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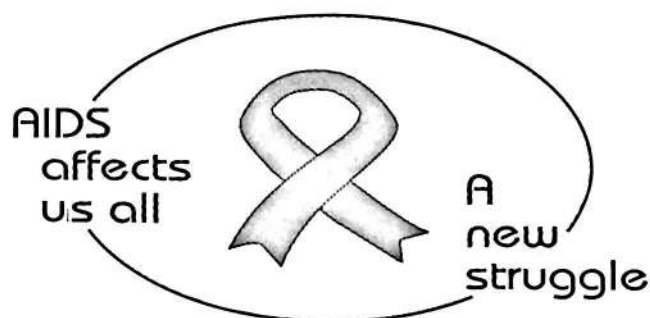
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No. 982
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PROVINCIAL NOTICE

OFFICE OF THE PREMIER

No. 4

5 March 2004

It is hereby notified that the Premier has assented to the following Act which is hereby published for general information:—

No. 6 of 2003: Limpopo Special Financial Arrangements Act, 2003.

To provide for the withdrawal of moneys as a direct charge against the Provincial Revenue Fund pending the passing and coming into operation of an appropriation Act as contemplated in section 226(2) of the Constitution of the Republic of South Africa, 1996; to provide for certain withdrawals from the Provincial Revenue Fund contemplated in the Public Finance Management Act, 1999, to be direct charges against the Provincial Revenue Fund; and to provide for matters incidental thereto.

(English text signed by the Premier)
(Assented to on 17-02-2004)

BE IT ENACTED by the Provincial Legislature of Limpopo as follows:

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

“accounting officer” means a person referred to in section 36 of the Public Finance Management Act, 1999;

“Constitution” means the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996);

“direct charge” means a withdrawal of funds from the Limpopo Provincial Revenue Fund in terms of this Act;

“exclusion” means money excluded from deposits into the Provincial Revenue Fund as mentioned in section 22 of the Public Finance Management Act, 1999;

“MEC” means the Member of the Executive Council responsible for financial affairs in the Province;

“Public Finance Management Act, 1999” means the Public Finance Management Act, 1999 (Act No. 1 of 1999);

“Province” means the Limpopo as contemplated in section 103(g) of the Constitution;

“provincial public entity” means a provincial public entity as defined in section 1 of the Public Finance Management Act, 1999;

“Provincial Treasury” means a Treasury of the Province established by section 17 of the Public Finance Management Act, 1999;

“Revenue Fund” means the Provincial Revenue Fund established by section 226 of the Constitution.

2. Expenditure before annual budget is passed.- (1) If an annual budget is not passed before the start of the financial year to which it relates, funds may be withdrawn in accordance with this section from the Revenue Fund for the services of the Province during that financial year until the budget is passed.

(2) Funds withdrawn from the Revenue Fund in terms of subsection (1) are a direct charge against the Revenue Fund, and may not-

- (a) during the first four months of that financial year, exceed 45 per cent of the total amount appropriated in the previous annual budget;
- (b) during each of the following months, exceed 10 per cent of the total amount appropriated in the previous annual budget; and
- (c) in aggregate, exceed the total amount appropriated in the previous annual budget.

(3) Moneys withdrawn as a direct charge as contemplated in subsection (2) shall only be utilized for services in respect of which expenditure was authorized by an appropriation Act during the immediately preceding financial year, or in respect of which some other authorization by another Act exists.

(4) When applying this section where certain functions were imposed on the Province after an appropriation Act had been passed for the preceding financial year, the total amount of the appropriation Act of the preceding financial year is increased by the costs of that function for a full year and such functions shall, for the purposes of subsection (2), be deemed to be part of the relevant appropriation Act.

(5) The funds provided for in subsection (1) are not additional to funds appropriated for the relevant financial year, and any funds withdrawn in terms of that subsection must be regarded as forming part of the funds appropriated in the relevant annual budget for that financial year.

3. Withdrawal of exclusions from the Revenue Fund. - (1) From the date on which the withdrawal of an exclusion in terms of section 23(1) of the Public Finance Management Act, 1999, takes effect until the end of the relevant financial year, the Provincial Treasury may transfer money from the Revenue Fund to the provincial department or provincial public entity affected by the withdrawal of the exclusion provided that the amount of the transfer does not exceed the amount that would otherwise have been excluded from payment into the Fund.

(2) A transfer of money from the Revenue Fund to the provincial department or provincial public entity as contemplated in subsection (1) is a direct charge against the Revenue Fund.

4. Withdrawals and investments from Provincial Revenue Funds. - (1) The Provincial Treasury may withdraw money from the Revenue Fund -

- (a) to refund money incorrectly paid into, or which is not due to, the Provincial Revenue Fund; or
- (b) to deposit into or invest money in the National Revenue Fund.

(2) A payment in terms of subsection (1)(a) or (b) is a direct charge against the Revenue Fund.

Act No. 6 of 2003

LIMPOPO SPECIAL FINANCIAL ARRANGEMENTS ACT, 2003

5. Use of funds in emergency situations. - (1) The MEC may, subject to the provisions of section 25 of the Public Finance Management Act, 1999, authorise the use of funds from the Revenue Fund to defray expenditure of an exceptional nature which is currently not provided for and which cannot, without serious prejudice to the public interest in the Province, be postponed to a future appropriation by the Provincial Legislature.

(2) The combined amount of any authorisations in terms of subsection (1) may not exceed two per cent of the total amount appropriated in the annual provincial budget for the current financial year.

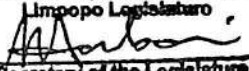
(3) An amount authorised in terms of subsection (1) is a direct charge against the Revenue Fund.

6. Virement between main divisions within votes.- (1) An accounting officer for a department may, subject to the provisions of section 43 of the Public Finance Management Act, 1999, utilise a saving in the amount appropriated under a main division within a vote towards the defrayment of excess expenditure under another main division within the same vote, unless the Provincial Treasury directs otherwise.

