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STATE PRESIDENT'S OFFICE

No. 1624.

24 July 1985

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

No. 95 of 1985: Payment of Members of Parliament Amendment Act, 1985.

KANTOOR VAN DIE STAATSPRESIDENT

No. 1624.

24 Julie 1985

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

No. 95 van 1985: Wysigingswet op die Betaling van Parlementslede, 1985.

Act No. 95, 1985

PAYMENT OF MEMBERS OF PARLIAMENT AMENDMENT ACT,
1985**GENERAL EXPLANATORY NOTE:**

Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Payment of Members of Parliament Act, 1974, so as to regulate further the deductions of amounts from the salaries and allowances of members of Parliament on account of absence from meetings.

*(Afrikaans text signed by the State President.)
(Assented to 10 July 1985.)*

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

Substitution of section 2 of Act 40 of 1974, as substituted by section 2 of Act 94 of 1984.

1. The following section is hereby substituted for section 2 of the Payment of Members of Parliament Act, 1974:

- 2.** (1) Subject to the provisions of subsections (2) 5
and (3), there shall be deducted from the amount payable under the provisions of this Act to a member of Parliament (other than the Speaker, the Chairman of a House and a Leader of an Official Opposition in a House)— 10
- (a) the sum of R50 for every day on which he fails— 10
- (i) to attend either a meeting of the House of which he is a member or a meeting of the Houses in joint sitting, if on the day in question there is no meeting of a committee referred to in subparagraph (ii); 15
- (ii) whether during a session of Parliament or when Parliament is prorogued, to attend a meeting of a committee of which he is a member and which consists of members of the said House or of members of all three Houses, or, where two or more such committees meet on the same day, to attend the meeting of at least one of them, if on the day in question there is no meeting of that House or of the Houses in joint sitting; or 20
- (iii) to attend at least one such meeting, if on the day in question there are meetings of the said House or of the Houses in joint sitting and also of one or more committees referred to in subparagraph (ii); and 25
- (b) the sum of R25 for every day on which he attends a meeting of the said House or a meeting of the Houses in joint sitting, but fails to attend 30

WYSIGINGSWET OP DIE BETALING VAN PARLEMENTSLEDE,
1985

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ALGEMENE VERDUIDELIKENDE NOTA:

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

WET

Tot wysiging van die Wet op die Betaling van Parlementslede, 1974, ten einde die aftrekking van bedrae van die salarisse en toelaes van Parlementslede weens afwesigheid van vergaderings verder te reël.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 10 Julie 1985.)

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

1. Artikel 2 van die Wet op die Betaling van Parlementslede, 1974, word hierby deur die volgende artikel vervang:

5 "Aftrekkings
weens afwesigheid.

2. (1) Behoudens die bepalings van subartikels (2) en

(3) word daar van die bedrag wat ingevolge die bepalings van hierdie Wet betaalbaar is aan 'n lid van die Parlement (behalwe die Speaker, die Voorsitter van 'n Huis en 'n Leier van 'n Amptelike Opposisie in 'n Huis)—

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(a) die som van R50 afgetrek vir elke dag waarop hy versuim—

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(i) om of 'n vergadering van die Huis waarvan hy 'n lid is of 'n vergadering van die Huise in gesamentlike sitting by te woon, indien daar op die betrokke dag geen vergadering van 'n komitee in subparagraaf (ii) vermeld, is nie;

20

(ii) hetsy gedurende 'n sessie van die Parlement of wanneer die Parlement gepronogeer is, om 'n vergadering van 'n komitee waarvan hy 'n lid is en wat uit lede van genoemde Huis of uit lede van al drie Huise bestaan, by te woon of, waar twee of meer sodanige komitees op dieselfde dag byeenkom, om die vergadering van minstens een van hulle by te woon, indien daar op die betrokke dag nie 'n vergadering van daardie Huis of van die Huise in gesamentlike sitting is nie; of

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(iii) om minstens een sodanige vergadering by te woon, indien daar op die betrokke dag vergaderings van genoemde Huis of van die Huise in gesamentlike sitting en ook van een of meer komitees in subparagraaf (ii) vermeld, is; en

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(b) die som van R25 afgetrek vir elke dag waarop hy 'n vergadering van genoemde Huis of 'n vergadering van die Huise in gesamentlike sitting by-

Vervanging van
artikel 2 van
Wet 40 van 1974,
soos vervang deur
artikel 2 van
Wet 94 van 1984.

