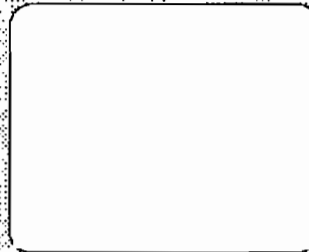


NORTHERN CAPE PROVINCE

PROFENSI YA KAPA-BOKONE

NOORD-KAAP PROVINSIE



IPHONDO LOMNTLA KOLONI

EXTRAORDINARY • BUITENGEWONE

**Provincial Gazette
Kasete ya Profensi**

**iGazethi YePhondo
Provinsiale Koerant**

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PROCLAMATION*by the**Premier of the Northern Cape Province***No. 13, 2009****Northern Cape Political Party Fund Act, 2009 (Act 7 of 2009)**

In terms of section 11 of the Northern Cape Political Party Fund Act, 2009 (Act 7 of 2009), I, Hazel Jenkins, hereby determine 30 November 2009 as the date on which the said Act shall come into operation.

Thus done under my hand at Kimberley on this 19th day of November 2009.

**HON H J JENKINS****PREMIER**

OFFICIAL NOTICE

OFFICIAL NOTICE 12 OF 2009

NORTHERN CAPE PROVINCIAL LEGISLATURE

NORTHERN CAPE POLITICAL PARTY FUND ACT, 2009 (Act 7 of 2009)

REGULATIONS

I, Jacobus Frederick Van Wyk, Speaker of the Northern Cape Provincial Legislature, duly authorized in terms of section 10 of the Northern Cape Political Party Fund Act, 7 of 2009, hereby publish in the Schedule hereto the Regulations consistent with the Northern Cape Political Party Fund Act, 2009.

The Regulations will commence with the Act on 30 November 2009.



HON JF VAN WYK

SPEAKER

NORTHERN CAPE PROVINCIAL LEGISLATURE**NORTHERN CAPE POLITICAL PARTY FUND ACT, 2009 (Act 7 of 2009)****NORTHERN CAPE POLITICAL PARTY FUND ACT REGULATIONS**

The Speaker of the Northern Cape Provincial Legislature has under section 10 of the Northern Cape Political Party Fund Act, 2009 (Act 7 of 2009), made the Regulations in the Schedule.

SCHEDULE**Definitions**

1. In these Regulations any word or expression to which a meaning has been assigned in the Act, shall bear such meaning, unless the context otherwise indicates -

“Act” means the Northern Cape Political Party Fund Act, 2009 (Act 7 of 2009).

Times and instalments of payments

2.
 - (1) Allocations to which a political party is entitled must be paid to the political party in question in instalments as agreed to in writing between the accounting officer of the Fund and the accounting officer of that party.
 - (2) The accounting officer of the Fund may not unreasonably withhold funds from a party.
 - (3) In the event of a dispute between the accounting officers as referred to in subsection (1), the Speaker must resolve on the matter, which decision shall be final.
 - (4) In the event of an election being called in terms of section 108(2) of the Constitution in respect of the Legislature, any outstanding payments still to be paid in terms of this Act to a political party represented in the Legislature must be suspended.
 - (5) An allocation suspended as contemplated in subregulation (4) 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.

Information and particulars to be submitted by political parties

3. (1) A political party must provide the Secretary with particulars of the bank account contemplated in section 6(1)(a) of the Act within two weeks of such a bank account being opened or within two weeks of any changes to such particulars.
- (2) The statement 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.

Money carried forward at the end of a financial year

4. (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.

Separate books and records of account

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

Formula for allocation from the Fund

6. (1) The total amount of funding available for allowances 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 allocations from the Fund as contemplated in section 5(5) of the Act are -
 - (a) allocating eighty (80) percent of the total amount of funding announced in terms of subregulation (1) proportionally as contemplated in section 5(5)(a) of the Act; and

- (b) allocating twenty (20) percent of the total amount of funding announced in terms of subregulation (1) equally as contemplated in section 5(5)(b) of the Act.

Spending not in accordance with the Act report

- 7. The report from the accounting officer to the Secretary must at least 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.

Appointment of accounting officer

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

Short title

- 9. These Regulations are called the Northern Cape Political Party Fund Regulations, 2009.
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ANNEXURE

FORM 1

**The Provincial Secretary
Northern Cape Provincial Legislature**

**APPOINTMENT OF ACCOUNTING OFFICER
IN TERMS OF SECTION 6(1)(b)
OF THE NORTHERN CAPE POLITICAL PARTY FUND ACT, 2009**

NAME OF PARTY	_____
NAME OF PARTY LEADER / WHIP	_____

I, the undersigned, _____ hereby
appoint _____ as
accounting officer in terms of section 6 of the Northern Cape Political Party
Fund Act, 2009 and the provisions thereof and declare that I am duly
authorised to make this appointment and that he or she is duly qualified to
accept this appointment.

Party Leader / Whip Signature

Date: _____

FORM 2

**The Provincial Secretary
Northern Cape Provincial Legislature**

**ACCEPTANCE AS ACCOUNTING OFFICER
IN TERMS OF SECTION 6(1)(b)
OF THE NORTHERN CAPE POLITICAL PARTY FUND ACT, 2009**

NAME OF PARTY	_____
NAME OF ACCOUNTING OFFICER	_____

I, the undersigned, _____ hereby accept my appoint as accounting officer in terms of section 6 of the Northern Cape Political Party Fund Act, 2009 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: _____