(2) A utilisation of a saving in terms of subsection (1) is a direct charge against the Revenue Fund.

7. Short title and commencement. This Act shall be called the Limpopo Special Financial Arrangements Act, 2003, and shall come into operation retrospectively with effect from 1 April 2000.

Special Financial Arrangements, 2003

Certified correct as passed by the
Limpopo Legislature

Secretary of the Legislature

PROVINSIALE KENNISGEWING

KANTOOR VAN DIE PREMIER**No. 4****5 Maart 2004**

Hierby word bekendgemaak dat die Premier van die onderstaande Wet, wat hierby ter algemene inligting gepubliseer word, bekragtig het:—

No. 6 van 2003: Limpopo Wet op Spesiale Finansiële Reëlins, 2003.

Om voorsiening te maak vir die onttrek van geld as regstreekse laste teen die Provinsiale Inkomstefonds hangende die aanneem en inwerkingtree van 'n Begrotingswet soos bedoel in artikel 226(2) van die Grondwet van die Republiek van Suid Afrika, 1996; om voorsiening te maak vir bepaalde onttrekkings uit die Provinsiale Inkomstefonds soos bedoel in die Wet op Openbare Finansiëlebestuur, 1999, om regstreekse laste teen die Provinsiale Inkomstefonds te wees; en om voorsiening te maak vir verwante aangeleenthede.

(Engelse teks deur die Premier onderteken)
(Bekragtiging op 17-02-2004)

DAAR WORD BEPAAL deur die Provinsiale Wetgewer van Limpopo soos volg:

1. **Woordomskrywing.** In hierdie Wet, tensy dit uit die samehang anders blyk, beteken —

“Grondwet” die Grondwet van die Republiek van Suid Afrika, 1996 (Wetnr 108 van 1996);

“Inkomstefonds” die Provinsiale Inkomstefonds soos ingestel deur artikel 226 van die Grondwet;

“LUR” die Lid van die Uitvoerenderaad verantwoordelik vir finansiëleaangeleenthede in die Provinsie;

“Provinsie” die Limpopo soos bedoel in artikel 103(g) van die Grondwet;

“provinsiale openbare-instelling” ‘n provinsiale openbare-instelling soos uiteengesit in artikel 1 van die Wet op Openbare Finansiëlebestuur, 1999;

“Provinsiale Tesourie” ‘n Tesourie van die Provinsie ingestel deur artikel 17 van die Wet op Openbare Finansiëlebestuur, 1999;

“regstreekse laste” ‘n onttrekking van geld uit die Limpopo Provinsiale Inkomstefonds ingevolge hierdie Wet;

“rekenpligtigebeampte” ‘n persoon soos waarna daar verwys word in artikel 36 van die Wet op Openbare Finansiëlebestuur, 1999;

“uitsluiting” die geld wat uitgesluit is van deposito's gestort in die Provinsiale Inkomstefonds soos genome in artikel 22 van die Wt op Openbare Finansiëlebestuur, 1999;

“Wet op Openbare Finansiëlebestuur” die Wet op Openbare Finansiëlebestuur, 1999 (Wetnr 1 van 1999).

2. Uitgawes voordat die jaarliksebegroting aanvaar is. – (1) Indien 'n jaarliksebegroting nog nie aanvaar is voor die aanvang van die toepaslike finansiëlejaar nie, kan geld in ooreenstemming met hierdie artikel onttrek word, vir die dienste van die Provinsie soos gelewer gedurende daardie finansiëlejaar uit die Inkomstefonds, totdat die begroting aanvaar is.

(2) Geld wat ingevolge subartikel (1) uit die inkomstefonds onttrek word is regstreekse laste teen die Inkomstefonds, en mag nie –

(a) binne die eerste vier maande van daardie finansiëlejaar, 45 persent oorskry van die totale bedrag wat in die vorige jaarliksebegroting, bewillig is nie;

(b) gedurende die daaropvolgende maande, 10 persent oorskry van die totale bedrag wat in die vorige jaarliksebegroting bewillig is nie; en

(c) in totaal, die die totale bedrag wat in die vorige jaarliksebegroting bewillig is, oorskry nie.

(3) Gelde onttrek as regstreekse laste soos bedoel in subartikel (2) sal slegs gebruik word vir dienste waarvan die uitgawe gemagtig is deur 'n Begrotingswet van die onmiddellik voorafgaande finansiëlejaar, of na aanleiding van enige ander magtiging deur 'n ander bestaande Wet.

(4) En die toepassing van hierdie artikel waar sekere werksaamhede op die Provinsie van toepassing is na die Begrotingswet vir die voorafgaande finansiëlejaar aangeneem is, word die totale bedrag van die Begrotingswet van die voorafgaande finansiëlejaar vermeerder met die onkoste vir die hele jaar van daardie werksaamheid en sodanige werksaamhede sal, vir die doeleindes van subartikel (2) as deel van die betrokke Begrotingswet geag word.

(5) Die gelde/fondse soos voor voorsiening gemaak in subartikel (1) is nie bykomend tot geld/fondse begroot voor vir die toepaslike

finansiëlejaar nie, en enige ander geld/fondse onttrek ingevolge daardie subartikel, moet beskou word as deel te vorm van die geld/fondse soos voor begroot in die toepaslike jaarliksebegroting vir daardie finansiële jaar.

- 3. Intrekking van uitsluitings van die Inkomstefonds.** - (1) Vanaf die datum wat die intrekking van 'n uitsluiting ingevolge artikel 23(1) van die Wet op Openbare Finansiëlebestuur, 1994, in werking tree tot die einde van die betrokke finansiëlejaar, kan die Provinsiale Tesourie geld oordra van die Inkomstefonds na die provinsiale department of provinsiale openbare-instelling geraak deur die intrek van die uitsluiting met dien voorwaarde dat die bedrag van die oordrag nie die bedrag wat andersins uitgesluit van betaling deur die Fonds, oorskry nie.

