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INHOUD

(*Herdrukke is verkrygbaar by Kamer 12-06, Provinsiale Gebou, Dorpsstraat 4, Kaapstad 8001.)

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PROCLAMATION**BY THE ACTING PREMIER OF THE PROVINCE OF THE WESTERN CAPE****NO. 46/2001****PROVINCE OF THE WESTERN CAPE****IMPLEMENTATION OF THE PROPOSED ADJUSTMENT OF THE REMUNERATION AND ALLOWANCES FOR
MINISTERS AND MEMBERS OF THE PROVINCIAL PARLIAMENT**

1. In terms of section 2(1) of the Western Cape Law on the Remuneration for Members of the Provincial Legislature (Law 3 of 1994) and section 6(3)(a) of the Remuneration of Public Office Bearers Act, 1998 (Act 20 of 1998) ("the Remuneration Act"), I hereby declare that the following remuneration and allowances as set out in Schedule 1 hereto shall apply with effect from 1 April 2001, subject to section 6(7)(a) and (b) of the Remuneration Act.
2. Column 4 of Schedule 1 (Notch 3) applies to a re-elected member who at any time has occupied his or her current office, or an office in the same or a higher grade according to Schedule 2, for a period of at least 24 months in total, whether continuous or not, and whether before or after 2 June 1999.
3. Column 3 of Schedule 1 (Notch 2) applies to all re-elected members other than those referred to in paragraph 2. When a re-elected member to whom Column 3 of Schedule 1 applies has held his or her current office, or an office in the same or a higher grade according to Schedule 2, for a period of 24 months in total, whether continuous or not, Column 4 of Schedule 1 (Notch 3) becomes applicable to that member.
4. Column 2 of Schedule 1 (Notch 1) applies to all members of the Provincial Parliament who are not re-elected members.
5. For the purposes of calculating the period of 24 months referred to in paragraphs 2 and 3, a re-elected member who—
 - (a) was a member of Parliament or the Provincial Parliament on 1 June 1999, and
 - (b) pursuant to the elections of 2 June 1999, was designated by the Electoral Commission as a member of the National Assembly or the Provincial Parliament, or appointed as a permanent delegate to the National Council of Provinces (NCOP) in terms of section 61(2)(b) of the Constitution of the Republic of South Africa,is regarded to have continued to occupy the position occupied by him or her on 1 June 1999 until so designated or appointed.
6. In terms of section 6 of the Remuneration Act, I declare the amount of R40 000 per annum as that portion of the remuneration of an office bearer mentioned in Column 1 of Schedule 1 to which section 8(1)(d) of the Income Tax Act, 1962 (Act 58 of 1962), applies.
7. Except for the salaries and allowances provided for in this Proclamation, the office-bearers mentioned in Column 1 of Schedule 1 are not entitled to any other remuneration, whether directly or indirectly, in respect of the offices held by them.
8. In this Proclamation, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Remuneration Act, the Constitution of the Republic of South Africa, 1996, the Constitution of the Western Cape, 1997 (Act 1 of 1998) or the relevant Rules and Orders contemplated in section 116 of the Constitution of the Republic of South Africa, bears that meaning, and—
 - (a) "member of Parliament" means a member of the National Assembly or a permanent delegate to the National Council of Provinces; and
 - (b) "re-elected member" means a member of the Provincial Parliament
 - (i) who at any time before 2 June 1999 occupied an office mentioned in Schedule 2; and
 - (ii) whose service in any one or more of those offices has not been interrupted at any time for a continuous period of more than 24 months.
9. Proclamation No 104/2000 published in Provincial Gazette Extraordinary 5611 of 27 October 2000 and Proclamation No 45/2001 published in Provincial Gazette Extraordinary of 5791 of 16 November 2001, are repealed.

Dated at Cape Town this 21st day of November 2001.

