

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.

EXTRAORDINARY



BUITENGEWONE

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

Price 10c Prys
Overseas 15c Oorsee
POST FREE—POSVRY

Vol. 36.]

CAPE TOWN, 19TH JUNE, 1968

KAAPSTAD, 19 JUNIE 1968.

[No. 2100.]

DEPARTMENT OF THE PRIME MINISTER.

No. 1072.]

[19TH June, 1968.]

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

PAGE

No. 55 of 1968: Parliamentary Service and Administrators' Pensions Amendment Act, 1968 19

No. 55, 1968.]

ACT

To amend the Parliamentary Service and Administrators' Pensions Act, 1965, so as to extend the periods of pensionable service; so as to provide for increased pensions; and so as to abolish the age limit for the payment of pensions; and to provide for matters incidental thereto.

*(Afrikaans text signed by the State President.)
(Assented to 7th June, 1968.)*

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

1. Section 2 of the Parliamentary Service and Administrators' Pensions Act, 1965 (hereinafter referred to as the principal Act), is hereby amended—

Amendment of section 2 of Act 85 of 1965, as amended by section 2 of Act 92 of 1967.

(a) by the substitution for subsections (1), (2), (3) and (4) of the following subsections:

“(1) Subject to the provisions of this Act, a member shall from the first day of April, 1968, or from the date on which he becomes a member, whichever is the later date, and so long as he remains a member, contribute to revenue at the rate of seven and one-half per cent of his pensionable salary.

(2) A member who on the day immediately preceding the first day of April, 1968, has had not less than twenty-two years and six months of pensionable service, shall cease to contribute in terms of subsection (1) as soon as he has so contributed in respect of a period of service equal to two years and six months after that day: Provided that if his service terminates before he has contributed in respect of the whole period of two years and six months, he shall be deemed to have had twenty-five years pensionable service.

(3) A member who on the day immediately preceding the first day of April, 1968, has had less than twenty-two years and six months of pensionable service, shall cease to contribute in terms of subsection (1) as soon as he has so contributed in respect of a period which, when added to the period of his pensionable service prior to that date, is equal to twenty-five years.

(4) A member who has made an election in terms of section 3 (1) or (3) shall cease to contribute in terms of subsection (1) of this section as soon as he has so contributed in respect of a period which, when added to the period which became pensionable service in consequence of such an election, is equal to twenty-five years.”;

(b) by the deletion of subsection (6); and

(c) by the substitution for subsection (8) of the following subsection:

“(8) A member to whom subsection (2), (3), (4), (5) or (7) does not apply, shall cease to contribute in terms of subsection (1) as soon as he has so contributed in respect of a period of twenty-five years.”.

2. Section 5 of the principal Act is hereby amended— Amendment of section 5 of Act 85 of 1965.
 (a) by the substitution for subsection (1) of the following subsection:

“(1) Subject to the provisions of this section, there shall, on the termination of his service, be payable to a member who has had not less than ten years of pensionable service, a pension calculated at the rate of one-twenty-fifth of the annual average of his pensionable salary during the last four years of his service in respect of each year of his pensionable service: Provided that such pension shall not exceed the said average.”; and

- (b) by the substitution for subsection (4) of the following subsection:

“(4) A pension payable in terms of subsection (1) shall be payable with effect from the day following the day of termination of the service of the member concerned.”.

3. Section 9 of the principal Act is hereby amended by the substitution for subsections (1) and (2) of the following subsections: Amendment of section 9 of Act 85 of 1965.

“(1) There shall be payable to any member who at any time on or after the first day of April, 1968, has occupied the office of Prime Minister, a pension of thirteen thousand rand per annum.

(2) Such pension shall be payable with effect from the day following the day of termination of such member's service as a member or as a Minister, whichever is the later date, and irrespective of the period of such member's pensionable service.”.

4. Section 10 of the principal Act is hereby amended by the substitution for subsections (1) and (2) of the following subsections: Amendment of section 10 of Act 85 of 1965, as amended by section 21 of Act 62 of 1966 and section 5 of Act 92 of 1967.

“(1) Subject to the provisions of subsection (3) of section 9 and subsections (2) and (3) of this section, a member who has occupied the office of—

(a) Minister, President of the Senate, Speaker of the House of Assembly, Leader of the Opposition in the House of Assembly or Administrator;

(b) Deputy Minister;

(c) Deputy President and Chairman of Committees of the Senate, Deputy Speaker and Chairman of Committees of the House of Assembly, Chief Government Whip in the House of Assembly, Chief Whip of the official Opposition in the House of Assembly or commissioner-general;

(d) Leader of the Opposition in the Senate, Chief Government Whip in the Senate, Chief Whip of the official Opposition in the Senate or Deputy Chairman of Committees of the House of Assembly; or

(e) Assistant Whip in the Senate or in the House of Assembly,

shall, in addition to any other pension or benefit payable to him in terms of this Act, be entitled to a pension in respect of each completed year of service in such office calculated at the rate of—

(i) three hundred and sixty rand per annum in the case of a member referred to in paragraph (a);

(ii) two hundred and forty rand per annum in the case of a member referred to in paragraph (b);

(iii) one hundred and eighty rand per annum in the case of a member referred to in paragraph (c);

(iv) one hundred and twenty rand per annum in the case of a member referred to in paragraph (d); and

(v) sixty rand per annum in the case of a member referred to in paragraph (e).

