



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper

As 'n Nuisblad by die Poskantoor Geregistreer

VOL. 402

CAPE TOWN, 2 DECEMBER 1998

No. 19543

KAAPSTAD, 2 DESEMBER 1998

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 gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

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

Act No. 128, 1998

DEMOBILISATION AMENDMENT ACT, 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— 5

- (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 10
- (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— 15

- (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: 20

"(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— 25

- (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

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.