

**KWAZULU-NATAL PROVINCE
KWAZULU-NATAL PROVINSIE
ISIFUNDAZWE SAKWAZULU-NATALI**

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[English text signed by the Premier]

KwaZulu-Natal Adjustments Appropriation Act, 2007
(Act No. 8 of 2007)

Assented to on 13-12-2007

ACT

To appropriate adjusted amounts of money from the Provincial Revenue Fund for the requirements of the Province in the 2007/08 financial year ending on 31 March 2008 and to provide for subordinate matters incidental thereto.

PREAMBLE

WHEREAS section 226(2) of the Constitution of the Republic of South Africa, 1996 provides that money may be withdrawn from the Provincial Revenue Fund only in terms of an appropriation by a provincial Act;

AND WHEREAS section 26 of the Public Finance Management Act, 1999 (Act No. 1 of 1999) provides that the Provincial Legislature must appropriate money for each financial year for the requirements of the Province;

BE IT THEREFORE ENACTED by the Provincial Legislature of the Province of KwaZulu-Natal, as follows:—

Definitions

1. In this Act, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Public Finance Management Act has the meaning assigned to it in that Act and —

“**Act**” includes the Schedule;

“**conditional grants**” means allocations to the province from the national government’s share of revenue raised nationally, provided for in section 214(1)(c) of the Constitution of the Republic of South Africa, 1996;

“**current payments**” means any payments made by a provincial department in respect of the operational requirements of that department, and includes, amongst others, payments for the compensation of employees, goods and services, interest, rental of immovable property and financial transactions relating to assets and liabilities, but exclude transfers and subsidies, payments for capital assets and payments made under section 73 of the Public Finance Management Act;

“**payments for capital assets**” means any payments made by a provincial department —

- (a) for assets that can be used continuously or repeatedly in production for more than one year, and from which future economic benefits or service potential is expected to flow directly to the provincial department making the payment; and
- (b) that must be classified as or deemed to be payments for capital assets in accordance with the “*Reference Guide to the new Economic Format*” (November 2003, Version 2) and the “*Asset Management Framework*” (April 2004, Version 3.3), issued by the National Treasury under section 76 of the Public Finance Management Act;

“Public Finance Management Act” means the Public Finance Management Act, 1999 (Act No. 1 of 1999); and

“transfers and subsidies” means any payments made by a provincial department to another organ of state or any other person in respect of which the provincial department does not receive anything of similar value directly in return, and includes the payment of conditional grants;

Appropriation of money for the requirements of the Province

2. (1) Adjusted appropriations by the Provincial Legislature of money from the Provincial Revenue Fund for the requirements of the Province in the 2007/08 financial year, to votes and main divisions within a vote, and for the specific listed purposes, are set out in the Schedule.

(2) Spending of appropriations is subject to the Public Finance Management Act and section 3 of this Act.

Appropriation listed as specifically and exclusively

3. Despite the provisions of any law, appropriations to a vote or main divisions within a vote that are listed as specifically and exclusively may only be utilised for the purpose indicated and may not be used for any other purpose, unless an Act of the Provincial Legislature amends or changes the purpose for which it was allocated.

Short title and commencement

4. This Act is called the KwaZulu-Natal Adjustments Appropriation Act, 2007.

Act No. 8, 2007

KWAZULU-NATAL ADJUSTMENTS APPROPRIATION ACT, 2007

(Schedule)

Vote	Description	Vote and main divisions	Details of adjustments appropriation			Amounts specifically and exclusively appropriated
			Current Payments	Transfers and subsidies	Payments for capital assets	
		R000	R000	R000	R000	R000
1	Office of The Premier <i>To support the Premier in carrying out his constitutional and statutory duties through professionally executing departmental mandates, co-ordinating and facilitating macro-provincial and other transversal issues and programmes, promoting co-operative and good governance, providing the highest quality of policy and legal analysis and advice, creating policy relating to regulations, information and legislation, and supporting the Executive branch in executing laws and policies.</i>	54,430	35,092	(9,740)	29,078	17,266
1	Administration <i>To provide administrative support to the Premier, Executive Council and the Director-General in fulfilling their legislative and oversight function and in promoting corporate governance.</i>	16,528	6,566	235	9,727	
2	Institutional Development <i>To improve service delivery through institutional capacity building and transformation management.</i>	10,617	(8,054)	(394)	19,065	
3	Policy and Governance <i>To initiate the development and implementation of policies and strategies to achieve a co-ordinated approach towards sustainable provincial growth and development.</i>	27,285	36,580	(9,581)	286	
	<i>of which transfers to public entities are:</i> KwaZulu-Natal Gambling Board KwaZulu-Natal Youth Commission			(4,810) (2,439)		
	<i>of which specific allocation is:</i> 2010 World Cup Preliminary Draw and marketing of the Province Donation - YMCA World Council Assembly Donation - Indimezulu Trust Fund					16,816 350 100
2	Provincial Legislature <i>To create a legislative environment that is responsive to the needs of the people of KwaZulu-Natal, and to facilitate the general upliftment of the quality of life by monitoring the utilisation of all available resources in the province.</i>	38,922	31,453	9,569	(2,100)	-
1	Administration <i>To conduct the overall management of the Provincial Legislature.</i>	17,331	17,094	2,337	(2,100)	
2	Parliamentary Services <i>To provide operational and institutional support to the Provincial Legislature.</i>	(123)	(123)			
3	Facilities for Members and Political Parties <i>To render administrative support services to office-bearers and other Members of the Legislature with regard to facilities and benefits.</i>	21,714	14,482	7,232		
3	Agriculture and Environmental Affairs <i>To optimise the agricultural potential and environmental stability for sustainable livelihoods in the Province of KwaZulu-Natal.</i>	56,063	153,162	(159,085)	61,986	15,951
1	Administration <i>To support the line function components of the department in achieving their goals.</i>	77,179	47,319	-	29,860	
2	Agricultural Development Services <i>To unlock the agricultural potential of the province and to create food security for all the inhabitants of the province.</i>	(38,193)	99,731	(161,812)	23,888	
	<i>of which conditional grants are:</i> Land Care Grant Comprehensive Agricultural Support Programme					4,172
	<i>of which transfers to public entities are:</i> Mjindi Farming Ithala			8,400 (170,000)		11,779
3	Environmental Management <i>To ensure effective compliance and governance in respect of environmental management.</i>	17,077	6,112	2,727	8,238	
4	Conservation <i>To cater for transfer payments to various institutions in the Province.</i>	-	-	-	-	

KWAZULU-NATAL ADJUSTMENTS APPROPRIATION ACT, 2007

Act No. 8, 2007

(Schedule)

