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ADMINISTRATEURSKENNISGEWINGS

Administrateurskennisgewing 1743 29 Desember 1976

**REGULASIES INSAKE DIE TRANSVAALSE GE-
MEENSKAPLIKE MUNISIPALE JAARGELD- EN
GRATIFIKASIEFONDS. (NIE-BLANK): WYSIGING.**

Die Administrateur wysig hierby, ingevolge artikel 79 *quat* van die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie 17 van 1939), die Bylae by Administrateurskennisgewing 83 van 21 Januarie 1976, soos verder gewysig deur Administrateurskennisgewing 803 van 30 Junie 1976, deur in wysigende regulasie 1, die uitdrukking "1 Januarie 1977" deur die uitdrukking "1 Julie 1977" te vervang.

PB. 3-4-6-3

Administrateurskennisgewing 1744 29 Desember 1976

**REGULASIES INSAKE DIE TRANSVAALSE GE-
MEENSKAPLIKE MUNISIPALE JAARGELD- EN
GRATIFIKASIEFONDS. (NIE-BLANK): WYSIGING.**

Ingevolge artikel 79 *quat* van die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie 17 van 1939), wysig die Administrateur hierby die Regulasies insake die Transvaalse Gemeenskaplike Munisipale Jaargeld- en Gratifikasiefonds (Nie-Blank), afgekondig by Administrateurskennisgewing 550 van 25 Mei 1970, soos in die Bylae hierby uiteengesit.

BYLAE.

1. Regulasie 1 word hierby gewysig deur —

- (a) na die woordomskrywing van "bydraes" die volgende woordomskrywing in te voeg:

"'deposito-administrasiepolis' 'n versekeringspolis aan die Fonds uitgereik deur 'n versekeraar wat ingevolge die bepalinge van die Versekeringswet, 1943 (Wet 27 van 1943), gemagtig is om langtermyn-versekeringsbesigheid te dryf en ingevolge waarvan die versekeraar in sy boeke 'n rekening vir die Fonds in stand hou —

- (a) waarin, benewens alle bedrae deur die Fonds aan die versekeraar betaal, gekrediteer word, na gelang die betrokke versekeringspolis bepaal —

ADMINISTRATOR'S NOTICES

Administrator's Notice 1743 29 December, 1976

**REGULATIONS GOVERNING THE TRANSVAAL
JOINT MUNICIPAL ANNUITY AND GRATUITY
FUND (NON-WHITE): AMENDMENT.**

The Administrator hereby, in terms of section 79 *quat* of the Local Government Ordinance, 1939 (Ordinance 17 of 1939), amends the Schedule to Administrator's Notice 83 dated 21 January, 1976, as further amended by Administrator's Notice 803 dated 30 June, 1976, by the substitution in amending regulation 1, for the expression "1 January 1977" of the expression "1 July 1977".

PB. 3-4-6-3

Administrator's Notice 1744 29 December, 1976

**REGULATIONS GOVERNING THE TRANSVAAL
JOINT MUNICIPAL ANNUITY AND GRATUITY
FUND (NON-WHITE): AMENDMENT.**

The Administrator, in terms of section 79 *quat* of the Local Government Ordinance, 1939 (Ordinance 17 of 1939), hereby amends the Regulations Governing the Transvaal Joint Municipal Annuity and Gratuity Fund (Non-White), promulgated under Administrator's Notice 550 of 25 May 1970, as set out in the Schedule hereto.

SCHEDULE.

