



# STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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## DEPARTEMENT VAN DIE EERSTE MINISTER

No. 498.

15 Maart 1978.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geleg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No 27 van 1978: Wysigingswet op Provinciale Finansies en Oudit, 1978.

## DEPARTMENT OF THE PRIME MINISTER

No. 498.

15 March 1978.

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

No. 27 of 1978: Provincial Finance and Audit Amendment Act, 1978.

**Wet No. 27, 1978****WYSIGINGSWET OP PROVINSIALE FINANSIES  
EN OUDIT, 1978.****ALGEMENE VERDUIDELIKENDE NOTA:**

**I** Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordeningen aan.

Woorde met 'n volstreep daaronder, dui inwoegings in bestaande verordeningen aan.

**WET**

**Tot wysiging van die Wet op Provinsiale Finansies en Oudit, 1972, ten einde verdere voorsiening te maak vir die reëeling van die ontvangs, bewaring en uitbetaling van geld van die provinsies; vir die ouditering van die rekenings van die provinsies en van liggeme en instellings ten opsigte waarvan provinsiale rade wetgewende bevoegdheid besit; en vir die beheer van provinsiale geld en eiendom; tot wysiging van die Wet op Finansiële Verhoudings, 1976, om die bepalings betreffende die toestaan aan die provinsies van lenings vir sekere doeleinades, te herroep; en om sekere woorde wat oortollig geword het, te skrap; en om vir bykomstige aangeleent hede voorsiening te maak.**

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 7 Maart 1978.)

**DAAR WORD BEPAAL** deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 18 van 1972.

1. Artikel 1 van die Wet op Provinsiale Finansies en Oudit, 1972 (hieronder die Hoofwet genoem), word hierby gewysig— 5
  - (a) deur die omskrywing van „addisionele begroting” deur die volgende omskrywing te vervang:  
„addisionele begroting **[,,die]** van uitgawes’ ’n begroting van addisionele uitgawes uit die provinsiale inkomstefonds wat aan die provinsiale raad voor- 10 gelê word ten opsigte van uitgawes aan dienste **[vir]** van die provinsie wat voor die einde van ’n boekjaar aangegaan is of aangegaan sal word en vir die betaling waarvan daar nie reeds by ’n begrottingsordonnansie in die betrokke boekjaar 15 geld bewillig is of voldoende geld bewillig is nie;”;
  - (b) deur na die omskrywing van „addisionele begroting” die volgende omskrywing in te voeg:  
„Bank’ die Suid-Afrikaanse Reserwebank vermeld in die omskrywing van ,die bank’ in artikel 1 van 20 die Wet op die Suid-Afrikaanse Reserwebank, 1944 (Wet No. 29 van 1944);”;
  - (c) deur die omskrywing van „begroting” deur die volgende omskrywing te vervang:  
„begroting **[,,die]** van uitgawes’ ’n begroting van 25 verwagte uitgawes uit die provinsiale inkomstefonds aan die dienste **[vir]** van die provinsie gedurende ’n boekjaar wat aan die provinsiale raad voorgelê word, en ook ’n begroting van aanvul lende uitgawes aan sodanige dienste gedurende 30 daardie boekjaar ten opsigte waarvan dit nodig

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## GENERAL EXPLANATORY NOTE:

- I** Words in bold type in square brackets indicate omissions from existing enactments.
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- Words underlined with solid line indicate insertions in existing enactments.
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## ACT

To amend the Provincial Finance and Audit Act, 1972, so as to further provide for the regulation of the receipt, custody and issue of moneys of the provinces; for the audit of the accounts of the provinces and of bodies and institutions in respect of which provincial councils have legislative powers; and for the control of provincial moneys and property; to amend the Financial Relations Act, 1976, so as to repeal the provisions relating to the granting of loans to the provinces for certain purposes; and to delete certain words which have become redundant; and to provide for incidental matters.

(English text signed by the State President.)  
(Assented to 7 March 1978.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

1. Section 1 of the Provincial Finance and Audit Act, 1972 (hereinafter referred to as the principal Act), is hereby amended—  
Amendment of section 1 of Act 18 of 1972.
- (a) by the substitution for the definition of “additional estimates” of the following definition:  
“additional estimates of expenditure” means the estimates of additional expenditure from the provincial revenue fund submitted to the provincial council in respect of expenditure on services [for] of the province which has been or will be incurred before the close of a financial year and for the payment of which moneys or sufficient moneys have not already been appropriated by an appropriation ordinance in the financial year in question;”;
- 10 (b) by the substitution for the definition of “appropriation ordinance” of the following definition:  
“appropriation ordinance” means an ordinance by which the estimates or additional estimates of expenditure from the provincial revenue fund were approved by the provincial council;”;
- 15 (c) by the insertion after the definition of “appropriation ordinance” of the following definition:  
“Bank” means the South African Reserve Bank mentioned in the definition of ‘the bank’ in section 1 of the South African Reserve Bank Act, 1944 (Act No. 29 of 1944);”;

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- geag word om voorsiening te maak nadat eersgenoemde begroting aan die provinsiale raad voorgelê is;"';
- (d) deur die omskrywing van „begrotingsordonnansie” deur die volgende omskrywing te vervang:  
 „begrotingsordonnansie” ’n ordonnansie waarby die begroting of addisionele begroting van uitgawes uit die provinsiale inkomstefonds deur die provinsiale raad goedgekeur is;”;
- (e) deur die omskrywing van „inkomste” deur die volgende 10 omskrywing te vervang:  
 „inkomste” alle belastings, boetes en toevallige en ander ontvangste van ’n provinsie, uit watter bron ook al dit afkomstig is, waарoor die provinsiale raad bewilligingsbevoegdheid besit, asook **Le-15 nings-1 kapitaaltoekennings** en ander geld wat uit die **Gekonsolideerde Inkomstefonds** Staatsinkomstefonds aan die provinsiale inkomstefonds betaal word;”;
- (f) deur na die omskrywing van „provinsiale administrasie” die volgende omskrywing in te voeg:  
 „provinsiale finansiële regulasies” die regulasies kragtens artikel 29 (1) uitgevaardig;”;
- (g) deur die omskrywing van „provinsiale geld” deur die volgende omskrywing te vervang:  
 „provinsiale geld” **[ook]**—  
 (a) alle inkomste; en  
 (b) watter ander geld ook al, ontvang of gehou deur, vir of op rekening van ’n provinsie;”;
- (h) deur na die omskrywing van „provinsiale tenderraad” die volgende omskrywing in te voeg:  
 „provinsiale voorskrif” ’n voorskrif wat ingevolge artikel 29 (3) uitgereik is;”;
- (i) deur die omskrywing van „Suid-Afrikaanse Reserwefond” te skrap; en
- (j) deur die omskrywing van „Tesourie” deur die volgende omskrywing te vervang:  
 „Tesourie” die **[Departement van Finansies]** sentrale finansiële gesag vermeld in die omskrywing van „Tesourie” in artikel 1 (1) van die Skatkis- en Oudit-wet, 1975 (Wet No. 66 van 1975);”.