- (2) 'n Oordrag van geld vanaf die Inkomstefonds aan die provinsiale department of provinsiale openbare-instelling soos bedoel in subartikel (1) is regstreekse laste teen die Inkomstefonds.

4. Onttrekkings en beleggings vanaf die Provinsiale Inkomstefonds. -

- (1) Die Provinsiale Tesourie kan geld die van Inkomstefonds onttrek -
- (a) om geld wat per abuis inbetaal is, of wat nie verskuldig is aan die Provinsiale Inkomstefonds nie; of
 - (b) om te deponeer in, of om geld, in die Nasionale Inkomstefonds, te belê.
- (2) 'n Betaling ingevolge subartikel (1)(a) of (b) is regstreekse laste teen die Inkomstefonds.

5. Die gebruik van geld in noodtoestande. - (1) Die LUR kan, behoudens die voorwaardes van artikel 25 van die Wet op Openbare Finansiëlebestuur, 1999, die benutting van geld uit die Inkomstefonds om te betaal vir uitgawes van 'n uitsonderlike aard waarvoor daar huidig nie voorvoorsiening gemaak is nie uit te stel na 'n toekomstige begroting deur die Provinsiale Wetgewer, magtig, sonder enige ernstige benadeling van die openbare belang in die Provinsie.

- (2) Die gesamentlike bedrag van enige magtiging ingevolge subartikel (1) kan nie twee persent van die totale begrote bedrag in die provinsialebegroting vir die huidige finansiëlejaar, oorskry nie.

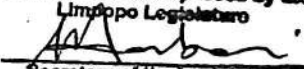
- (3) 'n Bedrag gemagtig ingevolge subartikel (1) is regstreekse laste teen die Inkomstefonds.

6. Fondsverskuiwing tussen hoofindelings van begrotingsposte. –

(1) 'n Rekenpligtigebeampte van 'n departement kan, behoudens die voorwaardes van artikel 43 van die Wet op Openbare Finansiëlebestuur, 1999, 'n besparing in die bedrag soos begroot onder 'n hoofindeling van die begrotingsposte, om oortollige uitgawes onder 'n ander hoofindeling van dieselfde begrotingspos benut, behalwe as die Provinsiale Tesourie anders bepaal.

- (2) 'n Benutting van 'n besparing ingevolge subartikel (1) is direkte laste teen die Inkomstefonds.

7. Kort titel en inwerkingtreding. Hierdie Wet sal die Limpopo Wet op Spesiale Finansiëlereëlins, 2003, heet en sal terugwerkend in werking tree vanaf 1 April 2000.

Certified correct as passed by the
Limpopo Legislature

Secretary of the Legislature

TSEBIŠO YA PROFENSE

OFISI YA TONAKGOLO

No. 4

5 March 2004

Mo go tsebišwa gore Tonakgolo o dumeletše Molao wo o latelago wo o phatlalatšwago go dira tshedimošetšo ya Kakaretšo:—

No. 6 of 2003: Molao wa dipeakanyetšo tša matlotlo tše kgethegilego wa Limpopo, 2003.

Go beakanyetša go ntšhwa ga ditšhelete bjalo ka tefišothwii go Sekhwama sa Ditseno sa Profense go sa emetšwe go fetišwa le go dirišwa ga Molao wa tekanyetšo bjalo ka ge go akanywa go karolo 226(2) ya Molaotheo wa Rephabliki ya Afrika Borwa, 1996; go beakanyetša go ntšhwa go gongwe go tšwa go Sekhwama sa Ditseno sa Profense seo se akanywago go Molao wa Taolo ya Matlotlo a Setšhaba, 1999, go ba ditefišothwii go Sekhwama sa Ditseno sa Profense; le go beakanyetša mabaka a mangwe ao a amanago le tše.

(Phetolelo ya Seisemane e saennwe ke Tonakgolo)
(O dumeletšwe ka 17-02-2004)

KA GO REALO GO BEWA MOLAO ke Lekgotlapeamelao la Profense ya Limpopo ka tsela ye e latelago:

1. **Ditlhalošo:** Mo Molaong wo, ka ntle ga ge diteng di ka laetšwa ka tsela ye nngwe –

“go se akaretšwe” go šupa tšhelete yeo e sa akaretšwego go ditšheletepolokwa ka go Sekhwama sa Ditseno sa Profense bjalo ka ge go laetšwa go karolo 22 ya Molao wa Taolo ya Matlotlo a Setšhaba, 1999;

“lekala la setšhaba la profense” e šupa lekala la setšhaba la profense bjalo ka ge le hlaloswa go karolo 1 ya Molao wa Taolo ya Matlotlo a Setšhaba, 1999;

“MEC” e šupa Leloko la Lekgotlaphethiši leo le nago le maikarabelo a merero ya matlotlo ka Profenseng;

“mohlankedi wa boikarabelo” e šupa motho yo go bolelwago ka yena go karolo 36 ya Molao wa Taolo ya Matlotlo a Setšhaba, 1999;

“Molaotheo” e šupa Molaotheo wa Rephabliki ya Afrika Borwa, 1996 (Molao 108 wa 1996);

“Molao wa Taolo ya Matlotlo a Setšhaba, 1999” e šupa Molao wa Taolo ya Matlotlo a Setšhaba, 1999 (Molao 1 wa 1999);

“Profense” e šupa Limpopo bjalo ka ge go akanywa go karolo 103(g) ya Molaotheo;

“Sekhwama sa Ditseno” e šupa Sekhwama sa Ditseno sa Profense seo se hlomilwego ke karolo 226 ya Molaotheo.

