FREE STATE PROVINCE

PROVINCIAL GAZETTE

PROVINSIALE KOERANT

PROVINSIE VRYSTAAT

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No. 36

BLOEMFONTEIN, 29 JUNE 2016

BLOEMFONTEIN, 29 JUNIE 2016

OFFICE OF THE PREMIER

No. 4 29 June 2016

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

No. 4 of 2016 : Free State Finance Management Amendment Act, 2016

KANTOOR VAN DIE PREMIER

No. 4 29 Junie 2016

Hierby word bekend gemaak dat die Premier die onderstaande Wet bekragtig het, wat hierby ter algemene inligting gepubliseer word:-

No. 4 van 2016 : Vrystaatse Wysigingswet op Finansiële Bestuur, 2016

GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing enactments.

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

ACT

To amend the Free State Finance Management Act, 2003, by inserting section 7A; and to provide for matters connected therewith.

BE IT ENACTED by the Provincial Legislature of the Free State Province as follows:-

(English text assented to and signed by the Premier on 28 June 2016.)

Insertion of section 7A in Act 1 of 2003

1. Act No. 1 of 2003 is amended by the insertion of the following section after section 7 –

"**Conditions for allocations**

7A. (1) The MEC for Finance may, in writing –

(a) impose conditions on an allocation in an appropriation listed in the Schedule to an Appropriation Act as earmarked funds, to promote and enforce transparency and effective management of revenue, expenditure, assets, liabilities as well as practical implementation of allocations of departments or votes;

(b) stop the use of an allocation in respect of which conditions have been imposed in terms of paragraph (a), until such conditions are met;

(c) amend conditions contemplated in paragraph (a), which amendment may be retrospective, if -

(i) the amendment is in the interest of the relevant department or vote;

(ii) the amendment does not negatively affect any vested rights; and

(iii) the amendment does not materially change the main purpose of the allocation.

ALGEMENE VERDUIDELIKENDE NOTA:

[ ] Woorde in vetdruk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Om die Vrystaatse Wet op Finansiële Bestuur, 2003, te wysig deur die invoeging van artikel 7A; en om voorsiening te maak vir sake wat daarmee verband hou.

DAAR WORD BEPAAL deur die Vrystaatse Provinsiale Wetgewer, soos volg:-

(Engelse teks deur die Premier bekragtig en geteken op 28 Junie 2016.)

Invoeging van artikel 7A in Wet 1 van 2003

1. Wet Nr. 1 van 2003 word gewysig deur die volgende artikel in te voeg na artikel 7:

"Voorwaardes van toewysings

7A. (1) Die LUR vir Finansies kan, skriftelik –

(a) voorwaardes oplê ten opsigte van 'n begrotingstoewysing wat aangedui word in die Bylae tot 'n Begrotingswet as toegewysde fondse, om openlikheid en effektiewe bestuur van inkomste, uitgawes, bates, laste asook die praktiese implementering van toewysings aan departemente of begrotinsposte te bevorder en toe te pas.

(b) die gebruik van 'n toewysing ten opsigte waarvan voorwaardes ingestel is ingvolge paragraaf (a) stop, totdat sodanige voorwaardes nagekom is;

(c) die voorwaardes bedoel in paragraaf (a) wysig, welke wysiging retrospektief kan mits -

(i) die wysiging in die belang van die betrokke department of begrotingspos is;

(ii) die wysiging nie enige gevesigde regte nadelig beïnvloed nie; en

(iii) die wysiging nie wesenlik die hoofdoelwit van die toewysing verander nie.

(2) The stoppage of an allocation in terms of subsection (1)(b) and an amendment of conditions in terms of subsection (1)(c) must be disclosed in the Provincial Treasury's next quarterly report to the relevant Committee of the Provincial Legislature.

(3) "**earmarked funds**" wherever it is referred to in this Act or an Appropriation Act means funds allocated for a specific purpose by the Provincial Government.".

Short title

2. This Act is called the Free State Finance Management Amendment Act, 2016 and commences on date of publication.

(2) Die stop van 'n allokasie ingevolge subartikel (1)(b) en 'n wysiging van voorwaardes ingevolge subartikel (1)(c) moet bekend gemaak word in die volgende kwartaalverslag van die Provinsiale Tesourie aan die betrokke Komitee van die Provinsiale Wetgewer.

(3) "**toegewysde fondse**", waar dit ookal voorkom in hierdie Wet of 'n Begrotingswet, beteken fondse wat vir 'n spesifieke doel deur die Provinsiale Regering geallokeer is.".

