

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

*Registered at the Post Office as a Newspaper*

*As 'n Nuusblad by die Poskantoor Geregistreer*

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

---

Vol. 36.]

CAPE TOWN, 26TH JUNE, 1968.

KAAPSTAD, 26 JUNIE 1968.

[No. 2107.

---

DEPARTMENT OF THE PRIME MINISTER.

No. 1120.]

[26th 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. 67 of 1968: Post Office Re-adjustment Act, 1968 129

No. 67, 1968.]

# ACT

To provide for the administration of the affairs of the Department of Posts and Telegraphs on business principles, for a fund into which all revenues and out of which all expenditure of that Department shall be paid, and for a staff board for that Department; to amend certain laws in connection therewith, and to provide for matters incidental thereto.

*(Afrikaans text signed by the State President.)  
(Assented to 17th 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. In this Act, unless the context otherwise indicates—

Definitions.

- (i) "board" means the Post Office Staff Board referred to in section 7; (iv)
- (ii) "department" means the Department of Posts and Telegraphs and, in sections 7 to 12 inclusive, includes that branch of the Administration of South-West Africa which is charged with the administration, management and operation of postal, telegraph and telephone services; (i)
- (iii) "fund" means the Post Office Fund established by section 3 (1); (ii)
- (iv) "Minister" means the Minister of Posts and Telegraphs; (iii)
- (v) "Public Service Act" means the Public Service Act, 1957 (Act No. 54 of 1957), and in sections 9, 10 and 12, that Act as construed in terms of section 11. (v)

2. (1) The affairs of the department shall be administered on business principles, due regard being had to the promotion, by means of efficient postal and telecommunication services, of commerce, industry and agriculture in all parts of the Republic, and to the promotion of the Republic's foreign trade.

Affairs of the department to be administered on business principles.

(2) As far as possible, the total earnings of the department shall be not more than is sufficient to meet the necessary outlays for capital expenditure out of revenue, the repayment of loans and the payment of interest on loans, operation, maintenance, replacement, betterment and depreciation and, subject to the provisions of section 5, to meet any other financial liability imposed on the department by law.

3. (1) There is hereby established a fund, to be known as the Post Office Fund. Post Office Fund.  
Post Office Fund, into which shall be paid all revenues which are or have been raised or received from the affairs of the department on or after the 1st April, 1968, and the said fund shall be appropriated by Parliament for the purposes of the department in the manner prescribed by this Act.

(2) Notwithstanding anything to the contrary in this Act or any other law—

- (a) an amount of twenty-one million rand shall be paid from the Consolidated Revenue Fund into the fund as soon as possible after the commencement of this Act;
- (b) the difference between that amount and the amount of the nett profit of the department during the financial year ended on the 31st March, 1968, calculated on a basis determined by the Minister of Finance in consultation with the Minister, shall not later than the 31st March, 1969—
  - (i) be paid from the Consolidated Revenue Fund into the fund, if the amount of profit so calculated is more than twenty-one million rand;
  - (ii) be paid from the fund into the Consolidated Revenue Fund, if the amount of profit so calculated is less than twenty-one million rand; and
- (c) an adjustment shall be made between the fund and the Consolidated Revenue Fund in respect of such amount as the Minister of Finance, in consultation with the Minister, may determine as the difference between the amount of the revenues due to the fund in terms of subsection (1) in respect of the period from the 1st April, 1968, to the date of commencement of this Act, and the amount of the expenditure incurred as a charge on the Consolidated Revenue Fund by or on behalf of the department during that period.

4. (1) Subject to the provisions of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956), no money shall be withdrawn from the fund, except under appropriation made by law. Withdrawal of money from the fund.

(2) Any appropriation chargeable to the Consolidated Revenue Fund in any Appropriation Act in respect of the financial year ending on the 31st March, 1969, shall be deemed to be an appropriation chargeable to the fund, in so far as it is an appropriation for or on behalf of the department.

5. (1) If the department is required by the State President or under an Act of Parliament or resolution of the Senate and of the House of Assembly to provide any service or facility either gratuitously or at a tariff which is insufficient to meet the costs involved in the provision of such service or facility, the Minister shall as soon as practicable after the end of each financial year present to Parliament an account approved by the Minister of Finance, showing, as nearly as can be ascertained, the amount of the loss incurred by reason of the provision of such service or facility, and that amount shall be paid out of the Consolidated Revenue Fund into the fund. Making good of deficits in the fund in certain circumstances.

(2) In the calculation of the loss arising from the operation of such service or facility, regard shall be had to the value of any contributions to revenues from other services and facilities of the department, which may be due to the operation of such service or facility.

