

No. R. 73, 2002

DETERMINATION OF THE UPPER LIMIT OF THE SALARIES AND ALLOWANCES OF PREMIERS, MEMBERS OF EXECUTIVE COUNCILS AND MEMBERS OF PROVINCIAL LEGISLATURES

1. In terms of section 6 (1) of the Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998) ("the Remuneration Act"), I hereby determine that upper limit of the annual salaries and allowances of the various grades of office bearers mentioned in Column 1 of Schedule 1 shall be as set out in Columns 2, 3 and 4 of the Schedule 1 with effect from 1 April 2002, subject to section 6(7)(a) and (b) of the Remuneration Act.
2. Column 4 Schedule 1 (Notch 3) applies to a re-elected member who at any time has occupied his or her current office, or an office in the same or a higher grade according to Schedule 2, for a period of at least 24 months in total, whether continuous or not, and whether before or after 2 June 1999.
3. Column 3 of Schedule 1 (Notch 2) applies to all re-elected members other than those referred to in paragraph 2. When a re-elected member to whom Column 3 of Schedule 1 applies has held his or her current office, or an office in the same or a higher grade according to Schedule 2, for a period of 24 months in total, whether continuous or not, Column 4 of Schedule 1 (Notch 3) becomes applicable to that member.
4. Column 2 of Schedule 1 (Notch 1) applies to all members of Parliament who are not re-elected members.
5. For the purposes of calculating the period of 24 months referred to in paragraphs 2 and 3, a re-elected member who-
 - (a) was a member of Parliament or a Provincial Legislature on 1 June 1999; and

(b) pursuant to the elections of 2 June 1999, was designated by the Electoral Commission as a member of the National Assembly or a Provincial Legislature, or appointed as a permanent delegate to the National Council of Provinces (NCOP) in terms of section 61 (2) (b) of the Constitution,

is regarded to have continued to occupy the position occupied by him or her on 1 June 1999 until so designated or appointed.

6. In terms of section 6(4) of the Remuneration Act, I determine the amount of R40 000,00 per annum as that portion of the remuneration of an office bearer mentioned in Column 1 of Schedule 1 to which section 8(1)(d) of the Income Tax Act, 1962 (Act No. 58 of 1962), shall apply.
7. Except for the salaries and allowances provided for in this Proclamation, the office-bearers mentioned in Column 1 of Schedule 1 are not entitled to any other remuneration, whether directly or indirectly, in respect of the offices held by them.
8. In this Proclamation, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Remuneration Act, the Constitution of the Republic of South Africa, 1996, or the relevant Rules and Orders contemplated in section 116 of the constitution, bears that meaning; and -
 - (a) "member of Parliament" means a member of the National Assembly or a permanent delegate to the National Council of Provinces; and
 - (b) "re-elected member" means a member of Parliament-

- (i) who at any time before 2 June 1999 occupied an office mentioned in Schedule 2; and
- (ii) whose service in any one or more of those offices has not been interrupted at any time for a continuous period of more than 24 months.

9. Proclamation No. 59 of 2001, published in the *Government Gazette* of 9 November 2001, is repealed.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Twenty-third day of September Two Thousand and Two.

T M MBEKI
PRESIDENT

G J FRASER-MOLEKETI
MINISTER OF THE CABINET

SCHEDULE 1

UPPER LIMIT OF THE SALARIES AND ALLOWANCES OF PREMIERS, MEMBERS OF EXECUTIVE COUNCILS AND MEMBERS OF PROVINCIAL LEGISLATURES WITH EFFECT FROM 1 APRIL 2002