Vote	Description	Vote and main divisions	Details of adjustments appropriation			Amounts specifically and exclusively appropriated
			Current Payments	Transfers and subsidies	Payments for capital assets	
		R000	R000	R000	R000	R000
4	Economic Development <i>To formulate and implement strategies that create an environment conducive to sustainable economic development in KwaZulu-Natal.</i>	84,000	(58,557)	139,901	2,656	231,000
1	Administration <i>To provide for the overall management of the department, and to render a support service to other programmes in terms of transversal functions.</i>	6,911	6,020	66	825	
2	Integrated Economic Development Services <i>To provide strategic leadership, direction and co-ordination of economic empowerment initiatives in the province.</i> <i>of which transfer to public entity is:</i> Ithala	(173,689)	(68,222)	(106,900)	1,433	
3	Trade and Industry Development <i>To stimulate economic growth through industry development, trade and investment promotion.</i> <i>of which specific allocation is:</i> Dube TradePort	250,675	4,871	245,705	99	231,000
4	Business Regulation and Governance..... <i>To enable an equitable and socially responsible business environment.</i>	766	645	–	121	
5	Economic Planning..... <i>To develop provincial economic policies and strategies to achieve and measure sustainable economic development.</i>	(663)	(1,871)	1,030	178	
5	Education <i>To provide opportunities for all people in the province to have access to quality education, which will improve their position and contribute to the advancement of democratic values in KwaZulu-Natal.</i>	260,079	140,079	120,000	–	46,271
1	Administration <i>To provide for the Executing Authority and the overall management of the department.</i>	56,507	76,507	–	(20,000)	
2	Public Ordinary School Education..... <i>To provide public ordinary education in the province.</i> <i>of which conditional grants are:</i> National School Nutrition Programme	98,712	1,712	120,000	(23,000)	46,271
3	Independent School Subsidies..... <i>To monitor and subsidise independent schools according to national policies and norms.</i>	–	–	–	–	
4	Public Special School Education..... <i>To provide public education in special schools and full-service schools.</i>	24,118	4,118	–	20,000	
5	Further Education and Training..... <i>To provide Further Education and Training (FET) at public FET colleges in accordance with the Further Education and Training Act.</i>	26,443	3,443	–	23,000	
6	Adult Basic Education and Training..... <i>To afford adults the chance to improve their level of literacy and numeracy, in accordance with the Adult Basic Education Act.</i>	1,034	1,034	–	–	
7	Early Childhood Development..... <i>To provide Early Childhood Education (ECD) at the Grade R and earlier levels.</i>	1,915	1,915	–	–	
8	Auxiliary and Associated Services..... <i>To provide examination support services to learners in the relevant grades, and ensure quality in the provision of education, through quality assurance.</i>	51,350	51,350	–	–	

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KWAZULU-NATAL ADJUSTMENTS APPROPRIATION ACT, 2007

(Schedule)						
Vote	Description	Vote and main divisions	Details of adjustments appropriation			Amounts specifically and exclusively appropriated
			Current Payments	Transfers and subsidies	Payments for capital assets	
		R000	R000	R000	R000	R000
6	Provincial Treasury <i>To ensure an equitable distribution of resources and provide strategic leadership in areas of financial and fiscal management and corporate governance.</i>	(70,829)	(103,033)	21,824	10,380	6,500
1	Administration..... <i>To render support services to the Minister and department.</i>	7,451	(3,142)	213	10,380	
2	Resource Management..... <i>To effectively manage and monitor the provincial and local government fiscal resources.</i>	(347,981)	(347,946)	(35)	—	
3	Financial Management..... <i>To ensure effective and efficient management of physical and financial assets for provincial and local government.</i>	2,862	2,793	69	—	
4	Internal Audit..... <i>To develop effective risk management strategies and governance, to build and maintain successful client relationships, to develop knowledge by creating a learning culture and to build foundations for excellence to support the KZN Provincial Government in achieving its objectives.</i>	7,254	7,240	14	—	
5	Growth and Development..... <i>To cater for special projects as approved by the Provincial Executive Council. of which specific allocation is: Planning/management costs of the Government Precinct</i>	259,585	238,022	21,563	—	6,500
7	Health <i>To develop a sustainable, co-ordinated, integrated and comprehensive health system at all levels of care, based on the primary health care approach through the District Health System.</i>	512,613	282,991	26,187	203,435	188,237
1	Administration..... <i>To provide overall strategic leadership, co-ordination and management of activities towards the achievement of optimal health status of all communities in the province, as well as the administration of the department in line with good governance practice.</i>	6,364	6,353	11	—	
2	District Health Services..... <i>To render Primary Health Care services and District Hospital services. of which conditional grants are: Forensic Pathology Services</i>	175,821	111,707	14,771	49,343	62,867
3	Emergency Medical Services..... <i>To render pre-hospital emergency medical services including inter-hospital transfers and planned patient transport.</i>	1,302	10,708	200	(9,606)	
4	Provincial Hospital Services..... <i>To render hospital services which are accessible, appropriate and effective and the provision of general specialist services including specialised rehabilitation service, and a platform for training health professionals and research.</i>	102,240	86,637	11,603	4,000	
5	Central Hospital Services..... <i>To provide tertiary health services and to create a platform for the training of health workers.</i>	13,842	13,842	—	—	
6	Health Sciences and Training..... <i>To render training and development opportunities for actual and potential employees of the department.</i>	19,115	15,780	(398)	3,733	
7	Health Care Support Services..... <i>To provide funding for health care support services, in particular the Medicine Trading Account.</i>	—	—	—	—	
8	Health Facilities Management..... <i>To cater for the facilities management of community health clinics and health centres, district hospitals, emergency medical services facilities, provincial hospitals, central and tertiary hospitals, as well as all other buildings and structures. of which conditional grants are: Hospital Revitalisation Forensic Pathology Services</i>	193,929	37,964	—	155,965	91,761 33,609

KWAZULU-NATAL ADJUSTMENTS APPROPRIATION ACT, 2007

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(Schedule)

