

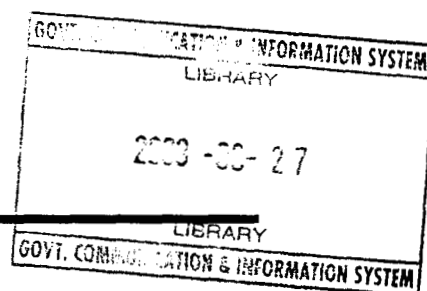
REPUBLIC OF SOUTH AFRICA

PENSIONS (SUPPLEMENTARY) BILL

(As introduced in the National Assembly as a money Bill)
(The English text is the official text of the Bill)

(MINISTER OF FINANCE)

[B 11—2003]



REPUBLIEK VAN SUID-AFRIKA

WETSONTWERP TOT AANVULLING VAN PENSIOENE

(Soos ingedien by die Nasionale Vergadering as 'n Geldwetsontwerp)
(Die Afrikaanse teks is die amptelike vertaling van die Wetsontwerp)

(MINISTER VAN FINANSIES)

[W 11—2003]

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BILL

To provide for the award of certain pension benefits.

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

Award of certain pension benefits

1. There shall be paid to the person mentioned in the Schedule the pension benefits mentioned therein.

5

Short title

2. This Act shall be called the Pensions (Supplementary) Act, 2003.

SCHEDULE

There shall be paid from the National Revenue Fund to Graham Christian Clarke:

- (1) arrear additional pension for a period of six months from 1 September 2001 to 28 February 2002 in an amount of R1500 per month; and
- (2) an additional monthly pension of R1500 per month, with effect from 15 March 2002. 5

**MEMORANDUM ON THE OBJECTS OF THE PENSIONS
(SUPPLEMENTARY) BILL, 2003**

An employee of the Department of Transport, Mr Clarke, suffered a massive stroke in 1984 while working on the South African base on Marion Island. This resulted in Mr Clarke being paralysed from the nose down and being diagnosed as having complete quadriplegia. His present pension does not cover his most basic care.

On 6 March 2001 Mr Clarke petitioned Parliament for additional pension benefits. The Portfolio Committee on Private Members' Legislative Proposals and Petitions recommended to the National Assembly that additional benefits be granted to Mr Clarke. On 15 March 2002 the National Assembly granted Mr Clarke's petition.

In terms of section 213(2)(a) of the Constitution money may be withdrawn from the National Revenue Fund in terms of an appropriation by an Act of Parliament. Accordingly, the additional pension benefits granted to Mr Clarke by way of petition may be paid from the National Revenue Fund only if authorised in an Act of Parliament. For this reason the Pensions (Supplementary) Bill is proposed.

On 15 March 2002 the National Assembly granted Mr Clarke additional pension benefits on the following terms:

"That Mr G C Clarke be granted—

- * a pension of R1 500 per month, in addition to the pension he receives at present;
- * back pay of this pension for a period of six months."

This Bill proposes the authorisation of the aforementioned additional pension benefits to Mr Clarke, from the National Revenue Fund.

PARLIAMENTARY PROCEDURE

The National Treasury and the State Law Advisers are of the view that this Bill must be considered in accordance with the procedure established by section 75 of the Constitution since it is a money Bill.