Vervanging van artikel 2 van Wet 18 van 1972.

**2. Artikel 2 van die Hoofwet word hierby deur die volgende artikel vervang:**

- „Rekening van provinsiale inkomste-fonds.”
- 2. ’n Provincie hou in sy boeke ten opsigte van sy provinsiale inkomstefonds [—]**
- (a) ’n rekening wat „die inkomsterekening” heet en wat gekrediteer word met alle inkomste **I**, uitgesonderd die inkomste waarmee die kapitaalrekening ingevolge paragraaf (b) gekrediteer moet word, en waaruit alle normale of terugkerende uitgawes vermeld in artikel 6 (2) bestry word; en
- (b) ’n rekening wat „die kapitaalrekening” heet en wat gekrediteer word met—
- (i) leningsgeld van die Regering ontvang; 55
  - (ii) huurgeld ontvang ten opsigte van die verhuring van onroerende goed;
  - (iii) geld ontvang ten opsigte van die tegelde-making van onroerende goed;
  - (iv) kontantbegiftigings ten opsigte van dorp-stigting ontvang; 60
  - (v) kontantskenkings of bydraes ontvang ten opsigte van die oprigting van iets van ’n kapitale aard, uitgesonderd brûe;
  - (vi) bydraes ten opsigte van die bou van brûe ontvang; 65

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- (d) by the substitution for the definition of "estimates" of the following definition:  
 "estimates of expenditure" means the estimates of expected expenditure from the provincial revenue fund on the services [for] of the province during a financial year which are submitted to the provincial council, and includes any estimates of supplementary expenditure on such services during that financial year for which it is deemed necessary to provide after the first-mentioned estimates have been submitted to the provincial council;";
- (e) by the insertion after the definition of "provincial auditor" of the following definitions:  
 "provincial financial regulations" means the regulations made under section 29 (1);  
 "provincial instruction" means an instruction issued in terms of section 29 (3);";
- (f) by the substitution for the definition of "provincial moneys" of the following definition:  
 "provincial moneys" [includes] means—  
 (a) all revenues; and  
 (b) all other moneys whatsoever, received or held by, for or on account of a province;";
- (g) by the substitution for the definition of "revenue" of the following definition:  
 "revenue" means all taxes, rates, fines and casual and other receipts of a province, from whatever source they may arise, over which the provincial council has power of appropriation, and includes [loan-moneys] capital grants and other moneys paid from the [Consolidated] State Revenue Fund to the provincial revenue fund;";
- (h) by the deletion of the definition of "South African Reserve Bank"; and
- (i) by the substitution for the definition of "Treasury" of the following definition:  
 "Treasury" means the [Department of Finance] central financial authority mentioned in the definition of "Treasury" in section 1 (1) of the Exchequer and Audit Act, 1975 (Act No. 66 of 1975);".

2. The following section is hereby substituted for section 2 of the principal Act:

- "Account of provincial revenue fund." 2. A province shall in respect of its provincial revenue fund keep in its books [—]
- (a) an account called "the revenue account" to which shall be credited all revenue [ ], except such revenue as is in terms of paragraph (b) required to be credited to the capital account, and from which all normal or recurrent expenditure mentioned in section 6 (2) shall be defrayed; and
- (b) an account called "the capital account" to which shall be credited—
- (i) loan-moneys received from the Government;
  - (ii) rentals received in respect of the letting of immovable property;
  - (iii) moneys received in respect of the realization of immovable property;
  - (iv) cash endowments received in respect of the establishment of townships;
  - (v) cash donations or contributions received in respect of the erection of anything of a capital nature, other than bridges;
  - (vi) contributions received in respect of the building of bridges;

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- (vii) geld ontvang ten opsigte van die terugvordering van lenings en voorskotte uit die kapitaalrekening toegestaan; en  
(viii) die ander geld wat die provinsiale raad by ordonnansie van die inkomsterekening na die kapitaalrekening oordra,]  
en waaruit alle [kapitaal- of nie-terugkerende] uitgawes [vermeld in artikel 6 (3)] bestry en bedrae betaal word waarmee dit ingevolge hierdie Wet of 'n ander wet belas word."].  
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Vervanging van artikel 3 van Wet 18 van 1972.

3. Artikel 3 van die Hoofwet word hierby deur die volgende artikel vervang:

„Ander provinsiale geld.  
3. 'n Provincie hou, afsonderlik en apart van die [rekenings] rekening vermeld in artikel 2, 'n rekening of rekenings ten opsigte van alle provinsiale geld, uitgesonderd inkomste vermeld in genoemde artikel, wat deur, vir of ten bate van die provinsie ontvang of gehou word.”.  
15

Wysiging van artikel 4 van Wet 18 van 1972.

4. Artikel 4 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (1) deur die volgende subartikel te vervang:  
,,(1) Behoudens die bepalings van subartikels (2) en (4) hou 'n provinsie op sy naam 'n rekening by die [Suid-Afrikaanse Reserwebank] Bank waarin alle provinsiale geld van dié provinsie gestort word en waaruit alle betalings deur dié provinsie gedoen word.”;  
(b) deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:  
,,(a) 'n Provincie kan, benewens die rekening beoog in subartikel (1), 'n bedryfsrekening op sy naam by die [Suid-Afrikaanse Reserwebank] Bank open en geld uit die rekening beoog in subartikel (1) na so 'n bedryfsrekening oordra, waaruit betalings deur die provinsie gedoen kan word.”; en  
(c) deur subartikel (4) deur die volgende subartikel te vervang:  
,,(4) Geen rekening, behalwe 'n rekening beoog in subartikel (1) of (2), word namens 'n provinsie of 'n subdepartement of takkantoor daarvan, of deur iemand in diens van 'n provinsie in sy amptelike hoedanigheid, sonder die magtiging van die uitvoerende komitee, by [n] die Bank of 'n ander bank geopen nie.”.  
35

Wysiging van artikel 5 van Wet 18 van 1972.