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			Current Payments	Transfers and subsidies	Payments for capital assets	
		R000	R000	R000	R000	R000
8	Housing <i>To effectively and efficiently manage the implementation of national and provincial housing programmes in partnership with the relevant role players, by developing sustainable human settlements characterised by affordable and adequate shelter for qualifying citizens in KwaZulu-Natal.</i>	–	(23,950)	(36,050)	60,000	–
1	Administration <i>To provide strategic leadership, ensure sound financial management, provide strategic housing support, manage housing and residential property performance and market trends, implement and monitor corporate governance and provide strategic management services.</i>	6,700	5,200	1,500	–	
2	Housing Planning and Research <i>To undertake research and policy formulation, planning, information management including the Geographic Information System (GIS), capacity building and institutional management for the department.</i>	(1,700)	(1,700)	–	–	
3	Housing Development Implementation..... <i>To promote effective and efficient housing delivery.</i>	(5,000)	(5,300)	(59,700)	60,000	
4	Housing Property Management..... <i>To manage ex-Natal Provincial Administration and Own Affairs stock such as residential properties, vacant land and non-residential properties.</i>	–	(22,150)	22,150	–	
9	Community Safety and Liaison <i>To be the lead agency in driving the integration of community safety initiatives, towards a crime free Kwa-Zulu-Natal</i>	–	(2,423)	–	2,423	–
1	Administration <i>To conduct the overall administration, including rendering of administrative, financial, executive support and legal and human resource services to the department.</i>	–	(233)	–	233	
2	Civilian Oversight..... <i>To monitor police conduct and assess the effectiveness of visible policing, facilitate research development and co-ordination of social crime prevention initiatives, as well as to promote and establish good relations with the police and communities.</i>	–	(2,190)	–	2,190	
10	The Royal Household <i>To create a sustainable, conducive environment for the Zulu Monarch in which to lead, develop and protect the Zulu Nation.</i>	875	875	–	–	–
1	Support Services - His Majesty the King..... <i>To provide administrative and auxiliary services to His Majesty the King and the Royal Family.</i>	(176)	(176)	–	–	
2	Royal Household Planning and Development <i>To provide for the overall infrastructure design and maintenance of the Royal Households.</i>	838	838	–	–	
3	His Majesty the King's Farms <i>To provide support through the upkeep of His Majesty the King's Farms.</i>	213	213	–	–	

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KWAZULU-NATAL ADJUSTMENTS APPROPRIATION ACT, 2007

(Schedule)

Vote	Description	Vote and main divisions	Details of adjustments appropriation			Amounts specifically and exclusively appropriated R000
			Current Payments	Transfers and subsidies	Payments for capital assets	
11	Local Government and Traditional Affairs <i>To promote people-centred, accountable and viable local governance that accelerates service delivery and ensures sustainable communities.</i>	R000 16,235	R000 (91,513)	R000 134,861	R000 (27,113)	R000 -
1	Administration <i>To provide support to the Ministry and to provide all other support services rendered within the department, including the financial management of the department.</i>	(12,157)	(15,202)	3,313	(268)	
2	Local Governance..... <i>To implement an institutional, administrative and financial municipal framework, and to provide a municipal infrastructure framework.</i>	26,440	(31,371)	58,249	(438)	
3	Development and Planning..... <i>To promote informed integrated planning and development in the province.</i>	1,353	(38,143)	39,743	(247)	
4	Traditional Institutional Management..... <i>To support and enhance the capacity of traditional authorities/councils.</i>	15,795	8,900	518	6,377	
5	Urban and Rural Development..... <i>To assist communities that are largely classified within the Second Economy Framework to access socio-economic opportunities and to better grapple with the challenges that are facing them, to better enhance service delivery and improve quality of life.</i>	-	5,071	28,243	(33,314)	
6	Systems and Institutional Development..... <i>To develop and implement a comprehensive capacity building strategy for the department, in addition to establishing business units for monitoring and evaluation and external communications in order to promote municipal and traditional institutional transformation.</i>	(15,196)	(20,768)	4,795	777	
12	Transport <i>To provide the public with an integrated and accessible road and public transport infrastructure, to promote road and public transport safety and ensure that, in delivering on its mandate, the department meets the developmental needs of the province.</i>	214	(15,325)	-	15,539	-
1	Administration <i>To provide support services and conduct the overall administration of the department.</i>	1,214	214	1,000	-	
2	Road Infrastructure..... <i>To provide a balanced, equitable provincial road network, through the upgrading of surfaced roads and the construction, rehabilitation and maintenance of roads, causeways and bridges.</i>	1,000	(15,000)	1,000	15,000	
3	Transportation..... <i>To plan, regulate, enforce and develop public transport and freight transport in order to ensure balanced, equitable, safe and sustainable public and freight transport services.</i>	(3,000)	(539)	(3,000)	539	
4	Traffic Management..... <i>To ensure the provision of a safe road environment through the regulation of traffic on public roads, law enforcement, the implementation of road safety campaigns and awareness programmes and the registration and licensing of vehicles and drivers.</i>	1,000	-	1,000	-	
5	Community Based Programme <i>To cater for the development of programmes designed to empower and transfer skills to historically disadvantaged communities, thereby facilitating their active participation in the economy of the country.</i>	-	-	-	-	

KWAZULU-NATAL ADJUSTMENTS APPROPRIATION ACT, 2007

Act No. 8, 2007

(Schedule)

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		R000	R000	R000	R000	R000
13	Social Welfare and Population Development <i>To provide, promote and develop a transformed, integrated, people-centred, developmental social welfare service to all people in KwaZulu-Natal, to maximise their quality of life and social well-being.</i>	64,863	34,068	26,615	4,160	58,907
	1 Administration <i>To provide overall strategic management and support services for the department.</i>	30,603	28,603	–	2,000	
	2 Social Welfare Services..... <i>To provide social welfare services and social relief to children, families, older persons, victims of crime and abuse, people affected by HIV and AIDS and people with disabilities, as well as in the fields of substance abuse and social crime prevention.</i>	7,106	(1,500)	6,426	2,180	
	3 Development and Research..... <i>To provide sustainable development programmes which will enable the poorest of the poor to reach a level of self reliance.</i> <i>of which specific allocations are:</i> Food Relief Programme	27,154	6,965	20,189	–	58,907
14	Works <i>To lead in building infrastructure and property development.</i>	90	(8,175)	3,188	5,077	–
	1 Administration <i>To conduct the overall operations of the department, policy formulation by the Minister and the department's management, and to render professional, administrative and office services.</i>	21,206	18,051	1,605	1,550	
	2 Real Estate..... <i>To provide and facilitate the provision of accommodation and management services to clients, achieve optimal utilisation of state fixed assets, improve integrated service delivery, policy development and monitoring and evaluation as well as leasing of buildings and land evaluations.</i>	226	26	–	200	
	3 Provision of Buildings, Structures and Equipment..... <i>To provide for the erection and/or acquisition of buildings, structures and engineering works and the maintenance of buildings to client specifications.</i>	(21,342)	(26,252)	1,583	3,327	
15	Arts, Culture and Tourism <i>To provide and promote innovative and vibrant cultural and tourism services which address the diverse needs of the people of KwaZulu-Natal, in order to enhance their quality of life.</i>	5,806	(5,814)	9,900	1,720	–
	1 Administration <i>To provide for the overall management of the department.</i>	659	32	–	627	
	2 Cultural Affairs..... <i>To assist arts and cultural organisations to promote, develop and preserve culture for the benefit of the citizens in KwaZulu-Natal.</i>	2,448	790	1,169	489	
	3 Library and Archive Services..... <i>To promote public libraries and archives in the province.</i>	66	(3,436)	2,898	604	
	4 Tourism Development..... <i>To facilitate economic growth through promoting and developing tourism opportunities for entrepreneurs, establishing sound relations with stakeholders, and providing support to the public entities funded by the department.</i> <i>of which transfers to public entities are:</i> KZN Tourism Authority Natal Sharks Board	2,633	(3,200)	5,833	–	
				2,500	533	
16	Sport and Recreation <i>To maximise opportunities through the promotion and development of sustained Sport and Recreation Programmes to improve the quality of life of the citizens of KwaZulu-Natal.</i>	1,600	264	838	498	–
	1 Administration <i>To conduct the overall management of the department.</i>	(764)	(1,292)	30	498	
	2 Sport Co-ordination..... <i>To promote, develop, administer and fund sport in the Province of KwaZulu-Natal.</i>	2,364	1,556	808	–	
TOTAL: ADJUSTMENTS APPROPRIATION		1,024,961	369,194	288,008	367,759	564,132

