



REPUBLIC OF SOUTH AFRICA  
**GOVERNMENT GAZETTE**

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**STAATSKOERANT**  
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KAAPSTAD, 21 OKTOBER 1970.

DEPARTMENT OF THE PRIME MINISTER.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 1764.

21st October, 1970.

No. 1764.

21 Oktober 1970.

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 geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 86 of 1970: Second Pension Laws Amendment Act, 1970.

No. 86 van 1970: Tweede Wysigingswet op die Pensioenwette, 1970.

# WET

Tot wysiging van die bepalings van die Wet op die Pensioenfonds vir Geassosieerde Inrigtings, 1963, met betrekking tot die bevoegdheid om regulasies uit te vaardig betreffende oorplasings en tot delegering van bevoegdhe; tot wysiging van die bepalings van die Regeringsdienspensioenwet, 1965, met betrekking tot die bevoegdheid om regulasies uit te vaardig betreffende oorplasings en die aanpassing van pensioene ten opsigte van persone wat geregtig mag word op skadeloosstelling kragtens die Ongevalwet, 1941, en om sekere verbeterings in artikels 14 en 19 aan te bring; tot wysiging van die bepalings van die Wet op Pensioene vir Parlementsdiens en Administrateurs, 1965, met betrekking tot die pensioengewende diens van sekere persone; tot wysiging van die bepalings van die Wet op Pensioene vir Nie-blanke Regeringswerknemers, 1966, met betrekking tot die bevoegdheid om regulasies uit te vaardig betreffende oorplasings; tot wysiging van die bepalings van die Wet op Bejaarde Persone, 1967, die Wet op Oudstryderspensioene, 1968, die Wet op Blindes, 1968, en die Wet op Ongeskiktheidstoelaes, 1968, met betrekking tot die uitvaardiging van regulasies met terugwerkende krag; tot wysiging van die bepalings van die Provinsiale en die Gebiedsdienspensioenwet, 1969, met betrekking tot die leeftye vir uitdienstreding en bevoegdheid om regulasies uit te vaardig met betrekking tot oorplasings; tot wysiging van die bepalings van die Wysigingswet op die Pensioenwette, 1969, met betrekking tot bystand aan persone in ontvangs van sekere pensioene en tot oorbetalings; om voorsiening te maak vir die betaling met terugwerkende krag van sekere voordele kragtens die regulasies afgekondig by Goewermentskennisgewing No. 977 van 1950 en Goewermentskennisgewing No. 1134 van 1950; en om voorsiening te maak vir hykomstige aangeleenthede.

*(Afrikaanse teks deur die Staatspresident geteken.)*

*(Goedgekeur op 1 Oktober 1970.)*

**DAAR WORD BEPAAL** deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van  
artikel 2 van  
Wet 41 van 1963.

1. (1) Artikel 2 van die Wet op die Pensioenfonds vir Geassosieerde Inrigtings, 1963, word hierby gewysig—

(a) deur paragraaf (b) van subartikel (2) deur die volgende paragraaf te vervang:

„(b) die voorwaardes voorskryf onderworpe waaraan persone—

- (i) in paragraaf (a) (i) of (ii) bedoel, wat ingevolge die regulasies kies om lede te word van en by te dra tot die fonds;
- (ii) wat op die bepaalde datum in diens by 'n geassosieerde inrigting is maar wat op daardie datum nie lede van enige in paragraaf (a) bedoelde fonds of skema is nie;
- (iii) wat op of na die bepaalde datum in die diens van 'n geassosieerde inrigting aangestel word,

# ACT

To amend the provisions of the Associated Institutions Pension Fund Act, 1963, relating to the power to make regulations concerning transfers and to the delegation of powers; to amend the provisions of the Government Service Pensions Act, 1965, relating to the power to make regulations concerning transfers and the adjustment of pensions in respect of persons who may become entitled to compensation under the Workmen's Compensation Act, 1941, and to effect certain improvements in sections 14 and 19; to amend the provisions of the Parliamentary Service and Administrators' Pensions Act, 1965, relating to the pensionable service of certain persons; to amend the provisions of the Government non-White Employees Pensions Act, 1966, relating to the power to make regulations concerning transfers; to amend the provisions of the Aged Persons Act, 1967, the War Veterans' Pensions Act, 1968, the Blind Persons Act, 1968, and the Disability Grants Act, 1968, relating to the promulgation of regulations with retrospective effect; to amend the provisions of the Provincial and the Territory Service Pension Act, 1969, relating to ages for retirement and power to make regulations concerning transfers; to amend the provisions of the Pension Laws Amendment Act, 1969, relating to assistance to persons in receipt of certain pensions and to overpayments; to provide for the payment with retrospective effect of certain benefits under the regulations promulgated by Government Notice No. 977 of 1950 and Government Notice No. 1134 of 1950; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)  
(Assented to 1st October, 1970.)*

**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 2 of the Associated Institutions Pension Fund Act, 1963, is hereby amended—

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

Amendment of section 2 of Act 41 of 1963.

“(b) prescribe the conditions subject to which persons—

- (i) referred to in paragraph (a) (i) or (ii) who elect in terms of the regulations to become members of and contribute to the fund;
- (ii) who are in the service of an associated institution on the specified date but who are not members of any fund or scheme referred to in paragraph (a) on that date;
- (iii) who on or after the specified date are appointed to the service of an associated institu-

na sodanige diens oorgeplaas word of ingevolge die regulasies onder verpligting kom om tot die fonds by te dra, lede van die fonds moet of kan word en daartoe moet bydra;"

(b) deur na paragraaf (f) van subartikel (2) die volgende paragrawe in te voeg:

„(fA) met betrekking tot 'n lid van die fonds, die dienstermyne, die tydperke waarin die betrokke lid nie in diens was nie en die tydperke wat tussen twee dienstermyne val, wat die lopende of jongste aaneenlopende dienstermyne ten opsigte waarvan sodanige lid tot die fonds bygedra het of verplig is om daartoe by te dra, voorafgaan en wat, benevens laasgenoemde dienstermyne, as pensioengewende diens gereken kan word, voorskryf;

(fB) die omstandighede waaronder en die grondslag en die voorwaardes waarop 'n dienstermyne of 'n ander tydperk in paragraaf (fA) bedoel, by 'n lid se pensioengewende diens ingesluit moet of kan word, en, behoudens paragraaf (f), die bedrag wat die fonds vereis vir die erkenning as 'n tydperk van pensioengewende diens van sodanige termyn of tydperk, voorskryf, en voorsiening maak vir die voorwaardes en die wyse waarop sodanige bedrag deur die betrokke lid of uit 'n ander bron in die regulasies vermeld, aan die fonds betaal moet of kan word;

(fC) voorsiening maak vir die betaling aan 'n ander pensioen- of voorsorgfonds van 'n bedrag wat sodanige fonds vereis vir die erkenning van die pensioengewende diens van iemand wat 'n lid van die fonds was en ingevolge die een of ander wetsbepaling onder verpligting gekom het om ten opsigte van sodanige diens tot bedoelde ander fonds by te dra, en die omstandighede waaronder, die voorwaardes en die wyse waarop, en die verhouding waarin sodanige bedrag uit die fonds of 'n ander bron in die regulasies vermeld of deur die betrokke lid aan sodanige ander fonds betaal moet word, voorskryf;"

(2) Subartikel (1) word geag op die eerste dag van April 1969 in werking te getree het.