5. Artikel 5 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (1) deur die volgende subartikel te vervang:  
,,(1) Die geld in die provinsiale inkomstefonds word deur die provinsiale raad by 'n begrotingsordonnansie [beskikbaar gestel] vir die dienste [vir] van die provinsie bewillig: Met dien verstande dat tot tyd en wyl 50 voorsiening in [so] 'n [ordonnansie] begrotingsordonnansie gemaak is vir die dienste [vir] van die provinsie gedurende 'n boekjaar, die provinsiale raad behoudens die bepaling van subartikel (1A) by 'n gedeeltelike begrotingsordonnansie [kan goedkeur dat die geld wat vir dié dienste nodig is], 'n bedrag geld wat vir 'n gedeelte van die behoeftes nodig is uit die provinsiale inkomstefonds [uitbetaal word] kan bewillig: Met dien verstande voorts dat so 'n gedeeltelike begrotingsordonnansie ophou om van krag te wees [onmiddellik] by 60 die inwerkingtreding van die begrotingsordonnansie vir daardie boekjaar, en geld wat reeds kragtens so 'n gedeeltelike begrotingsordonnansie uitbetaal is, geag

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- 5 (vii) moneys received in respect of the recovery of loans and advances made from the capital account; and
- 10 (viii) such other moneys as the provincial council may by ordinance transfer from the revenue account to the capital account, and from which shall be defrayed all [capital and non-recurrent] expenditure [mentioned in section 6 (3)] and be paid any amounts with which it is charged in terms of this Act or any other law.”.

3. The following section is hereby substituted for section 3 of the principal Act:

Substitution of  
section 3 of  
Act 18 of 1972.

- 15 “Other provincial moneys. 3. A province shall keep an account or accounts, separate and distinct from the [accounts] account mentioned in section 2, in respect of all provincial moneys, other than revenues mentioned in the said section, received or held by, for or on account of the province.”.

20 4. Section 4 of the principal Act is hereby amended— (a) by the substitution for subsection (1) of the following subsection:

Amendment of  
section 4 of  
Act 18 of 1972.

- 25 “(1) Subject to the provisions of subsections (2) and (4) a province shall keep an account in its name with the [South African Reserve] Bank, into which shall be paid all provincial moneys of that province and from which all payments by such province shall be made.”;
- (b) by the substitution for paragraph (a) of subsection (2) of the following paragraph:

- 30 “(a) In addition to the account contemplated in subsection (1), a province may open an operating account in its name with the [South African Reserve] Bank and may transfer moneys from the account contemplated in subsection (1) to such an operating account, from which payments by such province may be made.”; and

- 35 (c) by the substitution for subsection (4) of the following subsection:

- 40 “(4) No account, other than an account contemplated in subsection (1) or (2) shall be opened with [a] the Bank or another bank on behalf of a province or a subdepartment or branch office thereof, or by a person in the employment of a province in his official capacity, without the authority of the executive committee.”.

45 5. Section 5 of the principal Act is hereby amended— (a) by the substitution for subsection (1) of the following subsection:

Amendment of  
section 5 of  
Act 18 of 1972.

- 50 “(1) The moneys in the provincial revenue fund shall be appropriated by the provincial council for the services [for] of the province by an appropriation ordinance: Provided that until such time as provision is made in [such] an appropriation ordinance for the services [for] of the province during a financial year, the provincial council may [approve], subject to the provisions of subsection (1A), by a part appropriation ordinance [the issue of the moneys required for such services from], appropriate out of the provincial revenue fund a sum of money necessary for a part of such requirements: Provided further that such a part appropriation ordinance shall cease to have effect [immediately] on the commencement of the appropriation ordinance for that financial year and issues already made under such a part appropriation ordinance shall be

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- word geld te wees wat kragtens daardie begrotingsordonnansie uitbetaal is: Met dien verstande voorts dat geld in die provinsiale inkomstefonds ook by 'n ander ordonnansie as 'n begrotings- of gedeeltelike begrotingsordonnansie vir die een of ander doel beskikbaar gestel kan word.'';
- (b) deur na subartikel (1) die volgende subartikel in te voeg:  
 „(1A) Geld wat by gedeeltelike begrotingsordonnansie bewillig is, moet slegs aangewend word vir diensten opsigte waarvan uitgawe gedurende die onmiddellik voorafgaande boekjaar by 'n begrotingsordonnansie gemagtig is of ten opsigte waarvan daar 'n ander wetlike magtiging is.”;
- (c) deur subartikel (2) deur die volgende subartikel te vervang:  
 „(2) Die administrateur moet ten opsigte van iedere boekjaar 'n begroting van verwagte uitgawes wat uit die provinsiale inkomstefonds bestry moet word en 'n raming van verwagte inkomste van die provinsie gedurende daardie boekjaar aan die provinsiale raad voorlê."; en
- (d) deur subartikel (3) deur die volgende subartikel te vervang:  
 „(3) Die administrateur kan 'n addisionele begroting van uitgawes uit die provinsiale inkomstefonds aan die provinsiale raad voorlê.”.

Herroeping van artikel 6 van Wet 18 van 1972.

Herroeping van artikel 7 van Wet 18 van 1972.

Vervanging van artikel 8 van Wet 18 van 1972.

