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KANTOOR VAN DIE PRESIDENT

No. 2094. 7 Desember 1994

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

No. 53 van 1994: Wet op die Besoldiging en Toelaes van Uitvoerende Adjunkpresidente, Ministers en Adjunkministers, 1994.

OFFICE OF THE PRESIDENT

No. 2094. 7 December 1994

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

No. 53 of 1994: Remuneration and Allowances of Executive Deputy Presidents, Ministers and Deputy Ministers Act, 1994.

Wet No. 53, 1994.

WET OP DIE BESOLDIGING EN TOELAES VAN UITVOERENDE
ADJUNKPRESIDENTE, MINISTERS EN ADJUNKMINISTERS, 1994

WET

Om voorsiening te maak vir die betaling van besoldiging en toelaes aan Uitvoerende Adjunkpresidente, Ministers en Adjunkministers; en vir aangeleenthede wat daarmee in verband staan.

*(Engelse teks deur die President geteken.)
(Goedgekeur op 23 November 1994.)*

DAAR WORD BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

Woordomskrywing

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken—
 - (i) “Adjunkminister” ’n adjunkminister beoog in artikel 94 van die Grondwet; (i)
 - (ii) “Minister” ’n Minister beoog in artikel 88 van die Grondwet; (iii)
 - (iii) “Uitvoerende Adjunkpresident” ’n Uitvoerende Adjunkpresident beoog in artikel 84 van die Grondwet. (ii)

Besoldiging en toelaes van Uitvoerende Adjunkpresidente, Ministers en Adjunkministers

2. (1) Uitvoerende Adjunkpresidente, Ministers en Adjunkministers word die besoldiging en toelaes betaal wat die President bepaal, met inagneming van die aanbevelings van die Kommissie op Besoldiging van Verteenwoordigers in artikel 207 van die Grondwet vermeld. 15

(2) (a) Paragraaf (d) van artikel 8(1) van die Inkomstebelastingwet, 1962 (Wet No. 58 van 1962), is op dié gedeelte van die besoldiging van ’n Uitvoerende Adjunkpresident, Minister of Adjunkminister wat die President te eniger tyd bepaal, van toepassing, asof daardie gedeelte ’n toelae is wat in daardie paragraaf beoog word. 20

(b) Verskillende gedeeltes kan kragtens paragraaf (a) ten opsigte van verskillende besoldigingsbedrae bepaal word.

Datum en wyse van betaling van besoldiging en toelaes

3. Daar word aan elke Uitvoerende Adjunkpresident, Minister en Adjunkminister in maandelikse paaieimente die besoldiging en toelaes betaal waarop daardie persoon ingevolge hierdie Wet geregtig is, en die eerste maand word gereken—

- (a) in die geval van ’n Uitvoerende Adjunkpresident, vanaf die datum waarop hy of sy die amp aanvaar soos beoog in artikel 84(6) van die Grondwet; 30
- (b) in die geval van ’n Minister en van ’n Adjunkminister, vanaf die datum waarop hy of sy die amp van Minister of Adjunkminister, na gelang van die geval, aanvaar soos beoog in, onderskeidelik artikels 88(7) en 94(3) van die Grondwet.

Las teen Nasionale Inkomstefonds

4. Die bedrag wat ten opsigte van besoldiging en toelaes ingevolge hierdie Wet betaalbaar is—

- (a) maak in die geval van ’n Uitvoerende Adjunkpresident ’n jaarlikse las teen die Nasionale Inkomstefonds uit, en die bepaling van hierdie artikel word geag ’n bewilliging van elke sodanige bedrag te wees; en 40
- (b) word in die geval van ’n Minister of Adjunkminister uit gelde wat deur die Parlement vir daardie doel bewillig word, betaal.

ACT

To provide for the payment of remuneration and allowances to Executive Deputy Presidents, Ministers and Deputy Ministers; and for matters connected therewith.

*(English text signed by the President.)
(Assented to 23 November 1994.)*

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Definitions

1. In this Act, unless the context indicates otherwise—
- 5 (i) "Deputy Minister" means a Deputy Minister contemplated in section 94 of the Constitution; (i)
- (ii) "Executive Deputy President" means an Executive Deputy President contemplated in section 84 of the Constitution; (iii)
- 10 (iii) "Minister" means a Minister contemplated in section 88 of the Constitution. (ii)

Remuneration and allowances of Executive Deputy Presidents, Ministers and Deputy Ministers

2. (1) Executive Deputy Presidents, Ministers and Deputy Ministers shall be paid such remuneration and allowances as may be determined by the President, having regard to the recommendations of the Commission on Remuneration of Representatives mentioned in section 207 of the Constitution.

- (2) (a) Paragraph (d) of section 8(1) of the Income Tax Act, 1962 (Act No. 58 of 1962), shall apply to such portion of the remuneration of an Executive Deputy President, a Minister or a Deputy Minister as may at any time be determined by the President, as if that portion were an allowance contemplated in that paragraph.

(b) Different portions may be determined under paragraph (a) in respect of different amounts of remuneration.

Date and manner of payment of remuneration and allowances

- 25 3. There shall be paid to every Executive Deputy President, Minister and Deputy Minister the remuneration and allowances to which such person is entitled in terms of this Act in monthly instalments, the first month to be reckoned—

- 30 (a) in the case of an Executive Deputy President, from the date on which he or she assumes office as contemplated in section 84(6) of the Constitution;
- (b) in the case of a Minister and of a Deputy Minister, from the date on which he or she assumes office as Minister or Deputy Minister, as the case may be, as contemplated in sections 88(7) and 94(3) of the
- 35 Constitution, respectively.

Charge to National Revenue Fund

4. The amount payable in respect of remuneration and allowances in terms of this Act shall—
- 40 (a) in the case of an Executive Deputy President be charged annually to the National Revenue Fund, and the provisions of this section shall be deemed to be an appropriation of every such amount; and
- (b) in the case of a Minister or Deputy Minister be paid from monies appropriated by Parliament for that purpose.

Wet No. 53, 1994**WET OP DIE BESOLDIGING EN TOELAES VAN UITVOERENDE
ADJUNKPRESIDENTE, MINISTERS EN ADJUNKMINISTERS, 1994****Voorbehoude**

5. Enige geld wat na 27 April 1994 maar voor enige bepaling kragtens hierdie Wet aan 'n Uitvoerende Adjunkpresident, Minister of Adjunkminister betaal is, en wat voorgee besoldiging of toelaes soos beoog in artikel 88(10) van die Grondwet te wees, word geag as sodanig kragtens hierdie Wet bepaal te wees. 5

Kort titel en inwerkingtreding

6. Hierdie Wet heet die Wet op die Besoldiging en Toelaes van Uitvoerende Adjunkpresidente, Ministers en Adjunkministers, 1994.

**REMUNERATION AND ALLOWANCES OF EXECUTIVE DEPUTY
PRESIDENTS, MINISTERS AND DEPUTY MINISTERS ACT, 1994****Act No. 53, 1994****Savings**

5. Any money paid to any Executive Deputy President, Minister or Deputy Minister after 27 April 1994, but before any determination under this Act, and purporting to have been remuneration or allowances as contemplated in section 5 88(10) of the Constitution, shall be deemed to have been determined as such under this Act.

Short title and commencement

6. This Act shall be called the Remuneration and Allowances of Executive Deputy Presidents, Ministers and Deputy Ministers Act, 1994.

