



PROVINCE OF WESTERN CAPE

PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

Provincial Gazette Extraordinary

Buitengewone Provinsiale Koerant

Isongezelelo kwiGazethi yePhondo

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Wednesday, 20 February 2008

Woensdag, 20 Februarie 2008

LweSithathu, 20 Febuwari 2008

Registered at the Post Office as a Newspaper

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PROVINCIAL NOTICE

The following Bill is hereby published for general information:

Western Cape Draft Ambulance Personnel Transfer and Pensions Ordinance Repeal Bill, 2007

P.N. 51/2008

20 February 2008

Any person or organization wishing to comment on the said Bill is requested to lodge such comment in writing before or on 11 March 2008:

- (a) by posting it to:
Mr. K. Vili
P.O. Box 2060
Cape Town
8000
- (b) by email to:
kvili@pgwc.gov.za
- (c) by fax to:
K. Vili
(021) 483-3205

As 'n Nuusblad by die Poskantoor Geregistreer

INHOUD

PROVINSIALE KENNISGEWING

Die volgende Wetsontwerp word hierby vir algemene inligting gepubliseer:

Wes-Kaapse Konsepwetsontwerp tot Herroeping van die Ordonnansie op die Oorplasing en Pensioene van Ambulanspersoneel, 2007

P.K. 51/2008

20 Februarie 2008

Enige persoon of organisasie wat kommentaar oor die genoemde Wetsontwerp wens te lewer, word versoek om sodanige kommentaar skriftelik te lewer voor of op 11 Maart 2008:

- (a) deur dit te pos aan:
Mnr. K. Vili
Posbus 2060
Kaaapstad
8000
- (b) deur dit te epos aan:
kvili@pgwc.gov.za
- (c) deur dit te faks aan:
K. Vili
(021) 483-3205

Ibhaliswe ePosini njengePhephandaba

IZIQULATHO

ISAZISO SEPHONDO

Lo Mthetho uSayilwayo ulandelayo upapashwa apha ukunika ulwazi ngokubanzi:

UmThetho oYilwayo ka-2007 weNtshona Koloni oRhoxisa uMiselo loDluliselo nomHlala-phantsi wabaQeshwa beNqwelo yeziGulana

P.N. 51/2008

20 Febuwari 2008

Nabani na okanye nawuphi na umbutho onqwenela ukuphawula ngalo Mthetho uSayilwayo kuthethwa ngawo uyacelwa ukuba afake izimvo zakhe phambi okanye ngomhla wama-11 uMashi 2008:

- (a) ngokuwuposela ku:
Mnu. K. Vili
P.O. Box 2060
Cape Town
8000
- (b) nge-imeyile ku:
kvili@pgwc.gov.za
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DRAFT BILL

To repeal the Ambulance Personnel Transfer and Pensions Ordinance, 1955, and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Parliament of the Province of the Western Cape, as follows:—

Repeal of Ordinance No. 11 of 1955

1. The Ambulance Personnel Transfer and Pensions Ordinance, 1955, is repealed.

Short title

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2. This Act is called the Ambulance Personnel Transfer and Pensions Ordinance Repeal Act, 2008.

EXPLANATORY MEMORANDUM

DRAFT AMBULANCE PERSONNEL TRANSFER AND PENSIONS ORDINANCE REPEAL BILL, 2007

1. Proposed Repeal of the Ordinance

- 1.1 The Ambulance Personnel Transfer and Pensions Ordinance, 1955 (Ordinance 11 of 1955) (“the Ordinance”) was promulgated to regulate the transfer of personnel of the ambulance services from the Provincial Administration to local government and to regulate matters pertaining to the pension superannuation benefits of the personnel transferred.
- 1.2 In terms of Proclamation No. 115 of 17 June 1994, the administration of this Ordinance was assigned to the Province.
- 1.3 The Ordinance has become redundant as the transfer of public service personnel is currently governed by the Public Service Act, 1994 (Proclamation No. 103 of 1994) and the Labour Relations Act, 1995 (Act No. 66 of 1995). Furthermore, ambulance services is now a provincial function in terms of Part A of Schedule 5 of the Constitution.
- 1.4 The attached Bill has been drafted to repeal the Ordinance.

2. Consultation

The Department of the Premier, Chief Directorate: Legal Services was consulted.

3. Implications

There are no personnel or financial implications.

KONSEPWETSONTWERP

Om die Ordonnansie op die Oorplasing en Pensioene van Ambulanspersoneel, 1955, te herroep; en om voorsiening te maak vir verwante sake.