**6. Artikel 6 van die Hoofwet word hierby herroep.****7. Artikel 7 van die Hoofwet word hierby herroep.****8. Artikel 8 van die Hoofwet word hierby deur die volgende artikel vervang:**

- „Magtiging deur administrateur vir aanwending van geld onder sekere omstandighede.
8. (1) Ondanks die bepalings van artikels 5 en 8A, kan die administrateur by spesiale volmag deur hom onderteken magtiging verleen dat geld in die provinsiale inkomstefonds gedurende 'n boekjaar aangewend word—
- (a) ter bestryding van 'n besondere aard waarvoor nie in 'n begrotingsordonnansie voorsiening gemaak is nie en wat nie sonder ernstige benadeling van die openbare belang uitgestel kan word nie totdat bewilliging daarvoor deur die provinsiale raad gemaak kan word; of
- (b) ter bestryding van—  
 (i) uitgawes in verband met 'n verwagte oorskryding van 'n begrotingspos wat nie sonder ernstige benadeling van die openbare belang uitgestel kan word nie totdat bewilliging daarvoor deur die provinsiale raad gemaak kan word; en  
 (ii) uitgawes in verband met 'n verwagte oorskryding van bedrae wat in „Kolom 2" van 'n bylae by 'n begrotingsordonnansie voorkom:

Met dien verstande dat die totale bedrag ten opsigte waarvan magtiging ingevolge hierdie artikel verleent mag word, op geen tydstip 'n bedrag gelykstaande met twee persent van die totale bedrag bewillig by die dan geldende begrotingsordonnansie of gedeeltelike begrotingsordonnansie te bove mag gaan nie.

(2) Stappe moet gedoen word, nie later nie as gedurende die eersvolgende sessie van die provinsiale raad, vir die bewilliging van bedrae ten opsigte waarvan magtiging ingevolge subartikel (1) verleent is.”.

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- 5 deemed to be issues made under that appropriation ordinance: Provided further that moneys in the provincial revenue fund may also be appropriated for some purpose by an ordinance other than an appropriation or a part appropriation ordinance.'';
- 10 (b) by the insertion after subsection (1) of the following subsection:
- 15      "(1A) Moneys appropriated by part appropriation ordinance shall only be utilized for services in respect of which expenditure was authorized by an appropriation ordinance during the immediately preceding financial year, or in respect of which some other legal authorization exists.'';
- 20 (c) by the substitution for subsection (2) of the following subsection:
- 25      "(2) The administrator shall in respect of every financial year submit an estimate of expected expenditure to be defrayed from the provincial revenue fund and an estimate of expected revenue of the province during that financial year to the provincial council.''; and
- (d) by the substitution for subsection (3) of the following subsection:
- 30      "(3) The administrator may submit an additional [estimates] estimate of expenditure from the provincial revenue fund to the provincial council.''.

6. Section 6 of the principal Act is hereby repealed.

Repeal of  
section 6 of  
Act 18 of 1972.

7. Section 7 of the principal Act is hereby repealed.

Repeal of  
section 7 of  
Act 18 of 1972.

8. The following section is hereby substituted for section 8 of the principal Act:

Substitution of  
section 8 of  
Act 18 of 1972.

- 30 "Authority by 8. (1) Notwithstanding the provisions of sections 5 administrator and 8A, the administrator may, by special warrant for utilization of moneys signed by him, grant authority for moneys in the provincial revenue fund to be utilized during a financial year—
- 35 (a) to defray expenditure of an exceptional nature which has not been provided for in an appropriation ordinance and which cannot without serious prejudice to the public interest be postponed until appropriation therefor can be made by the provincial council; or
- 40 (b) to defray—
- 45      (i) expenditure in connection with an expected excess on a vote which cannot without serious prejudice to the public interest be postponed until appropriation therefor can be made by the provincial council; and
- 50      (ii) expenditure in connection with an expected excess of amounts which appear in "Column 2" of a schedule to an appropriation ordinance:
- 55      Provided that the total amount in respect of which authority may be granted in terms of this section shall not at any time exceed an amount equal to two per cent of the total amount appropriated by the then current appropriation ordinance or part appropriation ordinance.
- 60      (2) Steps shall be taken, not later than during the next ensuing session of the provincial council, for the appropriation of any amounts in respect of which authority has been granted in terms of subsection (1)."

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Invoeging van artikel 8A in Wet 18 van 1972.

**9.** Die volgende artikel word hierby in die Hoofwet na artikel 8 ingevoeg:

„Aanwending van besparings onder sekere omstandighede. **8A. (1)** Wanneer geld by 'n begrotingsordonnansie bewillig is, kan die administrateur goedkeur dat 'n besparing onder 'n subhoof van 'n begrotingspos aangewend word ter bestryding van ooruitgawes onder 'n ander subhoof, of van uitgawes onder 'n nuwe subhoof, van dieselfde begrotingspos.”

(2) Die bedrae wat in „Kolom 2” van 'n bylae by 'n begrotingsordonnansie ten opsigte van 'n begrotingspos voorkom, mag, behoudens die bepaling van artikel 8 (1) (b) (ii) nie oorskry word nie, en besparings daarop kan met die goedkeuring van die administrateur, aangewend word ter bestryding van ander uitgawes waarvoor 'n onvoldoende bewilliging onder daardie begrotingspos gemaak is.”.

Vervanging van artikel 9 van Wet 18 van 1972.

**10.** Artikel 9 van die Hoofwet word hierby deur die volgende artikel vervang:

„Verbod op uitbetalings uit provinsiale inkomstefonds behalwe uitbetalings by ordonnansie of kragtens artikel 8, of vir terugbetaling.

**9.** Geen ander uitbetalings as die uitbetalings van geld by ordonnansie bewillig of uitbetalings kragtens artikel 17 of 8 word uit 'n provinsiale inkomstefonds gedoen nie, tensy die uitbetalings nodig is om bedrae wat verkeerdelik in daardie fonds gestort is, terug te betaal.”.

Vervanging van artikel 12 van Wet 18 van 1972.

**11.** Artikel 12 van die Hoofwet word hierby deur die volgende artikel vervang:

„Duur van begrotingsordonnansie, en uitgawes in 'n boekjaar.

**12. (1)** Geen begrotingsordonnansie word vertolk nie as sou dit magtiging verleen vir die besteding van die geld wat daarby bewillig is in 'n ander boekjaar as dié waarop dit uitdruklik betrekking het, en geld aldus bewillig wat aan die einde van 'n boekjaar onbestee is, word in die provinsiale inkomstefonds na die daaropvolgende boekjaar oorgedra.

(2) Behoudens die bepaling van artikel 8A, moet uitgawes in elke boekjaar aangegaan word in ooreenstemming met staande statutêre bewilligings en, ten opsigte van elke begrotingspos, die subhoofde daarvan.”.