6. (1) Compensation for services provided on or after the 1st April, 1968, by the department to or on behalf of any other State department, or by any other State department to or on behalf of the department, shall be paid on a basis agreed upon from time to time by the Minister and the Minister of Finance, or the Minister of Transport, or the Administrator of the province concerned, depending on whether the compensation is to be paid out of or into the Consolidated Revenue Fund, the Railway and Harbour Fund, or a provincial revenue fund. Compensation for services provided by the department to other State departments, and by other State departments to the department.

(2) Payment of such compensation for services provided during any financial year shall, unless it is otherwise agreed upon under subsection (1), be by way of instalments paid monthly during the financial year in question and as far as possible equal to one-twelfth of the total compensation estimated in respect of that financial year by the department which provides the services in question, and as soon as practicable after the end of the financial year in question an adjustment

between the fund and the Consolidated Revenue Fund, or the Railway and Harbour Fund, or the relevant provincial revenue fund, as the case may be, shall be made in respect of the difference between the total amount paid by way of such instalments in that financial year and the compensation actually due in respect of that financial year.

7. (1) There shall be a board to be known as the Post Office Staff Board which shall consist of three members. Institution and constitution of the board.

(2) The State President shall appoint the members of the board from among officers in the department, and in making any such appointment the State President shall have due regard to *inter alia* the knowledge of and experience in public and financial administration generally and the administration of the department in particular, of the officers to be appointed.

(3) The State President shall designate one member as chairman of the board.

(4) Whenever the chairman is absent, the State President shall designate another member or an officer designated under subsection (5) to act as chairman of the board during the absence of the chairman.

(5) Whenever a member other than the chairman is absent or acts as chairman under a designation in terms of subsection (4), the State President may designate an officer in the department to act as member of the board during the absence of such other member or of the chairman, as the case may be.

8. (1) Subject to the provisions of subsections (6), (7), (8) and (9), a member of the board shall hold office for such period, not exceeding five years, as the State President may in each case determine, and shall be eligible for re-appointment on the expiration of his period of office. Period of office, remuneration and other conditions of service of members of the board.

(2) The State President shall fix the salaries payable to the chairman and the other members of the board respectively, and a salary so fixed shall not be reduced during the period of office of the chairman or such other member except by Act of Parliament.

(3) A member of the board shall be paid such cost-of-living, re-imbursive and other allowances, bonuses and gratuities and be granted such privileges in respect of leave of absence, transfer and transportation as would have been paid or granted to him had he been an officer in the public service.

(4) A member of the board shall not without the permission of the State President perform or engage himself to perform any remunerative work outside the duties of his office.

(5) A member of the board shall not be suspended or removed from office except in accordance with the provisions of subsections (6), (7) and (8).

(6) (a) The State President may suspend a member of the board and, subject to the provisions of this subsection, remove him from office—

(i) for misconduct;

(ii) for unfitness for the duties of his office or incapacity to carry out the duties of his office efficiently; or

(iii) if his removal from office, for reasons other than his own unfitness or incapacity, will promote efficiency or economy.

(b) Every suspension of a member of the board, and the reason therefor, shall be communicated by message to the Senate and to the House of Assembly within fourteen days after the suspension, if Parliament is then in ordinary session, or, if Parliament is not then in

ordinary session, within fourteen days after the commencement of its next ensuing ordinary session.

- (c) If, within twenty-one days after the date on which the said suspension and the reason therefor have been so communicated to the Senate and to the House of Assembly, the State President is presented with an address from the Senate and from the House of Assembly praying for the removal of the member concerned from office and stating the reason for such removal, the State President may remove him accordingly.
- (d) If no such address is presented to the State President within the period mentioned in paragraph (c), the member concerned shall be restored to office.
- (7) (a) If a member of the board becomes afflicted with a permanent infirmity of mind or body, which disables him from properly discharging the duties of his office, the State President may—
- (i) allow such member to vacate his office; or
  - (ii) subject to the provisions of subsection (6), remove him from office on the ground of incapacity.
- (b) If a member vacates his office in terms of paragraph (a) (i), he shall be deemed to have retired on the ground of ill-health, and shall be entitled to such pension as he would, under the pension law applicable to him, have been entitled to if he had been discharged from the public service on the ground of ill-health occasioned with or without his own default, as the State President may direct.
- (8) A member of the board shall vacate his office and shall retire on attaining the age of sixty-five years: Provided that a member, who attains the said age in any month of the year after the first day of the month in question, shall be deemed to attain that age on the first day of the next succeeding month.
- (9) (a) The period of service of a member as such member shall be reckoned as part of and continuous with his employment in the public service for purposes of leave and pension, and the provisions of any pension law which would have been applicable to him or, in the event of his death, to his dependants, if he had remained an officer in the public service, and which are not in conflict with this section, shall *mutatis mutandis* continue to apply.
- (b) Such member shall have the same right to vacate his office and to retire as he would have had on the attainment of an age prescribed by the Public Service Act or any other law, or on any subsequent date on which he desires to do so, had he remained in the public service.
- (10) A member of the board who, at the expiration of his period of office as such member—
- (a) is not re-appointed as a member of the board; and
  - (b) has not reached the age at which he would have had the right to retire and should have been retired in terms of section 14 (1) or (2) of the Public Service Act, had he remained an officer in the public service,
- shall have the right to retire, or may be required by the State President to retire, and if such member so retires or is so required to retire, he shall be entitled to such pension as he would have been entitled to under the pension law applicable to him, had he been discharged from the public service owing to the abolition of his post.

