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OFFICE OF THE PRESIDENT

No. 1557. 2 December 1998

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

No. 128 of 1998: Demobilisation Amendment Act, 1998.

KANTOOR VAN DIE PRESIDENT

No. 1557. 2 Desember 1998

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

No. 128 van 1998: Wysigingswet op Demobilisasie, 1998.

GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President.)
(Assented to 20 November 1998.)

ACT

To amend the Demobilisation Act, 1996, so as to amend certain definitions; to further regulate the payment of a dependant's benefit; and to effect certain technical amendments; and to provide for matters connected therewith.

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

Amendment of section 1 of Act 99 of 1996

1. Section 1 of the Demobilisation Act, 1996 (hereinafter referred to as the principal Act), is hereby amended—

- (a) by the substitution for the definition of "closing date" of the following definition:

" 'closing date', for the purposes of section [6(1)(c)] 8(1)(c), means [the date 12 months after the date on which this Act comes into operation] 31 March 1999;"; and

- (b) by the substitution in the definition of "dependant" for the words preceding paragraph (a) of the following words:

" 'dependant', for the purposes of section [5] 7, includes—".

Amendment of section 3 of Act 99 of 1996

2. Section 3 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

"(b) determine whether an applicant is eligible to benefit under the demobilisation programme in terms of sections [4 and 5] 5 and 7";; and

- (b) by the substitution for paragraph (e) of subsection (1) of the following paragraph:

"(e) determine the validity of the mandate of any person to act on behalf of the applicant referred to in section [6(2)] 8(2); and".

Amendment of section 7 of Act 99 of 1996

3. Section 7 of the principal Act is hereby amended—

- (a) by the substitution for subsections (1) and (2) of the following subsections, respectively:

"(1) Notwithstanding the provisions of any other law, a surviving dependant of any person who, but for his or her death, would have been

ALGEMENE VERDUIDELIKENDE NOTA:

- [] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.
- _____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

(Engelse teks deur die President geteken.)
(Goedgekeur op 20 November 1998.)

WET

Tot wysiging van die Wet op Demobilisasie, 1996, ten einde sekere omskrywings te wysig; die uitbetaling van 'n afhanklike se voordeel verder te reël; en sekere tegniese wysigings te bewerkstellig; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

DAAR WORD BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 99 van 1996

1. Artikel 1 van die Wet op Demobilisasie, 1996 (hierna die Hoofwet genoem), word hierby gewysig—

- (a) deur in die omskrywing van “afhanklike” die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:
 “‘afhanklike’, by die toepassing van artikel [5] 7, ook—”; en
- (b) deur die omskrywing van “sluitingsdatum” deur die volgende omskrywing te vervang:
 “‘sluitingsdatum’, by die toepassing van artikel [6(1)(c), die datum 12 maande na die datum waarop hierdie Wet in werking tree] 8(1)(c), 31 Maart 1999;”.

Wysiging van artikel 3 van Wet 99 van 1996

2. Artikel 3 van die Hoofwet word hierby gewysig—

- (a) deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:
 “(b) bepaal of 'n aansoeker geregtig is om voordeel te trek kragtens die demobilisasie-program ingevolge artikels [4 en 5] 5 en 7;”; en
- (b) deur paragraaf (e) van subartikel (1) deur die volgende paragraaf te vervang:
 “(e) die geldigheid bepaal van die mandaat van enige persoon om ten behoeve van die aansoeker in artikel [6(2)] 8(2) vermeld, op te tree; en”.

Wysiging van artikel 7 van Wet 99 van 1996

3. Artikel 7 van die Hoofwet word hierby gewysig—

- (a) deur subartikels (1) en (2) deur onderskeidelik die volgende subartikels te vervang:
 “(1) Ondanks die bepalings van enige ander wet, het 'n oorlewende afhanklike van enige persoon wat ingevolge artikel [4] 5 op demobilisasie

eligible for demobilisation in terms of section [4] 5 shall, subject to subsection (3), be entitled to receive the demobilisation gratuity to which that person would have been entitled, had he or she survived.

(2) For the purposes of this section, section [4(c)] 5(1)(c) shall not apply in determining the eligibility of the deceased.”; and

(b) by the deletion of subsection (4).

5

Short title and commencement

4. This Act is called the Demobilisation Amendment Act, 1998, and shall be deemed to have come into operation on 18 February 1997.

geregtig sou gewees het indien hy of sy nie te sterwe gekom het nie; behoudens subartikel (3) die reg op die demobilisasie-gratifikasie waarop daardie persoon geregtig sou gewees het indien hy of sy oorleef het.

5 (2) By die toepassing van hierdie artikel is artikel [4(c)] 5(1)(c) nie van toepassing by die bepaling van die geregtigheid van die oorledene nie.”; en

(b) ... deur subartikel (4) te skrap.

Kort titel en inwerkingtreding

4. Hierdie Wet heet die Wysigingswet op Demobilisasie, 1998, en word geag op
10 18 Februarie 1997 in werking te getree het.