[Engelse teks deur die Premier geteken]

KWAZULU-NATAL AANSUIWERINGSBEGROTINGSWET, 2007 (No. 8 van 2007)

Goedgekeur op 13-12-2007

WET

Tot bewilliging van aangesuiwerde bedrae geld uit die Provinsiale Inkomstefonds vir die behoeftes van die Provinsie ten opsigte van die 2007/08 boekjaar wat op 31 Maart 2008 eindig en om voorsiening te maak vir ondergeskikte aangeleenthede wat daarmee verband hou.

AANHEF

AANGESIEN artikel 226(2) van die Grondwet van die Republiek van Suid-Afrika, 1996, bepaal dat geld uit die Provinsiale Inkomstefonds onttrek kan word slegs ingevolge 'n bewilliging deur 'n provinsiale Wet;

EN AANGESIEN artikel 26 van die Wet op Openbare Finansiële Bestuur, 1999 (Wet No. 1 van 1999), bepaal dat die Provinsiale Wetgewer vir elke finansiële jaar geld vir die behoeftes van die provinsie moet bewillig;

WORD DAAR DERHALWE VERORDEN deur die Provinsiale Wetgewer van die provinsie van KwaZulu-Natal, soos volg:—

Woordomskrywing

1. In hierdie Wet, tensy dit uit die samehang anders blyk, het enige woord of uitdrukking waaraan daar in die Wet op Openbare Finansiële

Bestuur 'n betekenis geheg is, die betekenis in daardie Wet daaraan geheg, en beteken —

“**Wet**” ook die Bylae;

“**voorwaardelike toekennings**” toewysings aan die provinsie uit die nasionale regering se deel van inkomste wat nasionaal ingesamel word, waarvoor voorsiening gemaak word in artikel 214(1)(c) van die Grondwet van die Republiek van Suid-Afrika, 1996.

“**lopende betalings**” enige betalings deur 'n provinsiale departement ten opsigte van die bedryfsbehoefte van daardie departement, en dit sluit onder andere in betalings vir die vergoeding van werknemers, goedere en dienste, rente, huur van onroerende eiendom en finansiële transaksies rakende bates en laste, maar dit sluit oordragte, subsidies, betalings vir kapitaalbates en betalings ingevolge artikel 73 van die Wet op Openbare Finansiële Bestuur uit;

“**betalings vir kapitaalbates**” enige betalings deur 'n provinsiale departement —

- (a) vir bates wat deurlopend of herhaaldelik vir meer as een jaar in produksie gebruik kan word, en waaruit toekomstige ekonomiese voordele of dienspotensiaal na verwagting regstreeks na die provinsiale departement wat die betaling doen, sal vloei; en
- (b) wat geklassifiseer moet word as of geag word betalings te wees vir kapitaalbates ooreenkomstig die *Reference Guide to the new Economic Format* (November 2003, Version 2) en die *Asset Management Framework* (April 2004, Version 3.3), uitgereik deur die Nasionale Tesourie ingevolge artikel 76 van die Wet op Openbare Finansiële Bestuur;

“**Wet op Openbare Finansiële Bestuur**” die Wet op Openbare Finansiële Bestuur; 1999 (Wet No. 1 van 1999); en

“oordragte en subsidies” enige betalings deur 'n provinsiale departement aan 'n ander staatsorgaan of enige ander persoon ten opsigte waarvan die provinsiale departement niks van soortgelyke waarde regstreeks in ruil ontvang nie, en dit sluit die betaling van voorwaardelike toekennings in;

Bewilliging van geld vir die behoeftes van die provinsie

2. (1) Bewilligings van aangesuiwerde bedrae geld deur die Provinsiale Wetgewer van geld uit die Provinsiale Inkomstefonds vir die behoeftes van die provinsie in die 2007/08 boekjaar vir begrotingsposte en hoofindelings binne 'n begrotingspos, en vir die spesifiek gemelde doeleindes, word in die Bylae uiteengesit.

(2) Besteding van bewilligings is onderhewig aan die Wet op Openbare Finansiële Bestuur en artikel 3 van hierdie Wet.

Bewilliging aangedui as spesifiek en uitsluitlik

3. Ondanks enige wetsbepaling mag bewilligings vir 'n begrotingspos of hoofindelings binne 'n begrotingspos wat as spesifiek en uitsluitlik aangedui is, slegs vir die aangeduide doel aangewend word en mag dit nie vir enige ander doel aangewend word nie, tensy 'n provinsiale Wet die doel waarvoor dit toegewys is, wysig of verander.

