

**SOUTH AFRICAN NATIONAL DEFENCE FORCE  
SUID-AFRIKAANSE NASIONALE WEERMAG**

No. R. 902

16 September 2005

**DEFENCE ACT, 2002****AMENDMENT OF THE GENERAL REGULATIONS FOR THE SOUTH AFRICAN  
NATIONAL DEFENCE FORCE: CHAPTER XV**

I, Mosiuoa Gerard Patrick Lekota, Minister of Defence, hereby under Sections 82(1) and 82(2) of the Defence Act, 2002 (Act No. 42 of 2002), with the approval of the Minister of Finance, makes the regulations in the Schedule.

**SCHEDULE**

1. In this Schedule "the regulations" means Chapter XV of the General Regulations of the South African National Defence Force, promulgated under Government Notice No. R.203 of 13 February 1970, as amended by Government Notices Nos. R.169 of 12 February 1971, R.1394 of 10 August 1973, R.439 of 7 March 1975, R.905 of 27 April 1990, R.1060 of 17 May 1991, R.1723 of 26 July 1991, R.1723 of 26 July 1991, R. 1142 of 11 September 1998, R.181 of 26 February 2001, R.1391 of 21 December 2001 and R.631 of 31 May 2004.

**Amendment of Chapter XV of the Regulations**

2. The definition of spouse is hereby replaced with the following definition:

"spouse" means

- (a) a person who is married to a member or beneficiary and which marriage is recognised as a valid marriage in terms of the Recognition of Customary Marriages Act, 1998 (Act No. 120 of 1998); or the Marriage Act, 1961 (Act No. 25 of 1961); or
- (b) a person who is married to a member or beneficiary and which marriage is recognised as a valid marriage in terms of the laws of any country other than the Republic of South Africa provided that such marriage is legally registered in terms of the relevant laws of that country and "
  - (i) a notarised copy of the Certificate of Registration, if any, is submitted; or
  - (ii) written proof of the registration of the marriage given under the hand of a person duly authorised in terms of the laws of that other country, is submitted.
- (c) a life partner, the partnership being either heterosexual or homosexual, but

specifically excluding parents and other family members, in a permanent life partnership, if such a partnership is –

- (i) contained in a duly signed Notarial Agreement prepared and executed by a Notary Public with a protocol number; or
- (ii) registered in terms of any specific legislation regarding life partnerships;

but does not include the spouse of a beneficiary, which beneficiary became the main beneficiary after the death of his or her former spouse.

3. Sub-regulation 19(1) is hereby replaced with the following:

### **Establishment of the Management Board**

19. (1) A Management Board is hereby established for the Fund, which consists of the following **board** members who will also have the same fiduciary duties as Trustees:

- (a) the Surgeon-General as the Chairperson;
- (b) one member appointed by each of the Chiefs of the Services of the SANDF;
- (c) the Chief Financial Officer of the DOD or a member appointed by him or her;
- (d) a Service Systems Specialist from Chief Director HR Policy and Planning;
- (e) the Chief of Joint Support or a member who is directly responsible for the administration of the Regular Force Medical Continuation Fund in the DOD appointed by him or her;
- (f) the Sergeant-Major of the SANDF;
- (g) three retired members of the Regular Force who are beneficiaries of the Fund, nominated by the other members of the Board at their first meeting of any year, of which one shall be a Warrant Officer or Non-Commissioned officer;
- (h) four members from the ranks of registered military trade unions, provided that no military trade union shall have more than two members at any given time;
- (i) a registered medical officer nominated by the Surgeon-General;
- (j) a medico-legal qualified officer from the Medico-Legal Services of the South African Military Health Services nominated by the Surgeon-General; and
- (k) a communications officer nominated by the Surgeon-General in consultation with the Chief of Defence Corporate Communication as a co-opted member.