9. (1) The secretarial and administrative work connected with the exercise or performance by the board of its powers and functions, shall be performed by officers or employees in the department designated for that purpose by the Postmaster-General in consultation with the board.

Staff of the board and inspection of public offices.

(2) One such officer shall be so designated as the secretary of the board.

(3) The board may designate any officer designated under subsection (1), to carry out any inspection in the department and an officer so designated by the board shall have the powers conferred on the board by section 8 (1) of the Public Service Act.

10. (1) Subject to the provisions of subsection (2), a recommendation or direction made or given by not fewer than two members of the board, shall for the purposes of the Public Service Act or any other law be deemed to be a recommendation or direction made or given by the board.

Exercising and delegation of the board's powers and functions.

(2) Subject to the provisions of subsection (3), a power conferred on or function entrusted to the board in terms of the Public Service Act or any other law may, with the concurrence of all the members of the board, be exercised or performed by a member or members of the board or any officer under a general or special delegation from the board and subject to such conditions as it may determine.

(3) The board shall not delegate the power of delegation conferred on it by subsection (2) of this section, or the powers conferred on it by section 6 (2) (a), (g), (j), (m) and (n), or section 14 (4), (5), (6) (a) to (e) inclusive, (7) and (8), or Chapter IV, or section 25, or section 27, of the Public Service Act, or by regulation 25 (1) of the regulations published in terms of section 5 of the Government Service Pensions Act, 1965 (Act No. 62 of 1965), under Government Notice No. R.1969 of the 15th December, 1965.

(4) The board may designate one or more of its members or an officer or officers to conduct an enquiry into any matter on which it is, in terms of the Public Service Act or any other law, competent for the board to make a recommendation or issue a direction.

(5) Any delegation or designation under this section may at any time be revoked by the board.

11. (1) Any power or function conferred on or entrusted to the Public Service Commission by or under the Public Service Act or any other law shall be deemed to be conferred on or entrusted to the board in so far as such power or function relates to the department, or to officers or employees in the service of the department, or to persons who were in or are to be taken into the service of the department.

Powers and functions of the board.

(2) Any provision of the Public Service Act, or of any other law, relating to a recommendation, direction, enquiry, inspection, report or any other action of the Public Service Commission by virtue of a power or function contemplated in subsection 1, shall *mutatis mutandis* apply in relation to the corresponding recommendation, direction, enquiry, inspection, report or other action by the board by virtue of the relevant power or function as conferred on or entrusted to it in terms of that subsection.

(3) Any provision of the Public Service Act, or of any other law, in terms of which a power or function may be conferred on or entrusted to the Public Service Commission, shall be deemed to be a provision in terms of which the relevant power or function may be conferred on or entrusted to the board in so far as that power or function relates to the department, or to officers or employees in the service of the department, or to persons who were in or are to be taken into the service of the department.

(4) In the application of subsections (1), (2) and (3), and in the application, in relation to the department, or to officers or employees in the service of the department, or to persons who were in or are to be taken into the service of the department, of a provision of the Public Service Act other than a provision contemplated in the said subsections, a reference in that Act (except in sections 4, 5 and 9 thereof) and, unless inconsistent with the context, in any other law contemplated in those subsections, to—

(a) the Public Service Commission, shall be construed as a reference to the board and, in connection with any

power conferred on or entrusted to the Public Service Commission by that Act or any such other law, as including a reference to any member or members of the board or any officer to whom the exercise of such power or the performance of such function has been delegated by the board under section 10 (2) of this Act;

- (b) the Minister of the Interior, shall be construed as a reference to the Minister of Posts and Telegraphs;
- (c) the Treasury, shall be construed as a reference to the Minister of Posts and Telegraphs or an officer in the department authorized by the said Minister to perform the functions assigned to the Treasury under that Act or any such other law;
- (d) the Consolidated Revenue Fund, shall be construed as a reference to the fund.

