REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

Staatskoerant
Government Gazette

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Regulasiekoerant
Regulation Gazette

No. 4901

Vol. 325 PRETORIA, 16 JULIE / JULY 1992 No. 14165

G 68 G
S. 559
24 JUL 1992

GOEWERMENTSKENNISGEWING

KANTOOR VAN DIE KOMMISSIE VIR ADMINISTRASIE

No. R. 2058 **16 Julie 1992**

BYLAE

Hierby word vir algemene inligting bekendgemaak dat die Staatspresident, kragtens artikel 35 (1) van die Staatsdienswet, 1984 (Wet No. 111 van 1984), die volgende regulasie uitgevaardig het:

Die Staatsdiensregulasies gepubliseer by Goewermentskennisgewing No. 2047 van 11 Desember 1959, soos gewysig, word hierby verder gewysig deur die bestaande regulasie A13 deur die volgende nuwe regulasie A13 te vervang:

"Aanneem van Nominasie vir Parlement, ens.

A13.1 As 'n beampte of werknemer 'n nominasie of rekwisisie aanvaar as kandidaat vir verkiesing tot, of kragtens subartikels 41 (b) en (c), 42 (b) en (c) of 43 (b) en (c) van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet 110 van 1983), benoem of verkies word as lid van die Parlement, word hy geag vrywillig uit die Staatsdiens te getree het met ingang van die datum waarop hy sodanige nominasie of rekwisisie aanvaar het of waarop hy aldus benoem of verkies is.

A13.2 As 'n beampte of werknemer kragtens artikel 70 van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet 110 van 1983), aangewys of aangestel word as lid van die Presidentsraad word hy geag uit die Staatsdiens ontslaan te wees met ingang van die datum waarop hy aldus aangewys of aangestel is.

GOVERNMENT NOTICE

OFFICE OF THE COMMISSION FOR ADMINISTRATION

No. R. 2058 **16 July 1992**

ANNEXURE

For general information it is hereby notified that the State President has, under the powers vested in him by section 35 (1) of the Public Service Act, 1984 (Act No. 111 of 1984), issued the following regulation:

The Public Service Regulations, published under Government Notice No. 2047 of 11 December 1959, as amended, are hereby further amended by substituting the following new regulation A13 for the existing regulation A13:

"Acceptance of Nomination for Parliament, etc.

A13.1 If an officer or employee accepts a nomination or requisition as candidate for election to, or in terms of subsections 41 (b) and (c), 42 (b) and (c) or 43 (b) and (c) of the Republic of South Africa Constitution Act, 1983 (Act 110 of 1983), is nominated or elected as member of Parliament, he is deemed to have voluntarily retired from the Public Service with effect from the date on which he accepted such nomination or requisition or on which he is so nominated or elected.

A13.2 If an officer or employee is designated or appointed as member of the President's Council in terms of section 70 of the Republic of South Africa Constitution Act, 1983 (Act 110 of 1983), he is deemed to have been discharged from the Public Service with effect from the date on which he is so designated or appointed.

A13.3 'n Beampte of werknemer kan met die vooraf toestemming van die Minister of Administrateur 'n nominasie of rekwisisie as kandidaat vir verkiesing tot lid van—

(a) 'n plaaslike owerheidsliggaam soos omskryf in die Wet op die Bevordering van Plaaslike Owerheidsaangeleenthede, 1983 (Wet 91 van 1983); of

(b) 'n skoolraad,

aanvaar, of deur 'n bevoegde persoon of liggaam as lid daarvan benoem, aangewys of aangestel word, as die betrokke Minister of Administrateur oortuig is dat daar nie inbreuk op die beampte of werknemer se ampspligte gemaak sal word nie: Met dien verstande dat indien sodanige toestemming nie verkry is of verleen word nie die bepalings van subregulasie 1 *mutatis mutandis* op die beampte of werknemer van toepassing is.

A13.4 Indien 'n beampte of werknemer wat verkies, benoem, aangewys of aangestel is as 'n lid van 'n in subregulasie 3 bedoelde liggaam of raad weens sy werksaamhede as sodanige lid nie meer sy ampspligte behoorlik kan vervul nie, of daar ander omstandighede is wat vereis dat hy nie langer as sodanige lid diens moet doen nie, kan die Minister of Administrateur daardie beampte of werknemer gelas om as lid van daardie liggaam of raad te bedank.

A13.5 As 'n geskil ontstaan tussen die Regering en 'n in subregulasie 3 bedoelde liggaam of raad mag 'n beampte of werknemer wat lid is van sodanige liggaam of raad nie aan die bespreking of stemming oor daardie geskilpunt deelneem nie.".

A13.3 An officer or employee may with prior permission from the Minister or Administrator accept a nomination or requisition as candidate for election as member of—

(a) a local government body as defined in the Promotion of Local Government Affairs Act, 1983 (Act 91 of 1983); or

(b) a school-board,

or be nominated, designated or appointed by a competent person or body as a member thereof, if the Minister or Administrator concerned is convinced that the official duties of the officer or employee will not be affected detrimentally: Provided that if such permission is not obtained or granted, the provisions of subregulation 1 apply *mutatis mutandis* to the officer or employee.

A13.4 If an officer or employee who is elected, nominated, designated or appointed as member of a body or board, contemplated in subregulation 3, is no longer able to perform his official duties satisfactorily on account of his activities as such member, or if other circumstances require that he no longer serve as such member, the Minister or Administrator may direct that officer or employee to resign as member of that body or board.

A13.5 In the event of a dispute arising between the Government and a body or board, contemplated in subregulation 3, an officer or employee who is a member of such body or board, shall not take part in the discussion or vote on the question at issue.".

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No.		Bladsy No.	Koerant No.
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Kantoor van die Kommissie vir Administrasie			
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Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaat Sak X85, Pretoria, 0001. Tel. 323-9731 × 263, 267 of 269

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001. Tel. 323-9731 × 263, 267 or 269