jaargeld, pensioen of voordeel wat ingevolge die regulasies afgekondig by Gocwermentskennisgewing No. R.1929 van 8 Desember 1965, en enige wysiging daarvan, onmiddellik voor 1 Julie 1973 betaalbaar was, word voortgesit teen die tariewe en onderhewig aan die voorwaardes wat onmiddellik voor die datum van inwerkingtreding van hierdie artikel van toepassing was.

(5) Ondanks andersluidende wetsbepalings, word ’n verhoging van ’n pensioen of ander voordeel wat op of na 1 Julie 1973, maar voor die datum van inwerkingtreding van hierdie artikel, teweeggebring is ingevolge artikel 5 (1) (bA) van die Regeringsdienspensioenwet, 1965, of ingevolge ’n regulasie wat kragtens daardie Wet uitgevaardig is, geag vergoeding te wees ingevolge die regulasies wat kragtens subartikel (1) uitgevaardig is.

(6) Hierdie artikel is ook van toepassing in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zifpel.

Staking van
Kaapse Weduwees-
pensioenfonds
(Staatsdiens).

3. (1) Die Fonds hou met ingang van die vasgestelde datum op om te bestaan en ’n bedrag waarmee die Fonds onmiddellik voor daardie datum gekrediteer is, val met ingang van die vasgestelde datum aan die Gekonsolideerde Inkomstefonds toe.

(2) ’n Bedrag wat onmiddellik voor die vasgestelde datum aan die Fonds verskuldig was of aan die Fonds toegeval het, word met ingang van die vasgestelde datum geag ’n bedrag te wees wat aan die Gekonsolideerde Inkomstefonds verskuldig is of toegeval het, en ’n bedrag waarmee die Fonds, indien die Wet nie kragtens artikel 5 herroep is nie, op of na die vasgestelde datum gekrediteer sou word, word met ingang van die vasgestelde datum in die Gekonsolideerde Inkomstefonds gestort.

(3) Iemand wat onmiddellik voor die vasgestelde datum addisionele bydraes ingevolge artikel 6 van die Wet aan die Fonds betaal het, hou met ingang van die vasgestelde datum op om sodanige bydraes aan die Fonds te betaal, en stort, met ingang van daardie datum, sodanige bydraes in die Gekonsolideerde Inkomstefonds.

(4) ’n Pensioen of ’n pensioen- of bonustoevoeging wat onmiddellik voor die vasgestelde datum ingevolge artikel 10 of 12 van

PENSION LAWS AMENDMENT ACT, 1974.

Act No. 15, 1974

(2) Regulations referred to in subsection (1), except regulations which reduce compensation, may be made with retrospective effect and different regulations may be made in respect of different classes or categories of officers or employees.

(3) For the purposes of this section—

“employee” means any member of the Reserve Police Force established under section 34 (2) of the Police Act, 1958 (Act No. 7 of 1958), or any member of the Police Reserve established under section 34A (1) of the Police Act, 1958, or any member of the Government Employees' Provident Fund referred to in section 2 (3) of the Government Service Pensions Act, 1965 (Act No. 62 of 1965), and includes any person who in terms of section 2 of the Simonstown Naval Base Employees' Transfer Act, 1956 (Act No. 72 of 1956), became an employee referred to in that section, but does not include any employee to whom the provisions of the War Pensions Act, 1967 (Act No. 82 of 1967), apply in relation to the injury or ill-health referred to in subsection (1) of this section;

“officer” means any member of the Government Service Pension Fund established under section 3 of the Government Service Pension Act, 1973 (Act No. 57 of 1973), and includes a specified officer as defined in section 3 (6) of the Pension Laws Amendment Act, 1973 (Act No. 73 of 1973), but does not include any officer to whom the provisions of the War Pensions Act, 1967, apply in relation to the injury or ill-health referred to in subsection (1) of this section.

(4) Any annuity, pension or benefit payable immediately before 1 July 1973 in terms of the regulations promulgated by Government Notice No. R.1929 of 8 December 1965, and any amendment thereof, shall be continued at the rates and subject to the conditions which were applicable immediately before the date of commencement of this section.

(5) Notwithstanding anything to the contrary in any law contained, any increase of a pension or other benefit effected under section 5 (1) (bA) of the Government Service Pensions Act, 1965, or in terms of any regulation made under that Act on or after 1 July 1973, but before the date of commencement of this section, shall be deemed to be compensation in terms of the regulations promulgated under subsection (1).