Kort titel en inwerkingtreding

4. Hierdie Wet heet die KwaZulu-Natal Aansuiweringsbegrotings Wet, 2007.

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Pos	Beskrywing	Pos en hoofindeelings	Besonderhede van aangesuiwerde bedrae			Bedrae spesifiek en uitsluitlik bewillig
			Lopende betalings	Oordragte en subsidies	Betalings vir vaste bates	
		R000	R000	R000	R000	R000
1	Kantoor van die Premier <i>Om die Premier by te staan met die uitvoering van sy grondwetlike en wetlike pligte deur departementele volmagte professioneel uit te voer, makro-provinsiale en ander transversale kwessies en programme te koördineer en te bevorder, koöperatiewe en goeie regering te bevorder, hoë gehalte beleidsontledings en regsadvies te verskaf, beleid daar te stel deur middel van regulasies, inligting en wetgewing, en ondersteuning van die Uitvoerende Tak met betrekking tot die uitvoering van wette en beleidsrigtings.</i>	54,430	35,092	(9,740)	29,078	17,266
1	Administrasie <i>Om operasionele en institutionele steun aan die Premier, Uitvoerende Gesag, en die Hoof van die Departement te verleen met betrekking tot die wetgewende en oorsig funksies en in die bevordering van korporatiewe bestuur.</i>	16,528	6,566	235	9,727	
2	Institusionele ontwikkeling..... <i>Om dienslewering te verbeter deur middel van kapasiteitsbou en transformasiebestuur</i>	10,617	(8,054)	(394)	19,065	
3	Beleid en beheer..... <i>Om die ontwikkeling en implementering van beleid en strategieë te onderneem om 'n gekoördineerde benadering ten opsigte van volhoubare provinsiale groei en ontwikkeling te bereik</i> <i>Waarvan oordragte aan openbare entiteite:</i> KwaZulu-Natal Dobbelaard KwaZulu-Natal Jeug Kommissie <i>Waarvan spesifieke toekennings:</i> 2010 Inleidende Voetbaltrekking en bemerking van die provinsie Donasie - YMCA Wêreldraad Byeenkoms Donasie - Indlmezulu Trust Fund	27,285	36,580	(9,581) (4,810) (2,439)	286	16,816 350 100
2	Provinsiale Wetgewer <i>Om 'n wetgewende omgewing te skep wat reageer op die behoeftes van die mense van KwaZulu-Natal, en om die algemene verhoging van lewensgehalte te bevorder deur die gebruik van beskikbare hulpbronne te monitor.</i>	38,922	31,453	9,569	(2,100)	–
1	Administrasie <i>Om die algehele bestuur van die Provinsiale Wetgewer te behartig.</i>	17,331	17,094	2,337	(2,100)	
2	Parlementêre Dienste..... <i>Om administratiewe en logistieke steun aan lede van die Provinsiale Wetgewer te verleen.</i>	(123)	(123)			
3	Geriewe vir Lede en Politieke Partye <i>Om administratiewe ondersteuning aan die ampsdraers en ander lede van die Wetgewer te verskaf ten opsigte van geriewe en voordele.</i>	21,714	14,482	7,232		
3	Landbou en Omgewingsake <i>Om die landboupotensiaal en omgewingstabiliteit vir 'n volhoubare lewensbestaan in KwaZulu-Natal te optimaliseer.</i>	56,063	153,162	(159,085)	61,986	15,951
1	Administrasie <i>Om die lynfunksiekomponente van die departement in die bereiking van hul doelwitte te ondersteun.</i>	77,179	47,319	–	29,860	
2	Landbou-ontwikkelingsdienste..... <i>Om die landboupotensiaal van die provinsie te ontsluit en om voedselsekuriteit vir al die inwoners van die provinsie te verseker.</i> <i>Waarvan voorwaardelike toekennings:</i> Grondbewaring Omvattende landbou-ondersteuningsprogram <i>Waarvan oordragte aan openbare entiteite:</i> Mjindi Farming Ithala	(38,193)	99,731	(161,812)	23,888	4,172 11,779
3	Omgewingsbestuur..... <i>Om doeltreffende nakoming en beheer ten opsigte van omgewingsbestuur te verseker.</i>	17,077	6,112	2,727	8,238	
4	Bewaring..... <i>Om voorsiening te maak vir oordragbetalings aan verskeie instellings in die provinsie.</i>	–				

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		R000	R000	R000	R000	R000
4	Ekonomiese Ontwikkeling <i>Om strategieë te formuleer en te implementeer met die oog op die skep van 'n omgewing wat volhoubare ekonomiese ontwikkeling in KwaZulu-Natal bevorder.</i>	84,000	(58,557)	139,901	2,656	231,000
1	Administrasie..... <i>Om voorsiening te maak vir die algehele bestuur van die departement en om 'n ondersteuningsdiens aan ander programme te lewer ten opsigte van oorbruggende funksies.</i>	6,911	6,020	66	825	
2	Geïntegreerde Ekonomiese Ontwikkelingsdienste..... <i>Om strategiese leiding, rigting en koördinasie van ekonomiese bemagtigingsinisiatiewe in die provinsie te verskaf.</i> <i>Waarvan oordrag aan openbare entiteit:</i> <i>Ithala</i>	(173,689)	(68,222)	(106,900)	1,433	
3	Handel- en Nywerheidsontwikkeling..... <i>Om ekonomiese groei te stimuleer deur industriële ontwikkeling en handel en belegging te bevorder.</i> <i>Waarvan spesifieke toekenning:</i> <i>Dube TradePort</i>	250,675	4,871	245,705	99	231,000
4	Besigheidsregulasie en bestuur..... <i>Om 'n regverdigde en sosiaal-verantwoordelike besigheidsomgewing tot stand te bring.</i>	766	645		121	
5	Ekonomiese Beplanning..... <i>Om provinsiale ekonomiese beleid en strategie e te ontwikkel om volgehoue ekonomiese ontwikkeling te bereik en te meet</i>	(663)	(1,871)	1,030	178	
5	Onderwys <i>Om geleentheid vir toegang tot gehalte onderwys vir almal in die provinsie te voorsien wat hulle posisie sal verbeter en 'n bydra lewer tot die bevordering van demokratiese waardes in KwaZulu-Natal.</i>	260,079	140,079	120,000	–	46,271
1	Administrasie..... <i>Om voorsiening te maak vir die uitvoerende owerheid en die algehele bestuur van die departement.</i>	56,507	76,507	–	(20,000)	
2	Openbare Gewone Onderwys..... <i>Om openbare gewone skoolonderwys in die provinsie te voorsien.</i> <i>Waarvan voorwaardelike toekenning:</i> <i>Nasionale Skoolvoedingsprogram</i>	98,712	1,712	120,000	(23,000)	46,271
3	Onafhanklike Skoolsubsidies..... <i>Om onafhanklike skole te monitor en te subsidieer in ooreenstemming met nasionale beleid en riglyne.</i>	–	–	–	–	
4	Openbare Spesiale Skoolonderwys..... <i>Om openbare onderwys in spesiale skole en skole wat oor volledige dienste beskik, te voorsien.</i>	24,118	4,118	–	20,000	
5	Verdere Onderwys en Opleiding..... <i>Om Verdere Onderwys en Opleiding (VOO) by openbare VOO-kolleges te verskaf in ooreenstemming met die Wet op Verdere Onderwys en Opleiding.</i>	26,443	3,443	–	23,000	
6	Volwasse Basiese Onderwys en Opleiding..... <i>Om aan volwassenes die geleentheid te bied om hul vlak van geletterdheid en gesyferdheid te verbeter ingevolge die Wet op Volwasse Basiese Onderwys en Opleiding.</i>	1,034	1,034	–	–	
7	Kleinkindontwikkeling..... <i>Om Kleinkindonderwys (KO) vir Graad R1 en vroeër vlakke te voorsien.</i>	1,915	1,915	–	–	
8	Ondersteuning en Verwante Dienste..... <i>Om eksamen ondersteuningsdienste aan leerders in die betrokke grade te verleen, en om deur middel van gehalteversekering gehalte onderwys te voorsien.</i>	51,350	51,350			

