

Regulation Gazette

No. 8793

Regulasiekoerant

Vol. 510

Pretoria,

3

**December
Desember**

2007

No. 30543

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GOVERNMENT NOTICE

INDEPENDENT ELECTORAL COMMISSION

No. R. 1152

3 December 2007

ELECTORAL COMMISSION

AMENDMENTS TO THE REGULATIONS ON THE CONDITIONS OF SERVICE, REMUNERATION, ALLOWANCES AND OTHER BENEFITS OF THE CHIEF ELECTORAL OFFICER AND OTHER ADMINISTRATION STAFF

Acting in terms of section 23 of the *Electoral Commission Act, 1996* (Act No. 51 of 1996), the Electoral Commission has made the regulations set out in the Schedule

SCHEDULE

Definition

1. In these regulations "the Regulations" means the regulations published in Government Notice No. R514 of 19 May 2000 as amended by the regulations published in Government Notice No. R. 902 of 17 September 2001

Substitution of regulation 14 of the Regulations

2. Regulation 14 of the Regulations is hereby substituted by the following regulation:

"Vacation leave

14. (1) An employee is entitled to 24 (twenty four) working days [28 (twenty eight) days after 10 years of continuous service] vacation leave with full pay during every 12 months' leave cycle commencing on the 1st day of April of every calendar year and ending on the 31st day of March of the next calendar year.

(2) If an employee commences employment on any day other than the 1st day of April or ends employment on any day other than the last day of March during any leave cycle his or her leave entitlement is proportionally reduced for that leave cycle and so is the number of consecutive and total working days leave that he or she is obliged to take during the leave cycle. For the purposes of these proportional reductions, the first month of employment will be regarded as a full month of employment regardless of the actual date during that month on which duty was assumed and the last month of employment will be regarded as a full month of employment regardless of the actual date during that month on which the employment ended.

(3) Leave must be taken on days agreed to between the employee and the employer in advance. If they cannot agree the employer's decision is final.

(4) At least 10 (ten) consecutive working days leave and at least 15 (fifteen) working days leave in total must be taken during each leave cycle. If the remaining days leave to which the employee is entitled are not taken during the leave cycle, that leave is forfeited, provided that -

- (a) 5 (five) of those days per leave cycle may be carried forward and accumulated to be paid out to the employee when his or her employment ends and provided further that not more than twenty such accumulated leave days will be paid out, the rest being forfeited;
- (b) If the Chief Electoral Officer certifies that through unforeseeable extra-ordinary circumstances it was not possible to allow an employee to take those leave days during the leave cycle, the employee is entitled to take those leave days during the first six months of the next leave cycle.

(5) Employees are obliged to take vacation leave from their leave entitlement for a leave cycle on working days falling between the 25th of December of any calendar year and the 1st of January of the following year."

Transitional Arrangements

3. (1) Regulation 2 is deemed to have come into operation on 1 April 2007.

(2) Where an employee's then current annual leave cycle would have ended on 1 April 2007 or thereafter, the provisions of regulation 2(2) will apply *mutatis mutandis*.