“Sekhwamatlotlo sa Profense” e šupa Sekhwamatlotlo sa Profense seo se hlomilwego ke karolo 17 ya Molao wa Taolo ya Matlotlo a Setšhaba, 1999;

“tefišothwii” e šupa go ntšhwa ga ditšhelete go tšwa go Sekhwama sa Ditseno sa Profense ya Limpopo go ya ka Molao wo;

2. Tshenyegelo pele ga ge tekanyetšo ya ngwaga e fetišwa: – (1) Ge tekanyetšo ya ngwaga e sa fetišwa pele ga mathomo a ngwaga wa ditšhelete woo e sepelelanago le wona, ditšhelete di ka ntšhwa go ya ka karolo ye go tšwa go Sekhwama sa Ditseno go aba ditirelo tša Profense nakong yeo ya ngwaga ya ditšhelete go fihla ge tekanyetšo e fetišwa.

(2) Ditšhelete tše di ntšhwago go tšwa go Sekhwama sa Ditseno go ya ka karolwana (1) ke tefišothwii kgahlanong le Sekhwama sa Ditseno, ka gona di ka se-

- (a) mo nakong ya dikgwedi tša mathomo tše dine tša ngwaga woo wa ditšhelete, fete diphesente tše 45 tša palomoka ya tšhelete yeo e lekanyeditšwego go tekanyetšo ya ngwaga wa go feta;
- (b) nakong ya kgwedi ye nngwe le ye nngwe ye e latelago, fete diphesente tše 10 tša palomoka ya tšhelete yeo e lekanyeditšwego go tekanyetšo ya ngwaga wa go feta; le
- (c) ka kakaretšo, fete palomoka ya tšhelete yeo e lekanyeditšwego go tekanyetšo ya ngwaga wa go feta.

(3) Ditšhelete tše di ntšhwago bjalo ka tefišothwii ka ge go akanywa go karolwana (2) di tla šomišetšwa feela ditirelo tše tshenyegelo yeo e dumeletšwego ka Molao wa tekanyetšo nakong ya ngwaga wo o sa tšwago go feta wa ditšhelete, goba ge e ba go na le tumelelo ye nngwe ke Molao wo mongwe.

(4) Ge go dirišwa karolo ye moo mešomo ye itšego e gapeletšwago go Profense morago ga gore Molao wa tekanyetšo wa ngwaga wa ditšhelete wo o fetilego o fetišwe, palomoka ya tšhelete ya Molao wa tekanyetšo wa ngwaga wa ditšhelete wo o fetilego e oketšwa ka ditshenyegelo tša mošomo woo tša ngwaga ka moka gomme mešomo yeo ka moka e tla, ka mabaka a karolwana (2), tšewa go ba karolo ya Molao wa tekanyetšo wa maleba.

(5) Ditšhelete tše di beakanyeditšwego go karolwana (1) ga se tša tlaleletšo ya ditšhelete tše di lekanyeditšwego go ngwaga wa ditšhelete wa maleba, le gona ditšhelete tše dingwe le tše dingwe tše di ntšhwago go ya ka karolwana yeo di swanetše go ba karolo ya ditšhelete tše di lekanyeditšwego go tekanyetšo ya maleba ya ngwaga woo wa ditšhelete.

3. Go ntšhwa ga tše di sa akaretšwego go tšwa go Sekhwama sa Ditseno: – (1) Go tloga ka tšatšikgwedi yeo go ntšhwa ga tše di sa akaretšwego go ya ka karolo 23(1) ya Molao wa Taolo ya Matlotlo a Setšhaba, 1999, go tla dirišwa go fihla mafelelo a ngwaga wa maleba wa ditšhelete, Sekhwamatlotlo sa Profense se ka fetišetša tšhelete go tšwa go Sekhwama sa Ditseno go ya go kgoro ya mmušo goba lekala la setšhaba la profense leo le angwago ke go ntšhwa ga tše di sa akaretšwego ge e le

gore palomoka ya phetišetšo ga e fete palomoka ya tšhelete yeo e tla bago e sa akaretšwa go tefelo ka go Sekhwama.

(2) Phetišetšo ya tšhelete go tšwa go Sekhwama sa Ditseno go ya go kgoro ya profense goba lekala la setšhaba la profense bjalo ka ge go akanywa go karolwana (1) ke tefišothwii kgahlanong le Sekhwama sa Ditseno.

4. Go ntšhwa le dipeeletšo go tšwa go Dikhwama tša Ditseno tša Profense. – (1) Sekhwamatlotlo sa Profense se ka ntšha tšhelete go tšwa go Sekhwama sa Ditseno –

(a) go bušetša tšhelete yeo e lefetšwego ka phošo ka go, goba yeo e sa kolotwego, Sekhwama sa Ditseno sa Profense; goba

(b) go boloka ka go goba go beeletša tšhelete go Sekhwama sa Ditseno sa Bosetšhaba.

(2) Tefelo go ya ka karolwana (1)(a) goba (b) ke tefišothwii kgahlanong le Sekhwama sa Ditseno.

5. Go šomišetša ditšhelete mabaka a tšhoganetšo. – (1) MEC a ka, go ya ka dipeakanyetšo tša karolo 25 ya Molao wa Taolo ya Matlotlo a Setšhaba, 1999, dumelela tšhomišo ya ditšhelete go tšwa go Sekhwama sa Ditseno go efoga tshenyegelo ya mohuta wo o itlhaotšego tšeo gabjale di sa beakanyetšwego le gona di ka se, ka ntle ga go tshela kgahlego ya setšhaba ka mo Profenseng, šuthišetšwego go tekanyetšo ya ka moso ke Lekgotlapeamelao la Profense.

(2) Ditšhelete tšeo di kopantšwego tša ditumelelo dife goba dife go ya ka karolwana (1) di ka se fete diphesente tše pedi tša palomoka ya tšhelete yeo e lekanyeditšwego go tekanyetšo ya ngwaga ya profense ya ngwaga wa bjale wa ditšhelete.

(3) Palomoka yeo e dumeletšwego go ya ka karolwana (1) ke tefišothwii kgahlanong le Sekhwama sa Ditseno.

