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DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1269.

13 June 1979.

No. 1269.

13 Junie 1979.

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

Hierby word bekend gemaak dat die Waarnemende Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 63 of 1979: Judges' Remuneration Amendment Act, 1979.

No. 63 van 1979: Wysigingswet op Besoldiging van Regters, 1979.

Act No. 63, 1979

JUDGES' REMUNERATION AMENDMENT ACT, 1979.

GENERAL EXPLANATORY NOTE:

[Words in bold type in square brackets indicate omissions from existing enactments.

Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Judges' Remuneration Act, 1978, so as to increase the remuneration of judges of the Supreme Court of South Africa; to make different provision for the payment to judges and acting judges of amounts in connection with transport and subsistence; and to provide for the payment to acting judges of amounts in connection with the maintenance by them of their practices as advocates; and to provide for matters connected therewith.

(English text signed by the Acting State President.)
(Assented to 6 June 1979.)

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

Amendment of
section 1 of
Act 91 of 1978.

1. Section 1 of the Judges' Remuneration Act, 1978 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) Any person who holds office, whether in an acting or permanent capacity, as Chief Justice of South Africa, judge of appeal of the Appellate Division of the Supreme Court of South Africa or judge president, deputy judge president or judge of a provincial or local division of the said court, shall be paid monthly in respect thereof a salary at the rate specified in the second column of the Schedule opposite the designation of the office in which he serves and, in addition to the allowances referred to in section 2, **[a non-pensionable]** an allowance at the rate of two thousand seven hundred rand per annum.”.

Substitution of
section 2 of
Act 91 of 1978.

2. The following section is hereby substituted for section 2 of the principal Act:

“Regulations. 2. (1) The State President may make regulations as to—

- (a) the periods for which and the circumstances and conditions under which leave of absence may be granted to judges or acting judges; **[and]**
- (b) the methods of transport of such judges, and of judges at their retirement from office, and of the members of the families and of the effects of judges or retired or deceased judges, the **[scales of transport, travelling and subsistence allowances]** amounts to be paid to judges or acting judges in connection with transport and subsistence, and the circumstances in which any such transport may be provided and any such **[allowances]** amounts may be paid; and

ALGEMENE VERDUIDELIKENDE NOTA:

Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordeningen aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordeninge aan.

WET

Tot wysiging van die Wet op Besoldiging van Regters, 1978, ten einde die besoldiging van regters van die Hooggeregshof van Suid-Afrika te verhoog; ander voorsiening te maak vir die betaling aan regters en waarnemende regters van bedrae in verband met vervoer en verblyf; en voorsiening te maak vir die betaling aan waarnemende regters van bedrae in verband met die instandhouding deur hulle van hul praktyke as advokaat; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 6 Junie 1979.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel 1 van die Wet op Besoldiging van Regters, 1978 Wysiging van
5 (hieronder die Hoofwet genoem), word hierby gewysig deur artikel 1 van
subartikel (1) deur die volgende subartikel te vervang: Wet 91 van 1978.

„(1) Aan iemand wat die amp van Hoofregter van Suid-Afrika, appèlregter van die Appèlafdeling van die Hooggeregshof van Suid-Afrika of regter-president, adjunk-regter-president of regter van 'n provinsiale of plaaslike afdeling van genoemde hof beklee, hetsy in 'n waarnemende of permanente hoedanigheid, word ten opsigte daarvan maandeliks 'n salaris betaal teen die skaal vermeld in die tweede kolom van die Bylae teenoor die naam van die amp waarin hy diens doen en, benewens die in artikel 2 bedoelde toelaes, 'n **[nie-pensioengewende]** toelaes teen die skaal van tweeduizend sewehonderd rand per jaar.”.

2. Artikel 2 van die Hoofwet word hierby deur die volgende Vervanging van artikel 2 van Wet 91 van 1978

20 „Regulasies. 2. (1) Die Staatspresident kan regulasies uitvaardig
betreffende—

(a) die tydperke waarvoor, die omstandighede waar-
 onder en die voorwaardes waarop verlot aan
 registers of waarnemende registers verleen kan
 word: **[en]**

(b) die wyse van vervoer van sodanige regters, en van regters by hul aftrede, en van die gesinslede en besittings van regters of afgetrede of afgestorwe regters, die **[skale van vervoer-, reis- en onderhoudstoelaes]** bedrae wat aan regters of waarnemende regters betaal moet word in verband met vervoer en verblyf, en die omstandighede waaronder sodanige vervoer verskaf kan word en sodanige **[toelaes]** bedrae betaal kan word; en

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(c) the amounts which may be paid to acting judges in connection with the maintenance by them of their practices as advocates.

(2) A regulation under subsection (1) may provide that an amount referred to in paragraph (b) or (c) of that subsection shall be calculated either in accordance with a scale or having regard to the expenses actually incurred in connection with the matter concerned.”.

Substitution of the Schedule to Act 91 of 1978.

3. The following Schedule is hereby substituted for the Schedule to the principal Act with effect from 1 April 1979:

“Schedule

Designation of office	Salary per annum
Chief Justice of South Africa	[R27 168] R30 432
Judge of Appeal	[R25 320] R28 368
Judge President	[R24 084] R26 976
Deputy Judge President	[R23 460] R26 280
Judge	[R22 848] R25 596”.

Short title.

4. This Act shall be called the Judges' Remuneration Amendment Act, 1979.

WYSIGINGSWET OP BESOLDIGING VAN REGTERS, 1979.

Wet No. 63, 1979

(c) die bedrae wat aan waarnemende regters betaal kan word in verband met die instandhouding deur hulle van hul praktyke as advokaat.

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(2) 'n Regulasie kragtens subartikel (1) kan bepaal dat 'n bedrag in paragraaf (b) of (c) van daardie subartikel bedoel, bereken moet word of ooreenkomstig 'n skaal of met inagneming van die uitgawes werklik in verband met die betrokke aangeleentheid aangegaan."

- 10 3. Die Bylae by die Hoofwet word hierby met ingang van 1 April 1979 deur die volgende Bylae vervang: Vervanging van die Bylae by Wet 91 van 1978.

„Bylae

Naam van amp	Salaris per jaar
Hoofregter van Suid-Afrika	[R27 168] R30 432
Appèlregter	[R25 320] R28 368
Regter-president	[R24 084] R26 976
Adjunk-regter-president	[R23 460] R26 280
Regter	[R22 848] R25 596"

4. Hierdie Wet heet die Wysigingswet op Besoldiging van Kort titel. Regters, 1979.

