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PREMIER'S NOTICES

No. 5

13 October 2011

**MPUMALANGA TRADITIONAL LEADERSHIP
AND GOVERNANCE ACT, 2005
(ACT NO. 3 OF 2005)**

In terms of section 19(2)(a) of the Mpumalanga Traditional Leadership and Governance Act, 2005, it is hereby notified that I, **David Dabede Mabuza**, in my capacity as Premier of the Mpumalanga Province, have, in terms of section 19(1)(b), read with section 19(2)(b) of the Mpumalanga Traditional Leadership and Governance Act, 2005, and with immediate effect, recognized **Sokalezwe Henry Mkhatsywa** as Inkhosi of the **Mhlaba Traditional Community**, which recognition is hereby published for general information.

D.D. MABUZA
PREMIER: MPUMALANGA PROVINCE
DATE: 20 September 2011

No. 6

13 October 2011

**MPUMALANGA YOUTH COMMISSION REPEAL ACT, 2011
(ACT NO. 2 OF 2011)**

It is hereby notified that I, **David Dabede Mabuza**, in my capacity as Premier of the Mpumalanga Province, have, in terms of section 121 of the Constitution of the Republic of South Africa, 1996, assented to the Mpumalanga Youth Commission Repeal Act, 2011. The Mpumalanga Youth Commission Repeal Act, 2011 (Act No. 2 of 2011), is hereby published for general information and comes into operation on the date of publication of this Notice.

D.D. MABUZA
PREMIER: MPUMALANGA PROVINCE
DATE: 5 August 2011

MPUMALANGA PROVINCE



**MPUMALANGA
YOUTH COMMISSION REPEAL
ACT, 2011**

(As passed by the Mpumalanga Provincial Legislature on 14 June 2011)

(Office of the Premier)

Act No. 2 of 2011

ACT

To provide for the repeal of the Mpumalanga Youth Commission Act, 1996; and to provide for matters connected therewith.

BE IT ENACTED by the Mpumalanga Provincial Legislature as follows:

1. Definitions. In this Act, unless the context otherwise indicates –

“**Province**” means the Province of Mpumalanga established in terms of section 103 of the Constitution of the Republic of South Africa, 1996;

“**Commission**” means the Mpumalanga Youth Commission established in terms of the Mpumalanga Youth Commission Act, 1996 (Act No. 5 of 1996);

“**Premier**” means the Premier of the Mpumalanga Province referred to in section 125 of the Constitution; and

“**Office of the Premier**” means the Office referred to in Schedule 1 of the Public Service Act, 1994.

2. Repeal of law. The Mpumalanga Youth Commission Act, 1996, is hereby repealed.

3. Savings. The repeal of the law mentioned in section 1 shall not –

- (a) revive anything not in force or existing at the time at which the repeal takes effect;
- (b) affect the previous operation of the law so repealed or anything duly done or suffered under the law so repealed;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the law so repealed; and
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against the law so repealed.

4. Transitional arrangements. (1) All assets, liabilities, rights and obligations of the Commission shall upon a date stipulated by the Premier by notice in the *Provincial Gazette* be transferred to the Office of the Premier, which shall acquire all such assets, liabilities, rights and obligations.

(2) Arising out of the transfer in terms of subsection (1) and without in way derogating from the generality of the preceding provisions –

(a) the Office of the Premier shall become owner of all movable and immovable property owned by the Commission prior to the date referred to in subsection (1);

(b) the Office of the Premier shall be substituted as litigating party for the Commission on the date referred to in subsection (1) in all pending litigation, including arbitration, labour disputes and mediation, as if the Office of the Premier has been the litigant at the time the cause of action arose;

(c) the Office of the Premier shall be substituted as contracting party for the Commission on the date referred to in subsection (1) in all contracts as if the Office of the Premier has been the contracting party at the time of contracting; and

(d) all financial instruments of the Commission existing prior to the date referred to in subsection (1) shall be deemed to have been issued by the Office of the Premier.

