

OFFICE OF THE PRESIDENT

No. 2094

7 December 1994

NO. 53 OF 1994: REMUNERATION AND ALLOWANCES OF EXECUTIVE DEPUTY PRESIDENTS, MINISTERS AND DEPUTY MINISTERS ACT, 1994.

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

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-

(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)

(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

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-

(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 Constitution, respectively.

Charge to National Revenue Fund

4. The amount payable in respect of remuneration and allowances in terms of this Act shall-

(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.

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 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.