

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Vol. 405

PRETORIA, 26 MARCH
MAART 1999

No. 19872

GENERAL NOTICE

NOTICE 457 OF 1999

INDEPENDENT COMMISSION FOR THE REMUNERATION OF PUBLIC OFFICE BEARERS

RECOMMENDATIONS ON THE REMUNERATION AND PENSION BENEFITS FOR PUBLIC OFFICE-BEARERS

- 1 The Independent Commission for the Remuneration of Public Office-Bearers was constituted in terms of Section 219 of the Constitution of the Republic of South Africa, 1996. It was duly appointed in terms of the Independent Commission for the Remuneration of Public Office-Bearers Act, 1997 with the objective of making recommendations regarding the remuneration, allowances and other benefits of public office-bearers.
- 2 In terms of Section 8 of the Independent Commission for the Remuneration of Public Office-Bearers Act, 1997, the Independent Commission herewith publishes its recommendations concerning the remuneration, allowances and benefits for office-bearers.

3 AFTER CONSIDERING THE SUBMISSIONS RECEIVED, EVIDENCE HEARD AND ALL THE INFORMATION AVAILABLE TO THE COMMISSION, THE COM-MISSION ADVISES THAT THE FOLLOWING RECOMMENDATIONS BE CONSIDERED:

3.1 The remuneration for newly elected members to the National Assembly and the National Council of Provinces and re-elected office-bearers

The remuneration for newly elected members to the National Assembly and the National Council of Provinces and re-elected office-bearers in these institutions appointed to an office in a position in a higher grade than occupied before the 1999 election, be determined at a level equal to the remuneration approved by the President in Proclamations No.'s 79 and 1038 of 1998 published in Government Gazette No. 19144, dated 14 August 1998. (See Annexure A, Schedule: Notch 1)

3.2 The upper limit of the remuneration for newly elected members to any provincial legislature and re-elected office-bearers

The upper limit of the remuneration for newly elected members to any provincial legislature and re-elected office-bearers in such institutions appointed to an office in a position in a higher grade than occupied before the 1999 election, be determined by the President at a level equal to the upper limit of the remuneration determined by him in Proclamation No. 115 of 1998 published in Government Gazette No. 19470, dated 13 November 1998. (See Annexure A, Schedule: Notch 1)

3.3 The remuneration for re-elected members to the National Assembly and the National Council of Provinces and office-bearers re-appointed after the election in 1999 to the same position

The remuneration for re-elected members to the National Assembly and the National Council of Provinces and office-bearers re-appointed after the election in 1999 to the same position or a position of equal grading held prior to the election be determined at a level which is 10% higher than the remuneration level determined by the President in Proclamations No.'s 79 and 1038 of 1998 published in Government Gazette No. 19144, dated 14 August 1998. (See Annexure A, Schedule: Notch 2)

3.4 The upper limit of the remuneration for re-elected members to any provincial legislature and office-bearers re-appointed after the election in 1999 to the same position

The upper limit of the remuneration for re-elected members to any provincial legislature and office-bearers re-appointed after the election in 1999 to the same position or a position of equal grading held prior to the election in such legislature be determined by the President at a level which is 10% higher than the upper limit determined by him in Proclamation No. 115 of 1998 published in Government Gazette No. 19470, dated 13 November 1998. (See Annexure A, Schedule: Notch 2)

3.5 Total Package Approach

The Commission urges the President in Cabinet to move expeditiously towards a "total package approach" and to phase out provisions in the remuneration of political office-bearers associated with tax structuring.

3.6 Travel arrangements for members of the National Assembly and of the National Council Of Provinces

The Commission re-affirms its recommendations on the travel arrangements for members of the National Assembly and of the National Council of Provinces published in Government Gazette No. 17710 of 10 January 1997. (See Annexure B)

3.7 Travel privileges (air-tickets) to political office-bearers in provincial legislatures

The allocation of travel privileges (air-tickets) to political office-bearers in provincial legislatures other than for the purpose of travelling between home base and the seat of the legislature (where possible) and to execute official work on behalf of the legislature away from an office-bearer's home base or seat of the legislature be terminated.

3.8 Motor-vehicle finance scheme

The implementation of a motor-vehicle finance scheme by any legislature for its members from State funds be terminated. All members of a legislature who obtained a loan from the legislature should obtain a motor-vehicle loan from a private financial institution and repay the relevant legislature the outstanding loan amount.

3.9 Grading Structure

The Commission reaffirms its recommendation on the grading structure for political office-bearers at the National and Provincial levels of Government published in Government Gazette No. 18776 of 3 April 1998. (See Annexure C)

3.10 The establishment of an Ombudsperson role for issues related to discipline and performance

The Commission reaffirms its previous advice that the conscientious implementation of disciplinary measures via an independent protector would make a contribution to re-assuring the public that legislatures are serious in seeking to maintain minimum standards of due performance of the obligations entrusted to representatives.

