

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
REMUNERATION OF PUBLIC
OFFICE BEARERS BILL**

[B 16—98]

(As agreed to by the Portfolio Committee on Constitutional Affairs (National Assembly))

[B 16A—98]

REPUBLIEK VAN SUID-AFRIKA

**PORTEFEULJEKOMITEE-AMENDEMENTE
OP
WETSONTWERP OP DIE
BESOLDIGING VAN OPENBARE
AMPSBEKLEËRS**

[W 16—98]

*(Soos goedgekeur deur die Portefeuljekomitee oor Staatkundige Aangeleenthede
(Nasionale Vergadering))*

[W 16A—98]

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AMENDMENTS AGREED TO**REMUNERATION OF PUBLIC OFFICE BEARERS BILL**
[B 16—98]

CLAUSE 1

1. On page 2, in line 8, to omit “and 9(2)” and to substitute “and (5) and 9(2) and (5)”.
2. On page 2, in line 28, after “contributes” to insert:

or any pension scheme approved by Parliament for such office bearers so approved
3. On page 2, in line 33, to omit the definition of “traditional leader” and to substitute:

(xii) “traditional leader” means any person identified in terms of section 5(4).

CLAUSE 2

1. On page 4, in line 22, after “Assembly” to insert:

, after taking into consideration the recommendations of the Commission

CLAUSE 3

1. On page 4, from line 45, to omit paragraph (c).

CLAUSE 4

1. On page 6, in line 37, to omit paragraph (c).

CLAUSE 5

1. On page 8, in line 12, after “shall” to insert:

, despite anything to the contrary in any other law contained,
2. On page 8, from line 20, to omit paragraph (c).
3. On page 8, after line 30, to insert the following paragraph:

(i) inflationary increases.
4. On page 8, after line 43, to insert the following subsection:

(4) A traditional leader is a person identified by the Minister by notice in the *Gazette* for the purposes of this Act.

CLAUSE 6

1. On page 8, in line 53, to omit paragraph (c).

CLAUSE 7

1. On page 12, from line 3, to omit paragraph (d).
2. On page 12, from line 33, to omit subsection (5) and to substitute:

(5) The salaries and allowances paid to and the benefits paid on behalf of a member of a Municipal Council in terms of a law, prior to the coming into operation of this Act, shall be deemed to have been determined under this Act.

CLAUSE 8

1. On page 12, in line 39, after “law” to insert “or rules”.
2. On page 12, in line 42, to omit “, subject to any law,”.
3. On page 12, from line 44, to omit “form a charge against the National Revenue Fund or”.
4. On page 12, in line 46, to omit “, as the case may be”.
5. On page 12, from line 52, to omit “form a charge against the Provincial Revenue Fund” and to substitute:

be paid from monies appropriated for that purpose by the provincial legislature concerned

6. On page 14, in line 1, to omit “Premier of the province concerned” and to substitute “Minister of Finance”.
7. On page 14, in line 2, to omit “*Provincial*”.
8. On page 14, from line 4, to omit subsection (5) and to substitute:

(5) (a) The upper limit of the contribution to be made to the pension fund of which a member of a Municipal Council is a member, shall be determined by the Minister after consultation with the pension fund concerned and after taking into consideration the recommendations of the Commission.

(b) The Minister, after consultation with the pension fund concerned, shall determine the amount of the contribution and such amount shall annually form a charge against and be paid from the budget of the municipality concerned.

9. On page 14, from line 9, to omit subsection (6) and to substitute:

(6) The provisions of this section shall not apply to a traditional leader, a member of a provincial House of Traditional Leaders and a member of the Council of Traditional Leaders.

CLAUSE 9

1. On page 14, in line 35, to omit “Premier of the province concerned” and to substitute “Minister of Finance”.
2. On page 14, in line 36, to omit “*Provincial*”.
3. On page 14, from line 38, to omit subsection (5) and to substitute:
 - (5) (a) The upper limit of the contribution to be made to the medical aid scheme of which a member of a Municipal Council is a member, shall be determined by the Minister after consultation with the medical aid scheme concerned and after taking into consideration the recommendations of the Commission.
 - (b) The Minister, after consultation with the medical aid scheme concerned, shall determine the amount of the contribution and such amount shall annually form a charge against and be paid from the budget of the municipality concerned.
4. On page 14, from line 43, to omit subsection (6) and to substitute:
 - (6) The provisions of this section shall not apply to a traditional leader, a member of a provincial House of Traditional Leaders and a member of the Council of Traditional Leaders.

CLAUSE 11

1. On page 14, from line 52, to omit “, and shall come into operation on a date determined by the President by notice in the *Gazette*”.

LONG TITLE

1. On page 2, in the third line, to omit “Presidents” and to substitute “President”.
2. On page 2, in the sixth line, to omit “or benefits”.