1. Regulation 1 is hereby amended by —

- (a) the insertion after the definition of "dependant" of the following definition:

"'deposit administration policy' means an insurance policy issued to the Fund by an insurer authorized in terms of the provisions of the Insurance Act, 1943 (Act 27 of 1943), to carry on long term insurance business and in terms of which the insurer shall keep in his books an account for the Fund, wherein —

- (a) in addition to all amounts paid by the Fund to the insurer, shall be credited, according as the insurance policy concerned may provide —

- (i) rente teen 'n koers waartoe daar tussen die Fonds en die versekeraar ooreengekom is en sodanige bonusse wat die versekeraar van tyd tot tyd verklaar; of
- (ii) sodanige beleggingsinkomste en kapitaalwinste wat ingevolge die bepaling van die betrokke versekeringspolis van tyd tot tyd aan die Fonds toeval; en

(b) waarin gedebiteer word —

- (i) alle bedrae deur die Fonds onttrek ten einde enige voordele ingevolge hierdie regulasies te betaal;
- (ii) sodanige administratiewe en ander uitgawes waartoe van tyd tot tyd tussen die Fonds en die versekeraar ooreengekom word; en
- (iii) sodanige kapitaalverliese vir die rekening van die Fonds waartoe daar van tyd tot tyd ooreengekom word ingevolge die bepaling van die betrokke versekeringspolis; en

(b) in paragraaf (a) van die woordskrywing van "werknemer" die woord "besoldigde" deur die woord "gesalarieerde" te vervang.

2. Regulasie 5(1) word hierby gewysig deur paragraaf (m) deur die volgende paragraaf te vervang:

"(m) om, met die voorafverkreë skriftelike goedkeuring van die Administrateur, in vaste eiendom vir die Fonds se eie gebruik te belê: Met dien verstande dat oortollige ruimte verhuur kan word;"

3. Regulasie 12(1) word hierby gewysig deur paragraaf (h) deur die volgende paragraaf te vervang:

"(h) in obligasies, preferente aandele, ongedekte nootuitgifte, gewone aandele of deposito-administrasiepolisse of enige soortgelyke belegging, waar sodanige belegging eers deur die Administrateur, afsonderlik of as 'n klas, goedgekeur is; en".

4. Regulasie 28(3)(b) word hierby gewysig deur die woord "of" aan die einde van paragraaf (ii) te skrap.

5. Regulasie 33 word hierby deur die volgende regulasie vervang:

"Pensioene en Gratifikasies."

33.(1) Behoudens die bepaling van hierdie regulasies, is die uitdienstredingsvoordeel wat aan 'n lid betaalbaar is —

(a) 'n jaargeld wat gebaseer word op die gemiddelde van sy jaarlikse pensioendraende emolumente oor die laaste 3 jaar van sy deurlopende diens of oor die hele tydperk van sy deurlopende diens, indien korter, en word bereken teen 'n tarief van een-sestigste van sodanige gemiddelde vir elke jaar van deurlopende diens; en

(b) 'n gratifikasie wat gelyk is aan 1 persent van die gemiddelde van sy jaarlikse pensioendraende emolumente oor die laaste 3 jaar van sy deurlopende diens of oor die hele tydperk van sy deurlopende diens, indien korter, ten opsigte van elke jaar van deurlopende diens.

(2) Die jaargeld betaalbaar aan 'n pensioentrekker wat

(i) interest at a rate agreed upon between the Fund and the insurer and such bonuses which the insurer may from time to time declare; or

(ii) such investment income and capital gains which may in terms of the provisions of the insurance policy concerned from time to time accrue to the Fund; and

(b) shall be debited —

(i) all amounts withdrawn by the Fund in order to pay any benefit in terms of these regulations;

(ii) such administrative and other expenses which may from time to time be agreed upon by the Fund and the insurer; and

(iii) such capital losses for the account of the Fund which may from time to time be agreed upon in terms of the provisions of the insurance policy concerned; and

(b) the substitution, in paragraph (a) of the Afrikaans text of the definition of "werknemer", for the word "besoldigde" of the word "gesalarieerde".