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		R000	R000	R000	R000	R000
6	Provinsiale Tesourie <i>Om 'n regverdige verspreiding van hulpbronne te verseker en om strategiese leierskap ten opsigte van finansiële en fiskale bestuur en korporatiewe regering te voorsien.</i>	(70,829)	(103,033)	21,824	10,380	6,500
1	Administrasie..... <i>Om ondersteuningsdienste aan die Minister en departement te verskaf.</i>	7,451	(3,142)	213	10,380	
2	Hulpbronbestuur..... <i>Om die fiskale hulpbronne van die provinsiale en plaaslike regering doeltreffend te bestuur en te monitor.</i>	(347,981)	(347,946)	(35)	—	
3	Finansiële Bestuur..... <i>Om doeltreffende bestuur van fisiese en finansiële bates vir die provinsie en plaaslike regering te verseker.</i>	2,862	2,793	69	—	
4	Interne Oudit..... <i>Om doeltreffende risikobestuurstrategieë en bestuur te ontwikkel, om suksesvolle kliënteverhoudings te bou en in stand te hou, om kennis te ontwikkel deur 'n leerkultuur te skep, en om die grondslag vir voortreflikheid te lê ten die KZN Provinsiale Regering in staat te stel om sy doelwitte te bereik.</i>	7,254	7,240	14	—	
5	Groei- en Ontwikkelingsfonds..... <i>Om te voorsien vir spesiale projekte soos goedgekeur deur die Provinsiale Uitvoerende Gesag</i> <i>Waarvan spesifieke toekennings:</i> Beplanning/bestuur koste van die Regeringsbuurt	259,585	238,022	21,563	—	6,500
7	Gesondheid <i>Om 'n volhoubare, gekoördineerde, volledige en geïntegreerde gesondheidstelsel vir alle vlakke van sorg te ontwikkel, gebaseer op die primêre gesondheidsorgbenadering deur middel van die Distrikgesondheidstelsel.</i>	512,613	282,991	26,187	203,435	188,237
1	Administrasie..... <i>Om algehele strategiese leierskap, koördinasie en bestuur van aktiwiteite, om 'n optimale gesondheidsvlak van alle gemeenskappe in die provinsie te bereik, asook die administrasie van die departement volgens goedgekeurde bestuursbeginsels te behartig.</i>	6,364	6,353	11	—	
2	Distrikgesondheidsdienste..... <i>Om primêre gesondheids- en distrikhospitaaldienste te lewer.</i> <i>Waarvan voorwaardelike toekenning:</i> Forensiese Patologiese Dienste	175,821	111,707	14,771	49,343	62,867
3	Nood- Mediese Dienste..... <i>Om voor-hospitaalse nood mediese dienste te verskaf, insluitend verplasing tussende hospitale en beplande pasiëntvervoer.</i>	1,302	10,708	200	(9,606)	
4	Provinsiale Hospitaaldienste..... <i>Om bereikbare, geskikte en effektiewe hospitaaldienste, sowel as algemene spesialisdienste, insluitend gespesialiseerde rehabilitasiedienste en 'n platform vir die opleiding van spesialiste en navorsing te voorsien.</i>	102,240	86,637	11,603	4,000	
5	Sentrale Hospitaaldienste..... <i>Om tersiêre gesondheidsdienste te lewer, asook 'n platform vir die opleiding van gesondheidspersoneel te voorsien.</i>	13,842	13,842	—	—	
6	Gesondheidswetenskappe en Opleiding..... <i>Om voorsiening te maak vir die opleiding van huidige en potensiale gesondheidsdienswerkers.</i>	19,115	15,780	(398)	3,733	
7	Gesondheidsorgondersteuningsdienste..... <i>Om fondse te voorsien vir gesondheidsondersteuningsdienste, in besonder die Medisyne Handelsrekening.</i>	—	—	—	—	
8	Bestuur van Gesondheidsfasiliteite..... <i>Om voorsiening te maak vir die fasiliteitebestuur van gemeenskapsgesondheidsklinieke en -gesondheidsentrums, distrikhospitale, nood mediese dienste, provinsiale hospitale, sentrale en tersiêre hospitale, asook ander geboue en strukture.</i> <i>Waarvan voorwaardelike toekennings:</i> Hospitaalvernuwing Forensiese Patologiese Dienste	193,929	37,964	—	155,965	91,761 33,609

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8	Behuising <i>Om die implementering van nasionale en provinsiale behuisingprogramme doeltreffend te bestuur in vennootskap met die relevante rolspelers, en om voldoende, bekostigbare en volhoubare skulling vir die inwoners van KwaZulu-Natal, wat daarvoor kwalifiseer, te ontwikkel.</i>	-	(23,950)	(36,050)	60,000	-
1	Administrasie <i>Om strategiese leiding te voorsien, verantwoordbare finansiële bestuur te verseker, strategiese behuisingsondersteuning te verskaf, behuising, eiendoms- en marktdense te bestuur en korporatiewe bestuur te implementeer en te monitor en strategiese bestuursdienste te verskaf.</i>	6,700	5,200	1,500	-	
2	Behuisingbeplanning en -navorsing <i>Om navorsing, beleidsformulering en beplanning te onderneem, inligtingbestuur met inbegrip van Geografiese Inligtingstelsel (GIS), vermoë-uitbreiding en institusionele bestuur vir die departement.</i>	(1,700)	(1,700)	-	-	
3	Behuisingontwikkeling implementering..... <i>Om effektiewe en doeltreffende behuisinglewering te bevorder.</i>	(5,000)	(5,300)	(59,700)	60,000	
4	Eiendomsbestuur..... <i>Om voormalige Natalse Provinsiale Administrasie en Eie Sake se behuisingvoorraad, byvoorbeeld residensiële eiendom, onbesette land, en nie-residentiele eiendom te bestuur.</i>	-	(22,150)	22,150	-	
9	Gemeenskapveiligheid en Skakeling <i>Om die leidinggewende agentskap te wees rakende die bestuur van gemeenskapveiligheidsinisiatiewe ten einde 'n misdaadvrye KwaZulu-Natal te verseker.</i>	-	(2,423)	-	2,423	-
1	Administrasie <i>Om die algehele bestuur van die departement te behartig en om administratiewe, finansiële, uitvoerende ondersteuning, regs- en menslike hulpbrondienste te lewer.</i>	-	(233)	-	233	
2	Burgertlike Toesig..... <i>Om polisie-gedrag te monitor en die doeltreffendheid van sigbare polisieëring te takseer, die fasilitering van navorsingsontwikkeling en koördinerende van maatskaplike misdaadvoorkomingsinisiatiewe, asook om goeie verhoudinge tussen die polisie en die gemeenskap daar te stel.</i>	-	(2,190)	-	2,190	
10	Die Koninklike Huishouding <i>Om 'n volhoubare en bevorderlike omgewing vir die Zulu-monarg te skep ten einde die Zoeloevolk te lei, ontwikkel en beskerm.</i>	875	875	-	-	-
1	Ondersteuningsdienste - Sy Majesteit die Koning..... <i>Om administrasie en verwante dienste te voorsien aan Sy Majesteit die Koning en die Koninklike Huishouding.</i>	(176)	(176)	-	-	
2	Koninklike Huishoudings Beplanning en Ontwikkeling..... <i>Om voorsiening te maak vir die algehele infrastruktuurontwerp en instandhouding van die koninklike wonings.</i>	838	838	-	-	
3	Sy Majesteit die Koning se Plase..... <i>Om ondersteuning te verskaf met betrekking tot die instandhouding en onderhoud van Sy Majesteit die Koning se plase.</i>	213	213	-	-	