Grade	Office	COLUMN 2 (NOTCH 1)				COLUMN 3 (NOTCH 2)				COLUMN 4 (NOTCH 3)			
		Basic salary in R p.a.*	Motor vehicle allowance in R p.a.	Total remuneration in R p.a.	Basic salary in R p.a.*	Motor vehicle allowance in R p.a.	Total remuneration in R p.a.	Basic salary in R p.a.*	Motor vehicle allowance in R p.a.	Total remuneration in R p.a.	Basic salary in R p.a.*	Motor vehicle allowance in R p.a.	Total remuneration in R p.a.
Grade F	Premier	502 716	125 679	628 395	527 856	131 964	659 820	552 984	138 246	691 230			
Grade E1	Executive Council Member Speaker	408 600	102 150	510 750	429 036	107 259	536 295	449 460	112 365	561 825			
Grade D	Deputy Speaker	316 872	79 218	396 090	339 060	84 765	423 825	348 564	87 141	435 705			
Grade C1	Chief Whip: Majority Party	307 056	76 764	383 820	328 548	82 137	410 685	337 752	84 438	422 190			
Grade C2	Leader of Opposition in terms of Section 116(2)(d) of the Constitution Chairperson of a Committee of a Legislature Chairperson of Committees	297 576	74 394	371 970	318 408	79 602	398 010	327 336	81 834	409 170			
Grade B	Chief Whip: Official Opposition/ Largest Minority Party Deputy Chief Whip: Majority Party Deputy Chairperson of Committees	285 612	71 403	357 015	299 892	74 973	374 865	314 172	78 543	392 715			
Grade A1	Leader of a Legislature Whip Leader of a Minority Party in a Legislature other than the Official Opposition	254 052	63 513	317 565	271 836	67 959	339 795	279 456	69 864	349 320			
Grade A2	Member of a Legislature	244 668	61 167	305 835	252 012	63 003	315 015	269 136	67 284	336 420			

* Includes the amount of R40 000 per annum determined in this Proclamation as the amount to which section 8 (1) (d) of the Income Tax Act, 1962, applies.

SCHEDULE 2

Grade	Office
Grade F	<ul style="list-style-type: none"> ▪ Minister (National Executive Authority) ▪ Premier of a Province ▪ Speaker: National Assembly ▪ Chairperson: National Council of Provinces (NCOP)
Grade E1	<ul style="list-style-type: none"> ▪ Deputy Minister (National Executive Authority) ▪ Deputy Speaker: National Assembly ▪ Deputy Chairperson: NCOP ▪ Member of the Executive Council of a Province ▪ Speaker: Provincial Legislature
Grade E2	<ul style="list-style-type: none"> ▪ Parliamentary Counsellor: President ▪ Chief Whip: Majority Party in National Assembly ▪ Chief Whip of NCOP ▪ Leader of the Opposition in terms of section 57(2)(d) of the Constitution.
Grade D	<ul style="list-style-type: none"> ▪ Parliamentary Counsellor: Deputy President ▪ Deputy Speaker: Provincial Legislature
Grade C1	<ul style="list-style-type: none"> ▪ Chairperson of a Committee of a House of Parliament or a Joint Committee ▪ Chairperson of a Committees of a House of Parliament ▪ Chief Whip of Majority party: Provincial Legislature
Grade C2	<ul style="list-style-type: none"> ▪ Chief Whip: Official Opposition/Largest Minority Party in a House of Parliament ▪ Deputy Chief Whip: Majority Party in a House of Parliament ▪ Deputy Chairperson of Committees of a House of Parliament ▪ Leader of Opposition in terms of section 116(2)(d) of the Constitution: Provincial Legislature ▪ Chairperson of a Committee of a Provincial Legislature ▪ Chairperson of Committees: Provincial Legislature
Grade B	<ul style="list-style-type: none"> ▪ Leader of a House of Parliament ▪ Whip in a House of Parliament ▪ Leader of a Minority Party other than the Official Opposition where that Leader is a member of the National Assembly or a permanent delegate to the NCOP ▪ Chief Whip of Official Opposition/Largest Minority Party: Provincial Legislature ▪ Deputy Chief Whip of Majority Party: Provincial Legislature. ▪ Deputy Chairperson of Committees: Provincial Legislature
Grade A1	<ul style="list-style-type: none"> ▪ Member of the National Assembly ▪ Permanent Delegate to the NCOP ▪ Leader of Provincial Legislature ▪ Whip: Provincial Legislature ▪ Leader of a Minority Party in a Provincial Legislature other than the Official Opposition
Grade A2	<ul style="list-style-type: none"> ▪ Member of a Provincial Legislature