

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



STAATSKOERANT

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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 364.

8 Maart 1974.

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

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

No. 364.

8 March 1974

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

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

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.

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.

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,

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

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.

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

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.

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) (f).