(6) This section shall apply also in the territory of South West Africa, including the Eastern Caprivi Zipfel.

3. (1) The Fund shall cease to exist with effect from the fixed date and any amount standing to the credit of the Fund immediately before that date shall accrue to the Consolidated Revenue Fund with effect from the fixed date. Disestablishment of Cape Widows' Pension Fund (Public Service).

(2) Any amount which was due to the Fund or accrued to the Fund immediately before the fixed date, shall with effect from the fixed date be deemed to be an amount which is due to or accrued to the Consolidated Revenue Fund and any amount by which the Fund, if the Act had not been repealed by section 5, would have been credited on or after the fixed date, shall be paid into the Consolidated Revenue Fund with effect from the fixed date.

(3) Any person who immediately before the fixed date paid additional contributions to the Fund in terms of section 6 of the Act, shall cease to pay such contributions to the Fund with effect from the fixed date, and shall pay, with effect from that date, such contributions into the Consolidated Revenue Fund.

(4) Any pension or any pension or bonus addition which, immediately before the fixed date, was payable out of the Fund

Wet No. 15, 1974

WYSIGINGSWET OP DIE PENSIOENWETTE, 1974.

die Wet uit die Fonds betaalbaar was, word met ingang van daardie datum as 'n jaargeld uit die Gekonsolideerde Inkomstefonds betaal.

(5) By die afsterwe van 'n lid soos omskryf in artikel 3 van die Wet, word aan sy weduwee uit die Gekonsolideerde Inkomstefonds 'n jaargeld betaal wat bereken word ooreenkomstig die tabelle en regulasies, in artikel 10 van die Wet bedoel, van krag onmiddellik voor die datum van inwerkingtreding van hierdie artikel.

(6) By die toepassing van hierdie artikel beteken—

„die Fonds” die Kaapse Weduweespensioenfonds (Staatsdiens) bedoel in artikel 4 (1) van die Wet;

„die vasgestelde datum” 1 April 1974;

„die Wet” die Hersieningswet op die Kaapse Pensioenwette, 1968 (Wet No. 15 van 1968);

„Gekonsolideerde Inkomstefonds”, met betrekking tot 'n bedrag wat in daardie fonds gestort moet word of aan daardie fonds toeval of verskuldig is, die Gekonsolideerde Inkomstefonds bedoel in artikel 98 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961), en, met betrekking tot 'n betaling wat uit daardie fonds gemaak moet word, gelde wat vir die doeleindes van sodanige betaling deur die Parlement bewillig word;

„jaargeld” 'n bedrag wat jaarliks betaalbaar is.

Staking van
gesamentlike
voor-Unie-fonds.

4. (1) Die Fonds hou met ingang van die vasgestelde datum op om te bestaan en 'n bedrag waarmee die Fonds onmiddellik voor daardie datum gekrediteer is, val met ingang van daardie datum aan die Gekonsolideerde Inkomstefonds toe.

(2) 'n Bedrag wat onmiddellik voor die vasgestelde datum aan die Fonds verskuldig was of aan die Fonds toegeval het, word met ingang van die vasgestelde datum geag 'n bedrag te wees wat aan die Gekonsolideerde Inkomstefonds verskuldig is of toegeval het, en enige bedrag waarmee die Fonds, indien dit nie ingevolge hierdie artikel opgehou bestaan het nie, op of na die vasgestelde datum gekrediteer sou word, word met ingang van die vasgestelde datum in die Gekonsolideerde Inkomstefonds gestort.

(3) 'n Bedrag wat onmiddellik voor die vasgestelde datum ingevolge artikel 9 van die Wet uit die Fonds betaalbaar was, word met ingang van daardie datum as 'n jaargeld uit die Gekonsolideerde Inkomstefonds betaal.

(4) By die toepassing van hierdie artikel beteken—

„die Fonds” die gesamentlike voor-Unie-fonds bedoel in artikel 9 van die Wet;

„die vasgestelde datum” 1 April 1974;

„die Wet” die Regeringsdienspensioenwet, 1965;

„Gekonsolideerde Inkomstefonds”, met betrekking tot 'n bedrag wat in daardie fonds gestort moet word of aan daardie fonds toeval of verskuldig is, die Gekonsolideerde Inkomstefonds bedoel in artikel 98 van die Grondwet van die Republiek van Suid-Afrika, 1961, en, met betrekking tot 'n betaling wat uit daardie fonds gemaak moet word, gelde wat vir die doeleindes van sodanige betaling deur die Parlement bewillig word;

„jaargeld” 'n bedrag wat jaarliks betaalbaar is.

