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PROVINCIAL ADMINISTRATION.

ADMINISTRATOR'S NOTICES.

The following notices relating to the administration of the Province of the Transvaal is published under the authority of the Administrator for general information.

J. H. O. VAN GRAAN,
Provincial Secretary.

Office of the Administrator of Transvaal, Pretoria.

Administrator's Notice No. 283.]

[22 April 1959.

The following Draft Ordinance is published for general information:—

A

DRAFT ORDINANCE

To consolidate and amend the laws relating to the pensions and other financial benefits payable upon retirement, resignation or discharge to certain persons employed by the Department of Hospital Services and to certain persons employed by the Transvaal Education Department or upon the death of such persons to their dependants or other persons and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

Definitions. 1. In this Ordinance unless the context otherwise indicates—

- (i) "actuary" means a Fellow of an institute, faculty, society or chapter of actuaries approved by the Administrator; (iii)
- (ii) "Administration" means the Transvaal Provincial Administration; (i)
- (iii) "Administrator" means the officer appointed under the provisions of section *sixty-eight* of the South Africa Act, 1909, acting on the advice and with the consent of the Executive Committee of the Province; (ii)
- (iv) "annuity" means an annual amount payable either from the Fund or from revenue; (xi)
- (v) "Department" means the Department of Hospital Services, or the Transvaal Education Department as the context may require; (vi)
- (vi) "Director" means the officer appointed as Director of Hospital Services in terms of sub-section (1) of section *three* of the Hospitals Ordinance, 1958 (Ordinance No. 14 of 1958) or the officer appointed as Director of Education in terms of paragraph (b) of sub-section (1) of section *three* of the Education Ordinance, 1953 (Ordinance No. 29 of 1953), as the context may require, or any person authorised by such Director to act on his behalf; (vii)

PROVINSIALE ADMINISTRASIE.

ADMINISTRATEURSKENNISGEWINGS.

Onderstaande kennisgewings wat betrekking het op die administrasie van die Provincie Transvaal word op gesag van die Administrateur vir algemene inligting gepubliseer.

J. H. O. VAN GRAAN,
Proviniale Sekretaris.

Kantoor van die Administrateur van Transvaal, Pretoria.

Administrateurskennisgewing No. 283.]

[22 April 1959.

Onderstaande Ontwerpordonnansie word vir algemene inligting gepubliseer:—

N

ONTWERPORDONNANSIE

Tot samevatting en wysiging van die wetsbepalings betreffende die pensioene en ander geldelike voordele by uitdiensstreding, bedanking of ontslag betaalbaar aan sekere persone in diens van die Departement van Hospitaaldienste en aan sekere persone in diens van die Transvaalse Onderwysdepartement of, by die dood van sodanige persone, aan hulle afhanglikes of ander persone en om voorsiening te maak vir aangeleenthede in verband daarmee.

DIE Proviniale Raad van Transvaal VERORDEN AS VOLG:—

1. In hierdie Ordonnansie, tensy uit die samehang anders blyk, beteken— Woordomskrywing.

- (i) „Administrasie” die Transvaalse Proviniale Administrasie; (ii)
- (ii) „Administrator” die amptenaar aangestel ingevolge die bepalings van artikel *agt-en-sestig* van die „Zuid-Afrika Wet, 1909,” handelende op advies en met die toestemming van die Uitvoerende Komitee van die Provincie; (iii)
- (iii) „aktuaris” ’n „Fellow” van ’n instituut, fakulteit, vereniging of kapittel van aktuarisse deur die Administrateur goedgekeur; (i)
- (iv) „blanke persoon” ’n blanke persoon soos omskryf in artikel *een* van die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950); (xvii)
- (v) „boekjaar” die tydperk tussen die eerste dag van April in enige jaar en die een-en-dertigste dag van Maart in die daaropvolgende jaar, insluitende albei dae; (vii)
- (vi) „Departement” die Departement van Hospitaaldienste of die Transvaalse Onderwysdepartement, na gelang van die sinsverband; (v)

- (vii) "financial year" means the period between the first day of April in any year and the thirty-first day of March in the year next succeeding, both days inclusive; (v)
- (viii) "fixed date" means the date of the coming into operation of this Ordinance; (xvii)
- (ix) "Fund" means the Transvaal Hospital and Education Officers' Pension Fund established in terms of sub-section (1) of section two; (viii)
- (x) "gratuity" means any amount payable or due under the provisions of this Ordinance other than an annuity; (ix)
- (xi) "member" means a member of the Fund as contemplated in sub-section (1) of section three; (xii)
- (xii) "new member" means a person who is required to contribute to the Fund in terms of sub-section (3), paragraph (b) of sub-section (4) or sub-section (5) of section three; (xiii)
- (xiii) "old member" means a person who is required to contribute to the Fund in terms of sub-section (2) or paragraph (a) of sub-section (4) of section three; (xiv)
- (xiv) "pension" means an annuity or gratuity as the context may require; (xv)
- (xv) "pensionable emoluments" means the salary of a member in accordance with the salary scales approved in terms of the Hospitals Ordinance, 1958 (Ordinance No. 14 of 1958), or the Education Ordinance, 1953 (Ordinance No. 29 of 1953), as the case may be, but shall not include any other remuneration in cash or in kind or any allowance whatsoever unless such remuneration or allowance be declared by the Administrator to be pensionable; (xvi)
- (xvi) "prescribed age of retirement" means the age of retirement prescribed in sub-section (1) or (2) of section ten; (xviii)
- (xvii) "revenue" means the Transvaal Provincial Revenue Fund; (x)
- (xviii) "white person" means a white person as defined in section one of the Population Registration Act, 1950 (Act No. 30 of 1950). (iv)
- (vii) "Direkteur" die amptenaar aangestel as Direkteur van Hospitaaldienste ingevolge subartikel (1) van artikel drie van die Ordonnansie op Hospitale, 1958 (Ordonnansie No. 14 van 1958), of die amptenaar aangestel as Directeur van Onderwys ingevolge paragraaf (b) van subartikel (1) van artikel drie van die Onderwysordonnansie, 1953 (Ordonnansie No. 29 van 1953), na gelang van die sinsverband of iemand deur sodanige Directeur gemagtig om namens hom op te tree; (vi)
- (viii) "Fonds" die Pensioenfonds vir Transvaalse Hospitaal- en Onderwysbeamptes, gestig kragtens subartikel (1) van artikel twee; (ix)
- (ix) "gratifikasie" enige ander bedrag as 'n jaargeld, betaalbaar of verskuldig ingevolge die bepalings van hierdie Ordonnansie; (x)
- (x) "inkomste" die Transvaalse Provinciale Inkomstefonds; (xvii)
- (xi) "jaargeld" 'n jaarlikse bedrag betaalbaar of uit die Fonds of uit inkomste; (iv)
- (xii) "lid" 'n lid van die Fonds soos in subartikel (1) van artikel drie beoog; (xi)
- (xiii) "nuwe lid" 'n persoon van wie vereis word om kragtens subartikel (3), paragraaf (b) van subartikel (4) of subartikel (5) van artikel drie tot die Fonds by te dra; (xii)
- (xiv) "ou lid" 'n persoon van wie vereis word om kragtens subartikel (2) of paragraaf (a) van subartikel (4) van artikel drie tot die Fonds by te dra; (xiii)
- (xv) "pensioen" 'n jaargeld of gratifikasie, na gelang van die sinsverband; (xiv)
- (xvi) "pensioengewende emolumente" die salaris van 'n lid ooreenkomsdig die salarisskale goedgekeur kragtens die Ordonnansie op Hospitale, 1958 (Ordonnansie No. 14 van 1958), of die Onderwysordonnansie, 1953 (Ordonnansie No. 29 van 1953), na gelang van die geval maar sluit geen ander vergoeding, hetself in kontant of in natura, of enige toelae hoegenaamd in nie, tensy sodanige vergoeding of toelae deur die Administrateur pensioengewend verklaar is; (xv)
- (xvii) "vasgestelde datum" die datum van die inwerkingtreding van hierdie Ordonnansie; (vii)
- (xviii) "voorgeskrewe uitdienstredingsouderdom" die uitdienstredingsouderdom in subartikel (1) of (2) van artikel tien voorgeskryf. (xvi)

Establishment of the Fund.

2. (1) There is hereby established a pension fund to be known as the Transvaal Hospital and Education Officers' Pension Fund and the Transvaal Hospital and Provincial Officials' Pension Fund established in terms of section two of the Transvaal Hospital and Provincial Officials' Pensions Ordinance, 1927 (Ordinance No. 14 of 1927), shall be deemed to have been established in terms of this sub-section.

(2) The Fund shall consist of—

- (a) The amount standing to the credit of the Fund at the fixed date;
- (b) contributions made to the Fund by members at the prescribed rate in accordance with the provisions of this Ordinance;
- (c) interest and other amounts payable by members to the Fund in accordance with the provisions of this Ordinance;
- (d) sums and interest payable out of revenue to the Fund in accordance with the provisions of this Ordinance; and

Sistieg van die Fonds.

2. (1) Hierby word 'n pensioenfonds gestig wat bekend staan as die Pensioenfonds vir Transvaalse Hospitaal- en Onderwysbeamptes en die Pensioenfonds vir Transvaalse Hospitaal- en Provinciale Beamptes gestig kragtens artikel twee van die Transvaal Hospitaal en Provinciale Beamptes Pensioene Ordonnansie, 1927 (Ordonnansie No. 14 van 1927), word geag kragtens hierdie subartikel gestig te gewees het.

(2) Die Fonds bestaan uit—

- (a) die bedrag tot krediet van die Fonds op die vasgestelde datum;
- (b) bydrae tot die Fonds deur lede teen die voorgeskrewe tarief ooreenkomsdig die bepalings van hierdie Ordonnansie;
- (c) rente en ander bedrae deur die lede verskuldig aan die Fonds ooreenkomsdig die bepalings van hierdie Ordonnansie;
- (d) bedrae en rente uit inkomste aan die Fonds verskuldig ooreenkomsdig die bepalings van hierdie Ordonnansie; en

- (e) any other sums which are to be credited to the Fund;

and all amounts contributed or paid to the Fund shall be credited to the Fund in a separate deposit account.

Members of
the Fund.

3. (1) The members of the Fund shall consist of persons who are contributors to the Fund and persons who are in receipt of an annuity from the Fund.

(2) Any person who on the day immediately prior to the fixed date was a contributor to the Transvaal Hospital and Provincial Officials' Pension Fund established in terms of section *two* of the Transvaal Hospital and Provincial Officials Pensions Ordinance, 1927, or who thereafter became such a contributor, shall continue to be a contributor to the Fund.

(3) Subject to the provisions of sub-section (7), every person appointed in the Department on or after the fixed date and who—

- (a) is appointed as an officer as defined in section *one* of the Hospitals Ordinance, 1958, other than a female person who in order that she may be appointed to a post in the Department requires to be registered in terms of the provisions of the Nursing Act, 1957 (Act No. 69 of 1957);
- (b) is appointed in a permanent and full-time capacity in terms of sub-section (1) of section *fifty-nine* of the Hospitals Ordinance, 1958, and in respect of whom the Administrator has in terms of section *sixty* of the Hospitals Ordinance, 1958, applied the provisions of Chapter V of that Ordinance or has by regulation prescribed that he be admitted as a member of the Fund;
- (c) is appointed in terms of section *five* of the Education Ordinance, 1953, other than an inspector of education or a teacher;
- (d) is appointed in terms of section *forty-six* of the Education Ordinance, 1953,

shall be admitted as a member of and shall contribute to the Fund as from the date of such appointment.

(4) Subject to the provisions of sub-section (7)—

- (a) Every person who immediately prior to the fixed date contributed provisionally to the Transvaal Hospital and Provincial Officials' Pension Fund, in terms of sub-section (4) of section *three* of the Transvaal Hospital and Provincial Officials Pensions Ordinance, 1927, shall as from the date he commenced to contribute provisionally to that fund, be admitted as a member of and shall continue to contribute to the Fund; and

- (b) every person referred to in sub-section (3) who is appointed on probation on or after the fixed date shall be admitted as a member of and shall contribute to the Fund as from the date of such appointment:

Provided that, if prior to the confirmation of his appointment—

- (i) he resigns; or
- (ii) his services are terminated by the Department for reasons other than ill-health or the abolition of his post; or
- (iii) he dies and leaves no dependants as described in sub-section (3) of section *twelve*,

the amount contributed by him shall be refunded to him or to his estate, as the case may be, and

- (e) enige ander bedrae waarvoor die Fonds gekrediteer moet word;

en die Fonds moet in 'n aparte depositorekening gekrediteer word vir alle bedrae bygedra tot of gestort in die Fonds.

3. (1) Die lede van die Fonds bestaan uit persone wat bydraers tot die Fonds is en uit persone wat 'n jaargeld van die Fonds ontvang.
Lede van
die Fonds.

(2) Iemaand wat op die dag onmiddellik voor die vasgestelde datum 'n bydraer was tot die Pensioenfonds vir Transvaalse Hospitaal- en Provinciale Beampies, gestig ingevolge artikel *twee* van die Transvaal Hospitaal en Provinciale Beampies Pensioene Ordonnansie 1927 of wat daarna so 'n bydraer geword het, gaan voort om 'n bydraer tot die Fonds te wees.

(3) Behoudens die bepalings van subartikel (7) word iedereen wat op of na die vasgestelde datum in die Departement aangestel word en wat—

- (a) as 'n beampte soos omskryf in subartikel

(1) van artikel *een* van die Ordonnansie op Hospitale, 1958, aangestel en wat nie 'n vroulike persoon is nie van wie vereis word dat sy kragtens die bepalings van die Wet op Verpleegsters, 1957 (Wet No. 69 van 1957), geregistreer moet wees alvorens sy in 'n pos in die Departement aangestel kan word;

- (b) in 'n permanente en voltydse hoedanigheid kragtens subartikel (1) van artikel *nege-en-vyftig* van die Ordonnansie op Hospitale, 1958, aangestel en ten opsigte van wie die Administrateur kragtens artikel *sesig* van die Ordonnansie op Hospitale, 1958, die bepalings van Hoofstuk V van daardie Ordonnansie toegepas het of by wyse van regulasie voorgeskryf het dat hy as 'n lid van die Fonds toegelaat word;

- (c) kragtens artikel *vyf* van die Onderwysordonnansie, 1953, aangestel word behalwe 'n inspekteur van onderwys of 'n onderwyser;

- (d) kragtens artikel *ses-en-veertig* van die Onderwysordonnansie, 1953, aangestel word as 'n lid toegelaat en dra van die datum van sodanige aanstelling af tot die Fonds by.

- (4) Behoudens die bepalings van subartikel (7)—

- (a) word elkeen wat onmiddellik voor die vasgestelde datum kragtens die bepalings van subartikel (4) van artikel *drie* van die Transvaal Hospitaal en Provinciale Beampies Pensioene Ordonnansie 1927, tot die Pensioenfonds vir Transvaalse Hospitaal- en Provinciale Beampies voorlopig bygedra het, van die datum af waarop hy begin het om tot daardie fonds voorlopig by te dra, toegelaat as 'n lid van enhou hy aan om tot die Fonds by te dra; en

- (b) word elkeen in subartikel (3) genoem wat op of na die vasgestelde datum op proef aangestel word, toegelaat as 'n lid van en dra hy tot die Fonds by van die datum van sodanige aanstelling af:

Met dien verstaande dat indien voor die bekragting van sy aanstelling—

- (i) hy bedank; of
- (ii) sy diens deur die Departement beëindig word op ander gronde as swak gesondheid of afskaffing van sy pos; of
- (iii) hy te sterwe kom en geen afhankliksoos in subartikel (3) van artikel *twalf* beskryf, nalaat,

die bedrag deur hom bygedra aan hom of aan sy boedel, na gelang van die geval, terugbetaal

the amount paid to the Fund from revenue in respect of such person shall be refunded to revenue.

(5) A person referred to in sub-section (3), who prior to the fixed date was entitled to contribute to the Transvaal Hospital and Provincial Officials' Pension Fund referred to in sub-section (2), but who elected not so to contribute or who, on account of age was not entitled to contribute to that fund shall, if he elects in writing within one hundred and eighty days from the fixed date so to do, be a contributor to the Fund from the date of his appointment.

(6) Any person who on the day immediately prior to the fixed date was in receipt of an annuity in terms of a law repealed by this Ordinance, shall, on and after the fixed date continue to receive an annuity in terms of this Ordinance.

(7) No person shall be admitted as a member of the Fund—

- (a) while under the age of sixteen years; or
- (b) if he receives pensionable emoluments at a rate of less than ninety pounds per annum; or
- (c) if he is engaged for the completion or performance of specific work; or
- (d) if he is remunerated solely by fees or allowances; or
- (e) if he is employed for a fixed number of months or years; or
- (f) while employed temporarily; or
- (g) while employed in a part-time capacity.

Pensionable service.

4. (1) The pensionable service with reference to which any pension is to be calculated, shall be continuous and shall include—

(a) the time spent—

- (i) on normal duty while employed by the Department in a permanent and full-time capacity;
- (ii) on leave of absence;
- (iii) under suspension from duty, if followed by re-instatement in the same or another post.

Provided that no period of employment, leave of absence or suspension from duty of a member shall be included in his pensionable service unless he has contributed to or elected to contribute to the Fund in respect of such a period;

- (b) any period in respect of which a member elected to contribute to the Fund in terms of the provisions of paragraph (a) of sub-section (1) of section five; and
- (c) any period a member elected to include in his pensionable service in terms of the provisions of paragraph (b) of sub-section (1) of section five.

(2) The period of pensionable service shall be calculated by the year and month and fractions of a month shall be disregarded.

Election by member to increase pensionable service.

5. (1) Subject to the provisions of sub-section (7) of section ten, a member may, on application to the Department and after approval by the Provincial Secretary, elect—

(a) to contribute to the Fund in respect of—

- (i) the whole or part of a period of temporary employment in the Administration which is continuous with a current period of employment in a permanent and fulltime capacity: Provided that such period shall include

word en die bedrag aan die Fonds uit inkomste betaal ten opsigte van sodanige persoon, aan inkomste terugbetaal word.

(5) Iemand genoem in subartikel (3) wat voor die vasgestelde datum geregtig was om tot die Pensioenfonds vir Transvaalse Hospitaal- en Proviniale Beamptes genoem in subartikel (2), by te dra, maar wat verkies het om nie aldus by te dra nie of wat vanweë sy ouderdom nie geregtig was om tot daardie fonds by te dra nie, is 'n bydraer tot die Fonds van die datum van sy aanstelling af, indien hy binne honderd-en-tachtig dae van die vasgestelde datum af skriftelik aldus verkies.

(6) Iemand wat op die dag onmiddellik voor die vasgestelde datum in ontvangs was van 'n jaargeld kragtens 'n wet by hierdie Ordonnansie herroep, gaan voort om op of na die vasgestelde datum 'n jaargeld kragtens hierdie Ordonnansie te ontvang.

(7) Niemand word as lid van die Fonds toegelaat—

- (a) terwyl hy onder die leeftyd van sestien jaar is; of
- (b) indien hy pensioengewende emolumente trek volgens 'n skaal van minder as negentig pond per jaar; of
- (c) indien hy vir die voltooiing of verrigting van bepaalde werk in diens geneem is; of
- (d) indien sy besoldiging uitsluitlik uit honoraria of toeslae bestaan; of
- (e) terwyl hy vir 'n bepaalde aantal maande of jare in diens is; of
- (f) terwyl hy tydelik in diens is; of
- (g) terwyl hy in 'n deeltydse hoedanigheid in diens is.

4. (1) Die pensioengewende diens met betrekking waartoe 'n pensioen bereken moet word, moet aaneenlopend wees en omvat—

(a) die tyd deurgebring—

- (i) in normale diens terwyl hy by die Departement in 'n permanente en voltydse hoedanigheid in diens is;
- (ii) tydens afwesigheid met verlof;
- (iii) tydens skorsing uit diens, indien gevvolg deur herstelling in dieselfde of 'n ander pos:

Met dien verstande dat geen tydperk van diens, verlof tot afwesigheid of skorsing uit diens van 'n lid by sy pensioengewende diens gereken word nie, tensy hy ten opsigte van sodanige tydperk tot die Fonds bygedra het of verkies het om daar toe by te dra;

- (b) enige tydperk ten opsigte waarvan 'n lid verkies het om ingevolge die bepalings van paragraaf (a) van subartikel (1) van artikel vyf tot die Fonds by te dra; en
- (c) enige tydperk wat 'n lid verkies het om ingevolge die bepalings van paragraaf (b) van subartikel (1) van artikel vyf by sy pensioengewende diens in te sluit.

(2) Die tydperk van pensioengewende diens word by die jaar en maand bereken en breukdele van 'n maand word buite rekening gelaat.

5. (1) Behoudens die bepalings van subartikel (7) van artikel tien, kan 'n lid, nadat hy by die Departement aansoek gedoen het en na goedkeuring deur die Provinciale Sekretaris, kies—

(a) om tot die Fonds by te dra ten opsigte van—

- (i) die hele of gedeelte van 'n tydperk van tydelike diens by die Administrasie wat aaneenlopend is met 'n huidige tydperk van diens in 'n permanente en voltydse hoedanigheid: Met dien verstande dat sodanige tydperk die tyd-

Keuse deur lid om pensioengewende diens te vermeerder.

- the period during which the provisions of paragraph (c) or (e) of sub-section (7) of section three applied to the member;
- (ii) the whole or part of any period between the date on which he attained the age of twenty-five years and the date of commencement of his current period of continuous employment; and
- (iii) the intervening period between a period of previous employment in respect of which he contributed to the Fund and the date on which he attained the age of twenty-five years;
- (b) to include in his pensionable service, any previous period of employment in respect of which he contributed to the Fund.

(2) Application for approval in terms of sub-section (1) shall be made by a new member within three hundred and sixty-five days from the date he becomes a member or where such member is appointed on probation within three hundred and sixty-five days from the date on which he is informed by the Department of the confirmation of his appointment and within three hundred and sixty-five days from the fixed date in the case of an old member and the election by a new or old member after such approval shall be made in writing within thirty days from the date upon which he is called upon to elect.

Rate of contribution by members.

6. (1) An old member, who is a male member, shall as from the fixed date and a new member shall, as from the commencement of his pensionable service, contribute to the Fund in accordance with the rate prescribed in the following scale:—

Age last birthday at commencement of pensionable service.	Per cent of pensionable emoluments.
Under 30 years.....	6·0
Under 30 years.....	6·1
Under 31 years.....	6·2
Under 32 years.....	6·3
Under 33 years.....	6·4
Under 34 years.....	6·5
Under 35 years.....	6·6
Under 36 years.....	6·7
Under 37 years.....	6·8
Under 38 years.....	6·9
Under 39 years.....	7·0
Under 40 years.....	7·1
Under 41 years.....	7·2
Under 42 years.....	7·3
Under 43 years.....	7·4
Under 44 years.....	7·5
Under 45 years.....	7·6
Under 46 years.....	7·7
Under 47 years.....	7·8
Under 48 years.....	7·9
49 years and over.....	8·0

Provided that the scale of contribution shall not apply in respect of any previous period of employment as described in paragraph (b) of sub-section (1) of section five.

(2) An old member, who is a female member, shall, as from the fixed date, contribute to the Fund in accordance with the rate prescribed in the following scale:—

Age last birthday at commencement of pensionable service.	Per cent of pensionable emoluments.
Under 30 years.....	7·75
Under 30 years.....	7·90
Under 31 years.....	8·05
Under 32 years.....	8·20
Under 33 years.....	8·35
Under 34 years.....	8·50
Under 35 years.....	8·70
Under 36 years.....	8·90
Under 37 years.....	9·10
Under 38 years.....	9·30
Under 39 years.....	9·50
Under 40 years.....	9·70
Under 41 years.....	9·90
Under 42 years.....	10·10
Under 43 years.....	10·30
Under 44 years.....	10·50

perk waartydens die bepalings van paragraaf (c) of (e) van subartikel (7) van artikel drie op die lid van toepassing was, insluit:

- (ii) die hele of gedeelte van 'n tydperk tussen die datum waarop hy die ouderdom van vyf-en-twintig jaar bereik en die datum waarop sy huidige tydperk van aaneenlopende diens 'n aanvang neem; en
- (iii) die tydperk tussen 'n tydperk van vorige diens ten opsigte waarvan hy tot die Fonds bygedra het en die datum waarop hy die ouderdom van vyf-en-twintig jaar bereik het;

(b) om by sy pensioengewende diens enige vorige tydperk van diens in te sluit ten opsigte waarvan hy tot die Fonds bygedra het.

(2) Aansoek of goedkeuring ingevolge subartikel (1), word deur 'n nuwe lid gedoen binne driehonderd vyf-en-sestig dae van die datum af waarop hy 'n lid word of indien sodanige lid op proef aangestel is, binne driehonderd vyf-en-sestig dae van die datum af waarop hy deur die Departement van die bekragting van sy aanstelling in kennis gestel is en, in geval van 'n ou lid, binne driehonderd vyf-en-sestig dae van die vasgestelde datum af en die keuse deur 'n nuwe of 'n ou lid, na sodanige goedkeuring, moet skriftelik gedoen word binne dertig dae van die datum af waarop hy versoek word om te kies.

6. (1) 'n Ou lid wat 'n manlike lid is, moet van Tarief van bydrae deur die vasgestelde datum af en 'n nuwe lid van die lede, aanvang van sy pensioengewende diens af, tot die Fonds bydra ooreenkomsdig die tarief in die volgende skaal voorgeskryf:—

Ouderdom jongste verjaarsdag by aanvang van pensioengewende diens.	Persentasie van pensioengewende emolumente.
Onder 30 jaar.....	6·0
Onder 30 jaar.....	6·1
Onder 31 jaar.....	6·2
Onder 32 jaar.....	6·3
Onder 33 jaar.....	6·4
Onder 34 jaar.....	6·5
Onder 35 jaar.....	6·6
Onder 36 jaar.....	6·7
Onder 37 jaar.....	6·8
Onder 38 jaar.....	6·9
Onder 39 jaar.....	7·0
Onder 40 jaar.....	7·1
Onder 41 jaar.....	7·2
Onder 42 jaar.....	7·3
Onder 43 jaar.....	7·4
Onder 44 jaar.....	7·5
Onder 45 jaar.....	7·6
Onder 46 jaar.....	7·7
Onder 47 jaar.....	7·8
Onder 48 jaar.....	7·9
49 jaar en meer.....	8·0

Met dien verstande dat die skaal van bydrae nie van toepassing is nie ten opsigte van 'n vorige dienstydperk soos beskryf in paragraaf (b) van subartikel (1) van artikel vyf.

(2) 'n Ou lid, wat 'n vroulike lid is, moet van die vasgestelde datum af, tot die Fonds bydra ooreenkomsdig die tarief in die volgende skaal voorgeskryf:—

Ouderdom jongste verjaarsdag by aanvang van pensioengewende diens.	Persentasie van pensioengewende emolumente.
Onder 30 jaar.....	7·75
Onder 30 jaar.....	7·90
Onder 31 jaar.....	8·05
Onder 32 jaar.....	8·20
Onder 33 jaar.....	8·35
Onder 34 jaar.....	8·50
Onder 35 jaar.....	8·70
Onder 36 jaar.....	8·90
Onder 37 jaar.....	9·10
Onder 38 jaar.....	9·30
Onder 39 jaar.....	9·50
Onder 40 jaar.....	9·70
Onder 41 jaar.....	9·90
Onder 42 jaar.....	10·10
Onder 43 jaar.....	10·30
Onder 44 jaar.....	10·50

(3) Notwithstanding the provisions of sub-sections (1) and (2), a female member, who was an old member at the fixed date, may, with the approval of the Director, elect within a period of one hundred and eighty days from the fixed date to contribute to the Fund from the fixed date in respect of her service from that date at the rate prescribed in sub-section (1), in which event she shall for all other purposes of this Ordinance be deemed to be a new member.

(4) A member who has elected to contribute to the Fund in respect of a period as described in sub-section (5) of section *three* or in sub-paragraph (i) of paragraph (a) of sub-section (1) of section *five* shall pay contributions to the Fund in respect of such period in accordance with the rates prescribed in sub-section (1), calculated on his pensionable emoluments during such period.

(5) A member who has elected to contribute to the Fund in respect of any period as described in sub-paragraphs (ii) and (iii) of paragraph (a) of sub-section (1) of section *five* shall contribute to the Fund in respect of such period in accordance with the rates prescribed in sub-section (1) or (2) as the case may be, calculated as if during that period his pensionable emoluments were equal to his pensionable emoluments at the date of commencement of his current period of continuous employment.

(6) For the purpose of determining the rate of contribution by a member any period as described in sub-section (1) of section *five* in respect of which a member elects to contribute to the Fund or which he elects to include in his pensionable service shall be deemed to be a period of service immediately preceding his current period of employment in a permanent and full-time capacity.

(7) For the purpose of this Ordinance, contributions made at the prescribed rate in terms of a law repealed by this Ordinance, shall be deemed to be contributions made in accordance with the provisions of this section.

Contributions by members.

7. (1) Contributions by a member to the Fund shall, with effect from the date he is appointed in a permanent and full-time capacity, be made by deductions from his pensionable emoluments at the end of each month or at such other times and in such other manner as the Provincial Secretary may determine.

(2) A member who has elected to include in his pensionable service any previous period of employment in respect of which he contributed to the Fund, shall refund to the Fund either by a single payment, or by instalments approved by the Provincial Secretary, an amount equal to the monetary benefit paid to him from the Fund at the time of the termination of such period of employment together with interest thereon, calculated at the rate of four per cent per annum annually compounded as at the thirty-first day of March, from the date the monetary benefit was paid to him up to the day on which the amount payable by him is refunded and where the amount is refunded by instalments, such interest shall continue to be paid on the monthly balance of such amount as is outstanding.

(3) A member who has elected to contribute to the Fund in respect of a period of employment as described in sub-section (5) of section *three* or in sub-paragraph (i) of paragraph (a) of sub-section (1) of section *five* shall pay into the Fund either by a single payment, or by instalments approved by the Provincial Secretary, the contributions due to the Fund in respect of such period of employment together with interest thereon,

(3) Ondanks die bepaling van subartikels (1) en (2), kan 'n vroulike lid, wat 'n ou lid op die vasgestelde datum was, met die goedkeuring van die Direkteur, binne 'n tydperk van honderd-en-tigdag dae van die vasgestelde datum af, kies om tot die Fonds by te dra van die vasgestelde datum af ten opsigte van haar diens van daardie datum af teen die tarief voorgeskryf in subartikel (1) en, in so 'n geval, word sy vir alle ander toepassings van hierdie Ordonnansie geag 'n nuwe lid te wees.

(4) 'n Lid wat gekies het om tot die Fonds by te dra ten opsigte van 'n tydperk soos beskryf in subartikel (5) van artikel *drie* of in subparagraaf (i) van paragraaf (a) van subartikel (1) van artikel *vyf*, moet bydraes ten opsigte van sodanige tydperk in die Fonds stort in ooreenstemming met die tariewe voorgeskryf in subartikel (1), bereken op sy pensioengewende emolumente gedurende sodanige tydperk.

(5) 'n Lid wat gekies het om tot die Fonds by te dra ten opsigte van enige tydperk soos beskryf in subparagrafe (ii) en (iii) van paragraaf (a) van subartikel (1) van artikel *vyf* moet ten opsigte van sodanige tydperk tot die Fonds bydra in ooreenstemming met die tariewe voorgeskryf in subartikel (1) of (2) na gelang van die geval, bereken asof sy pensioengewende emolumente gedurende daardie tydperk gelyk was aan sy pensioengewende emolumente op die datum van aanvang van sy huidige tydperk van aaneenlopende diens.

(6) Vir die doel om die tarief van bydrae deur 'n lid vas te stel, word enige tydperk soos beskryf in subartikel (1) van artikel *vyf* ten opsigte waarvan 'n lid kies om tot die Fonds by te dra of kies om dit by sy pensioengewende diens in te sluit, geag 'n tydperk van diens te wees wat sy huidige tydperk van diens in 'n permanente en voltydse hoedanigheid onmiddellik voorafgaan.

(7) Vir die toepassing van hierdie Ordonnansie, word bydraes gemaak teen 'n voorgeskrewe tarief kragtens 'n wet deur hierdie Ordonnansie herroep, geag bydraes te wees wat ooreenkomsdig die bepaling van hierdie artikel gemaak is.

7. (1) Bydraes deur 'n lid tot die Fonds word, Bydraes
deur ledas. met ingang van die datum waarop hy in 'n permanente en voltydse hoedanigheid aangestel is, gemaak by wyse van aftrekking van sy pensioengewende emolumente aan die einde van elke maand of op sodanige ander tye en op sodanige ander wyse as wat die Provinciale Sekretaris bepaal.

(2) 'n Lid wat gekies het om 'n vorige tydperk van diens ten opsigte waarvan hy tot die Fonds bygedra het, by sy pensioengewende diens in te sluit, moet of by wyse van 'n enkele betaling of by wyse van paaiente deur die Provinciale Sekretaris goedgekeur, 'n bedrag aan die Fonds terugbetaal, wat gelykstaan met die geldelike voordeel aan hom uit die Fonds betaal aan die einde van sodanige tydperk van diens, tesame met rente daarop, wat bereken word teen 'n koers van vier persent per jaar, jaarliks op die een-en-dertigste dag, van Maart saamgestel vanaf die datum waarop die geldelike voordeel aan hom betaal is tot op die dag waarop die bedrag deur hom betaalbaar, terugbetaal is en, waar die bedrag by wyse van paaiente terugbetaal word, word daar voortgegaan om sodanige rente te betaal op die maandelikse saldo van sodanige bedrag wat nog uitstaande is.

(3) 'n Lid wat gekies het om ten opsigte van 'n tydperk van diens soos beskryf in subartikel (5) van artikel *drie* of in subparagraaf (i) van paragraaf (a) van subartikel (1) van artikel *vyf*, tot die Fonds by te dra, moet aan die Fonds inbetaal of by wyse van 'n enkele betaling of by wyse van paaiente goedgekeur deur die Provinciale Sekretaris die bydraes aan die Fonds verskuldig ten opsigte van sodanige tydperk van

calculated at the rate of four per cent per annum, annually compounded as at the thirty-first day of March, from the commencement of the period of employment in respect of which the member has elected to contribute to the Fund up to the day on which the arrears are liquidated and where such arrears are liquidated by instalments, such interest shall continue to be paid on the monthly balance of such arrears as is outstanding.

(4) A member who has elected to contribute to the Fund in respect of a period as described in sub-paragraph (ii) or (iii) of paragraph (a) of subsection (1) of section five shall in respect of that period contribute to the Fund an amount equal to the amount he would have contributed to the Fund had he been a member of the Fund during that period, and an amount equal to the amount which would have been paid from revenue in respect thereof and such amounts shall, subject to the provisions of sub-sections (6) and (7) be deemed to comprise contributions and interest.

(5) The amount to be contributed in terms of sub-section (4) shall be due on the date of the member's most recent appointment in a permanent and full-time capacity and shall, if not paid on that date, bear interest at the rate of four per cent per annum, annually compounded as at the thirty-first day of March, calculated from that date to the date on which the amount is liquidated and where such amount is liquidated by instalments, such interest shall continue to be paid on the monthly balance of such amount as is outstanding.

(6) Where the period referred to in sub-section (4) is continuous with the most recent appointment of the member in a permanent and full-time capacity the amount contributed in terms of that sub-section shall be apportioned into contributions and interest and the percentage to be treated as contributions shall be determined in accordance with the provisions of the First Schedule to this Ordinance.

(7) Where the period referred to in sub-section (4) is not continuous with the most recent appointment of the member in a permanent and full-time capacity, the amount of contributions apportioned in terms of sub-section (6) shall be further apportioned into contributions and interest in accordance with the provisions of the Second Schedule to this Ordinance.

(8) For the purpose of sub-sections (6) and (7) fractions of a year shall be disregarded.

(9) Where arrear contributions or any other amount due to the Fund is being liquidated by instalments, such instalments shall not be at a lesser rate than two per cent of a member's pensionable emoluments and shall be completed before the attainment by the member of his prescribed age of retirement: Provided that in the event of a member having retired before attaining the prescribed age of retirement, such instalments shall be deducted from his annuity and shall be completed within five years from the date of his retirement.

(10) Where arrear contributions or any amount due to the Fund by a member is being liquidated by instalments and the member dies or leaves the service of the Department before he has completed such payments, any balance outstanding, including interest, shall be deducted from any amount payable from the Fund.

(11) A member shall continue to contribute to the Fund while on leave with full pay, leave with pay less than full pay or leave for a period not in

diens tesame met rente daarop, wat bereken word teen 'n koers van vier persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, met ingang van die tydperk van diens ten opsigte waarvan die lid gekies het om tot die Fonds by te dra tot op die dag waarop die agterstallige bedrae gelikwider word en waar sodanige agterstallige bedrae by wyse van paaiemente gelikwider word, word daar voortgegaan om sodanige rente te betaal op die maandelikse saldo van sodanige agterstallige bedrae wat nog uitstaande is.

(4) 'n Lid wat gekies het om ten opsigte van 'n tydperk soos beskryf in subparagraaf (ii) of (iii) van paragraaf (a) van subartikel (1) van artikel vyf tot die Fonds by te dra, moet ten opsigte van daardie tydperk 'n bedrag tot die Fonds bydra wat gelykstaan met die bedrag wta hy tot die Fonds sou bygedra het as hy gedurende daardie tydperk 'n lid van die Fonds was, en 'n bedrag wat gelykstaan met die bedrag wat ten opsigte daarvan uit inkomste sou betaal gewees het, en sodanige bedrae word, behoudens die bepalings van subartikels (6) en (7), geag bydraes en rente te omvat.

(5) Die bedrag wat kragtens subartikel (4) bygedra moet word, is betaalbaar op die datum van die lid se jongste aanstelling in 'n permanente en voltydse hoedanigheid en, indien nie op daardie datum betaal nie, dra dit rente teen 'n koers van vier persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, bereken van daardie datum af tot op die datum waarop die bedrag gelikwider is en, waar sodanige bedrag by wyse van paaiemente gelikwider word, word daar voortgegaan om sodanige rente te betaal op die maandelikse saldo van sodanige bedrag wat nog uitstaande is.

(6) Waar die tydperk in subartikel (4) genoem, aaneenlopend is met die jongste aanstelling van die lid in 'n permanente en voltydse hoedanigheid, word die bedrag kragtens daardie subartikel bygedra, in bydraes en rente verdeel en die persentasie as bydraes beskou te word, word vasgestel ooreenkomsdig die bepalings van die Eerste Bylae by hierdie Ordonnansie.

(7) Waar die tydperk in subartikel (4) genoem, nie aaneenlopend is met die jongste aanstelling van die lid in 'n permanente en voltydse hoedanigheid nie, word die bedrag van bydraes verdeel kragtens subartikel (6), verder verdeel in bydraes en rente ooreenkomsdig die bepalings van die Tweede Bylae by hierdie Ordonnansie.

(8) Vir die toepassing van subartikel (6) en (7) word breakdele van 'n jaar buite rekening gelaat.

(9) Waar agterstallige bydraes of enige ander bedrag aan die Fonds verskuldig, by wyse van paaiemente gelikwider word, mag sodanige paaiemente nie teen 'n laier tarief wees as twee persent van 'n lid se pensioengewende emolumente nie en moet dit voltooi wees voordat die lid sy voorgeskrewe uitdienstredingsouderdom bereik: Met dien verstande dat, ingeval 'n lid uit diens getree het voordat hy die voorgeskrewe uitdienstredingsouderdom bereik het, sodanige paaiemente van sy jaargeld afgetrek word en voltooi moet wees binne vyf jaar van die datum van sy uitdienstreding af.

(10) Waar agterstallige bydraes of enige bedrag deur 'n lid aan die Fonds verskuldig, by wyse van paaiemente gelikwider word en die lid sterf of verlaat die diens van die Departement voordat hy sodanige betalings voltooi het, word enige uitstaande saldo, met inbegrip van rente, van enige bedrag wat uit die Fonds betaalbaar is, afgetrek,

(11) 'n Lid gana voort om tot die Fonds by te dra terwyl hy met verlof met volle besoldiging, verlof met minder as volle besoldiging of met ver-

excess of thirty days without pay and his contributions shall in any event be payable on the full pensionable emoluments which would have been paid had the member not been on leave.

(12) A member may elect in writing to contribute to the Fund in respect of authorised leave without pay for a period in excess of thirty days if such election is received by the Provincial Secretary within sixty days after the termination of such leave and the amount to be contributed shall be calculated on the pensionable emoluments of the member immediately prior to the commencement of such leave and shall be paid by the member in a lump sum within ninety days of the termination of such leave, or, with the consent of the Provincial Secretary, in such instalments, to be deducted from his monthly emoluments, as will ensure that the amount due by him shall be paid within one hundred and eighty days from the termination of such leave.

(13) A member who has been suspended from duty in the Department and who is thereafter re-instated in his post or in any other post in the Department and who receives emoluments for the period of suspension shall contribute to the Fund in respect of that period and the contributions in respect of that period shall be calculated on his pensionable emoluments at the date of his re-instatement, and shall be recovered from any payment of emoluments in respect of such period or if any such member receives no emoluments in respect of the period of suspension the member may elect in writing to contribute to the Fund in respect of such period if such election is received by the Provincial Secretary within thirty days after the date of his re-instatement and the amount to be contributed shall be calculated on the pensionable emoluments of the member at the date of his re-instatement and shall be paid by the member in a lump sum within ninety-days of the date of his re-instatement or, with the consent of the Provincial Secretary, in such instalments to be deducted from his monthly emoluments, as will ensure that the amount due by him shall be paid within one hundred and eighty days from the date of such re-instatement.

Contributions by Administration.

8. (1) The Administration shall, as from the fixed date, pay out of revenue to the Fund—

- (a) a sum equal to the aggregate of the monthly contributions by members, at the prescribed rates, in respect of employment for which current contributions are made;
- (b) a sum equal to the amounts due by members in respect of the whole or part of a period of employment under the Department which is continuous with a current period of employment in a permanent and full-time capacity and in respect of which contributions are made, together with interest thereon calculated at the rate of four per cent per annum, annually compounded as at the thirty-first day of March, from the date of commencement of such employment up to the date of payment;
- (c) interest at the rate of four per cent per annum on the daily uninvested balance of the Fund; and
- (d) any other moneys due to the Fund by the Administration.

(2) The amounts referred to in paragraphs (a) and (c) of sub-section (1) shall be paid to the Fund monthly and all amounts referred to in paragraphs (b) and (d) of sub-section (1) shall be paid as soon as those amounts can be ascertained.

lof vir 'n tydperk van hoogstens dertig dae sonder besoldiging is, en sy bydraes is in ieder geval betaalbaar op die volle pensioengewende emolumente wat betaal sou gewees het indien die lid nie met verlof was nie.

(12) 'n Lid kan skriftelik kies om tot die Fonds by te dra ten opsigte van gemagtigde verlof sonder besoldiging vir 'n tydperk wat langer as dertig dae is, as sodanige keuse binne sestig dae nadat sodanige verlof geëindig het, deur die Proviniale Sekretaris ontvang word en die bedrag wat bygedra moet word, word bereken op die pensioengewende emolumente van die lid onmiddellik voor die aanvang van sodanige verlof en dit moet deur die lid in 'n ronde bedrag betaal word binne negentig dae vandat sodanige verlof geëindig het, of, met die goedkeuring van die Proviniale Sekretaris, in sodanige paaiente, van sy maandelikse emolumente afgetrek te word as wat sal verseker dat die bedrag deur hom verskuldig binne honderd-en-tachtig dae vandat sodanige verlof geëindig het, betaal word.

(13) 'n Lid wat in diens van die Departement geskors is en wat daarna in sy pos of in 'n ander pos in die Departement herstel is en wat emolumente ontvang vir die tydperk van skorsing, moet tot die Fonds bydra ten opsigte van daardie tydperk en die bydraes ten opsigte van daardie tydperk word bereken op sy pensioengewende emolumente op die datum van sy herstelling en word verhaal met enige betaling van emolumente ten opsigte van sodanige tydperk of, indien so 'n lid geen emolumente ontvang nie ten opsigte van die tydperk van skorsing, kan die lid skriftelik kies om tot die Fonds by te dra ten opsigte van sodanige tydperk, as sodanige keuse binne dertig dae na die datum van sy herstelling deur die Proviniale Sekretaris ontvang word, en die bedrag bygedra te word, word bereken op die pensioengewende emolumente van die lid op die datum van sy herstelling en moet deur die lid in 'n ronde bedrag betaal word binne negentig dae van die datum van sy herstelling af of, met die goedkeuring van die Proviniale Sekretaris, in sodanige paaiente van sy maandelikse emolumente afgetrek te word as wat sal verseker dat die bedrag deur hom verskuldig binne honderd-en-tachtig dae van die datum van sy herstelling af, betaal word.

8. (1) Die Administrasie stort van die vasgestelde datum af uit inkomste in die Fonds—

- (a) 'n bedrag gelykstaande met die totaal van die maandelikse bydraes deur lede teen die voorgeskrewe tariewe, ten opsigte van diens waarvoor lopende bydraes geskied;
- (b) 'n bedrag gelykstaande met die bedrae verskuldig deur lede ten opsigte van die hele of 'n gedeelte van 'n tydperk van diens in die Departement wat aaneenlopend is met 'n huidige tydperk van diens in 'n permanente en voltydse hoedanigheid en ten opsigte waarvan bydraes geskied, tesame met rente daarop bereken teen 'n koers van vier persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, van die datum van aanvang van sodanige diens af tot op die datum van betaling;
- (c) rente teen 'n koers van vier persent per jaar op die daagliks onbelegde saldo van die Fonds; en
- (d) enige ander geldte deur die Administrasie aan die Fonds verskuldig.

(2) Die bedrae in paragrawe (a) en (c) van subartikel (1) genoem, moet maandeliks in die Fonds gestort word en alle bedrae in paragrawe (b) en (d) van subartikel (1) genoem, moet gestort word sodra daardie bedrae vasgestel kan word.

Method of
calculation
of annuity.

9. (1) Subject to the provisions of this Ordinance an annuity payable out of the Fund shall be based on the annual average pensionable emoluments of the retiring member for the last seven years of his period of pensionable service and shall be calculated at the rate of one-sixtieth of such average pensionable emoluments for each year of pensionable service: Provided that—

- (a) no annuity shall be paid out of the Fund to a member unless he has had ten years or more of pensionable service;
- (b) no annuity payable out of the Fund to an old member shall be at a lesser rate than sixty pounds per annum and no annuity payable to a new member shall be at a lesser rate than sixty pounds per annum in the case of a white person and thirty-six pounds per annum in the case of a person other than a white person;
- (c) if a member is awarded more than one annuity out of the Fund, the annuities awarded shall, for the purpose of determining the minimum annuity payable in terms of paragraph (b) be regarded as one annuity.

(2) For the purpose of this section the period of pensionable service shall be calculated by the year and month and fractions of a month shall be disregarded.

Retirement
at after or
before the
prescribed
age.

10. (1) A new member shall have attained the age of retirement and shall have the right to retire on pension and shall be so retired when he attains the age of sixty-five years.

(2) An old member shall have attained the age of retirement and shall have the right to retire on pension or may be retired on pension by the Administrator when he attains the age of sixty years in the case of a male member and fifty-five years in the case of a female member, but such a member may only retire on pension or be so retired, on the date he attains the prescribed age of retirement or any subsequent date not later than the date he attains the age of sixty-five years, after at least three months written notice has been given either by the member or, with the approval of the Administrator, by the Director: Provided that if the Administrator deems it desirable in the interest of the Department to retain a member in his post after he attains the age of sixty-five years, such member may be retained for a further period but in any event not extending beyond the last day of the year in which he attains the age of sixty-five years.

(3) Notwithstanding the provisions of subsections (1) and (2) a member may retire on pension on or after attaining the age of—

- (a) sixty years in the case of a new member;
- (b) fifty-five years in the case of an old member; who is a male member; and
- (c) fifty years in the case of an old member who is a female member.

(4) A member who retires in accordance with the provisions of paragraph (a) or (b) of subsection (3) shall receive an annuity as provided for in section nine but subject to a deduction of two-fifths of one per cent in respect of each month or part thereof by which the prescribed age of retirement exceeds the actual age of such member at retirement.

(5) A member who retires in accordance with the provisions of paragraph (c) of sub-section (3) shall receive an annuity as provided for in section nine but subject to a deduction of one-third of

9. (1) Behoudens die bepalings van hierdie Ordonnansie, word 'n jaargeld betaalbaar uit die Fonds gebaser op die jaarlikse gemiddelde pensioengewende emolumente van die uittredende lid vir die laaste sewe jaar van sy tydperk van pensioengewende diens en dit word bereken teen 'n tarief van een sestigste van sodanige gemiddelde pensioengewende emolumente vir elke jaar van pensioengewende diens: Met dien verstande dat—

- (a) geen jaargeld uit die Fonds aan 'n lid betaal word nie, tensy hy tien of meer jaar pensioengewende diens gehad het nie;
- (b) geen jaargeld uit die Fonds aan 'n ou lid betaalbaar teen 'n laer tarief mag wees nie as sestig pond per jaar en geen jaargeld aan 'n nuwe lid betaalbaar teen 'n laer tarief mag wees nie as sestig pond per jaar in die geval van 'n blanke persoon en ses-en-dertig pond per jaar in die geval van iemand uitgesonderd 'n blanke persoon;
- (c) indien aan 'n lid meer as een jaargeld uit die Fonds toegeken word, die jaargelde toegeken, vir die doel om die minimum jaargeld kragtens paragraaf (b) betaalbaar, vas te stel, as een jaargeld beskou word.

(2) Vir die toepassing van hierdie artikel word die tydperk van pensioengewende diens by die jaar en maand bereken en breukdele van 'n maand word buite rekening gelaat.

10. (1) 'n Nuwe lid bereik die ouderdom vir uitdienstreding en het die reg om met pensioen uit te tree en word met pensioen afgedank wanneer hy die ouderdom van vyf-en-sestig jaar bereik.

(2) 'n Ou lid bereik die ouderdom vir uitdienstreding en het die reg om met pensioen uit te tree of die Administrateur kan hom met pensioen afdank wanneer hy die ouderdom van sestig jaar in die geval van 'n manlike lid en vyf-en-vyftig in die geval van 'n vroulike lid, bereik, maar sodanige lid mag slegs met pensioen uittree of aldus afgedank word op die datum waarop hy die voorgeskrewe ouderdom vir uitdienstreding bereik of op enige datum daarna wat nie later is nie as die datum waarop hy die ouderdom van vyf-en-sestig jaar bereik nadat minstens drie maande skriftelik kennis gegee is deur of die lid of, met die goedkeuring van die Administrateur, die Directeur: Met dien verstande dat, indien die Administrateur dit in die belang van die Departement wenslik ag om 'n lid in sy pos aan te hou nadat hy die ouderdom van vyf-en-sestig jaar bereik, sodanige lid vir 'n verdere tydperk aangehou kan word, maar in ieder geval nie langer nie as die laaste dag van die jaar waarin hy die leeftyd van vyf-en-sestig jaar bereik.

(3) Ondanks die bepalings van subartikels (1) en (2), kan 'n lid met pensioen uittree met of na bereiking van die ouderdom van—

- (a) sestig jaar in die geval van 'n nuwe lid;
- (b) vyf-en-vyftig jaar in die geval van 'n ou lid wat 'n manlike lid is; en
- (c) vyftig jaar in die geval van 'n ou lid wat 'n vroulike lid is.

(4) 'n Lid wat uit diens tree ooreenkomsdig die bepalings van paragraaf (a) of (b) van subartikel (3), ontvang 'n jaargeld soos bepaal in artikel nege maar onderworpe aan 'n aftrekking van tweevyfdes van een persent ten opsigte van elke maand of gedeelte daarvan waarmee die voorgeskrewe uitdienstredingsouderdom die werklike ouderdom van sodanige lid by uitdienstreding oorskry.

(5) 'n Lid wat ooreenkomsdig die bepalings van paragraaf (c) van subartikel (3) uit diens tree, ontvang 'n jaargeld soos bepaal in artikel nege, maar onderworpe aan 'n aftrekking van een-derde

Metode
waarvolgens
jaareld
bereken
word.

one per cent in respect of each month or part thereof by which the prescribed age of retirement exceeds the actual age of such member at retirement.

(6) A member who in terms of the Hospitals Ordinance, 1958, or the Education Ordinance, 1953, is retired owing to the abolition of his post and who has had ten years or more pensionable service, shall receive an annuity as provided for in section nine: Provided that all payments of such annuity, before such member attains the prescribed age of retirement, shall be made out of revenue and all such payments made thereafter shall be made out of the Fund.

(7) A member who in terms of the Hospitals Ordinance, 1958, or the Education Ordinance, 1953, is retired on grounds of continued ill-health not caused by his own default and who has had ten years or more pensionable service, shall receive an annuity calculated as provided for in section nine: Provided that if such a member is again appointed in a permanent and full-time capacity, he shall retain such annuity and shall be regarded as a new member and shall notwithstanding the provisions of this Ordinance, only be allowed to contribute to the Fund as from the date of such appointment.

(8) Notwithstanding the provisions of subsections (1) and (2) a member may be retired on pension by the Administrator if he has attained the age of—

- (a) sixty years in the case of a new member;
- (b) fifty-five years in the case of an old member who is a male member; and
- (c) fifty years in the case of an old member who is a female member;

and shall, if he has contributed to the Fund in respect of a period of ten years or more, receive an annuity calculated as provided for in section nine: Provided that all payments of such annuity, before such member attains the prescribed age of retirement shall be paid out of revenue and all such payments made thereafter shall be paid out of the Fund.

Benefits other than annuities.

11. (1) A member shall, if—

- (a) he resigns from the service of the Department; or
- (b) his service is terminated on account of inefficiency in terms of the Hospitals Ordinance, 1958, the Education Ordinance, 1953,

be entitled—

- (i) if he has less than three years pensionable service, to a refund of his contributions to the Fund in accordance with the provisions of section six; or
- (ii) if he has three years or more pensionable service, to a refund of his contributions to the Fund in accordance with the provisions of section six, together with a percentage of the total of such contributions for each completed year of pensionable service and such percentage shall be in accordance with the following scale:—

Years of pensionable service	Percentage for each year.
Three years, but less than five years.....	1½
Five years, but less than ten years.....	1¾
Ten years or more.....	2

and a proportionate amount shall be added for each month of an incomplete year of pensionable service: Provided that in calculating the period of pensionable service fractions of a month shall be disregarded.

van een persent ten opsigte van elke maand of gedeelte daarvan waarmee die voorgeskrewe ouerdom vir uitdienstreding die werklike ouerdom van sodanige lid met uitdienstreding oorskry.

(6) 'n Lid wat kragtens die Ordonnansie op Hospitale, 1958, of die Onderwysordonnansie, 1953, afgedank word weens die afskaffing van sy pos en wat tien jaar of meer pensioengewende diens gehad het, ontvang 'n jaargeld soos bepaal in artikel nege: Met dien verstande dat alle betalings van sodanige jaargeld voordat sodanige lid die voorgeskrewe ouerdom vir uitdienstreding bereik, uit inkomste gedoen moet word en alle sodanige betalings daarna, uit die Fonds gedoen moet word.

(7) 'n Lid wat kragtens die Ordonnansie op Hospitale, 1958, of die Onderwysordonnansie, 1953, afgedank word op grond van voortdurende swak gesondheid wat nie deur sy eie nalatigheid veroorsaak is nie en wat tien jaar of meer pensioengewende diens gehad het, ontvang 'n jaargeld bereken soos bepaal in artikel nege: Met dien verstande dat, indien sodanige lid weer in 'n permanente en voltydse hoedanigheid aangestel word, hy sodanige jaargeld behou en as 'n nuwe lid beskou word en, ondanks die bepalings van hierdie Ordonnansie, slegs toegelaat word om tot die Fonds by te dra met ingang van die datum van sodanige aanstelling af.

(8) Ondanks die bepalings van subartikels (1) en (2), kan die Administrateur 'n lid met pensioen afdek as hy die ouerdom bereik het van—

- (a) sesig jaar in die geval van 'n nuwe lid;
- (b) vyf-en-vyftig jaar in die geval van 'n oue lid wat 'n manlike lid is; en
- (c) vyftig jaar in die geval van 'n oue lid wat 'n vroulike lid is,

en hy ontvang, indien hy tot die Fonds bygedra het ten opsigte van 'n tydperk van tien jaar of meer, 'n jaargeld bereken soos bepaal in artikel nege: Met dien verstande dat alle betalings van sodanige jaargeld, voordat sodanige lid die voorgeskrewe ouerdom vir uitdienstreding bereik, uit inkomste, en alle sodanige betalings daarna gedoen, uit die Fonds betaal moet word.

II. (1) 'n Lid is, indien—

- (a) hy uit die diens van die Departement bedank; of
- (b) sy diens kragtens die Ordonnansie op Hospitale, 1958, of die Onderwys-Ordonnansie, 1953, op grond van onbekwaamheid, beëindig word,

geregtig—

(i) as hy minder as drie jaar pensioengewende diens het, tot 'n terugbetaling van sy bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses; of

(ii) as hy drie jaar of meer pensioengewende diens het, tot 'n terugbetaling van sy bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses, tesame met 'n persentasie van die totaal van sodanige bydraes vir elke volle jaar van pensioengewende diens en sodanige persentasie moet ooreenkomsdig die volgende skaal wees:—

Jare van pensioengewende diens	Percentasie vir elke jaar
Drie jaar maar minder as vyf jaar.....	1½
Vyf jaar maar minder as tien jaar.....	1¾
Tien jaar of meer.....	2

en 'n eweredige bedrag word bygevoeg vir elke maand van 'n onvoltooide jaar van pensioengewende diens: Met dien verstande dat by die berekening van die tydperk van pensioengewende diens breukdele van 'n maand buite rekening gelaat word.

Ander voor-dele as jaargede.

(2) A member who has less than ten years pensionable service and who—

- (a) in terms of the Hospitals Ordinance, 1958, or the Education Ordinance, 1953, is retired from the service of the Department on account of the abolition of his post;
- (b) in terms of the Hospitals Ordinance, 1958, or the Education Ordinance, 1953, is retired on grounds of continued ill-health not caused by his own default;
- (c) is retired in terms of sub-section (8) of section *ten*; or
- (d) is retired on attaining the prescribed age of retirement;

shall be entitled to a refund of a sum equal to twice the amount of his contributions to the Fund in accordance with the provisions to the Fund in accordance with the provisions of section *six*.

(3) A member who has ten years or more pensionable service and who in terms of the Hospitals Ordinance, 1958, or the Education Ordinance, 1953, is discharged from the service of the Department on account of misconduct or who is called upon to resign and so resigns, shall receive a refund of his contributions to the Fund in accordance with the provisions of section *six*, together with one and a quarter per cent of such total contributions for each completed year of pensionable service and a proportionate amount for each month of an incomplete year of pensionable service: Provided that in calculating the period of pensionable service fractions of a month shall be disregarded.

(4) A member who has less than ten years pensionable service and who in terms of the Hospitals Ordinance, 1958, or the Education Ordinance, 1953, is discharged from the service of the Department on account of misconduct or who is called upon to resign and so resigns, shall be entitled to a refund of his contributions to the Fund in accordance with the provisions of section *six*.

(5) A female member who resigns from the service of the Department on her marriage or who resigns and marries within ninety days of the termination of her service, and who has not less than five years pensionable service, shall be entitled to a refund of a sum equal to twice the amount of her contributions to the Fund in accordance with the provisions of section *six*.

(2) 'n Lid wat minder as tien jaar pensioengewende diens het en wat—

- (a) ingevolge die Ordonnansie op Hospitale, 1958, of die Onderwysordonnansie, 1953, op grond van die afskaffing van sy pos uit die diens van die Departement afgedank word;
- (b) ingevolge die Ordonnansie op Hospitale, 1958, of die Onderwysordonnansie, 1953, afgedank word op grond van voortdurende swak gesondheid, wat nie deur sy eie nalatigheid veroorsaak is nie;
- (c) afgedank word ingevolge subartikel (8) van artikel *tien*; of
- (d) afgedank word by bereiking van die voorgeskrewe ouderdom vir uitdienstreding; is geregtig tot 'n terugbetaling van 'n bedrag gelykstaande met twee maal die bedrag van sy bydraes tot die Fonds ooreenkomstig die bepalings van artikel *ses*.

(3) 'n Lid wat tien jaar of meer pensioengewende diens het, en wat ingevolge die Ordonnansie op Hospitale, 1958, of die Onderwysordonnansie, 1953, op grond van wangedrag uit die diens van die Departement ontslaan word of wat aangesê word om te bedank en wat aldus bedank, ontvang 'n terugbetaling van sy bydraes tot die Fonds ooreenkomstig die bepalings van artikel *ses*, tesame met een en 'n kwart persent van sodanige totale bydraes vir elke volle jaar van pensioengewende diens en 'n eweredige bedrag vir elke maand van 'n onvoltooide jaar van pensioengewende diens: Met dien verstande dat, by die berekening van die tydperk van pensioengewende diens, breukdele van 'n maand buite rekening gelaat word.

(4) 'n Lid wat minder as tien jaar pensioengewende diens het en wat, ingevolge die Ordonnansie op Hospitale, 1958, of die Onderwysordonnansie, 1953, op grond van wangedrag uit die diens van die Departement ontslaan word of wat aangesê word om te bedank en aldus bedank, is geregtig tot 'n terugbetaling van sy bydraes tot die Fonds ingevolge die bepalings van artikel *ses*.

(5) 'n Vroulike lid wat by haar huwelik uit die diens van die Departement bedank of wat bedank en binne negentig dae van die beëindiging van haar diens af in die huwelik tree en wat minstens vyf jaar pensioengewende diens het, is geregtig tot 'n terugbetaling van 'n bedrag gelykstaande met twee maal die bedrag van haar bydraes tot die Fonds ooreenkomstig die bepalings van artikel *ses*.

12. (1) As 'n lid wat minder as tien jaar pensioengewende diens het te sterwe kom terwyl hy in diens van die Departement is, word daar, behoudens die bepalings van subartikel (3) aan, of ten bate van die persoon of persone genoem in daardie subartikel 'n gratifikasie betaal gelykstaande met twee maal die bedrag van sy bydraes tot die Fonds ooreenkomstig die bepalings van artikel *ses*.

(2) As 'n lid wat tien jaar of langer pensioengewende diens het, te sterwe kom terwyl hy in diens van die Departement is, word daar, behoudens die bepalings van subartikel (3), aan of ten bate van die persoon of persone in daardie subartikel genoem, 'n gratifikasie betaal wat gelykstaande is met of die jaargeldbetelings wat sodanige lid sou ontvang het vir 'n tydperk van vyf jaar as hy ingevolge subartikel (7) van artikel *tien* uit die diens afgedank was met ingang van die dag wat volg op die laaste dag van sy diens, of twee maal die bedrag van sy bydraes tot die Fonds ooreenkomstig die bepalings van artikel *ses*, naamlik, die grootste van die twee.

Benefits payable in the event of death before retirement or within five years after the date of retirement.

12. (1) If a member, who has less than ten years pensionable service, dies while in the service of the Department, there shall, subject to the provisions of sub-section (3) be paid to or for the benefit of the person or persons mentioned in that sub-section a gratuity equal to twice the amount of his contributions to the Fund in accordance with the provisions of section *six*.