**Invoeging van artikel 6A in Wet 41 van 1963.**

2. (1) Die volgende artikel word hierby in die Wet op die Pensioenfonds vir Geassosieerde Inrigtings, 1963, na artikel 6 ingevoeg:

„Delegering. 6A. (1) Die Minister kan enige van die bevoegdhede wat by hierdie Wet aan hom verleen word (behalwe die bevoegdhede wat by artikels 2 en 4 aan hom verleen word), delegeer aan die Sekretaris of 'n ander beampete van die Departement van Volkswelsyn en Pensioene, en kan aan die Sekretaris of sodanige beampete magtiging verleen om enige van die funksies of pligte uit te voer wat aldus aan die Minister toevertrou of opgelê word.

(2) Die Sekretaris kan met goedkeuring van die Minister enige van die bevoegdhede wat by hierdie Wet aan hom verleen word, aan 'n beampete van sy Departement delegeer, en kan aan sodanige beampete magtiging verleen om enige van die funksies of pligte uit te voer wat aldus aan die Sekretaris toevertrou of opgelê word."

(2) Subartikel (1) word geag op die eerste dag van Augustus 1963 in werking te getree het.

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Act No. 86, 1970

tion or are transferred to such service or become liable in terms of the regulations to contribute to the fund,  
shall or may become members of and shall contribute to the fund;”;

(b) by the insertion after paragraph (f) of subsection (2) of the following paragraphs:

“(fA) in relation to a member of the fund, prescribe the periods of employment, the periods in which the member concerned was not in employment and the periods intervening between two periods of employment, which precede the current or latest continuous period of service in respect of which such member has contributed to the fund or is liable to contribute thereto, and which may, in addition to the lastnamed period of service, be reckoned as pensionable service for purposes of the fund;

(fB) prescribe the circumstances in which and the basis and conditions on which any period of employment or any other period referred to in paragraph (fA), shall or may be included in a member's pensionable service and, subject to paragraph (f), the amount required by the fund for the recognition of any such period as a period of pensionable service, and provide for the conditions on and the manner in which such amount shall or may be paid to the fund by the member concerned or out of any other source referred to in the regulations;

(fC) make provision for the payment to any other pension or provident fund of an amount required by such fund for the recognition of the pensionable service of any person who was a member of the fund and in terms of any law has become liable to contribute to the said other fund in respect of such service, and prescribe the circumstances in, the conditions on and the manner and the proportions in which such amount shall be paid to the other fund concerned out of the fund or out of any other source referred to in the regulations or by the member concerned;”.

(2) Subsection (1) shall be deemed to have come into operation on the first day of April, 1969.

2. (1) The following section is hereby inserted in the Associated Institutions Pension Fund Act, 1963, after section 6: Insertion of section 6A in Act 41 of 1963.

“Delegation. 6A. (1) The Minister may delegate any of the powers conferred on him by this Act (other than the powers conferred on him by sections 2 and 4) to the Secretary or any other officer of the Department of Social Welfare and Pensions and may authorize the Secretary or such other officer to perform any of the functions or duties thus entrusted to or imposed on the Minister.

(2) The Secretary may, with the approval of the Minister, delegate to any officer in his Department any of the powers conferred on him by this Act and may authorize any such officer to perform any of the functions or duties thus entrusted to or imposed on the Secretary.”.

(2) Subsection (1) shall be deemed to have come into operation on the first day of August, 1963.

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TWEEDE WYSIGINGSWET OP DIE PENSIOENWETTE,  
1970.

Wysiging van  
artikel 5 van  
Wet 62 van 1965,  
soos gewysig deur  
artikel 18 van  
Wet 91 van 1967,  
artikel 7 van  
Wet 79 van 1968  
en artikel 8 van  
Wet 98 van 1969.

3. (1) Artikel 5 van die Regeringsdienspensionwet, 1965, word hierby gewysig—

(a) deur na paragraaf (b) van subartikel (1) die volgende paragraaf in te voeg:

„(bA) om voorsiening te maak vir die verhoging van voordele wat kragtens 'n pensioenwet deur die Minister uitgevoer betaalbaar is aan persone in diens van die Regering of aan die afhanklikes van sodanige persone ingeval bedoelde persone of afhanklikes kragtens die Ongevallewet, 1941 (Wet No. 30 van 1941), op skadeloosstelling geregtig word;”;

(b) deur na paragraaf (b) van subartikel (2) die volgende paragraaf in te voeg:

„(bA) die omstandighede waaronder en die voorwaardes waarop persone wat onder verpligting kom om tot so 'n fonds by te dra, daartoe moet of kan bydra ten opsigte van 'n dienstermyn of deel van 'n dienstermyn wat die datum waarop hulle aldus onder verpligting kom, voorafgaan en ten opsigte waarvan hulle nie tot 'n pensioen- of voorsorgfonds bygedra het nie, voorskryf;”;

(c) deur na paragraaf (f) van genoemde subartikel die volgende paragraaf in te voeg:

„(fA) die omstandighede waaronder en die voorwaardes waarop 'n in subartikel (1) (bA) bedoelde voordeel verhoog moet word of verhoog kan word, voorskryf en voorsiening maak vir die betaling uit inkomste van die geheel of 'n deel van die bedrag waarmee bedoelde voordeel aldus verhoog word;”;

(d) deur na paragraaf (j) van genoemde subartikel die volgende paragraaf in te voeg:

„(jA) voorsiening maak vir die insluiting in die pensioengewende diens van 'n lid van 'n in artikel 2 bedoelde fonds van 'n tydperk wat met betrekking tot sodanige lid 'n tydperk van pensioengewende diens was vir die doeleindes van 'n ander fonds in daardie artikel bedoel of van 'n ander pensioen- of voorsorgfonds, en die omstandighede waaronder en voorwaardes waarop eersbedoelde tydperk aldus ingesluit moet of kan word, voorskryf;” en

(e) deur paragraaf (k) van genoemde subartikel deur die volgende paragraaf te vervang:

„(k) voorsiening maak vir die berekening van die bedrae wat in 'n artikel 2 bedoelde fonds gestort moet word ten opsigte van 'n tydperk wat ingevolge 'n regulasie uitgevaardig kragtens paragraaf (jA) in die pensioengewende diens van 'n lid van bedoelde fonds ingesluit word;”.