DAAR WORD BEPAAL deur die Provinsiale Parlement van die Provinsie Wes-Kaap, soos volg:—

Herroeping van Ordonnansie 11 van 1955

1. Die Ordonnansie op die Oorplasing en Pensioene van Ambulanspersoneel, 1955, word herroep. 5

Kort titel

2. Hierdie Wet heet die Wet tot Herroeping van die Ordonnansie op die Oorplasing en Pensioene van Ambulanspersoneel, 2008.

VERKLARENDE MEMORANDUM

KONSEPWETSONTWERP TOT HERROEPING VAN DIE ORDONNANSIE OP DIE OORPLASING EN PENSIOENE VAN AMBULANSPERSONEEL, 2007

1. Voorgestelde herroeping van die Ordonnansie

- 1.1 Die Ordonnansie op die Oorplasing en Pensioene van Ambulanspersoneel, 1955 (Ordonnansie 11 van 1955) (“die Ordonnansie”) is uitgevaardig om die oorplasing van personeel van die ambulansdiens van die Provinsiale Administrasie na plaaslike owerhede te reguleer en om sake verwant aan die pensioenfondsvoordele van oorgeplaaste personeel te reguleer.
- 1.2 Ingevolge Proklamasie 115 van 17 Junie 1994 is die administrasie van hierdie Ordonnansie oorgedra aan die Provinsie.
- 1.3 Die Ordonnansie het oortollig geraak omdat die oorplasing van personeel tans plaasvind ingevolge die Staatsdienswet, 1994 (Proklamasie 103 van 1994) en die Wet op Arbeidsverhoudinge, 1995 (Wet 66 van 1995). Daarbenewens is die ambulansdiens nou ’n provinsiale funksie ingevolge Deel A van Bylae 5 van die Grondwet.
- 1.4 Die aangehegte Wetsontwerp is opgestel om die Ordonnansie te herroep.

2. Oorlegpleging

Oorleg is gepleeg met die Departement van die Premier en die Hoofdirektoraat Regsdienste.

3. Implikasies

Daar is geen personeel- of finansiële implikasies nie.

UMTHETHO OSAYILWAYO

Ukutshitshiswa kwe-Ambulance Personnel Transfer and Pensions Ordinance, 1955 kwanokulungiselela into engalindelekanga esenokwenzeka.

X A LO MTHETHO UTHE WAPHUNYEZWA yiPalamente yePhondo leNtshona Koloni, uya kuma ngolu hlobo lulandelayo:—

Ukutshitshiswa kwe-Ordinance enguNomb. 11 yango-1955

1. I-Ambulance Personnel Transfer and Pensions Ordinance, 1955, iyatshitshiswa.

Isihloko

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2. Lo Mthetho kuthiwa yi-Ambulance Personnel Transfer and Pensions Ordinance Repeal Act, 2008.

IMEMORANDAM ECACISAYO

UMTHETHO OSAYILWAYO I- AMBULANCE PERSONNEL TRANSFER AND PENSIONS ORDINANCE REPEAL BILL, 2007

1. UTshitshiso oluCetyiweyo lwe-Ordinance

- 1.1 I-Ambulance Personnel Transfer and Pensions Ordinance, 1955 (Ordinance 11 of 1955) (“i-Ordinance”) yasekwa ngokusesikweni ukuze ilawule iinkonzo zabasebenzi beenqwelo zezigulane ukusuka kulawulo lwephondo ukuya koomasipala nokulawula izinto ezinxulumene nemihlala-phantsi yabo basebenzi bathunyelwe kwezinye iindawo.
- 1.2 NgokoMpoposho onguNomb.115 wangomhla we -17 kuJuni ngo-1994, umsebenzi wokulawula le Ordinance wanikwa iPhondo.
- 1.3 Le Ordinance iphelelwe lixesha njengoko ukuthunyelwa kwabasebenzi kwezinye iindawo kulawulwa yi-Public Service Act, 1994 (UMpoposho onguNomb. 103 wango- 1994) kunye ne-Labour Relations Act, 1995 (Act No. 66 of 1995). Ukongeza koku, iinkonzo zeenqwelo zezigulane ngoku zingumsebenzi wephondo ngokweCandelo A ngokwesiCwangciso 5 soMgaqo siseko.
- 1.4 Lo Mthetho usaYilwayo uqhutyoshelweyo uqulunqelwa ukutshitshisa le Ordinance.

2. UkuBonisana

Kwaboniswa neCandelo loMlawuli oyiNtloko weeNkonzo zoMthetho leSebe leNkulumbuso.

3. UChaphazeleko

Akukho basebenzi okanye iimali eziya kuchaphazeleka.

