



GOVERNMENT OF THE KINGDOM OF SWAZILAND

Finance circular no. 2 of 2013

TERMS AND CONDITIONS OF SERVICE OF SWAZILAND POLITICIANS
(REMUNERATION FRAMEWORK FOR SWAZILAND PARLIAMENTARIANS)

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1. FOREWORD

The amended terms and conditions of service of the politicians of the Kingdom of Swaziland, herewith termed the Remuneration framework for Swaziland Parliamentarians is a guideline for outlining the salary, benefits and privileges afforded to parliamentarians.

Parliamentarians may, by virtue of their positions in executive and legislative Government, receive a range of benefits and allowances. As such, the purpose of this document is to define the total remuneration afforded to current Parliamentarians of Swaziland. This document is designed as an informational and operational document; that is, this framework provides detail of:

- The purpose and description of the benefits and allowances provided; and
- Applicable amount or rate.

The Remuneration framework has been developed through a detailed review of applicable legislation, combined with an intensive data collection exercise, and cooperation and input, of all relevant stakeholders and the general public.

Anything not mentioned in this framework does not form part of the salary, benefits and allowances envisaged for Swaziland Parliamentarians; and all variations to this framework will be approved by His Majesty, the King; Gazetted and/ or issued through a legal notice and published on the Swaziland Government web page.

2. DEFINITIONS

The document makes use of several key words to describe certain items and benefits; and these are:

| | |
|-----------------------------------|---|
| Dependant | means a child, adopted child and/or foster child whom the politician is legally obliged to support financially and is in fact supporting until the age of 18; or unless they are attending college. |
| Driver | means a staff of the office serving a Parliamentarian, employed to perform driver and messenger functions. |
| Government owned residence | means housing, furniture and effects owned by Government. |

Parliamentarians

for purposes of this document Parliamentarians refer to the Prime Minister, Deputy Prime Minister, Presiding Officers, Ministers, Regional Administrators, Deputy Presiding Officers, Members of Parliament, Tindvuna Tetinkhundla and Bucopho Betinkhundla.

Private Residence

means a privately owned house.

Spouse

means person legally married to the member including a spouse in a polygamous marriage or a permanent companion/life partner.

3. SCOPE OF APPLICATION

This framework applies only to Parliamentarians of Swaziland as defined under section 2 of this framework.

4. STANDARD BENEFITS AND ALLOWANCES FOR PARLIAMENTARIANS

4.1. Basic salary

The inclusive remuneration structure includes a basic component (salary) which includes provision for an amount to which Second Schedule of the Income Tax Order 1975 applies.

The basic salary of the Prime Minister of Swaziland will be benchmarked against similar sized (by GDP) SADC countries every two years; and discounted for economic conditions and the affordability of the Swaziland Government. The annual review of salaries will be applied based on the Civil Service annual review rates.

All other Parliamentarian salaries will be determined as a ratio of the Prime Minister’s salary. The sliding scale ratio is a result of the authoritative hierarchy of the political structure.

| Parliamentarian | Salary (Emalangeni) | Ratio to the Prime Minister’s salary |
|------------------------|--------------------------------|---|
| Prime Minister | 617,646 | 1.00 |
| Deputy Prime Minister | 555,881 | 0.90 |

| | | |
|---------------------------|---------|------|
| Presiding Officers | 494,117 | 0.80 |
| Ministers | 463,235 | 0.80 |
| Regional Administrators | 432,352 | 0.75 |
| Deputy Presiding Officers | 420,000 | 0.70 |
| Members of Parliament | 370,588 | 0.60 |
| Tindvuna Tetinkhundla | 67,491 | 0.11 |
| Bucopho Betinkhundla | 55,588 | 0.09 |

4.2. Pension

A pension contribution equal to 15% of the basic salary of the inclusive remuneration package is deducted monthly from the Parliamentarian's salary.

The Parliamentarian pension is a defined contribution fund limiting the participant benefits to their contributions, while the public service pension fund is a defined benefit plan.

The funds cannot be drawn against for any purpose whatsoever. This is in compliance with the terms and conditions of the Retirement Funds Act.

At the conclusion of the term of office, one third of the benefit can be payable as a lump sum. The remaining balance then becomes pension payable upon the member reaching the retirement age of 55.

