



**DEPARTMENT OF PUBLIC SERVICE AND ADMINISTRATION
REPUBLIC OF SOUTH AFRICA**

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TO ALL NATIONAL AND PROVINCIAL DEPARTMENTS

OFFICIALS DISMISSED DURING THE 1991 CISKEI INDUSTRIAL STRIKE ACTION

1. During 1991, a group of employees of the former Government of Ciskei were dismissed due to their participation in an industrial action. According to an agreement between NEHAWU and the Eastern Cape Provincial Government these officials were reinstated in 1994. In respect of the pension position of the affected employees, the relevant agreement provides as follows:

" Should a person be re-employed, the period between the dismissal and the date of re-employment shall be regarded as pensionable service for the purposes of any future pension benefits of a person, and the State as employer will fully compensate the relevant Fund including the loss of the member's contribution as well as the employer's contribution, provided that this provision does not apply to persons dismissed in terms of section 15(1)(c) of the Ciskei Public Service Act, 1981 (Act No 2 of 1981) and in respect of whom pension benefits were paid out."

2. The Office of the Premier: Eastern Cape supplemented the agreement with the following measures:
 - 2.1 All persons who were dismissed in terms of Section 15(1)(c) of the Ciskei Public Service Act No 2 of 1981, as amended, and

whose pension benefit were never paid out should be treated as if they never left the service, i.e. without break in service.

- 2.2 All persons who were dismissed in terms of Section 15 (1) (c) of the above mentioned Act and whose pension benefits were paid out should be considered as having had a break in service.
 - 2.3 All persons who were dismissed in terms of section 15(2) of the aforementioned Act and to whom pension benefits were paid out should be treated as if they had no break in service, but the amount initially paid to them in this regard must be deducted
 - 2.3 All persons who were dismissed in terms of Section 15(2) of the same Act and whose pension benefits were never paid out should be treated as if they had no break in service.
3. However, the above agreement and measures relating to the reinstatement of pensionable service were never implemented and the relevant employees (some retired by now) must be identified to rectify their pension position. Although the majority of the affected employees will be concentrated in the Eastern Cape Province, some of them may have been transferred to other national and provincial departments. All Departments are thus required to assist in the identification of affected (former) employees.
 4. In view of the above and to enable the actuaries of the Government Employees Pension Fund to calculate the cost of the reinstated service, the following information must be provided in respect of each affected (and affected former) employee in your Department:
 - 4.1 Name and Persal number.
 - 4.2 Pension or member number of the affected person (number in the former Ciskei Civil Service Pension Fund as well as the current GEPF number)
 - 4.3 Identity number.
 - 4.4 Date of birth.
 - 4.5 Service type (indication of whether such person or members were employed as uniformed members of the Police Services or Defence Force etc)
 - 4.6 Date of pensionable service; i.e. date of first admission to a government pension fund.
 - 4.7 Date of the dismissal.
 - 4.8 Date of reinstatement.
 - 4.9 The annual salary on dismissal.
 - 4.10 Annual salary on reinstatement.
 - 4.11 Annual salary for the 24 months leading up to 31 December 2001.

5. VERY IMPORTANT: Some of the affected persons have already left the service and in respect of each of these former employees, the following information is needed:
- The date of exit from service.
 - The reason for exiting the public service (e.g. retirement or resignation),
 - Annual salary for the 24 months leading up to the date of exit.

For persons who have already exited the service, the provision of information must be fast tracked. A separate list of these former employees must be compiled immediately.

6. Finally, the details of any pension benefits that were paid on dismissal in 1991 and whether these would be repaid to the Fund will be required. In this regard, it was brought to our attention, that the relevant Pension Fund Administrator (SANLAM) issued benefit payments (cheques) to some affected employees in 1991 but some of these were never handed to the said employees. In this regard we **must** be provided with a list of the names, PERSAL numbers and pension numbers of the employees concerned.
7. All of the above information should be sent to the National Treasury, Chief Directorate: Pensions Administration, Private Bag X 63, PRETORIA, 0001 in specially marked packages, before 15 December 2001.

for 
DIRECTOR-GENERAL
16/11/2001