(5) A reference in any law to the Public Service Act or any other law contemplated in subsections (1), (2) and (3), shall be construed as a reference to that Act or such other law as interpreted in terms of this section.

(6) Any regulations, scales of salaries, wages and allowances, or any recommendation, direction or other action made, fixed, given or taken under the Public Service Act or any other law contemplated in subsections (1), (2) and (3), which was in force immediately prior to the commencement of this Act, shall be deemed, in so far as it relates to the department, or to officers or employees in the department, or to persons who were in or are to be taken into the service of the department, to have been made, fixed, given or taken under that Act as construed in terms of this section, or the other law in question as so construed, as the case may be.

12. Notwithstanding the provisions of section 10 (1), (2) and (3) of this Act, a recommendation under section 6 (2) (g) or (m) of the Public Service Act—

Recommendations in connection with scales of remuneration and regulations.

- (a) made by the board, shall have no force unless it has been approved by the Minister in consultation with the Minister of the Interior and, in so far as the recommendation in question is subject to the provisions of section 7 (2) of that Act, the Minister of Finance;
- (b) made by the Public Service Commission, shall also be applicable to officers and employees in the department, if the Minister has, on the recommendation of the board, approved that it is to be so applicable.

13. Section 13 of the Public Debt Commissioners Act, 1911, is hereby amended by the insertion in subsection (2) after paragraph (f) of the following paragraph:

Amendment of section 13 of Act 18 of 1911, as amended by section 6 of Act 38 of 1921 and section 5 of Act 6 of 1968-

“(fA) a statement of account in respect of the Department of Posts and Telegraphs;”.

14. The following section is hereby substituted for section 15 of the Radio Act, 1952:

Substitution of section 15 of Act 3 of 1925.

“Disposal of fees.

15. All fees collected under this Act shall be paid into the Post Office Fund, and there shall be paid from that Fund to the South African Broadcasting Corporation established by the Broadcasting Act, 1936 (Act No. 22 of 1936), an amount equal to the amount of the fees collected in respect of any listener's licence issued under section 7 less an amount of twenty-five cents in respect of each licence or renewal of a licence and such an amount, not exceeding five per centum of the said fees in respect of a listener's licence, for collection as may be mutually agreed upon by the Postmaster-General and the said Corporation, or as may, in the absence of such an agreement, be fixed by the Minister.”.

15. Section 1 of the Exchequer and Audit Act, 1956, is hereby amended—

(a) by the substitution for the definition of "Administration" of the following definition:

"(ii) 'Administration' or 'the Administration' means—

(a) in relation to the Railways and Harbours, or the accounts or officers of the Railways and Harbours, the Railway Administration referred to in section 3 (3) of the Railway Board Act, 1962 (Act No. 73 of 1962);

(b) in relation to the Department of Posts and Telegraphs, or the accounts or officers of that Department, but not in any regulation which is not applicable to that Department and its accounts and officers, the Postal Administration; (i)";

(b) by the substitution for the definition of "Minister" of the following definition:

"(vi) 'Minister' means—

(a) except as provided in paragraphs (b) and (c), the Minister of Finance;

(b) in the application of sections 16 and 18 to the accounts of the Railway Administration, the Minister of Transport;

(c) in the application of the said sections to the accounts of the Postal Administration, the Minister of Posts and Telegraphs; (v)";

(c) by the insertion after the definition of "Minister" of the following definition:

"Postal Administration" means the authority in which the administration and control of the Department of Posts and Telegraphs vest in terms of section 2 (1) of the Post Office Act, 1958 (Act No. 44 of 1958);"; and

(d) by the substitution for the definition of "Treasury" of the following definition:

"(x) 'Treasury' means—

(a) except as provided in paragraphs (b) and (c), the office or department of the Minister of Finance;

(b) in the application of section 12, 15 or 17 to the accounts of the Railway Administration, the Railway Administration;

(c) in the application of section 12, 15, 17 or 61 (2) and (3) to the accounts of, or in relation to, the Postal Administration or the Department of Posts and Telegraphs, the Postal Administration. (x)".

Amendment of section 1 of Act 23 of 1956, as amended by section 14 of Act 37 of 1958.