3.11 Accessibility to public office-bearers

The Commission submits for consideration a proposal that within 60 days of the election political parties represented in a legislature submit to the Speaker a list of their representatives responsible for particular constituencies. Such a list should also contain information concerning offices of representatives in constituencies, postal addresses, telephone and facsimile numbers etc., detailing where the relevant representative can be contacted. The Independent Electoral Commission's constituency demarcation map could serve as a basis for the allocation of constituencies to representatives.

3.12 Non attendance of debates

The Commission submits for consideration the enactment of a penalty clause to be included in the Remuneration of Public Office-Bearer's Act, No 20 of 1998 to discipline members of legislatures who do not attend debates and committee meetings of a legislature without a legitimate excuse.

3.13 Members of Municipal Councils

The increase of the upper limit of the remuneration of political office-bearers at local government level be determined by the Minister for Provincial Affairs and Constitutional Development in an amount equal to 5% of the present remuneration of office-bearers for the next local government financial year.

3.14 Traditional Leaders

- (a) Members of the Council of Traditional Leaders be remunerated and reimbursed per sitting day of the Council on the following basis:

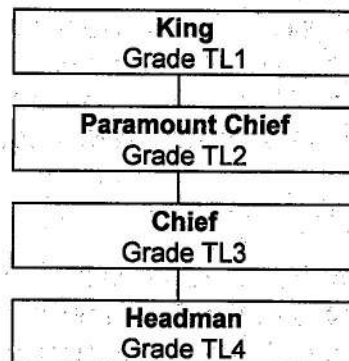
Position	Allowance	Subsistence	Traveling
Chairperson	R630 /day	R378/day	As prescribed by the Department of Transport.
Vice-Chairperson	R567/day		
Ordinary Member	R441/day		

- (b) Members of Houses of Traditional Leaders be remunerated and reimbursed per sitting day of a House on the following basis:

Position	Allowance	Subsistence	Traveling
Chairperson	R525/day	R315/day	As prescribed by the Department of Transport
Vice-Chairperson	R475/day		
Ordinary Member	R368/day		

- (c) Until clarity on the position of traditional leadership in a democratic South Africa has been obtained, the following grading structure for remuneration purposes be approved:

Traditional Leaders



- (d) Uniform remuneration in total package format be awarded as follows:

KwaZulu/Natal Monarch	-	R315 000 per annum
Paramount Chiefs	-	R151 200 per annum
Chiefs	-	R 75 600 per annum
Headman	-	R 13 650 per annum

- (e) Where remuneration has been lawfully determined in respect of Paramount Chiefs which exceeds the remuneration recommended in the preceding paragraph 3.14(d) such excess be phased out at the death or the retirement of the present incumbent.

ANNEXURE A

REMUNERATION NOTCHES FOR 1999

Grade	Position	Recommended packages in Rand	
		Notch 1	Notch 2
Grade H	President	698 586	
Grade G	Executive Deputy President	564 480	
Grade F	Minister Premiers Speaker: National Assembly Chairperson: National Council of Provinces (NCOP)	497 870	547 657
Grade E1	Deputy Ministers Deputy Speaker: National Assembly Deputy Chairperson: (NCOP) Executive Council Members Speakers: Prov. Leg.	404 662	445 128
Grade E2	Parliamentary Counsellor: President Chief Whip: Majority Party in House Leader of the Opposition in terms of section 57 (2) (d) of the Constitution	346 890	381 579
Grade D	Parliamentary Counsellor: Deputy President Deputy Speaker: Prov. Leg.	329 580	362 538
Grade C1	Chairperson of a Committee in a House or a Joint Committee Chairperson of Committees Chief Whip: Majority Party: Prov. Leg.	319 360	351 296
Grade C2	Chief Whip: Official Opposition Deputy Chief Whip: Majority Party in a House Deputy Chairperson of Committees Leader of Official Opposition: Prov. Leg. Chairperson of a Portfolio and Standing Committee: Prov. Leg. Chairperson of Committees: Prov. Leg.	309 506	340 457
Grade B	Leader of a House Whip in a House Leader of a Minority Party other than the Official Opposition Chief Whip: Official Opposition: Prov. Leg. Deputy Chief Whip: Majority Party: Prov. Leg. Deputy Chairperson of Committees: Prov. Leg.	297 057	326 763
Grade A1	Member of the National Assembly Permanent Delegate to the NCOP Leader of Provincial Legislature Whip: Prov. Leg. Leader of a Minority Party other than the Official Opposition: Prov. Leg.	264 231	290 654
Grade A2	Member of Provincial Legislature	254 473	279 920

