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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

No. R. 1136

30 November 2007

DETERMINATION OF ADDITIONAL REMUNERATION PAYABLE TO PERMANENT MAGISTRATES ACTING IN ANY OTHER JUDICIAL OFFICE, IN TERMS OF SECTION 12(5)(a) READ WITH SECTION 12(5)(b) OF THE MAGISTRATES ACT, 1993 (ACT NO. 90 OF 1993)

I, Bridgette Sylvia Mabandla, Minister for Justice and Constitutional Development, acting under section 12(5)(a) read with section 12(5)(b) of the Magistrates Act, 1993 (Act No. 90 of 1993), hereby determines that magistrates appointed in an acting or temporary capacity to any other judicial office, for a continuous period exceeding one day, and where the remuneration attached to that office exceeds the remuneration attached to the office ordinarily held by the magistrate be paid for the duration of such appointment the following additional remuneration:

Annual salary of a magistrate, on the salary scale applicable to that magistrate, excluding motor vehicle allowance, deducted from the annual salary scale, excluding the motor vehicle allowance, attached to the other judicial office the magistrate is appointed to, divided by 260 work days.*

Footnote:

*For example, at the present salary scales applicable:

A magistrate appointed in an acting or temporary capacity as a senior magistrate:

R317 873.00 minus R289 167.00 = R28 706.00, divided by 260 work days = R110.41 per day.

A senior magistrate appointed in an acting or temporary capacity as a chief magistrate:

R351 329.00 minus R317 873.00 = R33 456.00, divided by 260 work days = R128.68 per day.

A magistrate appointed in an acting or temporary capacity as a regional magistrate:

R351 329.00 minus R289 167.00 = R62 162.00, divided by 260 work days = R239.08 per day.

A magistrate appointed in an acting or temporary capacity as a judge:

R687 904.00 minus R289 167.00 = R398 737.00, divided by 260 work days = R1 533.60 per day.

A senior magistrate appointed in an acting or temporary capacity as a judge:

R687 904.00 minus R317 873.00 = R370 031.00, divided by 260 work days = R1 423.20 per day.

A chief magistrate appointed in an acting or temporary capacity as a judge:

R687 904.00 minus R351 329.00 = R336 575.00, divided by 260 work days = R1 294.52 per day.

A regional magistrate appointed in an acting or temporary capacity as a regional court president:

R434 955.00 minus R351 329.00 = R83 626.00, divided by 260 work days = R321.65 per day.

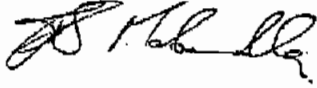
A regional magistrate appointed in an acting or temporary capacity as a judge:

R687 904.00 minus R351 329.00 = R336 575, divided by 260 work days = R1 294.52 per day.

A regional court president appointed in an acting or temporary capacity as a judge:

R687 904.00 minus R434 955.00 = R252 949.00, divided by 260 work days = R972.88 per day.

For purposes of the calculation above the following formula is applicable: 40 hours per week x 52 weeks per year = 2 080 hours per year, divided by 8 hours work per day = 260 work days per year.



MS B S MABANDLA, MP
MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT

No. R. 1137

30 November 2007

DETERMINATION OF BENEFITS OF MAGISTRATES WHO HAVE TO DISPOSE OF CASES AFTER VACATING THE OFFICE OF MAGISTRATE, IN TERMS OF SECTION 9(7)(a) AND (d) OF THE MAGISTRATES' COURTS ACT, 1944 (ACT NO. 32 OF 1944)

I, Bridgette Sylvia Mabandla, Minister for Justice and Constitutional Development, acting under section 9(7)(a) and (d) of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944) (the Act), as amended, hereby determines the benefits of a magistrate who vacated the office of magistrate and who was not subsequently appointed as a Constitutional Court judge or a judge and still has to dispose of cases at an hourly rate, for the period taken to dispose of such cases, as follows:

Annual salary of a magistrate, excluding motor vehicle allowance, on the salary scale applicable to that magistrate, as determined in terms of section 12(1) of the Magistrates Act, 1993 (Act No.90 of 1993), divided by 260 work days. This daily rate will then be divided by 8 hours per day, to determine an hourly rate.*

Footnote:

*For example at the present salary scales applicable:

Magistrate:

R289 167.00 divided by 260 work days = R1 112.00 per day, divided by 8 hours per day = R139.00 per hour.