(2) Subartikel (1) word geag op die eerste dag van April 1969 in werking te getree het.

Wysiging van  
artikel 14 van  
Wet 62 van 1965,  
soos gewysig deur  
artikel 8 van Wet  
79 van 1968.

4. (1) Artikel 14 van die Regeringsdienspensionwet, 1965, word hierby gewysig—

(a) deur paragraaf (b) van subartikel (3) deur die volgende paragraaf te vervang:

„(b) 'n bedrag wat ooreenkomstig die bepalings van artikel 22 van die Wysigingswet op die Pensioenwette, 1969 (Wet No. 98 van 1969), aan iemand betaal is by wyse van toelae of bonus en waarop so iemand nie geregtig was nie; of”;

(b) deur na genoemde subartikel die volgende subartikel in te voeg:

„(3A) By die toepassing van hierdie artikel beteken—

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3. (1) Section 5 of the Government Service Pensions Act, 1965, is hereby amended—

Amendment of section 5 of Act 62 of 1965, as amended by section 18 of Act 91 of 1967, section 7 of Act 79 of 1968 and section 8 of Act 98 of 1969.

(a) by the insertion after paragraph (b) of subsection (1) of the following paragraph:

“(bA) providing for the increase of benefits payable under any pension law administered by the Minister to persons in the employ of the Government or to the dependants of such persons in the event of the said persons or dependants becoming entitled to compensation under the Workmen's Compensation Act, 1941 (Act No. 30 of 1941);”.

(b) by the insertion after paragraph (b) of subsection (2) of the following paragraph:

“(bA) prescribe the circumstances in which and the conditions subject to which persons who become liable to contribute to any such fund shall or may contribute thereto in respect of any period of employment or portion of a period of employment which precedes the date on which they so become liable and in respect of which they have not contributed to any pension or provident fund;”;

(c) by the insertion after paragraph (f) of the said subsection of the following paragraph:

“(fA) prescribe the circumstances in which and the conditions subject to which any benefit referred to in subsection (1) (bA) shall or may be increased, and provide for the payment from revenue of the whole or any portion of the amount by which such benefit is so increased;”;

(d) by the insertion after paragraph (j) of the said subsection of the following paragraph:

“(jA) provide for the inclusion in the pensionable service of a member of a fund referred to in section 2 of any period which, in relation to such member, was a period of pensionable service for the purposes of any other fund referred to in that section or of any other pension or provident fund, and prescribe the circumstances in which and the conditions subject to which the firstmentioned period shall or may be so included;”;

(e) by the substitution for paragraph (k) of the said subsection of the following paragraph:

“(k) provide for the determination of the amounts to be paid to a fund referred to in section 2 in respect of any period included in the pensionable service of a member of such fund in terms of any regulation made under paragraph (jA);”.

(2) Subsection (1) shall be deemed to have come into operation on the first day of April, 1969.

4. (1) Section 14 of the Government Service Pensions Act, 1965, is hereby amended—

Amendment of section 14 of Act 62 of 1965, as amended by section 8 of Act 79 of 1968.

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

“(b) any amount which, in accordance with the provisions of section 22 of the Pension Laws Amendment Act, 1969 (Act No. 98 of 1969), has been paid to any person by way of allowance or bonus and to which that person was not entitled; or”;

(b) by the insertion after the said subsection of the following subsection:

“(3A) For the purposes of this section—

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1970.

- (a) die uitdrukking „werknemer” ook iemand bedoel in paragraaf (b) van die omskrywing van „werknemer” in artikel 1;
- (b) die uitdrukking „beampte” ook iemand in die staatsdiens wat ooreenkomstig die bepalings van 'n ander wet 'n lid is van 'n pensioen- of voorsorgfonds of skema waarvoor nie in hierdie Wet voorsiening gemaak word nie en wat vir die betaling van 'n aftredingsvoordeel voorsiening maak.”.

(2) Subartikel (1) (a) word geag op die eerste dag van April 1969 in werking te getree het.

(3) Subartikel (1) (b) word geag op die eerste dag van Januarie 1966 in werking te getree het.

Vervanging van artikel 19 van Wet 62 van 1965.

5. Artikel 19 van die Regeringsdienspensioenwet, 1965, word hierby deur die volgende artikel vervang:

„Verjaring van vorderingsregte.

19. (1) Geen regsgeding van watter aard ook al word teen die Regering, die Minister of 'n ander Minister, of 'n Administrateur of iemand in diens van die Regering ingestel ten opsigte van enigiets wat ingevolge hierdie Wet of 'n ander wet betreffende 'n pensioenfonds of -skema wat deur die Minister uitgevoer word, gedoen of nagelaat is nie, tensy daardie geding ingestel word voor die verstryking van 'n tydperk van twaalf maande vanaf die datum waarop die eiser die beweerde daad of versuim te wete gekom het of redelikerwys daarvan kon geweet het.

(2) Geen sodanige geding word aanhangig gemaak nie voordat 'n maand verloop het na die bestelling aan die betrokke Minister, Administrateur of persoon van skriftelike kennisgewing van die voorneme om so 'n geding in te stel, en besonderhede omtrent die beweerde daad of versuim moet duidelik en uitdruklik in bedoelde kennisgewing aangegee word.”.

Wysiging van artikel 2 van Wet 85 van 1965, soos gewysig deur artikel 2 van Wet 92 van 1967 en artikel 1 van Wet 55 van 1968.

6. (1) Artikel 2 van die Wet op Pensioene vir Parlementsdiens en Administrateurs, 1965, word hierby gewysig deur die volgende subartikel by te voeg:

„(1) Ondanks andersluidende bepalings van subartikels (2), (3) en (5), word 'n lid, wat onmiddellik voor die vasgestelde datum nie minder as twintig jaar pensioengewende diens gehad het nie en wie se diens eindig voordat hy vyf jaar ononderbroke diens as lid gehad het op en na bedoelde datum, geag vyf-en-twintig jaar pensioengewende diens te voltooi het.”.

(2) Subartikel (1) word geag op die eerste dag van April 1968 in werking te getree het.

Wysiging van artikel 2 van Wet 42 van 1966.