CB HERANDIEN, ACTING PREMIER

SCHEDULE 1

UPPER LIMIT OF THE SALARIES AND ALLOWANCES OF MINISTERS AND MEMBERS OF THE PROVINCIAL PARLIAMENT OF THE WESTERN CAPE PROVINCE

COLUMN 1		COLUMN 2 (NOTCH 1)			COLUMN 3 (NOTCH 2)			COLUMN 4 (NOTCH 3)		
Grade	Office	Basic Salary in Rand p.a.*	Motor vehicle allowance in Rand p.a.	Total Remuneration in Rand p.a.	Basic Salary in Rand p.a.*	Motor vehicle allowance in Rand p.a.	Total Remuneration in Rand p.a.	Basic salary in Rand p.a.*	Motor vehicle allowance in Rand p.a.	Total Remuneration in Rand p.a.
Grade E1	Minister Speaker	381 871	95 468	477 339	400 964	100 241	501 205	420 057	105 015	525 072
Grade D	Deputy Speaker	296 147	74 037	370 184	316 877	79 219	396 096	325 761	81 441	407 202
Grade C1	Chief Whip: Majority Party	286 964	71 741	358 705	307 051	76 763	383 814	315 660	78 915	394 575
Grade C2	Leader of Opposition in terms of section 24 of the Constitution of the Western Cape Chairperson of a Committee of the Provincial Parliament Chairperson of Committees	278 110	69 527	347 637	297 577	74 395	371 972	305 921	76 480	382 401
Grade B	Chief Whip: Official Opposition Largest Minority Party Deputy Chief Whip: Majority Party Deputy Chairperson of Committees	266 923	66 731	333 654	280 270	70 067	350 337	293 615	73 405	367 020
Grade A1	Leader of the Provincial Parliament Whip Leader of a Minority Party in the Provincial Parliament other than the Official Opposition	237 427	59 357	296 784	254 047	63 512	317 559	261 170	65 292	326 462
Grade A2	Member of the Provincial Parliament	228 660	57 164	285 824	235 520	58 879	294 399	251 526	62 880	314 406

* Includes the amount of R40 000 per annum determined by this Proclamation as the amount to which section 8(1)(d) of the Income Tax Act, 1962, applies.

SCHEDULE 2

Grade	Office
Grade E1	Minister Speaker
Grade D	Deputy Speaker
Grade C1	Chief Whip of Majority Party
Grade C2	Leader of Opposition in terms of section 24 of the Constitution of the Western Cape Chairperson of a Committee of the Provincial Parliament Chairperson of Committees
Grade B	Chief Whip of Official Opposition/Largest Minority Party Deputy Whip of Majority Party Deputy Chairperson of Committees
Grade A1	Leader of Provincial Parliament Whip Leader of a Minority Party in the Provincial Parliament other than the Official Opposition
Grade A2	Member of the Provincial Parliament

PROKLAMASIE

DEUR DIE WAARNEMENDE PREMIER VAN DIE PROVINSIE WES-KAAP

NO. 46/2001

PROVINSIE VAN DIE WES-KAAP

IMPLEMENTERING VAN DIE VOORGESTELDE AANPASSING VAN BESOLDIGING EN TOELAES VAN
MINISTERS EN LEDE VAN DIE PROVINSIALE PARLEMENT