6. Phetišetšo ya tšhelete magareng a dikarolokgolo ka gare ga dikabo. –

(1) Mohlankedi wa boikarabelo wa kgoro a ka, go ya ka dipeakanyetšo tša karolo 43 ya Molao wa Taolo ya Matlotlo a Setšhaba, 1999, šomiša tšheletepolokwa ya tšhelete yeo e lekanyeditšwego ka fase ga dikarolokgolo ka gare ga kabo go efoga tshenyegelo ye ntši ka fase ga karolokgolo ye nngwe go kabo ya go swana, ka ntle ga ge Sekhwamatlotlo sa Profense se ka laetša ka tsela ye nngwe.

(2) Tšhomišo ya tšheletepolokwa go ya ka karolwana (1) ke tefišothwii kgahlanong le Sekhwama sa Ditseno.

7. Thaetlele ye kopana le go thoma. Molao wo o tla bitšwa Molao wa Dipeakanyo tša Matlotlo tše Kgethegilego wa Limpopo, 2003, gomme o tla thoma go dirišwa go tloga morago ka 1 Aporele 2000.

NḐIVHADZO YA VUNDU

OFISI YA PREMIA

No. 4

5 March 2004

Hu khou ḑivhadzwa heneḑha uri Premia o tendela Mulayo u tevhelaho une wa khou anḑadziwa uri u ḑivhiwe nga vhothe:—

No. 6 wa 2003: Mulayo wa nzudzanyo dza ngwama wa sipeshala wa Limpopo, 2003.

U vhetshela u itela u tuswa ha masheleni sa khwalo yo livhaho kha Tshikwama tsha Mbuelo tsha Vundu ho imelwa u phasiswa kana u thoma u shuma ha Mulayo wa Mukovho sa zwo bulwaho kha Khethekanyo 226(2) ya Mulayotewa wa Riphabuliki ya Afurika Tshipembe, 1996; u vhetshela u itela huiwe u tuswa u bva kha Tshikwama tsha Mbuelo tsha Vundu zwo bulwaho kha Mulayo wa Ndaulo ya Gwama la Vhathu, 1999 hu do vha khwalo yo livhaho kha Tshikwama tsha Mbuelo tsha Vundu; na u vhetshela mafhungo a elanaho na zwenezwo.

(Tshipiqa tsha Tshiisimane tsho sainwaho nga Premia)
(Tsho qivhadzwa kha nga la 22-01-2004)

HU KHOU VHEWA MULAYO nga Vhusimamilayo ha Vundu la Limpopo sa zwi tevhelaho:

1. **Thandavhudzo.** Kha hoyu Mulayo, nga nda ha musu zwi re ngomu zwi tshi amba zwiwe-

“Khwalo yo livhaho” zwi amba u tuswa ha masheleni u bva kha Tshikwama tsha Mbuelo tsha Vundu la Limpopo hu tshi tevhedzwa uyu Mulayo;

“Mufaragwama wa Vundu” zwi amba Mufaragwama wa Vundu o thomiwaho nga khethekanyo 17 ya Mulayo wa Ndaulo ya Gwama, 1999

“Mulayo wa Ndaulo ya Gwama la Vhathu, 1999” zwi amba Mulayo wa Ndaulo ya Gwama la Vhathu, 1999 (Mulayo No. 1 wa 1999)

“Mulayotewa” zwi amba Mulayotewa wa Riphabuliki ya Afurika Tshipembe, 1999, (Mulayo No. 108 wa 1996);

“Muofisiri wa muvhalelano” zwi amba muthu o bulwaho kha khethekanyo 36 ya Mulayo wa Ndaulo ya Gwama, 1999;

“Murado wa Khorotshitumbe” zwi amba Murado wa Khorotshitumbe a re na vhudifhinduleli na mafhungo a gwama kha Vundu;

“Tshiimiswa tsha Vhathu tsha Vundu” zwi amba Tshiimiswa tsha Vhathu tsha Vundu sa zwo tandavhudzwaho kha khethekanyo 1 ya Mulayo wa Ndaulo ya Gwama la Vhathu, 1999;

“Tshikwama tsha Mbuelo” zwi amba Tshikwama tsha Mbuelo tsha Vundu tsho thomiwaho nga khethekanyo 226 ya Mulayotewa.

“Tsiwa” zwi amba masheleni o siwaho u bva kha mbulungo kha Tshikwama tsha Mbuelo ya Vundu sa zwo bulwaho kha Khethekanyo 22 ya Mulayo wa Ndaulo ya Gwama la Vhathu, 1999;

“Vundu” zwi amba Limpopo sa zwo bulwaho kha khethekanyo 103(g) ya Mulayotewa.

