17. No differential duties or imposts on the produce of the territories shall be levied. The laws of the Union relating to customs and excise shall be made to apply to the territories.

18. There shall be free intercourse for the inhabitants of the territories with the rest of South Africa subject to the laws, including the pass laws, of the Union.

19. Subject to the provisions of this Schedule, all revenues derived from any territory shall be expended for and on behalf of such territory: Provided that the Governor-General in Council may make special provision for the appropriation of a portion of such revenue as a contribution towards the cost of defence and other services performed by the Union for the benefit of the whole of South Africa, so, however, that that contribution shall not bear a higher proportion to the total cost of such services than that which the amount payable under paragraph 12 of this Schedule from the Treasury of the Union towards the cost of the administration of the territory bears to the total customs revenue of the Union on the average of the three years immediately preceding the year for which the contribution is made.

20. The King may disallow any law made by the Governor-General in Council by proclamation for any territory within one year from the date of the proclamation, and such disallowance on being made known by the Governor-General by proclamation shall annul the law from the day when the disallowance is so made known.

21. The members of the commission shall be entitled to such pensions or superannuation allowances as the Governor-General in Council shall by proclamation provide, and the salaries and pensions of such members and all other expenses of the commission shall be borne by the territories in the proportion of their respective revenues.

22. The rights as existing at the date of transfer of officers of the public service employed in any territory shall remain in force.

23. Where any appeal may by law be made to the King in Council from any court of the territories, such appeal shall, subject to the provisions of this Act, be made to the Appellate Division of the Supreme Court of South Africa.

24. The Commission shall prepare an annual report on the territories, which shall, when approved by the Governor-General in Council, be laid before both Houses of Parliament.

25. All Bills to amend or alter the provisions of this Schedule shall be reserved for the signification of His Majesty's pleasure.

CHAPTER 10.

An Act to amend the Superannuation Acts, 1834 to 1892.

[20th September 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Superannuation allowances and additional allowances to future male civil servants.

1.—(1) The proportion of the annual salary and emoluments on which the scale of the superannuation allowances to be granted to male civil servants is to be calculated shall, in the case of civil servants who enter the service after the passing of

this Act, be one-eightieth instead of one-sixtieth, and accordingly
22 Vict. c. 26. section two of the Superannuation Act, 1859, shall, as respects such civil servants, have effect as if for the words "sixtieth" and "sixtieths," wherever they occur, there were substituted the words "eightieth" and "eightieths."

(2) The Treasury may grant by way of additional allowance to any such civil servant who retires after having served for not less than two years, in addition to the superannuation allowance (if any) to which he may become entitled or the gratuity (if any) which may be granted to him under section six of the Superannuation Act, 1859, a lump sum equal to one-thirtieth of the annual salary and emoluments of his office multiplied by the number of completed years he has served, so, however, that the additional allowance shall in no case exceed one and a half times the amount of such salary and emoluments:

Provided that, if a civil servant retires from the service after attaining the age of sixty-five years, there shall be deducted from the amount of the additional allowance which would otherwise be payable to him one-twentieth of that amount for every completed year he has served after attaining that age.

Gratuity in case of death of future male civil servants.

2.—(1) Where a male civil servant who enters the service after the passing of this Act dies, after he has served five years or upwards, whilst still employed in the service, the Treasury may grant to his legal personal representatives a gratuity equal to the annual salary and emoluments of his office:

Provided that, if he dies after attaining the age of sixty-five years, the amount of the gratuity which may be so granted shall be reduced by one-twentieth of that amount for every completed year he has served after attaining that age.

(2) Where any such civil servant having become entitled to a superannuation allowance dies after he has retired from the service, and the sums actually received by him at the time of his death on account of such superannuation allowance, together with the sum received by him by way of additional allowance, are less than the amount of the annual salary and emoluments of his office, the Treasury may grant to his legal personal representatives a gratuity equal to the deficiency.

Application existing male civil servants.