7. (1) Artikel 2 van die Wet op Pensioene vir Nie-blanke Regeringswerknemers, 1966, word hierby gewysig—

(a) deur paragraaf (d) van subartikel (3) deur die volgende paragraaf te vervang:

„(d) die tydperke wat, met betrekking tot 'n lid van die fonds, as pensioengewende diens vir die doeleindes van die fonds gereken moet of kan word, en, behoudens paragraaf (dA), die omstandighede waaronder en die grondslag en voorwaardes waarop, onderskeidelik—

(i) 'n vorige tydperk waarin die betrokke lid tot die fonds bygedra het, en

(ii) 'n tydperk wat vir die doeleindes van 'n ander pensioen- of voorsorgfonds as pensioengewende diens gereken was met betrekking tot iemand wat, by of na die beëindiging van sodanige diens, onder die verpligting gekom het om 'n lid van die fonds te word,



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- (a) the expression "employee" shall include any person referred to in paragraph (b) of the definition of "employee" in section 1;
  - (b) the expression "officer" shall include any person in the public service who by virtue of the provisions of any other law is a member of a pension or provident fund or scheme not provided for in this Act which makes provision for the payment of a retirement benefit."
- (2) Subsection (1) (a) shall be deemed to have come into operation on the first day of April, 1969.
- (3) Subsection (1) (b) shall be deemed to have come into operation on the first day of January, 1966.

5. The following section is hereby substituted for section 19 of the Government Service Pensions Act, 1965:

"Prescription of actions.

19. (1) No legal proceedings of any nature shall be brought against the Government, the Minister or any other Minister or any Administrator or any person in the employ of the Government in respect of anything done or omitted under this Act or any other law relating to a pension fund or scheme administered by the Minister, unless such proceedings are brought before the expiry of a period of twelve months as from the date upon which the claimant had knowledge or could reasonably have had knowledge of the act or omission alleged.

Substitution of section 19 of Act 62 of 1965.

(2) No such proceedings shall be commenced until one month after written notice of the intention to bring such proceedings has been served on the Minister, Administrator or person concerned, and particulars as to the alleged act or omission shall be clearly and explicitly given in such notice."

6. (1) Section 2 of the Parliamentary Service and Administrators' Pensions Act, 1965, is hereby amended by the addition of the following subsection:

"(11) Notwithstanding anything to the contrary contained in subsections (2), (3) and (5), a member who immediately prior to the fixed date had had not less than twenty years of pensionable service and whose service terminates before he has had five years of continuous service as a member on and after that date, shall be deemed to have completed twenty-five years of pensionable service."

Amendment of section 2 of Act 85 of 1965, as amended by section 2 of Act 92 of 1967 and section 1 of Act 55 of 1968.

(2) Subsection (1) shall be deemed to have come into operation on the first day of April, 1968.

7. (1) Section 2 of the Government non-White Employees Pensions Act, 1966, is hereby amended—

Amendment of section 2 of Act 42 of 1966.

(a) by the substitution for paragraph (d) of subsection (3) of the following paragraph:

"(d) prescribe the periods which shall or may, in relation to a member of the fund, be reckoned as pensionable service for the purposes of the fund, and, subject to paragraph (dA), the circumstances in which and the basis and conditions on which, respectively—

- (i) any prior period in which the member concerned had contributed to the fund, and
- (ii) any period which had for the purposes of any other pension or provident fund been reckoned as pensionable service in relation to any person who, on or after the termination of such service has become liable to become a member of the fund,

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vir die doeleindes van die fonds by bedoelde pensioengewende diens ingesluit moet of kan word, voorskryf;"

(b) deur na paragraaf (d) van genoemde subartikel die volgende paragraaf in te voeg:

„(dA) die wyse voorskryf waarop 'n bedrag wat die fonds vereis met betrekking tot elk van die onderskeie tydperke in paragraaf (d) bedoel, bereken moet word, en voorsiening maak vir die voorwaardes en die wyse waarop sodanige bedrag deur die betrokke lid of uit 'n ander bron in die regulasies vermeld, betaal moet word;"

(c) deur paragraaf (j) van genoemde subartikel deur die volgende paragraaf te vervang:

„(j) die voorwaardes voorskryf waarop die bedrae ingevolge die regulasies kragtens paragraaf (f) betaalbaar, betaal moet word, en voorsiening maak vir die bepaling van die verhouding waarvolgens sodanige bedrae uit die fonds, uit inkomste of deur die betrokke lid betaal moet word;" en

(d) deur paragrawe (k), (l) en (m) van genoemde subartikel te herroep.

(2) Subartikel (1) word geag op die eerste dag van April 1969 in werking te getree het.

Wysiging van artikel 20 van Wet 81 van 1967.

8. (1) Artikel 20 van die Wet op Bejaarde Persone, 1967, word hierby gewysig—

(a) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Geen regulasie uit hoofde waarvan die gesamentlike bedrag van die pensioen en toelaes waarop 'n pensioentrekker wie se inkomste (met inbegrip van bates) nie vermeerder het nie, te eniger tyd geregtig was, verminder sal word, word sonder goedkeuring, by besluit, van die Senaat en van die Volksraad uitgevaardig nie;" en

(b) deur die volgende subartikel by te voeg:

„(4) Regulasies kragtens subartikel (1) kan met terugwerkende krag uitgevaardig word vanaf 'n datum wat nie vroeër is nie as die datum van inwerkingtreding van hierdie Wet.".

(2) Subartikel (1) word geag op die eerste dag van Oktober 1968 in werking te getree het.

Wysiging van artikel 15 van Wet 25 van 1968.

9. (1) Artikel 15 van die Wet op Oudstryderspensioene, 1968, word hierby gewysig deur die volgende subartikel by te voeg:

„(4) Regulasies kragtens subartikel (1) kan met terugwerkende krag uitgevaardig word vanaf 'n datum wat nie vroeër is nie as die datum van inwerkingtreding van hierdie Wet.".

(2) Subartikel (1) word geag op die eerste dag van Oktober 1968 in werking te getree het.

Wysiging van artikel 17 van Wet 26 van 1968.

10. (1) Artikel 17 van die Wet op Blindes, 1968 word hierby gewysig deur die volgende subartikel by te voeg:

„(4) Regulasies kragtens subartikel (1) kan met terugwerkende krag uitgevaardig word vanaf 'n datum wat nie vroeër is nie as die datum van inwerkingtreding van hierdie Wet.".

(2) Subartikel (1) word geag op die eerste dag van Oktober 1968 in werking te getree het.

