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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF JUSTICE DEPARTEMENT VAN JUSTISIE

No. R. 844

7 September 2001

NOTICE OF DETERMINATION OF THE REMUNERATION AND CONDITIONS OF EMPLOYMENT OF JUDGES OF THE LAND CLAIMS COURT ESTABLISHED IN TERMS OF SECTION 22 OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

It is hereby notified that the President of the Republic in consultation with the Judicial Service Commission on 15 August 2001 determined the remuneration and conditions of employment of the judges of the Land Claims Court, established in terms of section 22 of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), details of which appear in the Schedule.

SCHEDULE

Definitions

1. In this determination "the Determination" means the determination of the remuneration and conditions of employment of the judges of the Land Claims Court published under Government Notice No. R. 111 of 2 February 1996 as amended by Government Notices Nos. R. 231 of 14 February 1997 and R. 527 of 23 April 1999.

Amendment of paragraph 6(1) of the Determination

2. Paragraph 6(1) of the Determination is hereby amended by the substitution of paragraph (b) for the following paragraph:

"(b) T represents the period of his or her term in such office, which shall be calculated by the year and the month, and fractions of the month shall be taken into account, including any consecutive terms for which he or she has been appointed."

3. The amendment of paragraph 6(1)(b) of the Determination shall be deemed to have come into operation on 2 February 1996.

Insertion of paragraph 7A in the Determination

4. The following paragraph is hereby inserted after paragraph 7 of the Determination:

"7A. Any period served by an acting judge in such capacity shall not be taken into account for the purpose of calculating his or her gratuity."

5. Paragraph 7A of the Determination shall be deemed to have come into operation on 11 August 2000.

Amendment of paragraph 14 of the Determination

6. Paragraph 14 of the Determination is hereby amended by the substitution of that paragraph for the following paragraph:

"14(1) If a practising advocate or attorney is appointed an acting judge he or she shall be paid an amount of R211 per day for the maintenance of his or her practice as advocate or attorney for the duration of such appointment.

(2) If a judge is required to continue as acting judge for one or more periods after his or her period of appointment has expired he or she shall for the extended period or periods receive in addition to his or her salary an amount of R 211 per day for the duration of such appointment as acting judge: Provided that either the amount mentioned in subparagraph (1) or the amount mentioned in this subparagraph is paid."

7. The amendment of paragraph 14 of the Determination shall be deemed to have come into operation on 11 August 2000.

No. R. 844

7 September 2001

**KENNISGEWING VAN BEPALING VAN DIE BESOLDIGING EN
DIENSVOORWAARDES VAN REGTERS VAN DIE GRONDEISEHOF INGESTEL
KRAGTENS ARTIKEL 22 VAN DIE WET OP DIE HERSTEL VAN GRONDREGTE,
1994 (WET NO. 22 VAN 1994)**

Hierby word bekendgemaak dat die President van die Republiek, in oorleg met die Regterlike Dienskommissie, op 15 Augustus 2001 die besoldiging en diensvoorwaardes van die regters van die Grondeisehof, ingestel by artikel 22 van die Wet op die Herstel van Grondregte, 1994 (Wet No. 22 van 1994), bepaal het, waarvan die besonderhede in die Bylae verskyn.

BYLAE

Woordomskrywing

1. In hierdie bepaling beteken "die Bepaling" die bepaling van die besoldiging en diensvoorwaardes van regters van die Grondeisehof afgekondig by Goewermentskennisgewing No. R. 111 van 2 Februarie 1996, soos gewysig deur Goewermentskennisgewings Nos. R. 231 van 14 Februarie 1997 en R. 527 van 23 April 1999.

Wysiging van paragraaf 6(1)(b) van die Bepaling

2. Paragraaf 6(1) van die Bepaling word gewysig deur die vervanging van paragraaf (b) deur die volgende paragraaf:

"(b) T die tydperk van sy of haar termyn in die betrokke amp voorstel, wat by die jaar en die maand bereken word, en breukdele van die maand word in

aanmerking geneem, insluitende enige opeenvolgende termyne waarvoor hy of sy aangestel is."

3. Die wysiging van paragraaf 6(1)(b) van die Bepaling sal geag word om op 2 Februarie 1996 in werking te getree het.

Invoeging van paragraaf 7A in die Bepaling

4. Die volgende paragraaf word hierby na paragraaf 7 van die Bepaling ingevoeg:
"7A. 'n Tydperk deur 'n waarnemende regter in sodanige hoedanigheid gedien word nie in berekening gebring vir doeleindes van die berekening van sy of haar gratifikasie nie."

5. Paragraaf 7A van die Bepaling sal geag word om op 11 Augustus 2000 in werking te getree het.

Wysiging van paragraaf 14 van die Bepaling

6. Paragraaf 14 van die Bepaling word hierby gewysig deur die vervanging van daardie paragraaf deur die volgende paragraaf:

"14(1) Indien 'n praktiserende advokaat of prokureur as waarnemende regter aangestel word, word vir die duur van sodanige aanstelling 'n bedrag van R 211 per dag vir die instandhouding van sy of haar praktyk as advokaat of prokureur aan hom of haar betaal.

(2) Indien 'n regter versoek word om as waarnemende regter aan te bly vir een of meer tydperke nadat sy of haar tydperk van aanstelling verstryk het sal hy of sy vir die verlengde tydperk of tydperke addisioneel tot sy of haar salaris 'n bedrag van R 211 per dag ontvang vir die duur van sodanige aanstelling as waarnemende regter. Met dien verstande dat òf die bedrag vermeld in subparagraaf (1) òf die bedrag vermeld in hierdie subparagraaf betaal word."

7. Die wysiging van paragraaf 14 van die Bepaling sal geag word om op 11 Augustus 2000 in werking te getree het.

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