Parliamentarians are insured as part of the fund against accidents and death in terms of a contract concluded by Government with an insurance company. The insured benefits include:

- i. Group life insurance of two times annual salary in the event of death of a member whilst in office;
- ii. Disability cover for a member while in office; and
- iii. Funeral assistance of E20,000 for member, spouse and children while member is still in office; and E20,000 for the member thereafter.

4.3. Medical aid

Medical aid is afforded to all Parliamentarians through an approved service provider. The medical aid covers all medical costs incurred; with the contribution rates outlined below:

| Parliamentarian | Benefit |
|---|---|
| Prime Minister | Full medical cover for member, spouse and dependants while in office. |
| Deputy Prime Minister | Full lifetime cover to be provided for Prime Minister and his deputy. |
| Presiding Officers Ministers Regional Administrators Deputy Presiding Officers Members of Parliament Tindvuna Tetinkhundla Bucopho Betinkhundla | Full medical cover for member, spouse and dependants while in office. No cover to be provided for the Parliamentarian, spouse or dependants once Parliamentarian vacates office. |

4.4. Leave

Parliamentarians may take annual, maternity, sick and other leave, as may be necessary, after consultation with the minister responsible for Parliament or the Presiding Officer. In the event that that a Parliamentarian is unable to take the full annual leave days, a certain number of leave days will be accumulated (carried over of leave from one cycle to another cycle) as per the following.

| Parliamentarian | Number of leave days granted | Days carried over annually |
|---|-------------------------------------|-----------------------------------|
| Prime Minister Deputy Prime Minister | 30 | 15 |
| Presiding Officers Ministers Regional Administrators | 25 | 10 |
| Deputy Presiding Officers | 20 | 5 |
| Members of Parliament; Tindvunana Tetinkhundla; Bucopho Betinkhundla. | Not applicable | |

Only the number of days indicated above may be carried over to the following year. Accordingly, Parliamentarians who carry over additional leave days are thus obliged to utilise the full entitlement within an 18-month period. That is, a Parliamentarian must utilise all his/her annual leave days within a year and a half. As such, at the end of the five year term, all leave days accrued (maximum one year accrual) and not utilised will be forfeited by the Parliamentarian excluding leave accrued in the year of final term of office. Only leave accrued in the final year of term of office will be paid.

4.5. Allowances

The following allowances are designed to ensure that Parliamentarians are paid and reimbursed for costs properly incurred in the performance of their duties.

4.5.1. Sitting allowance

A sitting allowance shall be paid to Members of Parliament, Tindvuna Tetinkhundla and Bucopoho Betinkhundla. These will not be paid to Ministers and Presiding Officers.

| Parliamentarian | Fees |
|--|---|
| Members of Parliament | |
| - Chairperson | E400 per sitting |
| - Member | E350 per sitting |
| Tindvuna Tetinkhundla Bucopoho Betinkhundla | E350 per sitting with a maximum of 4 meetings per month |

4.5.2. Constituency allowance

All Parliamentarians will be entitled to a constituency allowance. The allowance will be equal to 12.5% of the basic pay of the Member of Parliament, payable per month.

4.5.3. Relocation and settling in allowance

A once off settling in allowance will be payable to the Prime Minister, Deputy Prime Minister, Presiding Officers, Ministers, Regional Administrators, Deputy Presiding Officers and Members of Parliament. The allowance will be equal to 15% of the respective Parliamentarian's annual basic salary will be payable up front.

Motor vehicle allowance

The motor vehicle allowance is intended to reimburse the Parliamentarian for the capital outlay in respect of the acquisition of a private motor vehicle. Such a vehicle may not be bought on a Government contract or tender and must be negotiated directly with a particular dealership. The Government may negotiate discounted rates with certain vehicle manufacturers or dealerships on behalf of the Parliamentarians; however, it is the prerogative of the Parliamentarian to arrange and negotiate the financing of the motor vehicle.

In the event that Parliamentarians are offered discounts of more than 10% by motor dealers or more than 15% by vehicle manufacturers, it is advised that Parliamentarians declare the said discount in terms of the Code of Ethics for Parliamentarians.

