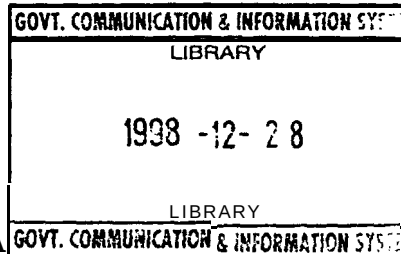




REPUBLIC OF SOUTH AFRICA



GOVERNMENT GAZETTE

STAATSKOERANT

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KAAPSTAD, 28 OKTOBER 1998

No. 19403

OFFICE OF THE PRESIDENT

No. 1383. 28 October 1998

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

No. 79 of 1998: Reconstruction and Development Programme Fund Act, 1998.

KANTOOR VAN DIE PRESIDENT

No. 1383. 28 Oktober 1998

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

No. 79 van 1998: Wysigingswet op die Heropbou- en Ontwikkelingsprogramfonds, 1998.

[

Words underlined with a solid line indicate insertions in existing enactments.

ACT

“There is hereby established a fund to be known as the Reconstruction and Development Programme Fund, which [shall] may be credited with—’..

Act No. 79,1998 RECONSTRUCTION AND DEVELOPMENT PROGRAMME
FUND ACT. 1998

Amendment of section 3 of Act 9 of 1994

3. Section 3 of the principal Act is hereby amended—

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

“(a) to finance reconstruction and development projects and programmed **[identified by the Minister responsible for the co-ordinated implementation thereof; and]** authorised by the Cabinet.”; and

(b) by the insertion of the following paragraph after paragraph (a):

“(aA) in accordance with a technical assistance agreement; and”.

Amendment of section 4 of Act 9 of 1994

4. Section 4 of the principal Act is hereby amended—

(a) by the deletion of the word “and” at the end of paragraph (a) and the substitution for paragraph (b) of the following paragraph:

“(b) from which transfers shall be made **[to the National Revenue Fund]** for the financing of the reconstruction and development projects and programmed-refemed to in section 3(a); and”;

(b) by the addition of the following paragraph:

“(c) from which transfers shall be made to a spending agency in accordance with the relevant technical assistance agreement.”.

Substitution of section 5 of Act 7 of 1994, as substituted by section 16 of Act 6 of 1997

5. The following section is hereby substituted for section 5 of the principal Act:

“Unspent money

5. Money allocated from the fund and not spent by the end of each financial year shall in the absence of any provision to the contrary in a technical assistance agreement be paid into the fund.”.

Amendment of section 6 of Act 9 of 1994

6. Section 6 of the principal Act is hereby amended—

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

“The **[Director-General: Finance]** ~~Accountant-General in the Department of State Expenditure~~ shall be the accounting officer ~~[of] responsible for the administration of the fund and shall, subject to the directions of the Minister—~~; and

(b) by the substitution for subsection (2) of the following subsection:

“(2) The accounting officer of a spending agency shall be accountable for the money allocated to that spending agency in terms of section 4(c).”.

Substitution of section 7 of Act 7 of 1994

7. The following section is hereby substituted for section 7 of the principal Act:

“Audit

7. The accounts and balance sheet referred to in section 6(1) ~~and the financial records kept by the accounting officer contemplated in section 6(2)~~ shall be audited by the Auditor-General.”

Amendment of section 8 of Act 7 of 1994

8. Section 8 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) ~~[Any] Subject to any technical assistance agreement, any money of the fund which is not required for immediate use may be invested with the Public~~

Act No. 79, 1998 RECONSTRUCTION AND DEVELOPMENT PROGRAMME
FUND ACT, 1998

Investment Commissioners or with a financial institution approved by the Minister and [may] shall be withdrawn when required.”.

Insertion of sections 8A and 8B in Act 7 of 1994

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

“Regulations

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8A. The Minister may retie regulations regarding any matter which is necessary or expedient to regulate in order to achieve the objects of this Act.

Report to Parliament

8B. The Minister shall at least once a year report to Parliament on the utilisation of the money of the fund.”.

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Short title

10. This Act is called the Reconstruction and Development Programme Fund Amendment Act, 1998.