

KwaZulu-Natal, South Africa

KwaZulu-Natal Funding of Represented Political Parties Act Repeal Act, 2021

Act 6 of 2021

Legislation as at 3 May 2021

FRBR URI: /akn/za-kzn/act/2021/6/eng@2021-05-03

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PDF created on 23 May 2024 at 07:06.

Collection last checked for updates: 20 May 2024.

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KwaZulu-Natal South Africa

KwaZulu-Natal Funding of Represented Political Parties Act Repeal Act, 2021 Act 6 of 2021

Published in KwaZulu-Natal Provincial Gazette 2278 on 3 May 2021

Assented to on 31 March 2021

Commenced on 3 May 2021

[This is the version of this document from 3 May 2021 and includes any amendments published up to 20 May 2024.]

To provide for the repeal of the KwaZulu-Natal Funding of Represented Political Parties Act, 2008; and to provide for matters connected therewith.

BE IT ENACTED by the Provincial Legislature of the Province of KwaZulu-Natal, as follows:-

1. Repeal of Act 7 of 2008

The KwaZulu-Natal Funding of Represented Political Parties Act, 2008 ([Act No. 7 of 2008](#)), is hereby repealed.

2. Winding up of Political Parties' Fund established in terms of repealed KwaZulu-Natal Funding of Represented Political Parties Act, 2008

- (1) The Political Parties' Fund established in terms of section 3 of the repealed KwaZulu-Natal Funding of Represented Political Parties Act, 2008 ([Act No. 7 of 2008](#)), is hereby wound up and disestablished.
- (2) All assets, liabilities, rights, duties and obligations, including any unspent portion of any funds accrued to or received by the disestablished Political Parties' Fund are transferred to, and vest in, the KwaZulu-Natal Legislature.
- (3) The KwaZulu-Natal Legislature is, in respect of the assets, liabilities, rights, duties and obligations and funds referred to in subsection (2), for all purposes the successor-in-law of the disestablished Political Parties' Fund.

3. Transitional Arrangements

- (1) All unspent portions of any funds standing to the credit of a political party in respect of a bank account envisaged in section 8(1) of the repealed KwaZulu-Natal Funding of Represented Political Parties Act, 2008 ([Act No. 7 of 2008](#)), must, be shown in the books and records of account of the Party as a credit balance carried forward to the next financial year: Provided that-
 - (a) the money that may be carried forward is limited to an amount not exceeding 25% of the allocation made to that Party for the financial year; and
 - (b) the money carried forward to the next financial year may not be taken into account in determining an allocation to the Party concerned during that financial year.
- (2) All political parties which received funding in terms of the repealed KwaZulu-Natal Funding of Represented Political Parties Act, 2008 ([Act No. 7 of 2008](#)), must, with regard to the spent portion of the allocation, submit audited accounts, statements and report of the auditor to the Secretary of the Legislature.

- (3) The audited accounts, statements and report of the auditor referred to in subsection (2) must be submitted within three months of the end of the 2020/2021 financial year, provided that the audited accounts, statements and report of the auditor for the unspent funds referred to in section 3(1) above must be submitted within six months of the end of the 2020/2021 financial year.
- (4) If, after studying the financial reports, the Secretary of the Legislature is of the view that the funds were spent for activities mentioned in section 6(7) of the repealed KwaZulu-Natal Funding of Represented Political Parties Act, 2008 ([Act No. 7 of 2008](#)), he or she may institute civil proceedings to recover such funds or set off the amount irregularly spent against any allocation that may become payable to that Party.

4. Short title

This Act is called the KwaZulu-Natal Funding of Represented Political Parties Act Repeal Act, 2021.