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**GOVERNMENT NOTICE**

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**DEPARTMENT OF PROVINCIAL AND LOCAL GOVERNMENT****No. R. 1319****18 October 2002**

REMUNERATION OF PUBLIC OFFICE BEARERS ACT, 1998

(ACT NO. 20 OF 1998)

**DETERMINATION OF THE UPPER LIMITS OF THE SALARIES, ALLOWANCES AND BENEFITS  
OF THE DIFFERENT MEMBERS OF MUNICIPAL COUNCILS**

Under the powers vested in me by sections 7(1), 8(5)(a) and 9(5)(a) of the Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998), I, Fholisani Sydney Mufamadi, Minister for Provincial and Local Government, hereby-

- (a) after consultation with the member of the Executive Council responsible for local government in each province; and
- (b) after taking into consideration the matters listed in paragraphs (a) to (i) of section 7(1) of that Act; and
- (c) after taking into consideration the recommendations of the Commission in terms of sections 8(5)(a) and 9(5)(a) of that Act, respectively,

determine the upper limit of salaries, allowances and benefits of the different members of municipal councils as set out in the Schedule with effect from 1 July 2002.

**F S MUFAMADI**  
**MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT**

## SCHEDULE

### Definitions

1. In this Schedule, unless the context otherwise indicates, a word or phrase to which a meaning has been assigned in the Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998) (hereafter "the Act") and the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) (hereafter "the Structures Act"), has that meaning and -

"grade" means the grade of municipal council as determined in terms of item 4;

"full-time councillor" means a councillor who has been elected or appointed to an office which has been designated as full-time in terms of section 18(4) of the Structures Act;

"rates income" means in respect of a local municipality or metropolitan municipality the sum total of the actual rates income for the 2001/2002 financial year of the municipality concerned; and

"part-time councillor" means a councillor other than a full-time councillor.

### Allocation of points for rates income

2. The number of points allocated for the rates income of a municipality is as follows:

PROPERTY RATES INCOME	NUMBER OF POINTS
R 0 - R 5,000,000	8.33
R 5,000,001 - R 20,000,000	16.67
R 20,000,001 - R 60,000,000	25.00
R 60,000,001 - R150,000,000	33.33
R150,000,001 - R350,000,000	41.67
More than R350,000,000	50.00

### Allocation of number of points for registered voters

3. The number of points allocated for the number of registered voters is as follows:

REGISTERED NUMBER OF VOTERS	NUMBER OF POINTS
0 - 10,000	8.33
10,001 - 30,000	16.67
30,001 - 60,000	25.00
60,001 - 120,000	33.33
120,001 - 450,000	41.67
More than 450,000	50.00

**Determination of grade of municipal council**

4.(a) The sum of the number of points allocated to a municipal council, other than a municipal council referred to in paragraph (b) or (c), in terms of items 2 and 3 respectively, determines the grade of such municipal council in accordance with the following table:

GRADE	POINTS
1	0 to 16.66
2	16.67 to 33.33
3	33.34 to 50.00
4	50.01 to 66.67
5	66.68 to 83.35
6	83.36 and above

(b) For the purposes of the determination of the upper limit of the salary and allowances of those members of a district council who have been directly elected to such council, such council is allocated the same grade as the highest grade of local council within its area of jurisdiction: Provided that where the highest graded local council within the area of jurisdiction of a district council is lower than grade 4, such district council must be regarded as a grade 4 municipal council.

(c) A local council that does not have rates income is a grade 1 municipal council as envisaged in paragraph (a).

**Upper limit of the annual salaries of full-time councillors**

5. The upper limit of the annual salaries of full-time councillors is as follows:

Grade	Executive Mayor or Mayor	Speaker, Deputy Executive Mayor or Deputy Mayor	Members of the Executive Committee or Mayoral Committee	Chairperson of a Sub-Council	Whip
6	293794	264415	235035	235035	235035
5	234966	187973	176224	-	-
4	190910	152728	143183	-	-
3	146854	117483	110140	-	-
2	102798	82238	77098	-	-
1	58741	46993	44056	-	-

**Upper limit of allowances of full-time councillors of grade 6 municipal councils other than executive mayors or mayors of grade 6 municipal councils**

6. The upper limit of the allowances of a full-time councillor of grade 6 municipal councils other than an executive mayor or mayor of a grade 6 municipal council, is as follows:

(a) *Office-Bearers allowance:*

An office-bearer's allowance of not more than –

- (i) R38520.00 per annum in respect of a speaker, deputy executive mayor or deputy mayor; and
- (ii) R34240.00 per annum in respect of members of a mayoral committee, executive committee, the chairperson of a sub-council or a whip.