16. Section 21 of the Exchequer and Audit Act, 1956, is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

"(1) The Secretary for Customs and Excise and the Secretary for Inland Revenue shall each, after deduction of the payments for drawbacks, repayments or discounts, cause the gross revenues of his department to be paid daily into the Exchequer Account, and all other revenues shall be paid into the Exchequer Account."; and

(b) by the deletion of subsection (3).

Amendment of section 21 of Act 23 of 1956, as amended by section 18 of Act 77 of 1962, section 27 of Act 6 of 1963 and section 5 of Act 70 of 1963.

17. The following section is hereby substituted for section 41 of the Exchequer and Audit Act, 1956:

"Definitions.

41. In this Chapter the expression 'Fund', in relation to an Administration, means the Railway and Harbour Fund, in the case of the Railway Administration, or the Post Office Fund, in the case of the Postal Administration, and a reference to the Railway and Harbour Account or Postmaster-General's Account mentioned in section 42, shall include a reference to the account of the Fund of the Administration concerned."

Substitution of section 41 of Act 23 of 1956.



18. The following section is hereby substituted for section 42 of the Exchequer and Audit Act, 1956: Substitution of section 42 of Act 23 of 1956.

“Keeping of accounts by an Administration. 42. (1) An Administration shall keep with the bank an account called, in the case of the Railway Administration, the ‘Railway and Harbour Account’, and in the case of the Postal Administration, the ‘Postmaster-General’s Account’, into which shall be paid all the revenues of the Administration concerned and also all other receipts appertaining thereto from whatever source arising, and from which shall be withdrawn all moneys necessary to meet the expenditure and payments for which such Administration is, or may become, liable: Provided that no moneys shall be withdrawn from the account of the Administration concerned to meet expenditure chargeable against the Fund of such Administration, unless—

- (a) the expenditure has been provided for under appropriation made by law and authorized by warrant of the State President in accordance with section 46; or
- (b) the expenditure has been authorized by special warrant of the State President granted in terms of section 47.

(2) Nothing in this section contained shall be construed as preventing an Administration from meeting from revenue in the first instance, the services for which it is responsible, and for which sums have been appropriated by Parliament, and any amount so advanced shall be subsequently adjusted and repaid to revenue.”

19. The following section is hereby substituted for section 46 of the Exchequer and Audit Act, 1956: Substitution of section 46 of Act 23 of 1956.

“State President’s warrant for issue from a Fund. 46. When any revenues have been appropriated by law for the purpose of meeting expenditure payable out of the Fund of an Administration, the State President may, by warrant under his hand, authorize the Administration concerned to withdraw from its Fund such sums as may be required from time to time to meet such expenditure, not exceeding the total of the revenues so appropriated.”

20. Section 47 of the Exchequer and Audit Act, 1956, is hereby amended by the substitution for subsection (1) of the following subsection: Amendment of section 47 of Act 23 of 1956.

“(1) To enable an Administration from time to time to incur expenditure on such unforeseen services as cannot be postponed without serious prejudice to the public interest until adequate provision therefor can be made by Parliament, or to meet excesses on a vote of Parliament, the State President may by special warrant under his hand authorize the Administration concerned to incur such expenditure not exceeding in the aggregate—

- (a) in the case of the Railway Administration—
  - (i) the sum of one million rand; or
  - (ii) the amount by which its accrued earnings, calculated to the last day of the month immediately preceding the day on which the special warrant is issued, exceeds the proportion of its earnings, calculated to the said day on the basis of the estimate of revenues at the commencement of the financial year,

whichever amount is the greater;

- (b) in the case of the Postal Administration, two million rand.”

21. The following section is hereby substituted for section 48 of the Exchequer and Audit Act, 1956: Substitution of section 48 of Act 23 of 1956.

“Unauthorized expenditure to be 48. Any expenditure incurred under section 47 shall be submitted for appropriation by Parliament not later than during its next ensuing session:

submitted to Parliament. Provided that if any such special warrants as are prescribed in the said section are granted by the State President while Parliament is in session, the Controller and Auditor-General shall cause statements thereof to be prepared monthly and shall transmit such statements, in the case of the Railway Administration, to the Minister of Transport, or in the case of the Postal Administration, to the Minister of Posts and Telegraphs, for presentation to the Senate and to the House of Assembly without delay, and, in the case of special warrants issued by the State President while Parliament is not in session, the Controller and Auditor-General shall cause a statement thereof to be prepared and shall transmit such statement to the Minister of Transport or the Minister of Posts and Telegraphs, as the case may be, for presentation to the Senate and to the House of Assembly as soon as possible after the commencement of the next ensuing session of Parliament."