2. Zwibviswa phanda ha musu mugaganyagwama wa n'waha u sa athu u bviswa-

- (1) Arali mugaganyagwama wa n'waha u sa athu u phasiswa phanda ha mathomo a n'waha wa muvhalelano wonoyo, masheleni a nga t'uswa zwi tshi elana na iyi khethekanyo u bva kha Tshikwama tsha Mbuelo u itela tshumelo dza Vundu tshifhingani tsha wonoyo n'waha wa muvhalelano u swikela mugaganyagwama u tshi phasiswa.
- (2) Masheleni o t'uswaho u bva kha Tshikwama tsha Mbuelo hu tshi tevhedzwa khethekanyo (1) ndi khwalo yo livhaho kha Tshikwama tsha Mbuelo, nahone a i –
 - (a) nga do ri tshifhingani tsha min'wedzi mina ya u thoma ya wonoyo n'waha wa muvhalelano ya pada 45 phesnthe ya t'hanganyelo ya masheleni o avhelwaho n'wahani wa muvhalelano wo fhiraho;
 - (b) nga do ri n'wedzini mu'we na mu'we wa min'wedzi i tevhelaho pada 10 pesenthe t'hanganyelo yothe ya masheleni o avhelwaho n'wahani wa muvhalelano wo fhiraho; nahone
 - (c) nga kha mbalotshikati, nga do fhira t'hanganyelo yothe yo avhelwaho kha n'waha wa muvhalelano wo fhiraho.
- (3) Masheleni o t'uswaho sa khwalo yo livhaho sa zwo bulwaho kha khethekanyo tshukhu 2 a do shumiswa fhedzi kha tshumelo dze zwibviswa zwa vha zwo avhelwa zwone nga Mulayo wa mukovho tshifhingani tsha n'waha wa muvhalelano wonoyo wo fhiraho zwenezwo, kana malugana na in'we thendelo arali i re hone nga mu'we Mulayo.
- (4) Musi hu tshi shumiswa iyi khethekanyo hune min'we mishumo ya vha yo hweswa kha Vundu nga murahu ha musu Mulayo wa mukovho wo no phasiswa u itela n'waha wa muvhalelano u tevhelaho, t'hanganyelo yothe ya Mulayo wa Mukovho wa n'waha u tevhelaho u do engedzedzwa nga thengo dza iyo tshumelo lwa n'waha wothe nahone idzo tshumelo dzi do, u itela ndivho ya khethekanyo (2), dzhiwa sa tshipida tsha Mulayo wa Mukovho wonoyo.
- (5) Masheleni o vhetshelwaho kha khethekanyo tshukhu (1) a si nyengedzedzo o avhelwaho u itela wonoyo n'waha wa muvhalelano, nahone masheleni afhio na afhio o bviswaho hu tshi tevhedzwa iyo khethekanyo a tea u dzhiwa a tshi vhumba tshipida tsha masheleni o avhelwaho kha mugaganyagwama wa n'waha wo teaho wa wonoyo n'waha wa muvhalelano.

3. U tswa ha tsiwa u bva kha Tshikwama tsha Mbuelo.- (1) U bva nga datumu ye u tswa ha tsiwa hu tshi tevhedzwa khethekanyo 23(1) ya Mulayo wa Ndaulo ya Gwama la Vhathu, 1999, hu shuma u swikela mafheleloni a wonoyo riwaha wa muvhalelano, Mufaragwama wa Vundu a nga fhirisela masheleni u bva kha Tshikwama tsha Vundu u ya kha Muhasho kana tshiimiswa tsha vhathu tsha Vundu tshi kwameaho nga u tswa ha tsiwa tenda ha vha hu uri mutengo wa phiriso a u fhiri mutengo wa une wa nga kha di vha wo siiwa kha mbadelo kha Tshikwama.

(2) U fhiriswa ha masheleni u bva kha Tshikwama tsha Mbuelo u ya kha muhasho wa muvhuso kana u ya kha tshiimiswa tsha vhathu tsha muvhuso sa zwo bulwaho kha khethekanyo tshukhu (1) ndi khwalo yo livhaho kha Tshikwama tsha Mbuelo.

4 Dzimviso na Mibindudzo u bva kha Zwikwama zwa Mbuelo zwa Vundu.-

(1) Mufaragwama wa Vundu a nga tusa masheleni u bva kha Tshikwama tsha Mbuelo-

(a) a u badela murahu kha, kana ane a si vhe a, kha Tshikwama tsha Mbuelo tsha Vundu; kana 1

(b) u vhulunga kha kana u bindudza masheleni kha Tshikwama tsha Mbuelo tsha Lushaka.

(2) Mbadelo hu tshi tevhedzwa khethekanyo tshukhu (1)(a) kana (b) ndi khwalo yo livhaho kha Tshikwama tsha Mbuelo.

5. U shumiswa ha masheleni kha nyimele dza tshihadu. - (1) Murafo wa Khorotshitumbe a nga, hu tshi tevhelwa mbetshelo dza khethekanyo 25 dza Mulayo wa Ndaulo ya Gwama la Vhathu, 1999, tendela u shumiswa ha masheleni u bva kha Tshikwama tsha Mbuelo u itela u badela zwibviswa zwa nyimele i so ngo dowealeho ine zwa zwino ya vha i so ngo vhetshelwa nahone ine i nga si, hu si na kuhumbulo i si kwayo kha dzangalelo la vhathu kha Vundu, uri i pfukiselwe phanda kha mukovho u tevhelaho nga Vhusimamilayo ha Vundu.

(2) Thanganyelo yo tangelano ya thendelo dzifhio na dzifhio hu tshi tevhedzwa khethekayo tshukhu (1) i nga si fhire 2 phesenthe ya tshanganyelo dzothe dzo kovhiwaho kha mugaganyagwama wa vundu wa riwaha nga riwaha u itela riwaha wa zwino wa muvhalelano.

(3) Thanganyelo dzo tendelwaho hu tshi tevhedzwa khethekanyo tshukhu (1) ndi khwalo yo livhaho kha Tshikwama tsha Mbuelo.

6. Pfukhiselo ya Masheheleni vhukati ha khethekanyo khulwane ngomu kha dzivoutu.- (1) Muofisiri wa muvhalelano wa muvhuso, a nga ri, hu tshi tevhedzwa

Act No. 6 of 2003

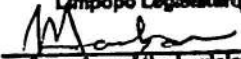
LIMPOPO SPECIAL FINANCIAL ARRANGEMENTS ACT, 2003

mbetshelo dza khethekanyo 43 ya Mulayo wa Ndaulo wa Gwama la Vhathu, 1999, a shumisa mbulungelo kha t hanganyelo yo kovhiwaho fhasi ha khethekanyo khulwane ngomu ha voutu kha u badelelwa ha zwibviswa zwo fhiraho fhasi ha inwe khethekanyo khulwane i re kha yeneyo voutu, nga nda ha musu Mufaragwama wa Vundu o laedza nga inwe ndila.

(2) Tshumiso ya mbulungelo hu tshi tevhedzwa khethekanyo (1) ndi khwalo yo livhaho kha Tshikwama tsha Mbuelo.

7. Dzina lipfufhi na mathomo. Uyu Mulayo u vhidzwa Mulayo wa Nzudzanyo dza Gwama wa Sipeshala wa Limpopo, 2003, nahone u do thoma u shuma u bva murahu nga la 01 Lambamai 2000.

