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STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 1867.

15 October 1993

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15 Oktober 1993

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

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

No. 154 of 1993: Pension and Other Benefits for Ministerial Representatives Act, 1993.

No. 154 van 1993: Wet op Pensioen- en Ander Voordele vir Ministeriële Verteenwoordigers, 1993.

ACT

To provide for the payment of pension and other benefits to ministerial representatives; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)
(Assented to 1 October 1993.)*

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

Definitions

1. In this Act, unless the context otherwise indicates—
- “ministerial representative” means any person appointed in terms of section 28(1) of the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983), as a ministerial representative; 5
 - “pensionable service” means actual pensionable service together with added pensionable service of a period of three months;
 - “Pension Act” means the Members of Parliament and Political Office-bearers Pension Scheme Act, 1984 (Act No. 112 of 1984). 10

Pensions and gratuities of ministerial representatives

2. (1) If a ministerial representative has five or more years pensionable service to his credit on 30 September 1993 there shall be paid to him—
- (a) with effect from 1 October 1993, a pension in terms of section 9 and, if applicable to him, in terms of section 8 of the Pension Act; 15
 - (b) a gratuity in terms of section 11 of the Pension Act.
- (2) For the purposes of paragraphs (a) and (b) of subsection (1)—
- (a) pensionable service as defined in this Act shall be the pensionable service for the purposes of paragraph (i) of the formula referred to in section 11(1) of the Pension Act; 20
 - (b) in the case of a member referred to in section 9(1)(b) or 11(2) of the Pension Act, the period contemplated in paragraph (i) of the formula referred to in section 9(1), and the period contemplated in paragraph (a) of the formula referred to in section 11(2), shall be extended by a period of three months. 25
- (3) A ministerial representative who on 30 September 1993 has less than five years pensionable service to his credit shall be entitled to the pension in terms of section 9 and the gratuity in terms of section 11(2) of the Pension Act: Provided that he shall be entitled also to a gratuity in terms of section 11(1) of the Pension Act: Provided further that for the purposes of the application of paragraph (i) of the formula in section 11(1) of the Pension Act only service as an ordinary member in respect of which contributions were made shall apply. 30
- (4) The provisions of this Act shall not affect any rights of any person with regard to a pension or gratuity in terms of section 8, 9 or 11 of the Pension Act, but for the purposes of sections 9(1)(b) and 11(2) the pensionable service of a person concerned shall be extended by a period of three months. 35
- (5) The provisions of sections 6 and 12 of the Pension Act shall apply *mutatis mutandis* in respect of the calculation of pensionable service and the total of any pension or gratuity payable in terms of this Act. 40

Benefits payable to estate or dependants of certain ministerial representatives

3. To the estate of any person who at any time since 1 September 1993 occupied the office of ministerial representative and who dies or died before 30 September 1993 and to whose dependants no amount is payable in terms of section 15 of the Pension Act, there shall be paid an amount equal to the amount which would have been payable to the ministerial representative concerned in terms of the Pension Act if he still held the office of ministerial representative on 30 September 1993. 5

Other benefits of ministerial representative, his spouse and his dependent children

4. Any person who on 30 September 1993 holds the office of ministerial representative, his spouse and his dependent children shall be entitled until 31 December 1993 to undertake, at the expense of the State, for any purpose whatsoever, within the borders of the province in which he is resident a total of 18 single journeys by air, exchangeable on a basis of three single journeys within the province for one single journey to or from a place inside the Republic but outside the borders of the said province: Provided that the dependent children shall be entitled only to two single journeys on such exchange basis, during the said period. 15

Short title

5. This Act shall be called the Pension and Other Benefits for Ministerial Representatives Act, 1993.