

No. R. 424

17 April 2009

DETERMINATION OF ADDITIONAL REMUNERATION PAYABLE TO PERMANENT MAGISTRATES ACTING IN ANY OTHER JUDICIAL OFFICE, IN TERMS OF SECTION 12(5)(a) READ WITH SECTION 12(5)(b) OF THE MAGISTRATES ACT, 1993 (ACT NO. 90 OF 1993)

I, Mohamed Enver Surty, Minister of Justice and Constitutional Development, acting under *section 12(5)(a) read with section 12(5)(b)* of the Magistrates Act, 1993 (Act No. 90 of 1993), hereby determine that magistrates appointed in an acting or temporary capacity to any other judicial office, for a continuous period exceeding one day, and where the remuneration attached to that office exceeds the remuneration attached to the office ordinarily held by the magistrate be paid for the duration of such appointment the following additional remuneration:

The total remuneration package, on the salary scale applicable to that magistrate, deducted from the total remuneration package, attached to the other judicial office the magistrate is appointed to, divided by 260 work days.*

Footnote:

*For example, at the present salary scales applicable:

A magistrate appointed in an acting or temporary capacity as a senior magistrate:

R625 818 minus R568 986 = R56 832, divided by 260 work days = R218.58 per day.

A senior magistrate appointed in an acting or temporary capacity as a chief magistrate:

$R758\,574 \text{ minus } R625\,818 = R132\,756$, divided by 260 work days = R510.60 per day.

A magistrate appointed in an acting or temporary capacity as a regional magistrate:

$R758\,574 \text{ minus } R568\,986 = R189\,588$, divided by 260 work days = R729.18 per day.

A magistrate appointed in an acting or temporary capacity as a judge:

$R1\,236\,266 \text{ minus } R568\,986 = R667\,280$, divided by 260 work days = R2 566.46 per day.

A senior magistrate appointed in an acting or temporary capacity as a judge:

$R1\,236\,266 \text{ minus } R625\,818 = R610\,448$, divided by 260 work days = R2 347.87 per day.

A chief magistrate appointed in an acting or temporary capacity as a judge:

$R1\,236\,266 \text{ minus } R758\,574 = R477\,692$, divided by 260 work days = R1 837.27 per day.

A regional magistrate appointed in an acting or temporary capacity as a regional court president:

$R853\,479 \text{ minus } R758\,574 = R94\,905$, divided by 260 work days = R365.01 per day.

A regional magistrate appointed in an acting or temporary capacity as a judge:

$R1\,236\,266 \text{ minus } R758\,574 = R477\,692$, divided by 260 work days = R1 837.27 per day.

A regional court president appointed in an acting or temporary capacity as a judge:

$R1\,236\,266 \text{ minus } R853\,479 = R382\,787$, divided by 260 work days = R1 472.25 per day.

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