(2) If a member, who has ten years or more pensionable service, dies while in the service of the Department there shall, subject to the provisions of sub-section (3), be paid to or for the benefit of the person or persons mentioned in that sub-section, a gratuity equal to either the annuity payments such member would have received for a period of five years if he had been retired in terms of sub-section (7) of section *ten* with effect from the day following upon the last day of his service or twice the amount of his contributions to the Fund in accordance with the provisions of section *six*, whichever is the greater.

Voordele betaalbaar in geval van dood voor uitdienstreding of blanke vyf jaar na die datum van uitdienstreding.

(3) The gratuity provided for in sub-section (1) or (2) shall only be paid if any of the following persons survive the deceased member:—

- (a) A widow or minor child or step-child;
- (b) a widower or major child or step-child, or a father, mother, brother or sister dependent upon such member for support and maintenance,

and shall not be paid to or for the benefit of any other person, and the payments shall be made in the following order of preference:—

- (i) The widow;
- (ii) a minor child or step-child;
- (iii) the widower;
- (iv) a major child or step-child;
- (v) the father or mother;
- (vi) a brother or sister:

Provided that the Administrator, having regard to the circumstances of the case, may—

- (aa) vary the order of preference; or
- (bb) apportion the gratuity amongst the persons mentioned in paragraphs (a) and (b) in such manner as he may determine; or
- (cc) except in the case of the persons mentioned in paragraph (a), reduce the gratuity to an extent which appears to him to be reasonable.

(4) If a member referred to in sub-section (1) or (2) does not leave any dependants as described in paragraph (a) or (b) of sub-section (3), there shall be paid to his estate an amount equal to his contributions to the Fund in accordance with the provisions of section six, less any amount that may be due by him to the Fund.

(5) If a member who has been awarded an annuity, dies within five years of such award, there shall be paid to or for the benefit of his dependants in the same order of preference and on the same conditions as provided for in sub-section (3) a gratuity equal to the total amount of the annuity payments that would have been paid to the member during the unexpired portion of the period of five years, had he not died, and if such member does not leave any dependants as described in sub-section (3) there shall be paid to his estate an amount equal to his contributions to the Fund in accordance with the provisions of section six, less any amount that he may have received in respect of annuity payments and commutation.

(6) Where a payment is made pursuant to the provisions of this section in accordance with information available to the Provincial Secretary after such enquiry as he may deem necessary, such payment shall, notwithstanding anything to the contrary contained in this section, for all purposes be deemed to be a sufficient compliance therewith.

Annuities
and other
benefits
payable
from
revenue.

13. (1) If a member is retired from the service of the Department in terms of the Hospitals Ordinance, 1958, or the Education Ordinance, 1953, by reason of bodily injury or permanent ill-health arising out of and in the course of the discharge of his official duties, the Administrator shall, having regard to the circumstances of the case, award him out of revenue in lieu of any other benefit which may be payable under this Ordinance, and subject to the provisions of section twenty-nine of the Workmen's Compensation Act, 1941 (Act No. 30 of 1941)—

- (a) if it appears on such medical examination as may be approved of by the Provincial Secretary that his capacity to contribute

(3) Die gratifikasie waarvoor voorsiening gemaak word in subartikel (1) of (2) word slegs betaal as een van die volgende persone die afgestorwe lid oorleef—

- (a) 'n weduwee of minderjarige kind of stiefkind; of
 - (b) 'n wewenaar of meerderjarige kind of stiefkind, of 'n vader, moeder, broer of suster, wat van sodanige lid vir steun en onderhoud afhanglik is,
- en word nie aan of ten bate van enige ander persoon betaal nie en betalings word in die volgende orde van voorrang gedoen—
- (i) die weduwce;
 - (ii) 'n minderjarige kind of stiefkind;
 - (iii) die wewenaar;
 - (iv) 'n meerderjarige kind of stiefkind;
 - (v) die vader of moeder;
 - (vi) 'n broer of suster:

Met dien verstande dat die Administrateur, met inagneming van die omstandighede van die geval—

- (aa) die orde van voorkeur kan wysig; of
- (bb) die gratifikasie onder die persone in paragraaf (a) en (b) genoem, op sodanige wyse as wat hy bepaal, kan verdeel; of
- (cc) die gratifikasie, in geval van ander persone as dié in paragraaf (a) genoem, kan verminder in die mate wat hy redelik ag.

(4) As 'n lid genoem in subartikel (1) of (2) geen afhanglikes soos omskryf in paragraaf (a) of (b) van subartikel (3) nalaat nie, word daar in sy boedel 'n bedrag gestort wat gelykstaande is met sy bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses, min enige bedrag wat deur hom aan die Fonds verskuldig is.

(5) As 'n lid aan wie 'n jaargeld toegeken is, binne vyf jaar na sodanige toekenning te sterwecom, word daar aan of ten bate van sy afhanglikes in dieselfde orde van voorrang en op diezelfde voorwaardes soos bepaal in subartikel (3) 'n gratifikasie betaal wat gelykstaande is met die totale bedrag van die jaargeldbetalings wat gedurende die onverstreke gedeelte van die tydperk van vyf jaar betaal sou gewees het, as hy nie te sterwecom gekom het nie, en indien sodanige lid geen afhanglikes, soos omskryf in subartikel (3) nalaat nie, word in sy boedel 'n bedrag gestort wat gelykstaande is met sy bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses, min enige bedrag wat hy mag ontvang het ten opsigte van jaargeldbetalings en omsettings.

(6) Waar 'n betaling gedoen word ingevolge die bepalings van hierdie artikel ooreenkomsdig inligting tot die beskikking van die Provinciale Sekretaris na sodanige navrae as wat hy nodig ag, word sodanige betaling, ondanks andersluidende bepalings in hierdie artikel vervat, vir alle doeleindes geag voldoende nakoming daarvan te wees.

13. (1) Indien 'n lid uit die diens van die Departement afgedank word ingevolge die Ordonnansie op Hospitale, 1958, of die Onderwysordonnansie, 1953, op grond van liggaamlike letsel of voortdurende swak gesondheid wat ontstaan uit en in die loop van die vervulling van sy amptpligte, ken die Administrateur, met inagneming van die omstandighede van die geval, in plaas van enige ander voordeel wat ingevolge hierdie Ordonnansie betaalbaar is en behoudens die bepalings van artikel nege-en-twintig van die Ongevallewet, 1941 (Wet No. 30 van 1941), aan hom uit inkomste toe—

- (a) waar dit uit sodanige geneeskundige ondersoek as wat die Provinciale Sekretaris goedkeur, blyk dat sy vermoë om tot die onder-

Jaargelede en
ander voordeel
uit
inkomste
betaalbaar.

to the support of himself and his dependants is impaired to the extent of eighty per cent or more, an annuity of not less than one-half and not more than two-thirds of his annual pensionable emoluments at the date of his retirement; or

(b) if it appears on such examination that this capacity so to contribute is impaired to the extent of forty per cent or more but less than eighty per cent, either an annuity of not less than one-third and not more than one-half of his annual pensionable emoluments at the date of his retirement or a gratuity not exceeding twice his annual pensionable emoluments at that date; or

(c) if it appears on such examination that his capacity so to contribute is impaired to the extent of less than forty per cent, an annuity not exceeding one-third of his annual pensionable emoluments at the date of his retirement or a gratuity not exceeding such emoluments:

Provided that—

(i) no such pension shall be payable if in the opinion of the Administrator—

(aa) the injury or ill-health is attributable to the member's drunkenness or his serious and wilful misconduct, unless the Administrator, having regard to the circumstances of the case directs that the pension be payable; or

(bb) the injury or ill-health was continued or aggravated by the member's unreasonable and wilful refusal to submit to medical or surgical treatment or to obtain such treatment;

(ii) where a gratuity is awarded to a member who has contributed to the Fund for a period of less than ten years, such gratuity shall not be less than the amount he would otherwise have received in terms of subsection (2) of section eleven; or

(iii) where an annuity is awarded to a member who has contributed to the Fund for a period of ten years or more, such annuity shall not be less than the annuity he would otherwise have received in terms of subsection (7) of section ten.

(2) Any annuity awarded to a member under sub-section (1) shall in the first instance be awarded temporarily and may from time to time after such further medical examination as may be approved of by the Provincial Secretary, be increased or decreased by the Administrator according to any variation in the degree of disablement of the member, until the degree of disablement is finally determined within a period of five years from the date of retirement: Provided that if it is thereafter shown on medical examination approved by the Provincial Secretary that there has, in the opinion of the Administrator, been a substantial increase in the degree of disablement of such member, and that such increase arises out of the injury or ill-health which resulted in his retirement, the annuity may be increased accordingly by the Administrator.

(3) A gratuity may on or before a final determination in terms of sub-section (2), other than the proviso thereto, be substituted for the annuity and in that event any payment made in respect of the annuity may, in calculating such gratuity, be disregarded.

houd van homself en sy afhanklikes by te dra, verswak is met tachtig persent of meer, 'n jaargeld van minstens die helfte en hoogstens twee derdes van sy jaarlikse pensioengewende emolumente op die datum van sy afdanking; of

(b) waar dit uit sodanige ondersoek blyk dat sy vermoë om aldus by te dra verswak is met veertig persent of meer, maar met minder as tachtig persent, of 'n jaargeld van minstens een derde en hoogstens die helfte van sy jaarlikse pensioengewende emolumente op die datum van sy afdanking of 'n gratifikasie van hoogstens twee maal sy jaarlikse pensioengewende emolumente op daardie datum; of

(c) waar dit uit sodanige ondersoek blyk dat sy vermoë om aldus by te dra met minder as veertig persent verswak is, 'n jaargeld wat hoogstens een derde van sy jaarlikse pensioengewende emolumente is op die datum van sy afdanking of 'n gratifikasie wat nie sodanige emolumente te bove gaan nie:

Met dien verstande dat—

(i) geen sodanige pensioen betaalbaar is nie as, na die mening van die Administrator—

(aa) die letsel of swak gesondheid te wyte is aan die lid se dronkenskap of sy ernstige en opsetlike wangedrag, tensy die Administrateur, met inagneming van die omstandighede van die geval, opdrag gee dat die pensioen betaalbaar is; of

(bb) die letsel of swak gesondheid verleng of vererger is deur die lid se onredelike en opsetlike weiering om hom aan genees- of heelkundige behandeling te onderwerp of om sodanige behandeling te verkry;

(ii) waar 'n gratifikasie toegeken word aan 'n lid wat vir 'n tydperk van minder as tien jaar tot die Fonds bygedra het, sodanige gratifikasie nie minder mag wees nie as die bedrag wat hy andersins sou ontvang het kragtens subartikel (2) van artikel elf;

(iii) waar 'n jaargeld toegeken word aan 'n lid wat vir 'n tydperk van tien jaar of langer tot die Fonds bygedra het, sodanige jaargeld nie minder mag wees nie as die jaargeld wat hy andersins ingevolge subartikel (7) van artikel tien sou ontvang het.

(2) 'n Jaargeld kragtens subartikel (1) aan 'n lid toegeken, word in die eerste plek tydelik toegeken en kan van tyd tot tyd, na sodanige verdere geneeskundige ondersoek as wat die Provinciale Sekretaris goedkeur, deur die Administrateur vermeerder of verminder word na gelang van die verandering in die lid se mate van ongeskiktheid totdat die mate van ongeskiktheid finaal vasgestel word binne 'n tydperk van vyf jaar van die datum van afdanking af: Met dien verstande dat as daar op grond van geneeskundige ondersoek, goedkeur deur die Provinciale Sekretaris, na die mening van die Administrateur bewys word dat so 'n lid se mate van ongeskiktheid aansienlik toegeneem het en dat sodanige toename uit die letsel of swak gesondheid wat op sy afdanking uitgeloop het, ontstaan, die Administrateur die jaargeld dicnooreenkomsdig kan verhoog.

(3) 'n Gratifikasie kan, voor of op 'n finale vasstelling ingevolge subartikel (2), uitgesonderd die voorbehoudsbepaling daarvan, die jaargeld vervang en in dié geval kan enige betaling wat ten opsigte van die jaargeld gedoen is by die berrekening van sodanige gratifikasie buite rekening gelaat word.

(4) Where a pension is awarded in accordance with the provisions of sub-section (1) or (6) there shall be paid from revenue to the Fund, on behalf of the member in respect of whom the pension is awarded, any amount due by the member to the Fund in respect of arrear contributions, and the member's contributions to the Fund in accordance with the provisions of section six, and the amount paid to the Fund in respect and on behalf of such member from revenue, together with one and three-quarter per cent of such total amount for each complete year of pensionable service and a proportionate amount for each completed month of an incomplete year of pensionable service, shall then be paid from the Fund to revenue: Provided that in calculating the period in respect of which contributions were made, fractions of a month shall be disregarded.

(5) If a member to whom an annuity has been awarded in terms of sub-section (1), dies within five years of the date of his retirement from the service of the Department and his death is not attributable to the injury sustained or the illness contracted in the circumstances described in that sub-section, there shall be paid out of revenue to or for the benefit of his dependants as described in sub-section (3) of section twelve, a gratuity equal to the total amount of the annuity payments that would have been paid to the member during the unexpired portion of the period aforesaid, had he not died.

(6) If a member dies as result of an injury sustained or an illness contracted in the circumstances described in sub-section (1), the Administrator shall, subject to the provisions of section twenty-nine of the Workmen's Compensation Act, 1941 (Act No. 30 of 1941), whether or not the injury or illness is attributable to the member's drunkenness or to his serious and wilful misconduct, award out of revenue to or for the benefit of such of his dependants as the Administrator may determine, in lieu of any other benefit that may be payable to the dependants of such member in terms of this Ordinance, an annuity not exceeding one-half of the annual pensionable emoluments last drawn by such member or such gratuity as the Administrator considers to be reasonable in the circumstances of the case: Provided that such annuity or gratuity shall not be less than the benefits he would have received from the Fund, had he not died as a result of an injury sustained or an illness contracted in the circumstances described in sub-section (1).

(7) Payment of an annuity awarded in terms of sub-section (6) shall cease—

- (a) in the case of a female dependant other than a minor, when she marries;
- (b) in the case of a female dependant who is a minor when she attains the age of twenty-one years or marries; and
- (c) in the case of a male dependant when he attains the age of eighteen years: Provided that in the case of a person other than a white person, the ages mentioned in paragraphs (b) and (c) shall be sixteen years;

(8) Notwithstanding the provisions of sub-section (7) the Administrator may award or continue the payment of an annuity to a dependant after such dependant has attained the age mentioned in that sub-section, for any period

(4) Waar 'n pensioen toegeken word ooreenkomsdig die bepalings van subartikel (1) of (6), moet daar uit inkomste in die Fonds gestort word, namens die lid ten opsigte van wie die pensioen toegeken word, enige bedrag wat deur die lid aan die Fonds verskuldig is ten opsigte van agterstallige bydraes en die lid se bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses en die bedrag uit inkomste in die Fonds gestort ten opsigte van en namens sodanige lid, tesame met een-en-driekwart persent van sodanige totale bedrag vir elke volle jaar van pensioengewende diens en 'n eweredige bedrag vir elke volle maand van 'n onvoltooide jaar van pensioengewende diens, moet dan uit die Fonds in inkomste gestort word: Met dien verstande dat, by die berekening van die tydperk ten opsigte waarvan bydraes gemaak is, breukdele van 'n maand buite rekening gelaat word.

(5) Indien 'n lid aan wie 'n jaargeld kragtens subartikel (1) toegeken is, binne vyf jaar van die datum van sy uittreding uit die diens van die Department te sterwe kom en sy dood nie te wyte is aan die letsel of siekte opgedoen in die omstandighede beskryf in daardie subartikel nie, moet daar uit inkomste aan of ten bate van sy afhanklikes, soos beskryf in subartikel (3) van artikel twaalf, 'n gratifikasie betaal word gelykstaande met die totale bedrag van die jaargeldbetelings wat aan die lid betaal sou gewees het gedurende die onverstreke gedeelte van voorname tydperk, indien hy nie te sterwe gekom het nie.

(6) Indien 'n lid as gevolg van 'n letsel of siekte opgedoen in die omstandighede beskryf in subartikel (1), te sterwe kom, ken die Administrateur, behoudens die bepalings van artikel nege-en-twintig van die Ongevallewet, 1941 (Wet No. 30 van 1941), hetsy die letsel of siekte aan die lid se dronkenskap of aan sy ernstige en opsetlike wangedrag te wyte is, al dan nie, in die plek van enige ander voordeel wat ingevolge hierdie Ordonnansie aan die afhanklikes van sodanige lid betaalbaar is, uit inkomste 'n jaargeld toe, aan of ten bate van sodanige van sy afhanklikes as wat die Administrateur bepaal, wat die helfte van die jaarlikse pensioengewende emolumente laas deur sodanige lid getrek nie te bowe gaan nie, of sodanige gratifikasie as wat die Administrateur in die omstandighede van die geval redelik ag: Met dien verstande dat sodanige jaargeld of gratifikasie nie minder is nie as die voordele wat hy uit die Fonds sou ontvang het, as hy nie te sterwe gekom het nie as gevolg van 'n letsel of siekte opgedoen in die omstandighede beskryf in subartikel (1).

(7) Die betaling van 'n jaargeld toegeken ingevolge subartikel (6) hou op—

- (a) in die geval van 'n vroulike afhanklike uitgesonderd 'n minderjarige, wanneer sy trou;
- (b) in die geval van 'n vroulike afhanklike wat 'n minderjarige is, wanneer sy die ouderdom van een-en-twintig jaar bereik of trou; en
- (c) in die geval van 'n manlike afhanklike wanneer hy die ouderdom van agtien jaar bereik:

Met dien verstande dat, in die geval van iemand wat nie 'n blanke persoon is nie, die ouderdomme in paragrawe (b) en (c) genoem, sestien jaar is.

(8) Ondanks die bepalings van subartikel (7) kan die Administrateur die betaling van 'n jaargeld aan 'n afhanklike toeken of betaling daarvan laat voortduur nadat sodanige afhanklike die ouderdom in daardie subartikel genoem, bereik

during which he is attending an educational institution or is, by reason of age or mental or physical infirmity unable to maintain himself, and on the remarriage of the widow of a member, to whom an annuity has been awarded under this section, such widow shall be awarded a gratuity equal to the amount she would have received as an annuity for one year.

(9) If a member as described in sub-section (6) dies and leaves no dependants as described in sub-section (3) of section twelve, there shall be paid out of revenue to his estate, an amount equal to his contributions to the Fund in accordance with the provisions of section six, less an amount equal to the amount paid out of revenue on his behalf in terms of sub-section (4).

(10) If a member who has been awarded an annuity in terms of sub-section (1) dies within five years of the date of his retirement and leaves no dependants as described in sub-section (3) of section twelve there shall be paid out of revenue to his estate an amount equal to his contributions to the Fund in accordance with the provisions of section six, less an amount equal to the amount paid out of revenue on his behalf in terms of sub-section (4) and less the amount he received in respect of annuity payments and commutation, if any, and the provisions of sub-section (6) of section twelve shall apply *mutatis mutandis*.

(11) If a member who has been retired in the circumstances described in sub-section (1), has suffered any disablement as the result of bodily injury or permanent ill-health arising out of and in the course of the discharge of his official duties, the Administrator may authorise treatment for the disablement, and if the disablement involves the loss of the use of any part of the body, such member shall be entitled to receive an artificial part of the body or any mechanical device necessitated by such disablement, and any such part or device shall whenever necessary be renewed, repaired or adjusted: Provided that the need for such treatment, renewal, repair or adjustment is not, in the opinion of the Administrator, attributable to such member's drunkenness or serious and wilful misconduct.

(12) If the Administrator is satisfied that any such member who is in employment has, while undergoing treatment as contemplated in sub-section (11), suffered loss of salary or wages for a continuous period of not less than six days, the Administrator may, if such member receives an annuity under sub-section (1) award to him an allowance not exceeding the amount by which the annuity payable in respect of that period, is less than the amount which would have been payable in respect of that period had the maximum annuity been awarded to him under paragraph (a) of sub-section (1) or if he receives no annuity under that sub-section, an allowance not exceeding the amount that would have been payable in respect of that period, had an annuity in lieu of a gratuity been awarded to him under paragraph (a) of sub-section (1).

(13) The expenditure incurred in giving effect to the provisions of sub-sections (11) and (12) shall be paid out of revenue.

(14) The provisions of sub-sections (11) and (12) shall not apply to a member while he is entitled to medical aid under the Workmen's Compensation Act, 1941.

het, vir enige tydperk wat hy 'n opvoedkundige inrigting bywoon of as gevolg van ouderdom of verstandelike of liggaamlike swakheid nie in staat is om homself te onderhou nie, en, wanneer die weduwee van 'n lid aan wie 'n jaargeld ingevolge hierdie artikel toegeken is weer trou, word aan sodanige weduwee 'n gratifikasie toegeken gelykstaande met die bedrag wat sy sou ontvang het as 'n jaargeld vir een jaar.

(9) As 'n lid soos beskryf in subartikel (6) te sterwe kom en geen afhanklikes soos beskryf in subartikel (3) van artikel twaalf, nalaat nie, word daar uit inkomste 'n bedrag in sy boedel gestort wat gelykstaande is met sy bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses, min 'n bedrag gelykstaande met die bedrag wat ingevolge subartikel (4) namens hom uit inkomste betaal is.

(10) Indien 'n lid aan wie 'n jaargeld toegeken is ingevolge subartikel (1) binne vyf jaar van die datum van sy afdanking af te sterwe kom en geen afhanklikes, soos beskryf in subartikel (3) van artikel twaalf, nalaat nie, word daar uit inkomste 'n bedrag in sy boedel gestort wat gelykstaande is met sy bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses, min 'n bedrag gelykstaande met die bedrag wat ingevolge subartikel (4) namens hom uit inkomste betaal is en min die bedrag, as daar is, wat hy ten opsigte van jaargeldbetelings en omsetting ontvang het en die bepalings van subartikel (6) van artikel twaalf is *mutatis mutandis* van toepassing.

(11) Indien 'n lid wat in die omstandighede in subartikel (1) beskryf, afgedank is, een of ander liggaamsgebrek opgedoen het as gevolg van 'n letsel of voortdurende swak gesondheid wat uit en in die loop van die vervulling van sy amsplichtig ontstaan het, kan die Administrateur magtiging verleen tot die behandeling van die gebrek en, indien die gebrek met die verlies van die gebruik van 'n liggaamsdeel gepaard gaan, is sodanige lid geregtig om 'n kunsmatige liggaamsdeel of enige meganiese toestel te ontvang wat weens daardie gebrek nodig is en sodanige deel of toestel moet, wanneer nodig, herstel, herstel of aangepas word: Met dien verstande dat die noodsaaklikheid vir sodanige behandeling, herstelling, herstel of aanpassing, na die mening van die Administrateur, nie aan sodanige lid se dronkenskap of ernstige en opsetlike wangedrag te wye is nie.

(12) Indien die Administrateur oortuig is dat sodanige lid wat in diens is verlies aan salaris of loon vir 'n aaneenlopende tydperk van minstens ses dae gely het, terwyl hy behandeling ondergaan het soos beoog in subartikel (11), kan die Administrateur, indien sodanige lid 'n jaargeld ingevolge subartikel (1) ontvang, 'n toelae aan hom toeken wat nie meer is nie as die bedrag wat dié ten opsigte van daardie tydperk betaalbaar jaargeld minder is as die bedrag wat betaalbaar sou gewees het ten opsigte van daardie tydperk indien die maksimum jaargeld ingevolge paragraaf (a) van subartikel (1) aan hom toegeken sou gewees het of, as hy geen jaargeld ingevolge daardie subartikel ontvang nie, 'n toelae wat nie meer is nie as die bedrag wat ten opsigte van daardie tydperk betaalbaar sou gewees het, indien 'n jaargeld in plaas van 'n gratifikasie ingevolge paragraaf (a) van subartikel (1) aan hom toegeken sou gewees het.

(13) Die uitgawe aangegaan by die uitvoering van die bepalings van subartikel (11) en (12), word uit inkomste betaal.

(14) Die bepalings van subartikel (11) en (12) is nie van toepassing op 'n lid terwyl hy ingevolge die Ongevallewet, 1941, op geneeskundige hulp geregtig is nie.

(15) A member who has been awarded a pension under sub-section (1) shall, if he is again appointed in the Department in a permanent and full-time capacity within thirty days from the date he is called upon by the Provincial Secretary so to do elect either to contribute to the Fund in respect of his pensionable service prior to his retirement or to retain the pension he was awarded in respect of such service: Provided that should he elect to contribute in respect of such service—

- (a) payment of the annuity shall cease with effect from the date of such appointment;
- (b) he shall not be required to refund the amount drawn as a pension;
- (c) the difference between the amount received by way of annuity and communication, if any, and the amount he would have received by way of annuity had he not commuted a portion of the annuity, shall be refunded by him to revenue;
- (d) the difference between the amount received by way of a gratuity and the total amount he would have received had an annuity in lieu of a gratuity been awarded to him, shall be refunded by him to revenue;
- (e) an amount equal to the amount paid to revenue in terms of sub-section (4), less the amount, if any, which was paid in accordance with that sub-section from revenue to the Fund on behalf of the member in respect of arrear contributions, shall be repaid from revenue to the Fund, together with interest calculated thereon at the rate of four per cent per annum, annually compounded as at the thirty-first day of March, from the date it was paid to revenue to the date of repayment and if the amount so paid is more or less than the amount which is required by the Fund, the surplus or deficiency, as the case may be, shall be dealt with as the Administrator may determine; and
- (f) it shall be deemed as service which is continuous with his current period of pensionable service.

(16) The provisions of sub-sections (1), (2), (5), (6), (11) and (15) of this section shall apply *mutatis mutandis* in the circumstances therein described to a person in the employ of the Department who is not a member of the Fund and to the dependants of such a person.

14. (1) Any person—

- (a) referred to in sub-section (3) of section *three* who was appointed in a permanent and full-time capacity and who prior to the fixed date elected not to become a member of the Fund or who was refused membership of the Fund or was not entitled to membership of the Fund on account of age and who in terms of sub-section (5) of section *three* elected not to become a member of the Fund; or
- (b) who is a white person employed in a temporary and full-time capacity in the Department and to whom no benefit is payable in terms of this Ordinance or any other law upon retirement or discharge from the service of the Department,

shall, if he has been in the service of the Department for a continuous period of not less than two years, be entitled on retirement on or after

(15) 'n Lid aan wie 'n pensioen ingevolge subartikel (1) toegeken is, moet, indien hy weer in 'n permanente en voltydse hoedanigheid in die diens van die Departement aangestel word, binne dertig dae van die datum af waarop die Provinciale Sekretaris hom daartoe aansê, kies of om tot die Fonds by te dra ten opsigte van sy pensioengewende diens voor sy uitdienstreding of om die pensioen aan hom ten opsigte van sodanige diens toegeken, te behou: Met dien verstaande dat, indien hy kies om ten opsigte van sodanige diens by te dra—

- (a) betaling van die jaargeld ophou met ingang van die datum van sodanige aanstelling af;
- (b) dit nie vir hom nodig is om die bedrag as pensioen getrek, terug te betaal nie;
- (c) die verskil tussen die bedrag by wyse van jaargeld en omsetting, as daar is, ontvang en die bedrag wat hy by wyse van jaargeld sou ontvang het as hy nie 'n gedeelte van die jaargeld omgeset het nie, deur hom aan inkomste terugbetaal moet word;
- (d) die verskil tussen die bedrag by wyse van 'n gratifikasie ontvang en die totale bedrag wat hy sou ontvang het as 'n jaargeld in plaas van 'n gratifikasie aan hom toegeken sou gewees het, deur hom aan inkomste terugbetaal moet word;
- (e) 'n bedrag gelykstaande met die bedrag aan inkomste ingevolge subartikel (4) betaal min die bedrag, as daar is, wat ten opsigte van agterstallige bydraes uit inkomste namens die lid aan die Fonds ooreenkomsdig daardie subartikel betaal is, aan die Fonds uit inkomste terugbetaal moet word, tesame met rente daarop, bereken teen 'n koets van vier persent per jaar jaarliks op die een-en-dertigste dag van Maart saamgestel, van die datum af wat dit aan inkomste betaal is tot op die datum van terugbetaling en indien die bedrag aldus betaal, meer of minder is as die bedrag wat deur die Fonds benodig word, daar met die surplus of tekort, al na gelang van die geval, gehandel moet word soos die Administrator bepaal; en
- (f) dit beskou word as dieks wat aaneenlopend is met sy huidige tydperk van pensioengewende diens.

(16) Die bepalings van subartikels (1), (2), (5), (6), (11) en (15) van hierdie artikel is *mutatis mutandis* in die omstandighede daarin beskryf, van toepassing op iemand in diens van die Departement wat nie 'n lid van die Fonds is nie en op die afhanglikes van sodanige persoon.

14. (1) Iemand—

- (a) in subartikel (3) van artikel *drie* genoem wat in 'n permanente en voltydse hoedanigheid aangestel is en wat voor die vasgestelde datum gekies het om nie 'n lid van die Fonds te word nie of aan wie lidmaatskap van die Fonds geweier is of wat nie geregting was tot lidmaatskap van die Fonds nie op grond van ouderdom en wat nie gekies het om kragtens subartikel (5) van artikel *drie* 'n lid van die Fonds word nie; of
- (b) wat 'n blanke persoon in diens van die Departement in 'n tydelike en voltydse hoedanigheid is en aan wie by uitdienstreding of ontslag uit die diens van die Departement geen voordeel kragtens hierdie Ordonnansie of enige ander wet betaalbaar is nie,

is, indien hy in diens van die Departement was vir 'n aaneenlopende tydperk van minstens twee jaar, by uitdienstreding, by of na bereiking van

attaining the prescribed age of retirement, or on retirement upon grounds of continued ill-health, re-organisation or abolition of his post, to a gratuity payable from revenue in respect of his period of continuous service, calculated at the rate of four per cent of the emoluments he may have received in respect of the period up to and including the 31st day of December, 1946, and at the rate of six per cent of the emoluments paid to him thereafter.

(2) The terms "emoluments" and "continuous service" shall for the purpose of this section mean such emoluments and such service as may be taken into account in computing the pension of a member.

(3) The provisions applicable to the recovery of moneys from any pension or other monetary benefit payable to a member shall apply where a gratuity is payable in terms of this section.

(4) If a person referred to in sub-section (1) dies while in the service of the Department, a gratuity payable from revenue and calculated in accordance with the provisions of that sub-section shall be paid *mutatis mutandis* in accordance with the provisions of sub-section (3) of section twelve.

(5) The provisions of this section shall not apply to a person to whom a pension has been awarded in terms of the provisions of section thirteen.

Commun-
ication of
annuity.

15. The Provincial Secretary shall upon the application of a member and the submission of a medical certificate approved of by the Provincial Secretary commute such portion of the member's annuity as does not exceed one-third thereof into a cash payment to the member of an amount calculated—

- (a) where a medical officer of the Department is satisfied that the member is in good health, in accordance with the scale contained in the Third Schedule to this Ordinance; and
- (b) where a medical officer of the Department is not satisfied as required in terms of paragraph (a), actuarially according to the period for which such member may be expected to draw his annuity:

Provided that—

- (i) if the annuity was awarded in terms of section thirteen, no commutation shall be allowed to a member who has had less than ten years pensionable service; and
- (ii) once a portion of an annuity has been commuted no further commutation shall be allowed unless, if such be the case, the annuity awarded to a member is increased subsequent to the final determination of his disablement in terms of section thirteen, in which event he shall be allowed a further commutation.

Members transferred to other services of the State.

