

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.

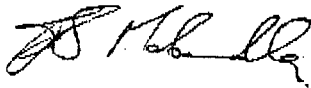
Regional Magistrate:

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