Wysiging van artikel 15 van Wet 18 van 1972.

**12.** Artikel 15 van die Hoofwet word hierby gewysig deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

„(a) uitvoerige state van ontvangste en uitgawe op rekening van die provinsiale inkomstefonds wat die bedrae aantoon wat werklik ontvang en bestee is gedurende die boekjaar, vergelyk met die begroting onder elke hoof en subhoof, tesame met verduidelikings van verskille wat twee persent te bove gaan tussen die bedrae wat bewillig en werklik bestee is;”.

Invoeging van artikels 15A en 15B in Wet 18 van 1972.

**13.** Die volgende artikels word hierby in die Hoofwet na artikel 15 ingevoeg:

„Ongemagtigde **15A. (1)** 'n Betrokke uitgawe is ongemagtig uitgawes. indien—

(a) 'n uitbeting deur 'n rekenpligtige beampte gedoen word sonder dat voorsiening daarvoor by of uit hoofde van die bepaling van 'n wet gemaak is;

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9. The following section is hereby inserted in the principal Act after section 8:

Insertion of  
section 8A in  
Act 18 of 1972.

"Utilization of savings in certain 5 circumstances. (1) When money has been appropriated by an appropriation ordinance, the administrator may approve that a saving under a subhead of a vote be applied towards the defrayment of excess expenditure under another subhead, or of expenditure under a new subhead, of the same vote."

10 (2) The amounts appearing in "Column 2" of a schedule to an appropriation ordinance in respect of any vote shall, subject to the provisions of section 8 (1) (b) (ii), not be exceeded, and savings thereon may, with the approval of the administrator, be applied towards the defrayment of any other expenditure for which insufficient appropriation has been made under that vote."

15 10. The following section is hereby substituted for section 9 of the principal Act:

Substitution of  
section 9 of  
Act 18 of 1972.

20 "Prohibition on issues from provincial revenue fund except issues by ordinance or under section 8, or for refund." 9. No issues other than the issue of moneys appropriated by ordinance or issues under section 17 or 8 shall be made from a provincial revenue fund unless the issues are required for the purpose of repaying sums erroneously paid into that fund."

25 11. The following section is hereby substituted for section 12 of the principal Act:

Substitution of  
section 12 of  
Act 18 of 1972.

30 "Duration of appropriation ordinance, and expenditure in a financial year. 12. (1) No appropriation ordinance shall be construed as authorizing moneys appropriated thereby to be expended in any financial year other than the financial year to which it is expressed to relate, and any moneys so appropriated which may be unexpended at the close of any financial year shall be carried forward in the provincial revenue fund to the next succeeding financial year.

35 (2) Subject to the provisions of section 8A, expenditure shall in each financial year be incurred in accordance with standing statutory appropriations and, in respect of each vote, the subheads thereof."

40 12. Section 15 of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (2) of the following 40 paragraph:

Amendment of  
section 15 of  
Act 18 of 1972.

45 "(a) detailed statements of receipts and expenditure on account of the provincial revenue fund, showing the amounts actually received and expended during the financial year compared with the estimates under each head and subhead, together with explanations of any differences exceeding two per cent between the amounts appropriated and actually expended;".

13. The following sections are hereby inserted in the principal Act after section 15:

Insertion of  
sections 15A  
and 15B  
in Act 18  
of 1972.

50 "Unauthorized expenditure. 15A. (1) An expenditure concerned shall be unauthorized if—

(a) a payment is made by an accounting officer without provision having been made therefor by or by virtue of the provisions of any law;

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- (b) 'n uitbetaling of gedeelte van 'n uitbetaling aan 'n diens wat by 'n begrotingsordonnansie gemagtig is, meebring dat—
- (i) die totale bedrag bewillig op die betrokke begrotingspos oorskry word; of 5
  - (ii) die bedrag wat ten opsigte van 'n diens in „Kolom 2” van die bylae by 'n begrotingsordonnansie aangetoon is, oorskry word en daar nie 'n magtiging bedoel in artikel 8 (1) 10
  - (b) (ii) verkry is nie;
- (c) 'n rekenpligtige beampte 'n uitbetaling strydig met 'n bepaling van die een of ander wet doen.
- (2) Ongemagtigde uitgawes wat nie gemagtig of geldig verklaar word nie moet deur die uitvoerende komitee op die rekenpligtige beampte verhaal word 15 indien die rekenpligtige beampte nie die betrokke bedrag van die begunstigde of die persoon verantwoordelik vir die ongemagtigde uitgawe, wil verhaal nie.

Verhaal van verliese en skade.

- 15B.** (1) Indien iemand wat in diens van 'n provinsie is of was die provinsie 'n verlies of skade berokken het deurdat hy—
- (a) versuim het om provinsiale geld vir die invordering waarvan hy verantwoordelik is of was, in te vorder; 25
  - (b) vir 'n onreëlmataige uitbetaling van provinsiale geld of vir 'n uitbetaling van sodanige geld wat nie deur 'n behoorlike bewysstuk gestaaf word nie; verantwoordelik is of was;
  - (c) weens versuim om sy pligte uit te voer, vir 'n vrugtelose uitgawe van provinsiale geld verantwoordelik is of was; 30
  - (d) vir 'n tekort in, of 'n vernietiging of beskadiging van provinsiale geld, seëls, sigwaardestukke en vorms wat 'n potensiële waarde het, sekuriteite, 35 uitrusting, voorrade of ander provinsiale eiendom verantwoordelik is of was;
  - (e) weens versuim om sy pligte uit te voer, vir 'n eis teen die provinsie verantwoordelik is of was, moet die betrokke rekenpligtige beampte die bedrag 40 van sodanige verlies of skade vasstel, en kan hy genoemde persoon by skriftelike kennisgewing gelas om die geheel of 'n gedeelte van sodanige bedrag, wat aldus vasgestel is, binne dertig dae vanaf die datum van die kennisgewing te betaal. 45

(2) Indien iemand wat in diens van 'n provinsie is en wat ingevolge subartikel (1) gelas is om 'n bedrag te betaal, versuim om dié bedrag te betaal binne die tydperk in die betrokke kennisgewing bepaal, word dié bedrag, behoudens die bepalings van subartikels (4) en (6) van sy maandelikse salaris afgetrek: Met dien verstande dat so 'n aftrekking nie in een maand meer as een-vierde van sy maandelikse salaris mag beloop nie.