Senior Magistrate:

R317 873.00 divided by 260 work days = R1 222.59 per day, divided by 8 hours per day = R152.82 per hour.

Chief Magistrate:

R351 329.00 divided by 260 work days = R1 351.26 per day, divided by 8 hours per day = R168.91 per hour.

Special Grade Chief Magistrate:

R434 955.00 divided by 260 work days = R1 672.90 per day, divided by 8 hours per day = R209.11 per hour.

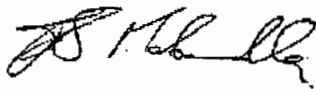
Regional Magistrate:

R351 329.00 divided by 260 work days = R1 351.26 per day, divided by 8 hours per day = R168.91 per hour.

Regional Court President:

R434 955.00 divided by 260 work days = R1 672.90 per day, divided by 8 hours per day = R209.11 per hour.

For purposes of the calculation above the following formula is applicable: 40 hours per week x 52 weeks per year = 2 080 hours per year, divided by 8 hours work per day = 260 work days per year.



MRS B S MABANDLA, MP
MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT

No. R. 1136

30 November 2007

VASSTELLING VAN ADDISIONELE BESOLDIGING BETAALBAAR AAN PERMANENTE LANDDROSTE WAT IN 'N ANDER REGTERLIKE AMP WAARNEEM, IN TERME VAN ARTIKEL 12(5)(a) GELEES MET ARTIKEL 12(5)(b) VAN DIE WET OP LANDDROSTE, 1993 (WET NO. 90 VAN 1993)

Ek, Bridgette Sylvia Mabandla, Minister vir Justisie en Staatkundige Ontwikkeling, handelende kragtens artikel 12(5)(a) gelees met artikel 12(5)(b) van die Wet op Landdroste, 1993 (Wet No. 90 of 1993), bepaal hiermee dat landdroste wat in 'n waarnemende of tydelike hoedanigheid in 'n ander regterlike amp aangestel word, vir 'n aaneenlopende tydperk wat een dag te bowe gaan, en die besoldiging verbonde aan daardie amp oorskry die besoldiging verbonde aan die amp wat daardie landdros normaalweg beklee, die volgende addisionele besoldiging vir die duur van daardie aanstelling betaal sal word:

Jaarlikse salaris van 'n landdros, op die toepaslike salaris skaal van daardie landdros, uitsluitend motor voertuig toelaag, afgetrek van die jaarlikse salaris skaal, uitsluitend motor voertuig toelaag, relevant tot die ander regterlike amp waarin die landdros aangestel is, gedeel deur 260 werksdae.*

Voetnota:

*By voorbeeld, met die huidige toepaslike salaris skale:

'n Landdros wat in 'n waarnemende of tydelike hoedanigheid as a senior landdros aangestel word:

R317 873.00 minus R289 167.00 = R28 706.00, gedeel deur 260 werksdae = R110.41 per dag.

'n Senior landdros wat in 'n waarnemende of tydelike hoedanigheid as 'n hooflanddros aangestel word:

R351 329.00 minus R317 873.00 = R33 456.00, gedeel deur 260 werksdae = R128.68 per dag.

'n Landdros wat in 'n waarnemende of tydelike hoedanigheid as 'n streeklanddros aangestel word:

R351 329.00 minus R289 167.00 = R62 162.00, gedeel deur 260 werksdae = R239.08 per dag.

‘n Landdros wat in ‘n waarnemende of tydelike hoedanigheid as ‘n regter aangestel word:

R687 904.00 minus R289 167.00 = R398 737.00, gedeel deur 260 werksdae =
R1 533.60 per dag.

‘n Senior landdros wat in ‘n waarnemende of tydelike hoedanigheid as ‘n regter aangestel word:

R687 904.00 minus R317 873.00 = R370 031.00, gedeel deur 260 werksdae =
R1 423.20 per dag.

‘n Hooflanddros wat in ‘n waarnemende of tydelike hoedanigheid as ‘n regter aangestel word:

R687 904.00 minus R351 329.00 = R336 575.00, gedeel deur 260 werksdae =
R1 294.52 per dag.