16. If a member is transferred from the service of the Department or is appointed directly without a break in his service to employment in respect of which he becomes subject to a pension law (other than this Ordinance) administered by a Provincial Administration or the Administration of the territory of South West Africa or a Department of Education (whether in the Union or in the territory), or any pension law (other than this Ordinance) administered by the State, including the South African Railways and Harbours Administration, and becomes a contributor to a pension fund or provident fund under such law as from the date of such transfer or appointment and is permitted and elects to contribute to the

die voorgeskrewe ouderdom vir uitdienstreding of by uitdienstreding op grond van voortdurende swak gesondheid, reorganisasie of afskaffing van sy pos, geregtig op 'n gratifikasie betaalbaar uit inkomste ten opsigte van sy tydperk van aaneenlopende diens, wat bereken is teen 'n tarief van vier persent van die emolumente wat hy mag ontvang het ten opsigte van die tydperk tot en met die een-en-dertigste dag van Desember 1946, en teen 'n tarief van ses persent van die emolumente daarna aan hom betaal.

(2) Die uitdrukking "emolumente" en "aan-enlopende diens" beteken, vir die toepassing van hierdie artikel, sodanige emolumente en sodanige diens as wat in ag gencem word by die berekening van 'n lid se pensioen.

(3) Die bepalings van toepassing op die verhaal van geldie op enige pensioen of ander geldelike voordeel betaalbaar aan 'n lid, is van toepassing waar 'n gratifikasie ingevolge hierdie artikel betaalbaar is.

(4) Indien iemand in subartikel (1) genoem, te sterwe kom terwyl hy in diens van die Departement is, word 'n gratifikasie betaalbaar uit inkomste en bereken ooreenkomsdig die bepalings van daardie subartikel, *mutatis mutandis* ooreenkomsdig die bepalings van subartikel (3) van artikel twaalf betaal.

(5) Die bepalings van hierdie artikel is nie van toepassing nie op iemand aan wie 'n pensioen ingevolge die bepalings van artikel dertien toegeken is.

15. Die Proviniale Sekretaris moet, op aansoek van 'n lid en by die indiening van 'n geneeskundige sertifikaat wat deur die Proviniale Sekretaris goedgekeur is, sodanige gedeelte van die lid se jaargeld as wat nie een derde daarvan oorskry nie, in 'n kontantbetaling aan die lid omset van 'n bedrag bereken—

- (a) waar 'n geneeskundige beampte van die Departement oortuig is dat die lid in goeie gesondheid, verkeer, ooreenkomsdig die skaal in die Derde Bylae by hierdie Ordonnansie vervat; en
- (b) waar 'n geneeskundige beampte van die Departement nie oortuig is soos vereis ingevolge paragraaf (a) nie, aktuarieel volgens die tydperk waarvoor sodanige lid verwag kan word om sy jaargeld te trek:

Met dien verstande dat—

- (i) as die jaargeld ingevolge artikel dertien toegeken is, geen omsetting aan 'n lid toegelaat word wat minder as tien jaar pensioengewende diens het nie; en
- (ii) wanneer 'n gedeelte van 'n jaargeld eers omgeset is, geen verdere omsetting toegelaat word nie, tensy as dit die geval is, die jaargeld aan 'n lid toegeken, vermeerder word na die finale vasstelling van sy ongesiktheid ingevolge artikel dertien en in so 'n geval word hy toegelaat om 'n verdere omsetting te doen.

16. Indien 'n lid oorgeplaas word van die diens van die Departement of sonder onderbreking van sy diens regstreeks aangestel word in 'n diens ten opsigte waarvan hy onderworpe word aan 'n pensioenwet (met uitsluiting van hierdie Ordonnansie) wat deur 'n provinsiale administrasie of die administrasie van die gebied van Suidwes-Afrika of 'n departement van onderwys (hetself in die Unie of in die gebied) gadministreer word of 'n pensioenwet (met uitsluiting van hierdie Ordonnansie) wat deur die Staat gadministreer word, met inbegrip van die Suid-Afrikaanse Spoorweë- en Hawensadministrasies en 'n bydraer word tot 'n pensioen of voorsorgsfonds ingevolge sodanige wet soos van die datum van sodanige

Lede oorge-
plaas na
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die Staat.

fund in question in respect of his past pensionable service, an amount equal to twice the amount of the member's contributions to the Fund in accordance with the provisions of section six, together with interest calculated thereon at the rate of five per cent per annum, annually compounded as at the thirty-first day of March, from the commencement of his pensionable service to the date of transfer or appointment, shall be transferred from the Fund to such other fund: Provided that—

- (a) if such member elected to contribute to the Fund in accordance with the provisions of section five, the amount to be transferred in respect of such past pensionable service as is referred to in that section shall be determined by the Provincial Secretary in consultation with the actuary and shall not exceed an amount equal to twice the amount of the member's contributions to the Fund in accordance with the provisions of section six, together with interest calculated thereon at the rate of five per cent per annum, annually compounded as at the thirty-first day of March, from the date of commencement of such service to the date of transfer or appointment;
- (b) if the amount to be transferred is not paid on the date the member is transferred or appointed, interest thereon shall accrue at the rate of four per cent per annum, annually compounded as at the thirty-first day of March, and calculated from the date of the member's transfer or appointment;
- (c) if the amount to be transferred is more or less than the amount required by such other fund, as at the date of the member's transfer or appointment, the excess shall be dealt with or the deficiency shall be made good in such manner as the Administrator may determine; and
- (d) the provisions of sub-section (1) of section eleven shall apply if the member elects not to contribute to such other pension or provident fund in respect of his pensionable service prior to the date of such transfer or appointment.

Persons transferred from other services of the State.

17. A person who in respect of his employment is subject to a pension law (other than his Ordinance) administered by a provincial administration or the administration of the territory of South West Africa or a Department of Education (whether in the Union or in the territory) or any pension law (other than this Ordinance) administered by the State, including the South African Railways and Harbours Administration, and who is transferred or appointed directly without a break in his service to employment in a permanent and full-time capacity under the Department, may be allowed by the Provincial Secretary to elect in writing, within thirty days from the date he is called upon so to do, to contribute to the Fund in respect of the period of his pensionable service with such other pension or provident fund and if he so elects to contribute, the contributions he would have made to the Fund in accordance with the provisions of section six, had he been a member of the Fund during the period of his pensionable service with such other pension or provident fund, and the amount that would have been paid from revenue in respect thereof, shall be paid by him or on his behalf, to the Fund, together with interest thereon calculated at the rate of five per cent per annum, annually compounded as at the thirty-first day of March,

oorplasing of aanstelling af en toegelaat word en kies om tot die betrokke fonds by te dra ten opsigte van sy pensioengewende diens in die verlede, word 'n bedrag gelykstaande met twee maal die bedrag van die lid se bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses, tesame met rente daarop bereken teen 'n koers van vyf persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, van die aanvang van sy pensioengewende diens af tot op die datum van oorplasing of aanstelling, uit die Fonds op sodanige ander fonds oorgedra: Met dien verstande dat—

- (a) indien sodanige lid gekies het om ooreenkomsdig die bepalings van artikel vyf tot die Fonds by te dra, die bedrag oorgedra te word ten opsigte van sodanige vorige pensioengewende diens as wat in daardie artikel genoem word, bepaal word deur die Provinciale Sekretaris in oorlegpleging met die aktuaris en dit nie meer mag wees nie as 'n bedrag gelykstaande met twee maal die bedrag van die lid se bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses, tesame met rente daarop bereken teen 'n koers van vyf persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, van die datum van aanvang van sodanige diens af tot op die datum van oorplasing of aanstelling;
- (b) as die bedrag oorgedra te word nie betaal is op die datum waarop die lid oorgeplaas of aangestel is nie, rente daarop oploop teen 'n koers van vier persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, en bereken van die datum van die lid se oorplasing of aanstelling af;
- (c) indien die bedrag oorgedra te word meer of minder is as die bedrag deur sodanige ander fonds vereis soos op die datum van die lid se oorplasing of aanstelling, daar met die oorskot gehandel moet word of die tekort betaal moet word op sodanige manier as wat die Administrateur bepaal; en
- (d) die bepalings van subartikel (1) van artikel elf van toepassing is indien die lid kies om nie tot sodanige ander pensioen- of voorsorgsfonds by te dra nie ten opsigte van sy pensioengewende diens voor die datum van sodanige oorplasing of aanstelling.

17. Iemand wat ten opsigte van sy werk onderworpe is aan 'n pensioenwet (met uitsondering van hierdie Ordonnansie) wat deur 'n provinsiale administrasie of die administrasie van die gebied van Suidwes-Afrika geadministreer word of 'n departement van onderwys (hetsy in die Unie of in die gebied) of enige pensioenwet (met uitsondering van hierdie Ordonnansie) wat deur die Staat, met inbegrip van die Suid-Afrikaanse Spoorweë- en Hawensadministrasie, geadministreer word en wat sonder onderbreking van sy diens oorgeplaas word na of regstreeks aangestel word in die diens van die Departement in 'n permanente en voltydse hoedanigheid, kan deur die Provinciale Sekretaris toegelaat word om binne dertig dae van die datum af waarop hy versoeek word om dit te doen, skriftelik te kies om tot die Fonds by te dra ten opsigte van die tydperk van sy pensioengewende diens by sodanige ander pensioen- of voorsorgsfonds en as hy aldus kies om by te dra moet die bydraes wat hy ooreenkomsdig die bepalings van artikel ses tot die Fonds sou gemaak het indien hy 'n lid van die Fonds was gedurende die tydperk van sy pensioengewende diens by sodanige ander pensioen- of voorsorgsfonds, en die bedrag wat uit inkomste ten opsigte daarvan betaal sou gewees het, deur namens hom aan die Fonds betaal word, tesame met rente daarop bereken teen 'n koers van vyf persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, van die aanvang van sy pensioengewende diens af tot op die datum van oorplasing of aanstelling, uit die Fonds op sodanige ander fonds oorgedra: Met dien verstande dat—

Persons oorgeplaas van ander dienste van die Staat.

from the date of commencement of such pensionable service to the date of such transfer or appointment and thereafter at the rate of four per cent per annum, annually compounded as at the thirty-first day of March, until the date of payment.

Administration and accounts of the Fund.

18. (1) Subject to any direction of the Administrator, the business of the Fund shall be conducted by the Provincial Secretary, and the cost in connection therewith and of any actuarial investigation and matters incidental thereto shall be paid out of revenue.

(2) The Provincial Secretary shall cause full and true accounts of the Fund to be kept, showing separately—

- (a) all sums of money received or due and disbursed or repayable in respect of members and particulars of the matters for which those sums of money have been received or disbursed;
- (b) the date of payment of the first and all subsequent contributions, together with all chronological and other particulars necessary to enable proper accounts of the Fund to be kept in accordance with the provisions of this Ordinance and to enable an actuarial valuation of the Fund to be made at any time;
- (c) all sums of money due to or from revenue in connection with the Fund; and
- (d) all other matters of account provided for or contemplated in this Ordinance and the regulations.

(3) The Provincial Secretary shall cause the books and accounts of the Fund to be balanced up to the thirty-first day of March in every year, and a balance sheet to be prepared, showing the assets and liabilities of the Fund as at that date.

19. Any balances in the Fund which are not required for current purposes and which—

- (a) represent moneys deposited with the Public Debt Commissioners prior to the first day of April, 1936; or
- (b) represent moneys, not being moneys referred to in paragraph (a), which the Governor-General does not wish to borrow in terms of section *nineteen* of the Financial Relations Consolidation and Amendment Act, 1945 (Act No. 38 of 1945) or any other law,

shall be invested in stock issued by the Union Government or, with the approval of the Provincial Secretary, in stock of any local authority or public utility company in the Union.

Quinquennial valuation of the Fund.

20. (1) An actuary shall separately value the assets and liabilities of the Fund as at the thirty-first day of March, 1962, and every five years thereafter, and shall declare any surplus or deficiency which his investigation discloses and he shall report thereon to the Provincial Secretary.

(2) The report of the actuary shall be laid on the Table of the Provincial Council within one month of the receipt thereof if the Provincial Council is then in session, or if not then in session, within one month after the commencement of its next ensuing session.

(3) If the actuary in such report certifies that there is a substantial surplus, the benefits payable out of the Fund shall be increased or the contributions shall be reduced in such manner as the Provincial Council may by ordinance provide, or if he certifies that there is a substantial deficiency, the deficiency shall be dealt with in such manner as the Provincial Council may by Ordinance provide: Provided that—

- (a) no annuity awarded shall be reduced and no member or person who received a monetary benefit other than an annuity

dag van Maart saamgestel, van die datum van aanvang van sodanige pensioengewende diens af tot op die datum van sodanige oorplasing of aanstelling en daarna teen 'n koers van vier persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, tot op die datum van betaling.

18. (1) Die besigheid van die Fonds word behoudens enige voorskrif van die Administrateur, deur die Provinciale Sekretaris behartig en die koste in verband daarvan en van enige aktuariele ondersoek en aangeleenthede in verband daarvan moet uit inkomste betaal word.

(2) Die Provinciale Sekretaris laat volledige en juiste rekenings van die Fonds hou, waarin afsonderlik vermeld word—

- (a) alle bedrae geld ontvang of verskuldig en uitbetaal of terugbetaalbaar ten opsigte van lede en besonderhede van die aangeleenthede waarvoor sodanige bedrae geld ontvang of uitbetaal is;
- (b) die datum van betaling van die eerste en alle bydraes daarna, tesame met alle chronologiese en ander besonderhede wat nodig is om behoorlike rekenings van die Fonds te kan hou ooreenkomsdig die bepalings van hierdie Ordonnansie en om 'n aktuariele waardering van die Fonds te eniger tyd moontlik te maak;
- (c) alle bedrae geld verskuldig aan of deur inkomste met betrekking tot die Fonds; en
- (d) alle ander aangeleenthede van boekhouding bepaal of beoog in hierdie Ordonnansie en die regulasies.

(3) Die Provinciale Sekretaris laat die boeke en rekenings van die Fonds op die een-en-dertigste dag van Maart in elke jaar afsluit en 'n balansstaat opstel waarin die bates en laste van die Fonds soos op daardie datum aangegee word.

19. Enige saldo's in die Fonds wat nie vir Beleidings. lopende doeleindes benodig word nie en wat—

- (a) gelde verteenwoordig wat by die Staat-skuldkommissaris gedeponeer is voor die eerste dag van April 1936; of
- (b) gelde verteenwoordig wat nie gelde is genoem in paragraaf (a) nie, wat die Gouverneur-generaal nie ingevolge artikel *negentien* van die Konsolidasie- en Wysigingswet op Finansiële Verhoudings, 1945 (Wet No. 38 van 1945), of ingevolge enige ander wet wil leen nie,

moet belê word in effekte uitgereik deur die Unie-regering of, met die goedkeuring van die Provinciale Sekretaris, in effekte van enige plaaslike bestuur of openbare nutmaatskappy in die Unie.

20. (1) 'n Aktuaris moet die bates en laste van die Fonds soos op die een-en-dertigste dag van Maart 1962, en elke vyf jaar daarna, afsonderlik waardeer en hy moet die oorskot of tekort wat sy onderzoek aan die lig bring, verklaar en 'n verslag daaroor by die Provinciale Sekretaris indien.

(2) Die verslag van die aktuaris moet binne een maand van die ontvangs daarvan in die Provinciale Raad ter Tafel gelê word as die Provinciale Raad dan in sitting is of, as die Provinciale Raad nie dan in sitting is nie, binne een maand na die aanvang van sy eersvolgende sitting.

(3) Indien die aktuaris in sodanige verslag sertificeer dat daar 'n wesenlike oorskot is, moet die voordele uit die Fonds betaalbaar, vermeerder of die bydraes verminder word op so 'n wyse as wat die Provinciale Raad by Ordonnansie bepaal of, indien hy sertificeer dat daar 'n wesenlike tekort is, moet met die tekort op sodanige wyse gehandel word as wat die Provinciale Raad by Ordonnansie bepaal: Met dien verstande dat—

- (a) geen jaargeld wat toegeken is, verminder mag word nie en geen lid of persoon wat 'n ander geldelike voordeel as 'n jaargeld

Administrasie en boekhouding van die Fonds.

Vyfaardelike waardering van die Fonds.

Moneys due to the Administration recoverable from annuity or monetary benefit.

shall be called upon to refund the whole or any portion of the benefit so received; and

(b) the contributions payable from revenue shall not be less than the contributions by members at the prescribed rate.

21. The Provincial Secretary may in a lump sum or in such instalments as he may determine deduct from any pension, or other monetary benefit payable in accordance with the provisions of this Ordinance any sum which may be due by a member to the Administration or to the Fund, as the case may be, for any reason whatsoever.

Annuities or other benefits not assignable or executable.

22. No right to a pension or any other monetary benefit payable in accordance with the provisions of this Ordinance, shall be capable of being assigned or transferred or otherwise ceded or of being pledged or hypothecated, nor shall any such right be liable to be attached or subject to any form of execution under a judgment or order of a court of law, and in the event of any person attempting to assign, transfer, or otherwise cede or pledge or hypothecate any such right, payment of the pension or other monetary benefit may be suspended or entirely withheld or discontinued or otherwise dealt with as the Administrator may determine.

Annuity may be paid to other persons than pensioner himself.

23. If the Administrator is satisfied that it is undesirable for any reason to pay the whole amount of any pension or other monetary benefit payable to a person under this Ordinance directly to such person himself, he may determine that such benefit or portion thereof shall be paid to some other person under such conditions as to its administration for the benefit of such first-mentioned person as the Administrator may determine.

Annuity not affected by insolvency.

24. If the estate of a member or other person in receipt of an annuity under this Ordinance is sequestered the annuity shall not form part of the assets of his insolvent estate.

Annuities on conviction of certain offences.

25. (1) If a member or other person in receipt of an annuity awarded in terms of this Ordinance is convicted of any offence, and sentenced to death or to any term of imprisonment exceeding one month without the option of a fine, payment of the annuity to him shall be discontinued.

(2) The annuity shall during such period of imprisonment be paid to or for the benefit of his dependants as described in sub-section (3) of section twelve or if there are no such dependants, payment of the annuity shall be withheld until the date of his release from prison.

(3) On the release from prison of the member or person referred to in sub-section (1), payment to him of the annuity shall be resumed.

Annuity may be reduced.

26. If a member or person in receipt of an annuity is found to have made a false statement knowing such statement to be false for the purpose of obtaining such annuity, or to have misappropriated public money or provincial property before his retirement, the Administrator may determine that the annuity be reduced or substituted by a gratuity: Provided that such member or person shall notwithstanding the provisions of proviso (b) to sub-section (1) of section nine receive in the case of a reduced annuity, not less than the annual value calculated actuarially of any sum contributed by

ontvang, aangesê word om die hele of 'n gedeelte van die voordeel aldus ontvang, terug te betaal nie; en

(b) die bydraes wat uit inkomste betaalbaar is nie minder mag wees as die bydraes deur lede teen die voorgeskrewe tarief nie.

21. Die Provinciale Sekretaris kan enige bedrag deur 'n lid om watter rede ook al aan die Administrasie of die Fonds verskuldig, na gelang van die geval, in 'n ronde bedrag of in sodanige paaiemende as wat hy bepaal, afstrek van enige pensioen of ander geldelike voordeel betaalbaar ooreenkomsdig die bepalings van hierdie Ordonnansie.

Gelede aan die Administrasie verskuldig verhaalbaar jaargeld of voordeel.

22. Geen reg op 'n pensioen of enige ander geldelike voordeel betaalbaar ooreenkomsdig die bepalings van hierdie Ordonnansie, kan afgestaan of oorgedra of op 'n ander wyse gesedeer of verpand of verhipotekeer word nie en geen sodanige reg is vatbaar vir beslaglegging of onderworpe aan enige vorm van eksekusie ingevolge 'n uitspraak of bevel van 'n hof nie en, in geval iemand probeer om enige sodanige reg af te staan, oor te dra of op 'n ander wyse te sedeer of te verpand of te verhipotekeer, kan betaling van die pensioen of ander geldelike voordeel opgeskort of geheel en al teruggehou of gestaak word of anders daarvan gehandel word soos die Administrateur bepaal.

Jaargeld of ander nie toewysbaar of onderhewig aan eksekusie nie.

23. Indien die Administrateur oortuig is dat dit om die een of ander rede onwenslik is om die hele bedrag van 'n pensioen of ander geldelike voordeel betaalbaar aan 'n persoon ingevolge hierdie Ordonnansie, regstreeks aan sodanige persoon self te betaal, kan hy bepaal dat sodanige voordeel of gedeelte daarvan aan iemand anders betaal word op sodanige voorwaardes wat die beheer daaroor betref ten bate van sodanige eerstgenoemde persoon, as wat die Administrateur bepaal.

Jaargeld kan aan iemand anders as die pensioentrekkerself betaal word.

24. Indien die boedel van 'n lid, of 'n ander persoon wat 'n jaargeld ingevolge hierdie Ordonnansie ontvang gesekwestreer word, maak die jaargeld nie deel uit van die bates van sy insolvente boedel nie.

Jaargeld nie geraak deur insolvensie nie.

25. (1) Indien 'n lid, of ander persoon wat kragtens hierdie Ordonnansie 'n jaargeld ontvang, skuldig bevind word aan 'n misdryf en ter dood of tot 'n tydperk van gevangenisstraf van meer as een maand sonder die keuse van 'n boete, gevonnis word, word die betaling van die jaargeld aan hom gestaak.

Jaargeld by skuldig bevinding aan sekere misdryfe.

(2) Die jaargeld word gedurende sodanige tydperk van gevangenisstraf aan of ten bate van sy afhanklikies soos omskryf in subartikel (3) van artikel twaalf betaal of, as daar geen sodanige afhanklikies is nie, word betaling van die jaargeld teruggehou tot op die datum wat hy uit die gevangenis ontslaan word.

(3) By die ontslag van die lid of die persoon in subartikel (1) genoem, uit die gevangenis, word betaling van die jaargeld aan hom hervat.

26. Indien daar bevind word dat 'n lid of 'n persoon in ontvangs van 'n jaargeld, 'n valse verklaring afgelê het vir die doel om sodanige jaargeld te verkry, wetende dat sodanige verklaring vals is, of dat hy publieke geld of provinsiale eiendom hom wederregtelik toegeeëien het voor sy uitdienstreding, kan die Administrateur bepaal dat die jaargeld verminder of deur 'n gratifikasie vervang word: Met dien verstande dat ondanks die bepalings van voorbehoudsbepaling (b) by subartikel (1) van artikel nege, sodanige lid of persoon, in geval van 'n verminderde jaargeld, minstens die jaarlikse waarde wat aktuarieel bereken is van enige bedrag

Jaargeld mag verminder word.

the member to the Fund in accordance with the provisions of section six, or, in the case where, the annuity is substituted by a gratuity, not less than the sum contributed by the member to the Fund in accordance with the provisions of section six.

Regulations. 27. The Administration may make regulations not inconsistent with the provisions of this Ordinance for achieving the objects and purposes of this Ordinance.

Repeal of Laws. 28. The laws specified in the Fourth Schedule to this Ordinance are hereby repealed to the extent set out in the third column of that Schedule.

Short title and date of commencement. 29. This Ordinance shall be called the Transvaal Hospital and Education Officers' Pension Ordinance, 1959, and shall come into operation on the first day of July, 1959.

FIRST SCHEDULE.

Schedule for determining the amount to be treated as contributions in the apportionment of the total amount arrived at in terms of sub-section (6) of section seven into contributions and interest where the period in respect of which the member elected to contribute is continuous with the most recent appointment of the member in a permanent and full-time capacity.

<i>Number of completed years in respect of which member elected to contribute.</i>	<i>Percentage of total amount to be treated as contributions.</i>
0.....	100
1.....	98·0
2.....	96·2
3.....	94·3
4.....	92·5
5.....	90·8
6.....	89·1
7.....	87·4
8.....	85·8
9.....	84·2
10.....	82·7
11.....	81·2
12.....	79·7
13.....	78·3
14.....	76·9
15.....	75·6
16.....	74·3
17.....	73·0
18.....	71·7
19.....	70·5
20.....	69·3

SECOND SCHEDULE.

Schedule for adjusting the amount to be treated as contributions in accordance with the provisions of the First Schedule, where the period in respect of which the member elected to contribute is not continuous with the most recent appointment of a member in a permanent and full-time capacity.

<i>Number of completed years from the date following the last date of the period in respect of which the member elected to contribute and the most recent date of appointment in a permanent and full-time capacity.</i>	<i>Discounting factor by which the amount determined in accordance with the provisions of the First Schedule is to be multiplied in order to arrive at the amount to be treated as contributions.</i>
1.....	0·962
2.....	0·925
3.....	0·889
4.....	0·855
5.....	0·822
6.....	0·790
7.....	0·760
8.....	0·731
9.....	0·703
10.....	0·676
11.....	0·650
12.....	0·625
13.....	0·601
14.....	0·577
15.....	0·555
16.....	0·534
17.....	0·513
18.....	0·494
19.....	0·475
20.....	0·456

deur die lid tot die Fonds bygedra ooreenkomsdig die bepalings van artikel ses of, in die geval waar die jaargeld vervang word deur 'n gratifikasie, minstens die bedrag ooreenkomsdig die bepalings van artikel ses deur die lid tot die Fonds bygedra, moet ontvang.

Regulations. 27. Die Administrateur kan regulasies maak wat nie onbestaanbaar is met die bepalings van hierdie Ordonnansie nie, om die oogmerke en doelstellings van hierdie Ordonnansie te bereik.

28. Die wette in die Vierde Bylae by hierdie **Herroeping van wette.** Ordonnansie genoem, word hierby herroep vir sover as wat dit in die derde kolom van daar- die Bylae uiteengesit word.

29. Hierdie Ordonnansie heet die Ordonnansie op die Pensioene van Transvaalse Hospitaal- en Onderwysbeamptes, 1959, en tree in werking op die eerste dag van Julie 1959.

EERSTE BYLAE.

Bylae vir die vasstelling van die bedrag as bydraes beskou te word by die verdeling van die totaalbedrag wat ingevolge subartikel (6) van artikel sewe verkry is, in bydraes en rente waar die tydperk ten opsigte waarvan die lid gekies het om by te dra, aaneenlopend is met die jongste aanstelling van die lid in 'n permanente en voltydse hoedanigheid.

<i>Aantal voltooide jare ten opsigte waarvan die lid gekies het om by te dra.</i>	<i>Persentasie van totaalbedrag as bydraes beskou te word.</i>
0.....	100
1.....	98·0
2.....	96·2
3.....	94·3
4.....	92·5
5.....	90·8
6.....	89·1
7.....	87·4
8.....	85·8
9.....	84·2
10.....	82·7
11.....	81·2
12.....	79·7
13.....	78·3
14.....	76·9
15.....	75·6
16.....	74·3
17.....	73·0
18.....	71·7
19.....	70·5
20.....	69·3

TWEEDE BYLAE.

Bylae vir die aanpassing van die bedrag ooreenkomsdig die bepalings van die Eerste Bylae as bydraes beskou te word waar die tydperk ten opsigte waarvan die lid gekies het om by te dra, nie aaneenlopend is nie met die jongste aanstelling van die lid in 'n permanente en voltydse hoedanigheid.

<i>Aantal voltooide jare van die datum wat volg op die laaste datum van die tydperk ten opsigte waarvan die lid gekies het om by te dra en die jongste datum van aanstelling in 'n permanente en voltydse hoedanigheid.</i>	<i>Verdiskonterende faktor waarmee die bedrag, ooreenkomsdig die bepalings van die Eerste Bylae vasgestel, vermenigvuldig moet word ten einde die bedrag as bydraes beskou te word, te verkry.</i>
1.....	0·962
2.....	0·925
3.....	0·889
4.....	0·855
5.....	0·822
6.....	0·790
7.....	0·760
8.....	0·731
9.....	0·703
10.....	0·676
11.....	0·650
12.....	0·625
13.....	0·601
14.....	0·577
15.....	0·555
16.....	0·534
17.....	0·513
18.....	0·494
19.....	0·475
20.....	0·456

THIRD SCHEDULE.

SCHEDULE FOR DETERMINING THE CASH VALUE OF THE PORTION OF ANNUITY COMMUTED IN TERMS OF SECTION FIFTEEN.

COMMUTATION OF ANNUITY.

Cash payments per £1 of annuity commuted where a medical officer of the Department is satisfied that the member is of good health:

Nearest Half Age at Date of Retirement.	Males.	Females.
30	17·45	17·97
30½	17·38	17·90
31	17·30	17·83
31½	17·22	17·77
32	17·14	17·70
32½	17·06	17·63
33	16·98	17·55
33½	16·90	17·48
34	16·81	17·41
34½	16·72	17·34
35	16·63	17·26
35½	16·55	17·19
36	16·46	17·11
36½	16·37	17·03
37	16·27	16·95
37½	16·18	16·87
38	16·08	16·79
38½	15·99	16·71
39	15·89	16·62
39½	15·79	16·54
40	15·69	16·45
40½	15·59	16·36
41	15·48	16·27
41½	15·37	16·18
42	15·26	16·09
42½	15·15	15·99
43	15·04	15·90
43½	14·93	15·80
44	14·81	15·70
44½	14·69	15·60
45	14·57	15·50
45½	14·45	15·40
46	14·32	15·30
46½	14·20	15·20
47	14·07	15·10
47½	13·94	14·99
48	13·81	14·89
48½	13·67	14·78
49	13·53	14·68
49½	13·40	14·56
50	13·26	14·45
50½	13·13	14·35
51	12·99	14·26
51½	12·85	14·16
52	12·71	14·06
52½	12·58	13·95
53	12·44	13·84
53½	12·30	13·73
54	12·15	13·62
54½	12·01	13·50
55	11·87	13·38
55½	11·74	13·23
56	11·60	13·07
56½	11·47	12·91
57	11·33	12·75
57½	11·20	12·59
58	11·06	12·42
58½	10·92	12·25
59	10·78	12·08
59½	10·64	11·91
60	10·50	11·74
60½	10·34	11·57
61	10·17	11·39
61½	10·01	11·22
62	9·84	11·04
62½	9·68	10·86
63	9·51	10·68
63½	9·35	10·50
64	9·18	10·31
64½	9·02	10·13
65	8·85	9·94
65½	8·69	9·76
66	8·52	9·57
66½	8·36	9·39
67	8·19	9·20
67½	8·03	9·01
68	7·86	8·82
68½	7·69	8·63
69	7·52	8·44
69½	7·36	8·26

DERDE BYLAE.

BYLAE VIR DIE VASSTELLING VAN DIE KON-TANTWAARDE VAN DIE GEDEELTE VAN DIE JAARGELD INGEVOLGE ARTIKEL VYFTIEN OMGESET.

OMSETTING VAN JAARGELD.

