

REPUBLIC OF SOUTH AFRICA

PUBLIC SECTOR PENSION AND RELATED PAYMENTS BILL

*(As introduced in the National Assembly (proposed section 77))
(The English text is the official text of the Bill)*

(MINISTER OF FINANCE)

[B 3—2025]

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BILL

To provide that certain public sector pension, post-retirement medical and other pension related benefits under legislation and collective agreements are direct charges against the National Revenue Fund; and to provide for matters incidental thereto.

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

Public sector pension and related payments

1. The payments for public sector pension, post-retirement medical and other pension related benefits under legislation and collective agreements listed in the Schedule are direct charges against the National Revenue Fund, referred to in section 213 of the Constitution of the Republic of South Africa, 1996. 5

Amendment of Schedule

2. (1) The Minister of Finance may, subject to subsection (6), amend the Schedule after— 10

- (a) publishing the proposed amendments to the Schedule in the *Gazette* for public comment for a period of at least 30 days;
- (b) considering the public comment and, if necessary, amending the proposed amendments to the Schedule; and
- (c) tabling the proposed amendments to the Schedule in Parliament for approval, including its proposed effective date. 15

(2) Parliament must approve, adopt amendments to, or reject the proposed amendments to, the Schedule within three months from the date of its tabling.

(3) Section 13 of the Money Bills and Related Matters Act, 2009 (Act No. 9 of 2009), applies in relation to the consideration by Parliament of the proposed amended Schedule that is tabled for approval. 20

(4) If Parliament does not pass a resolution approving, adopting amendments to, or rejecting the proposed amendments to, the Schedule within three months from the date of its tabling, Parliament is deemed to have approved the proposed amendments to the Schedule, and— 25

- (a) the Minister must, by notice in the *Gazette*, publish the amended Schedule, and
- (b) the amended Schedule takes effect on the date specified in the notice.

(5) If Parliament approves the proposed amendments to the Schedule, the Minister must, by notice in the *Gazette*, publish the amended Schedule, and it takes effect on the date specified in the notice. 30

(6) The Minister may amend the Schedule in terms of subsection (1) to—

- (a) specify the meaning of any terms;

- (b) amend or omit benefits, or add benefits of the same kind, as a result of—
 - (i) an amendment to, or repeal of, any applicable legislation or collective agreement; or
 - (ii) new legislation or a new collective agreement; or
- (c) align references with the amendments made to the applicable legislation or collective agreements or new legislation or a new collective agreement. 5

Short title

- 3.** This Act is called the Public Sector Pension and Related Payments Act, 2025.

SCHEDULE*(Direct charges in terms of section 1)*

Payments*	Description of payments
1. Government payment to pre-1994 pension schemes and Retired Judges	<ul style="list-style-type: none"> • Additional retirement benefits to members of the fund in terms of the Associated Institutions Provident Fund Act, 1971 (Act No. 11 of 1971). • Pensions to the former members of the legislative assemblies of the former Venda, Transkei, Ciskei, Bophuthatswana and Gazankulu governments. • Pension benefits and awards to retired judges in terms of the Judges' Pensions Act, 1978 (Act No. 90 of 1978), referred to in section 16(4) of the Judges' Remuneration and Conditions of Employment Act, 2001 (Act No. 47 of 2001). • Pensions to members of the pension scheme of the National Road Board, which was abolished in terms of the Transport (Co-ordination) Act, 1948 (Act No. 44 of 1948). • Pensions to members of the pension scheme of the South African Mint in terms of the South African Reserve Bank Act 1989 (Act No. 90 of 1989). • Pensions to members of the Black Teachers Pension Fund Act, 1887 (Act No. 43 of 1887) (Cape). • Pensions to Chiefs and Headmen in terms of Regulations prescribing the Duties, Powers, Privileges and Conditions of Service of Chiefs and Headmen (Proclamation No. 110 of 1957). • Pensions to government officials and employees injured during war service, persons entitled to civil pensions and members of statutory bodies in terms of the Members of Statutory Bodies Pension Act, 1969 (Act No. 94 of 1969).
2. Injury on Duty (IOD)	Payment of pension benefits to government service officials and employees discharged because of injuries sustained on duty (until retirement age is reached) and payment of medical costs, following awards issued in terms of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993).
3. Government Contributions to Medical Schemes	Contributions to medical schemes for— <ul style="list-style-type: none"> • retired employees appointed in terms of the Public Service Act, 1994 (Proclamation No. 103 of 1994) and belonging to registered medical schemes in terms of collective agreements of the Public Service Coordinating Bargaining Council (PSCBC) as on date of retirement or termination of service; • retirees prior to 1 July 1992 who were members of Medihelp medical scheme and transferred to Government Employees Medical Scheme (GEMS); • former employees of former Development Boards; and • retired magistrates.
4. United Kingdom Tax: Locally Recruited Staff	Payments to local members appointed or deemed to have been appointed under section 1 of the Diplomatic Mission in United Kingdom Service Act, 1961 (Act No. 38 of 1961).
5. Special Pensions	Payments of benefits to persons who made sacrifices in the cause of establishing a new democratic constitutional order in terms of the Special Pensions Act, 1996 (Act No. 69 of 1996).
6. Political Office Bearers Pension Fund (POBPF)	Payments of employer pension contributions on behalf of members of Parliament who are admitted to the POBPF.
7. Pension Benefits: President of the Republic of South Africa	Pension benefits for Presidents of the Republic of South Africa, paid after retirement in terms of section 2(5)(a) of the Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998).

Payments*	Description of payments
8. Military Pensions: Ex-Service Persons	Pension payments to, and payment for medical treatment for, ex-service persons in terms of the Military Pensions Act, 1976 (Act No. 84 of 1976) involved in— <ul style="list-style-type: none"> • pre-1914 South African wars; • First and Second World wars; • Korean war; or • post-1960 wars.
9. Military Pensions: SA Citizen Force	Pension payment of, and payment for medical treatment for, members who participated in the Border War and members of the former non-statutory forces in terms of the Military Pensions Act, 1976 (Act No. 84 of 1976).
10. Post-retirement medical scheme: Staff of Parliament	Payment of subsidies to medical schemes for staff of Parliament in terms of the Parliamentary Service Act, 1974 (Act No. 33 of 1974).

*A payment also applies to a dependent or beneficiary (including a widower or widow) of a qualifying person if entitled thereto in terms of the applicable legislation or collective agreement.

