

BY THE
PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

No. 35, 2007

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

1. In terms of section 6(1) of the Remuneration of Public Office Bearers Act, 1998 (Act No 20 of 1998) (the Act), I hereby determine that the upper limit of the annual salaries and allowances of the various grades of the office bearers mentioned in Column 1 of Schedule 1 and Schedule 2 shall be as set out in Columns 2, 3 and 4 of schedule 1 with effect from 1 April 2007, subject to section 6(7) to (9) 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 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 others 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 the Schedule 1 applies to all Premiers, members of Executive Councils and members Provincial Legislature 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-
- (i) was a Minister, Deputy Minister or a member of Parliament or of a Provincial Legislature on 13 April 2004, and
 - (ii) 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 Parliament or a Provincial Legislature, was designated by the Electoral Commission as a permanent delegate to the National Council of Provinces (NCOP) in terms of section 61(2)(b) of the Constitution,

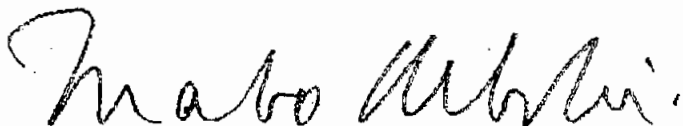
is regarded to have continued to occupy the position occupied by him or her on 13 April 2004 until so designated or appointed.

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,
- (ii) "Re-elected member" means a person –

- (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 6(4) 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 Premiers, members of Executive Council and members of Provincial Legislature to which section 8(1)(d) of the Income Tax Act, 1962 (Act No 58 of 1962) , applies.
8. Proclamation No. 36, published in the Government Gazette No.29166 of 29 August 2006, is repealed.

Given under my Hand at Cape Town on this Fifteenth day of November, Two thousand and seven.



PRESIDENT

**GRADING STRUCTURE FOR THE DEPUTY PRESIDENT, MEMBERS OF
THE NATIONAL ASSEMBLY, PERMANENT DELEGATES TO THE
NATIONAL COUNCIL OF PROVINCES (NCOP) AND MEMBERS OF
PROVINCIAL LEGISLATURES**

SCHEDULE 2

COLUMN 1	COLUMN 2
Grade	Position
Grade G	Deputy President
Grade F	Minister (National Executive Authority) Premier of a province Speaker: National Assembly (NA) 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 Legislature.
Grade E2	Parliamentary Counsellor: President Chief Whip: Majority Party in National Assembly Chief Whip in NCOP Leader of the Opposition in terms of section 57(2)(d) of the Constitution
Grade D	Parliamentary Counsellor: Deputy President House Chairperson: NA and NCOP Deputy Speaker: Provincial Legislature.
Grade C1	Chairperson of a Committee of a House or a Joint Committee Chief Whip of Majority Party: Provincial Legislature
Grade C2	Chief Whip: Official Opposition/Largest Minority Party in a House Deputy Chief Whip: Largest Majority Party in a House Leader of Opposition in terms of section 116(2)(d) of the Constitution: Prov. Leg Chairperson of a Committee of a Provincial Legislature Chairperson of Committees: Provincial Legislature
Grade B	Leader of a House: NA and NCOP Whip in a House: NA and NCOP Leader of a Minority Party other than the Official Opposition: NA 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	Member of the National Assembly Permanent Delegate to the NCOP Whip: Provincial Legislature Leader of a Minority Party in a Provincial Legislature other than the Official Opposition Parliamentary Councillor to the King
Grade A2	Member of Provincial Legislature