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shall or may be included in the said pensionable service for the purpose of the fund;”;

(b) by the insertion after paragraph (d) of the said subsection of the following paragraph:

“(dA) prescribe the manner in which an amount required by the fund in relation to each of the respective periods referred to in paragraph (d), shall be calculated, and provide for the conditions on and the manner in which such amount shall be paid by the member concerned or from any source referred to in the regulations;”;

(c) by the substitution for paragraph (j) of the said subsection of the following paragraph:

“(j) prescribe the conditions subject to which the amounts payable in terms of the regulations under paragraph (i) shall be paid, and provide for the determination of the proportions in which such amounts shall be paid from the fund, from revenue or by the member concerned;”;

(d) by the repeal of paragraphs (k), (l) and (m) of the said subsection.

(2) Subsection (1) shall be deemed to have come into operation on the first day of April, 1969.

8. (1) Section 20 of the Aged Persons Act, 1967, is hereby amended— **Amendment of section 20 of Act 81 of 1967.**

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

“(2) No regulation by virtue of which the aggregate amount of the pension and allowances to which any pensioner whose income (including assets) has not increased, has at any time been entitled, will be reduced, shall be made without the approval, by resolution, of the Senate and of the House of Assembly.”; and

(b) by the addition of the following subsection:

“(4) Regulations under subsection (1) may be made with retrospective effect from a date not earlier than the date of commencement of this Act.”.

(2) Subsection (1) shall be deemed to have come into operation on the first day of October, 1968.

9. (1) Section 15 of the War Veterans' Pensions Act, 1968, is hereby amended by the addition of the following subsection: **Amendment of section 15 of Act 25 of 1968.**

“(4) Regulations under subsection (1) may be made with retrospective effect from a date not earlier than the date of commencement of this Act.”.

(2) Subsection (1) shall be deemed to have come into operation on the first day of October, 1968.

10. (1) Section 17 of the Blind Persons Act, 1968, is hereby amended by the addition of the following subsection: **Amendment of section 17 of Act 26 of 1968.**

“(4) Regulations under subsection (1) may be made with retrospective effect from a date not earlier than the date of commencement of this Act.”.

(2) Subsection (1) shall be deemed to have come into operation on the first day of October, 1968.

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1970.

Wysiging van  
artikel 15 van  
Wet 27 van 1968.

11. (1) Artikel 15 van die Wet op Ongeskiktheidstoelaes word hierby gewysig deur die volgende subartikel by te voeg:  
„(4) Regulasies kragtens subartikel (1) kan met terugwerkende krag uitgevaardig word vanaf 'n datum wat nie vroeër is nie as die datum van inwerkingtreding van hierdie Wet.”  
(2) Subartikel (1) word geag op die eerste dag van Oktober 1968 in werking te getree het.

Wysiging van  
artikel 5 van Wet  
14 van 1969, soos  
gewysig deur  
artikel 18 van  
Wet 98 van 1969.

12. (1) Artikel 5 van die Provinsiale en die Gebiedsdienspensionwet, 1969, word hierby gewysig—  
(a) deur die voorbehoudsbepaling by subartikel (1) deur die volgende voorbehoudsbepaling te vervang:  
„Met dien verstande dat—  
(a) behoudens die bepalings van paragraaf (e), geen leeftyd onder vyf-en-vyftig jaar aldus voorgeskryf mag word nie;  
(b) verskillende leeftye vir verskillende klasse of kategorieë persone aldus voorgeskryf kan word;  
(c) behoudens die bepalings van paragraaf (e), alternatiewe leeftye vir enige sodanige klas of kategorie aldus voorgeskryf kan word;  
(d) behoudens die bepalings van paragraaf (e), die voorwaardes aldus voorgeskryf kan word waarop kennis van aftrede op of na 'n leeftyd in paragraaf (c) bedoel, deur iemand wat in sodanige klas of kategorie ressorteer, aan die betrokke administrasie of deur sodanige administrasie aan so iemand gegee kan word;  
(e) die minimum leeftyd aldus voorgeskryf ten opsigte van 'n lid wat die in artikel 6 (1) bedoelde keuse gedoen het, nie die minimum leeftyd oorskry nie waarop hy die reg gehad het of toegelaat kan word om met pensioen af te tree ingevolge 'n wetsbepaling wat op die dag voor die vasgestelde datum op hom van toepassing was, en dat geen diensvoorwaarde wat op bedoelde dag by of ingevolge 'n wetsbepaling van krag was en waarkragtens sodanige lid by of na die bereiking van sodanige minimum leeftyd, bedoelde reg kan uitoefen of toegelaat kan word om met pensioen af te tree, wesenlik gewysig mag word nie wanneer 'n leeftyd vir uitdienstreding uit hoofde van hierdie artikel voorgeskryf word;  
(f) ondanks andersluidende bepalings van hierdie Wet, niemand met pensioen aftree of aldus afgedank word op 'n ander dag as die eerste dag van 'n maand nie.”; en  
(b) deur subartikel (6) te herroep.  
(2) Subartikel (1) word geag op die eerste dag van April 1969 in werking te getree het.

Wysiging van  
artikel 7 van  
Wet 14 van 1969.

13. (1) Artikel 7 van die Provinsiale en die Gebiedsdienspensionwet, 1969, word hierby gewysig—  
(a) deur paragraaf (d) van subartikel (2) deur die volgende paragraaf te vervang:  
„(d) met betrekking tot 'n lid, behoudens artikel 4 (3), die dienstermyne, die tydperke waarin die betrokke lid nie in diens was nie en die tydperke wat tussen twee dienstermyne val, wat die lopende of jongste aaneenlopende dienstermyne ten opsigte waarvan sodanige lid tot die Fonds bygedra het of verplig is om daartoe by te dra, voorafgaan, en wat, benevens laasgenoemde dienstermyne, vir die doeleindes van die Fonds as pensioengewende diens gereken kan word, voorskryf;”;

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11. (1) Section 15 of the Disability Grants Act, 1968, is hereby amended by the addition of the following subsection: Amendment of section 15 of Act 27 of 1968.

“(4) Regulations under subsection (1) may be made with retrospective effect from a date not earlier than the date of commencement of this Act.”.

(2) Subsection (1) shall be deemed to have come into operation on the first day of October, 1968.

12. (1) Section 5 of the Provincial and the Territory Service Pension Act, 1969, is hereby amended— Amendment of section 5 of Act 14 of 1969, as amended by section 18 of Act 98 of 1969.