(2) The aggregate of any pensions payable in terms of this Chapter to any member referred to in subsection (1) shall not exceed the highest annual average of the member's salary during any uninterrupted period of four years of his service.”.

5. Section 12 of the principal Act is hereby amended by the substitution for subsection (8) of the following subsection:

“(8) Any pension under this section shall be payable with effect from the day following the date of the death of the member or person concerned.”

Amendment of section 12 of Act 85 of 1965, as amended by section 6 of Act 92 of 1967.

6. Section 16 of the principal Act is hereby amended—

(a) by the substitution for subparagraph (i) of subsection

Amendment of section 16 of Act 85 of 1965.

(2) (b) of the following subparagraph:

“(i) if one-half of the period of his pensionable service under the applicable pensions ordinance and the full period of his pensionable service as a Parliamentary member amount in the aggregate to more than nine years and six months, and if the period of his pensionable service as a Parliamentary member is not less than one year, a pension calculated at the rate of one-twenty-fifth of the annual average of his pensionable salary during the last four years of his service or the whole period of his service, whichever is the lesser period, in respect of each year of his pensionable service as a Parliamentary member not exceeding twenty-five years; or”; and

(b) by the substitution for subparagraph (i) of subsection

(3) (b) of the following subparagraph:

“(i) if one-half of the period of his pensionable service under the applicable pensions ordinance and the full period of his pensionable service as a Parliamentary member amount in the aggregate to more than nine years and six months, a pension calculated at the rate of one-twenty-fifth of the annual average of his pensionable salary during the last four years of his service or the whole period of his service, whichever is the lesser period, in respect of each year of his pensionable service as a Parliamentary member not exceeding twenty-five years; or”.

7. The following section is hereby substituted for section 20 of the principal Act:

“Supplementary pensions.

20. (1) If a participating member who has not held a specified office was entitled to receive a special pension, and if any pension or the aggregate amount of any pensions which become payable to him in terms of section 16 (2) or (3) is less than the annual average of his pensionable salary during the last four years of his service or the whole period of his service, whichever is the lesser period, the pension or the aggregate amount of the pensions payable to him in terms of section 16 (2) or (3) shall be supplemented—

(a) by an amount equal to the special pension to which he was entitled under the applicable pensions ordinance; or

(b) by an amount equal to the deficit, whichever is the lesser amount.

(2) If a participating member who has not occupied a specified office and who was entitled to receive a special pension, is not entitled to a pension in terms of section 16 he shall, with effect from the day following the last day of his service, be paid a pension equal to the special pension to which he was entitled under the applicable pensions ordinance: Provided that if the said special pension exceeds the annual average of his pensionable salary during the last four years of his service or the whole period of his service, whichever is the lesser period, the

Substitution of section 20 of Act 85 of 1965, as substituted by section 10 of Act 92 of 1967.

pension payable in terms of this subsection shall be reduced by an amount equal to the excess.

(3) If a participating member who has occupied a specified office, was entitled to receive a special pension, and if the aggregate amount of any pensions which become payable to him—

(a) in terms of section 16 (2) or (3); and

(b) in terms of section 10,

is less than the annual average of his salary during the last four years of his service or the whole period of his service, whichever is the lesser period, or the annual average salary referred to in section 10 (2), whichever is the higher average, the said aggregate amount shall be supplemented—

(i) by an amount equal to the special pension he was entitled to receive; or

(ii) by an amount equal to the deficit, whichever is the lesser amount.

(4) If a participating member who has occupied a specified office and who was entitled to receive a special pension, is not entitled to a pension in terms of section 16, and if the pension payable to him in terms of section 10 is less than the annual average of his salary during the last four years of his service or the whole period of his service, whichever is the lesser period, or the annual average salary referred to in section 10 (2), whichever is the higher average, the pension payable to him in terms of section 10 shall be supplemented—

(a) by an amount equal to the special pension he was entitled to receive; or

(b) by an amount equal to the deficit, whichever is the lesser amount.”.

8. Section 22 of the principal Act is hereby amended by the substitution for subsection (6) of the following subsection:

“(6) Any pension under this section shall be payable with effect from the day following the date of the death of the member concerned.”.

Amendment of section 22 of Act 85 of 1965, as amended by section 11 of Act 92 of 1967.

9. This Act shall be called the Parliamentary Service and Administrators' Pensions Amendment Act, 1968, and shall be deemed to have come into operation on the first day of April, 1968.

Short title and commencement.