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11	Plaaslike Regering en Tradisionele Sake <i>Om mensgesentreerde, verantwoordbare en lewensvatbare plaaslike bestuur te bevorder wat dienslewering verhaas en volhoubare gemeenskappe verseker.</i>	16,235	(91,513)	134,861	(27,113)	-
	1 Administrasie <i>Om steun aan die Ministerie te verleen en alle ander steundienste wat in die departement gelewer word, insluitende die finansiële bestuur van die departement.</i>	(12,157)	(15,202)	3,313	(268)	
	2 Plaaslike Bestuur..... <i>Om 'n institusionele, administratiewe en finansiële munisipale raamwerk te implementeer, en om 'n munisipale infrastruktuurraamwerk te voorsien.</i>	26,440	(31,371)	58,249	(438)	
	3 Ontwikkeling en Beplanning..... <i>Om goed ingeligte geïntegreerde beplanning en ontwikkeling in die provinsie te voorsien.</i>	1,353	(38,143)	39,743	(247)	
	4 Tradisionele en Institusionele Bestuur..... <i>Om die vermoë van tradisionele owerhede/rade te verhoog en te ondersteun.</i>	15,795	8,900	518	6,377	
	5 Stedelike en Landelike Ontwikkeling..... <i>Om gemeenskappe, wat grootliks deel van die Tweede Ekonomie is, by te staan om toegang te verkry tot sosio-ekonomiese geleenthede en beter rekenskap te gee van die uitdagings waarmee hulle te kampe het, en om dienslewering te verbeter en lewensgehalte te verhoog.</i>	-	5,071	28,243	(33,314)	
	6 Stelsels en Institusionele Ontwikkeling..... <i>Om 'n omvattende kapasiteitsboustrategie vir die departement te ontwerp en te implementeer, asook om besigheidseenhede vir monitering, evaluering en eksterne kommunikasie te skep om transformasie van munisipale en tradisionele institusies te bevorder.</i>	(15,196)	(20,768)	4,795	777	
12	Vervoer <i>Om die publiek van 'n geïntegreerde en toeganklike pad- en openbare vervoerinfrastruktuur te voorsien, om pad- en openbare vervoerveiligheid in die provinsie te bevorder, en om uitvoering te gee aan sy mandaat die departement in die ontwikkelingsbehoefes van die provinsie voorsien.</i>	214	(15,325)	-	15,539	-
	1 Administrasie <i>Om ondersteuningsdienste te verskaf en die oorhoofse administrasie van die departement te behartig.</i>	1,214	214	1,000	-	
	2 Padinfrastruktuur..... <i>Om 'n gebalanseerde, billike provinsiale padnetwerk te voorsien deur die opgradering en instandhouding van geteerde paaie, die bou en instandhouding van grondpaaie, asook laagwater- en ander brúe</i>	1,000	(15,000)	1,000	15,000	
	3 Vervoer..... <i>Om openbare en vragvervoer te beplan, reguleer, toe te pas en te ontwikkel en om gebalanseerde, regverdige, veilige en volhoubare openbare en vragvervoerdienste te verseker.</i>	(3,000)	(539)	(3,000)	539	
	4 Verkeersbestuur..... <i>Om veilige padomgewing te verseker deur die regulering van verkeer op openbare paaie, wetstoepassing, die implementering van padveiligheidsveldtogte en -bewusmakingsprogramme en die registrasie en lisensiering van voertuie en bestuurders.</i>	1,000	-	1,000	-	
	5 Gemeenskapgebaseerdeprogram..... <i>Om voorsiening te maak vir die ontwikkeling van projekte wat ontwerp is om histories benadeelde gemeenskappe te bemagtig en vaardighede aan hulle oor te dra om daardeur hulle aktiewe deelname aan die landseconomie te fasiliteer.</i>	-	-	-	-	

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13	Maatskaplike Welsyn en Bevolkingsontwikkeling <i>Om 'n getransformeerde, geïntegreerde, mensgesentreerde maatskaplike welsynsdiens aan die bevolking in KwaZulu-Natal te lewer en te bevorder, om die lewensgehalte en sosiale welstand te maksimaliseer.</i>	R000 64,863	R000 34,068	R000 26,615	R000 4,180	R000 58,907
1	Administrasie <i>Om algehele strategiese bestuur en ondersteuningsdienste vir die departement te voorsien.</i>	30,603	28,603	–	2,000	
2	Maatskaplike Welsynsdienste..... <i>Om maatskaplike welsynsdienste aan kinders, gesinne, bejaardes, slagoffers van misdaad en mishandeling, mense geaffekteer deur MIV en VIGS en gestremdes te voorsien, asook op die terrein van dwelmmisbruik en maatskaplike</i>	7,106	(1,500)	6,426	2,180	
3	Ontwikkeling en Navorsing..... <i>Om volhoubare ontwikkelingsprogramme te voorsien wat die armstes onder die armes in staat sal stel om selfversorgend te wees.</i> <i>Waarvan voorwaardelike toekennings:</i> <i>Voedsel ondersteuningsprogram</i>	27,154	6,965	20,189	–	58,907
14	Werke <i>Om te lei in die bou van infrastruktuur en eiendomsontwikkeling.</i>	90	(8,175)	3,188	5,077	–
1	Administrasie..... <i>Om die algehele bestuur van die departement te behartig, beleidsformulering deur die Minister en bestuur van die departement, en die lewering van professionele, administratiewe en kantoordienste.</i>	21,206	18,051	1,605	1,550	
2	Eiendom..... <i>Om die voorsiening van akkommodasie en bestuursdienste aan kliente te verskaf en te fasiliteer, optimale gebruik van staat vasteeiendom te bereik, geïntegreerde dienslewering, beleidsontwikkeling en monitering en evaluering, asook die uitverhuur van geboue en grondwaardering te verbeter.</i>	226	26	–	200	
3	Voorsiening van Geboue, Strukture en Toerusting..... <i>Om vir die bou en/of aanskaffing van geboue, strukture en ingenieurtoerusting, asook die instandhouding van geboue volgens kliëntspesifikasie voorsiening te maak.</i>	(21,342)	(26,252)	1,583	3,327	
15	Kuns, Kultuur en Toerisme <i>Om vernuwende en lewendige kultuur- en toerismediens te verskaf en te bevorder wat die verskeidenheid behoeftes van die mense in die provinsie aanspreek ten einde hulle lewensgehalte te verhoog.</i>	5,806	(5,814)	9,900	1,720	–
1	Administrasie <i>Om die algehele bestuur van die departement te behartig.</i>	659	32	–	627	
2	Kulturele Aangeleenthede..... <i>Om kuns en kultuurorganisasies by te staan en om kultuur in belang van die inwoners van KwaZulu-Natal te bevorder, ontwikkel en te bewaar.</i>	2,448	790	1,169	489	
3	Biblioteek- en Argiefsdienste..... <i>Om openbare biblioteke en argiewe in die provinsie te bevorder.</i>	66	(3,436)	2,898	604	
4	Toerisme Ontwikkeling..... <i>Om ekonomiese groei te fasiliteer deur die bevordering en ontwikkeling van toerismegeleenthede vir ondernemers, om gesonde verhoudings met belangstellende partye daar te stel en steun aan openbare entiteite te verleen.</i> <i>Waarven oordragte aan openbare entiteite:</i> <i>KZN Toerisme-owerheid</i> <i>Natale Haaierraad</i>	2,633	(3,200)	5,833	–	
16	Sport en Ontspanning <i>Om die lewensgehalte van die inwoners van KwaZulu-Natal te verbeter deur geleenthede vir volgehoue sport en ontspanningsprogramme te maksimaliseer.</i>	1,600	264	838	498	–
1	Administrasie <i>Om die algehele bestuur van die departement te behartig.</i>	(764)	(1,292)	30	498	
2	Sportkoördinerings..... <i>Om sport in die provinsie te bevorder, ontwikkel, te administreer en te bevonds.</i>	2,364	1,556	808	–	
Totaal: Aansuiweringsbegroting		1,024,961	369,194	288,008	367,759	564,132