The receipt of the motor vehicle allowance is not entirely subject to the Parliamentarian acquiring ownership of a private vehicle.

The motor vehicle allowance includes running and maintenance costs.

Private Vehicle Insurance

The private vehicle allowance includes provision for the obtaining of comprehensive insurance. It is the responsibility of the Parliamentarian to ensure that a private vehicle is adequately insured for business and private use. Government shall by no means be liable for expenditure losses sustained in connection with the purchase, maintenance, operation, garaging and parking, theft of or damage to a private vehicle.

Parliamentarians shall participate in the existing civil service car loan schemes Government has with banks.

| Parliamentarian | Value of benchmark vehicle | Annual motor vehicle allowance | Motor vehicle maintenance and insurance costs |
|---------------------------------|-----------------------------------|---------------------------------------|--|
| Presiding Officers Ministers | E800,000* | | 0 |
| Regional Administrators | | | |

| | | | |
|---------------------------|----------------|---------|-------------------|
| | E400,000 | E80,000 | E60,000 per annum |
| Deputy Presiding Officers | | | |
| Members of Parliament | E300,000 | E60,000 | E45,000 per annum |
| Tindvuna Tetinkhundla | | | |
| Bucopho Betinkhundla | Not applicable | | |

*The Presiding Officers and Ministers will be allocated sports utility vehicles (SUV's) upon taking office. The Swaziland Government will carry the once off cost of acquiring the motor vehicles directly from the vehicle manufactures and/ or their dealerships. The value of the benchmark SUV will not exceed E800,000; and the total purchase price per motor vehicle must include value added tax (VAT), accessories and a comprehensive motor plan.

In the event that the respective Parliamentarian chooses a lesser value motor vehicle than that of the benchmark vehicle; he or she will not be entitled to the monetary difference. Nor will the Parliamentarian be allowed to pay part of the excess value should the motor vehicle exceed the benchmark vehicle cost.

Government will cover the cost of insuring the motor vehicles whilst in office. The motor vehicle may be fuelled at any of the Central Transport Administration centres situated in Swaziland.

At the end of the term, the respective Parliamentarian will be allowed to purchase the motor vehicle at the depreciated value. However, at such time, the fuel benefit will fall away.

4.5.4. Use of official vehicles

The Prime Minister and Deputy Prime Minister will be allocated official vehicles by the state, a Driver and Royal Swazi Police escorts at the expense of Government. The Driver and Police members are allocated to the Parliamentarians for security reasons; and transport the spouse and dependants of the Parliamentarian.

Government shall provide pool vehicle and a Driver for Spouse of the Prime Minister and Deputy Prime Minister. The motor vehicle will not be of the same status as the Prime Minister and Deputy Prime Minister's official vehicles.

4.5.5. Utility allowance

The utility expenditure of Parliamentarians who are eligible to occupy a Government owned residence (i.e. Prime Minister, Deputy Prime Minister, Presiding Officers and Ministers) will be covered by Government. The utilities covered will include the supply of water, electricity, municipal rates.

The rest of the politicians will be entitled to a utility allowance of 3% of monthly basic pay.

4.5.6. Housing allowance

Cabinet Ministers will be eligible for a housing allowance equal to 25% of their monthly basic pay and payable monthly.

The following Parliamentarians will be eligible for a housing allowance equal to 10% of their monthly basic pay and payable monthly.

- Deputy Presiding Officers; and
- Members of Parliament.

4.6. Other Benefits

Parliamentarians are provided with a range of benefits in order to facilitate the conduct of Government business. The following are the list of benefits available:

4.6.1. Official Government residence

Official residences are those so designated, and used as such, by Parliamentarians.

- Only the Prime Minister, Deputy Prime Minister, Presiding Officers, Ministers and Regional Administrators can be allocated a Government owned residence(s) for official purposes. Thus, these Parliamentarians may occupy, for official purposes, one Government owned residence;
- Alternatively, these Parliamentarians can designate a privately owned residence for use as an official residence when taking up office. In this event, these parliamentarians will be paid the 25% housing allowance.

- The above mentioned Parliamentarians will not be eligible for a housing allowance except when they designate their private residences as official residences.

The furnishing of Government owned residences for the Prime Minister and his/her Deputy is limited to the provision, and maintenance, of ordinary household furniture, mattresses, pillows, carpets, curtains, beds, stoves, refrigerators, freezers, washing machines, tumble, dryers and heaters, micro-wave ovens and dishwashers on request.

Soft furniture such as linen, blankets, kitchen utensils, glassware, television sets, video recorders, decoders, wall decorations and ornaments will also be provided.

The value of the furniture allocated in each of the Government owned residences must be of reasonable cost determined by Minister of Finance.

If a piece of furniture becomes redundant in a Government owned residence, the ministry concerned should make the necessary arrangements to have the article(s) removed and the inventories amended accordingly.

Parliamentarians and their families are entitled, upon relinquishing (termination, retirement, resignation or death) of office, to stay in the Government owned residence until the end of the month following the month in which any of the above events took place. (one calendar month).

Inventories of all furnishings and accessories belonging to the Government at Government owned residences are kept by the relevant ministry.

In the event that the Parliamentarian is not re-elected into office, the soft furniture will be given to the departing Parliamentarian. The hard furniture will be auctioned off with the Parliamentarian having first option to purchase it at the current carrying value.

4.6.2. Security

The Commissioner of police in consultation with the country's intelligence agencies shall assess on a continuous basis the risk to the Prime Minister's life and that of his Deputy and provide the necessary security required to protect him. Such security shall be commensurate with the position he holds. This assessment and provision of security shall be made available to the

Prime Minister and his Deputy based on security risk beyond the term of office. The security will also be provided at both the official residences and designated private residence of the Prime Minister and his Deputy.

All Parliamentarians are eligible to apply for loans up to E100, 000 to cover for security facilities in their residential homes. The loans are payable back over a period not exceeding their term of office.

Household assistance

The following household assistants are assigned to the official residences for duties related to maintenance and upkeep of official residences.

| Type of Assistant | Prime Minister | Deputy Prime Minister | Presiding Officers | Ministers | Regional Administrators |
|--------------------------|-----------------------|------------------------------|---------------------------|------------------|--------------------------------|
| Housekeeper | 1 | 1 | 1 | 1 | 1 |
| Domestic Helper | 1 | 1 | None | None | None |
| Gardner | 1 | 1 | 1 | 1 | 1 |
| Driver | 2 | 2 | 1 | 1 | None |

4.6.3. Support Staff

If necessary, clerical assistance (maximum one) may be placed at the disposal of the Prime Minister, Deputy Prime Minister, Presiding Officers and Ministers until the end of the month following the month in which their terms of office have ended (one calendar month).

4.6.4. Communication

Communication expenditure is designed to assist Parliamentarians to communicate proactively about their work in furtherance of their parliamentary duties.

The Government of Swaziland will approach the telecommunications service provider (currently “MTN Swaziland”) for negotiated cellular phone packages on behalf of; and for all Parliamentarians. The contract packages will come with a handheld device, to the value of up to E7,000 for Prime Minister, Deputy Prime Minister, Presiding Officers, Ministers and Regional

Administrators. All other Parliamentarians will receive a communication allowance as defined below.

The handheld device will be replaced every two years by the service provider. However, at the end of the term, the Parliamentarian has an option of buying the device at the depreciated value.

The communication expenditure will be capped as follows:

- a) Not to exceed E5,000 per month for Presiding Officers, Ministers, and Regional Administrators;
- b) Not to exceed E1,000 per month for Members of Parliament, Deputy Presiding Officers,
- c) Not to exceed E500 per month for Tindvuna Tetinkhundla and Bucopho Betinkhundla.
- d) Unlimited communication for the Prime Minister and Deputy Prime Minister.

Should the respective Parliamentarian exceed the capped limit of the contract, they will be subject to repaying the accumulated balance at the end of the financial year. Loss and repairs are out of warrant on the supplied handheld device; such will be the responsibility of the Parliamentarian.

In the event that the Parliamentarian resigns, he or she is to return the device back to the responsible ministry or buy it at current value.

The Prime Minister may authorise expenditure in excess of the set limits for cabinet ministers. The Prime Minister will use his discretion in such approval taking into account justifiable explanations.