1. In terme van artikel 2(1) van die Wes-Kaapse Wet op die Betaling van Lede van die Provinsiale Wetgewer, 1994 (Wet 3 van 1994) en artikel 6(3)(a) van die Wet op die Besoldiging van Openbare Ampsbekleërs, 1998 (Wet 20 van 1998) ("die Besoldigingswet"), verklaar ek hiermee dat die volgende besoldiging en toelaes soos uiteengesit in Bylae 1 hierby, van toepassing is met ingang van 1 April 2001, behoudens artikel 6(7)(a) en (b) van die Besoldigingswet.
2. Kolom 4 van Bylae 1 (Kerf 3) is van toepassing op 'n herverkose lid wat te eniger tyd sy/haar huidige amp, of 'n amp in dieselfde of 'n hoër graad volgens Bylae 2, vir 'n totale tydperk van ten minste 24 maande bekleë het, hetsy aaneenlopend al dan nie, en hetsy voor of na 2 Junie 1999.
3. Kolom 3 van Bylae 1 (Kerf 2) is van toepassing op alle ander herverkose lede as dié wat in paragraaf 2 vermeld word. Sodra 'n herverkose lid op wie Kolom 3 van Bylae 1 van toepassing is sy/haar huidige amp of 'n amp in dieselfde of 'n hoër graad volgens Bylae 2 vir 'n totale tydperk van 24 maande bekleë het, hetsy aaneenlopend al dan nie, is Kolom 4 van Bylae 1 (Kerf 3) op daardie lid van toepassing.
4. Kolom 2 van Bylae 1 (Kerf 1) is van toepassing op alle lede van die Provinsiale Parlement wat nie herverkose lede is nie.
5. By die berekening van die tydperk van 24 maande in paragrawe 2 en 3 bedoel, word dit geag dat 'n herverkose lid wat—
 - (a) op 1 Junie 1999 'n lid van die Parlement of die Provinsiale Parlement was; en
 - (b) na die verkiesing van 2 Junie 1999 deur die Verkiesingskommissie as lid van die Nasionale Vergadering of die Provinsiale Parlement aangewys is, of ingevolge artikel 61(2)(b) van die Grondwet van die Republiek van Suid-Afrika as 'n vaste afgevaardigde na die Nasionale Raad van Provinsies aangestel is,aangebly het in die amp wat hy/sy op 1 Junie 1999 bekleë het totdat hy/sy aldus aangewys of aangestel is.
6. Ingevolge artikel 6 van die Besoldigingswet, verklaar ek die bedrag van R40 000 per jaar as daardie gedeelte van die besoldiging van 'n ampsbekleër in Kolom 1 van Bylae 1 vermeld waarop artikel 8(1)(d) van die Inkomstebelastingwet, 1962 (Wet 58 van 1962), van toepassing is.
7. Behalwe vir die salarisse en toelaes waarvoor in hierdie Proklamasie voorsiening gemaak word, is die ampsbekleërs in Kolom 1 van Bylae 1 vermeld, nie op enige ander vergoeding, direk of indirek, geregtig ten opsigte van die ampte wat hulle bekleë nie.
8. In hierdie Proklamasie, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan 'n betekenis in die Besoldigingswet, die Grondwet van die Republiek van Suid-Afrika, 1996, (Wet 108 van 1996) die Grondwet van die Wes-Kaap, 1997 (Wet 1 van 1998) of die toepaslike Reëls en Orders beoog in artikel 116 van die Grondwet van die Republiek van Suid-Afrika, toegeskryf is, daardie betekenis, en beteken—
 - (a) "lid van die Parlement" 'n lid van die Nasionale Vergadering of 'n vaste afgevaardigde na die Nasionale Raad van Provinsies; en
 - (b) "herverkose lid" 'n lid van die Provinsiale Parlement
 - (i) wat te eniger tyd voor 2 Junie 1999 'n amp wat in Bylae 2 vermeld word, bekleë het; en
 - (ii) wie se diens in een of meer van daardie ampte nie te eniger tyd vir 'n aaneenlopende tydperk van langer as 24 maande onderbreek is nie.
9. Die salarisse en toelaes vermeld in Bylae 1 is mutatis mutandis van toepassing op Ministers aangestel in terme van artikel 42(1)(b) van Aanhangsel A tot Bylae 3 van die Grondwet van die Wes-Kaap, 1997 (Wet 1 van 1998).
10. Proklamasie No 104/2000 gepubliseer in Buitengewone Provinsiale Koerant 5611 van 27 Oktober 2000 en Proklamasie No 45/2001 gepubliseer in Buitengewone Provinsiale Koerant 5791 van 16 November 2001, word herroep.

