

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.



# GOVERNMENT GAZETTE

OF THE REPUBLIC OF SOUTH AFRICA

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STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 1502.

2 July 1985

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

No. 98 of 1985: Members of Parliament and Political Office-bearers Pension Scheme Amendment Act, 1985.

No. 1502.

2 Julie 1985

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

No. 98 van 1985: Wysigingswet op die Pensioenskema vir Parlementslede en Politieke Ampsbekleërs, 1985.

Act No. 98, 1985 MEMBERS OF PARLIAMENT AND POLITICAL OFFICE-BEARERS  
PENSION SCHEME AMENDMENT ACT, 1985

GENERAL EXPLANATORY NOTE:

- [** Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with solid line indicate insertions in existing enactments.

## ACT

To amend the provisions of the Members of Parliament and Political Office-bearers Pension Scheme Act, 1984, so as to define the expression "highest office" and to further define the expression "special pension"; to determine the minimum pension to which a member to whom a special pension is payable shall be entitled on termination of his membership; to provide for the suspension of the payment of a special pension if a member to whom such a special pension is payable, again assumes an office under certain circumstances; and to further regulate the limit of the total of pensions which may be paid to any person in terms of the said Act; and to provide for matters connected therewith.

*(English text signed by the State President.)*  
*(Assented to 1 July 1985.)*

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

Amendment of  
section 1 of  
Act 112 of 1984.

1. Section 1 of the Members of Parliament and Political Office-bearers Pension Scheme Act, 1984 (hereinafter referred to as the principal Act), is hereby amended— 5

(a) by the insertion, in subsection (1), after the definition of "former President's Council" or the following definition:

"highest office" means the office to which the highest pensionable salary applies;; and 10

(b) by the substitution, in subsection (1), for the definition of "special pension" of the following definition:

"special pension" means a [special] pension payable in terms of section 10 (1) (i) and includes—

(a) for the purposes of section 5 (1), [includes] a special pension payable in terms of section 14 of the General Pension Act, 1979 (Act No. 29 of 1979); 15

(b) any pension which was, immediately prior to the fixed date, payable in terms of any repealed law to a former member who becomes a member on that date." 20

Amendment of  
section 8 of  
Act 112 of 1984.

2. Section 8 of the principal Act is hereby amended by the addition of the following subsection, the existing section becoming subsection (1): 25

"(2) A member referred to in subsection (1) to whom a special pension is payable shall, as from the date on which his membership terminates, be entitled to a pension equal to—

(a) the sum of the special pension and the pension payable to him in terms of subsection (1) as from that date; or 30

## Act No. 98, 1985

MEMBERS OF PARLIAMENT AND POLITICAL OFFICE-BEARERS  
PENSION SCHEME AMENDMENT ACT, 1985

(b) the pension to which he would have been entitled had his membership terminated on the date on which he vacated the office in respect of which the special pension is payable to him,  
whichever is the greater.”

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Amendment of  
section 10 of  
Act 112 of 1984.

3. Section 10 of the principal Act is hereby amended by the addition of the following subsection, the existing section becoming subsection (1):

“(2) If a member, after he became entitled to a special pension, again assumes an office, and the pensionable salary applicable to that office is equal to or exceeds the pensionable salary which is, on the date on which that member so again assumes an office, applicable to the highest office in respect of which the said special pension is payable, payment of the special pension shall be suspended for so long as the member holds the first-mentioned office.”

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Amendment of  
section 12 of  
Act 112 of 1984.

4. Section 12 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The total of any pensions (excluding a pension referred to in section [10 (i) or] 14 (1)) payable in terms of this Act to any person, shall not exceed, in the case of—

(a) any person to whom a pension is payable in terms of section 8 or 9, the highest pensionable salary of that person during the period of his pensionable service;

(b) any person to whom a pension referred to in paragraph

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(a) as well as a special pension is payable, the pensionable salary applicable to the highest office held by that person during his period of pensionable service;

(c) a member to whom a special pension is payable, the difference between the pensionable salary applicable to the highest office in respect of which that special pension is payable and the pensionable salary of the member concerned.”

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Short title and  
commencement.

5. This Act shall be called the Members of Parliament and Political Office-bearers Pension Scheme Amendment Act, 1985, and shall be deemed to have come into operation on 1 July 1984.

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