(b) *Travelling allowances:*

- (i) A fixed allowance based on a percentage of the salary of the full-time councillor concerned as determined in terms of item 5, which percentage may not exceed 25%; or
- (ii) An allowance in respect of kilometres travelled during the performance of official functions on behalf of the municipality not exceeding the applicable tariffs prescribed by the Department of Transport for use of privately owned vehicles.
- (iii) In addition to the allowances referred to in subparagraphs (i) and (ii), receive an allowance regarding kilometres travelled in respect of the performance of official functions on behalf of the municipality outside the jurisdiction of that municipality not exceeding the applicable tariffs prescribed by the Department of Transport for use of privately owned vehicles.
- (iv) A councillor must elect one of the options set out in subparagraphs (i) and (ii) at the commencement of each financial year of municipalities: Provided that a councillor may not receive any allowance provided for in subparagraphs (i), (ii) and (iii) where the municipal council makes a vehicle available to that councillor.
- (v) In addition to the allowances a councillor may utilise a council owned vehicle when performing a ceremonial function as determined by the municipal council concerned.

(c) *Use of personal facilities:*

An allowance of not more than R214.00 per month in respect of a full-time councillor who does not have the use of council owned facilities.

(d) *Housing allowance:*

A fixed housing allowance of not more than R31303.00 per annum: Provided that such an allowance is not payable where the municipal council makes housing available to the councillor concerned.

**Upper limit of allowances of full-time executive mayors or mayors of grade 6 municipal councils**

7. The upper limit of the allowances of a full-time executive mayor or mayor of a grade 6 municipal council is as follows:

(a) *Office-Bearers allowance:*

An office-bearer's allowance of not more than R42800.00 per annum is payable in respect of an executive mayor or mayor.

(b) *Travelling allowances:*

(i) A fixed allowance of not more than R94583.00 per annum; and

(ii) An allowance regarding kilometres travelled in respect of the performance of official functions on behalf of the municipality outside the jurisdiction of that municipality not exceeding the applicable tariffs prescribed by the Department of Transport for use of privately owned vehicles:

(iii) A councillor may not receive any allowance provided for in subparagraphs (i) and (ii) where the municipal council concerned makes a vehicle available to that councillor.

(iv) In addition to the allowances a councillor may utilise a council owned vehicle when performing a ceremonial function as determined by the municipal council concerned.

(c) *Housing allowance:*

A fixed housing allowance of not more than R41740.00 per annum: Provided that such an allowance is not payable where the municipal council makes housing available to the councillor concerned.

**Upper limit of allowances of full-time councillors other than councillors referred to in items 6 and 7**

8. The upper limit of the allowances of full-time councillors other than councillors referred to in items 6 and 7, is as follows:

(a) *Travelling allowances:*

- (i) A fixed allowance based on a percentage of the salary of the full-time councillor concerned as determined in terms of item 5, which percentage may not exceed 25%; or
- (ii) An allowance in respect of kilometres travelled during the performance of official functions on behalf of the municipality not exceeding the applicable tariffs prescribed by the Department of Transport for use of privately owned vehicles.
- (iii) In addition to the allowances referred to in subparagraphs (i) and (ii), receive an allowance regarding kilometres travelled in respect of the performance of official functions on behalf of the municipality outside the jurisdiction of that municipality not exceeding the applicable tariffs prescribed by the Department of Transport for use of privately owned vehicles.
- (iv) A councillor must elect one of the options set out in subparagraphs (i) and (ii) at the commencement of each financial year of municipalities: Provided that a councillor may not receive any allowance provided for in subparagraphs (i), (ii) and (iii) where the municipal council concerned makes a vehicle available to that councillor.
- (v) A councillor may utilise a council owned vehicle when performing a ceremonial function as determined by the municipal council concerned.

(b) *Use of personal facilities:*

An allowance of not more than R214.00 per month in respect of a full-time councillor who does not have the use of council owned facilities.