Gedateer te Kaapstad op hede die 21ste dag van November 2001.

CB HERANDIEN, WAARNEMENDE PREMIER

BYLAE 1

BOONSTE PERK VAN DIE SALARISSE EN TOELAES VAN MINISTERS EN LEDE VAN DIE PARLEMENT VAN DIE WES-KAAP PROVINSIE

KOLOM 1		KOLOM 2 (KERF 1)			KOLOM 3 (KERF 2)			KOLOM 4 (KERF 3)		
Graad	Amp	Basiese Salaris in Rand p.a.*	Motor-voertuig toelae in Rand p.a.	Totale Vergoeding in Rand p.a.	Basiese Salaris in Rand p.a.*	Motor-voertuig toelae in Rand p.a.	Totale Vergoeding in Rand p.a.	Basiese Salaris in Rand p.a.*	Motor-voertuig toelae in Rand p.a.	Totale Vergoeding in Rand p.a.
Graad E1	Minister Speaker	381 871	95 468	477 339	400 964	100 241	501 205	420 057	105 015	525 072
Graad D	Adjunk-Speaker	296 147	74 037	370 184	316 877	79 219	396 096	325 761	81 441	407 202
Graad C1	Hoofswep: Meerderheidsparty	286 964	71 741	358 705	307 051	76 763	383 814	315 660	78 915	394 575
Graad C2	Leier van die Opposisie ingevolge artikel 24 van die Grondwet van die Wes-Kaap Voorsitter van 'n Komitee van die Provinsiale Parlement Voorsitter van Komitees	278 110	69 527	347 637	297 577	74 395	371 972	305 921	76 480	382 401
Graad B	Hoofswep: Amptelike Opposisie/ Grootste Meerderheidsparty Adjunkhoofswep: Meerderheidsparty Adjunkvoorsitter van Komitees	266 923	66 731	333 654	280 270	70 067	350 337	293 615	73 405	367 020
Graad A1	Leier van die Provinsiale Parlement Sweep Leier van 'n ander Minderheidsparty in die Provinsiale Parlement anders as die Amptelike Opposisie	237 427	59 357	296 784	254 047	63 512	317 559	261 170	65 292	326 462
Graad A2	Lid van die Provinsiale Parlement	228 660	57 164	285 824	235 520	58 879	294 399	251 526	62 880	314 406

* Ingeslote die bedrag van R40 000 per jaar wat in hierdie Proklamasie bepaal word as die bedrag waarop artikel 8(1)(d) van die Inkomstebelastingwet, 1962 van toepassing is.

BYLAE 2

Graad	Amp
Graad E1	Minister Speaker
Graad D	Adjunk Speaker
Graad C1	Hoofswep: Meerderheidsparty
Graad C2	Leier van Opposisie in terme van artikel 24 van die Grondwet van die Wes-Kaap Voorsitter van Komitee van die Provinsiale Parlement Voorsitter van Komitees
Graad B	Hoofswep Amptelike Opposisie/Grootste Minderheidsparty Adjunk Sweep Meerderheidsparty Adjunk Voorsitter van Komitees
Graad A1	Leier van Provinsiale Parlement Sweep Leier van 'n Minderheidsparty in die Provinsiale Parlement anders as die Amptelike Opposisie
Graad A2	Lid van die Provinsiale Parlement

SUID-AFRIKA EERSTE –
KOOP SUID-AFRIKAANS
VERVAARDIGDE GOEDERE

SOUTH AFRICA FIRST –
BUY SOUTH AFRICAN
MANUFACTURED GOODS

SUID-AFRIKA EERSTE –
KOOP SUID-AFRIKAANS
VERVAARDIGDE GOEDERE

SOUTH AFRICA FIRST –
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