



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 698

4

August
Augustus

2023

No. 49082

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ISSN 1682-5845



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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 3774

4 August 2023

GNR. _____: DETERMINATION OF BENEFITS OF MAGISTRATES WHO HAVE TO DISPOSE OF CASES AFTER VACATING THE OFFICE OF MAGISTRATE

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

I, Ronald Lamola, Minister of Justice and Correctional Services, acting under *section 9 (7) (a) and (d)* of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), hereby determine 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, for the period taken to dispose of such cases, as follows:

The annual basic salary component of a magistrate, which is 70% of the total remuneration package applicable to that magistrate, as determined in terms of section 12 (1) of the Magistrates Act, 1993 (Act No. 90 of 1993) will be divided by 365 calendar days to determine the benefits to which such a magistrate is entitled in respect of any day or part of a day taken to dispose of the proceedings: Provided that the Regional Court President, in the case of regional magistrate, or the Head of the Administrative Region, in the case of a district court magistrate, shall after consultation with that magistrate, determine the number of days necessary for preparation, including judgment writing and travelling time.*

Footnote:

*For example at the present salary scales applicable:

Magistrate:

70% of the total remuneration = R710 761,80 divided by 365 calendar days = R1 947,29 per day.

Senior Magistrate:

70% of the total remuneration = R769 036,80 divided by 365 calendar days = R2 106.95 per day.

Chief Magistrate:

70% of the total remuneration = R927 775,80 divided by 365 calendar days = R2 541,85 per day.

Special Grade Chief Magistrate:

70% of the total remuneration = R1 034 002,20 divided by 365 calendar days = R2 832,88 per day.

Regional Magistrate:

70% of the total remuneration = R927 775,80 divided by 365 calendar days = R2 541,85 per day.

Regional Court President:

70% of the total remuneration = R1 034 002,20 divided by 365 calendar days = R2 832,88 per day.



Mr Ronald Lamola, MP
MINISTER OF JUSTICE AND CORRECTIONAL SERVICES

Date: 7 July 2023

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 3775

4 August 2023

No. R. _____: 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)*

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

I, Ronald Lamola, Minister of Justice and Correctional Services, acting under *section 12(5)(a) read with section 12(5)(b)* of the Magistrates Act, 1993 (Act No. 90 of 1993), hereby determine 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, including weekends and public holidays, the following additional remuneration:

The total remuneration package, on the salary scale applicable to that magistrate, deducted from the total remuneration package, attached to the other judicial office the magistrate is appointed to, divided by 365 calendar days.*

Footnote:

*For example, at the present salary scales applicable:

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

R1 131 583 minus R1 045 835 = R85 748 divided by 365 calendar days = R234,93 per day.

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

R1 365 156 minus R1 131 583 = R233 573, divided by 365 calendar days = R639,93 per day.

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

R1 365 156 minus R1 131 583 = R233 573, divided by 365 calendar days = R639,93 per day.

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

R1 938 961 minus R1 045 835 = R893 126, divided by 365 calendar days = R2 446,92 per day.

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

R1 938 961 minus R1 131 583 = R807 378, divided by 365 calendar days = R2 211,99 per day.

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

R1 938 961 minus R1 365 156 = R573 805, divided by 365 calendar days = R1 572,07 per day.

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

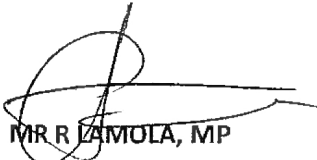
R1 521 461 minus R1 365 156 = R156 305, divided by 365 calendar days = R428,23 per day.

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

R1 938 961 minus R1 365 156 = R573 805, divided by 365 calendar days = R1 572,07 per day.

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

R1 938 961 minus R1 521 461 = R417 500, divided by 365 calendar days = R1 143,84 per day.



MR R LAMOLA, MP

MINISTER OF JUSTICE AND CORRECTIONAL SERVICES

Date: 7 July 2023

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065