22. The following section is hereby substituted for section 50 of the Exchequer and Audit Act, 1956:

Substitution of section 50 of Act 23 of 1956.

"Examination of annual accounts and report thereon by the Controller and Auditor-General.

50. (1) (a) As soon as possible, but in every case within seven months, after the close of the financial year, the Controller and Auditor-General shall examine the accounts prescribed by section 49 and shall transmit such accounts, together with his certificate and a report signed by him, in the case of the accounts of the Railway Administration, to the Minister of Transport, or, in the case of the accounts of the Postal Administration, to the Minister of Posts and Telegraphs: Provided that the Controller and Auditor-General may at any time, if it appears to him to be desirable, transmit a special report on any matter incidental to the finances of an Administration to the Minister of Transport or the Minister of Posts and Telegraphs, as the case may be.

(b) Copies of any accounts, report or special report transmitted by the Controller and Auditor-General as aforesaid to the Minister of Transport or the Minister of Posts and Telegraphs, shall at the same time be transmitted to the Treasury.

(2) The Minister of Transport or the Minister of Posts and Telegraphs, as the case may be, shall present any accounts, report or special report received by him under this section to the Senate and to the House of Assembly within seven days after receipt thereof, if Parliament is then in session, or, if Parliament is not then in session, within seven days after the commencement of the next ensuing session.

(3) If the Minister of Transport or the Minister of Posts and Telegraphs, as the case may be, does not within the prescribed time present to the Senate and to the House of Assembly any accounts, report, or special report aforesaid, the Controller and Auditor-General shall forthwith transmit copies thereof to the President of the Senate and to the Speaker of the House of Assembly, which shall be presented to the Senate and the House of Assembly by the President and the Speaker respectively."

23. Section 51 of the Exchequer and Audit Act, 1956, is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 51 of Act 23 of 1956.

"(1) Such sums as are authorized by Parliament, and which may be required by the Railway Administration from time to time out of the proceeds of loans for the

services of the Administration, shall be obtained by requisition on the Treasury, and the Treasury shall decide in what instalments and at what dates the sums so requisitioned shall be issued to the Administration.”.

24. The following section is hereby substituted for section 52 of the Exchequer and Audit Act, 1956: Substitution of section 52 of Act 23 of 1956.

**Investment of the Railway Administration's working balances.** 52. The Railway Administration may invest with the National Finance Corporation of South Africa, established under section 2 of the National Finance Corporation Act, 1949 (Act No. 33 of 1949), on short call deposit any available portion of the working balances retained at its disposal in terms of section 9 of the Public Debt Commissioners Act, 1911 (Act No. 18 of 1911).”.

25. The following sections are hereby inserted in the Exchequer and Audit Act, 1956, after section 52: Insertion of sections 52A, 52B and 52C in Act 23 of 1956.

**Loans for capital expenditure by the Postal Administration.** 52A. (1) Such sums as are authorized by Parliament, and which may be required by the Postal Administration from time to time out of the proceeds of loans for capital expenditure, shall be obtained by requisition on the Treasury, and every such sum shall be repaid to the Treasury together with interest thereon at the rate fixed under section 1 of the Financial Adjustments Act, 1917 (Act No. 42 of 1917), and applicable on the date on which such amount is paid out to the Administration.

(2) Save as may be otherwise agreed between the Administration and the Treasury, a repayment contemplated in subsection (1) shall be effected by way of equal half-yearly instalments, which shall include both interest and redemption, at such rate of redemption as will effect the full redemption of such sum at the end of a period of twenty years as from the date on which the sum in question or the last instalment thereof was paid out to the Administration.

**Redemption of and interest on capital taken over by the Postal Administration.** 52B. (1) Subject to the provisions of subsection (2), the Postal Administration shall be deemed not to have any redemption, interest or other financial liability in respect of any amount made available for its services out of the proceeds of loans in any financial year prior to the financial year ending on the thirty-first day of March, 1969.

(2) All capital assets acquired by means of amounts made available out of the proceeds of loans or out of revenue for the services of the Postal Administration in financial years prior to the financial year ending on the thirty-first day of March, 1969, shall be deemed to have been taken over by that Administration on the first day of April, 1968, against the acceptance of liability for the repayment of, and the payment of interest on, a sum of one hundred and ninety-nine million rand, to the Treasury, and the said sum shall be deemed to be a sum obtained in terms of section 52A by the Administration from the Treasury out of the proceeds of loans and paid out to the Administration on the first day of April, 1968: Provided that, in respect of the financial year ending on the thirty-first day of March, 1969, only interest shall be paid on the said amount and that as from the commencement of the next succeeding financial year, the said sum shall be redeemed at a rate which will effect full redemption thereof at the end of a period of twenty years reckoned as from the first day of April, 1969, and provided further that a rate of interest of six per cent per annum shall be applied in respect of that sum.