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

“Provided that—

- (a) subject to the provisions of paragraph (e), no age under fifty-five years may be so prescribed;
- (b) different ages may be so prescribed for different classes or categories of persons;
- (c) subject to the provisions of paragraph (e), alternative ages may be so prescribed for any such class or category;
- (d) subject to the provisions of paragraph (e), the conditions on which notice of retirement on or after any age referred to in paragraph (c) may be given by any person falling in such class or category to the administration concerned or by such administration to such person, may be so prescribed;
- (e) the minimum age so prescribed in respect of a member who has made the election referred to in section 6 (1), shall not exceed the minimum age at which he had the right to, or could be permitted to, retire on pension in terms of any law applicable to him on the day before the fixed date, and that no condition of service which was in force under any law on the said day, and in terms of which such member, on or after the attainment of such minimum age, may exercise the said right or be permitted to retire, shall be amended substantially when any age for retirement is prescribed pursuant to this section;
- (f) notwithstanding any provisions to the contrary contained in this Act, no person shall retire on pension or be so retired on any day other than the first day of any month.”; and

(b) by the repeal of subsection (6).

(2) Subsection (1) shall be deemed to have come into operation on the first day of April, 1969.

13. (1) Section 7 of the Provincial and the Territory Service Pension Act, 1969, is hereby amended— Amendment of section 7 of Act 14 of 1969.

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

“(d) in relation to a member, subject to section 4 (3), prescribe the periods of employment, the periods in which the member concerned was not in employment and the periods intervening between two periods of employment, which precede the current or latest continuous period of service in respect of which such member has contributed to the Fund or is liable to contribute thereto, and which may, in addition to the lastnamed period of service, be reckoned as pensionable service for the purposes of the Fund.”;

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- (b) deur paragraaf (i) van genoemde subartikel deur die volgende paragraaf te vervang:  
„(i) die omstandighede waaronder en die grondslag en die voorwaardes waarop 'n dienstermyn of 'n tydperk in paragraaf (d) bedoel, by 'n lid se pensioengewende diens ingesluit moet of kan word, en die bedrag wat die Fonds vereis vir die erkenning van so 'n termyn of tydperk as 'n tydperk van pensioengewende diens, voorskryf;”;
- (c) deur paragraaf (j) van genoemde subartikel deur die volgende paragraaf te vervang:  
„(j) voorsiening maak vir die voorwaardes en wyse waarop 'n bedrag in paragraaf (i) bedoel deur die betrokke lid of uit 'n ander bron in die regulasies vermeld aan die Fonds betaal moet of kan word;”;
- (d) deur paragraaf (k) van genoemde subartikel deur die volgende paragraaf te vervang:  
„(k) vir die betaling aan 'n ander pensioen- of voorsorgfonds van 'n bedrag wat sodanige fonds vereis vir die erkenning van die pensioengewende diens van iemand wat 'n lid van die Fonds was en ingevolge die een of ander wetsbepaling onder verpligting gekom het om ten opsigte van sodanige diens tot bedoelde ander fonds by te dra, voorsiening maak;”;
- (e) deur paragraaf (l) van genoemde subartikel deur die volgende paragraaf te vervang:  
„(l) die omstandighede waaronder en die voorwaardes en die wyse waarop en die verhouding waarin 'n bedrag in paragraaf (k) bedoel, uit die Fonds of uit inkomste of deur die betrokke lid aan die betrokke ander fonds betaal moet word, voorskryf;”.

(2) Subartikel (1) word geag op die eerste dag van April 1969 in werking te getree het.

Wysiging van artikel 22 van Wet 98 van 1969, soos gewysig deur artikel 14 van Wet 20 van 1970.

14. (1) Artikel 22 van die Wysigingswet op die Pensioenwette, 1969, word hierby gewysig—

(a) deur die volgende voorbehoudsbepaling by subartikel (1)(c) te voeg:

„: Met dien verstande dat met betrekking tot 'n beampte soos omskryf in artikel 1 van die Staatsdienswet, 1957 (Wet No. 54 van 1957), wat uitgetree het of ontslaan is uit die diens van 'n provinsiale administrasie of die administrasie van die gebied Suidwes-Afrika, of met betrekking tot 'n afhanklike van so 'n beampte, bedoelde toelae teen die Gekonsolideerde Inkomstefonds in rekening gebring word.”;

(b) deur na subartikel (4) die volgende subartikels in te voeg:

„(4A) Indien daar ingevolge hierdie artikel of artikel 47 van die Wysigingswet op die Pensioenwette, 1943 (Wet No. 33 van 1943), 'n bedrag aan iemand betaal is waarop hy nie geregtig was nie, is hy, of, indien hy te sterwe kom, sy boedel, aanspreeklik om daardie bedrag terug te betaal, tensy die Minister van Volkswelsyn en Pensioene of 'n beampte in die Departement van Volkswelsyn en Pensioene deur bedoelde Minister vir die doeleindes van hierdie subartikel aangewys, oortuig is dat hy dit ontvang het sonder die wete dat hy nie daarop geregtig was nie: Met dien verstande dat die geheel of 'n deel van bedoelde bedrag wat so iemand terugbetaal het of wat ingevolge artikel 101

(3) (b) van die Regeringsdienspensioenwet, 1955 (Wet No. 58 van 1955), of artikel 14 (3) (b) van die Regeringsdienspensioenwet, 1965 (Wet No. 62 van 1965), van sy pensioen afgetrek is, nie aan hom terugbetaal word nie.

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(b) by the substitution for paragraph (i) of the said subsection of the following paragraph:

“(i) prescribe the circumstances in which and the basis and conditions on which any period of employment or any other period referred to in paragraph (d), shall or may be included in a member's pensionable service, and the amount required by the Fund for the recognition of any such period as a period of pensionable service;”;

(c) by the substitution for paragraph (j) of the said subsection of the following paragraph:

“(j) provide for the conditions on and the manner in which an amount referred to in paragraph (i) shall or may be paid to the Fund by the member concerned or out of any other source referred to in the regulations;”;

(d) by the substitution for paragraph (k) of the said subsection of the following paragraph:

“(k) make provision for the payment to any other pension or provident fund of an amount required by such fund for the recognition of the pensionable service of any person who had been a member of the Fund and, in terms of any law, has become liable to contribute in respect of such service to the said other fund;” and

(e) by the substitution for paragraph (l) of the said subsection of the following paragraph:

“(l) prescribe the circumstances in, the conditions on and the manner and the proportions in which any amount referred to in paragraph (k) shall be paid to the other fund concerned out of the Fund or out of revenue or by the member concerned;”.

(2) Subsection (1) shall be deemed to have come into operation on the first day of April, 1969.

14. (1) Section 22 of the Pension Laws Amendment Act, 1969, is hereby amended:

Amendment of section 22 of Act 98 of 1969, as amended by section 14 of Act 20 of 1970.

