## 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

- 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.
- 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.
- 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.
- 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-
  - "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** 

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SCHEDULE 1	.Е1									
UPPER LIN	UPPER LIMIT OF THE SALARIES AND ALLOWANCES OF PREMIERS, MEMBERS OF EXECUTIVE COUNCILS AND MEMBERS OF PROVINCIAL LEGISLATURES WITH EFFECT FROM 01 APRIL 2007	S OF PREMIERS, MEMBERS FFECT FROM 01 APRIL 2007	AEMBERS O APRIL 2007	F EXECUTI	VE COUNCII	-S AND				
	COLUMN 1	COLUMN 2 (NOTCH	(NOTCH 1)		COUMN 3	3 (NOTCH 2)		COLUMN 4	COLUMN 4 (NOTCH 3)	(
Grade	Office	Basic	Motor	Total	Basic	Motor	Total	Basic	Motor	Total
		salary	vehicle	remune-	salary	vehicle	remune-	salary	vehicle	remune-
			allowance	ration		allowance	ration		allowance	ration
GradeF	Premier	691858	172965	864823	726465	181616	908081	761053	190262	951315
Grade E1	Grade E1 Executive Council member	562337	140584	702921	590459	147614	738073	618566	154641	773207
	Speaker									
Grade D	Deputy Speaker	440140	110035	520175	470954	117738	588692	484150	121037	605187
Grade C1	Grade C1 Chief Whip Majority Party	426501	106624	533125	456350	114088	570438	469134	117283	586417
Grade C2	Grade C2 Leader of Opposition i.t.o	413334	103333	516667	442267	110566	552833	454668	113666	568334
	section 116(2)(d)of the Constitution									
	Chairperson of a Committee									
	Chairperson of Committees									
Grade B	Chief Whip:Official Opposition	396402	99177	495579	416546	104135	520681	436379	109095	545474
	Deputy Chief Whip: Majority Party									
	Deputy Chief Whip: Majority Party									
	Deputy Chairperson of Committees									
Grade A1	Parliamentary Counsellor to the King	352871	88218	441089	377582	94396	471978	388163	97040	485203
	Whip									
	Leader of a Minority Party in a									
	Legislature other than the									
	Official Opposition									
<b>Grade A2</b>	Grade A2   Member of a Legislature	339842	84929	424801	350043	87509	437552	373837	93459	467296
All amoun	All amounts reflected under the "Total remuneration"columns include an amount of R40 000 per annum determined in	lumns include	an amount	t of R40 00(	o per annum	determine	ui þ			
this Prock	this Proclamation as the amount to which section 8(1)(d) of the Income Tax Act, 1962, applies.	<ol> <li>of the Incor</li> </ol>	ne I ax Act,	1962, appl	ies.					

## 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.
Crado E2	Parliamentary Counsellor: President
Grade E2	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
Grade D	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
Condo A1	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
Grade Az	Trember of Fromitial Legislature