

LIMPOPO PROVINCE
LIMPOPO PROVINSIE
XIFUNDZANKULU XA LIMPOPO
PROFENSE YA LIMPOPO
VUNDU LA LIMPOPO
IPHROVINSI YELIMPOPO

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**Hu tshi katelwa na
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GENERAL NOTICE

GENERAL NOTICE 286 OF 2009

LIMPOPO PROVINCIAL LEGISLATURE

LIMPOPO POLITICAL PARTY FUND ACT, 2008

(ACT NO. 4 OF 2008)

LIMPOPO POLITICAL PARTY FUND REGULATIONS, 2009

The Speaker of the Limpopo Provincial Legislature, Honourable Dr TS Farisani acting on the recommendation of a committee of the Limpopo Provincial Legislature, by notice in the *Provincial Gazette*, made the regulations in terms of section 10 of the Limpopo Political Party Fund Act, 2008 (Act No. 4 of 2008).

SCHEDULE

1. Definitions

In this schedule any word or expression to which a meaning has been assigned in the Limpopo Political Party Fund Act, 2008 shall bear such meaning and, unless the context indicates otherwise—

“**Act**” means the Limpopo Political Party Fund Act, 2008 (Act No. 4 of 2008);

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

“**Legislature**” means the Limpopo Provincial Legislature.

2. Times and installments of payments

- (1) Allocations to which a political party is entitled must be paid to the political party in question in one installment at the beginning of each financial year or as soon as the money becomes available.
- (2) In the event of an election being called in terms of section 108(2) of the Constitution in respect of the Legislature, any outstanding payment still to be paid

in terms of this Act to a political party represented in the Legislature must be suspended.

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

3. Information and particulars to be submitted by political parties

- (1) A political party must provide the Provincial Secretary of the Legislature with the particulars of the bank account contemplated in section 6(1)(a) of the Act within two weeks of such bank account being opened or within two weeks of any changes to such particulars.
- (2) The statements contemplated in section 6(4) of the Act must, without limiting the generality thereof, at least contain the following descriptive categories:
 - (a) personnel expenditure, other than that prohibited under section 5(7) of the Act;
 - (b) accommodation;
 - (c) travel expenses;
 - (d) arrangement of meetings and rallies;
 - (e) administration; and
 - (f) promotions and publications.

4. Money carried forward at end of financial year

- (1) Money not spent by a political party at the end of a financial year and which may be carried forward to the next financial year as contemplated in section 9(1)(a) of the Act is limited to not more than seventy five (75) percent of the allocation made for that financial year.
- (2) Unspent money contemplated in subregulation (1) in excess of seventy five (75) percent must be repaid to the Fund as soon as possible after the end of the financial year to which the allocation relates.

5. Separate books and records of account

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

6. Formula for allocation from Fund

- (1) The total amount of funding available for allocations from the Fund during a particular financial year must be announced by the Speaker of the Legislature within two weeks of the appropriation of funds as contemplated in section 2(2)(a) of the Act.
- (2) The Provincial Secretary of the Legislature must make allocations from the Fund to the political parties in accordance with a prescribed formula based on—
 - (a) the total annual monetary allocation available for distribution divided by the total number of votes cast for each political party in the most recent general election for Provincial Legislatures, which will determine the average monetary value per voter; and
 - (b) the average monetary value per voter is to be multiplied by the actual number of votes cast in favour of each political party during the most recent general election, which will determine the total monetary value allocated for each qualifying political party.

7. Report on spending not in accordance with Act

The report from the accounting officer to the Provincial Secretary of the Legislature must contain the following information:

- (a) the amount spent;
- (b) reasons for spending not in accordance with the Act; and

(c) steps taken to recover the expenditure.

8. Appointment of accounting officer

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

9. Short title

These regulations are called the Limpopo Political Party Fund Regulations, 2009.

ANNEXURE

FORM 1

**The Provincial Secretary
Limpopo Provincial Legislature**

**APPOINTMENT OF ACCOUNTING OFFICER IN TERMS OF SECTION 6(1)(b)
OF THE
LIMPOPO POLITICAL PARTY FUND ACT, 2008**

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

I, the undersigned, _____ hereby

appoint _____ as accounting officer in terms of section 6(1)(b) of the Limpopo Political Party Fund Act, 2008 and the provisions thereof and declare that I am duly authorised to make this appointment and that he/ she is duly qualified to accept this appointment.

Party Leader/ Whip signature

Date: _____

ANNEXURE**FORM 2**

**The Provincial Secretary
Limpopo Provincial Legislature**

**ACCEPTANCE AS ACCOUNTING OFFICER IN TERMS OF SECTION 6(1)(b)
OF THE
LIMPOPO POLITICAL PARTY FUND ACT, 2008**

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

I, the undersigned, _____ hereby accept my appointment as accounting officer in terms of section 6(1)(b) of the Limpopo Political Party Fund Act, 2008 and the provisions thereof and fully understand and subscribe to the provisions thereof and related regulations.

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

Accounting Officer

Date: _____