

PARLEMENT VAN DIE REPUBLIEK VAN SUID-AFRIKA  
PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICATelefoon 403-2911  
TelephonePosbus 15  
P.O. Box  
KAAPSTAD  
CAPE TOWN  
8000

Verw./Ref.

## MEMORANDUM

TO : Clerk of the Papers (Mr P Lebeko)

COPY : Secretariat

FROM : Legal Services Office

DATE : 7 February 2005

SUBJECT : Petition for pension: Mrs C J Kellermann

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1. We have been requested to screen the petition lodged by Mr Gibson, MP, on behalf of the petitioner, Mrs C J Kellermann. The petitioner is praying for the recognition of her late husband's previous period of service. She submits that her husband worked for the then Department of Justice from January 1980 until February 1991 when he resigned in order to pursue his studies.
2. The petitioner further submits that her husband joined the office of the Attorney-General from September 1991 and remained there until his death on 6 September 2000. She submits that had it not been for her husband's broken service, she would be entitled to a greater widow's pension. In light hereof she seeks the specific relief as contained in her petition.
3. The Rules of the National Assembly define a "special petition" as a "petition requesting a pension or other specific or personal relief from the State which is not authorised by law".
4. We are of the view that the petition meets the requirements of a "special petition" as defined in the Rules. However, the petition does not meet all the formalities for lodging a petition. Rule 312(1) requires that the petition must be signed, at the beginning thereof, by the member who lodges it. Mr Gibson did not sign this petition.





PARLEMENT VAN DIE REPUBLIEK VAN SUID-AFRIKA  
PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

Telefoon  
Telephone: 021-403-3372  
Cell. 082-415-5246  
Fax: 021-403-2689  
Email [downip@mweb.co.za](mailto:downip@mweb.co.za)  
Verw./Ref.



Posbus  
P O Box 15  
KAAPSTAD  
CAPE TOWN  
8000

28 October 2004

Mr ZA Dingani  
Secretary to Parliament  
Room V22

Fax: 021 4032604

Dear Mr Dingani

**Re: Petition: Mrs CJ Kellermann**

I enclose herewith a petition signed by Mrs Chloe Kellermann and shall be most grateful if you will forward it to the Speaker.

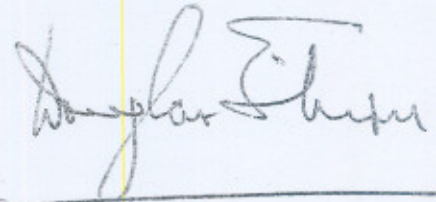
No doubt the Speaker will in turn forward it to the Private Members' Legislative Proposals and Special Pensions Committee for consideration.

Kind regards  
Yours sincerely

A handwritten signature in black ink, appearing to read 'Douglas Gibson', is written over a horizontal line.

DOUGLAS GIBSON MP





PETITION

DOUGLAS GIBSON MP

for submission to the Parliament of the Republic of South Africa

This is a petition submitted by Chloe Jamima Kellermann  
(I.D. 5907280025082).

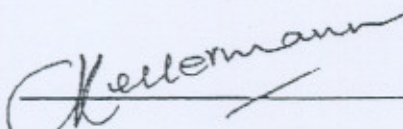
1. I am an adult widow residing at 13 Fresnaye Parc, Irwinton Road, Sea Point, 8005.
2. I am in receipt of a widow's pension under pension number CP57030771. The pension amounts to R4675 per month.
3. The pension arises from the fact that my late husband was a senior state advocate, employed by the Department of Justice and at the office of the Attorney General. My husband was the late Adv Abraham Gerhardus Kellermann.
4. The reason for the extremely modest pension is that my late husband had broken service. Although he was employed by the department from January 1980 until January/February 1991 he resigned in order to pursue his Masters studies at the University. He joined the Attorney General's office as from 1 September 1991 and remained there until his death on 6 September 2000. The total service which my husband rendered would entitle me to a far greater pension had there not been the short break of a few months.
5. I have a 9 year old daughter who is completely dependant on me. I have been unsuccessful in obtaining satisfactory employment although I have started attempting to act as an estate agent. This has not been particularly successful to date.
6. My monthly expenses are as follows:
 

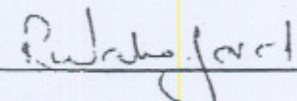
- School	R 380.00
- Telephone	R 800.00
- Petrol	R1 000.00
- Medical	R 800.00
- Food	R3 000.00
- Life cover	R 200.00
- Rent	R3 500.00
<b>Total</b>	<b>R9 680.00</b>



7. It will be observed that my expenses far exceed the small pension I receive and the result is that I am finding it extremely difficult to make ends meet. This can only get worse as my child becomes older and needs more expensive schooling and everything else that goes with bringing up a child.
  
8. I appealed to the Minister of Justice and was kindly granted an interview by her and accorded every sympathy and support by Mr Labuschagne of her department. The difficulty is that the matter cannot be rectified administratively and it is therefore Parliament itself which must come to my assistance.
  
9. In view of the dedicated and good service given by my husband for so many years of his life, I feel that it would be fair and just if the short break in service was condoned and my pension was reassessed on the basis of 20 years service.
  
10. In the circumstances I hereby humbly petition Parliament to come to the assistance of my daughter and myself in recognition of the service given to the State by my late husband.

Thus done and signed at Cape Town on this 29 day of October ..... 2004.

  
Chloe J Kellermann

  
Witness