2. Regulation 5(1) is hereby amended by the substitution for paragraph (m) of the following paragraph:

"(m) with the prior written approval of the Administrator, to invest in immovable property for the Fund's own use: Provided that surplus capacity may be let;"

3. Regulation 12(1) is hereby amended by the substitution for paragraph (h) of the following paragraph:

"(h) in debentures, preference shares, unsecured notes, ordinary shares or deposit administration policies or any similar investment, where such investment has first been approved by the Administrator either individually or as a class; and"

4. Regulation 28(3)(b) is hereby amended by the deletion of the word "or" at the end of paragraph (ii).

5. The following regulation is hereby substituted for regulation 33:

"Pensions and Gratuities."

33.(1) Subject to the provisions of these regulations, the retiring benefit payable to a member shall be —

(a) an annuity which shall be based on the average of his annual pensionable emoluments over the last 3 years of his continuous service or over the whole period of his continuous service, if shorter, and shall be calculated at the rate of one-sixtieth of such average for each year of continuous service; and

(b) a gratuity equal to 1 per cent of the average of his annual pensionable emoluments over the last 3 years of his continuous service or over the whole period of his continuous service, if shorter, in respect of each year of continuous service.

(2) The annuity payable to a pensioner who —

- (a) voor 1 Januarie 1976 afgetree het, word op 1 Januarie 1977 en daarna jaarliks op die eerste dag van Januarie ingevolge 'n skaal deur die aktuaris aanbeveel, verhoog soos deur die komitee met die goedkeuring van die Administrateur vasgestel; of
- (b) op of na 1 Januarie 1976 afgetree het of aftree, word jaarliks op die eerste dag van Januarie, nadat sodanige jaargeld vir ten minste 1 jaar betaal was ingevolge 'n skaal deur die aktuaris aanbeveel, verhoog soos deur die komitee met die goedkeuring van die Administrateur vasgestel:

Met dien verstande dat in die geval van 'n jaargeld betaalbaar aan 'n pensioentrekker wat nie ingevolge die bepalinge van regulasie 37(1) afgedank is nie en wat afgetree het of aftree voor bereiking van die ouderdom van 60 jaar, die eerste sodanige verhoging betaalbaar word op die eerste dag van Januarie wat volg op die verstryking van ten minste 1 jaar na bereiking van genoemde ouderdom."

6. Regulasie 34(2) word hierby gewysig deur die woorde "n jaargeld" deur die woord "voordele" te vervang.

7. Regulasie 35 word hierby deur die volgende regulasie vervang:

"Laat Aftrede.

35.(1) As n lid aftree of afgedank word nadat hy die pensioenleeftyd bereik het, word aan hom vanaf die datum van aftrede voordele soos bereken ingevolge regulasie 33 toegeken ten opsigte van sy deurlopende diens tot die datum van sy aftrede, watter voordele vermeerder word met twee-vyftes van 1 persent vir elke voltooide maand waarmee sy ouderdom op die datum van sy aftrede meer as die pensioenleeftyd is.

(2) 'n Lid wie se dienste behou word soos in regulasie 34(1) bepaal en wat vrywillig bedank, word vir die toepassing van hierdie regulasies geag met pensioen af te getree het ingevolge hierdie regulasies op die datum van sy bedanking en aan hom word voordele soos bereken ingevolge subartikel (1) toegeken."

8. Regulasie 36 word hierby gewysig deur die woorde "n jaargeld" deur die woord "voordele" te vervang.

9. Regulasie 37(1) word hierby gewysig deur die woorde "n jaargeld" deur die woord "voordele" te vervang.

10. Regulasie 38 word hierby deur die volgende regulasie vervang:

"Afdanking weens Reorganisasie.

38. Indien 'n lid met minstens 10 jaar deurlopende diens afgedank word weens 'n vermindering in of reorganisasie van personeel, of weens die afskaffing van sy amp of pos ten einde verbeterings in doeltreffendheid of organisasie aan te bring, of weens afdankings in die algemeen, is hy geregtig om voordele soos bereken ingevolge regulasie 33 te ontvang: Met dien verstande dat alle betalings van jaargeld wat gedoen word voordat sodanige lid die pensioenleeftyd bereik het, deur die betrokke plaaslike bestuur uit sy eie inkomste betaal word en indien 'n gratifikasie ook betaalbaar is, word die bedrag daarvan gedeeltelik uit die Fonds en gedeeltelik uit die inkomste van sodanige plaaslike bestuur ingevolge tabelle deur 'n aktuaris verskaf, betaal."

11. Regulasie 40 word hierby deur die volgende regulasie vervang:

(a) retired before 1 January 1976, shall on 1 January 1977 and thereafter annually on the first day of January, in terms of a scale recommended by the actuary, be increased as determined by the committee with the approval of the Administrator; or

(b) retired or retires on or after 1 January 1976, shall, annually on the first day of January, after such annuity had been payable for at least 1 year, in terms of a scale recommended by the actuary, be increased as determined by the committee with the approval of the Administrator:

Provided that in the case of an annuity payable to a pensioner who is not retired in terms of the provisions of regulation 37(1) and who retired or retires before reaching the age of 60 years, the first such increase shall become payable on the first day of January which follows the expiry of at least 1 year after attaining the said age."

6. Regulation 34(2) is hereby amended by the substitution for the words "an annuity" of the word "benefits".

7. The following regulation is hereby substituted for regulation 35:

"Late Retirement.

35.(1) If a member retires or is retired after attaining the pension age, he shall, as from the date of retirement, be granted benefits as calculated in terms of regulation 33 in respect of his continuous service up to the date of his retirement, which benefits shall be increased by two-fifths of 1 per cent for each completed month by which his age at the date of his retirement exceeds the pension age.

(2) A member whose services are retained as provided for in regulation 34(1) and who voluntarily resigns, shall for the purpose of these regulations, be deemed to have retired on pension in terms of these regulations on the date of his resignation and he shall be granted benefits as calculated in terms of subregulation (1)."

8. Regulation 36 is hereby amended by the substitution for the words "an annuity" of the word "benefits".

9. Regulation 37(1) is hereby amended by the substitution for the words "an annuity" of the word "benefits".

10. The following regulation is hereby substituted for regulation 38:

"Retirement owing to Re-organization.

38. If a member who has had at least 10 years' continuous service is retired owing to a reduction in or reorganization of staff, or to the abolition of his office or post in order to facilitate improvements in efficiency or organization, or owing to retrenchment generally, he shall be entitled to receive benefits as calculated in terms of regulation 33: Provided that all payments of annuity made before such member has reached the pension age, shall be paid by the local authority concerned out of its own revenue, and if a gratuity is also payable, the amount thereof shall be paid partly out of the Fund and partly out of the revenue of such local authority in terms of tables supplied by an actuary."

11. The following regulation is hereby substituted for regulation 40:

"Omsetting van Pensioene.

40. Die komitee kan na algehele goeddunke 'n jaargeld wat nie R60 per jaar oorskry nie, in 'n ronde som omsit ingevolge tabelle deur 'n aktuaris verskaf."

12. Regulasie 41 word hierby gewysig deur subregulasie (1), deur die volgende subregulasie te vervang:

"(1) As 'n lid voor die pensioenleef tyd te sterwe kom terwyl hy in diens van 'n plaaslike bestuur is, ontvang sy afhanklikes, behoudens die bepalings van regulasie 24(1)(b), 'n gratifikasie gelyk aan twee maal sodanige lid se jaarlikse pensioendraende emolumente op die datum van sy afsterwe: Met dien verstande dat die bedrag van sodanige gratifikasie nie minder is as dié wat betaalbaar sou wees indien sodanige lid vrywillig op die datum van sy afsterwe bedank het nie."

