

PUBLIC SERVICE ACT, 1978

"prescribed apparatus" means any apparatus (prescribed or deemed to have been prescribed by the President, on the recommendation of the Commission, by proclamation in the *Gazette*) by means of which the breath of any person is tested or analysed in order to determine whether or not the alcohol content of the blood of such person exceeds a given limit;

"regulation" means a regulation made or deemed to have been made and in force under this Act;

"revenue" means the Transkeian Revenue Fund;

"scale" in relation to salary, includes salary at a fixed rate;

"Territorial Authority" means the Transkeian Territorial Authority established by Proclamation 180 of 1956;

"the services" means the Transkeian Police (including the Transkeian Traffic Police), the Transkeian Prisons' Service consisting of the Department of Prisons and the Permanent Force;

"this Act" includes the regulations;

"Treasury" means the Minister of Finance or any officer in the Department of Finance authorized by the said Minister to perform the functions assigned to the Treasury by this Act.

(2) Where in this Act reference is made, in relation to an officer, to a reduction in a scale of salary, such reference shall be construed as including the application of a scale of salary which is lower than the scale previously applied as regards the maximum or minimum of the scale or the rate of progression in the scale, and any such reference to a reduction in grade or to a grade being lower than another grade shall be correspondingly construed.

Application of Act.

2. (1) Save as in this section is specially provided and save as the context otherwise indicates in any other section, the provisions of this Act shall apply to or in respect of all officers and employees whether they are employed within or outside Transkei.

(2) The provisions of this Act which do not exclude persons employed in the services shall apply to or in respect of such persons only to the extent to which such provisions are not in conflict with the laws governing their employment.

(3) Nothing in this Act, except the provisions of section 4, shall apply in respect of the employment by the Government of persons whose appointment, remuneration, promotion and other conditions of employment may, in terms of any law, be made by the President or a Minister or other person without the recommendation of the Commission first having been obtained.

(4) All persons who immediately before the commencement of this Act -

(a) were by virtue of any provision of any law repealed by this Act officers in the public service, or