**Temporary deficits in the Post-** 52C. The Postal Administration may at any time during a financial year borrow from the bank by way of overdraft such sums of money as the Administra-

master-General's Account. tion may deem necessary to meet anticipated temporary deficits in the Postmaster-General's Account during the financial year in question, and may pay interest on such loans, and the bank may grant such loans to the Administration."

26. The following section is hereby substituted for section 55 of the Exchequer and Audit Act, 1956: Substitution of section 55 of Act 23 of 1956.

"Cost of audit. 55. The cost of the audit of the accounts of an Administration as certified by the Controller and Auditor-General shall be defrayed out of the Fund of the Administration concerned."

27. The following section is hereby substituted for section 60 of the Exchequer and Audit Act, 1956: Substitution of section 60 of Act 23 of 1956.

"Authority for opening banking accounts. 60. No account shall be opened in any bank on behalf of the Government or any department thereof or any officer thereof in his official capacity, without the written authority of the Treasury or, in the case of the Railways and Harbours, of the Railway Administration, or, in the case of the Department of Posts and Telegraphs, of the Postal Administration, and, subject to the provisions of section 52C, no bank shall permit an overdraft on any such account."

28. (1) Section 61 of the Exchequer and Audit Act, 1956, is hereby amended by the substitution for subsection (4) of the following subsection: Amendment of section 61 of Act 23 of 1956, as substituted by section 19 of Act 77 of 1962.

"(4) No instruction issued under subsection (2) or (3) shall apply in respect of the estimates, accounts or officers of the Railway Administration."

(2) Instructions issued under subsection (2) or (3) of section 61 of the Exchequer and Audit Act, 1956, and in force immediately prior to the commencement of this Act, shall, in so far as such instructions relate to the accounts and officers of the department, be deemed to have been issued under the relevant subsection as construed in terms of the amendment, by section 15 of this Act, of the definition of "Treasury" in section 1 of that Act.

29. Section 1 (1) of the Public Service Act is hereby amended by the substitution for the definition of "Commission" of the following definition: Amendment of section 1 of Act 54 of 1957, as amended by section 1 of Act 71 of 1963, section 1 of Act 47 of 1965 and section 1 of Act 63 of 1967.

"(iii) 'Commission' means the Public Service Commission established by section 4 (1), and, in relation to any power conferred upon or function entrusted to the Commission by this Act or any other law, includes any member or members of the Commission or any officer to whom the exercise of such power or the performance of such function has been lawfully delegated by the Commission in terms of section 5 (2); (xi)".

30. Section 2 of the Public Service Act is hereby amended by the substitution for subsection (3) of the following subsection: Amendment of section 2 of Act 54 of 1957, as amended by section 1 of Act 9 of 1961.

"(3) Nothing in this Act, excepting the provisions of section 4, shall apply in respect of the employment by the Government of persons whose appointment, remuneration and other conditions of employment may, in terms of any law, be made and determined by the State President, or a Minister or Administrator or other person without the recommendation of the Commission or of the Post Office Staff Board first having been obtained, nor shall anything in this Act apply to persons, not being officers or employees in the public service, appointed before or after the commencement of this Act under the provisions of the Special Education Act, 1948 (Act No. 9 of 1948), the Bantu Education Act, 1953 (Act No. 47 of 1953), or the Vocational Education Act, 1955 (Act No. 70 of 1955)".

31. Section 3 of the Public Service Act is hereby amended by the substitution for subsection (6) of the following subsection: Amendment of section 3 of Act 54 of 1957.

“(6) The public service shall not include Ministers, the Administrator of a province or the territory, the Chief Justice of South Africa, any judge of the Supreme Court of South Africa, officers of Parliament or members of the Commission or of the Post Office Staff Board.”.

32. Section 4*bis* of the Public Service Act is hereby repealed. Repeal of section 4*bis* of Act 54 of 1957, as inserted by section 2 of Act 71 of 1963 and amended by section 2 of Act 47 of 1965.

33. Section 5 of the Public Service Act is hereby amended by the substitution for subsections (2) and (3) of the following subsections: Amendment of section 5 of Act 54 of 1957, as amended by section 3 of Act 71 of 1963, section 3 of Act 47 of 1965 and section 3 of Act 63 of 1967.

