

No. 51, 2008**DETERMINATION OF SALARIES, ALLOWANCES AND BENEFITS OF MEMBERS OF THE NATIONAL ASSEMBLY AND PERMANENT DELEGATES TO THE NATIONAL COUNCIL OF PROVINCES**

1. In terms of section 3(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 total remuneration packages of the positions of office bearers in Column 3 of Schedule 1 shall be as set out in Column 4 of Schedule 1 with effect from 1 April 2008, subject to the provisions of sections 3(2)-(7) of the Act, and terms and conditions set out herein.
2. The total remuneration packages should include the following elements:
 - 2.1 Basic salary component equal to 60% of the total package, which is pensionable;
 - 2.2 An amount of R120 000 per annum, which is an amount which section 8 (1) (d) of the Income Tax Act, 1962, applies. This amount is included in the basic salary component;
 - 2.3 An employer's pension benefit contribution equal to 22.5% of pensionable salary, and
 - 2.4 Flexible portion.

3. I further determine, as recommended by the Independent Commission for Remuneration of Public Office Bearers, subject to terms and conditions set out herein, that members of the National Assembly and permanent delegates shall be entitled to the following benefits:

3.1 RETIREMENT BENEFITS

- The current State contribution, including that of the ASB (Addition Service Benefit), amounts to appropriate 34.5% of salaries. The increase is 20% for all current members on monthly basis. The Member contributions for all should furthermore cease after 15 years of contribution. These increases should be applied retrospectively for existing members.
- The benefit design should have a maximum benefit equal to 92.5 % of pensionable salary as a pension, and this will be reached at different ages for the members. All members will cease to contribute after 15 years. For the younger members, the contributions must be maintained by the State until the benefits reaches the 92.5%. This benefit is the replacement of the full after tax income of the member. On promotion of a member, the maximum benefit will again build up as the contributions accrue in the Fund.
- If major salary increases are granted, the State would have to contribute again to build the reserves after the contributions have lapsed for those members.
- The contribution is fixed for the State until the benefits reach the maximum scale, and thereafter the liability will again be capped at the contribution level for all active members until the benefit reaches the cap again.
- The Normal Retirement Age should remain at age 50.

- The design retirement benefit is extended to all members who exited the Fund since April 1994.
- Cessation of pensions on re-election should form part the pension benefit.
- On demotions or promotions of members, a formula whereby the service at various levels is averaged at the highest revalued fifteen years' salaries could be considered, to reduce cost on promotion or protect the member on demotion.

3.2 ONCE-OFF TERMINAL PAYMENT

- Members of National Assembly or permanent delegates who have served a period of 5 years or less should not be entitled to a pension but rather to a once-off terminal payment equal to 45% of pensionable salary for every year of service.

3.3 ONCE-OFF GRATUITY

- Members of National Assembly or permanent delegates who have served more than 5 years and whose term of office has ended should be entitled to a once-off gratuity equal to 4 months pensionable salary for every 5 years of service or a pro-rata part of the 5 year period.

3.4 DEATH BENEFITS

- A maximum death benefit that can be purchased within the applicable risk contributions should apply.

3.5 DISABILITY BENEFITS

- A maximum disability benefit that can be purchased within the applicable risk contributions should apply.

3.6 FUNERAL BENEFITS

- A maximum benefit that can be purchased within the applicable risk contributions should apply.

3.7 SPOUSES' COVER BENEFIT

- A maximum benefit that can be purchased within the applicable risk contributions should apply.

3.8. CONTRIBUTION DESIGN

3.8.1 The pension benefit contribution design should be as follows:

- | | | |
|--------------------------------------|---|--------------|
| ▪ Member Contribution | : | 7.5% |
| ▪ Employer for retirement | : | 37.0 % |
| ▪ Employer for ASB | : | 12.0% |
| ▪ Employer for Risk and Admin | : | 5.5% |
| ▪ Total Employer Contribution | : | 54.5% |

- ❖ *22.5% of the total employer's contribution will form part of the total remuneration package.*
- ❖ *The remaining 32% of the recommended employer pension benefit contribution will not form part of the total remuneration package. The state will be liable to inject the cash on annual basis into the pension fund.*
- ❖ *As required by section 8(2) of the Act, the amount of the contribution to be made to the pension fund by the national government, of which a member of National Assembly or permanent delegate is a member, shall be determined by the Minister of Finance after taking into consideration the recommendations of the Commission.*

3.8.2 The risk costs would then be as follows:

• Death Benefits	:	3.6%
• Disability Benefits	:	0.8%
• Funeral Benefits	:	0.1%
• Spouses' Cover	:	0.3%
• Total Risk Cost	:	4.8%

4. Proclamation No.45, published in the Government Gazette No. 31546 of 27 October 2008, is revoked.

Given under my Hand at ...Johannesburg..... on this ...10th... day of

..November....., Two thousand and eight.



PRESIDENT

SCHEDULE 1			
NATIONAL PARLIAMENT			
Column 1	Column 2	Column 3	Column 4
GRADE	PAY LEVEL	POSITION	TOTAL REMUNERATION FROM 1 APRIL 2008
PA	1	Speaker: National Assembly	1,896,546
		Chairperson: NCOP	1,896,546
PB	1	Deputy Speaker: National Assembly	1,327,560
		Deputy Chairperson: NCOP	1,327,560
	2	House Chairperson	1,232,766
PC	1	Chief Whip: Majority Party	1,043,067
		Chief Whip: NCOP	1,043,067
		Parliamentary Council: President	1,043,067
		Parliamentary Council: Deputy President	1,043,067
		Leader of Opposition	1,043,067
	2	Chairperson of a Committee	948,273
PD	1	Deputy Chief Whip: Majority Party	853,479
		Chief Whip: Largest Minority Party	853,479
		Leader of a Minority Party	853,479
	2	Whip	791,985
PE	1	Member: National Assembly	714,618
		Permanent Delegate: NCOP	714,618