(3) The Premier shall stipulate by notice in the *Provincial Gazette* a date upon which the Office of the Premier shall take transfer of all the personnel of the Commission.

(4) All officials employed by the Commission on a permanent basis shall, from the date stipulated in terms of subsection (3) and with due regard to section 197 of the Labour Relations Act, 1995, be deemed to be employed by the Office of the Premier at the same salary and salary scale and on the same terms and conditions of employment as those which govern such official's previous employment with the Commission.

(5) The Secretary of the Commission shall from the date stipulated in terms of subsection (3) and with due regard to section 197 of the Labour Relations Act, 1995, be deemed to be employed as a liason officer between the Office of the Premier and the National Youth Development Agency for the remainder of the term of his employment contract and at the same salary scale and on the same terms and conditions of employment as those which governed such person's previous employment with the Commission.

5. Short title and commencement. This Act shall be called the Mpumalanga Youth Commission Repeal Act, 2011 and shall come into operation on a date fixed by the Premier by Notice in the *Provincial Gazette*.

**NOTICE BY THE PREMIER
OF THE
MPUMALANGA PROVINCE**

No. 7

13 October 2011

**REMUNERATION AND ALLOWANCES OF MEMBERS OF THE EXECUTIVE
COUNCIL AND MEMBERS OF THE MPUMALANGA PROVINCIAL LEGISLATURE**

1. In terms of section 6(3)(a) of the Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998)(hereinafter referred to as "the Act"), and having given due regard to the upper limit of the salaries and allowances to be paid annually to Members of Executive Councils and Members of Provincial Legislatures as determined by the President in terms of section 6(1) of the Act, which determination was proclaimed in Proclamation No. 50, 2011 and published in *Government Gazette* No. 34617 dated 16 September 2011, I hereby determine that the annual remuneration and allowances for the Members of the Executive Council of the Mpumalanga Provincial Government and the various grades of the Members of the Mpumalanga Provincial Legislature specified in Columns 1 and 3 of the Schedule hereto, shall be as specified in Column 4 of the Schedule hereto, with effect from 1 April 2011, subject to section 6(2) to (9) of the Act.
2. The total remuneration packages shall include the following elements:
 - A basic salary component equal to 60% of the total package, which constitutes the pensionable salary;
 - An amount of R120 000.00 per annum, which is an amount to which section 8(1)(d) of the Income Tax Act, 1962 (Act No. 58 of 1962), applies. This amount is included in the basic salary component;
 - An employer's pension benefit contribution equal to 22.5% of the pensionable salary; and
 - A flexible portion being the remaining amount of the total remuneration.
3. The remaining 32% of the employer's pension benefit contribution will not form part of the total remuneration package. The State will contribute the cash on an annual basis into the pension fund.
4. Premier's Notice No. 9, 2010 dated 24 December 2010, published in *Provincial Gazette Extraordinary* No. 1889 of 24 December 2010, is hereby repealed.

Given under my Hand at Nelspruit this 27th day of September, Two thousand and Eleven.

MR. M.B. MASUKU
ACTING PREMIER: MPUMALANGA PROVINCE

MS. Y.N. PHOSA
MEMBER OF THE EXECUTIVE COUNCIL FOR FINANCE
(Countersigned in terms of section 140(2) of the Constitution, 1996)

SCHEDULE

PROVINCIAL EXECUTIVE AND PROVINCIAL LEGISLATURE

UPPER LIMIT OF SALARIES OF MEMBERS OF THE EXECUTIVE COUNCIL AND MEMBERS OF THE PROVINCIAL LEGISLATURE AS ADJUSTED BY 5% WITH EFFECT FROM 1 APRIL 2011			
COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
GRADE	PAY LEVEL	POSITION	TOTAL REMUNERATION AS FROM 1 APRIL 2011
LB	1	Member of the Executive Council	R1 556 089,00
		Speaker	R1 556 089,00
LC	1	Deputy Speaker	R1 230 480,00
		Chief Whip: Majority Party	R1 118 654,00
	2	Chairperson of Committees	R1 118 654,00
		Leader of Opposition	R1 006 828,00
		Chairperson of a Committee	R1 006 828,00
	3	Deputy Chairperson of Committees	R947 248,00
Deputy Chief Whip: Majority Party		R947 248,00	
Chief Whip: Largest Minority Party		R947 248,00	
Leader of a Minority Party		R947 248,00	
LD	1	Parliamentary Counsellor to a King	R843 017,00
		Whip	R843 017,00
	2	Member of the Provincial Legislature	R815 912,00