3.—(1) Subject to regulations made by the Treasury, the Treasury may allow any male civil servant who has entered the service before the date of the passing of this Act, and who at that date is under sixty years of age, to adopt the provisions of this Act, and in such case there may be granted to him or his legal personal representatives such superannuation and other allowances and gratuity as might have been granted had he entered the service after the passing of this Act, except that the amount of the additional allowance payable on retirement shall be increased by one-half per cent. in respect of each completed year he had served at the passing of this Act.

(2) Nothing in this Act shall affect the right to superannuation allowance or gratuity of a civil servant who has entered the

service before the passing of this Act, and who either is at that time over sixty years of age, or is under sixty years of age and does not adopt the provisions of this Act.

Method of calculating allowances.

4. Subject to the provisions of this Act, the provisions of the Superannuation Acts, 1834 to 1892, with respect to the qualifications for obtaining superannuation allowances and gratuities, and to the manner of reckoning years of service and amount of annual salary and emoluments, and to the diminution of superannuation allowances, and to the determination of questions by the Treasury, shall apply in respect of additional allowances and gratuities under this Act in like manner as they apply in respect of superannuation allowances under those Acts.

Power to revoke and alter warrants under 50 & 51 Vict. c. 67. s. 1.

5. A warrant framed by the Treasury under section one of the Superannuation Act, 1887, with respect to the grant of gratuities and allowances to civil servants injured in the discharge of their duty may be revoked or from time to time varied by a fresh warrant, and every such warrant shall be laid before Parliament.

Compensation on abolition of office.

6.—(1) It shall be lawful for the Treasury to grant to any person retiring or removed from the public service in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organisation of the department to which he belonged, by which greater efficiency and economy can be effected, such special allowance or allowances by way of compensation as on a full consideration of the circumstances of the case seem to the Treasury to be a reasonable and just compensation for the loss of office, but not exceeding in any case the amount which a civil servant would be entitled to, or which might be granted to a civil servant, if he retired on the ground of ill-health.

(2) The foregoing provision shall apply only to persons entering the service after the date of the passing of this Act, and shall apply to those persons in substitution for section seven of the Superannuation Act, 1859.

Nothing herein contained shall affect the application of the said section seven of the Superannuation Act, 1859, to persons who have entered the service before that date or the practice of the Treasury thereunder.

Rules.

7.—(1) The Treasury may from time to time make rules for the purpose of carrying this Act into effect and for making such adaptations and modifications of the provisions of the Superannuation Acts, 1834 to 1892, and other enactments relating to superannuation allowances and pensions of persons who have served partly in the civil service and partly in some other service entitling them to a pension as may be necessary for adapting those provisions to the provisions of this Act, and for altering the rules made by the Treasury under the Superannuation Act, 1892.

(2) Before any rules made under this section come into force, a draft thereof shall be laid before each House of Parliament for

a period of not less than thirty days during the session of Parliament, and, if either of those Houses of Parliament before the expiration of those thirty days presents an address to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, without prejudice to the making of any new draft rules.

Short title and construction.

8. This Act may be cited as the Superannuation Act, 1909, and shall be read as one with the Superannuation Acts, 1834 to 1892, and those Acts and this Act may be cited together as the Superannuation Acts, 1834 to 1909.

CHAPTER 11.

An Act to amend the Judicature Acts, 1873 to 1894, with respect to the Persons in whom the power of making Rules of Court under those Acts is vested.

[20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of provisions as to rule committee.

1.—(1) The persons in whom the power of making rules of court under the Judicature Acts, 1873 to 1894, is vested shall include four persons, of whom two shall be practising barristers being members of the General Council of the Bar and two shall be practising solicitors, one such solicitor being a member of the Council of the Law Society and the other being a member of the Law Society and also of a provincial Law Society, to be appointed by the Lord Chancellor for the purpose in the same manner as the four judges referred to in section nineteen of the Supreme Court of Judicature Act, 1881.

44 & 45 Vict. c. 68.

(2) Section four of the Supreme Court of Judicature (Procedure) Act, 1894, is hereby repealed.

57 & 58 Vict. c. 16.

Short title.

2. This Act may be cited as the Judicature (Rule Committee) Act, 1909, and may be cited with the Judicature Acts, 1873 to 1894.

CHAPTER 12.

An Act to prohibit Gambling on Loss by Maritime Perils.

[20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: