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## GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

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### DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

No. R. 423

17 April 2009

#### **DETERMINATION OF BENEFITS OF MAGISTRATES WHO HAVE TO DISPOSE OF CASES AFTER VACATING THE OFFICE OF MAGISTRATE, IN TERMS OF SECTION 9(7)(a) AND (d) OF THE MAGISTRATES' COURTS ACT, 1944 (ACT NO. 32 OF 1944)**

I, Mohamed Enver Surty, Minister of Justice and Constitutional Development, acting under section 9(7)(a) and (d) of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), hereby determine the benefits of a magistrate who vacated the office of magistrate and who was not subsequently appointed as a Constitutional Court judge or a judge and still has to dispose of cases at an hourly rate, for the period taken to dispose of such cases, as follows:

Annual basic salary of a magistrate, which is 60% of the total remuneration package, on the salary scale applicable to that magistrate, as determined in terms of section 12(1) of the Magistrates Act, 1993 (Act No. 90 of 1993), divided by 260 work days. This daily rate will then be divided by 8 hours per day, to determine an hourly rate.\*

#### Footnote:

\*For example at the present salary scales applicable:

#### **Magistrate:**

R341 391.60 divided by 260 work days = R1 313.04 per day, divided by 8 hours per day =  
R164.13 per hour.

#### **Senior Magistrate:**

R375 490.80 divided by 260 work days = R1 444.19 per day, divided by 8 hours per day =  
R180.52 per hour.

**Chief Magistrate:**

R455 144.40 divided by 260 work days = R1 750.55 per day, divided by 8 hours per day =  
R218.81 per hour.

**Special Grade Chief Magistrate:**

R512 087.40 divided by 260 work days = R1 969.56 per day, divided by 8 hours per day =  
R246.19 per hour.

**Regional Magistrate:**

R455 144.40 divided by 260 work days = R1 750.55 per day, divided by 8 hours per day =  
R218.81 per hour.

**Regional Court President:**

R512 087.40 divided by 260 work days = R1 969.56 per day, divided by 8 hours per day =  
R246.19 per hour.

For purposes of the calculation above the following formula is applicable: 40 hours per  
week x 52 weeks per year = 2 080 hours per year, divided by 8 hours work per day = 260  
work days per year.

**MR M E SURTY, MP**  
**MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT**