

**NO. 67 OF 1996: PUBLIC SERVICE SECOND AMENDMENT ACT, 1996.**

**PRESIDENT'S OFFICE**

**No. 1813. 8 November 1996**

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

**ACT**

To amend the Public Service Act, 1994, in order to grant to certain officers in the public service the right to retire on or after the date on which they reach the age of 55 years; and to provide for matters connected therewith.

(Afrikaans text signed by the President.)

(Assented to 30 October 1996.)

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

**Amendment of section 16 of Proclamation 103 of 1994, as amended by section 3 of Act 13 of 1996**

1. Section 16 of the Public Service Act, 1994 (hereinafter referred to as the principal Act), is hereby amended-

(a) by the insertion after subsection (2) of the following subsection:

"(2A)(a) Notwithstanding the provisions of subsections (1) and (2)(a), an officer, other than a member of the services or an educator or a member of the Agency or the Service, shall have the right to retire from the public service on the date on which he or she attains the age of 55 years, or on any date after that date.

(b) The provisions of subsection (2)(b) shall apply with the necessary changes to an officer who wishes to retire in terms of paragraph (a)."; and

(b) by the substitution for paragraph (a) of subsection (6) of the following paragraph:

"(a) An executing authority may, at the request of an officer and subject to a recommendation of the Commission, notwithstanding the absence of any reason for discharge in terms of section 17(2), allow him or her to retire from the public service before reaching the age of 55 years if in the opinion of such authority a sufficient reason exists therefor and the retirement will be to the advantage of the State."

**Short title and commencement**

2. This Act shall be called the *Public Service Second Amendment Act, 1996*, and shall come into operation on a date fixed by the President by proclamation in the Gazette.