4.6.5. Travel by air

Parliamentarians travelling abroad on official capacity are entitled to travel at the expense of the relevant ministry as per the table below:

| | |
|--|-----------------------|
| Prime Minister Deputy Prime Minister Presiding Officers Ministers | 1 st Class |
|--|-----------------------|

| | |
|---|----------------|
| Regional Administrators Deputy Presiding Officers Members of Parliament | Business Class |
| Bucopho Betinkhundla Tindvuna Tetinkhundla | Economy Class |

4.6.6. State Funeral

A State funeral will be arranged and funded by the Government and held to honour prominent Parliamentarians who have given long and outstanding service to the Swaziland Government.

The following Parliamentarians will be eligible for a State funeral:

- Serving Prime Minister;
- Serving Deputy Prime Minister;
- Serving Presiding Officers;
- Serving cabinet Ministers;
- Former Prime Minister;
- Former Deputy Prime Minister; and
- Anyone else the King sees fit to get a State funeral.

4.6.7. Ex- gratia payment

The ex-gratia payment is a grant that is payable to former Parliamentarians to assist with the costs of adjusting to non-parliamentary life.

The ex-gratia payment is available to all Parliamentarians who fail to be re-elected or re-appointed into the new Parliament.

In the event that the Parliamentarian does not fully serve the 5 year term, the ex-gratia payment will be pro-rated taking into account the actual period served. Under no circumstances will a part year served be considered as a full year.

Should the Parliamentarian be dismissed or removed from office due to misconduct or incompetence, the ex-gratia payment will be forfeited.

The ex-gratia will be paid as once-off payment equal to twelve months (one year) basic salary before taxation for all Parliamentarians.

4.7. Reimbursive allowances

These are allowances to reimburse the Parliamentarian for expenses incurred during the performance of official duties. Expenses incurred in a private capacity are not reimbursed.

4.7.1. Subsistence and Travel Allowance

A daily accommodation and subsistence allowance may be paid to Parliamentarians, and spouses accompanying them on official capacity, and on official international visits. This privilege is limited to only one such trip per financial year.

- a) Travel by Deputy Prime Minister, Ministers, Presiding Officers, Deputy Presiding Officers, Deputy Ministers, regional Administrators and Parliamentarians on Government business shall be undertaken upon approval by the Prime Minister or Officer delegated by the Prime Minister.
- b) Parliamentarians shall travel in the class specified, or the next available class.
- c) A non-accountable daily allowance will be paid to cover costs for hotel room, meals, laundry and other basic necessities.
- d) The Minister for Finance, only on production of authentic or official receipted bills, may approve payments in excess of the stated allowance. Where a Parliamentarian is a guest of a foreign government or agency, the Parliamentarian will receive 50% of the non-accountable allowance indicated.
- e) In addition, the Parliamentarian will be entitled to receive or claim a conference allowance, irrespective of whether they are a guest or not, of US\$ 20.00 per day. For the purpose of this allowance a conference shall be defined as any formal or official meeting outside Swaziland attended by any of the officials.
- f) If an official is on duty inside Swaziland and is required to stay in a hotel, a claim for actual hotel expenses incurred should be submitted to and paid by Government provided the Prime Minister's prior approval has been obtained.
- g) Where the Prime Minister travels outside Swaziland on government business he will estimate and receive a non-accountable hospitality allowance to be approved by the Deputy Prime Minister.
- h) Where the Deputy Prime Minister or Minister is not travelling with the Prime Minister on government business outside Swaziland, he shall receive a non-accountable hospitality allowance to be approved by the Prime Minister. The allowance shall be 10% of his/her per diem.
- i) Where a Minister travels outside Swaziland on government business and wishes to be accompanied by a spouse, the Minister must first seek and receive the Prime Minister's approval authorizing the accompaniment which shall entitle the Minister to claim and receive payment for hotel accommodation and, where applicable, travel expenses on behalf of the spouse. This privilege or facility and the Prime Minister's authorisation is limited to only one such trip and to one spouse per financial year. In such cases, in addition to the Minister's allowance half the daily allowance of Principal Secretary shall be paid for the spouse's hotel expenses. However when the Prime Minister, Deputy Prime Minister or Minister

is representing His Majesty, and has to travel with a spouse; such travel will not count against this entitlement. For purposes of this paragraph 'Minister' also includes the Prime Minister and the Deputy Prime Minister.