(3) Indien iemand wat in diens van 'n provinsie was en wat ingevolge subartikel (1) gelas is om 'n bedrag te betaal, versuim om dié bedrag te betaal binne die tydperk in die betrokke kennisgewing bepaal, kan die betrokke rekenpligtige beampte, behoudens die bepalings van subartikels (4), (5) en (6), dié bedrag deur middel van geregtelike proses op dié persoon verhaal.

(4) Indien iemand wat ingevolge subartikel (1) gelas is om 'n bedrag te betaal, binne die tydperk in die betrokke kennisgewing bepaal, aanbied om dié bedrag in paaiemente te betaal, kan die rekenpligtige beampte hom toelaat om te betaal in die paaiemente wat, na hy meen, redelik is.

(5) Iemand wat ingevolge subartikel (1) gelas is om 'n bedrag te betaal, kan binne 'n tydperk van dertig

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- (b) a payment or part of a payment on a service authorized by an appropriation ordinance results in—
- (i) the total amount appropriated for the vote concerned being exceeded; or
  - (ii) the amount shown in "Column 2" of the schedule to an appropriation ordinance in respect of a service being exceeded and an authority referred to in section 8 (1) (b) (ii), has not been obtained;
- (c) an accounting officer makes a payment inconsistent with a provision of any law.
- (2) Unauthorized expenditure which has not been authorized or validated shall, if the accounting officer is unwilling to recover the amount concerned from the beneficiary or the person responsible for the unauthorized expenditure, be recovered by the executive committee from the accounting officer.
- Recovery of losses and damages.**
- 15B. (1) If a person who is or was in the employment of a province caused the province a loss or damage because he—
- (a) failed to collect provincial moneys for the collection of which he is or was responsible;
  - (b) is or was responsible for an irregular payment of provincial moneys or for a payment of such moneys not supported by a proper voucher;
  - (c) is or was responsible for fruitless expenditure of provincial moneys due to an omission to carry out his duties;
  - (d) is or was responsible for a deficiency in, or for the destruction of, or damage to, provincial moneys, stamps, face value documents and forms having a potential value, securities, equipment, stores or any other provincial property;
  - (e) due to an omission to carry out his duties, is or was responsible for a claim against the province, the accounting officer concerned shall determine the amount of such loss or damage, and he may order, by notice in writing, the said person to pay within thirty days from the date of such notice, the whole or any part of such amount so determined.
- (2) If a person who is in the employment of a province and who has in terms of subsection (1) been ordered to pay an amount, fails to pay such amount within the period stipulated in the notice in question, such amount shall, subject to the provisions of subsections (4) and (6), be deducted from his monthly salary: Provided that such deduction shall not in any month exceed one-fourth of his monthly salary.
- (3) If a person who was in the employment of a province and who has, in terms of subsection (1), been ordered to pay an amount, fails to pay such amount within the period stipulated in the notice in question, the accounting officer concerned shall, subject to the provisions of subsections (4), (5) and (6), recover such amount from such person by legal process.
- (4) If a person who has been ordered to pay an amount in terms of subsection (1) makes, within the period stipulated in the notice in question, an offer to pay the amount in instalments, the accounting officer may allow payment in such instalments as he may consider reasonable.
- (5) A person who has in terms of subsection (1) been ordered to pay an amount may, within a period

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dae van die datum van die lasgewing by die uitvoerende komitee appèl aanteken met opgaaf van die gronde vir sy appèl, en die uitvoerende komitee kan, na verdere ondersoek die appèl verwerp of gelas dat die appellant geheel en al of ten dele, na gelang van wat die uitvoerende komitee billik en redelik ag, van die betaling van daardie bedrag kwytgeskeld word.

(6) Iemand wat ingevolge subartikel (1) gelas is om 'n bedrag te betaal, kan in plaas van kragtens subartikel (5) by die uitvoerende komitee appèl aan te teken, by 'n bevoegde hof aansoek doen, binne 'n tydperk van dertig dae van die datum van die lasgewing, of binne die verdere tydperk wat die hof toelaat, om 'n bevel waarby die lasgewing tersyde gestel of daardie bedrag verminder word, en die hof kan op so 'n aansoek, indien hy nie deur die betrokke rekenpligtige beampete aan die hand van omstandighede van die geval oortuig word nie dat die lasgewing tereg opgelê is of dat daardie bedrag juis is, 'n bevel uitrek waarby die lasgewing tersyde gestel word of dié bedrag verminder word, na gelang van die geval.”.

Vervanging van artikel 17 van Wet 18 van 1972.

**14. Artikel 17 van die Hoofwet word hierby deur die volgende artikel vervang:**

„Ondersoek en ouditering van rekenings van provinsiale geld, seëls, sekuriteite, uitrusting of voorrade.

**17.** (1) Die provinsiale ouditeur moet behoudens die bepalings van subartikel (2) al die rekenings van die rekenpligtige beampete en van alle persone aan wie die ontvangs, bewaring, uitbetaling of uitreiking van provinsiale geld, seëls, sekuriteite, uitrusting of voorrade toevertrou is, nasien, ondersoek en ouditeer.

(2) Die uitvoerende komitee kan op versoek van die provinsiale ouditeur die geheel of 'n gedeelte van die een of ander van of al die rekenings bedoel in subartikel (1) van 'n uitvoerige ondersoek of ouditering deur die provinsiale ouditeur vrystel, maar nie van 'n proefouditering nie: Met dien verstaande dat die bepalings van hierdie subartikel nie so uitgelê word nie dat dit 'n provinsiale ouditeur belet om 'n uitvoerige ondersoek of ouditering van so 'n rekening te doen as hy dit nodig ag.”.

Vervanging van artikel 19 van Wet 18 van 1972.

**15. Artikel 19 van die Hoofwet word hierby deur die volgende artikel vervang:**

„Provinsiale ouditeur kan persone ontbind, en boeke en rekords aanvra en ondersoek.

