



REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

GOVERNMENT GAZETTE

FOR THE REPUBLIC OF SOUTH AFRICA

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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 1789.

3 Julie 1992

No. 1789.

3 July 1992

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. 106 van 1992: Tweede Wysigingswet op Onderwys en Opleiding, 1992.

No. 106 of 1992: Education and Training Second Amendment Act, 1992.

GENERAL EXPLANATORY NOTE:

Words underlined with a solid line indicate insertions in existing enactments.

ACT

To amend the Education and Training Act, 1979, so as to further regulate the retirement of certain educators; and to provide for matters connected therewith.

*(English text signed by the State President.)
(Assented to 18 June 1992.)*

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

Amendment of section 13 of Act 90 of 1979, as amended by section 5 of Act 52 of 1980

5 1. Section 13 of the Education and Training Act, 1979, is hereby amended by the addition of the following subsection:

- “(7) Notwithstanding the provisions of subsection (6), or anything to the contrary in any other law contained, the services of an educator at a State-aided school who—
- 10 (a) is employed in a permanent capacity in a post in respect of which a subsidy is paid by the State;
- (b) is a member of the Government Service Pension Fund established by section 3 of the Government Service Pension Act, 1973 (Act No. 57 of 1973), or of the Temporary Employees Pension Fund established by
- 15 section 3 of the Temporary Employees Pension Fund Act, 1979 (Act No. 75 of 1979); and
- (c) has completed at least 10 years' continuous pensionable service, shall be deemed to have been terminated by the governing body at any time
- 20 after he reaches the age of 50 years, provided that such educator shall give at least three calendar months' written notice of his intention to retire on pension to the governing body concerned.”.

Amendment of section 21 of Act 90 of 1979, as amended by section 9 of Act 52 of 1980 and section 9 of Act 95 of 1987

25 2. Section 21 of the Education and Training Act, 1979, is hereby amended by the addition of the following subsection:

- “(8) Notwithstanding the provisions of subsection (7), or anything to the contrary in any other law contained, the services of an educator at a public school or at an office who—
- 30 (a) is appointed in a permanent capacity;
- (b) is a member of the Government Service Pension Fund established by section 3 of the Government Service Pension Act, 1973 (Act No. 57 of 1973), or of the Temporary Employees Pension Fund established by section 3 of the Temporary Employees Pension Fund Act, 1979 (Act No. 75 of 1979); and

EDUCATION AND TRAINING SECOND AMENDMENT
ACT, 1992

Act No. 106, 1992

5 (c) has completed at least 10 years' continuous pensionable service, shall be deemed to have been terminated by the Department at any time after he reaches the age of 50 years, provided that such educator shall give at least three calendar months' written notice of his intention to retire on pension to the Department."

Short title and commencement

3. This Act shall be called the Education and Training Second Amendment Bill, 1992, and shall come into operation on the same date as section (1)(a) and (c) of the Education and Training Amendment Act, 1992 (Act No. 55 of 1992).