ANNEXURE B**TRAVEL ARRANGEMENTS FOR MEMBERS OF PARLIAMENT AND THE NATIONAL COUNCIL OF PROVINCES**

The following dual approach is proposed by the Commission for consideration:

1 Air-tickets to be allocated and administered by Parliament

These should include the following:

- (a) Tickets to a member, his/her spouse and dependents (as defined in the present rules of Parliament) who reside with the member during the session of Parliament in Cape Town to proceed from his home-base to Cape Town at the beginning of a session and back to his home-base at the end of the session.
- (b) Two return tickets each per session (one per short session) to a member and his/her spouse to strengthen family relations and attend to private interests of a member at his home-base.
- (c) Two return tickets per session (one per short session) to each school-going dependent and dependent student attending educational institutions and not accompanying the member to Cape Town for the duration of the session, for the purposes to visiting his/her parents in Cape Town.
- (d) Children/dependents residing permanently for the duration of the session with their parents in Cape Town do not qualify for this privileges. Special circumstances may arise and if a situation occurs where such children are required to accompany their parents to their home-base, the Speaker be authorised to exercise a discretion to allow or reject such an application on merit.
- (e) The above travel privileges may be transferred amongst family members but expire at the end of the session. In the event where a dependent is a full-time registered scholar/student at a high school or tertiary education institution in Cape Town or the vicinity of Cape Town, the travel privileges may be used when Parliament is in recess for the dependent to visit his parents at their home-base or the parent to visit the scholar/student in Cape Town or the vicinity of Cape Town.
- (f) The present system according to which air-tickets are provided by Parliament to members to attend committee meetings or inspections *in loco* be maintained as presently structured.
- (g) The allocation of air-tickets to Ministers and Deputy-Ministers for use as aforesaid should take place on the same basis as set out in the preceding paragraphs and should be administered by their relevant Departments.

2 Air-tickets for constituency work to be allocated to political parties

These would include the following:

- (a) A number of return air-tickets be placed at the disposal of political parties calculated on a basis of two tickets for each member of the party in Parliament for each month that Parliament is in session.
- (b) The travel privileges referred to in the preceding paragraph should be allocated by the party to members of that party in Parliament at the discretion of the party and in terms of the rules determined by the parties themselves.
- (c) Tickets should not be accumulated from year to year, or be allocated to other party members who are not members of Parliament.
- (d) For the three months prior to a general election when Parliament is in session, the number of air-tickets per member could be increased in the discretion of the Speaker to accommodate electioneering needs.
- (e) The air-tickets allocated by parties should be administered by Parliament.

ANNEXURE C

Grade	Position
Grade H	President
Grade G	Executive Deputy President
Grade F	Minister Premiers Speaker: National Assembly Chairperson: National Council of Provinces (NCOP)
Grade E1	Deputy Ministers Deputy Speaker: National Assembly Deputy Chairperson: (NCOP) Executive Council Members Speakers: Prov. Leg.
Grade E2	Parliamentary Counsellor: President Chief Whip: Majority Party in House Leader of the Opposition in terms of section 57 (2) (d) of the Constitution
Grade D	Parliamentary Counsellor: Deputy President Deputy Speaker: Prov. Leg.
Grade C1	Chairperson of a Committee in a House or a Joint Committee Chairperson of Committees Chief Whip: Majority Party: Prov. Leg.
Grade C2	Chief Whip: Official Opposition Deputy Chief Whip: Majority Party in a House Deputy Chairperson of Committees Leader of Official Opposition: Prov. Leg. Chairperson of a Portfolio and Standing Committee: Prov. Leg. Chairperson of Committees: Prov. Leg.
Grade B	Leader of a House Whip in a House Leader of a Minority Party other than the Official Opposition Chief Whip: Official Opposition: Prov. Leg. Deputy Chief Whip: Majority Party: Prov. Leg. Deputy Chairperson of Committees: Prov. Leg.
Grade A1	Member of the National Assembly Permanent Delegate to the NCOP Leader of Provincial Legislature Whip: Prov. Leg. Leader of a Minority Party other than the Official Opposition: Prov. Leg.
Grade A2	Member of Provincial Legislature

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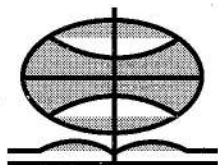
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CONTENTS

No.

Page
No. Gazette
No.**GENERAL NOTICE****Office of the State President***General Notice*

- | | | | |
|-----|--|---|-------|
| 457 | Constitution of the Republic of South Africa, 1996: Independent Commission for the Remuneration of Public Office-Bearers: Recommendations and the remuneration and pension benefits for public office-bearers..... | 1 | 19872 |
|-----|--|---|-------|
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