**19.** By die uitoefening van sy bevoegdhede en die uitvoering van sy pligte kragtens hierdie Wet—

(a) kan die provinsiale ouditeur by skriftelike kennisgewing iemand in diens van die provinsie of 'n instansie wie se rekenings deur hom ondersoek, nagesien en geouditeer word aansê om op 'n datum, tyd en plek in die kennisgewing vermeld, voor hom te verskyn en al die **[aantekeninge]** rekords, boeke, bewysstukke en dokumente in die besit en onder die beheer van so iemand wat die provinsiale ouditeur vir die uitoefening van sy bevoegdhede en die uitvoering van sy pligte nodig ag, aan hom voor te lê; het die provinsiale ouditeur, of iemand behoorlik deur hom daar toe gemagtig—

(i) toegang tot alle **[aantekeninge]** rekords, boeke, bewysstukke, dokumente, kontant, seëls, sekuriteite, uitrusting of voorrade in besit van iemand in diens van die provinsie of 'n instansie wie se rekenings deur hom ondersoek, nagesien en geouditeer word;

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of thirty days from the date of such order, appeal to the executive committee, stating the grounds for his appeal, and the executive committee may, after further investigation, dismiss the appeal or order that the appellant be exempted either wholly or partly, according as the executive committee may consider fair and reasonable, from the payment of such amount.

(6) A person who has in terms of subsection (1) been ordered to pay an amount may, instead of appealing to the executive committee under subsection (5), apply within a period of thirty days from the date of such order, or within such further period as the court may allow, to a competent court for an order setting aside such first-mentioned order or reducing such amount, and the court may upon such an application, if it is not convinced by the accounting officer concerned on the merits of the case that the order was rightly made or that that amount is correct, make an order setting aside such first-mentioned order or reducing that amount, as the case may be.”

**14.** The following section is hereby substituted for section 17 of Substitution of section 17 of Act 18 of 1972.

“Examination and audit of accounts of provincial moneys, stamps, securities, equipment 25 or stores. 30

**17.** (1) The provincial auditor shall, subject to the provisions of subsection (2), examine, enquire into and audit all the accounts of the accounting officer and of all persons entrusted with the receipt, custody or issue of provincial moneys, stamps, securities, equipment or stores.

(2) The executive committee may on request of the provincial auditor, exempt from a detailed examination or audit by the provincial auditor, but not from a test audit, the whole or any portion of any of or all the accounts contemplated in subsection (1): Provided that nothing in this subsection contained shall be construed as preventing a provincial auditor from making a detailed examination or audit of any such accounts should he deem it necessary.”.

**15.** The following section is hereby substituted for section 19 of Substitution of section 19 of Act 18 of 1972.

“Provincial auditor may summon persons, and call for and examine books and records. 45

**19.** In the exercise of his powers and the performance of his duties under this Act—

(a) the provincial auditor may, by notice in writing, require any person in the employment of the province, or an authority whose accounts are investigated, examined and audited by him, to appear before him [at] on a date, and at a time and place named in the notice, and to produce to him all such records, books, vouchers and documents in the possession and under the control of such person as may appear to the provincial auditor necessary for the exercise of his powers and the performance of his duties;

(b) the provincial auditor, or any person duly authorized thereto by him—

(i) shall have access to all records, books, vouchers, documents, cash, stamps, securities, equipment or stores in the possession of any person in the employment of the province or an authority whose accounts are investigated, examined and audited by him;

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- (ii) die reg om sonder betaling van geldte ondersoek te laat doen in, en uittreksels te laat maak uit, 'n boek, dokument of **[aan-tekening]** rekord in 'n kantoor van die provinsie of 'n instansie wie se rekenings deur hom ondersoek, nagesien en geouditeer word; 5
- (iii) die reg om ondersoek in te stel of enige betrokke geld op 'n voordeelige en doelmatige wyse bestee is; 10
- (iv) die reg om ondersoek in te stel na en navraag te doen aangaande 'n aangeleenthed, met inbegrip van die doeltreffendheid van huishoudelike beheermaatreëls, wat in verband staan met die uitgawes deur en inkomste van 'n instansie wie se rekenings deur hom ondersoek, nagesien en geouditeer word; 15
- (c) kan die provinsiale ouditeur van iemand ten opsigte van wie hy dit goed ag om hom te 20 ondervra, 'n eed of bevestiging afneem en hom onder eed of bevestiging ondervra in verband met die ontvangs of besteding van geld of die ontvangs of uitreiking van voorrade, uitrusting, sekuriteite en seëls wat deur die bepalings van 25 hierdie Wet geraaka word, en in verband met alle ander aangeleenthede en sake vir sover dit nodig is vir die behoorlike uitvoering en uitoefening van die pligte en bevoegdhede **[waarmee hy belas en beklee is]** wat by hierdie Wet aan hom 30 opgelê of verleen is.”.

Herroeping van artikel 20 van Wet 18 van 1972.

Wysiging van artikel 21 van Wet 18 van 1972.

Wysiging van artikel 22 van Wet 18 van 1972.

## 16. Artikel 20 van die Hoofwet word hierby herroep.

## 17. Artikel 21 van die Hoofwet word hierby gewysig deur die volgende voorbehoudsbepaling by subartikel (1) te voeg:

„Met dien verstande dat die provinsiale ouditeur te eniger 35 tyd, as hy dit wenslik ag, 'n spesiale verslag oor enige aangeleenthed wat in verband staan met sy bevoegdhede en pligte kragtens hierdie of enige ander Wet, aan die administrateur kan deurstuur vir voorlegging aan die provinsiale raad binne dieselfde tydperk.”. 40

## 18. Artikel 22 van die Hoofwet word hierby gewysig—

- (a) deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:  
 „(a) elke geval ten opsigte waarvan dit **[vir hom]** blyk dat 'n toekenning oorskry is of waar dit vir hom lyk 45 asof dit aangewend is vir 'n ander diens of doel as dié waarvoor dit bedoel was.”;
- (b) deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:  
 „(b) die gebruik of bewaring van uitrusting en voorrade 50 op 'n wyse wat tot nadeel van die provinsie is of kan wees.”;
- (c) deur na genoemde paragraaf (b) die volgende paragraaf in te voeg:  
 „(bA) die aanwending van geld vir 'n diens wat na sy 55oordeel verkwiestend of ondoelmatig is of nie tot die beste voordeel van die provinsie strek nie.”;
- (d) deur paragraaf (c) van subartikel (1) deur die volgende paragraaf te vervang:  
 „(c) enige besondere ouditeringsaangeleenthed wat **[uit dié rekenings voortspruit]** na sy beskouing in die openbare belang onder die aandag van die provinsiale raad gebring behoort te word.”; en 60