‘n Streeklanddros wat in ‘n waarnemende of tydelike hoedanigheid as ‘n streekhofpresident aangestel word:

R434 955.00 minus R351 329.00 = R83 626.00, gedeel deur 260 werksdae =
R321.65 per dag.

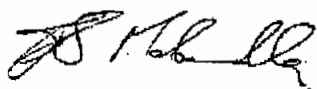
‘n Streeklanddros wat in ‘n waarnemende of tydelike hoedanigheid as ‘n regter aangestel word:

R687 904.00 minus R351 329.00 = R336 575, gedeel deur 260 werksdae =
R1 294.52 per dag.

‘n Streekhofpresident wat in ‘n waarnemende of tydelike hoedanigheid as ‘n regter aangestel word:

R687 904.00 minus R434 955.00 = R252 949.00, gedeel deur 260 werksdae =
R972.88 per dag.

Vir doeleindes van berekeninge is die volgende formule toepaslik: 40 ure per week x 52 weke per jaar = 2 080 ure per jaar, gedeel deur 8 werksure per dag = 260 werksdae per jaar.



ME B S MABANDLA, LP
MINISTER VIR JUSTISIE EN STAATKUNDIGE ONTWIKKELING

No. R. 1137

30 November 2007

VASSTELLING VAN VOORDELE VAN LANDDROSTE WAT SAKE MOET AFHANDEL NA DIE ONTRUIMING VAN DIE AMP VAN LANDDROS, IN TERME VAN ARTIKEL 9(7)(a) EN (d) VAN DIE WET OP LANDDROSHOWE, 1944 (WET NO. 32 VAN 1944)

Ek, Bridgette Sylvia Mabandla, Minister vir Justisie en Staatkundige Ontwikkeling, handelende kragtens artikel 9(7)(a) en (d) van die Wet op Landdroshowe, 1944 (Wet No. 32 van 1944), (die Wet), soos gewysig, bepaal hiermee die voordele van 'n landdros wat die amp van landdros ontruim het en wat nie daarna as 'n Konstitusionele Hof regter of 'n regter aangestel is nie en wat sake moet afhandel, op 'n uurlikse basis, vir die tydperk wat dit neem om die sake af te handel, soos volg:

Jaarlikse salaris van 'n landdros, uitsluitend motor voertuig toelaag, op die toepaslike salaris skaal van daardie landdros, soos bepaal in terme van artikel 12(1) van die Wet op Landdroste, 1993 (Wet No. 90 van 1993), gedeel deur 260 werksdae. Hierdie daaglikse tarief sal dan gedeel word deur 8 ure per dag, om 'n uurlikse tarief te bepaal.*

Voetnota:

*By voorbeeld, met die huidige toepaslike salaris skale:

Landdros:

R289 167.00 gedeel deur 260 werksdae = R1 112.00 per dag, gedeel deur 8 ure per dag
= R139.00 per uur.

Senior Landdros:

R317 873.00 gedeel deur 260 werksdae = R1 222.59 per dag, gedeel deur 8 ure per dag
= R152.82 per uur.

Hooflanddros:

R351 329.00 gedeel deur 260 werksdae = R1 351.26 per dag, gedeel deur 8 ure per dag
= R168.91 per uur.

Spesiale Graad Hooflanddros:

R434 955.00 gedeel deur 260 werksdae = R1 672.90 per dag, gedeel deur 8 ure per dag
= R209.11 per uur.

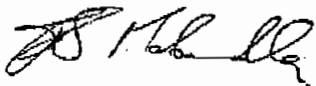
Streeklanddros:

R351 329.00 gedeel deur 260 werksdae = R1 351.26 per dag, gedeel deur 8 ure per dag
= R168.91 per uur.

Streekhofpresident:

R434 955.00 gedeel deur 260 werksdae = R1 672.90 per dag, gedeel deur 8 ure per dag
= R209.11 per uur.

Vir doeleindes van berekeninge is die volgende formule toepaslik: 40 ure per week x 52 weke per jaar = 2 080 ure per jaar, gedeel deur 8 werksure per dag = 260 werksdae per jaar.



ME B S MABANDLA, LP
MINISTER VIR JUSTISIE EN STAATKUNDIGE ONTWIKKELING