Korttitel

2. Hierdie Wet heet die Vrystaatse Wysigingswet op Finansiële Bestuur, 2016 en tree in werking op datum van publikasie.

PROVINCIAL GAZETTE
(Published every Friday)

All correspondence, advertisements, etc. must be addressed to the Officer in charge of the Provincial Gazette, P.O. Box 517, Bloemfontein, Tel.: (051) 403 3139. Free Voucher copies of the Provincial Gazette or cuttings of advertisements are NOT supplied.

Subscription Rates (payable in advance)

The subscription fee for the Provincial Gazette (including all Extraordinary Provincial Gazettes) are as follows:

SUBSCRIPTION: (POST)

PRICE PER COPY	R 27.00
HALF-YEARLY	R678.00
YEARLY	R1 356.00

SUBSCRIPTION: (OVER THE COUNTER / E-MAIL)

PRICE PER COPY	R 19.00
HALF-YEARLY	R 470.00
YEARLY	R 940.00

Stamps are not accepted

Closing time for acceptance of copy

All advertisements must reach the Officer in Charge of the Provincial Gazette **not later than 16:00, three workings days** prior to the publication of the Gazette. Advertisements received after that time will be held over for publication in the issue of the following week, or if desired by the advertiser, will be inserted in the current issue as a "Late Advertisement". In such case the advertisement must be delivered to the Officer in Charge **not later than 08:00 on the Tuesday** preceding the publication of the Gazette and double rate will be charged for that advertisement.

A "Late Advertisement" will not be inserted as such without definite instructions from the advertiser.

Advertisement Rates

Notices required by Law to be inserted in the Provincial Gazette: **R31.50** per centimeter or portion thereof, single column.

Advertisement fees are payable in advance to the Officer in charge of the Provincial Gazette, P.O. Box 517, Bloemfontein, 9300, Tel.: (051) 403 3139.

NUMBERING OF PROVINCIAL GAZETTE

You are hereby informed that the numbering of the Provincial Gazette /Tender Bulletin and notice numbers will from 2010 coincide with the relevant financial year. In other words, the chronological numbering starting from one will commence on or after 1 April of every year.

Printed and published by the Free State Provincial Government

PROVINSIALE KOERANT
(Verskyn elke Vrydag)

Alle korrespondensie, advertensies, ens. moet aan die Beampte Belas met die Provinsiale Koerant, Posbus 517, Bloemfontein, Tel.: No. (051) 403 3139 geadresseer word. Gratis eksemplare van die Provinsiale Koerant of uitknipsels van advertensies word NIE verskaf nie.

Intekengeld (vooruitbetaalbaar)

Die intekengeld vir die Provinsiale Koerant (insluitend alle Buitengewone Provinsiale Koerante) is soos volg:

INTEKENGELD: (POS)

PRYS PER EKSEMPLAAR	R 27.00
HALFJAARLIKS	R678.00
JAARLIKS	R1 356.00

INTEKENGELD: (OOR DIE TOONBANK / E-POS)

PRYS PER EKSEMPLAAR	R 19.00
HALFJAARLIKS	R 470.00
JAARLIKS	R 940.00

Seëls word nie aanvaar nie.

Sluitingstyd vir die Aanname van Kopie

Alle advertensies moet die Beampte Belas met die Provinsiale Koerant bereik **nie later nie as 16:00 drie werksdae** voordat die Koerant uitgegee word. Advertensies wat na daardie tyd ontvang word, word oorgehou vir publikasie in die uitgawe van die volgende week, of as die adverteerder dit verlang, sal dit in die Koerant wat op die pers is as 'n "Laat Advertensie" geplaas word. In sulke gevalle moet die advertensie aan die Beampte oorhandig word **nie later nie as 08:00 op die Dinsdag** voordat die Koerant gepubliseer word en dubbeltarief sal vir dié advertensie gevra word.

'n "Laat Advertensie" sal nie sonder definitiewe instruksies van die Adverteerder as sodanige geplaas word nie.

Advertensietariewe

Kennisgewings wat volgens Wet in die Provinsiale Koerant geplaas moet word: **R31.50** per sentimeter of deel daarvan, enkel-kolom.

Advertensiegelde is vooruitbetaalbaar aan die Beampte belas met die Provinsiale Koerant, Posbus 517, Bloemfontein 9300, Tel.: (051) 403 3139.

NOMMERING VAN PROVINSIALE KOERANT

U word hiermee in kennis gestel dat die nommering van die Provinsiale Koerant / Tender Bulletin en kennisgewingnommers vanaf 2010 met die betrokke boekjaar sal ooreenstem. Met ander woorde, die kronologiese nommering beginnende met een, sal op of na 1 April van elke jaar begin.

Gedruk en uitgegee deur die Vrystaatse Provinsiale Regering