Kontantbetalings per £1 van jaargeld omgeset, waar die geneeskundige beamppte van die Departement oortuig is dat die lid in goeie gesondheid verkeer:—

Ouderdom by uitdienstreding tot op naaste halfjaar.	Mans.	Vrouens.
30	17·45	17·97
30½	17·38	17·90
31	17·30	17·83
31½	17·22	17·77
32	17·14	17·70
32½	17·06	17·63
33	16·98	17·55
33½	16·90	17·48
34	16·81	17·41
34½	16·72	17·34
35	16·63	17·26
35½	16·55	17·19
36	16·46	17·11
36½	16·37	17·03
37	16·27	16·95
37½	16·18	16·87
38	16·08	16·79
38½	15·99	16·71
39	15·89	16·62
39½	15·79	16·54
40	15·69	16·45
40½	15·59	16·36
41	15·48	16·27
41½	15·37	16·18
42	15·26	16·09
42½	15·15	15·99
43	15·04	15·90
43½	14·93	15·80
44	14·81	15·70
44½	14·69	15·60
45	14·57	15·50
45½	14·45	15·40
46	14·32	15·30
46½	14·20	15·20
47	14·07	15·10
47½	13·94	14·99
48	13·81	14·89
48½	13·67	14·78
49	13·53	14·68
49½	13·40	14·56
50	13·26	14·45
50½	13·13	14·35
51	12·99	14·26
51½	12·85	14·16
52	12·71	14·06
52½	12·58	13·95
53	12·44	13·84
53½	12·30	13·73
54	12·15	13·62
54½	12·01	13·50
55	11·87	13·38
55½	11·74	13·23
56	11·60	13·07
56½	11·47	12·91
57	11·33	12·75
57½	11·20	12·59
58	11·06	12·42
58½	10·92	12·25
59	10·78	12·08
59½	10·64	11·91
60	10·50	11·74
60½	10·34	11·57
61	10·17	11·39
61½	10·01	11·22
62	9·84	11·04
62½	9·68	10·86
63	9·51	10·68
63½	9·35	10·50
64	9·18	10·31
64½	9·02	10·13
65	8·85	9·94
65½	8·69	9·76
66	8·52	9·57
66½	8·36	9·39
67	8·19	9·20
67½	8·03	9·01
68	7·86	8·82
68½	7·69	8·63
69	7·52	8·44
69½	7·36	8·26

Nearest Half Age at Date of Retirement.	Males.	Females.
70.	7·19	8·07
70½	7·02	7·88
71.	6·86	7·69
71½	6·70	7·50
72.	6·54	7·32
72½	6·38	7·13
73.	6·22	6·95
73½	6·06	6·76
74.	5·90	6·58
74½	5·75	6·40
75.	5·60	6·22

Where the annuity is payable from revenue until the member attains the prescribed age of retirement, the apportionment of the cash payment between revenue and the Fund shall be determined actuarially.

Ouderdom by uitdienstreding tot op naaste halfjaar.	Mans.	Vrouens.
70.	7·19	8·07
70½	7·02	7·88
71.	6·86	7·69
71½	6·70	7·50
72.	6·54	7·32
72½	6·38	7·13
73.	6·22	6·95
73½	6·06	6·76
74.	5·90	6·58
74½	5·75	6·40
75.	5·60	6·22

Waar die jaargeld uit inkomste betaalbaar is totdat die lid die voorgeskrewe ouderdom vir uitdienstreding bereik het, moet die verdeling van die kontantbetaling tussen inkomste en die Fonds aktuaricel vasgestel word.

FOURTH SCHEDULE.

LAWS REPEALED (SECTION twenty-eight).

No. and Year of Law.	Title.	Extent of Repeal.
Ordinance No. 14 of 1927	The Transvaal Hospital and School Board Officials' Pensions Ordinance, 1927	The whole.
Ordinance No. 8 of 1929	The Transvaal Hospital and School Board Officials' Pensions Amendment Ordinance, 1929	The whole.
Ordinance No. 4 of 1934	The Transvaal Hospital and School Board Officials' Pensions Amendment Ordinance, 1934	The whole.
Ordinance No. 9 of 1939	The Transvaal Hospital and School Board Officials' Pensions Amendment Ordinance, 1939	The whole.
Ordinance No. 15 of 1944	The Transvaal Hospital and School Board Officials' Pensions Amendment Ordinance, 1944	The whole.
Ordinance No. 15 of 1945	The Transvaal Hospital and School Board Officials' Pensions Amendment Ordinance, 1945	The whole.
Ordinance No. 8 of 1947	The Transvaal Hospital and School Board Officials' Pensions Amendment Ordinance, 1947	The whole.
Ordinance No. 17 of 1948	The Transvaal Hospital and Provincial Officials' Pensions Amendment Ordinance, 1948	The whole.
Ordinance No. 12 of 1949	The Transvaal Hospital and Provincial Officials' Pensions Amendment Ordinance, 1949	The whole.
Ordinance No. 15 of 1949	The Transvaal Hospital and Provincial Officials' Pensions Further Amendment Ordinance, 1949	The whole.
Ordinance No. 9 of 1950	The Transvaal Hospital and Provincial Officials' Pensions Amendment Ordinance, 1950	The whole.
Ordinance No. 10 of 1952	The Transvaal Hospital and Provincial Officials' Pensions Amendment Ordinance, 1952	The whole.

T.A.A. 3/1/49/5.

No. en jaar van Wet.	Titel.	Houver herroep.
Ordonnansie No. 14 van 1927	Transvaal Hospitaal en Skoolraad Amptenare Pensioene Ordonnansie, 1927	In sy geheel.
Ordonnansie No. 8 van 1929	Transvaal Hospitaal-en Skoolraad-amptenare Pensioene Wysigingsordonnansie, 1929	In sy geheel.
Ordonnansie No. 4 van 1934	Transvaal Hospitaal en Skoolraad Amptenare Pensioene Wysigingsordonnansie, 1934	In sy geheel.
Ordonnansie No. 9 van 1939	Transvaal Hospitaal en Skoolraad Amptenare Pensioene Wysigingsordonnansie, 1939	In sy geheel.
Ordonnansie No. 15 van 1944	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaal- en Skoolraadsbeamptes, 1944	In sy geheel.
Ordonnansie No. 15 van 1945	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaal- en Skoolraadsbeamptes, 1945	In sy geheel.
Ordonnansie No. 8 van 1947	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaal- en Skoolraadsbeamptes, 1947	In sy geheel.
Ordonnansie No. 17 van 1948	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaal- en Proviniale Beamptes, 1948	In sy geheel.
Ordonnansie No. 12 van 1949	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaal- en Proviniale Beamptes, 1949	In sy geheel.
Ordonnansie No. 15 van 1949	Verdere Wysigingsordonnansie op Pensioene van Transvaalse Hospitaal- en Proviniale Beamptes, 1949	In sy geheel.
Ordonnansie No. 9 van 1950	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaal- en Proviniale Beamptes, 1950	In sy geheel.
Ordonnansie No. 10 van 1952	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaal- en Proviniale Beamptes, 1952	In sy geheel.

T.A.A. 3/1/49/5

Administrator's Notice No. 284.]

[22 April 1959.

The following Draft Ordinance is published for general information:—

A

DRAFT ORDINANCE

To consolidate and amend the laws relating to the pensions and other financial benefits payable upon retirement, resignation or discharge to nurses employed by the Department of Hospital Services or upon the death of such nurses to their dependants or other persons and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

- Definitions.
1. In this Ordinance unless the context otherwise indicates—
 - (i) "actuary" means a Fellow of an institute, faculty, society or chapter of actuaries approved by the Administrator;
 - (ii) "Administration" means the Transvaal Provincial Administration; (i)
 - (iii) "Administrator" means the officer appointed under the provisions of section *sixty-eight* of the South Africa Act, 1909, acting on the advice and with the consent of the Executive Committee of the Province; (ii)
 - (iv) "annuity" means an annual amount payable either from the Fund or from revenue; (xi)
 - (v) "Department" means the Department of Hospital Services; (vi)
 - (vi) "Director" means the officer appointed as Director of Hospital Services in terms of sub-section (1) of section *three* of the Hospitals Ordinance, 1958 (Ordinance No. 14 of 1958), or any person authorised by him to act on his behalf; (vii)
 - (vii) "financial year" means the period between the first day of April in any year and the thirty-first day of March in the year next succeeding, both days inclusive; (v)
 - (viii) "fixed date" means the date of the coming into operation of this Ordinance; (xvii)

Administrateurskennisgewing No. 284.]

[22 April 1959.

Onderstaande Ontwerpordonnansie word vir algemene inligting gepubliseer:—

N

ONTWERPORDONNANSIE

Tot samenvatting en wysiging van die wetsbepalings betreffende die pensioene en ander geldelike voordele by uitdienstreding, bedanking of ontslag betaalbaar aan verpleegsters in diens van die Departement van Hospitaaldienste of, by die dood van sodanige verpleegsters, aan hulle afhanglikes of ander persone en om voorsiening te maak vir aangeleenthede in verband daarmee.

DIÉ Provinciale Raad van Transvaal VERORDEN AS VOLG:—

1. In hierdie Ordonnansie, tensy uit die samehang anders blyk, beteken—
 - (i) .. Administrasie .. die Transvaalse Provinciale Administrasie; (ii)
 - (ii) .. Administrateur .. die amptenaar aangestel ingevolge die bepalings van artikel *agt-en-sestig* van die „Zuid-Afrika Wet, 1909”, handelende op advies en met die toestemming van die Uitvoerende Komitee van die Provinse; (iii)
 - (iii) .. aktuaris .. 'n .. Fellow .. van 'n instituut, fakulteit, vereniging of kapittel van aktuarisse deur die Administrateur goedgekeur; (i)
 - (iv) .. blanke persoon .. 'n blanke persoon soos omskryf in artikel *een* van die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950); (xviii)
 - (v) .. boekjaar .. die tydperk tussen die eerste dag van April in enige jaar en die een-en-dertigste dag van Maart in die daaropvolgende jaar, insluitende albei dae; (vii)
 - (vi) .. Departement .. die Departement van Hospitaaldienste; (v)
 - (vii) .. Direkteur .. die amptenaar aangestel as Directeur van Hospitaaldienste ingevolge subartikel (1) van artikel *drie* van die Ordonnansie op Hospitale, 1958 (Ordonnansie No. 14 van 1958), of iemand deur hom gemagtig om namens hom op te tree; (vi)
 - (viii) .. Fonds .. die Pensioenfonds vir Transvaalse Hospitaalverpleegsters gestig kragtens subartikel (1) van artikel *twee*; (ix)

- (ix) "Fund" means the Transvaal Hospital Nurses' Pension Fund established in terms of sub-section (1) of section *two*; (viii)
- (x) "gratuity" means any amount payable or due under the provisions of this Ordinance other than an annuity; (ix)
- (xi) "member" means a member of the Fund as contemplated in sub-section (1) of section *three*; (xii)
- (xii) "new member" means a nurse who is required to contribute to the Fund in terms of sub-section (3) or (4) of section *three*; (xiii)
- (xiii) "nurse" means a female person who in order that she may be appointed to a post in the Department requires to be registered in terms of the provisions of the Nursing Act, 1957 (Act No. 69 of 1957), and who is appointed as an officer as defined in sub-section (1) of section *one* of the Hospitals Ordinance, 1958 (Ordinance No. 14 of 1958); (xviii)
- (xiv) "old member" means a person who is required to contribute to the Fund in terms of sub-section (2) of section *three*; (xiv)
- (xv) "pension" means an annuity or gratuity as the context may require; (xv)
- (xvi) "pensionable emoluments" means the salary of a nurse in accordance with the salary scales approved in terms of the Hospitals Ordinance, 1958 (Ordinance No. 14 of 1958), but shall not include any other remuneration in cash or in kind or any allowance whatsoever unless such remuneration or allowance be declared by the Administrator to be pensionable; (xvi)
- (xvii) "prescribed age of retirement" means the age of retirement prescribed in sub-section (1) or (2) of section *ten*; (xix)
- (xviii) "revenue" means the Transvaal Provincial Revenue Fund; (x)
- (xix) "white person" means a white person as defined in section *one* of the Population Registration Act, 1950 (Act No. 30 of 1950). (iv)
- (ix) „gratifikasie“ enige ander bedrag as 'n jaargeld betaalbaar of verskuldig ingevolge die bepalings van hierdie Ordonnansie; (x)
- (x) „inkomste“ die Transvaalse Proviniale Inkostefonds; (xviii)
- (xi) „jaargeld“ 'n jaarlikse bedrag betaalbaar of uit die Fonds of uit inkomste; (iv)
- (xii) „lid“ 'n lid van die Fonds soos in sub-artikel (1) van artikel *drie* beoog; (xi)
- (xiii) „nuwe lid“ 'n verpleegster van wie vereis word om kragtens subartikel (3) of (4) van artikel *drie* tot die Fonds by te dra; (xii)
- (xiv) „ou lid“ 'n persoon van wie vereis word om kragtens subartikel (2) van artikel *drie* tot die Fonds by te dra; (xiv)
- (xv) „pensioen“ 'n jaargeld of gratifikasie na gelang van die sinsverband; (xv)
- (xvi) „pensioengewende emolumente“ die salaris van 'n verpleegster ooreenkomsdig die salarisskale goedkeur kragtens die Ordonnansie op Hospitale, 1958 (Ordonnansie No. 14 van 1958), maar sluit geen ander vergoeding hetsy in kontant of in natura, of enige toelae hoegenaamd in nie, tensy sodanige vergoeding of toelae deur die Administrateur pensioengewend verklaar is; (xvi)
- (xvii) „vasgestelde datum“ die datum van die inwerkingtreding van hierdie Ordonnansie; (viii)
- (xviii) „verpleegster“ 'n vroulike persoon van wie vereis word dat sy kragtens die bepalings van die Wet op Verpleegsters, 1957 (Wet No. 69 van 1957), geregistreer moet wees alvorens sy in 'n pos in die Departement aangestel kan word en wat as 'n beample soos omskryf in subartikel (1) van artikel *een* van die Ordonnansie op Hospitale, 1958, aangestel is; (xiii)
- (xix) „voorgeskrewe uitdienstredingsouderdom“ die uitdienstredingsouderdom in subartikel (1) of (2) van artikel *tiend* voorgeskryf. (xvii)

Establishment of the Fund.

2. (1) There is hereby established a pension fund to be known as the Transvaal Hospital Nurses' Pension Fund and the Transvaal Nurses' Pension Fund established in terms of section *two* of the Transvaal Hospital Nurses' Pensions Ordinance, 1919 (Ordinance No. 13 of 1919), shall be deemed to have been established in terms of this sub-section.

- (2) The Fund shall consist of—
- the amount standing to the credit of the Fund at the fixed date;
 - contributions made to the Fund by members at the prescribed rate in accordance with the provisions of this Ordinance;
 - interest and other amounts payable by members to the Fund in accordance with the provisions of this Ordinance;
 - sums and interest payable out of revenue to the Fund in accordance with the provisions of this Ordinance; and
 - any other sums which are to be credited to the Fund;

and all amounts contributed or paid to the Fund shall be credited to the Fund in a separate deposit account.

2. (1) Hierby word 'n pensioenfonds gestig, wat Stigting van die Fonds bekend staan as die Pensioenfonds vir Transvaalse Hospitaalverpleegsters en die Transvaal Verpleegsters Pensioenfonds gestig kragtens artikel *twee* van die „Transvaal Hospitaalverpleegsters Pensionen Ordonantie 1919“ (Ordonnansie No. 13 van 1919), word geag kragtens hierdie sub-artikel gestig te gewees het.

- (2) Die Fonds bestaan uit—
- die bedrag tot krediet van die Fonds op die vasgestelde datum;
 - bydrae tot die Fonds deur lede teen die voorgeskrewe tarief ooreenkomsdig die bepalings van hierdie Ordonnansie;
 - rente en ander bedrae deur lede verskuldig aan die Fonds ooreenkomsdig die bepalings van hierdie Ordonnansie;
 - bedrae en rente uit inkomste aan die Fonds verskuldig ooreenkomsdig die bepalings van hierdie Ordonnansie; en
 - enige ander bedrae waarvoor die Fonds gekrediteer moet word;

en die Fonds moet in 'n aparte depositorekening gekrediteer word vir alle bedrae bygedra tot of gestort in die Fonds.

Members of
the Fund.

3. (1) The members of the Fund shall consist of persons who are contributors to the Fund and persons who are in receipt of an annuity from the Fund.

(2) Any person who on the day immediately prior to the fixed date was a contributor to the Transvaal Nurses' Pension Fund established in terms of section two of the Transvaal Hospital Nurses' Pensions Ordinance, 1919, or who thereafter became such a contributor, shall continue to be a contributor to the Fund.

(3) Subject to the provisions of sub-section (6), every nurse appointed on or after the fixed date, shall be admitted to the Fund and shall contribute thereto as from the date of such appointment: Provided that if such appointment is on probation, and prior to the confirmation of such appointment—

- (i) she resigns; or
- (ii) her services are terminated by the Department for reasons other than ill-health or the abolition of her post; or
- (iii) she dies and leaves no dependants as described in sub-section (3) of section twelve,

the amount contributed by her shall be refunded to her or to her estate, as the case may be, and the amount paid to the Fund from revenue in respect of such nurse shall be refunded to revenue.

(4) A nurse, who prior to the fixed date was entitled to contribute to the Transvaal Nurses' Pension Fund referred to in sub-section (2), but who elected not so to contribute or who, on account of age, was not entitled to contribute to that fund shall, if she elects in writing within one hundred and eighty days from the fixed date so to do, be a contributor to the Fund from the date of her appointment as a nurse.

(5) Any person who on the day immediately prior to the fixed date was in receipt of an annuity in terms of a law repealed by this Ordinance, shall, on and after the fixed date continue to receive an annuity in terms of this Ordinance.

(6) No person shall be admitted as a member of the Fund—

- (a) if she is engaged for the completion or performance of specific work; or
- (b) if she is remunerated solely by fees or allowances; or
- (c) if she is employed for a fixed number of months or years; or
- (d) while employed temporarily; or
- (e) while employed in a part-time capacity.

Pensionable
service.

4. (1) The pensionable service with reference to which any pension is to be calculated, shall be continuous and shall include—

- (a) the time spent—
 - (i) on normal duty while employed by the Department as a nurse;
 - (ii) on leave of absence;
 - (iii) under suspension from duty, if followed by re-instatement in the same or another post:

Provided that no period of employment, leave of absence or suspension from duty of a member shall be included in her pensionable service unless she has contributed to or elected to contribute to the Fund in respect of such a period;

3. (1) Die lede van die Fonds bestaan uit persone wat bydraers tot die Fonds is en uit persone wat 'n jaargeld van die Fonds ontvang.
Lede van
die Fonda.

(2) Iemand wat op die dag onmiddellik voor die vasgestelde datum 'n bydraer was tot die Transvaal Verpleegsters Pensioenfonds, gestig ingevolge artikel twee van die „Transvaal Hospitaalverpleegsters Pensioenen Ordonantie, 1919“ of wat daarna so 'n bydraer geword het, gaan voort om 'n bydraer tot die fonds te wees.

(3) Behoudens die bepalings van subartikel (6), word elke verpleegster wat op of na die vasgestelde datum aangestel word, tot die Fonds toegelaat en dra daar toe by van die datum van sodanige aanstelling af: Met dien verstande dat indien sodanige aanstelling op proef is en voor die bekragting van sodanige aanstelling—

- (i) sy bedank; of
- (ii) haar diens deur die Departement beëindig word op ander gronde as swak gesondheid of afskaffing van haar pos; of
- (iii) sy te sterwe kom en geen afhanglikes soos in subartikel (3) van artikel twaalf beskryf, nalaat.

die bedrag deur haar bygedra aan haar of aan haar boedel, na gelang van die geval, terugbetaal word en die bedrag aan die Fonds uit inkomste betaal ten opsigte van sodanige verpleegster, aan inkomste terugbetaal word.

(4) 'n Verpleegster wat voor die vasgestelde datum geregtig was om tot die Transvaal Verpleegsters Pensioenfonds genoem in subartikel (2) by te dra, maar wat verkies het om nie aldus by te dra nie of wat vanweë haar ouderdom nie geregtig was om tot daardie fonds by te dra nie, is 'n bydraer tot die Fonds van die datum van haar aanstelling af as verpleegster, indien sy binne honderd-en-tachtig dae van die vasgestelde datum af skriftelik aldus verkies.

(5) Iemand wat op die dag onmiddellik voor die vasgestelde datum in ontvangs was van 'n jaargeld kragtens 'n wet by hierdie Ordonansie herroep, gaan voort om op of na die vasgestelde datum 'n jaargeld kragtens hierdie Ordonansie te ontvang.

(6) Niemand word as lid van die Fonds toegelaat—

- (a) indien sy vir die voltooiing of verrigting van bepaalde werk in diens geneem is; of
- (b) indien haar besoldiging uitsluitlik uit honoraria of toelaes bestaan; of
- (c) terwyl sy vir 'n bepaalde aantal maande of jare in diens is; of
- (d) terwyl sy tydelik in diens is; of
- (e) terwyl sy in 'n deeltydse hoedanigheid in diens is.

4. (1) Die pensioengewende diens met betrekking waartoe 'n pensioen bereken moet word, moet aan eenlopend wees en omvat—
Pensioen-
gewende
dienst.

- (a) die tyd deurgebring—
 - (i) in normale diens terwyl sy by die Departement as 'n verpleegster in diens is;
 - (ii) tydens afwesigheid met verlof;
 - (iii) tydens skorsing uit diens, indien gevolg deur herstelling in dieselfde of 'n ander pos:

Met dien verstande dat geen tydperk van diens, verlof tot afwesigheid of skorsing uit diens van 'n lid by haar pensioengewende diens gereken word nie, tensy sy ten opsigte van sodanige tydperk tot die Fonds bygedra het of verkies het om daar toe by te dra.

- (b) any period in respect of which a member elected to contribute to the Fund in terms of the provisions of paragraph (a) of sub-section (1) of section five; and
- (c) any period a member elected to include in her pensionable service in terms of the provisions of paragraph (b) of sub-section (1) of section five.

(2) The period of pensionable service shall be calculated by the year and month and fractions of a month shall be disregarded.

Election by member to increase pensionable service.

5. (1) Subject to the provisions of sub-section (6) of section ten, a member may, on application to the Department and after approval by the Provincial Secretary, elect—

- (a) to contribute to the Fund in respect of—
- (i) the whole or part of a period of temporary employment in the Administration which is continuous with a current period of employment as a nurse: Provided that such period shall include the period during which the provisions of paragraph (a) or (c) of sub-section (6) of section three applied to the member;
 - (ii) the whole or part of any period between the date on which she attained the age of twenty-five years and the date of commencement of her current period of continuous employment; and
 - (iii) the intervening period between a period of previous employment in respect of which she contributed to the Fund and the date on which she attained the age of twenty-five years;
- (b) to include in her pensionable service, any previous period of employment in respect of which she contributed to the Fund.

(2) Application for approval in terms of sub-section (1) shall be made by a new member within three hundred and sixty-five days from the date she becomes a member or where such member is appointed on probation within three hundred and sixty-five days from the date on which she is informed by the Department of the confirmation of her appointment and within three hundred and sixty-five days from the fixed date in the case of an old member and the election by a new or old member after such approval shall be made in writing within thirty days from the date upon which she is called upon to elect.

Rate of contribution by members.

6. (1) An old member, shall as from the fixed date and a new member shall, as from the commencement of her pensionable service, contribute to the Fund in accordance with the rate prescribed in the following scale:—

Age last birthday at commencement of pensionable service.	Per cent of pensionable emoluments.
Under 35 years.....	6·00
35 years.....	6·25
36 years.....	6·50
37 years.....	6·75
38 years.....	7·00
39 years.....	7·25
40 years.....	7·50
41 years.....	7·75
42 years.....	8·00
43 years.....	8·25
44 years and over.....	8·50

Provided that the scale of contribution shall not apply in respect of any previous period of employment as described in paragraph (b) of sub-section (1) of section five.

- (b) enige tydperk ten opsigte waarvan 'n lid verkies het om ingevolge die bepalings van paragraaf (a) van subartikel (1) van artikel vyf tot die Fonds by te dra; en
- (c) enige tydperk wat 'n lid verkies het om ingevolge die bepalings van paragraaf (b) van subartikel (1) van artikel vyf by haar pensioengewende diens in te sluit.

(2) Die tydperk van pensioengewende diens word by die jaar en maand bereken en breukdele van 'n maand word buite rekening gelaat.

5. (1) Behoudens die bepalings van subartikel (6) van artikel tien, kan 'n lid, nadat sy by die Departement aansoek gedoen het en na goedkeuring deur die Provinciale Sekretaris, kies—

- (a) om tot die Fonds by te dra ten opsigte van—

- (i) die hele of gedeelte van 'n tydperk van tydelike diens by die Administrasie wat aaneenlopend is met 'n huidige tydperk van diens as 'n verpleegster: Met dien verstande dat sodanige tydperk die tydperk waartydens die bepalings van paragraaf (a) of (c) van subartikel (6) van artikel drie op die lid van toepassing was, insluit;
- (ii) die hele of gedeelte van 'n tydperk tussen die datum waarop sy die ouderdom van vyf-en-twintig jaar bereik en die datum waarop haar huidige tydperk van aaneenlopende diens 'n aanvang neem; en
- (iii) die tydperk tussen 'n tydperk van vorige diens ten opsigte waarvan sy tot die Fonds bygedra het en die datum waarop sy die ouderdom van vyf-en-twintig jaar bereik het;

- (b) om by haar pensioengewende diens enige vorige tydperk van diens in te sluit ten opsigte waarvan sy tot die Fonds bygedra het.

(2) Aansoek om goedkeuring ingevolge subartikel (1) word deur 'n nuwe lid binne driehonderd vyf-en-sestig dae van die datum af waarop sy 'n lid word of indien sodanige lid op proef aangestel is, binne driehonderd vyf-en-sestig dae van die datum af waarop sy deur die Departement van die bekratiging van haar aanstelling in kennis gestel is en, in geval van 'n ou lid, binne driehonderd vyf-en-sestig dae van die vasgestelde datum af en die keuse deur 'n nuwe of 'n ou lid, na sodanige goedkeuring, moet skriftelik gedoen word binne dertig dae van die datum af waarop sy versoek word om te kies.

6. (1) 'n Ou lid moet van die vasgestelde datum af en 'n nuwe lid van die aanvang van haar pensioengewende diens af, tot die Fonds bydra ooreenkomsdig die tarief in die volgende skaal voorgeskryf:—

Ouderdom jongste verjaarsdag by aanvang van pensioengewende diens.	Persentasie van pensioengewende emolumente.
Onder 35 jaar.....	6·00
35 jaar.....	6·25
36 jaar.....	6·50
37 jaar.....	6·75
38 jaar.....	7·00
39 jaar.....	7·25
40 jaar.....	7·50
41 jaar.....	7·75
42 jaar.....	8·00
43 jaar.....	8·25
44 jaar.....	8·50
44 en meer.....	8·50

Tarief van bydrae deur lede.

Met dien verstande dat die skaal van bydrae nie van toepassing is nie ten opsigte van 'n vorige dienstydperk soos beskryf in paragraaf (b) van subartikel (1) van artikel vyf.

(2) A member who has elected to contribute to the Fund in respect of a period as described in sub-section (4) of section *three* or in sub-paragraph (i) of paragraph (a) of sub-section (1) of section *five* shall pay contributions to the Fund in respect of such period in accordance with the rates prescribed in sub-section (1), calculated on her pensionable emoluments during such period.

(3) A member who has elected to contribute to the Fund in respect of any period as described in sub-paragraphs (ii) and (iii) of paragraph (a) of sub-section (1) of section *five* shall contribute to the Fund in respect of such period in accordance with the rates prescribed in sub-section (1), calculated as if during that period her pensionable emoluments were equal to her pensionable emoluments at the date of commencement of her current period of continuous employment.

(4) For the purpose of determining the rate of contribution by a member any period as described in sub-section (1) of section *five* in respect of which a member elects to contribute to the Fund or which she elects to include in her pensionable service shall be deemed to be a period of service immediately preceding her current period of employment as a nurse.

(5) For the purpose of this Ordinance, contributions made at the prescribed rate in terms of a law repealed by this Ordinance, shall be deemed to be contributions made in accordance with the provisions of this section.

Contributions by members.

7. (1) Contributions by a member to the Fund shall, with effect from the date she is appointed as a nurse, be made by deductions from her pensionable emoluments at the end of each month or at such other times and in such other manner as the Provincial Secretary may determine.

(2) A member who has elected to include in her pensionable service any previous period of employment in respect of which she contributed to the Fund, shall refund to the Fund either by a single payment, or by instalments approved by the Provincial Secretary, an amount equal to the monetary benefit paid to her from the Fund at the time of the termination of such period of employment together with interest thereon, calculated at the rate of four per cent per annum, annually compounded as at the thirty-first day of March, from the date the monetary benefit was paid to her up to the day on which the amount payable by her is refunded and where the amount is refunded by instalments, such interest shall continue to be paid on the monthly balance of such amount as is outstanding.

(3) A member who has elected to contribute to the Fund in respect of a period of employment as described in sub-section (4) of section *three* or in sub-paragraph (i) of paragraph (a) of sub-section (1) of section *five* shall pay into the Fund either by a single payment, or by instalments approved by the Provincial Secretary, the contributions due to the Fund in respect of such period of employment together with interest thereon, calculated at the rate of four per cent per annum, annually compounded as at the thirty-first day of March, from the commencement of the period of employment in respect of which the member has elected to contribute to the Fund up to the day on which the arrears are liquidated and where such arrears are liquidated by instalments, such interest shall continue to be paid on the monthly balance of such arrears as is out-

(2) 'n Lid wat gekies het om tot die Fonds by te dra ten opsigte van 'n tydperk soos beskryf in subartikel (4) van artikel *drie* of in subparagraaf (i) van paragraaf (a) van subartikel (1) van artikel *vyf*, moet bydraes ten opsigte van sodanige tydperk in die Fonds stort in ooreenstemming met die tariewe voorgeskryf in subartikel (1), bereken op haar pensioengewende emolumente gedurende sodanige tydperk.

(3) 'n Lid wat gekies het om tot die Fonds by te dra ten opsigte van enige tydperk soos beskryf in subparagrafe (ii) en (iii) van paragraaf (a) van subartikel (1) van artikel *vyf* moet ten opsigte van sodanige tydperk tot die Fonds bydra in ooreenstemming met die tariewe voorgeskryf in subartikel (1), bereken asof haar pensioengewende emolumente gedurende daardie tydperk gelyk was aan haar pensioengewende emolumente op die datum van aanvang van haar huidige tydperk van aaneenlopende diens.

(4) Vir die doel om die tarief van bydrae deur 'n lid vas te stel, word enige tydperk soos beskryf in subartikel (1) van artikel *vyf* ten opsigte waarvan 'n lid kies om tot die Fonds by te dra of kies om dit by haar pensioengewende diens in te sluit, geag 'n tydperk van diens te wees wat haar huidige tydperk van diens as 'n verpleegster onmiddellik voorafgaan.

(5) Vir die toepassing van hierdie Ordonnansie, word bydraes gemaak teen 'n voorgeskrewe tarief kragtens 'n wet deur hierdie Ordonnansie herroep, geag bydraes te wees wat ooreenkomsdig die bepalings van hierdie artikel gemaak is.

7. (1) Bydraes deur 'n lid tot die Fonds word, Bydraes
deur ledas. met ingang van die datum waarop sy as verpleegster aangestel is, gemaak by wyse van afname van haar pensioengewende emolumente aan die einde van elke maand of op sodanige ander tye en op sodanige ander wyse as wat die Provinciale Sekretaris bepaal.

(2) 'n Lid wat gekies het om 'n vorige tydperk van diens ten opsigte waarvan sy tot die Fonds bygedra het, by haar pensioengewende diens in te sluit, moet of by wyse van 'n enkele betaling of by wyse van paaiemende deur die Provinciale Sekretaris goedgekeur, 'n bedrag aan die Fonds terugbetaal, wat gelykstaan met die geldelike voordeel aan haar uit die Fonds betaal aan die einde van sodanige tydperk van diens, tesame met rente daarop, wat bereken word teen 'n koers van vier persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, van die datum af waarop die geldelike voordeel aan haar betaal is tot op die dag waarop die bedrag deur haar betaalbaar, terugbetaal is en, waar die bedrag by wyse van paaiemende terugbetaal word, word daar voortgegaan om sodanige rente te betaal op die maandelikse saldo van sodanige bedrag wat nog uitstaande is.

(3) 'n Lid wat gekies het om ten opsigte van 'n tydperk van diens soos beskryf in subartikel (4) van artikel *drie* of in subparagraaf (i) van paragraaf (a) van subartikel (1) van artikel *vyf*, tot die Fonds by te dra, moet aan die Fonds inbetaal of by wyse van 'n enkele betaling of by wyse van paaiemende goedgekeur deur die Provinciale Sekretaris die bydraes aan die Fonds verskuldig ten opsigte van sodanige tydperk van diens tesame met rente daarop, wat bereken word teen 'n koers van vier persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, met ingang van die tydperk van diens ten opsigte waarvan die lid gekies het om tot die Fonds by te dra tot op die dag waarop die agterstallige bedrae gelikwiede word en waar sodanige agterstallige bedrae by wyse van paaiemende gelikwiede word, word daar voortgegaan om sodanige rente te betaal op die maandelikse saldo van sodanige agterstallige bedrae wat nog uitstaande is.

(4) A member who has elected to contribute to the Fund in respect of a period as described in sub-paragraph (ii) or (iii) of paragraph (a) of subsection (1) of section five shall in respect of that period contribute to the Fund an amount equal to the amount she would have contributed to the Fund had she been a member of the Fund during that period, and an amount equal to the amount which would have been paid from revenue in respect thereof and such amounts shall, subject to the provisions of sub-sections (6) and (7) be deemed to comprise contributions and interest.

(5) The amount to be contributed in terms of sub-section (4) shall be due on the date of the member's most recent appointment as a nurse and shall, if not paid on that date, bear interest at the rate of four per cent per annum, annually compounded as at the thirty-first day of March, calculated from that date to the date on which the amount is liquidated and where such amount is liquidated by instalments, such interest shall continue to be paid on the monthly balance of such amount as is outstanding.

(6) Where the period referred to in sub-section (4) is continuous with the most recent appointment of the member as a nurse the amount contributed in terms of that sub-section shall be apportioned into contributions and interest and the percentage to be treated as contributions shall be determined in accordance with the provisions of the First Schedule to this Ordinance.

(7) Where the period referred to in sub-section (4) is not continuous with the most recent appointment of the member as a nurse, the amount of contributions apportioned in terms of sub-section (6) shall be further apportioned into contributions and interest in accordance with the provisions of the Second Schedule to this Ordinance.

(8) For the purpose of sub-sections (6) and (7) fractions of a year shall be disregarded.

(9) Where arrear contributions or any other amount due to the Fund is being liquidated by instalments, such instalments shall not be at a lesser rate than two per cent of a member's pensionable emoluments and shall be completed before the attainment by the member of her prescribed age of retirement: Provided that in the event of a member having retired before attaining the prescribed age of retirement, such instalments shall be deducted from her annuity and shall be completed within five years from the date of her retirement.

(10) Where arrear contributions or any amount due to the Fund by a member is being liquidated by instalments and the member dies or leaves the service of the Department before she has completed such payments, any balance outstanding, including interest, shall be deducted from any amount payable from the Fund.

(11) A member shall continue to contribute to the Fund while on leave with full pay, leave with pay less than full pay or leave for a period not in excess of thirty days without pay and her contributions shall in any event be payable on the full pensionable emoluments which would have been paid had the member not been on leave.

(12) A member may elect in writing to contribute to the Fund in respect of authorised leave without pay for a period in excess of thirty days if such election is received by the Provincial Secretary within sixty days after the termination of such leave and the amount to be contributed shall be calculated on the pensionable emoluments of the member immediately prior to the

(4) 'n Lid wat gekies het om ten opsigte van 'n tydperk soos beskryf in subparagraph (ii) of (iii) van paragraaf (a) van subartikel (1) van artikel vyf tot die Fonds by te dra, moet ten opsigte van daardie tydperk 'n bedrag tot die Fonds bydra wat gelykstaan met die bedrag wat sy tot die Fonds sou bygedra het as sy gedurende daardie tydperk 'n lid van die Fonds was, en 'n bedrag wat gelykstaan met die bedrag wat ten opsigte daarvan uit inkomste sou betaal gewees het, en sodanige bedrae word, behoudens die bepalings van subartikels (6) en (7), geag bydraes en rente te omvat.

(5) Die bedrag wat kragtens subartikel (4) bygedra moet word, is betaalbaar op die datum van die lid se jongste aanstelling as verpleegster en, indien nie op daardie datum betaal nie, dra dit rente teen 'n koers van vier persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, bereken van daardie datum af tot op die datum waarop die bedrag gelikwdeer is en, waar sodanige bedrag by wyse van paaiemende gelikwdeer word, word daar voortgegaan om sodanige rente te betaal op die maandelikse saldo van sodanige bedrag wat nog uitstaande is.

(6) Waar die tydperk in subartikel (4) genoem, aaneenlopend is met die jongste aanstelling van die lid as verpleegster, word die bedrag kragtens daardie subartikel bygedra, in bydraes en rente verdeel en die persentasie as bydraes bekhou te word, word vasgestel ooreenkomsdig die bepalings van die Eerste Bylae by hierdie Ordonnansie.

(7) Waar die tydperk in subartikel (4) genoem, nie aaneenlopend is met die jongste aanstelling van die lid as verpleegster nie, word die bedrag van bydraes verdeel kragtens subartikel (6), verder verdeel in bydraes en rente ooreenkomsdig die bepalings van die Tweede Bylae by hierdie Ordonnansie.

(8) Vir die toepassing van subartikel (6) en (7) word breukdele van 'n jaar buite rekening gelaat.

(9) Waar agterstallige bydraes of enige ander bedrag aan die Fonds verskuldig, by wyse van paaiemende gelikwdeer word, mag sodanige paaiemende nie teen 'n laer tarief wees as twee persent van 'n lid se pensioengewende emolumente nie en moet dit voltooi wees voordat die lid haar voorgeskrewe uitdienstredingsouderdom bereik: Met dien verstande dat, ingeval 'n lid uit diens getree het voordat sy die voorgeskrewe uitdienstredingsouderdom bereik het, sodanige paaiemende van haar jaargeld afgetrek word en voltooi moet wees binne vyf jaar van die datum van haar uitdienstreding af.

(10) Waar agterstallige bydraes of enige bedrag deur 'n lid aan die Fonds verskuldig, by wyse van paaiemende gelikwdeer word en die lid sterf of verlaat die diens van die Departement voordat sy sodanige betalings voltooi het, word enige uitstaande saldo, met inbegrip van rente, van enige bedrag wat uit die Fonds betaalbaar is, afgetrek.

(11) 'n Lid gaan voort om tot die Fonds by te dra terwyl sy met verlof met volle besoldiging, verlof met minder as volle besoldiging of met verlof vir 'n tydperk van hoogstens dertig dae sonder besoldiging is, en haar bydraes is in ieder geval betaalbaar op die volle pensioengewende emolumente wat betaal sou gewees het indien die lid met verlof was nie.

(12) 'n Lid kan skriftelik kies om tot die Fonds by te dra ten opsigte van gemagtigde verlof sonder besoldiging vir 'n tydperk wat langer as dertig dae is, as sodanige keuse binne sesig dae nadat sodanige verlof geëindig het, deur die Provinciale Sekretaris ontvang word en die bedrag wat bygedra moet word, word bereken op die pensioengewende emolumente van die lid onmiddellik voor

commencement of such leave and shall be paid by the member in a lump sum within ninety days of the termination of such leave, or, with the consent of the Provincial Secretary, in such instalments, to be deducted from her monthly emoluments, as will ensure that the amount due by her shall be paid within one hundred and eighty days from the termination of such leave.

(13) A member who has been suspended from duty in the Department and who is thereafter re-instated in her post or in any other post in the Department and who receives emoluments for the period of suspension shall contribute to the Fund in respect of that period and the contributions in respect of that period shall be calculated on her pensionable emoluments at the date of her re-instatement, and shall be recovered from any payment of emoluments in respect of such period or if any such member received no emoluments in respect of the period of suspension the member may elect in writing to contribute to the Fund in respect of such period if such election is received by the Provincial Secretary within thirty days after the date of her re-instatement and the amount to be contributed shall be calculated on the pensionable emoluments of the member at the date of her re-instatement and shall be paid by the member in a lump sum within ninety days of the date of her re-instatement or, with the consent of the Provincial Secretary, in such instalments, to be deducted from her monthly emoluments, as will ensure that the amount due by her shall be paid within one hundred and eighty days from the date of such re-instatement.

Contributions by Administration.

8. (1) The Administration shall, as from the fixed date, pay out of revenue to the Fund—

- (a) a sum equal to the aggregate of the monthly contributions by members, at the prescribed rates, in respect of employment for which current contributions are made;
- (b) a sum equal to the amounts due by members in respect of the whole or part of a period of employment under the Department which is continuous with a current period of employment in a permanent and full-time capacity and in respect of which contributions are made, together with interest thereon calculated at the rate of four per cent per annum, annually compounded as at the thirty-first day of March, from the date of commencement of such employment up to the date of payment;
- (c) interest at the rate of four per cent per annum on the daily uninvested balance of the Fund; and
- (d) any other moneys due to the Fund by the Administration.

(2) The amounts referred to in paragraphs (a) and (c) of sub-section (1) shall be paid to the Fund monthly and all amounts referred to in paragraphs (b) and (d) of sub-section (1) shall be paid as soon as those amounts can be ascertained.

Method of calculation of annuity.

9. (1) Subject to the provisions of this Ordinance an annuity payable out of the Fund shall be based on the annual average pensionable emoluments of the retiring member for the last seven years of her period of pensionable service and shall be calculated at the rate of one-sixtieth of such average pensionable emoluments for each year of pensionable service: Provided that—

- (a) no annuity shall be paid out of the Fund to a member unless she has had ten years or more of pensionable service;
- (b) no annuity payable out of the Fund to an old member shall be at a lesser rate than sixty pounds per annum and no annuity

die aanvang van sodanige verlof en dit moet deur die lid in 'n ronde bedrag betaal word binne negentig dae vandat sodanige verlof geëindig het of, met die goedkeuring van die Proviniale Sekretaris, in sodanige paaiemente, van haar maandelikse emolumente afgetrek te word as wat sal verseker dat die bedrag deur haar verskuldig binne honderd-en-tagtig dae vandat sodanige verlof geëindig het, betaal word.

(13) 'n Lid wat in diens van die Departement geskors is en wat daarna in haar pos of in 'n ander pos in die Departement herstel is en wat emolumente ontvang vir die tydperk van skorsing, moet tot die Fonds bydra ten opsigte van daardie tydperk en die bydraes ten opsigte van daardie tydperk word bereken op haar pensioengewende emolumente op die datum van haar herstelling en word verhaal met enige betaling van emolumente ten opsigte van sodanige tydperk of, indien so 'n lid geen emolumente ontvang nie ten opsigte van die tydperk van skorsing, kan die lid skriftelik kies om tot die Fonds by te dra ten opsigte van sodanige tydperk, as sodanige keuse binne dertig dae na die datum van haar herstelling deur die Proviniale Sekretaris ontvang word, en die bedrag bygedra te word, word bereken op die pensioengewende emolumente van die lid op die datum van haar herstelling en moet deur die lid in 'n ronde bedrag betaal word binne negentig dae van die datum van haar herstelling af of, met die goedkeuring van die Proviniale Sekretaris, in sodanige paaiemente van haar maandelikse emolumente afgetrek te word as wat sal verseker dat die bedrag deur haar verskuldig binne honderd-en-tagtig dae van die datum van haar herstelling af, betaal word.

8. (1) Die Administrasie stort van die vasgestelde datum af uit inkomste in die Fonds—

- (a) 'n bedrag gelykstaande met die totaal van die maandelikse bydraes deur lede teen die voorgeskrewe tariewe, ten opsigte van diens waarvoor lopende bydraes geskied;
- (b) 'n bedrag gelykstaande met die bedrae verskuldig deur lede ten opsigte van die hele of 'n gedeelte van 'n tydperk van diens in die Departement wat aaneenlopend is niet 'n huidige tydperk van diens as verpleegster en ten opsigte waarvan bydraes geskied, tesame met rente daarop bereken teen 'n koers van vier persent per jaar, jaarliks op die een-en-dertiende dag van Maart saamgestel, van die datum van aanvang van sodanige diens af tot op die datum van betaling;
- (c) rente teen 'n koers van vier persent per jaar op die daagliks onbelegde saldo van die Fonds; en
- (d) enige ander geldie deur die Administrasie aan die Fonds verskuldig.

(2) Die bedrae in paragrawe (a) en (c) van subartikel (1) genoem, moet maandeliks in die Fonds gestort word en alle bedrae in paragrawe (b) en (d) van subartikel (1) genoem, moet gestort word sodra daardie bedrae vasgestel kan word.

9. (1) Behoudens die bepalings van hierdie Ordonnantie, word 'n jaargeld betaalbaar uit die Fonds gebaseer op die jaarlikse gemiddelde pensioengewende emolumente van die uittredende lid vir die laaste sewe jaar van haar tydperk van pensioengewende diens en dit word bereken teen 'n tarief van een sestigste van sodanige gemiddelde pensioengewende emolumente vir elke jaar van pensioengewende diens: Met dien verstande dat—

- (a) geen jaargeld uit die Fonds aan 'n lid betaal word nie, tensy sy tien of meer jaar pensioengewende diens gehad het nie;
- (b) geen jaargeld uit die Fonds aan 'n ou lid betaalbaar teen 'n laer tarief mag wees nie as sestig pond per jaar en geen jaargeld

Bydraes deur Administrasie.

Metode waarvolgens jaargeld bereken word.

- payable to a new member shall be at a lesser rate than sixty pounds per annum in the case of a white person and thirty-six pounds per annum in the case of a person other than a white person;
- (c) if a member is awarded more than one annuity out of the Fund, the annuities awarded shall, for the purpose of determining the minimum annuity payable in terms of paragraph (b) be regarded as one annuity.

(2) For the purpose of this section the period of pensionable service shall be calculated by the year and month and fractions of a month shall be disregarded.

Retirement
at, after or
before the
prescribed
age.

10. (1) A new member shall have attained the age of retirement and shall have the right to retire on pension and shall be so retired when she attains the age of sixty-five years.

(2) An old member shall have attained the age of retirement and shall have the right to retire on pension or may be retired by the Administrator when she attains the age of fifty-five years, but such a member may only retire on pension or be so retired, on the date she attains the prescribed age of retirement or any subsequent date not later than the date she attains the age of sixty-five years, after at least three months written notice has been given either by the member or with the approval of the Administrator, by the Director: Provided that if the Administrator deems it desirable in the interest of the Department to retain a member in her post after she attains the age of sixty-five years, such member may be retained for a further period but in any event not exceeding beyond the last day of the year in which she attains the age of sixty-five years.

(3) Notwithstanding the provisions of subsections (1) and (2) a member may retire on pension on or after attaining the age of—

- (a) sixty years in the case of a new member; and
(b) fifty-five years in the case of an old member.

(4) A member who retires in accordance with the provisions of sub-section (3) shall receive an annuity as provided for in section nine but subject to a deduction of one-third of one per cent in respect of each month or part thereof by which the prescribed age of retirement exceeds the actual age of such member at retirement.

(5) A member who in terms of the Hospitals Ordinance, 1958, is retired owing to the abolition of her post and who has had ten years or more pensionable service, shall receive an annuity as provided for in section nine: Provided that all payments of such annuity, before such member attains the prescribed age of retirement, shall be made out of revenue and all such payments made thereafter shall be made out of the Fund.

(6) A member who in terms of the Hospitals Ordinance, 1958, is retired on grounds of continued ill-health not caused by her own default and who has had ten years or more pensionable service, shall receive an annuity calculated as provided for in section nine: Provided that if such a member is again appointed as a nurse, she shall retain such annuity and shall be regarded as a new member and shall notwithstanding the provisions of this Ordinance, only be allowed to contribute to the Fund as from the date of such appointment.

aan 'n nuwe lid betaalbaar teen 'n laer tarief mag wees nie as sestig pond per jaar in die geval van 'n blanke persoon en ses-en-dertig pond per jaar in die geval van iemand uitgesonderd 'n blanke persoon;

- (c) indien aan 'n lid meer as een jaargeld uit die Fonds toegeken word, die jaargelde toegeken, vir die doel om die minimum jaargeld kragtens paragraaf (b) betaalbaar, vas te stel, as een jaargeld beskou word.

(2) Vir die toepassing van hierdie artikel word, die tydperk van pensioengewende diens by die jaar en maand bereken en breukdele van 'n maand word buite rekening gelaat.

10. (1) 'n Nuwe lid bereik die ouderdom vir uitdienstreding en het die reg om met pensioen uit te tree en word met pensioen afgedank wanneer sy die ouderdom van vyf-en-sestig jaar bereik.

(2) 'n Ou lid bereik die ouderdom vir uitdienstreding en het die reg om met pensioen uit te tree of die Administrateur kan haar met pensioen afgedank wanneer sy die ouderdom van vyf-en-vyftig bereik, maar sodanige lid mag slegs met pensioen uittree of aldus afgedank word op die datum waarop sy die voorgeskrewe ouderdom vir uitdienstreding bereik of op enige datum daarna wat nie later is nie as die datum waarop sy die ouderdom van vyf-en-sestig jaar bereik nadat minstens drie maande skriftelik kennis gegee is deur of die lid of met die goedkeuring van die Administrateur, die Direkteur: Met dien verstande dat, indien die Administrateur dit in die belang van die Departement wenslik ag om 'n lid in haar pos aan te hou nadat sy die ouderdom van vyf-en-sestig jaar bereik, sodanige lid vir 'n verdere tydperk aangehou kan word, maar in ieder geval nie langer nie as die laaste dag van die jaar waarin sy die leeftye van vyf-en-sestig jaar bereik.

(3) Ondanks die bepalings van subartikel (1) en (2), kan 'n lid met pensioen uittree met of na bereiking van die ouderdom van—

- (a) sestig jaar in die geval van 'n nuwe lid; en
(b) vyftig jaar in die geval van 'n ou lid.

(4) 'n Lid wat ooreenkomsdig die bepalings van subartikel (3) uit diens tree, ontvang 'n jaargeld soos bepaal in artikel nege, maar onderworpe aan 'n aftrekking van een derde van een persent ten opsigte van elke maand of gedeelte daarvan waarmee die voorgeskrewe ouderdom vir uitdienstreding die werklike ouderdom van sodanige lid met uitdienstreding oorskry.

(5) 'n Lid wat kragtens die Ordonnansie op Hospitale, 1958, afgedank word weens die afskaffing van haar pos en wat tien jaar of meer pensioengewende diens gehad het, ontvang 'n jaargeld soos bepaal in artikel nege: Met dien verstande dat alle betalings van sodanige jaargeld voordat sodanige lid die voorgeskrewe ouderdom vir uitdienstreding bereik, uit inkoste gedoen moet word en alle sodanige betalings daarna, uit die Fonds gedoen moet word.

(6) 'n Lid wat kragtens die Ordonnansie op Hospitale, 1958, afgedank word op grond van voortdurende swak gesondheid wat nie deur haar eie nalatigheid veroorsaak is nie en wat tien jaar of meer pensioengewende diens gehad het, ontvang 'n jaargeld bereken soos bepaal in artikel nege: Met dien verstande dat, indien sodanige lid weer as verpleegster aangestel word, sy sodanige jaargeld behou en as 'n nuwe lid beskou word en, ondanks die bepalings van hierdie Ordonnansie, slegs toegelaat word om tot die Fonds by te dra met ingang van die datum van sodanige aanstelling af.

Uitdienstreding op,
na of voor
die voor-
geskrewe
ouderdom.

(7) Notwithstanding the provisions of subsection (1) and (2) a member may be retired on pension by the Administrator if she has attained the age of—

(a) sixty years in the case of a new member; and

(b) fifty years in the case of an old member; and shall, if she has contributed to the Fund in respect of a period of ten years or more, receive an annuity calculated as provided for in section nine: Provided that all payments of such annuity, before such member attains the prescribed age of retirement shall be paid out of revenue and all such payments made thereafter shall be paid out of the Fund.

Benefits other than annuities.

11. (1) A member shall, if—

(a) she resigns from the service of the Department; or

(b) her service is terminated on account of inefficiency in terms of the Hospitals Ordinance, 1958,

be entitled—

(i) if she has less than three years pensionable service to a refund of her contributions to the Fund in accordance with the provisions of section six; or

(ii) if she has three years or more pensionable service to a refund of her contributions to the Fund in accordance with the provisions of section six, together with a percentage of the total of such contributions for each completed year of pensionable service and such percentage shall be in accordance with the following scale:—

<i>Years of pensionable service</i>	<i>Percentage for each year.</i>
Three years, but less than five years	1½
Five years, but less than ten years	1½
Ten years or more.....	2

and a proportionate amount shall be added for each month of an incomplete year of pensionable service: Provided that in calculating the period of pensionable service fractions of a month shall be disregarded.

(2) A member who has less than ten years pensionable service and who—

(a) in terms of the Hospitals Ordinance, 1958, is retired from the service of the Department on account of the abolition of her post;

(b) in terms of the Hospitals Ordinance, 1958, is retired on grounds of continued ill-health not caused by her own default;

(c) is retired in terms of sub-section (7) of section ten; or

(d) is retired on attaining the prescribed age of retirement;

shall be entitled to a refund of a sum equal to twice the amount of her contributions to the Fund in accordance with the provisions of section six.

(3) A member who has ten years or more pensionable service and who in terms of the Hospitals Ordinance, 1958, is discharged from the service of the Department on account of misconduct or who is called upon to resign and so resigns, shall receive a refund of her contributions to the Fund in accordance with the provisions of section six, together with one and a quarter per cent of such total contributions for each completed year of pensionable service and a proportionate amount for each month of an incomplete year of pensionable service: Provided that in calculating the period of pensionable service fractions of a month shall be disregarded.

(7) Ondanks die bepalings van subartikels (1) en (2), kan die Administrateur 'n lid met pensioen af dank as sy die ouderdom bereik het van—

(a) sestig jaar in die geval van 'n nuwe lid; en

(b) vyftig jaar in die geval van 'n ou lid, en sy ontvang, indien sy tot die Fonds bygedra het ten opsigte van 'n tydperk van tien jaar of meer, 'n jaargeld bereken soos bepaal in artikel nege: Met dien verstande dat alle betalings van sodanige jaargeld, voordat sodanige lid die voorgeskrewe ouderdom vir uitdienstreding bereik, uit inkomste, en alle sodanige betalings daarna gedoen, uit die Fonds gedoen moet word.

11. (1) 'n Lid is, indien—

(a) sy uit die diens van die Departement bedank; of

(b) haar diens kragtens die Ordonnansie op Hospitale, 1958, op grond van onbekwaamheid, beëindig word,

geregtig—

(i) as sy minder as drie jaar pensioengewende diens het, tot 'n terugbetaling van haar bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses; of

(ii) as sy drie jaar of meer pensioengewende diens het, tot 'n terugbetaling van haar bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses, tesame met 'n persentasie van die totaal van sodanige bydraes vir elke volle jaar van pensioengewende diens en sodanige persentasie moet ooreenkomsdig die volgende skaal wees:—

<i>Jare van pensioengewende diens.</i>	<i>Persentasie vir elke jaar.</i>
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Drie jaar, maar minder as vyf jaar	1½
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Vyf jaar, maar minder as tien jaar	1½
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Tien jaar of meer.....	2
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en 'n eweredige bedrag word bygevoeg vir elke maand van 'n onvoltooide jaar van pensioengewende diens: Met dien verstande dat by die berekening van die tydperk van pensioengewende diens breakdele van 'n maand buite rekening gelaat word.

(2) 'n Lid wat minder as tien jaar pensioengewende diens het en wat—

(a) ingevolge die Ordonnansie op Hospitale, 1958, op grond van die afskaffing van haar pos uit die diens van die Departement afgedank word;

(b) ingevolge die Ordonnansie op Hospitale, 1958, afgedank word op grond van voortdurende swak gesondheid, wat nie deur haar eie nalatigheid veroorsaak is nie;

(c) afgedank word ingevolge subartikel (7) van artikel tien; of

(d) afgedank word by bereiking van die voorgeskrewe ouderdom vir uitdienstreding;

is geregtig tot 'n terugbetaling van 'n bedrag gelykstaande met twee maal die bedrag van haar bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses.

(3) 'n Lid wat tien jaar of meer pensioengewende diens het en wat ingevolge die Ordonnansie op Hospitale, 1958, op grond van wangedrag uit die diens van die Departement ontslaan word of wat aangesê word om te bedank en wat aldus bedank, ontvang 'n terugbetaling van haar bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses, tesame met een en 'n kwart persent van sodanige totale bydraes vir elke volle jaar van pensioengewende diens en 'n eweredige bedrag vir elke maand van 'n onvoltooide jaar van pensioengewende diens: Met dien verstande dat, by die berekening van die tydperk van pensioengewende diens, breakdele van 'n maand buite rekening gelaat word.

Ander voordele as haargedeelte.

(4) A member who has less than ten years pensionable service and who in terms of the Hospitals Ordinance, 1958, is discharged from the service of the Department on account of misconduct or who is called upon to resign and so resigns, shall be entitled to a refund of her contributions to the Fund in accordance with the provisions of section six.

(5) A member who resigns from the service of the Department on her marriage or who resigns and marries within ninety days of the termination of her service, and who has not less than five years pensionable service, shall be entitled to a refund of a sum equal to twice the amount of her contributions to the Fund in accordance with the provisions of section six.

Benefits payable in the event of death before retirement or within five years after the date of retirement.

12. (1) If a member, who has less than ten years pensionable service, dies while in the service of the Department, there shall, subject to the provisions of sub-section (3), be paid to or for the benefit of the person or persons mentioned in that sub-section a gratuity equal to twice the amount of her contributions to the Fund in accordance with provisions of section six.

(2) If a member, who has ten years or more pensionable service, dies while in the service of the Department there shall, subject to the provisions of sub-section (3), be paid to or for the benefit of the person or persons mentioned in that sub-section, a gratuity equal to either the annuity payments such member would have received for a period of five years if she had been retired in terms of sub-section (6) of section ten with effect from the day following upon the last day of her service or twice the amount of her contributions to the Fund in accordance with the provisions of section six, whichever is the greater.

(3) The gratuity provided for in sub-section (1) or (2) shall only be paid if any of the following persons survive the deceased member:—

- (a) a minor child or step-child;
- (b) a widower or major child or step-child, or a father, mother, brother or sister dependent upon such member for support and maintenance,

and shall not be paid to or for the benefit of any other person, and the payments shall be made in the following order of preference:—

- (i) A minor child or step-child;
- (ii) the widower;
- (iii) a major child or step-child;
- (iv) the father or mother;
- (v) a brother or sister:

Provided that the Administrator, having regard to the circumstances of the case, may—

- (aa) vary the order of preference; or
- (bb) apportion the gratuity amongst the persons mentioned in paragraphs (a) and (b) in such manner as he may determine; or
- (cc) except in the case of the persons mentioned in paragraph (a), reduce the gratuity to an extent which appears to him to be reasonable.

(4) If a member referred to in sub-section (1) or (2) does not leave any dependants as described in paragraph (a) or (b) of sub-section (3), there shall be paid to her estate an amount equal to her contributions to the Fund in accordance with the provisions of section six, less any amount that may be due by her to the Fund.

(4) 'n Lid wat minder as tien jaar pensioengewende diens het en wat, ingevolge die Ordonnansie op Hospitale, 1958, op grond van wangedrag uit die diens van die Departement ontslaan word of wat aangesê word om te bedank en aldus bedank, is geregtig tot 'n terugbetaling van haar bydraes tot die Fonds ingevolge die bepalings van artikel ses.

(5) 'n Lid wat by haar huwelik uit die diens van die Departement bedank of wat bedank en binne negentig dae van die beëindiging van haar diens af in die huwelik tree en wat minstens vyf jaar pensioengewende diens het, is geregtig tot 'n terugbetaling van 'n bedrag gelykstaande met twee maal die bedrag van haar bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses.

12. (1) As 'n lid wat minder as tien jaar pensioengewende diens het te sterwe kom terwyl sy in diens van die Departement is, word daar, behoudens die bepalings van subartikel (3), aan of ten bate van die persoon of persone genoem in daardie subartikel 'n gratifikasie betaal gelykstaande met twee maal die bedrag van haar bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses.

Voordele betaalbaar in geval van dood voor uitdiensstreding of binne vyf jaar na die datum van uitdiensstreding.

(2) As 'n lid wat tien jaar of langer pensioengewende diens het, te sterwe kom terwyl sy in diens van die Departement is, word daar, behoudens die bepalings van subartikel (3), aan of ten bate van die persoon of persone in daardie subartikel genoem, 'n gratifikasie betaal wat gelykstaande is met of die jaargeldbetelings wat sodanige lid sou ontvang het vir 'n tydperk van vyf jaar as sy ingevolge subartikel (6) van artikel tien uit die diens afgedank was met ingang van die dag wat volg op die laaste dag van haar diens, of twee maal die bedrag van haar bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses, naamlik, die grootste van die twee.

(3) Die gratifikasie waarvoor voorsiening gemaak word in subartikel (1) of (2) word slegs betaal as een van die volgende persone die afgestorwe lid oorleef—

- (a) 'n minderjarige kind of stiefkind; of
- (b) 'n wewenaar of meerderjarige kind of stiefkind, of 'n vader, moeder, broer of suster wat van sodanige lid vir steun en onderhoud afhanklik is,

en word nie aan of ten bate van enige ander persoon betaal nie en betalings word in die volgende orde van voorrang gedoen—

- (i) 'n minderjarige kind of stiefkind;
- (ii) die wewenaar;
- (iii) 'n meerderjarige kind of stiefkind;
- (iv) die vader of moeder;
- (v) 'n broer of suster:

Met dien verstande dat die Administrateur, met inagneming van die omstandighede van die geval—

- (aa) die orde van voorkeur kan wysig; of
- (bb) die gratifikasie onder die persone in paragraaf (a) en (b) genoem, op sodanige wyse as wat hy bepaal, kan verdeel; of
- (cc) die gratifikasie, in geval van ander persone as dié in paragraaf (a) genoem, kan verminder in die mate wat hy redelik ag.

(4) As 'n lid genoem in subartikel (1) of (2) geen afhanglik is soos omskryf in paragraaf (a) of (b) van subartikel (3) nalaat nie, word daar in haar boedel 'n bedrag gestort wat gelykstaande is met haar bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses, min enige bedrag wat deur haar aan die Fonds verskuldig is.

(5) If a member who has been awarded an annuity, dies within five years of such award, there shall be paid to or for the benefit of her dependants in the same order of preference and on the same conditions as provided for in sub-section (3) a gratuity equal to the total amount of the annuity payments that would have been paid to the member during the unexpired portion of the period of five years, had she not died, and if such member does not leave any dependants as described in sub-section (3) there shall be paid to her estate an amount equal to her contributions to the Fund in accordance with the provisions of section six, less any amount that she may have received in respect of annuity payments and commutation.

(6) Where a payment is made pursuant to the provisions of this section in accordance with information available to the Provincial Secretary after such enquiry as he may deem necessary, such payment shall, notwithstanding anything to the contrary contained in this section, for all purposes be deemed to be a sufficient compliance therewith.

Annuities
and other
benefits
payable
from
revenue.