Herroeping
van wette.

5. Die wette in die Bylae by hierdie Wet vermeld, word hierby herroep in die mate vermeld in die derde kolom van genoemde Bylae.

Kort titel en
inwerkingtreding.

6. Hierdie Wet heet die Wysigingswet op die Pensioenwette, 1974, en die bepalings daarvan, behalwe die bepalings van artikel 1, tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

PENSION LAWS AMENDMENT ACT, 1974.

Act No. 15, 1974

in terms of section 10 or 12 of the Act, shall be paid as an annuity out of the Consolidated Revenue Fund with effect from that date.

(5) On the death of a member as defined in section 3 of the Act, there shall be paid to his widow out of the Consolidated Revenue Fund an annuity which shall be calculated in accordance with the tables and regulations, referred to in section 10 of the Act, in force immediately before the date of commencement of this section.

(6) For the purposes of this section—

“annuity” means any amount which is payable annually;

“Consolidated Revenue Fund” means, with reference to any amount to be paid into that fund or which shall accrue or is due to that fund, the Consolidated Revenue Fund referred to in section 98 of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961), and, with reference to any payment to be made out of that fund, moneys appropriated by Parliament for the purposes of such payment;

“the Act” means the Cape Pension Laws Revision Act, 1968 (Act No. 15 of 1968);

“the fixed date” means 1 April 1974;

“the Fund” means the Cape Widows' Fund (Public Service) referred to in section 4 (1) of the Act.

4. (1) The Fund shall cease to exist with effect from the fixed date and any amount standing to the credit of the Fund immediately before that date, shall accrue to the Consolidated Revenue Fund with effect from that date. Disestablishment of joint pre-Union fund.

(2) Any amount which was due to the Fund or accrued to the Fund immediately before the fixed date, shall with effect from the fixed date be deemed to be an amount which is due to or accrued to the Consolidated Revenue Fund and any amount by which the Fund, if it had not been disestablished by this section, would have been credited on or after the fixed date, shall be paid into the Consolidated Revenue Fund with effect from the fixed date.

(3) Any amount which in terms of section 9 of the Act was payable out of the Fund immediately before the fixed date, shall be paid as an annuity out of the Consolidated Revenue Fund with effect from that date.

(4) For the purposes of this section—

“annuity” means any amount which is payable annually;

“Consolidated Revenue Fund” means, with reference to any amount to be paid into that fund or which shall accrue to or is due to that fund, the Consolidated Revenue Fund referred to in section 98 of the Republic of South Africa Constitution Act, 1961, and, with reference to any payment to be made out of that fund, moneys appropriated by Parliament for the purposes of such payment;

“the Act” means the Government Service Pensions Act, 1965;

“the fixed date” means 1 April 1974;

“the Fund” means the joint pre-Union fund referred to in section 9 of the Act.

5. The laws specified in the Schedule to this Act are hereby repealed to the extent specified in the third column of the said Schedule. Repeal of laws.

6. This Act shall be called the Pension Laws Amendment Act, 1974, and the provisions thereof, except the provisions of section 1, shall come into operation on a date fixed by the State President by proclamation in the *Gazette*. Short title and commencement.

Wet No. 15, 1974

WYSIGINGSWET OP DIE PENSIOENWETTE, 1974.

Bylae**WETTE HERROEP**

Nommer en jaar van wet	Titel van wet	In hoeverre herroep
Wet No. 62 van 1965	Regeringsdienspensioenwet, 1965	(a) Vir sover dit betrekking het op 'n voordeel in artikel 5 (1) (bA) bedoel. (b) Artikels 9, 10, 11 en 12.
Wet No. 15 van 1968	Die Hersieningswet op die Kaapse Pensioenwette, 1968	Die geheel.
Wet No. 57 van 1973	Regeringsdienspensioenwet, 1973	Artikel 17 (2) (i).

PENSION LAWS AMENDMENT ACT, 1974.

Act No. 15, 1974

Schedule

LAWS REPEALED

Number and year of law	Title of law	Extent of repeal
Act No. 62 of 1965 .	Government Service Pensions Act, 1965	(a) In so far as it relates to a benefit referred to in section 5 (1) (bA). (b) Sections 9, 10, 11 and 12.
Act No. 15 of 1968 .	The Cape Pension Laws Revision Act, 1968	The whole.
Act No. 57 of 1973 .	Government Service Pension Act, 1973	Section 17 (2) (i).