

EXTRAORDINARY



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[No. 2084.

KAAPSTAD, 29 MEI 1968.

DEPARTMENT OF THE PRIME MINISTER.

No. 963]

[29th May, 1968.

It is hereby notified that the State President has assented to the following Acts which are hereby published for general information:—

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No. 49 of 1968: Payment of Members of Parliament
Amendment Act, 1968

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No. 49, 1968.]

ACT

To amend the provisions of section 2 of the Payment of Members of Parliament Act, 1961, in order to increase the allowances payable to members of Parliament.

*(Afrikaans text signed by the State President.)
(Assented to 21st May, 1968.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

1. The following section is hereby substituted for section 2 of the Payment of Members of Parliament Act, 1961:
- “Allowances of members. 2. (1)** In addition to the salaries provided for in section 1, there shall, subject to the provisions of subsections (3) and (5), be payable, out of moneys appropriated by Parliament for the purpose—
- (a) to every member of the Senate (other than a Minister or a deputy to a Minister or the President of the Senate)—
- (i) during any period when Parliament is in session, a session allowance at a rate not exceeding eleven rand per day, except in the case of a member to whom such allowance is not payable in terms of a determination by the President of the Senate under subsection (5), in which case there may be paid to such member, subject to such conditions as the said President may determine, an allowance equal to the recess allowance prescribed in subparagraph (ii); and
- (ii) during any period when Parliament is not in session, a recess allowance at a rate not exceeding six rand per day; and
- (b) to every member of the House of Assembly (other than a Minister or a deputy to a Minister or the Speaker of the House of Assembly), an allowance at a rate not exceeding eleven rand per day.
- (2) For the purposes of subsection (1), Parliament shall, in the event of its being prorogued on any day other than the last day of any of the twelve months in any calendar year, be deemed to be in session until the last day of the month in which it is so prorogued.
- (3) Notwithstanding anything contained in subsection (1), but subject to the provisions of subsection (4), a member of any House of Parliament who in any session of Parliament fails to attend the first or the last sitting of that House, shall not be entitled to any of the allowances referred to in subsection (1), but may in the discretion of and subject to such conditions as may be determined by the President of the Senate or the Speaker of the House of Assembly, as the case may be, be paid such an amount, if any, as the said President or Speaker may direct—

Substitution of section 2 of Act 58 of 1961, as amended by section 1 of Act 48 of 1966.

- (a) in the case of a failure to attend the first sitting of the House in question, in respect of the period commencing on the date of that sitting and ending on the day immediately preceding the first day in the session concerned on which he attends a sitting of that House; and
- (b) in the case of a failure to attend the last sitting of the House in question, in respect of the period commencing on the day immediately following the date of the last sitting of that House which he actually attended and ending on the last day of the relevant session.

(4) Where a member of any House of Parliament has failed to attend any sitting referred to in subsection (3) and—

- (a) in the case of a member of the Senate, the President of the Senate; or
- (b) in the case of a member of the House of Assembly, the Speaker of the House of Assembly,

is satisfied that the failure so to attend was due to the illness of the member in question or some other satisfactory reason, the said President or Speaker may in his discretion, direct that the provisions of that subsection shall not be applied or shall be applied only in respect of a specified portion of the period referred to in that subsection, as he may in the circumstances consider equitable.

(5) The allowances referred to in subsection (1) shall be payable subject to such conditions as may be determined, in the case of a member of the Senate, by the President of the Senate, and in the case of a member of the House of Assembly, by the Speaker of the House of Assembly.

(6) The amount of any allowance paid in terms of this section shall, for the purposes of any law, be deemed to have been received by the person concerned from employment in the public service and to represent a payment made to meet expenditure incurred by him in connection with the discharge of his official duties.”.

2. This Act shall be called the Payment of Members of Parliament Amendment Act, 1968, and shall be deemed to have come into operation on the first day of April, 1968.