13. If a member is retired from the service of the Department in terms of the Hospitals Ordinance, 1958, by reason of bodily injury or permanent ill-health arising out of and in the course of the discharge of her official duties, the Administrator shall, having regard to the circumstances of the case, award her out of revenue in lieu of any other benefit which may be payable under this Ordinance, and subject to the provisions of section twenty-nine of the Workmen's Compensation Act, 1941 (Act No. 30 of 1941)—

- (a) if it appears on such medical examination as may be approved of by the Provincial Secretary that her capacity to contribute to the support of herself and her dependants is impaired to the extent of eighty per cent or more, an annuity of not less than one-half and not more than two-thirds of her annual pensionable emoluments at the date of her retirement; or
- (b) if it appears on such examination that her capacity so to contribute is impaired to the extent of forty per cent or more but less than eighty per cent, either an annuity of not less than one-third and not more than one-half of her annual pensionable emoluments at the date of her retirement or a gratuity not exceeding twice her annual pensionable emoluments at that date; or
- (c) if it appears on such examination that her capacity so to contribute is impaired to the extent of less than forty per cent, an annuity not exceeding one-third of her annual pensionable emoluments at the date of her retirement or a gratuity not exceeding such emoluments:

Provided that—

- (i) no such pension shall be payable if in the opinion of the Administrator—
 - (aa) the injury or ill-health is attributable to the member's drunkenness or her serious and wilful misconduct, unless the Administrator, having regard to the circumstances of the case directs that the pension be payable; or
 - (bb) the injury or ill-health was continued or aggravated by the member's unreasonable and wilful refusal to submit to medical or surgical treatment or to obtain such treatment;

(5) As 'n lid aan wie 'n jaargeld toegeken is, binne vyf jaar na sodanige toekenning te sterwe kom, word daar aan of ten bate van haar afhanklikes in dieselfde orde van voorrang en op diezelfde voorwaardes soos bepaal in subartikel (3) 'n gratifikasie betaal wat gelykstaande is met die totale bedrag van die jaargeldbetelings wat gedurende die onverstreke gedeelte van die tydperk van vyf jaar betaal sou gewees het, as sy nie te sterwe gekom het nie, en indien sodanige lid geen afhanklikes, soos omskryf in subartikel (3) nalaat nie, word in haar boedel 'n bedrag gestort wat gelykstaande is met haar bydraes tot die Fonds ooreenkomstig die bepalings van artikel ses, min enige bedrag wat sy mag ontvang het ten opsigte van jaargeldbetelings en omsettings.

(6) Waar 'n betaling gedoen word ingevolge die bepalings van hierdie artikel ooreenkomstig inligting tot die beskikking van die Provinciale Sekretaris na sodanige navrae as wat hy nodig ag, word sodanige betaling ondanks andersluidende bepalings in hierdie artikel vervat, vir alle doelendes geag voldoende nakoming daarvan te wees.

13. (1) Indien 'n lid uit die diens van die Departement afgedank word ingevolge die Ordonnansie op Hospitale, 1958, op grond van liggaamlike letsel of voortdurende swak gesondheid wat ontstaan uit en in die loop van die vervulling van haar amptsligte, ken die Administrateur, met inagneming van die omstandighede van die geval, in plaas van enige ander voordeel wat ingevolge hierdie Ordonnansie betaalbaar is en behoudens die bepalings van artikel *nege-en-twintig* van die Ongevallewet, 1941 (Wet No. 30 van 1941), aan haar uit inkomste toe—

- (a) waar dit uit sodanige geneeskundige onderzoek as wat die Provinciale Sekretaris goedkeur, blyk dat haar vermoë om tot die onderhou van haarsel en haar afhanklikes by te dra, verswak is met tagtig persent of meer, 'n jaargeld van minstens die helfte en hoogstens twee derdes van haar jaarlikse pensioengewende emolumente op die datum van haar afdanking; of
- (b) waar dit uit sodanige onderzoek blyk dat haar vermoë om aldus by te dra verswak is met veertig persent of meer, maar met minder as tagtig persent, of 'n jaargeld van minstens een derde en hoogstens die helfte van haar jaarlikse pensioengewende emolumente op die datum van haar afdanking of 'n gratifikasie van hoogstens twee maal haar jaarlikse pensioengewende emolumente op daardie datum; of
- (c) waar dit uit sodanige onderzoek blyk dat haar vermoë om aldus by te dra met minder as veertig persent verswak is, 'n jaargeld wat hoogstens een derde van haar jaarlikse pensioengewende emolumente is op die datum van haar afdanking of 'n gratifikasie wat nie sodanige emolumente te bowe gaan nie:

Met dien verstande dat—

- (i) geen sodanige pensioen betaalbaar is nie as, na die mening van die Administrateur—

(aa) die letsel of swak gesondheid te wye is aan die lid se dronkenskap of haar ernstige en opsetlike wangedrag, tensy die Administrateur, met inagneming van die omstandighede van die geval, opdrag gee dat die pensioen betaalbaar is; of

(bb) die letsel of swak gesondheid verleng of vererger is deur die lid se onredelike en opsetlike weiering om haar aan genees- of heelkundige behandeling te onderwerp of om sodanige behandeling te verkry;

Jaargelds
en ander
voordele uit
inkomste
betaalbaar.

- (ii) where a gratuity is awarded to a member who has contributed to the Fund for a period of less than ten years, such gratuity shall not be less than the amount she would otherwise have received in terms of sub-section (2) of section *eleven*; or
- (iii) where an annuity is awarded to a member who has contributed to the Fund for a period of ten years or more, such annuity shall not be less than the annuity she would otherwise have received in terms of sub-section (6) of section *ten*.

(2) Any annuity awarded to a member under sub-section (1) shall in the first instance be awarded temporarily and may from time to time after such further medical examination as may be approved of by the Provincial Secretary, be increased or decreased by the Administrator according to any variation in the degree of disablement of the member, until the degree of disablement is finally determined within a period of five years from the date of retirement: Provided that if it is thereafter shown on medical examination approved by the Provincial Secretary that there has, in the opinion of the Administrator, been a substantial increase in the degree of disablement of such member, and that such increase arises out of the injury or ill-health which resulted in her retirement, the annuity may be increased accordingly by the Administrator.

(3) A gratuity may on or before a final determination in terms of sub-section (2), other than the proviso thereto, be substituted for the annuity and in that event any payment made in respect of the annuity may, in calculating such gratuity, be disregarded.

(4) Where a pension is awarded in accordance with the provisions of sub-section (1) or (6) there shall be paid from revenue to the Fund, on behalf of the member in respect of whom the pension is awarded, any amount due by the member to the Fund in respect of arrear contributions, and the member's contributions to the Fund in accordance with the provisions of section *six*, and the amount paid to the Fund in respect and on behalf of such member from revenue, together with one and three-quarter per cent of such total amount for each complete year of pensionable service and a proportionate amount for each completed month of an incomplete year of pensionable service, shall then be paid from the Fund to revenue: Provided that in calculating the period in respect of which contributions were made, fractions of a month shall be disregarded.

(5) If a member to whom an annuity has been awarded in terms of sub-section (1), dies within five years of the date of her retirement from the service of the Department and her death is not attributable to the injury sustained or the illness contracted in the circumstances described in that sub-section, there shall be paid out of revenue to or for the benefit of her dependants as described in sub-section (3) of section *twelve*, a gratuity equal to the total amount of the annuity payments that would have been paid to the member during the unexpired portion of the period aforesaid, had she not died.

(6) If a member dies as result of an injury sustained or an illness contracted in the circumstances described in sub-section (1), the Administrator shall, subject to the provisions of section *twenty-nine* of the Workmen's Compensation Act, 1941 (Act No. 30 of 1941), whether or not the

- (ii) waar 'n gratifikasie toegeken word aan 'n lid wat vir 'n tydperk van minder as tien jaar tot die Fonds bygedra het, sodanige gratifikasie nie minder mag wees nie as die bedrag wat sy andersins sou ontvang het kragtens subartikel (2) van artikel *elf*; of
- (iii) waar 'n jaargeld toegeken word aan 'n lid wat vir 'n tydperk van tien jaar of langer tot die Fonds bygedra het, sodanige jaargeld nie minder mag wees nie as die jaargeld wat sy andersins ingevolge subartikel (6) van artikel *tien* sou ontvang het.

(2) 'n Jaargeld kragtens subartikel (1) aan 'n lid toegeken, word in die eerste plek tydelik toegeken en kan van tyd tot tyd, na sodanige verdere geneeskundige ondersoek as wat die Provinciale Sekretaris goedkeur, deur die Administrateur vermeerder of verminder word na gelang van die verandering in die lid se mate van ongeskiktheid totdat die mate van ongeskiktheid finaal vasgestel word binne 'n tydperk van vyf jaar van die datum van afdanking af: Met dien verstande dat as daar op grond van geneeskundige ondersoek, goedgekeur deur die Provinciale Sekretaris, na die mening van die Administrateur bewys word dat so 'n lid se mate van ongeskiktheid aansienlik toegeneem het en dat sodanige toename uit die letsel of swak gesondheid wat op haar afdanking uitgeloop het, ontstaan; die Administrateur die jaargeld dienooreenkomsdig kan verhoog.

(3) 'n Gratifikasie kan, voor of op 'n finale, vasstelling ingevolge subartikel (2), uitgesond word die voorbehoudbepaling daarvan, die jaargeld vervang en in dié geval kan enige betaling wat ten opsigte van die jaargeld gedoen is by die berekening van sodanige gratifikasie buite rekening gelaat word.

(4) Waar 'n pensioen toegeken word ooreenkomsdig die bepalings van subartikel (1) of (6), moet daar uit inkomste in die Fonds gestort word, namens die lid ten opsigte van wie die pensioen toegeken word, enige bedrag wat deur die lid aan die Fonds verskuldig is ten opsigte van agterstallige bydraes en die lid se bydraes tot die Fonds ooreenkomsdig die bepalings van artikel *ses* en die bedrag uit inkomste in die Fonds gestort ten opsigte van en namens sodanige lid, tesame met een en driekwart persent van sodanige totale bedrag vir elke volle jaar van pensioengewende diens en 'n eweredige bedrag vir elke volle maand van 'n onvoltooide jaar van pensioengewende diens, moet dan uit die Fonds in inkomste gestort word: Met dien verstande dat, by die berekening van die tydperk ten opsigte waarvan bydraes gemaak is, breukdele van 'n maand buite rekening gelaat word.

(5) Indien 'n lid aan wie 'n jaargeld kragtens subartikel (1) toegeken is, binne vyf jaar van die datum van haar uittreding uit die diens van die Departement te sterwe kom en haar dood nie te wye is aan die letsel of siekte opgedoen in die omstandighede beskryf in daardie subartikel nie, moet daar uit inkomste aan of ten bate van haar afhanglikes, soos beskryf in subartikel (3) van artikel *twalf*, 'n gratifikasie betaal word gelykstaande met die totale bedrag van die jaargeld-betatings wat aan die lid betaal sou gewees het gedurende die onverstreke gedeelte van voor-nóemde tydperk, indien sy nie te sterwe gekom het nie.

(6) Indien 'n lid as gevolg van 'n letsel of siekte opgedoen in die omstandigheid beskryf in subartikel (1) te sterwe kom, ken die Administrateur, behoudens die bepalings van artikel *negen-twintig* van die Ongevallewet, 1941 (Wet No. 30 van 1941), hetsy die letsel of siekte aan die

injury or illness is attributable to the member's drunkenness or to her serious and wilful misconduct, award out of revenue to or for the benefit of such of her dependants as the Administrator may determine, in lieu of any other benefit that may be payable to the dependants of such member in terms of this Ordinance, an annuity not exceeding one-half of the annual pensionable emoluments last drawn by such member or such gratuity as the Administrator considers to be reasonable in the circumstances of the case: Provided that such annuity or gratuity shall not be less than the benefits she would have received from the Fund, had she not died as a result of an injury sustained or an illness contracted in the circumstances described in sub-section (1).

(7) Payment of an annuity awarded in terms of sub-section (6) shall cease—

- (a) in the case of a female dependant other than a minor, when she marries;
- (b) in the case of a female dependant who is a minor when she attains the age of twenty-one years or marries; and
- (c) in the case of a male dependant when he attains the age of eighteen years:

Provided that in the case of a person other than a white person, the ages mentioned in paragraphs (b) and (c) shall be sixteen years.

(8) Notwithstanding the provisions of sub-section (7) the Administrator may award or continue the payment of an annuity to a dependant after such dependant has attained the age mentioned in that sub-section, for any period during which he is attending an educational institution or is, by reason of age or mental or physical infirmity unable to maintain himself.

(9) If a member as described in sub-section (6) dies and leaves no dependants as described in sub-section (3) of section twelve, there shall be paid out of revenue to her estate, an amount equal to her contributions to the Fund in accordance with the provisions of section six, less an amount equal to the amount paid out of revenue on her behalf in terms of sub-section (4).

(10) If a member who has been awarded an annuity in terms of sub-section (1) dies within five years of the date of her retirement and leaves no dependants as described in sub-section (3) of section twelve, there shall be paid out of revenue to her estate an amount equal to her contributions to the Fund in accordance with the provisions of section six, less an amount equal to the amount paid out of revenue on her behalf in terms of sub-section (4) and less the amount she received in respect of annuity payments and commutation, if any, and the provisions of sub-section (6) of section twelve shall apply *mutatis mutandis*.

(11) If a member who has been retired in the circumstances described in sub-section (1), has suffered any disablement as the result of bodily injury or permanent ill-health arising out of and in the course of the discharge of her official duties, the Administrator may authorise treatment for the disablement, and if the disablement involves the loss of the use of any part of the body, such member shall be entitled to receive an artificial part of the body or any mechanical device necessitated by such disablement, and any such part or device shall whenever necessary be renewed, repaired or adjusted: Provided that the need for such treatment, renewal, repair or adjustment is

lid se dronkenskap of aan haar ernstige en opsetlike wangedrag te wyte is, al dan nie, in die plek van enige ander voordeel wat ingevolge hierdie Ordonnansie aan die afhanklikes van sodanige lid betaalbaar is, uit inkomste 'n jaargeld toe, aan of ten bate van sodanige van haar afhanklikes as wat die Administrateur bepaal, wat die helfte van die jaarlike pensioengewende emolumente laas-deur sodanige lid getrek nie te bowe gaan nie, of sodanige gratifikasie as wat die Administrateur in die omstandighede van die geval redelik ag: Met dien verstande dat sodanige jaargeld of gratifikasie nie minder is nie as die voordele wat sy uit die Fonds sou ontvang het, as sy nie te sterwe gekom het nie as gevolg van 'n letsel of siekte opgedoen in die omstandighede beskryf in subartikel (1).

(7) Die betaling van 'n jaargeld toegeken ingevolge subartikel (6) hou op—

- (a) in die geval van 'n vroulike afhanklike, uitgesonderd 'n minderjarige, wanneer sy trou;
- (b) in die geval van 'n vroulike afhanklike wat 'n minderjarige is, wanneer sy die ouderdom van een-en-twintig jaar bereik of trou; en
- (c) in die geval van 'n manlike afhanklike wanneer hy die ouderdom van agtien jaar bereik:

Met dien verstande dat, in die geval van iemand wat nie 'n blanke persoon is nie, die ouderdomme in paragrawe (b) en (c) genoem, sestien jaar is.

(8) Ondanks die bepalings van subartikel (7) kan die Administrateur die betaling van 'n jaargeld aan 'n afhanklike toeken of betaling daarvan laat voortduur nadat sodanige afhanklike die ouderdom in daardie subartikel genoem, bereik het, vir enige tydperk wat hy 'n opvoekundige instigting bywoon of as gevolg van ouderdom of verstandelike of liggaamlike swakheid nie in staat is om homself te onderhou nie.

(9) As 'n lid soos beskryf in subartikel (6) te sterwe kom en geen afhanklikes soos beskryf in subartikel (3) van artikel twaalf, nalaat nie, word daar uit inkomste 'n bedrag in haar boedel gestort wat gelykstaande is met haar bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses, min 'n bedrag gelykstaande met die bedrag wat ingevolge subartikel (4) namens haar uit inkomste betaal is.

(10) Indien 'n lid aan wie 'n jaargeld toegeken is ingevolge subartikel (1) binne vyf jaar van die datum van haar afdanking af te sterwe kom en geen afhanklikes, soos beskryf in subartikel (3) van artikel twaalf, nalaat nie, word daar uit inkomste 'n bedrag in haar boedel gestort wat gelykstaande is met haar bydraes tot die Fonds ooreenkomsdig die bepalings van artikel ses, min 'n bedrag gelykstaande met die bedrag wat ingevolge subartikel (4) namens haar uit inkomste betaal is en min die bedrag, as daar is, wat sy ten opsigte van jaargeldbetelings en omsetting ontvang het en die bepalings van subartikel (6) van artikel twaalf is *mutatis mutandis* van toepassing.

(11) Indien 'n lid wat in die omstandighede in subartikel (1) beskryf, afgedank is, een of ander liggaamsgebrek opgedoen het as gevolg van 'n letsel of voortdurende swak gesondheid wat uit en in die loop van die vervulling van haar amptsligte ontstaan het, kan die Administrateur magtiging verleen tot die behandeling van die gebrek en, indien die gebrek met die verlies van die gebruik van 'n liggaamsdeel gepaard gaan, is sodanige lid geregtig om 'n kunsmatige liggaamsdeel of enige meganiese toestel te ontvang wat weens daardie gebrek nodig is en sodanige deel of toestel moet, wanneer nodig, hernuwe, herstel of aangepas word: Met dien verstande dat die noodsaaklikheid vir sodanige behandeling, hernuwing, herstel of

not, in the opinion of the Administrator, attributable to such member's drunkenness or serious and wilful misconduct.

(12) If the Administrator is satisfied that any such member who is in employment has, while undergoing treatment as contemplated in sub-section (11), suffered loss of salary or wages for a continuous period of not less than six days, the Administrator may, if such member receives an annuity under sub-section (1) award to her an allowance not exceeding the amount by which the annuity payable in respect of that period, is less than the amount which would have been payable in respect of that period had the maximum annuity been awarded to her under paragraph (a) of sub-section (1) or if she receives no annuity under that sub-section, an allowance not exceeding the amount that would have been payable in respect of that period, had an annuity in lieu of a gratuity been awarded to her under paragraph (a) of sub-section (1).

(13) The expenditure incurred in giving effect to the provisions of sub-sections (11) and (12) shall be paid out of revenue.

(14) The provisions of sub-sections (11) and (12) shall not apply to a member while she is entitled to medical aid under the Workmen's Compensation Act, 1941.

(15) A member who has been awarded a pension under sub-section (1) shall, if she is again appointed in the Department as a nurse, within thirty days from the date she is called upon by the Provincial Secretary so to do, elect either to contribute to the Fund in respect of her pensionable service prior to her retirement or to retain the pension she was awarded in respect of such service: Provided that should she elect to contribute in respect of such service—

- (a) payment of the annuity shall cease with effect from the date of such appointment;
- (b) she shall not be required to refund the amount drawn as a pension;
- (c) the difference between the amount received by way of annuity and commutation, if any, and the amount she would have received by way of annuity had she not commuted a portion of the annuity, shall be refunded by her to revenue;
- (d) the difference between the amount received by way of a gratuity and the total amount she would have received had an annuity in lieu of a gratuity been awarded to her, shall be refunded by her to revenue;
- (e) an amount equal to the amount paid to revenue in terms of sub-section (4), less the amount, if any, which was paid in accordance with that sub-section from revenue to the Fund on behalf of the member in respect of arrear contributions, shall be repaid from revenue to the Fund, together with interest calculated thereon at the rate of four per cent per annum, annually compounded as at the thirty-first day of March, from the date it was paid to revenue to the date of repayment and if the amount so paid is more or less than the amount which is required by the Fund, the surplus or deficiency, as the case may be, shall be dealt with as the Administrator may determine; and
- (f) it shall be deemed as service which is continuous with her current period of pensionable service.

aanpassing, na die mening van die Administrateur, nie aan sodanige lid se dronkenskap of ernstige en opsetlike wangedrag te wye is nie.

(12) Indien die Administrateur oortuig is dat sodanige lid wat in diens is verlies aan salaris ofloon vir 'n aaneenlopende tydperk van minstens ses dae gely het, terwyl sy behandeling ondergaan het soos beoog in subartikel (11), kan die Administrateur, indien sodanige lid 'n jaargeld ingevolge subartikel (1) ontvang, 'n toelae aan haar toeken wat nie meer is nie as die bedrag wat dié ten opsigte van daardie tydperk betaalbare jaargeld minder is as die bedrag wat betaalbaar sou gewees het ten opsigte van daardie tydperk indien die maksimum jaargeld ingevolge paragraaf (a) van subartikel (1) aan haar toegeken sou gewees het of, as sy geen jaargeld ingevolge daardie subartikel ontvang nie, 'n toelae wat nie meer is nie as die bedrag wat ten opsigte van daardie tydperk betaalbaar sou gewees het, indien 'n jaargeld in plaas van 'n gratifikasie ingevolge paragraaf (a) van subartikel (1) aan haar toegeken sou gewees het.

(13) Die uitgawe aangegaan by die uitvoering van die bepalings van subartikels (11) en (12), word uit inkomste betaal.

(14) Die bepalings van subartikels (11) en (12) is nie van toepassing op 'n lid terwyl hy ingevolge die Ongevallewet, 1941, op geneeskundige hulp geregtig is nie.

(15) 'n Lid aan wie 'n pensioen ingevolge subartikel (1) toegeken is, moet, indien sy weer as verpleegster in die diens van die Departement aangestel word, binne dertig dae van die datum af waarop die Provinciale Sekretaris haar daartoe aansê, kies of om tot die Fonds by te dra ten opsigte van haar pensioengewende diens voor haar uitdienstreding of om die pensioen aan haar ten opsigte van sodanige diens toegeken, te behou: Met dien verstande dat, indien sy kies om ten opsigte van sodanige diens by te dra—

- (a) betaling van die jaargeld ophou met ingang van die datum van sodanige aanselling af;
- (b) dit nie vir haar nodig is om die bedrag as pensioen getrek, terug te betaal nie;
- (c) die verskil tussen die bedrag by wyse van jaargeld en omsetting, as daar is, ontvang en die bedrag wat sy by wyse van jaargeld sou ontvang het as sy nie 'n gedeelte van die jaargeld omgeset het nie, deur haar aan inkomste terugbetaal moet word;
- (d) die verskil tussen die bedrag by wyse van 'n gratifikasie ontvang en die totale bedrag wat sy sou ontvang het as 'n jaargeld in plaas van 'n gratifikasie aan haar toegeken sou gewees het, deur haar aan inkomste terugbetaal moet word;
- (e) 'n bedrag gelykstaande met die bedrag aan inkomste ingevolge subartikel (4) betaal min die bedrag, as daar is, wat ten opsigte van agterstallige bydraes uit inkomste namens die lid aan die Fonds ooreenkomsdig daardie subartikel betaal is, aan die Fonds uit inkomste terugbetaal moet word, tesame met rente daarop, bereken teen 'n koers van vier persent per jaar jaarlik op die een-en-dertigste dag van Maart saamgestel, van die datum af wat dit aan inkomste betaal is tot op die datum van terugbetaling en indien die bedrag aldus betaal, meer of minder is as die bedrag wat deur die Fonds benodig word, daar met die surplus of tekort, al na gelang van die geval, gehandel moet word soos die Administrateur bepaal; en
- (f) dit beskou word as diens wat aaneenlopend is met haar huidige tydperk van pensioengewende diens.

(16) Notwithstanding the meaning assigned to the word "nurse" in section *one*, the provisions of sub-sections (1), (2), (5), (6), (11) and (15) of this section shall apply *mutatis mutandis* in the circumstances therein described to a nurse in the employ of the Department who is not a member of the Fund and to the dependants of such a nurse.

Gratuity payable from revenue to a person who is not a member of the Fund.

14. (1) Any person—

- (a) who was appointed as a nurse and who prior to the fixed date elected not to become a member of the Fund or who was refused membership of the Fund or was not entitled to membership of the Fund on account of age and who in terms of sub-section (4) of section *three* elected not to become a member of the Fund; or
- (b) who is a white female person registered in terms of the provisions of section *twelve* or *fourteen* of the Nursing Act, 1957 (Act No. 69 of 1957), and who is employed in a temporary and full-time capacity in the Department and to whom no benefit is payable in terms of this Ordinance or any other law upon retirement or discharge from the service of the Department,

shall, if she has been in the service of the Department for a continuous period of not less than two years, be entitled on retirement on or after attaining the prescribed age of retirement, or on retirement upon grounds of continued ill-health, reorganisation or abolition of her post, to a gratuity payable from revenue in respect of her period of continuous service, calculated at the rate of four per cent of the emoluments she may have received in respect of the period up to and including the 31st day of December, 1946, and at the rate of six per cent of the emoluments paid to her thereafter.

(2) The terms "emoluments" and "continuous service" shall for the purpose of this section mean such emoluments and such service as may be taken into account in computing the pension of a member.

(3) The provisions applicable to the recovery of moneys from any pension or other monetary benefit payable to a member shall apply where a gratuity is payable in terms of this section.

(4) If a person referred to in sub-section (1) dies while in the service of the Department, a gratuity payable from revenue and calculated in accordance with the provisions of that sub-section shall be paid *mutatis mutandis* in accordance with the provisions of sub-section (3) of section *twelve*.

(5) The provisions of this section shall not apply to a person to whom a pension has been awarded in terms of the provisions of section *thirteen*.

Commun-
tation of
annuity.

15. The Provincial Secretary shall upon the application of a member and the submission of a medical certificate approved of by the Provincial Secretary commute such portion of the member's annuity as does not exceed one-third thereof into a cash payment to the member of an amount calculated—

- (a) where a medical officer of the Department is satisfied that the member is in good health, in accordance with the scale contained in the Third Schedule to this Ordinance; and

(16) Ondanks die betekenis wat in artikel *een* aan die woord „verpleegster” geheg is, is die bepalings van subartikels (1), (2), (5), (6), (11) en (15) van hierdie artikel *mutatis mutandis* in die omstandighede daarin beskryf, van toepassing op 'n verpleegster in diens van die Departement wat nie 'n lid van die Fonds is nie en op die afhanklikes van sodanige verpleegster.

14. (1) Iemand—

- (a) wat as 'n verpleegster aangestel is en wat voor die vasgestelde datum gekies het om nie 'n lid van die Fonds te word nie of aan wie lidmaatskap van die Fonds geweier is of wat nie geregtig was tot lidmaatskap van die Fonds nie op grond van ouderdom en wat nie gekies het om kragtens subartikel (4) van artikel *drie* 'n lid van die Fonds te word nie; of
- (b) wat 'n blanke vroulike persoon is wat kragtens die bepalings van artikel *twaalf* of *veertien* van die Wet op Verpleging, 1957 (Wet No. 69 van 1957), geregistreer is en wat in diens van die Departement in 'n tydelike en voltydse hoedanigheid is en aan wie by uitdienstreding of ontslag uit die diens van die Departement geen voordeel kragtens hierdie Ordonnansie of enige ander wet betaalbaar is nie,

is, indien sy in diens van die Departement was vir 'n aaneenlopende tydperk van minstens twee jaar, by uitdienstreding, by of na bereiking van die voorgeskrewe ouderdom vir uitdienstreding of by uitdienstreding op grond van voortdurende swak gesondheid, reorganisasie of afskaffing van haar pos, geregtig op 'n gratifikasie betaalbaar uit inkomste ten opsigte van haar tydperk van aaneenlopende diens, wat bereken is teen 'n tarief van vier persent van die emolumente wat sy mag ontvang het ten opsigte van die tydperk tot en met die een-en-dertigste dag van Desember 1946, en teen 'n tarief van ses persent van die emolumente daarna aan haar betaal.

(2) Die uitdrukkings „emolumente” en „aaneenlopende diens” beteken, vir die toepassing van hierdie artikel, sodanige emolumente en sodanige diens as wat in ag geneem word by die berekening van 'n lid se pensioen.

(3) Die bepalings van toepassing op die verhaal van geldte op enige pensioen of ander geldlike voordeel betaalbaar aan 'n lid, is van toepassing waar 'n gratifikasie ingevolge hierdie artikel betaalbaar is.

(4) Indien iemand in subartikel (1) genoem, te sterwe kom terwyl sy in diens van die Departement is, word 'n gratifikasie betaalbaar uit inkomste en bereken ooreenkomsdig die bepalings van daardie subartikel, *mutatis mutandis* ooreenkomsdig die bepalings van subartikel (3) van artikel *twaalf* betaal.

(5) Die bepalings van hierdie artikel is nie van toepassing nie op iemand aan wie 'n pensioen ingevolge die bepalings van artikel *dertien* toegeken is.

15. Die Proviniale Sekretaris moet, op aansoek van 'n lid en by die indiening van 'n geneeskundige sertifikaat wat deur die Proviniale Sekretaris goedgekeur is, sodanige gedeelte van die lid se jaargeld as wat nie een derde daarvan oorskry nie, in 'n kontantbetaling aan die lid omset van 'n bedrag bereken—

- (a) waar 'n geneeskundige beampte van die Departement oortuig is dat die lid in goeie gesondheid verkeer, ooreenkomsdig die skaal in die Derde Bylae by hierdie Ordonnansie vervat; en

Omsetting van jaargeld.

- (b) where a medical officer of the Department is not satisfied as required in terms of paragraph (a), actuarially according to the period for which such member may be expected to draw her annuity:

Provided that—

- (i) if the annuity was awarded in terms of section *thirteen*, no commutation shall be allowed to a member who has had less than ten years pensionable service; and
- (ii) once a portion of an annuity has been commuted no further commutation shall be allowed unless, if such be the case, the annuity awarded to a member is increased subsequent to the final determination of her disablement in terms of section *thirteen*, in which event she shall be allowed a further commutation.

Members transferred to other services of the State.

16. If a member is transferred from the service of the Department or is appointed directly without a break in her service to employment in respect of which she becomes subject to a pension law (other than this Ordinance) administered by a provincial administration or the Administration of the territory of South-West Africa or a Department of Education (whether in the Union or in the territory), or any pension law (other than this Ordinance) administered by the State, including the South African Railways and Harbours Administration, and becomes a contributor to a pension fund or provident fund under such law as from the date of such transfer or appointment and is permitted and elects to contribute to the fund in question in respect of her past pensionable service, an amount equal to twice the amount of the member's contributions to the Fund in accordance with the provisions of section *six*, together with interest calculated thereon at the rate of five per cent per annum, annually compounded as at the thirty-first day of March, from the commencement of her pensionable service to the date of transfer or appointment, shall be transferred from the Fund to such other fund:

Provided that—

- (a) if such member elected to contribute to the Fund in accordance with the provisions of section *five*, the amount to be transferred in respect of such past pensionable service as is referred to in that section shall be determined by the Provincial Secretary in consultation with the actuary and shall not exceed an amount equal to twice the amount of the member's contributions to the Fund in accordance with the provisions of section *six*, together with interest calculated thereon at the rate of five per cent per annum, annually compounded as at the thirty-first day of March, from the date of commencement of such service to the date of transfer or appointment;
- (b) if the amount to be transferred is not paid on the date the member is transferred or appointed, interest thereon shall accrue at the rate of four per cent per annum, annually compounded as at the thirty-first day of March, and calculated from the date of the member's transfer or appointment;
- (c) if the amount to be transferred is more or less than the amount required by such other fund, as at the date of the member's transfer or appointment, the excess shall be dealt with or the deficiency shall be made good in such manner as the Administrator may determine; and

- (b) waar 'n geneeskundige beampte van die Departement nie oortuig is soos vereis ingevolge paragraaf (a) nie, aktuarieel volgens die tydperk waarvoor sodanige lid verwag kan word om haar jaargeld te trek:

Met dien verstande dat—

- (i) as die jaargeld ingevolge artikel *dertien* toegeken is, geen omsetting aan 'n lid toegelaat word wat minder as tien jaar pensioengewende diens het nie; en
- (ii) wanneer 'n gedeelte van 'n jaargeld eers omgeset is, geen verdere omsetting toegelaat word nie, tensy, as dit die geval is, die jaargeld aan 'n lid toegeken, vermeerder word na die finale vasstelling van haar ongesiktheid ingevolge artikel *dertien* en in so 'n geval word sy toegelaat om 'n verdere omsetting te doen.