13. Regulasie 42 word hierby gewysig deur subregulasie (1) deur die volgende subregulasie te vervang:

"(1) Indien 'n lid uit die diens van 'n plaaslike bestuur ontslaan word as gevolg van wangedrag, oneerlikheid, bedrog of nalatigheid, of as hy toegelaat word om uit te tree of te bedank ten einde ontslag te voorkom, ontvang hy 'n gratifikasie gelyk aan die bedrag van sy bydraes, plus 2 persent van sodanige bedrag ten opsigte van elke voltooide jaar van deurlopende diens: Met dien verstande dat as sodanige wangedrag, oneerlikheid, bedrog of nalatigheid die plaaslike bestuur geldelike verlies besorg het, die bedrag van sodanige verlies van sy gratifikasie afgetrek en aan die plaaslike bestuur betaal word."

14. Regulasie 43 word hierby gewysig deur —

(a) subregulasie (1) deur die volgende subregulasie te vervang:

"(1) Indien 'n lid vrywillig uit die diens van 'n plaaslike bestuur tree onder omstandighede wat nie elders in hierdie regulasies gemeld word nie, is hy, behoudens die bepalings van subregulasie (4), geregtig om 'n gratifikasie te ontvang wat gelyk is aan die bedrag van sy bydraes, plus 2 persent van sodanige bedrag ten opsigte van elke voltooide jaar van deurlopende diens."

(b) in subregulasie (2) die woorde "n jaargeld" deur die woord "voordele" te vervang; en

(c) in subregulasie (4) die woord "jaargeld" deur die woord "voordele" te vervang.

15. Regulasie 53 word hierby gewysig deur die woord "twee" deur die syfer "3" te vervang.

PB. 3-4-6-3

Administrateurskennisgewing 1745 29 Desember 1976

REGULASIES BETREFFENDE DIE GEMEENSKAPLIKE MUNISIPALE PENSIOENFONDS (TRANSVAAL): WYSIGING.

Ingevolge die bepalings van artikel 79 *ter* van die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie 17 van 1939), wysig die Administrateur hierby die Regulasies betreffende die Gemeenskaplike Munisipale Pensioenfonds (Transvaal) deur die Administrateur ingestel ingevolge artikel 79 *ter* van die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie 17 van 1939), en wat sekere ander Pensioenfondse raak, afgekondig by Administra-

"Commutation of Pensions.

40. The committee may, in its absolute discretion, commute an annuity which does not exceed R60 per annum into a lump sum in terms of tables supplied by an actuary."

12. Regulation 41 is hereby amended by the substitution for subregulation (1), of the following subregulation:

"(1) If a member dies before the pension age while in the service of a local authority, his dependants shall, subject to the provisions of regulation 24(1)(b), receive a gratuity equal to twice the annual pensionable emoluments of such member at the date of his death: Provided that the amount of such gratuity shall not be less than that which would be payable if such member had retired voluntarily at the date of his death."

13. Regulation 42 is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) If a member is dismissed from the service of a local authority as a result of misconduct, dishonesty, fraud or negligence, or if he is allowed to retire or resign in order to avoid dismissal, he shall receive a gratuity equal to the amount of his contributions, plus 2 per cent of such amount in respect of each complete year of continuous service: Provided that if such misconduct, dishonesty, fraud or negligence has involved the local authority in financial loss, the amount of such loss shall be deducted from his gratuity and shall be paid to the local authority."

14. Regulation 43 is hereby amended by —

(a) the substitution for subregulation (1) of the following subregulation:

"(1) If a member retires voluntarily from the service of a local authority in circumstances not elsewhere referred to in these regulations, he shall, subject to the provisions of subregulation (4), be entitled to receive a gratuity equal to the amount of his contributions, plus 2 per cent of such amount in respect of each complete year of continuous service."

(b) the substitution in subregulation (2) for the words "an annuity" of the word "benefits"; and

(c) the substitution in regulation (4) for the words "an annuity" of the word "benefits".

15. Regulation 53 is hereby amended by the substitution for the word "two" of the figure "3".

PB. 3-4-6-3

Administrator's Notice 1745 29 December, 1976

REGULATIONS RELATING TO THE JOINT MUNICIPAL PENSION FUND (TRANSVAAL): AMENDMENT.