(a) by the addition to subsection (1) (c) of the following proviso:

“: Provided that in relation to an officer as defined in section 1 of the Public Service Act, 1957 (Act No. 54 of 1957), who retired or has been discharged from the service of a provincial administration or the administration of the territory of South-West Africa, or in relation to a dependant of such officer, the said allowance shall be charged to the Consolidated Revenue Fund.”; and

(b) by the insertion after subsection (4) of the following subsections:

“(4A) If any person has in terms of this section or section 47 of the Pension Laws Amendment Act, 1943 (Act No. 33 of 1943), been paid any amount to which he was not entitled, he or, if he dies, his estate shall be liable to repay such amount, unless the Minister of Social Welfare and Pensions or any officer in the Department of Social Welfare and Pensions designated by the said Minister for the purpose of this subsection, is satisfied that he received it without any knowledge that he was not entitled thereto: Provided that the whole or any portion of such amount which has been repaid by such person or has been deducted from his pension in terms of section 101 (3) (b) of the Government Service Pensions Act, 1955 (Act No. 58 of 1955), or section 14 (3) (b) of the Government Service Pensions Act, 1965 (Act No. 62 of 1965), shall not be refunded to him.

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(4B) Die Tesourie of iemand deur die Tesourie daartoe gemagtig kan na goeë dunke 'n bedrag wat ooreenkomstig subartikel (4A) terugbetaal moet word, geheel en al of ten dele afskryf, indien hy oortuig is dat dit onekonomies sou wees om te probeer om so 'n bedrag te verhaal of dat die verhaal daarvan buitensporige ontbering sou veroorsaak.

(4C) Indien die Minister van Volkswelsyn en Pensioene of 'n beampte in die Departement van Volkswelsyn en Pensioene wat kragtens die gesag van bedoelde Minister optree, oortuig is dat 'n toelae wat ingevolge subartikel (1) aan iemand betaal word, ingetrek, verminder of verhoog moet word, kan hy, met behoorlike inagneming van die omstandighede van so iemand en die skale en voorwaardes wat ooreenkomstig paragraaf (a) van daardie subartikel bepaal is, die toelae intrek, verminder of verhoog met ingang van die datum, met inbegrip van 'n datum in die verlede, wat hy bepaal."

(2) Subartikel (1) word geag op die eerste dag van April 1969 in werking te getree het.

**Toepassing van die regulasies betreffende die Voorsorgfonds vir Tegniese Kolleges.**

15. (1) By die toepassing van die regulasies kragtens artikel 19 (1) (g) van die „Hoger Onderwijs Wet, 1923" (Wet No. 30 van 1923), uitgevaardig en by Goewermentskennisgewing No. 977 van die agt-en-twintigste dag van April 1950 (soos gewysig) afgekondig en op die eerste dag van Desember 1969 van krag—

- (a) word 'n verwysing na vier persent waar dit ook al in bedoelde regulasies met betrekking tot rente of tot 'n dividend voorkom, ondanks andersluidende bepalings van bedoelde regulasies, uitgelê as 'n verwysing na vier-en-'n-half persent;
- (b) word 'n verwysing na faktor *a* van die formule in paragraaf 46 (2) (a) van bedoelde regulasies vervat, ondanks andersluidende bepalings van bedoelde regulasies, uitgelê as 'n verwysing na drie-kwart van die som van al die bedrae wat gereeld tot die Voorsorgfonds vir Tegniese Kolleges (in paragraaf 35 van bedoelde regulasies vermeld) ten opsigte van 'n lid of nie-bydraer (soos in paragraaf 34 van bedoelde regulasies omskryf) uit 'n ander bron as die besoldiging van sodanige lid of nie-bydraer bygedra is, en die bedrae van al die dividende of rente wat in bedoelde fonds opgeloop het ten opsigte van die bedrae aldus bygedra;
- (c) word 'n verwysing na faktor *Y* van die formule in die voorbehoudsbepaling by paragraaf 46 (2) van bedoelde regulasies vervat, ondanks andersluidende bepalinge van bedoelde regulasies, uitgelê as 'n verwysing na die jaarlikse gemiddelde van die salaris (soos in paragraaf 34 van bedoelde regulasies omskryf) van sodanige lid of nie-bydraer gedurende die laaste drie jaar diens ten opsigte waarvan sodanige lid of nie-bydraer tot bedoelde Voorsorgfonds vir Tegniese Kolleges bygedra het of gedurende die hele termyn van sodanige diens, na gelang van watter die kortste termyn is.

(2) Die waarde van iedere toekenning wat, uit hoofde van paragraaf 38 (3) van bedoelde regulasies, ingevolge regulasie 46 van die regulasies in genoemde paragraaf 38 (3) bedoel, aan of ten opsigte van enigiemand betaalbaar word, word met dertig persent vermeerder: Met dien verstande dat die waarde van sodanige toekenning, aldus vermeerder, nie groter is nie as die waarde van 'n pensioen of gratifikasie wat aan of ten opsigte van so iemand betaal gaan word deur 'n Raad in genoemde regulasie 46 vermeld.

(3) Subartikels (1) en (2) word geag op die eerste dag van Desember 1969 in werking te getree het.



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(4B) The Treasury or any person authorized thereto by the Treasury may at its or his discretion write off the whole or any portion of any amount repayable in terms of subsection (4A), if the Treasury or such person is satisfied that it would be uneconomical to attempt to recover such amount or that recovery thereof would cause undue hardship.

(4C) If the Minister of Social Welfare and Pensions or any officer in the Department of Social Welfare and Pensions acting under the authority of the said Minister, is satisfied that any allowance which is being paid to any person in terms of subsection (1) should be cancelled, reduced or increased, he may, with due regard to the circumstances of such person and to the rates and conditions determined in terms of paragraph (a) of that subsection, cancel, reduce or increase the allowance with effect from such date, including any past date, as he may determine."

(2) Subsection (1) shall be deemed to have come into operation on the first day of April, 1969.

15. (1) For the purposes of the regulations made in terms of section 19 (1) (g) of the Higher Education Act, 1923 (Act No. 30 of 1923), and promulgated by Government Notice No. 977 of the twenty-eighth day of April, 1950 (as amended), and in force on the first day of December, 1969—

Application of  
the regulations  
governing the  
Technical Colleges  
Provident Fund.