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- (ii) may, without payment of any fee, cause search to be made in, and extracts to be taken from, any book, document or record in any office of the province or an authority whose accounts are investigated, examined and audited by him;
- (iii) shall have the right to investigate whether any moneys in question have been spent in an advantageous and efficient manner;
- (iv) shall have the right to investigate and to enquire into any matter, including the efficiency of internal control measures, relating to expenditure by and the revenue of an authority whose accounts are investigated, examined and audited by him;
- (c) the provincial auditor may administer an oath or affirmation to and examine upon interrogate under oath or affirmation, any person whom he may think thinks fit to examine interrogate in connection with the receipt or expenditure of money or the receipt or issue of stores, equipment, securities and stamps affected by the provisions of this Act, and in connection with all other matters and things in so far as it may be necessary for the due performance and exercise of the duties and powers vested in him imposed or conferred upon him by this Act.”.

**16. Section 20 of the principal Act is hereby repealed.**

Repeal of  
section 20 of  
Act 18 of 1972.

**17. Section 21 of the principal Act is hereby amended by the addition to subsection (1) of the following proviso:**

Amendment of  
section 21 of  
Act 18 of 1972.

“Provided that the provincial auditor may at any time, if he considers it desirable, transmit a special report on any matter connected with his powers and duties under this or any other Act to the administrator for presentation to the provincial council within a like period.”.

**18. Section 22 of the principal Act is hereby amended—**

(a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:

Amendment of  
section 22 of  
Act 18 of 1972.

“(a) every case in respect of which it appears [to him] that a grant has been exceeded or where it appears to him as if it has been applied to any service or used for any purpose other than that for which it was intended;”;

(b) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) the use or custody of equipment and stores in a manner which is or may be detrimental to the province;”;

(c) by the insertion after the said paragraph (b) of the following paragraph:

“(bA) the utilization of money for a service which in his opinion is wasteful, inefficient or not conducive to the best interests of the province;”;

(d) by the substitution for paragraph (c) of subsection (1) of the following paragraph:

“(c) any special question of audit [arising from such accounts] which he considers should in the public interest be brought to the notice of the provincial council.”; and

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- (e) deur subartikel (2) deur die volgende subartikel te vervang:  
 „(2) 'n Uitbetaling uit die provinsiale inkomstefonds wat strydig met 'n bepaling van die een of ander wet is, moet deur die provinsiale ouditeur as ongemagtigde uitgawe in sy verslag vermeld word **I, en die provinsiale inkomstefonds word nie met die bedrag van daardie uitgawe belas nie alvorens magtiging daarvoor ingevolge 'n wet verleen is.**” 5

Vervanging van artikel 3 van Wet 65 van 1976.

- 19.** Artikel 3 van die Wet op Finansiële Verhoudings, 1976, 10 word hierby deur die volgende artikel vervang:  
 „**Bron van middele vir die bestryding van uitgawes van provinsies.** 15  
 3. Die middele wat 'n provinsie nodig het vir die bestryding van sy **[normale of terugkerende]** uitgawes **[(soos omskryf in artikel 6 (2) van die Wet op Provinciale Finansies en Oudit, 1972 (Wet No. 18 van 1972))]** ten opsigte van aangeleenthede wat aan hom opgedra is, word verkry uit inkomste soos omskryf in artikel 1 van **[bedoelde]** die Wet op Provinciale Finansies en Oudit, 1972 (Wet No. 18 van 1972), en waarmee die inkomsterekening bedoel in 20 artikel 2 **[(a)]** van daardie Wet ingevolge die bepalings van bedoelde artikel gekrediteer moet word, en 'n provinsie mag sy middele vir geen ander doel aanwend nie as slegs ten opsigte van die aangeleenthede wat aan hom opgedra is.” 25

Wysiging van artikel 4 van Wet 65 van 1976.

- 20.** Artikel 4 van die Wet op Finansiële Verhoudings, 1976, word hierby gewysig deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:  
 „(a) die finansiële behoeftes van daardie provinsie ten opsigte van sy **[normale of terugkerende]** uitgawes 30 beoog in artikel 3; en”.

Herroeping van artikel 9 van Wet 65 van 1976.

- 21.** Artikel 9 van die Wet op Finansiële Verhoudings, 1976, word hierby herroep.

Kort titel en inwerkingtreding.

- 22.** Hierdie Wet heet die Wysigingswet op Provinciale Finansies en Oudit, 1978, en tree in werking op 1 April 1978. 35

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- (e) by the substitution for subsection (2) of the following subsection:
- “(2) Any payment made from the provincial revenue fund which is inconsistent with a provision of any law shall be reported by the provincial auditor as unauthorized expenditure in his report [, and the provincial revenue fund shall not be charged with the amount of such expenditure until authority therefor has been granted in terms of a law].”.

10 19. The following section is hereby substituted for section 3 of the Financial Relations Act, 1976:

Substitution of section 3 of Act 65 of 1976.

“Source of funds for the defraying of expenditure of provinces.

3. The funds required by a province for the defraying of its [normal or recurrent] expenditure [as defined in section 6 (2) of the Provincial Finance and Audit Act, 1972, (Act No. 18 of 1972)] in respect of matters entrusted to it, shall be derived from revenue as defined in section 1 of the [said] Provincial Finance and Audit Act, 1972 (Act No. 18 of 1972), and which has, in terms of the provisions of section 2 [(a)] of that Act, to be credited to the revenue account referred to in that section, and a province shall not apply its funds to any purpose other than solely in respect of the matters entrusted to it.”.

25 20. Section 4 of the Financial Relations Act, 1976, is hereby Amendment of amended by the substitution of paragraph (a) of subsection (2) of section 4 of the following paragraph: Act 65 of 1976.

“(a) the financial requirements of that province in respect of its [normal or recurrent] expenditure contemplated in section 3; and”.

30 21. Section 9 of the Financial Relations Act, 1976, is hereby Repeal of section 9 of Act 65 of 1976.

22. This Act shall be called the Provincial Finance and Audit Amendment Act, 1978, and shall come into operation on 1 April 35 1978.

Short title and commencement.