Certified correct as passed by the
Limpopo Legislature


Secretary of the Legislature

XITIVISO XIFUNDZANKULU

HOFISI YA HOLOBYENKULU

No. 4

5 March 2004

Ku tivisiwa leswaku Holobyenkulu u pfumerile Nawu lowu wu ladzelaka lowu laha wu tivisiwaka leswaku wu ta tivisiwa hi mani na mani:—

No. 6 wa 2003: Nawu wa malulamisele ya timali to hlawulek wa Limpopo, 2003.

Wo endla makungu yo humesiwa ka timali tani hi chaji yo kongoma eka Nkwama wa Mali ya Tiko wa Xifundzankulu loko ku yimeriwa ku pasisiwa na ku sungula ku tirha ka Nawu wa Maavele tani hilaha swi vuriwaka hakona eka xiyenge xa 226(2) xa Vumbiwa ra Rhiphabliki ra Afrika Dzonga, 1996; endla makungu humesiwa kun'wana ku suka eka Nkwama wa Mali ya Tiko wa Xifundzankulu loko ku vuriwaka eka Nawu wa Mafambisele ya Mali ya Tiko, 1999, ku va tichaji to kongoma eka Nkwama wa Mali ya Tiko wa Xifundzankulu; na ku endlela timhaka tin'wana.

*(Tsalwa ra Xinghezi ri sayiniwile hi Holobyenkulu)
(Wu pfumeriwile hi siku ra 17-02-2004)*

Mfumo wa Milawu wa Xifundzankulu xa Limpopo WU NGHENISA NAWU hi ndlela leyi yi landzelaka:

1. **Tinhlamuselo.** Eka Nawu lowu handle ka loko nhlamuselo yi vula swin'wana

“bindzu ra tiko ro yima hi roxe ra xifundzankulu” swi vula bindzu ro tiyimela hi roxe xa Xifundzankulu tani hilaha ri hlamuseriweke hakona eka xiyenge xa 1 xa Nawu wa Mafambisele ya Mali ya Tiko, 1999;

“ku siyiwa ehandle” swi vula mali leyi yi nga siyiwa ehandle eku vekeni ka mali eka Nkwama wa Mali ya Tiko wa Xifundzankulu tani hilaha swi nga vuriwa hakona eka xiyenge xa 22 xa Nawu wa Mafambisele ya Mali ya Tiko, 1999;

“mutirhi wa vutihlamuleri” swi vula munhu loyi a vuriwaka eka xiyenge xa 36 xa Nawu wa Mafambisele ya Mali ya Tiko, 1999;

“Nawu wa Mafambisele ya Mali ya Tiko, 1999” swi vula Nawu wa Mafambisele ya Mali ya Tiko, 1999 (Nawu wa 1 wa 1999);

“Nkwama wa Mali ya Tiko” swi vula Nkwama wa Mali ya Tiko wa Xifundzankulu lowu wu nga simekiwa hi xiyenge xa 226 xa Vumbiwa.

“Nkwama wa Xifundzankulu” swi vula Nkwama wa Xifundzankulu lowu wu nga simekiwa hi xiyenge xa 17 xa Nawu wa Mafambisele ya Mali ya Tiko, 1999;

“tichaji to kongoma” swi vula ku humesiwa ka timali ku suka eka Nkwama wa Mali ya Tiko wa Xifundzankulu hi ku landza Nawu lowu;

“Vumbiwa” ri vula Vumbiwa ra Riphabliki ra Afrika Dzonga, 1996 (Nawu wa 108 wa 1996);

“Xifundzankulu” ri vula Limpopo tani hilaha swilanguteriwaka eka xiyenge xa 103 (g) xa Vumbiwa;

“Xirho xa Huvonkulu” swi vula Xirho xa Huvonkulu loyi a nga ni vutihlamuleri eka timhaka ta timali eka xifundzankulu.

2. Tihakelelo loko mpimanyeto wa lembe wu nga se pasisiwa- (1) Loko mpimanyeto wa lembe wu nga se pasisiwa ku nga se fika masungulo ya lembe-ximali leri ri fambelanaka na rona, timali ti nga ha humesiwa hi ku landza xiyenge xa lexi ku suka eka Nkwama wa Mali ya Tiko ku endlela vukorhokeri bya Xifundzankulu hi nkarhi wa lembe-ximali relero ku fikela loko mpimanyeto wu ta pasisiwa.

(2) Timali leti ti humesiwaka eka Nkwama wa Mali ya Tiko hi ku landza xiyengenyana xa (1) ku ta va chaji yo kongoma ya Nkwama wa Mali ya Tiko, naswona ti nga vi—

(a) hi nkarhi wa tin’hweti ta mune ta lembe-ximali relero, hundzisa 45 wa tiphesente ta ntsengo hinkwawo lowu wu nga averiwa eka mpimanyeto lowu wu nga hundza;

(b) hi nkarhi wa n’hweti yin’wana na yin’wana ya leti ti landzelaka, hundzisa 10 wi tiphesente ta ntsengo hinkwawo lowu wu nga averiwa eka mpimanyeto lowu wu nga hundza; na

(c) hi ntsengo wo katsakanya, hundzisa ntsengo hinkwawo lowu wu nga averiwa eka mpimanyeto wa lembe lowu nga hundza.

(3) Timali leti ti nga humesiwa tanihi tichaji to kongomisa hilaha swi languteriwaka hakona eka xiyengenyana xa (2) ti fanele ku tirhisiwa ntsena eka vukorhokeri hi tlhelo ra leswi tihakelelo ti nga pfumeleriwa swona hi Nawu wa mavele hi karhi wa lembe-ximali leri ra ha ku hundzaka, kumbe hi tlhelo ra mpfumelelo wun’wana hi Nawu wun’wana lowu wu nga kona.