16. Indien 'n lid oorgeplaas word van die diens van die Departement of sonder onderbreking van haar diens regstreeks aangestel word in 'n diens ten opsigte waarvan sy onderworpe word aan 'n pensioenwet (met uitsluiting van hierdie Ordonnansie) wat deur 'n provinsiale administrasie of die Administrasie van die gebied van Suidwes-Afrika of 'n departement van onderwys (hetby in die Unie of in die gebied) gadministreer word of 'n pensioenwet (met uitsluiting van hierdie Ordonnansie) wat deur die Staat gadministreer word, met inbegrip van die Suid-Afrikaanse Spoerweë- en Hawensadministrasie en 'n bydraer word tot 'n pensioen of voorsorgsfonds ingevolge sodanige wet soos van die datum van sodanige oorplasing of aanstelling af en toegelaat word en kies om tot die betrokke fonds by te dra ten opsigte van haar pensioengewende diens in die verlede, word 'n bedrag gelykstaande met twee maal die bedrag van die lid se bydraes tot die Fonds ooreenkomsdig die bepalings van artikel *ses*, tesame met rente daarop bereken teen 'n koers van vyf persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, van die aanvang van haar pensioengewende diens af tot op die datum van oorplasing of aanstelling, uit die Fonds op sodanige ander fonds oorgedra:

Met dien verstande dat—

- (a) indien sodanige lid gekies het om ooreenkomsdig die bepalings van artikel *vyf* tot die Fonds by te dra, die bedrag oorgedra te word ten opsigte van sodanige vorige pensioengewende diens as wat in daardie artikel genoem word, bepaal word deur die Provinciale Sekretaris in oorlegpleging met die aktuaris en dit nie meer mag wees nie as 'n bedrag gelykstaande met twee maal die bedrag van die lid se bydraes tot die Fonds ooreenkomsdig die bepalings van artikel *ses*, tesame met rente daarop bereken teen 'n koers van vyf persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, van die datum van aanvang van sodanige diens af tot op die datum van oorplasing of aanstelling;
- (b) as die bedrag oorgedra te word nie betaal is op die datum waarop die lid oorgeplaas of aangestel is nie, rente daarop oploop teen 'n koers van vier persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, en bereken van die datum van die lid se oorplasing of aanstelling af;
- (c) indien die bedrag oorgedra te word meer of minder is as die bedrag deur sodanige ander fonds vereis soos op die datum van die lid se oorplasing of aanstelling, daar met die oorskot gehandel moet word of die tekort betaal moet word op sodanige manier as wat die Administrateur bepaal; en

Lede oor-geplaas na ander dienste van die Staat.

(d) the provisions of sub-section (1) of section eleven shall apply if the member elects not to contribute to such other pension or provident fund in respect of her pensionable service prior to the date of such transfer or appointment.

(d) die bepalings van subartikel (1) van artikel elf van toepassing is indien die lid kies om nie tot sodanige ander pensioen- of voorschoufsfonds by te dra nie ten opsigte van haar pensioengewende diens voor die datum van sodanige oorplasing of aanstelling.

Persons transferred from other services of the State.

17. A person who in respect of her employment is subject to a pension law (other than this Ordinance) administered by a provincial administration or the Administration of the territory of South West Africa or a Department of Education (whether in the Union or in the territory) or any pension law (other than this Ordinance) administered by the State, including the South African Railways and Harbours Administration, and who is transferred or appointed directly without a break in her service to employment under the Department as a nurse, may be allowed by the Provincial Secretary to elect in writing, within thirty days from the date she is called upon so to do, to contribute to the Fund in respect of the period of her pensionable service with such other pension or provident fund and if she so elects to contribute, the contributions she would have made to the Fund in accordance with the provisions of section six, had she been a member of the Fund during the period of her pensionable service with such other pension or provident fund, and the amount that would have been paid from revenue in respect thereof, shall be paid by her or on her behalf, to the Fund, together with interest thereon calculated at the rate of five per cent per annum, annually compounded as at the thirty-first day of March, from the date of commencement of such pensionable service to the date of such transfer or appointment and thereafter at the rate of four per cent per annum, annually compounded as at the thirty-first day of March, until the date of payment.

Administration and accounts of the Fund.

18. (1) Subject to any direction of the Administrator, the business of the Fund shall be conducted by the Provincial Secretary, and the cost in connection therewith and of any actuarial investigation and matters incidental thereto shall be paid out of revenue.

(2) The Provincial Secretary shall cause full and true accounts of the Fund to be kept, showing separately—

(a) all sums of money received or due and disbursed or repayable in respect of members and particulars of the matters for which those sums of money have been received or disbursed;

(b) the date of payment of the first and all subsequent contributions, together with all chronological and other particulars necessary to enable proper accounts of the Fund to be kept in accordance with the provisions of this Ordinance and to enable an actuarial valuation of the Fund to be made at any time;

(c) all sums of money due to or from revenue in connection with the Fund; and

(d) all other matters of account provided for or contemplated in this Ordinance and the regulations.

Personne oorgeplaas van ander dienste van die Staat.

17. Iemand wat ten opsigte van haar werk onderworpe is aan 'n pensioenwet (met uitsondering van hierdie Ordonnansie) wat deur 'n provinsiale administrasie of die Administrasie van die gebied van Suidwes-Afrika geadministreer word of 'n departement van onderwys (hetself in die Unie of in die gebied) of enige pensioenwet (met uitsondering van hierdie Ordonnansie) wat deur die Staat, met inbegrip van die Suid-Afrikaanse Spoerweë- en Hawensadministrasie, geadministreer word en wat as verpleegster sonder onderbreking van haar diens oorgeplaas word na of regstreeks aangestel word in die diens van die Departement kan deur die Provinciale Sekretaris toegelaat word om binne dertig dae van die datum af waarop sy versoek word om dit te doen, skriftelik te kies om tot die Fonds by te dra ten opsigte van die tydperk van haar pensioengewende diens by sodanige ander pensioen- of voorschoufsfonds en as sy aldus kies om by te dra moet die bydraes wat sy ooreenkomsdig die bepalings van artikel ses tot die Fonds sou gemaak het indien sy 'n lid van die Fonds was gedurende die tydperk van haar pensioengewende diens by sodanige ander pensioen- of voorschoufsfonds, en die bedrag wat uit inkomste ten opsigte daarvan betaal sou gewees het, deur of namens haar aan die Fonds betaal word, tesame met rente daarop bereken teen 'n koers van vyf persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, van die datum van aanvang van sodanige pensioengewende diens af tot op die datum van sodanige oorplasing van aanstelling en daarna teen 'n koers van vier persent per jaar, jaarliks op die een-en-dertigste dag van Maart saamgestel, tot op die datum van betaling.

18. (1) Die besigheid van die Fonds word behoudens enige voorskrif van die Administrasie en boekhouding van die Fonds, deur die Provinciale Sekretaris behartig en die koste in verband daarmee en van enige aktuariële onderzoek en aangeleenthede in verband daarmee moet uit inkomste betaal word.

(2) Die Provinciale Sekretaris laat volledige en juiste rekenings van die Fonds hou, waarin afsonderlik vermeld word—

(a) alle bedrae geld ontvang of verskuldig en uitbetaal of terugbetaalbaar ten opsigte van lede en besonderhede van die aangeleenthede waarvoor sodanige bedrae geld ontvang of uitbetaal is;

(b) die datum van betaling van die eerste en alle bydraes daarna, tesame met alle chronologiese en ander besonderhede wat nodig is om behoorlike rekenings van die Fonds te kan hou ooreenkomsdig die bepalings van hierdie Ordonnansie en om 'n aktuariële waardering van die Fonds te eniger tyd moontlik te maak;

(c) alle bedrae geld verskuldig aan of deur inkomste met betrekking tot die Fonds; en

(d) alle ander aangeleenthede van boekhouding bepaal of beoog in hierdie Ordonnansie en die regulasies.

Investments.

(3) The Provincial Secretary shall cause the books and accounts of the Fund to be balanced up to the thirty-first day of March in every year, and a balance sheet to be prepared, showing the assets and liabilities of the Fund as at that date.

19. Any balances in the Fund which are not required for current purposes and which—

- (a) represent moneys deposited with the Public Debt Commissioners prior to the first day of April, 1936; or
- (b) represent moneys, not being moneys referred to in paragraph (a), which the Governor-General does not wish to borrow in terms of section *nineteen* of the Financial Relations Consolidation and Amendment Act, 1945 (Act No. 38 of 1945), or any other law,

shall be invested in stock issued by the Union Government or, with the approval of the Provincial Secretary, in stock of any local authority or public utility company in the Union.

Quinquennial valuation of the Fund.

20. (1) An actuary shall separately value the assets and liabilities of the Fund as at the thirty-first day of March, 1964, and every five years thereafter, and shall declare any surplus or deficiency which his investigation discloses and he shall report thereon to the Provincial Secretary.

(2) The report of the actuary shall be laid on the Table of the Provincial Council within one month of the receipt thereof if the Provincial Council is then in session, or if not then in session, within one month after the commencement of its next ensuing session.

(3) If the actuary in such report certifies that there is a substantial surplus, the benefits payable out of the Fund shall be increased or the contributions shall be reduced in such manner as the Provincial Council may by ordinance provide, or if he certifies that there is a substantial deficiency, the deficiency shall be dealt with in such manner as the Provincial Council may by ordinance provide: Provided that—

- (a) no annuity awarded shall be reduced and no member or person who received a monetary benefit other than an annuity shall be called upon to refund the whole or any portion of the benefit so received; and
- (b) the contributions payable from revenue shall not be less than the contributions by members at the prescribed rate.

Monies due to the Administration recoverable from annuity or monetary benefit.

21. The Provincial Secretary may in a lump sum or in such instalments as he may determine deduct from any pension, or other monetary benefit payable in accordance with the provisions of this Ordinance any sum which may be due by a member to the Administration or to the Fund, as the case may be, for any reason whatsoever.

Annuities or other benefits not assignable or executable.

22. No right to a pension or any other monetary benefit payable in accordance with the provisions of this Ordinance, shall be capable of being assigned or transferred or otherwise ceded or of being pledged or hypothecated, nor shall any such right be liable to be attached or subjected to any form of execution under a judgment or order of a court of law, and in the event of any person attempting to assign, transfer, or otherwise cede or pledge or hypothecate any such right, payment

(3) Die Provinciale Sekretaris laat die boeke en rekenings van die Fonds op die een-en-dertigste dag van Maart in elke jaar afsluit en 'n balansstaat opstel waarin die bates en laste van die Fonds soos op daardie datum aangegee word.

19. Enige saldo's in die Fonds wat nie vir Beleggings.lopende doeleinades benodig word nie en wat—

- (a) geldie verteenwoordig wat by die Staatskuld-kommissaris gedeponeer is voor die eerste dag van April 1936; of
- (b) geldie verteenwoordig wat nie geldie is genoem in paragraaf (a) nie, wat die Goewerneur-generaal nie ingevolge artikel negentien van die Konsolidasie- en Wysigingswet op Finansiële Verhoudings, 1945 (Wet No. 38 van 1945), of ingevolge enige ander wet wil leen nie,

moet belê word in effekte uitgereik deur die Unieregering of, met die goedkeuring van die Provinciale Sekretaris, in effekte van enige plaaslike bestuur of openbare nutmaatskappy in die Unie.

Vijfjaarlike waardering van die Fonds.

20. (1) 'n Aktuaris moet die bates en laste van die Fonds soos op die een-en-dertigste dag van Maart 1964, en elke vyf jaar daarna, afsonderlik waardeer en hy moet die oorskot of tekort wat sy ondersoek aan die lig bring, verklaar as 'n verslag daaroor by die Provinciale Sekretaris indien.

(2) Die verslag van die aktuaris moet binne een maand van die ontvangs daarvan in die Provinciale Raad ter Tafel geleë word as die Provinciale Raad dan 'n sitting is of, as die Provinciale Raad nie dan in sitting is nie, binne een maand na die aanvang van sy eersvolgende sitting.

(3) Indien die aktuaris in sodanige verslag sertifiseer dat daar 'n wesenlike oorskot is, moet die voordele uit die Fonds betaalbaar, vermeerder of die bydraes verminder word op so 'n wyse as wat die Provinciale Raad by Ordonnansie bepaal of, indien hy sertifiseer dat daar 'n wesenlike tekort is, moet met die tekort op sodanige wyse gehandel word as wat die Provinciale Raad by Ordonnansie bepaal: Met dien verstande dat—

- (a) geen jaargeld wat toegeken is, verminder mag word nie en geen lid of persoon wat 'n ander geldelike voordeel as 'n jaargeld ontvang, aangesê word om die hele of 'n gedeelte van die voordeel aldus ontvang, terug te betaal nie; en
- (b) die bydraes wat uit inkomste betaalbaar is nie minder mag wees as die bydraes deur lede teen die voorgeskrewe tarief nie.

Geldie aan die Administrasie verskuldig verhaalbaar uit jaargeld of geldelike voordeel.

21. Die Provinciale Sekretaris kan enige bedrag deur 'n lid om watter rede ook al aan die Administrasie of die Fonds verskuldig, na gelang van die geval, in 'n ronde bedrag of in sodanige paaiemende as wat hy bepaal, aftrek van enige pensioen of ander geldelike voordeel betaalbaar ooreenkomsdig die bepalings van hierdie Ordonnansie.

Jaargeldie of ander voordele nie toewysbaar of onderworpe aan ekskusie nie.

22. Geen reg op 'n pensioen of enige ander geldelike voordeel betaalbaar ooreenkomsdig die bepalings van hierdie Ordonnansie, kan afgestaan of oorgedra of op 'n ander wyse gesedeert of verpand of verhipotekeer word nie en geen sodanige reg is vatbaar vir beslaglegging of onderworpe aan enige vorm van ekskusie ingevolge 'n uitspraak of bevel van 'n hof nie en, ingeval iemand probeer om enige sodanige reg af te staan, oor te dra of op 'n ander wyse te sedeer of te verpand of te verhipotekeer, kan

Annuity may be paid to other persons than pensioner himself.

of the pension or other monetary benefit may be suspended or entirely withheld or discontinued or otherwise dealt with as the Administrator may determine.

23. If the Administrator is satisfied that it is undesirable for any reason to pay the whole amount of any pension or other monetary benefit payable to a person under this Ordinance directly to such person himself, he may determine that such benefit or portion thereof shall be paid to some other person under such conditions as to its administration for the benefit of such first-mentioned person as the Administrator may determine.

24. If the estate of a member or other person in receipt of an annuity under this Ordinance is sequestrated the annuity shall not form part of the assets of her insolvent estate.

Annuities on conviction of certain offences.

25. (1) If a member or other person in receipt of an annuity awarded in terms of this Ordinance is convicted of any offence, and sentenced to death or to any term of imprisonment exceeding one month without the option of a fine, payment of the annuity to him shall be discontinued.

(2) The annuity shall during such period of imprisonment be paid to or for the benefit of her dependants as described in sub-section (3) of section twelve or if there are no such dependants, payment of the annuity shall be withheld until the date of her release from prison.

(3) On the release from prison of the member or person referred to in sub-section (1), payment to her of the annuity shall be resumed.

Annuity may be reduced.

26. If a member or person in receipt of an annuity is found to have made a false statement knowing such statement to be false for the purpose of obtaining such annuity, or to have misappropriated public money or provincial property before her retirement, the Administrator may determine that the annuity be reduced or substituted by a gratuity: Provided that such member or person shall notwithstanding the provisions of proviso (b) to sub-section (1) of section nine receive in the case of a reduced annuity, not less than the annual value calculated actuarially of any sum contributed by the member to the Fund in accordance with the provisions of section six, or, in the case where the annuity is substituted by a gratuity, not less than the sum contributed by the member to the Fund in accordance with the provisions of section six.

Regulations.

27. The Administration may make regulations not inconsistent with the provisions of this Ordinance for achieving the objects and purposes of this Ordinance.

Repeal of Laws.

28. The laws specified in the Fourth Schedule to this Ordinance are hereby repealed to the extent set out in the third column of that Schedule.

Short title and date of commencement.

29. This Ordinance shall be called the Transvaal Hospital Nurses' Pension Ordinance, 1959, and shall come into operation on the first day of July, 1959.

betaling van die pensioen of ander geldelike voordeel opgeskort of geheel en al teruggehou of gestaak word of anders daarmee gehandel word soos die Administrateur bepaal.

23. Indien die Administrateur oortuig is dat dit om die een of ander rede onwenslik is om die hele bedrag van 'n pensioen of ander geldelike voordeel betaalbaar aan 'n persoon ingevolge hierdie Ordonnansie, regstreeks aan sodanige persoon self te betaal, kan hy bepaal dat sodanige voordeel of gedeelte daarvan aan iemand anders betaal word op sodanige voorwaardes wat die beheer daaroor betref ten bate van sodanige eersgenoemde persoon, as wat die Administrateur bepaal.

24. Indien die boedel van 'n lid, of 'n ander persoon wat 'n jaargeld ingevolge hierdie Ordonnansie ontvang gesekwestreer word, maak die jaargeld nie deel uit van die bates van haar insolvente boedel nie.

25. (1) Indien 'n lid, of ander persoon wat kragtens hierdie Ordonnansie 'n jaargeld ontvang, skuldig bevind word aan 'n misdryf en ter dood of tot 'n tydperk van gevangenisstraf van meer as een maand sonder die keuse van 'n boete, gevonnis word, word die betaling van die jaargeld aan haar gestaak.

(2) Die jaargeld word gedurende sodanige tydperk van gevangenisstraf aan of ten bate van haar afhanklikes soos omskryf in subartikel (3) van artikel twaalf betaal of, as daar geen sodanige afhanklikes is nie, word betaling van die jaargeld teruggehou tot op die datum wat sy uit die gevangenis ontslaan word.

(3) By die ontslag van die lid of die persoon in subartikel (1) genoem, uit die gevangenis, word betaling van die jaargeld aan haar hervat.

26. Indien daar bevind word dat 'n lid of 'n persoon in ontvangs van 'n jaargeld, 'n valse verklaring afgelê het vir die doel om sodanige jaargeld te vekry, wetende dat sodanige verklaring vals is, of dat sy publieke geld of provinsiale eiendom haar wederregtelik toegeeën het voor haar uitdienstreding, kan die Administrateur bepaal dat die jaargeld verminder of deur 'n gratifikasie vervang word: Met dien verstande dat ondanks die bepalings van voorbehoudsbepaling (b) by subartikel (1) van artikel nege, sodanige lid of persoon, in geval van 'n verminderde jaargeld, minstens die jaarlikse waarde wat aktuarieel bereken is van enige bedrag deur die lid tot die Fonds bygedra ooreenkomsdig die bepalings van artikel ses of, in die geval waar die jaargeld vervang word deur 'n gratifikasie, minstens die bedrag ooreenkomsdig die bepalings van artikel ses deur die lid tot die Fonds bygedra, moet ontvang.

27. Die Administrateur kan regulasies maak wat nie onbestaanbaar is met die bepalings van hierdie Ordonnansie nie, om die oogmerke en doelstellings van hierdie Ordonnansie te bereik.

28. Die wette in die Vierde Bylae by hierdie Ordonnansie genoem, word hierby herroep vir sover as wat dit in die derde kolom van daardie Bylae uiteengesit word.

29. Hierdie Ordonnansie heet die Ordonnansie op die Pensioene van Transvaalse Hospitaalverpleegsters, 1959, en tree in werking op die eerste dag van Julie 1959.

Jaargeld kan aan iemand anders as die pensioentrekker self betaal word.

Jaargeld nie geraak deur insolvensie nie.

Jaargeld by skuldig bevinding aan sekere misdrywe.

Regulasies.

Herroeping van wette.

Kort titel en datum en inwerkingtreding.

FIRST SCHEDULE.

Schedule for determining the amount to be treated as contributions in the apportionment of the total amount arrived at in terms of sub-section (6) of section seven into contributions and interest where the period in respect of which the member elected to contribute is continuous with the most recent appointment of the member as a nurse.

<i>Number of completed years in respect of which member elected to contribute.</i>	<i>Percentage of total amount to be treated as contributions.</i>
0.....	100
1.....	98·0
2.....	96·2
3.....	94·3
4.....	92·5
5.....	90·8
6.....	89·1
7.....	87·4
8.....	85·8
9.....	84·2
10.....	82·7
11.....	81·2
12.....	79·7
13.....	78·3
14.....	76·9
15.....	75·6
16.....	74·3
17.....	73·0
18.....	71·7
19.....	70·5
20.....	69·3

SECOND SCHEDULE.

Schedule for adjusting the amount to be treated as contributions in accordance with the provisions of the First Schedule, where the period in respect of which the member elected to contribute is not continuous with the most recent appointment of a member as a nurse.

<i>Number of completed years from the date following the last date of the period in respect of which the member elected to contribute and the most recent date of appointment as a nurse.</i>	<i>Discounting factor by which the amount determined in accordance with the provisions of the First Schedule is to be multiplied in order to arrive at the amount to be treated as contributions.</i>
1.....	0·962
2.....	0·925
3.....	0·889
4.....	0·855
5.....	0·822
6.....	0·790
7.....	0·760
8.....	0·731
9.....	0·703
10.....	0·676
11.....	0·650
12.....	0·625
13.....	0·601
14.....	0·577
15.....	0·555
16.....	0·534
17.....	0·513
18.....	0·494
19.....	0·475
20.....	0·456

THIRD SCHEDULE.

SCHEDULE FOR DETERMINING THE CASH VALUE OF THE PORTION OF ANNUITY COMMUTED IN TERMS OF SECTION FIFTEEN.

COMMUTATION OF ANNUITY.

Cash payments per £1 of annuity commuted where a medical officer of the Department is satisfied that the member is of good health:—

<i>Nearest half age at date of retirement.</i>	<i>£</i>
30.....	17·97
30½.....	17·90
31.....	17·83
31½.....	17·77
32.....	17·70
32½.....	17·63
33.....	17·55
33½.....	17·48

EERSTE BYLAE.

Bylæ vir die vasstelling van die bedrag as bydraes beskou te word by die verdeling van die totaalbedrag wat ingevolge subartikel (6) van artikel sewe verkry is, in bydraes en rente waar die tydperk ten opsigte waarvan die lid kies om by te dra, aaneenlopend is met die jongste aanstelling van die lid as verpleegster.

<i>Aantal voltooide jare ten opsigte waarvan die lid gekies het om by te dra.</i>	<i>Persentasie van totaal-bedrag as bydraes beskou te word.</i>
0.....	100
1.....	98·0
2.....	96·2
3.....	94·3
4.....	92·5
5.....	90·8
6.....	89·1
7.....	87·4
8.....	85·8
9.....	84·2
10.....	82·7
11.....	81·2
12.....	79·7
13.....	78·3
14.....	76·9
15.....	75·6
16.....	74·3
17.....	73·0
18.....	71·7
19.....	70·5
20.....	69·3

TWEDE BYLAE.

Bylæ vir die aanpassing van die bedrag ooreenkomsdig die bepalings van die Eerste Bylæ as bydraes beskou te word waar die tydperk ten opsigte waarvan die lid gekies het om by te dra, nie aaneenlopend is nie met die jongste aanstelling van die lid as verpleegster.

<i>Aantal voltooide jare van die datum wat volg op die laaste datum van dié tydperk ten opsigte waarvan die lid gekies het om by te dra en die jongste datum van aanstelling as verpleegster.</i>	<i>Verdiskonterende faktor waarmee die bedrag, ooreenkomsdig die bepalings van die Eerste Bylæ vasgestel, vermenigvuldig moet word ten einde die bedrag as bydraes beskou te word, te verkry.</i>
1.....	0·962
2.....	0·925
3.....	0·889
4.....	0·855
5.....	0·822
6.....	0·790
7.....	0·760
8.....	0·731
9.....	0·703
10.....	0·676
11.....	0·650
12.....	0·625
13.....	0·601
14.....	0·577
15.....	0·555
16.....	0·534
17.....	0·513
18.....	0·494
19.....	0·475
20.....	0·456

DERDE BYLAE.

BYLAE VIR DIE VASSTELLING VAN DIE KONTANTWAARDE VAN DIE GEDEELTE VAN DIE JAARGELD INGEVOLGE ARTIKEL VYFTIEN OMGESIT.

OMSETTING VAN JAARGELD.

Kontantbetalings per £1 van jaargeld omgeset, waar die geneeskundige beampte van die Departement oortuig is dat die lid in goeie gesondheid verkeer:—

<i>Ouderdom by uitdienstreding tot op naaste halfjaar.</i>	<i>£</i>
30.....	17·97
30½.....	17·90
31.....	17·83
31½.....	17·77
32.....	17·70
32½.....	17·63
33.....	17·55
33½.....	17·48

<i>Nearest half age at date of retirement.</i>	£	<i>Ouderdom by uitdienstreding tot op naaste ha'fjaar.</i>	£
34.....	17·41	34.....	17·41
34½.....	17·34	34½.....	17·34
35.....	17·26	35.....	17·26
35½.....	17·19	35½.....	17·19
36.....	17·11	36.....	17·11
36½.....	17·03	36½.....	17·03
37.....	16·95	37.....	16·95
37½.....	16·87	37½.....	16·87
38.....	16·79	38.....	16·79
38½.....	16·71	38½.....	16·71
39.....	16·62	39.....	16·62
39½.....	16·54	39½.....	16·54
40.....	16·45	40.....	16·45
40½.....	16·36	40½.....	16·36
41.....	16·27	41.....	16·27
41½.....	16·18	41½.....	16·18
42.....	16·09	42.....	16·09
42½.....	15·99	42½.....	15·99
43.....	15·90	43.....	15·90
43½.....	15·80	43½.....	15·80
44.....	15·70	44.....	15·70
44½.....	15·60	44½.....	15·60
45.....	15·50	45.....	15·50
45½.....	15·40	45½.....	15·40
46.....	15·30	46.....	15·30
46½.....	15·20	46½.....	15·20
47.....	15·10	47.....	15·10
47½.....	14·99	47½.....	14·99
48.....	14·89	48.....	14·89
48½.....	14·78	48½.....	14·78
49.....	14·68	49.....	14·68
49½.....	14·56	49½.....	14·56
50.....	14·45	50.....	14·45
50½.....	14·35	50½.....	14·35
51.....	14·26	51.....	14·26
51½.....	14·16	51½.....	14·16
52.....	14·06	52.....	14·06
52½.....	13·95	52½.....	13·95
53.....	13·84	53.....	13·84
53½.....	13·73	53½.....	13·73
54.....	13·62	54.....	13·62
54½.....	13·50	54½.....	13·50
55.....	13·38	55.....	13·38
55½.....	13·23	55½.....	13·23
56.....	13·07	56.....	13·07
56½.....	12·91	56½.....	12·91
57.....	12·75	57.....	12·75
57½.....	12·59	57½.....	12·59
58.....	12·42	58.....	12·42
58½.....	12·25	58½.....	12·25
59.....	12·08	59.....	12·08
59½.....	11·91	59½.....	11·91
60.....	11·74	60.....	11·74
60½.....	11·57	60½.....	11·57
61.....	11·39	61.....	11·39
61½.....	11·22	61½.....	11·22
62.....	11·04	62.....	11·04
62½.....	10·86	62½.....	10·86
63.....	10·68	63.....	10·68
63½.....	10·50	63½.....	10·50
64.....	10·31	64.....	10·31
64½.....	10·13	64½.....	10·13
65.....	9·94	65.....	9·94
65½.....	9·76	65½.....	9·76
66.....	9·57	66.....	9·57
66½.....	9·39	66½.....	9·39
67.....	9·20	67.....	9·20
67½.....	9·01	67½.....	9·01
68.....	8·82	68.....	8·82
68½.....	8·63	68½.....	8·63
69.....	8·44	69.....	8·44
69½.....	8·26	69½.....	8·26
70.....	8·07	70.....	8·07
70½.....	7·88	70½.....	7·88
71.....	7·69	71.....	7·69
71½.....	7·50	71½.....	7·50
72.....	7·32	72.....	7·32
72½.....	7·13	72½.....	7·13
73.....	6·95	73.....	6·95
73½.....	6·76	73½.....	6·76
74.....	6·58	74.....	6·58
74½.....	6·40	74½.....	6·40
75.....	6·22	75.....	6·22

Where the annuity is payable from revenue until the member attains the prescribed age of retirement, the apportionment of the cash payment between revenue and the Fund shall be determined actuarially.

Waar die jaargeld uit inkomste betaalbaar is totdat die lid die voorgeskrewe ouderdom vir uitdienstreding bereik het, moet die verdeling van die kontantbetaling tussen inkomste en die Fonds aktuarieel vasgestel word.

FOURTH SCHEDULE.

LAWS REPEALED (SECTION *twenty-eight*).

No. and year of law.	Title.	Extent of repeal.
Ordinance No. 13 of 1919	Transvaal Hospital Nurses' Pensions Ordinance, 1919	The whole.
Ordinance No. 4 of 1923	Financial Adjustments Ordinance, 1923	Section <i>three</i> .
Ordinance No. 6 of 1927	Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1927	The whole.
Ordinance No. 9 of 1929	Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1929	The whole.
Ordinance No. 3 of 1933	Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1933	The whole.
Ordinance No. 3 of 1934	Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1934	The whole.
Ordinance No. 11 of 1938	Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1938	The whole.
Ordinance No. 9 of 1941	Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1941	The whole.
Ordinance No. 7 of 1944	Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1944	The whole.
Ordinance No. 12 of 1948	Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1948	The whole.
Ordinance No. 9 of 1949	Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1949	The whole.
Ordinance No. 16 of 1949	Transvaal Hospital Nurses Further Amendment Ordinance, 1949	The whole.
Ordinance No. 8 of 1950	Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1950	The whole.
Ordinance No. 12 of 1951	Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1951	The whole.
Ordinance No. 11 of 1952	Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1952	The whole.
Ordinance No. 12 of 1953	Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1953	The whole.
Ordinance No. 14 of 1953	Transvaal Hospital Nurses' Pensions (Additional Provision) Ordinance, 1953	The whole.

T.A.A. 3/1/49/4.

VIERDE BYLAE.

WETTE HERROEP (ARTIKEL *agt-en-twintig*).

No. en jaar van Wet.	Titel.	Hoever herroep.
Ordonnansie No. 13 van 1919	Transvaal Hospitaalverpleegsters Pensioenen Ordonantie, 1919	In sy geheel.
Ordonnansie No. 4 van 1923	Finansiële Vereenings Ordonantie, 1923	Artikel <i>drie</i> .
Ordonnansie No. 6 van 1927	Transvaal Hospitaalverpleegsters Pensioene Wysigings Ordonnansie, 1927	In sy geheel.
Ordonnansie No. 9 van 1929	Transvaal Hospitaalverpleegsters Pensioene Wysigings Ordonnansie, 1929	In sy geheel.
Ordonnansie No. 3 van 1933	Transvaal Hospitaalverpleegsters Pensioene Wysigingsordonnansie, 1933	In sy geheel.
Ordonnansie No. 3 van 1934	Transvaal Hospitaalverpleegsters Pensioene	In sy geheel.
Ordonnansie No. 11 van 1938	Transvaalse Hospitaalverpleegsters Pensioene Wysigingsordonnansie	In sy geheel.
Ordonnansie No. 9 van 1941	Wysigingsordonnansie op Pensioene vir Transvaalse Hospitaalverpleegsters, 1941	In sy geheel.
Ordonnansie No. 7 van 1944	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaalverpleegsters, 1944	In sy geheel.
Ordonnansie No. 12 van 1948	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaalverpleegsters, 1948	In sy geheel.
Ordonnansie No. 9 van 1949	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaalverpleegsters, 1949	In sy geheel.
Ordonnansie No. 16 van 1949	Verdere Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaalverpleegsters, 1949	In sy geheel.
Ordonnansie No. 8 van 1950	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaalverpleegsters, 1950	In sy geheel.
Ordonnansie No. 12 van 1951	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaalverpleegsters, 1951	In sy geheel.
Ordonnansie No. 11 van 1952	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaalverpleegsters, 1952	In sy geheel.
Ordonnansie No. 12 van 1953	Wysigingsordonnansie op die Pensioene van Transvaalse Hospitaalverpleegsters, 1953	In sy geheel.
Ordonnansie No. 14 van 1953	Ordonnansie op die Pensioene van Transvaalse Hospitaalverpleegsters (Addisionele Voorsiening), 1953	In sy geheel.

T.A.A. 3/1/49/4