

PROVINCE OF THE EASTERN CAPE
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PROVINCIAL NOTICES

No. 1

2 January 2008

PROVINCE OF THE EASTERN CAPE

OFFICE OF THE PREMIER

CORRECTION NOTICE : REMUNERATION OF PUBLIC OFFICE BEARERS ACT, 1998 (ACT NO. 20 OF 1998) : SUBSTITUTION OF NOTICE NO. 35 DATED 30 NOVEMBER 2007 (DETERMINATION OF SALARIES AND ALLOWANCES OF MEMBERS OF THE EXECUTIVE COUNCIL AND MEMBERS OF THE OF THE PROVINCIAL LEGISLATURE)

Provincial Notice No. 35 published in Provincial Gazette No. 1808 of 30 November 2007 is hereby withdrawn and substituted for the notice attached hereto.

No. 2

2 January 2008

PROVINCE OF THE EASTERN CAPE
OFFICE OF THE PREMIER

REMUNERATION OF PUBLIC OFFICE BEARERS ACT, 1998 (ACT NO.20 OF 1998): DETERMINATION OF SALARIES AND ALLOWANCES OF MEMBERS OF THE EXECUTIVE COUNCIL AND MEMBERS OF THE PROVINCIAL LEGISLATURE


I, **Nosimo Balindlela**, Premier of the Province of the Eastern Cape, acting in terms of section 6(3) of the Remuneration of Public Office Bearers Act, 1998 (Act No.20 of 1998) (hereinafter referred to as the "Act"), having regard to Presidential Proclamation No.35 contained in Gazette No. 30499 of 21 November 2007, hereby determine that -


- (1) the annual salaries and allowances of the various grades of office bearers mentioned in Column 1 of Schedule 1 shall be as set out in Columns 2, 3 and 4 of Schedule 1 with effect from 01 April 2007, subject to section 6(7) to (9) of the Act;
- (2) Column 4 of Schedule 1 (Notch 3) applies to a re-elected member who at any time has occupied his or her current office, or an office in the same or a higher grade according to Column 1 of Schedule 1 for a period of at least 24 months in total, whether before or after 14 April 2004.
- (3) Column 3 of Schedule 1 (Notch2) applies to all re-elected members other than those referred to in paragraph (2). When a re-elected member to whom Column 3 applies has held his or her current office, or an office in the same or a higher grade according to Column 1, for a period of 24 months in total, Column 4 of Schedule 1 (Notch 3) becomes applicable to that member;

- (4) Column 2 of Schedule 1 (Notch 1) applies to all members of the Executive Council and Provincial legislature who are not re-elected members;
- (5) For the purpose of calculating the period of 24 months referred to in paragraphs 2 and 3, a re-elected member who-
- (a) was a member of the Executive Council or a member of the Provincial Legislature on 13 April 2004; and
 - (b) pursuant to the elections of 14 April 2004, was in the case of a member of the Executive Council appointed by the Premier as a member of the Executive Council in terms of section 132(2) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1998) or in the case of a member of the Legislature, was designated by the Electoral Commission as a member of the National Council of Provinces in terms of the Constitution,
- is regarded to have continued to occupy the position occupied by him or her on 13 April 2004 until so designated or appointed;
- (6) In this Notice –
- (a) “member of the Legislature” means a member of the Provincial Legislature; and
 - (b) “re-elected member” means a member of the Provincial Legislature-
- (i) who at any time before 14 April 2004 occupied an office mentioned in Column 2 of Schedule 2; and
 - (ii) whose service in any one or more of those offices has not been interrupted at any time for a continuous period of more than 24 months;
- (7) In terms of section 6(4) of the Act, I further determine that the amount of R40 000.00 per annum is that portion of the remuneration of an office bearer mentioned in Column 1 of Schedule 1 to which section 8(1) (d) of the Income Tax Act, 1962 (Act No.58 of 1962), applies;

- (8) Except for the salaries and allowances provided for in this Notice, the office-bearers mentioned in Column 1 of Schedule 1 are not entitled to any other remuneration, whether directly or indirectly, in respect of the offices held by them;
- (9) Provincial Notice No.48 published in Provincial Gazette No.1606 of 13 September 2006, is repealed.

Given under my Hand at Port Elizabeth this 28TH day of
November Two Thousand and Seven


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NOSIMO BALINDLELA
PREMIER: PROVINCE OF THE EASTERN CAPE


.....
BILLY NEL
MEC: EASTERN CAPE PROVINCIAL TREASURY

Schedule 1										
UPPER LIMIT OF THE SALARIES AND ALLOWANCES OF PREMIERS, MEMBERS OF EXECUTIVE COUNCILS AND MEMBERS OF PROVINCIAL LEGISLATURES WITH EFFECT FROM 01 APRIL 2007										
COLUMN 1		COLUMN 2 (NOTCH 1)			COLUMN 3 (NOTCH 2)			COLUMN 4 (NOTCH 3)		
Grade	Office	Basic Salary	Motor Vehicle allowance	Total remuneration	Basic Salary	Motor Vehicle allowance	Total remuneration	Basic Salary	Motor Vehicle allowance	Total remuneration
Grade E1	Executive Council member Speaker	562337	140584	702921	590459	147614	738073	618566	154641	773207
Grade D	Deputy Speaker	440140	110035	550175	470954	117738	588692	484150	121037	605187
Grade C1	Chief Whip: Majority Party	426501	106624	533125	456350	114088	570438	489134	117283	586417
Grade C2	Leader of Opposition i.t.o. section 116 (2)(d) of the Constitution Chairperson of a Committee of a Legislature Chairperson of Committees	413334	103333	516667	442267	110566	552833	454668	113668	568334
Grade B	Chief Whip: Official Opposition Largest Minority Party Deputy Chief Whip: Majority Party Deputy Chief Whip: Majority Party Deputy Chairperson of Committees	396402	99177	495579	416546	104135	520681	436379	109095	545474
Grade A1	Parliamentary Counsellor to the King Whip Leader of Minority Party in a Legislature other than the Official Opposition	352871	88218	441089	377582	94396	471978	388163	97040	485203
Grade A2	Member of the Legislature	339842	84959	424801	350043	87509	437552	373837	93459	467296

All amounts reflected under the "Total remuneration" columns include an amount of R40 000 per annum determined in this Notice as the amount to which section 8(1)(d) of the Income Tax Act, 1962, applies.

SCHEDULE 2	
Grade	Office
Grade E1	Member of the Executive Council of a Province Speaker; Provincial Legislature
Grade D	Deputy Speaker: Provincial Legislature
Grade C1	Chief Whip of Majority Party: Provincial Legislature
Grade C2	Leader of Legislature Chairperson of a Committee of a Provincial Legislature Chairperson of Committees: Provincial Legislature
Grade B	Chief Whip: Official Opposition/Largest Minority Party: Provincial Legislature Deputy Chief Whip of Majority Party: Provincial Legislature Deputy Chairperson of Committees: Provincial Legislature
Grade A1	Leader of Provincial Legislature Whip: Provincial Legislature Leader of a Minority in a Provincial Legislature other than the Official Opposition
Grade A2	Member of a Provincial Legislature