(4) Loko ku ri karhi ku endliwa xiyenge lexi laha mintirho yin’wana yi nga vekiwa ehenhla ka Xifundzankulu endzhaku ka loko Nawu wa mavele wu pasisiwile eka lembe-ximali leri ri landzelaka, ntsengo hinkwawo wa Nawu wa mavele wa lembe-ximali leri ri landzelaka wu ta engeteriwa hi tihakelo ta ntirho wolowo ku ringana lembe hinkwaro naswona m intirho yo tano yi fanele, hi swikongomelo s wa xiyengenyana xa (2), ku tekiwa swi ri xiphemu xa Nawu wa mavele lowu wu fambelanaka na swona.

(5) Timali leti ti nga nyikiwa eka xiyengenyana xa (1) a ti katsani na timali

leti ti nga averiwa lambe-ximali leri ri nga fanela, naswona timali tihi ni tihi leti ti nga humesiwa hi ku landza xiyengenyana xolero ti fanele ti tekiwa tani hi ku va ti vumba xiphemu xa timali leti nga averiwa eka mpimanyeto wa lembe eka lembe-ximali relero.

3. Ku humesiwa ka leswi swi nga siyiwa ehandle eka Nkwama wa Mali ya Tiko.-(1) Ku sukela siku leri ha rona ku humesiwa ka leswi swi nga siyiwa ehandle hi ku landza xiyenge xa 23(1) xa Nawu wa Mafambisele ya Mali ya Tiko, 1999, ku ta sungula ku tirha ku fikela ku hela ka lembe-ximali leri ri fambelanaka na swona, Vankwama va Xifundzankulu va nga ha hundzisela mali ku suka eka Nkwama wa Mali ya Tiko ku ya eka ndzawulo ya xifundzankulu kumbe bindzu ro yima hi roxe ra xifundzankulu leri ri khumbekaka hi ku humesiwa loku ka leswi swi nga siyiwa ehandle ku ri hi leswaku ntsengo lowu wa ku hundziseriwa a wu hundzisi ntsengo lowu a wu ta va wu nga katsiwanga eka tihakelo ta Nkwama.

(2) Ku hundziseriwa ka mali ku suka eka Nkwama wa Mali ya Tiko ku ya eka ndzawulo ya xifundzankulu kumbe bindzu ro yima hi roxe ra xifundzankulu tani hilaha swi nga vuriwa hakona eka xiyengenyana xa (1) ku ta va chaji yo kongoma ehenhla ka Nkwama wa Mali ya Tiko.

4. Ku humesiwa na vuvekisi ku suka eka Minkwama ya Mali ya Tiko ya Xifundzankulu.-(1) Vankwama va Xifundzankulu va nga ha humesa mali ku suka eka Nkwama wa Mali ya Tiko-

- (a) ku riha mali leyi yi nga hakeriwa hi xihoxo eka, kumbe leyi yi nga fanelangiki ku hakeriwa eka, Nkwama wa Mali ya Tiko wa Xifundzankulu; kumbe
- (b) ku veka eka kumbe ku vekisa mali eka Nkwama wa Mali ya Tiko wa Rixaka.

(2) Hakelo yihi ni yihi hi ku landza xiyengenyana xa (1) (a) kumbe (b) ku ta va chaji yo kongoma ehenhla ka Nkwama wa Mali ya Tiko.

5. Ku tirhisiwa ka timali eka swiyimo swa xihatla. -(1) Xirho xa Huvonkulu a nga ha, ehansi ka makungu ya xiyenge xa 25 xa Nawu wa Mafambisele ya Mali ya Tiko, 1999, pfumelela ku tirhisiwa ka timali ku suka eka Nkwama wa Mali ya Tiko ku hakela tihakelelo ta xiyimo xo ka xi nga fani na swin'wana leti ti nga endliwangiki eka nkarhi wa sweswi naswona ti nga ta ka ti nga endliwi, handle ka ku onheka lokukulu eka ku tsakela ka mani na mani eka Xifundzankulu, ku yimisanyana ku ya ka nkavelo wa nkarhi lowu wu landzelaka hi Mfumo wa Milawu wa Xifundzankulu.

(2) Ntsengo lowu wu nga katsana wa mimpfumelelo yihi ni yihi hi ku landza xiyengenyana xa (1) wu nga hundzi tiphensente timbirhi ta ntsengo hinkwawo lowu wu nga averiwa eka mpimanyeto wa lembe wa xifundzankulu eka lembe-ximali ra nkarhi wolowo.

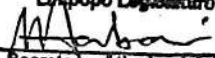
(3) Ntsengo lowu wu nga pfumeleriwa hi ku landza xiyengenyana xa

(1) i chaji yo kongoma ehenhla ka Nkwama wa Mali ya Tiko.

6. Ku hundziseriwa exikarhi ka swiyenge-nkulu eka swiavo.-(1) Mutirhela tiko wa vutihlamuleri wa ndzawulo a nga ha, ehansi ka makungu ya xiyenge xa 43 xa Nawu wa Mafambisele ya Mali ya Tiko, 1999, tirhisa mali leyi yi nga hlayisiwa eka mali leyi yi nga averiwa enhansi ka xiyenge-nkulu endzeni ka xiavo xin'we, handleka loko Vankwama va Xifundzankulu va lerisa swin'wana.

(2) Ku tirhisiwa ka mali leyi yi nga vekiwa hi ku landza xiyengenyana xa
xa (1) i chaji yo kongoma ehenhla ka Nkwama wa Mali ya Tiko.

7. Nhloko-mhaka hi ku komisa ni ku sungula ku tirha. Nawu lowu wu fanele ku vitaniwa Nawu wa Malulamisele ya Timali to Hlawuleka wa Limpopo, 2003, naswona wu fanele ku sungula ku tirha hi hlayela masiku ku ya endzhaku ku sukela hi 1 Dzivamisoko 2000.

Certified correct as passed by the
Limpopo Legislature

Secretary of the Legislature