(c) *Housing allowance:*

A fixed housing allowance of not more than R31303.00 per annum: Provided that such an allowance is not payable where the municipal council concerned makes housing available to the councillor concerned.

**Upper limit of allowances in respect of appointed councillors**

9. The upper limit of the allowance of a councillor who has been appointed to a district council in terms of section 23(1)(b) of the Structures Act, is as follows:

(a) If such councillor is elected or appointed as speaker, executive mayor, mayor, member of a mayoral committee, member of an executive committee or part-time member of a district council, the upper limit of the allowance to which such councillor is entitled, is equal to the difference between the salary, allowances and benefits he or she is receiving as a member of the local council and the salary, allowances and benefits allocated to that office in the district council in terms of items 5, 6, 7, 8, 10, 11, 12 and 13, as the case may be.

(b) If the upper limit of the salary, allowances and benefits which a councillor is receiving as a member of a local council is equal to or higher than the upper limit of the salary, allowances and benefits to which he or she is entitled to as an appointed councillor to the district council, such councillor is entitled to receive an allowance of not more than R428.00 *per sitting* of the district council or any committee of that council: Provided that this allowance is limited to R428.00 per day, regardless of the number of meetings of the district council or committees of that council that are attended by such councillor on a specific day.

(c) A district council is responsible for –

- (i) the payment of an allowance referred to in paragraphs (a) and (b); and
- (ii) the reimbursement of travel expenditure incurred by a councillor during the performance of official functions on behalf of that district municipality.

#### **Upper limit of pension fund contributions and medical aid benefits of full-time councillors**

10. (a) The upper limit of the contribution to be made by a municipal council to the pension fund of which a full-time councillor of that council is a member, is 15% of the salary of such councillor determined in terms of item 5.

(b) The upper limit of the contribution to be made by a municipal council to the medical aid scheme of which a full-time councillor of that council is a member, is  $\frac{2}{3}$  of the membership fee to a maximum of R1014.00 per month.

#### **Upper limit of the annual salaries of part-time councillors**

11. The upper-limit of the annual salary of a part-time councillor is as follows:



Grade	Executive Mayor or Mayor	Speaker, Executive Deputy Mayor or Deputy Mayor	Members of the Executive Committee or Mayoral Committee	Part-time members
6	165850	132680	124387	117518
5	149265	119412	111948	59706
4	107802	86242	80852	43121
3	82925	66340	62193	33170
2	58047	46438	43536	23219
1	33170	26536	24877	13268

### Upper limit of allowances of part-time councillors

12. The upper limit of the allowances of a part-time councillor is as follows:

(a) *Travelling allowances:*

- (i) An allowance based on a percentage of the salary of the councillor concerned as determined in terms of item 11, which percentage may not exceed 25%; or
- (ii) An allowance in respect of kilometres travelled during the performance of official functions on behalf of the municipality not exceeding the applicable tariffs prescribed by the Department of Transport for use of privately owned vehicles.
- (iii) In addition to the allowances referred to in subparagraphs (i) and (ii), receive an allowance regarding kilometres travelled in respect of the performance of official functions on behalf of the municipality outside the jurisdiction of that municipality not exceeding the applicable tariffs prescribed by the Department of Transport for use of privately owned vehicles.
- (iv) A councillor must elect one of the options set out in subparagraphs (i) and (ii) at the commencement of each financial year of municipalities: Provided that a councillor may not receive any allowance provided for in subparagraphs (i), (ii) and (iii) where the municipal council concerned makes a vehicle available to that councillor.
- (v) In addition to the allowances a councillor may utilise a council owned vehicle when performing a ceremonial function as determined by the municipal council concerned.

(b) *Use of personal facilities:*

An allowance of not more than R214.00 per month in respect of a part-time councillor who does not have the use of council owned facilities.

**Upper limit of pension fund contributions and medical aid benefits of part-time councillors**

13. (a) The upper limit of the contribution to be made by a municipal council to the pension fund of which a part-time councillor of that council is a member, is 15% of the salary of such councillor determined in terms of item 11.

(b) The upper limit of the contribution to be made by a municipal council to the medical aid scheme of which a part-time councillor of that council is a member, is  $\frac{2}{3}$  of the membership fee to a maximum of R1014.00 per month: Provided that the councillor concerned is not a member of a medical aid scheme by virtue of his or her employment in a capacity other than a councillor.

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