SLA7713M

GENERAL NOTICE

NOTICE 358 OF 2011

MPUMALANGA OFFICE OF THE PREMIER

PUBLICATION OF MPUMALANGA GAZANKULU LAWS REPEAL BILL, 2011

I, **David Dabede Mabuza**, in my capacity as Premier of the Mpumalanga Province, hereby publish, in accordance with Rule 150(1)(a) of the Rules and Orders of the Mpumalanga Provincial Legislature, the Mpumalanga Gazankulu Laws Repeal Bill, 2011, for public comment.

Interested persons and institutions are invited to submit written representations on the said Bill, to reach the Office of the Premier, by no later than **29 October 2011**.

All submissions must be addressed to:

Mr. R.G. Herrendörfer
Senior State Law Adviser
Office of the Premier
Private Bag X11291
NELSPRUIT
1200

You can contact Mr. Herrendörfer at:

Fax: (013) 766 2503
Tel: (013) 766 2015
E-mail: RGHerrren@mpg.gov.za

M.B. MASUKU
Acting Premier: Mpumalanga Province
Date: 23 September 2011

MPUMALANGA GAZANKULU LAWS REPEAL BILL, 2011

To provide for the repeal of certain laws in so far as they are applicable in the Province and to provide for matters connected therewith.

1. **Definitions.** In this Act, unless the context otherwise indicates –

“Province” means the Province of Mpumalanga established in terms of section 103 of the Constitution of the Republic of South Africa, 1996.

2. **Repeal of laws.** (1) The laws mentioned in the second column of the Schedule to this Act are hereby repealed to the extent indicated in the third column thereof, in so far as they are applicable in the Province.

(2) Any laws mentioned in the second column of the Schedule to this Act, which at the commencement of this Act have not been assigned to the Province in terms of item 14 of Schedule 6 to the Constitution of the Republic of South Africa, 1996, shall be repealed with effect from the date of such assignment to the Province.

3. **Savings.** The repeal of a law mentioned in the second column of the Schedule to this Act shall not –

- (a) revive anything not in force or existing at the time at which the repeal takes effect;
- (b) affect the previous operation of any law so repealed or anything duly done or suffered under the law so repealed;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed.

4. **Short title and commencement.** This Act shall be called the Mpumalanga Gazankulu Laws Repeal Act, 2011.

SCHEDULE

Year and number of Act	Short title of Act	Extent of repeal
Act No. 5 of 1975	Gazankulu Nature Conservation Act, 1975	The whole
Act No. 6 of 1976	Gazankulu Archives Act, 1976	The whole
Act No. 7 of 1976	Gazankulu Social Pensions Act, 1976	The whole
Act No. 8 of 1976	Gazankulu Pounds Act, 1976	The whole
Act No. 9 of 1979	Gazankulu Business and Trading Undertakings Act, 1979	The whole
Act No. 7 of 1981	Gazankulu Animals Protection Act, 1981	The whole
Act No. 4 of 1982	Gazankulu National Library Service Act, 1982	The whole
Act No. 8 of 1982	Gazankulu Tender Board Act, 1982	The whole
Act No. 10 of 1985	Gazankulu Corporations Act, 1985	The whole
Act No. 5 of 1987	Gazankulu Civil Protection Act, 1987	The whole
Act No. 11 of 1990	Gazankulu Education Act, 1990	The whole
Act No. 13 of 1990	Gazankulu Licences and Business Hours Act, 1990	The whole

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