

No. 44,2005**UPPER LIMITS OF THE SALARIES AND ALLOWANCES OF PREMIERS, MEMBERS OF THE 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**) (hereafter referred to as "the Act"), I **hereby** determine that the annual salaries and allowances of the various grades of office bearers in **Column 1** of Schedule 1 shall be as set out in Columns 2, 3 and 4 of Schedule 1 with **effect** from 1 April 2005 subject to section **4(2)-(7)** of the Act.
- 2 **Column 4 of Schedule 1 (Notch 3)** applies to a **re-elected** member who has occupied **his or her current** office, or an office in the **same or a** higher grade according to **Column 1 of Schedule 2**, for a period of **at least 24 months in total**, whether before or after 14 April 2004.
- 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 **applies** has held his **or** her current office, or an office in the same **or a** higher grade according to Column 1, for a period of 24 months in total, Column 4 becomes applicable to that member.
- 4 Column 2 of Schedule 1 applies to all members of the Premiers, Members of Executive Councils and Members of the Provincial Legislatures who are **not re-elected** members.
- 5 For the purpose of calculating the period of 24 months referred to in paragraphs (2) and (3), a re-elected member who-

(ii) **was a Minister, Deputy Minister or a member of Parliament or of a Provincial Legislature on 13 April 2004, and**

- (iii) pursuant to the election of 14 April 2004 was, in **the case of a** Minister or Deputy Minister, appointed by **the** President **as a** Minister or Deputy Minister in terms of section **91(3)(c)** or section **93(b)**, respectively, of the Constitution of the Republic of **South Africa, 1996** (Act No.108 of 1996) , or in the case of a member **of** **the** National Assembly or a Provincial Legislature, was designated by the Electoral Commission as a member of the National Assembly or of a Provincial Legislature, or, in the Case of a Permanent Delegate to **the** National Council of Provinces, was designated by **the** Electoral Commission **as such** 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 13 April 2004 until so designated or appointed,


6. In this Proclamation-

- (i) "Member of Parliament" **means a member** of the National Assembly or a permanent **delegate** to the National Council of Provinces,
- (a) **who** at any time before 14 April 2004 occupied an office in Column 2 of Schedule 2 and
- (b) whose service in any one **or more** of those offices has not been **interrupted in any time** for a continuous period of more **than 24 months**.
- (iii) The appointment of a person by the President as a Minister or Deputy Minister from outside the National Assembly shall deemed to be the election of such a person for purposes of this Proclamation.

7. In terms of section **4(3)** of **the** Remuneration of Public Office Bearers Act, I further determine the amount of R40 000, 00 per annum as that portion of the remuneration of the **Deputy** President, Ministers and Deputy Ministers to which section **8(1)(d)** of **the** Income Tax Act, 1962 (Act **No 58** of 1962) , applies

8. Proclamation No.54 of 2004, published in the Government Gazette No. 26968 of 5 November 2004, is hereby repealed.

Given under my Hand at Pretoria on this Twenty-second day of August, Two Thousand and Five.


PRESIDENT

SCHEDULE 1**UPPER LIMIT OF THE SALARIES AND ALLOWANCES OF PREMIERS, MEMBERS OF EXECUTIVE COUNCILS AND MEMBERS OF PROVINCIAL LEGISLATURES WITH EFFECT FROM 01 APRIL 2005**

COLUMN 1		COLUMN 2 (NOTCH 1)				COLUMN 3 (NOTCH 2)			COLUMN 4 (NOTCH 3)	
Grade	Office	Basic salary	Motor vehicle allowance	Total remuneration	Basic salary	Motor vehicle allowance	Total remuneration	Basic salary	Motor vehicle allowance	Total remuneration
Grade F	Premier	608 595	152 149	760 744	639 036	159 759	798 795	669 462	167 365	836 827
Grade E1	Executive Council member Speaker	494 661	123 665	618 326	519 399	129 849	649 248	544 123	136 030	680 153
Grade D	Deputy Speaker	387 171	96 792	483 963	414 276	103 569	517 845	425 884	106 471	532 355
Grade C1	Chief Whip: Majority Party	375 173	93 792	468 965	401 430	100 357	501 787	412 675	103 168	515 843
Grade C2	Leader of Opposition i.t.o section 116(2)(d) of the Constitution Chairperson of a Committee of a Legislature Chairperson of Committees	363 591	90 897	454 488	389 041	97 260	486 301	399 950	99 987	499 937
Grade B	Chief Whip: Official Opposition Largest Minority Party Deputy Chief Whip: Majority Party Deputy Chief Whip: Majority Party Deputy Chairperson of Committees	348 968	87 242	436 211	366 416	91 603	458 019	383 862	95 966	479 828
Grade A1	Parliamentary Counsellor to the King Leader of a Minority Party in a Legislature other than the Official Opposition	310 404	77 601	388 005	332 141	83 035	415 176	341 449	85 362	426 811

Grade A2	Member of a Legislature	298 943	74 735	373 678	307 916	76 978	384 894	328 846	82 211	411 057
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All amounts reflected under the "Total remuneration" columns include an 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	Minister (National Executive Authority) Premier of a Province Speaker: National Assembly Chairperson: National Council of Provinces (NCOP)
Grade E1	Deputy Minister (National Executive Authority) Deputy Speaker: National Assembly Deputy Chairperson: NCOP Member of the Executive Council of a Province Speaker: Provincial Legislatures
Grade E2	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	Parliamentary Counsellor: Deputy President Deputy Speaker: Provincial Legislatures
Grade C1	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 Legislatures
Grade C2	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 Legislatures Chairperson of a Committee of a Provincial Legislature Chairperson of Committees: Provincial Legislatures
Grade B	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 Legislatures Deputy Chief Whip of Majority Party: Provincial Legislatures. Deputy Chairperson of Committees: Provincial Legislatures
Grade A1	Member of the National Assembly Permanent Delegate to the NCOP Leader of Provincial Legislatures Whip: Provincial Legislatures Leader of a Minority Party in a Provincial Legislature other than the Official Opposition
Grade A2	Member of a Provincial Legislature