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GENERAL NOTICE

NOTICE 5294 OF 2007

GAUTENG PROVINCE

GAUTENG PROVINCIAL LEGISLATURE

GAUTENG POLITICAL PARTY FUND ACT, 2007

(ACT NO. 3 OF 2007)

GAUTENG POLITICAL PARTY FUND REGULATIONS, 2007

The Speaker of the Gauteng Provincial Legislature has under section 10 of the Gauteng Political Party Fund Act, 2007 (Act No. 3 of 2007), made the Regulations in the Schedule.

SCHEDULE

Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall bear such meaning and, unless the context otherwise indicates –

"Act" means the Gauteng Political Party Fund Act, 2007 (Act No. 3 of 2007);

"accounting officer" means an accounting officer of a political party appointed by that political party in terms of section 6(1)(b) of the Act;

"Legislature" means the Gauteng Provincial Legislature; and

"Secretary" means the Secretary of the Gauteng Provincial Legislature.

Times and installments of payments

2. (1) Allocations to which a political party is entitled must be paid to the political party in question in one instalment at the beginning of each financial year or as soon as the money becomes available.

(2) In the event of an election being called in terms of section 108 (2) of the Constitution in respect of the Legislature, or any of the political parties ceases to exist in any other manner prior to allocations being made in terms of subregulation (1), any outstanding payments still to be paid in terms of this Act to a political party represented in the Legislature must be suspended.

(3) An allocation suspended as contemplated in subregulation (2) must be paid within two weeks of the date of election or the end of the floor crossing period to the political parties that are represented in the Legislature as a result of the election or floor crossing.

Information and particulars to be submitted by political parties

3. (1) A political party must provide the Secretary with particulars of the bank account contemplated in section 6(1)(a) of the Act within two weeks of such a bank account being opened or within two weeks of any changes to such particulars.

(2) The statement contemplated in section 6(4) of the Act must without limiting the generality thereof at least contain the following descriptive categories:

- (a) personnel expenditure, other than that prohibited under section 5(7) of the Act;

- (b) accommodation;
- (c) travel expenses;
- (d) arrangement of meetings and rallies;
- (e) administration; and
- (f) promotions and publications.

Money carried forward at the end of a financial year

4. (1) Money not spent by a political party at the end of a financial year and which may be carried forward to the next financial year as contemplated in section 9(1)(a) of the Act is limited to not more than seventy five (75) percent of the allocation made for that financial year.

(2) Unspent money contemplated in subregulation (1) in excess of seventy five (75) percent must be repaid to the Fund as soon as possible after the end of the financial year to which the allocation relates.

Separate books and records of account

5. The separate books and records of account required by section 6(3) of the Act must be kept according to generally accepted accounting practice.

Formula for allocation from the Fund

6. (1) The total amount of funding available for allocations from the Fund during a particular financial year must be announced by the Speaker of the Legislature within two weeks of the appropriation of funds as contemplated in section 2(2)(a) of the Act.

(2) The allocations from the Fund as contemplated in section 5(5) of the Act are calculated by-

- (a) allocating eighty (80) per cent of the total amount of funding announced in terms of sub regulation (1) proportionally as contemplated in section 5(5)(a) of the Act ; and
- (b) allocating twenty (20) per cent of the total amount of funding announced in terms of sub regulation (1) equally as contemplated in section 5(5)(b) of the Act.

Appointment of accounting officer

7. Before any allocations may be made to a political party the party concerned must notify the Secretary of the appointment and acceptance of appointment of an accounting officer as contemplated in section 6(1)(b) of the Act by submitting to the Secretary Form 1 and Form 2 contained in the Annexure to these Regulations.

Short title

8. These regulations are called the Gauteng Political Party Fund Regulations, 2007.

ANNEXURE**FORM 1**

**The Provincial Secretary
Gauteng Provincial Legislature**

**APPOINTMENT OF ACCOUNTING OFFICER
IN TERMS OF SECTION 6(1)(b)
OF THE GAUTENG POLITICAL PARTY FUND ACT, 2007**

| | |
|--|-------|
| NAME OF PARTY | _____ |
| NAME OF PARTY LEADER / WHIP | _____ |

I, the undersigned, _____ hereby
appoint _____ as
accounting officer in terms of Section 6 of the Gauteng Political
Party Fund Act, 2007 and the provisions thereof and declare that I
am duly authorised to make this appointment and that he / she is
duly qualified to accept this appointment .

Party Leader / Whip Signature

DATE : _____

FORM 2**The Provincial Secretary
Gauteng Provincial Legislature****ACCEPTANCE AS ACCOUNTING OFFICER
IN TERMS OF SECTION 6(1)(b)
OF THE GAUTENG POLITICAL PARTY FUND ACT, 2007**

| | |
|-----------------------------------|-------|
| NAME OF PARTY | _____ |
| NAME OF ACCOUNTING OFFICER | _____ |

I, the undersigned, _____ hereby accept my appointment as accounting officer in terms of Section 6 of the Gauteng Political Party Fund Act, 2007 and fully understand and subscribe to the provisions thereof and related regulations.

I further declare that I am duly authorised to accept this appointment. .

Accounting Officer

Date : _____