“(2) Subject to the provisions of subsection (3), any power conferred upon or function entrusted to the Commission by this Act or any other law (except the power of delegation conferred hereby) may, with the concurrence of all the members of the Commission, be exercised or carried out under a general or special delegation from the Commission and subject to such conditions as it may determine—  
(a) by any member or members of the Commission; or  
(b) by any officer.

(3) The Commission shall not delegate the powers conferred upon it by section 6 (2) (a), (g), (j), (m) and (n), or section 14 (4), (5), (6) (a) to (e) inclusive, (7) and (8), or Chapter IV, or section 25, or section 27, of this Act, or by regulation 21 (1), 25 (1) or 27 (1) of the regulations published in terms of section 5 of the Government Service Pensions Act, 1965 (Act No. 62 of 1965), under Government Notices No. R.1968, R.1969 and R.2031, respectively, of the 10th, 15th and 22nd December, 1965, respectively.”.

34. (1) Section 56 (1) of the Post Office Act, 1958, is hereby amended by the substitution for paragraph (a) of the following paragraph: Amendment of section 56 of Act 44 of 1958.

“(a) The interest payable to depositors shall be at such rate, not exceeding five per cent per annum, as may from time to time be fixed by the Minister of Finance in consultation with the Minister, but interest shall not be calculated on any amount less than two rand or a multiple of two rand and shall, save as provided in paragraph (b), commence on the first day of the month next following the day of deposit and shall cease on the last day of the month preceding the day on which the repayment of the deposit is effected.”.

(2) The rate of interest applicable in terms of subsection (1) of section 56 of the Post Office Act, 1958, immediately prior to the commencement of this Act, shall be deemed to have been fixed under that subsection as substituted by subsection (1) of this section.

35. Section 66 of the Post Office Act, 1958, is hereby amended— Amendment of section 66 of Act 44 of 1958.

(a) by the substitution for paragraph (b) of subsection (2) of the following paragraph:

“(b) the Post Office Fund shall be re-imbursed the working expenses of the Savings Bank as determined by the Minister of Finance in consultation with the Minister,”; and

(b) by the substitution for subsection (3) of the following subsection:

“(3) Out of the reserve fund mentioned in subsection (2) there shall be defrayed—

(a) depreciation in or losses on the realization of investments of Savings Bank moneys; and

- (b) any excess during any year of the amounts payable under paragraphs (a) and (b) of that subsection over the interest derived from the investment of Savings Bank moneys and the profit referred to in that subsection, and, if the balance in the reserve fund is insufficient to cover such defrayment, the short-fall shall be made up out of the Consolidated Revenue Fund.”

36. (1) Section 76 of the Post Office Act, 1958, is hereby amended by the substitution for subsection (1) of the following subsection: Amendment of section 76 of Act 44 of 1958, as amended by section 11 of Act 58 of 1966.

“(1) Interest on Savings Bank certificates shall be at such rate per annum as may from time to time be fixed by the Minister of Finance after consultation with the Minister, but no reduction in the rate of such interest shall apply to any certificate already issued until after the expiration of a period of three months from the date upon which written notice of the reduction has been given to the holder of that certificate personally or has been served at, or transmitted by post to his last known address.”

(2) The rate of interest applicable in terms of subsection (1) of section 76 of the Post Office Act, 1958, immediately prior to the commencement of this Act, shall be deemed to have been fixed under that subsection as substituted by subsection (1) of this section.

37. Section 117 of the Post Office Act, 1958, is hereby amended by the substitution for all the words preceding the proviso of the words “All moneys received under this Act shall form part of the postal revenue”. Amendment of section 117 of Act 44 of 1958.

38. Section 1 of the Government Service Pensions Act, 1965, is hereby amended by the substitution for the definition of “revenue” of the following definition: Amendment of section 1 of Act 62 of 1965.

- “(xix) ‘revenue’ means the Consolidated Revenue Fund or, in respect of officers or employees serving under or persons retired or discharged from service under—
- (a) the Department of Posts and Telegraphs, the Post Office Fund;
  - (b) a provincial administration, the provincial revenue fund concerned;
  - (c) the administration of the territory, the territory Revenue Fund; (x)”.

39. Section 1 of the Government Non-White Employees Pensions Act, 1966, is hereby amended by the addition of the word “or”, and thereafter the following paragraph, to the definition of “revenue”— Amendment of section 1 of Act 42 of 1966.

- “(d) in respect of non-White employees serving under, or non-White persons retired or discharged from service under the Department of Posts and Telegraphs, the Post Office Fund;”.

40. This Act shall be called the Post Office Re-adjustment Act, 1968, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*. Short title and commencement.