(a) notwithstanding anything to the contrary contained in the said regulations, any reference to four per cent shall, wherever it occurs in the said regulations in relation to interest or to a dividend, be construed as a reference to four and one-half per cent;

(b) any reference to factor *a* of the formula contained in paragraph 46 (2) (a) of the said regulations, shall, notwithstanding anything to the contrary contained in the said regulations, be construed as a reference to three-quarters of the sum of all amounts regularly contributed to the Technical Colleges Provident Fund (referred to in paragraph 35 of the said regulations) in respect of any member or non-contributor (as defined in paragraph 34 of the said regulations) from any source other than the emoluments of such member or non-contributor, and the amounts of all dividends or interest accrued in the said fund in respect of the amounts so contributed;

(c) any reference to factor *Y* of the formula contained in the proviso to paragraph 46 (2) of the said regulations shall, notwithstanding anything to the contrary contained in the said regulations, be construed as a reference to the annual average of the salary (as defined in paragraph 34 of the said regulations) of such member or non-contributor during the last three years of service in respect of which such member or non-contributor contributed to the said Technical Colleges Provident Fund or during the whole period of such service, whichever is the lesser period.

(2) The value of every grant which, pursuant to paragraph 38 (3) of the said regulations, becomes payable in terms of regulation 46 of the regulations referred to in the said paragraph 38 (3) to or in respect of any person, shall be increased by thirty per cent: Provided that the value of such grant, so increased, shall not exceed the value of any pension or gratuity due to be paid to or in respect of such person by a Council referred to in the said regulation 46.

(3) Subsections (1) and (2) shall be deemed to have come into operation on the first day of December, 1969.

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1970.

Toepassing van die regulasies betreffende die Voorsorgfonds vir Universiteitsinrigtings.

16. (1) By die toepassing van die regulasies kragtens artikel 12 (1) (a) en (g) van die „Wet tot Additionele Regeling van het Hoger Onderwijs, 1917” (Wet No. 20 van 1917), uitgevaardig en by Goewermentskennisgewing No. 1134 van die negentiende dag van Mei 1950 (soos gewysig) afgekondig, en ooreenkomstig die Wet op Universiteite, 1955 (Wet No. 61 van 1955), op die eerste dag van Desember 1969 van krag—

(a) word 'n verwysing na vier persent waar dit ook al in bedoelde regulasies met betrekking tot rente of tot 'n dividend voorkom, ondanks andersluidende bepalings van bedoelde regulasies, uitgelê as 'n verwysing na vier-en-'n-half persent;

(b) word 'n verwysing na faktor *a* van die formule in paragraaf 13 (2) (a) van bedoelde regulasies vervat, ondanks andersluidende bepalings van bedoelde regulasies, uitgelê as 'n verwysing na drie-kwart van die som van al die bedrae wat gereeld tot die Voorsorgfonds vir Universiteitsinrigtings (in paragraaf 2 van bedoelde regulasies vermeld) ten opsigte van 'n lid of nie-bydraer (soos in paragraaf 1 van bedoelde regulasies omskryf) uit 'n ander bron as die besoldiging van sodanige lid of nie-bydraer bygedra is, en die bedrae van al die dividende of rente wat in bedoelde fonds opgeloopt het ten opsigte van die bedrae aldus bygedra;

(c) word 'n verwysing na faktor *y* van die formule in die voorbehoudsbepaling by regulasie 13 (2) van bedoelde regulasies vervat, ondanks andersluidende bepalings van bedoelde regulasies, uitgelê as 'n verwysing na die jaarlikse gemiddelde van die goedgekeurde salaris (soos in paragraaf 1 van bedoelde regulasies omskryf) van sodanige lid of nie-bydraer gedurende die laaste drie jaar diens ten opsigte waarvan sodanige lid of nie-bydraer tot bedoelde Voorsorgfonds vir Universiteitsinrigtings bygedra het of gedurende die hele termyn van sodanige diens, na gelang van watter die kortste termyn is.

(2) Die waarde van iedere toekenning wat, uit hoofde van paragraaf 5 (3) van bedoelde regulasies, ingevolge regulasie 52 van die regulasies in genoemde paragraaf 5 (3) bedoel, aan of ten opsigte van enigiemand betaalbaar word, word met dertig persent vermeerder: Met dien verstande dat die waarde van sodanige toekenning aldus vermeerder, nie groter is nie as die waarde van 'n pensioen of gratifikasie wat aan of ten opsigte van so iemand betaal gaan word deur 'n Raad in genoemde regulasie 52 vermeld.

(3) Subartikels (1) en (2) word geag op die eerste dag van Desember 1969 in werking te getree het.

## Kort titel.

17. Hierdie Wet heet die Tweede Wysigingswet op die Pensioenwette, 1970.

## SECOND PENSION LAWS AMENDMENT ACT, 1970.

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16. (1) For the purposes of the regulations made in terms of section 12 (1) (a) and (g) of the Higher Education Additional Provision Act, 1917 (Act No. 20 of 1917), and promulgated by Government Notice No. 1134 of the nineteenth day of May, 1950 (as amended), and in force on the first day of December, 1969, in terms of the Universities Act, 1955 (Act No. 61 of 1955)—

Application of the regulations governing the University Institutions Provident Fund.

- (a) notwithstanding anything to the contrary contained in the said regulations, any reference to four per cent shall, wherever it occurs in the said regulations in relation to interest or to a dividend, be construed as a reference to four and one-half per cent;
  - (b) any reference to factor *a* of the formula contained in paragraph 13 (2) (a) of the said regulations, shall, notwithstanding anything to the contrary contained in the said regulations, be construed as a reference to three-quarters of the sum of all amounts regularly contributed to the University Institutions Provident Fund (referred to in paragraph 2 of the said regulations) in respect of any member or non-contributor (as defined in paragraph 1 of the said regulations) from any source other than the emoluments of such member or non-contributor, and the amounts of all dividends or interest accrued in the said fund in respect of the amounts so contributed;
  - (c) any reference to factor *y* of the formula contained in the proviso to paragraph 13 (2) of the said regulations shall, notwithstanding anything to the contrary contained in the said regulations, be construed as a reference to the annual average of the approved salary (as defined in paragraph 1 of the said regulations) of such member or non-contributor during the last three years of service in respect of which such member or non-contributor contributed to the said University Institutions Provident Fund or during the whole period of such service, whichever is the lesser period.
- (2) The value of every grant which, pursuant to paragraph 5 (3) of the said regulations, becomes payable in terms of regulation 52 of the regulations referred to in the said paragraph 5 (3), to or in respect of any person, shall be increased by thirty per cent: Provided that the value of such grant, so increased, shall not exceed the value of any pension or gratuity due to be paid to or in respect of such person by a Council referred to in the said regulation 52.
- (3) Subsections (1) and (2) shall be deemed to have come into operation on the first day of December, 1969.

17. This Act shall be called the Second Pension Laws Amendment Act, 1970. Short title.