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1985

a meeting of a committee referred to in paragraph (a) (ii) which takes place on the same day, but not at the same time, as the meeting of the House or of the Houses in joint sitting, or, if there is more than one such committee meeting on the day in question, to attend at least one of them. 5

(2) For the purposes of subsection (1) a member of Parliament shall not be regarded as having attended a meeting of a committee unless he remained in attendance until the adjournment of the meeting or was excused from further attendance by the chairman of the committee before the adjournment. 10

(3) No deduction shall be made under subsection (1) on account of the failure of a member of Parliament— 15

(a) to attend any meeting referred to in that subsection, if his absence is due to—

(i) his illness or the summons or subpoena of a competent court (except a summons to answer a criminal charge upon which he is convicted); 20

(ii) the death or serious illness of his wife or his child, and such absence is condoned by the Speaker; or 25

(iii) his serving with the South African Defence Force, or with any other force or service established by or under the Defence Act, 1957 (Act No. 44 of 1957), while the Republic is at war; 30

(b) to attend a meeting of the House of which he is a member or a meeting of the Houses in joint sitting, in respect of any further period of absence—

(i) not exceeding 25 days during any session of Parliament in which the estimates of expenditure for the ordinary administrative services of any financial year are considered; and 35

(ii) not exceeding seven days during any other session of Parliament; or 40

(c) to attend a meeting of a committee referred to in that subsection, in respect of a further period of absence not exceeding one day out of every four days on which the committee in question meets when Parliament is prorogued or when all three Houses are adjourned for longer than 30 days during a session of Parliament.”. 45

Short
title.

2. This Act shall be called the Payment of Members of Parliament Amendment Act, 1985.

50

WYSIGINGSWET OP DIE BETALING VAN PARLEMENTSLEDE,
1985

Wet No. 95, 1985

woon, maar versuim om 'n vergadering van 'n komitee in paragraaf (a) (ii) vermeld wat op dieselfde dag, maar nie op dieselfde tyd nie, as die vergadering van die Huis of van die Huise in gesamentlike sitting plaasvind, by te woon of, indien daar op die betrokke dag meer as een sodanige komiteevergadering is, om minstens een daarvan by te woon.

(2) By die toepassing van subartikel (1) word 'n lid van die Parlement nie geag 'n vergadering van 'n komitee by te gewoon het nie tensy hy tot die verdaging van die vergadering daarop aanwesig gebly het of voor die verdaging van verdere bywoning vrygestel is deur die voorsitter van die komitee.

(3) Geen aftrekking word ingevolge subartikel (1) gedoen nie weens die versuim van 'n lid van die Parlement—

(a) om die een of ander vergadering in daardie subartikel vermeld, by te woon, indien sy afwesigheid te wyte is aan—

(i) sy siekte of die dagvaarding of getuiedagvaarding van 'n bevoegde hof (behalwe 'n dagvaarding om te verskyn op 'n kriminele aanklag waarop hy skuldig bevind word);

(ii) die dood of ernstige siekte van sy eggenote of sy kind, en sodanige afwesigheid deur die Speaker verskoon word; of

(iii) sy diens in die Suid-Afrikaanse Weermag, of in 'n ander mag of diens by of kragtens die Verdedigingswet, 1957 (Wet No. 44 van 1957), ingestel, terwyl die Republiek in oorlog betrokke is;

(b) om 'n vergadering van die Huis waarvan hy 'n lid is of 'n vergadering van die Huise in gesamentlike sitting by te woon, ten opsigte van 'n verdere tydperk van afwesigheid—

(i) van hoogstens 25 dae gedurende 'n sessie van die Parlement waarin die begroting van uitgawes vir die gewone administratiewe dienste van 'n boekjaar oorweeg word; en

(ii) van hoogstens sewe dae gedurende enige ander sessie van die Parlement; of

(c) om 'n vergadering van 'n komitee in daardie subartikel vermeld, by te woon, ten opsigte van 'n verdere tydperk van afwesigheid van hoogstens een dag uit elke vier dae waarop die betrokke komitee byeenkom wanneer die Parlement gepronogeer is of wanneer al drie Huise langer as 30 dae gedurende 'n sessie van die Parlement verdaag is.”

2. Hierdie Wet heet die Wysigingswet op die Betaling van Kort titel. Parlementslede, 1985.