- j) Personal Assistants to Prime Minister, Deputy Prime Minister and Ministers are entitled to one trip abroad together with the Minister in each financial year. The allowance payable to the Personal Assistants will be calculated in terms of the General Orders governing Public Servants.
- k) The daily allowance of Parliamentarians shall be calculated based on that of Secretary to cabinet (the highest paid civil servant) as follows:

| Designated Officer | Daily allowance above that of Secretary to cabinet |
|--------------------------------|---|
| Prime Minister | 120% |
| Deputy Prime Minister | 100% |
| Minister | 80% |
| Presiding Officer | 80% |
| Regional Administrator | 70% |
| Deputy Presiding Officer | 60% |
| Member of parliament | 50% |
| Tindvuna/ Bucopho Betinkhundla | 0% |

4.7.2. Entertainment allowance

A non-accountable entertainment allowance of 10% of basic monthly salary is payable to Prime Minister, Deputy Prime Minister, Presiding Officers, Ministers, Deputy Presiding Officers and Regional Administrators.

4.8. Taxation of allowances

Parliamentarians are responsible for acquainting themselves with their own tax obligation. All salaries, benefits and allowances exclusively and necessarily incurred for the performance of Parliament duties; including the ex- gratia payment are deductible for income tax purposes. With the exception of the following benefits and allowances:

- The use of an official vehicle for official purposes; and

- Occupying a Government owned residence for official purposes only.

4.9. Flag/ flag poles

Government will provide the Prime Minister, Deputy Prime Minister, Presiding Officers and Ministers with a flag and a flag pole for his/her car.

5. BENEFITS AND ALLOWANCES PAYABLE TO FORMER PM AND DPM

In an effort to maintain the dignity of Prime Minister and Deputy Prime Minister, this framework provides for the former Prime Minister and Deputy Prime Minister certain benefits to assist them respond to post parliamentary life.

They will be eligible for these benefits unless they hold an appointive or elective position in Government, to which a rate of pay is attached.

Upon his/her retirement, the Prime Minister and Deputy Prime Minister shall be paid such pension and other pension benefits as may be determined from time to time by resolution of the independent commission.

Upon the Prime Minister and Deputy Prime Minister's death, such pension and other pension benefits shall come to an end.

5.1. Post-service compensation

Upon the Prime Minister and Deputy Prime Minister's retirement from office, with effect from the day following the day that he/she vacates office, a taxable monthly pension benefit be paid to him/her equal to 80% of the monthly basic salary payable the day prior to his/her retirement, and such pension benefit to be increased annually in line with approved civil service salary adjustments.

The post-service compensation is only prospective; and not retrospective. All former Prime Ministers and Deputy Prime Minister employed under preceding Circulars are subject to the terms and conditions of service of that respective Circular.

Upon the death of the Prime Minister and Deputy Prime Minister or a former Prime Minister and Deputy Prime Minister, with effect from the day of his death, these benefits shall come to an end.

5.2. Medical aid

Government shall contribute the full amount payable to a medical aid scheme of which the Prime Minister and Deputy Prime Minister, is a member.

5.3 Housing

The State shall provide a house for the Prime Minister at the end of his term of office. The house shall belong to the Prime Minister whether built on nation land or title deed property.

5.4 Car

The state shall provide a vehicle to a retiring Prime Minister and His Deputy of the same status as those that are in service. These will be owned and maintained by the government beyond their term of office. On the death of the former Prime Minister or Deputy, the official car shall be sold to his estate at depreciated value.

5.5 Security

The retired Prime Minister and Deputy Prime Minister will be afforded security in line with the risk profile as determined by the Commissioner of Police.

5.5.1 Personal Assistant

The retired Prime Minister will further be provided with a personal assistant.

REVIEW

This policy shall at minimum be reviewed every five years from the effective date by the established independent commission as appointed by His Majesty, the King.

The effective date of this circular shall be the date of appointment for the Right Honourable Prime Minister, Deputy Prime Minister, Cabinet Ministers and Regional Administrators; and

The date of swearing in for Members of Parliament and Members of Senate.

SIZAKELE P. DLAMINI
ACTING PRINCIPAL SECRETARY