The Administrator, in terms of the provisions of section 79 *ter* of the Local Government Ordinance, 1939 (Ordinance 17 of 1939), hereby amends the Regulations relating to the Joint Municipal Pension Fund (Transvaal) established by the Administrator in terms of section 79 *ter* of the Local Government Ordinance, 1939 (Ordinance 17 of 1939), and affecting certain other Pension Funds, promulgated under Administrator's

teurskennisgewing 2056 van 12 November 1974, soos in die Bylae hierby uiteengesit.

BYLAE.

1. Regulasie 1 word hierby gewysig deur in paragraaf (b) van die woordskrywing van "deposito-administrasiepolis" die woord "gekrediteer" deur die woord "gedebiteer" te vervang.

2. Regulasie 5 word hierby met ingang van 1 Januarie 1977 gewysig deur —

(a) in subregulasie (1)(a) die uitdrukking "30ste dag van September" deur die uitdrukking "31ste dag van Maart" te vervang;

(b) in subregulasie (4)(b) die woord "Oktober" deur die woord "April" te vervang; en

(c) in subregulasie (6)(a) die woord "November" deur die woord "Mei" te vervang.

3. Regulasie 6 word hierby met ingang van 1 Januarie 1977 gewysig deur in subregulasie (1) die woord "November" en die uitdrukking "31ste dag van Desember" onderskeidelik deur die woord "Mei" en die uitdrukking "30ste dag van Junie" te vervang.

4. Regulasie 9 word hierby met ingang van 1 Januarie 1977 gewysig deur in subregulasie (2)(a) die woord "November", waar dit ook al voorkom, deur die woord "Mei" te vervang.

5. Regulasie 12 word hierby met ingang van 1 Januarie 1977 gewysig deur in subregulasie (1) die woord "Januarie" deur die woord "Augustus" te vervang.

6. Regulasie 21 word hierby gewysig deur subregulasie (2) deur die volgende subregulasie te vervang:

"(2) Die komitee van beheer balanseer, met ingang van die jaar 1977, die boeke en rekeninge tot die 31ste dag van Desember van iedere jaar en laat 'n balansstaat opstel waarin die bates en laste van die Fonds tot op die datum waarop die balansstaat opgestel is, aangetoon word en die bepalinge van hierdie subregulasie is ook van toepassing ten opsigte van die tydperk vanaf die 1ste dag van Julie 1976 tot die 31ste dag van Desember 1976."

PB. 3-4-5-3

Notice 2056 of 12 November, 1974, as set out in the Schedule hereto.

SCHEDULE.

1. Regulation 1 is hereby amended by the substitution in paragraph (b) of the definition of "deposit administration policy" for the word "credited" of the word "debited".

2. Regulation 5 is hereby amended with effect from 1 January 1977 by —

(a) the substitution in subregulation (1)(a) for the expression "30th day of September" of the expression "31st day of March";

(b) the substitution in subregulation (4)(b) for the word "October" of the word "April"; and

(c) the substitution in subregulation (6)(a) for the word "November" of the word "May".

3. Regulation 6 is hereby amended with effect from 1 January 1977 by the substitution in subregulation (1) for the word "November" and the expression "31st day of December" of the word "May" and the expression "30th day of June" respectively.

4. Regulation 9 is hereby amended with effect from 1 January 1977 by the substitution in subregulation (2)(a) for the word "November", wherever it appears, of the word "May".

5. Regulation 12 is hereby amended with effect from 1 January 1977 by the substitution in subregulation (1) for the word "January" of the word "August".

6. Regulation 21 is hereby amended by the substitution for subregulation (2) of the following subregulation:

"(2) The committee of management shall, with effect from the year 1977, balance the books and accounts up to the 31st day of December in every year and cause a balance sheet to be framed showing the assets and liabilities of the Fund up to the date on which the balance sheet is framed and the provisions of this subregulation shall also apply in respect of the period from the 1st day of July 1976 to the 31st day of December 1976."

PB. 3-4-5-3

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