

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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KAAPSTAD, 22 MEI 1991

STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 1144.

22 May 1991

No. 1144.

22 Mei 1991

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

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

No. 60 of 1991: Pension Benefits for Councillors of Local Authorities Amendment Act, 1991.

No. 60 van 1991: Wysigingswet op Pensioenvoordele vir Raadslede van Plaaslike Owerhede, 1991.

Act No. 60, 1991

PENSION BENEFITS FOR COUNCILLORS OF LOCAL
AUTHORITIES AMENDMENT ACT, 1991

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 Pension Benefits for Councillors of Local Authorities Act, 1987, so as to alter an obsolete designation; and to authorize local authorities to participate in the schemes of certain pension funds; to amend Government Notice No. 1184 of 24 June 1988 so as to rectify a certain reference; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 14 May 1991.)*

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

Amendment of section 1 of Act 105 of 1987

1. Section 1 of the Pension Benefits for Councillors of Local Authorities Act, 1987 (hereinafter referred to as the principal Act), is hereby amended by the substitution in the definition of "Minister" for the words preceding paragraph (a) of the following words: 5

"means the Minister of **[Constitutional Development and]** Planning, Provincial Affairs and National Housing acting with the concurrence of—".

Substitution of section 2 of Act 105 of 1987 10

2. The following section is hereby substituted for section 2 of the principal Act:

"Establishment of pension funds, and participation in schemes of such pension funds

2. A local authority **[or a group of local authorities]** which prefers not to establish a pension scheme in terms of section 3, or a group of such local authorities, may, subject to the provisions of the Pension Funds Act, 1956 (Act No. 24 of 1956), and such conditions as the Minister may determine by notice in the *Gazette*, for the benefit of its or their councillors and the dependants of those councillors— 15

(a) establish, control, administer and maintain a pension fund; and 20

(b) contribute to such a pension fund at a rate which shall not exceed such rate as may be determined by the Minister by notice in the *Gazette*;

Provided that, if such local authority prefers not to establish a pension fund in terms of this section, it may, subject to the provisions of the rules of the relevant pension fund, enter into an agreement with any pension fund established in terms of this section in pursuance of which it participates in the scheme of any such pension fund." 25

Amendment of section 3 of Act 105 of 1987

3. Section 3 of the principal Act is hereby amended by the substitution for the words preceding paragraph (a) of the following words: 30

Act No. 60, 1991

PENSION BENEFITS FOR COUNCILLORS OF LOCAL
AUTHORITIES AMENDMENT ACT, 1991

“A local authority which prefers not to establish a pension fund in terms of section 2 by itself or with any other local authority, or not to enter into an agreement mentioned in the said section with a pension fund established in terms of that section, may, subject to such conditions as the Minister may determine by notice in the *Gazette*, for the benefit of its **[or their]** councillors and the dependants of those councillors—”.

Substitution of long title of Act 105 of 1987

4. The following long title is hereby substituted for the long title of the principal Act:

“To authorize a local authority to establish a pension fund or a pension scheme for the benefit of its councillors and their dependants, or to participate in the scheme of such pension fund; and to provide for matters connected therewith.”.

Amendment of Government Notice No 1184 of 1988

5. Government Notice No. 1184 of 24 June 1988 is hereby amended by the substitution for the expression “Registrar of Financial Institutions” of the expression “Registrar of Pension Funds”.

Short title and commencement

6. (1) This Act shall be called the Pension Benefits for Councillors of Local Authorities Amendment Act, 1991.

(2) The provisions of—

- (a) sections 2, 3 and 4 shall be deemed to have come into operation on 17 February 1988; and
(b) section 5 shall be deemed to have come into operation on 24 June 1988.