[Umbhalo wasiNgisi unyathelwe nguNdunankulu]

**UMTHETHO WESABELOMALI MAPHAKATHI
NONYAKAMALI, 2007**
(Umthetho No. 8 ka 2007)

Uvunywe mhlaka 13-12-2007

UMTHETHO

Ukuhlinzekela ukwabiwa kwezimali maphakathi nonyakamali esiKhwameni Semali Yesifundazwe ngokwezidingo zesiFundazwe onyakeni wezimali ka-2007/2008 ophela mhla zingama-31 kuNdasa 2008 kanye nokuhlinzekela ezinye izindaba eziphathelele nakho.

ISANDULELO

NAKUBA isigaba 226(2) soMthethosisekelo WeRiphabhliki YaseNingizimu Afrika ka-1996 uhlinzekela ukuba imali ikhishwe esiKhwameni Semali Yesifundazwe kuphela ngokuhambisana nokwabiwa kwezimali ngoMthetho oshaywe iPhalamende lesiFundazwe;

NAKUBA FUTHI isigaba 26 soMthetho Wokuphathwa Kwezimali Zomphakathi, ka-1999 (uMthetho No.1 ka-1999) uhlinzekela ukuthi iPhalamende lesiFundazwe kumele labe izimali ngonyaka wezimali ngamunye ngokuhambisana nezidingo zesifundazwe;

MAKUMISWE UMTHETHO yiPhalamende lesiFundazwe saKwaZulu-Natali kanje :-

Izincazelo

1. Kulo Mthetho, ngaphandle uma ingqikithi isho okunye, noma yiliphi igama noma ibinza lamagama elinikezwe incazelo kuMthetho Wokuphathwa Kwezimali Zomphakathi lithatha leyo ncazelo elinikezwe yona kulo Mthetho futhi –

“**uMthetho**” kusho lo Mthetho obandakanya neSheduli eyingxenye yawo;

“**izinkokhelo zamanje**” kusho noma yiziphi izinkokhelo ezenziwa yiphalamende lesifundazwe ngokuqondene nezidingo zokusebenza zalowo mnyango, futhi kufaka phakathi kokunye, izinkokhelo zokunxephezela abasebenzi, impahla nemisebenzi, inzalo, irente yempahla engasuseki kanye nokusetshenziswa kwemali ngokuqondene nezimpahla kanye nezikweletu, kodwa akubandakanyi izimali ezidlulisiwe kanye nemixhaso, izinkokhelo zempahla yokusebenza kanye nezinkokhelo ezenziwe ngaphansi kwesigaba 73 soMthetho Wokuphathwa Kwezimali Zomphakathi;

“**izimali ezidlulisiwe nemixhaso**” kusho noma yiziphi izinkokhelo ezenziwa ngumnyango wesifundazwe kwesinye isakhiwo **sikahulumeni** noma komunye umuntu, umnyango ongatholi lutho kuye ngalokho olunenani elifanayo, futhi kufaka phakathi ukukhokhelwa koxhasomali olunemibandela;

“**izinkokhelo zempahla**” kusho noma yiziphi izinkokhelo ezenziwa nguhulumeni wesifundazwe –

- (a) ekhokhela izimpahla ezingaqhubeka nokusetshenziswa noma ezikhiqizwa ngokuphindelela isikhathi esiyiminyaka eyevile kowodwa, futhi okulindeleke ukuthi ngomuso zihlomulise ngokomnotho noma ngokomsebenzi ngqo lowo mnyango okhokhayo; futhi
- (b) okumele zihlukaniswe noma zithathwe njengezinkokhelo zempahla ngokuhambisana ne “*Reference Guide to the New Economic Format*” (November 2003, Version 2) kanye ne “*Asset Management Framework*” (April 2004, Version 3.3), ekhishwe uMgcinimafa Kazwelonke ngaphansi kwesigaba 76 soMthetho Wokuphathwa Kwezimali Zomphakathi;

“**uMthetho Wokuphathwa Kwezimali Zomphakathi**” kusho uMthetho Wokuphathwa Kwezimali Zomphakathi, ka-1999 (uMthetho No. 1 ka-1999); futhi

“**uxhasomali olunemibandela**” kusho izabelo ezinikezwa izifundazwe, ohulumeni basekhaya noma omasipala oluvela esikhwameni semali sikahulumeni kazwelonke , oluhlinzekelwe esigabeni 214(1)© soMthethosisekelo WeRiphabhliki YaseNingizimu Afrika, ka-1996.

Ukwabiwa kwezimali ngezidingo zesiFundazwe

2. (1) Ukwabiwa kwezimali maphakathi nonyakamali yiPhalamende Lesifundazwe esiKhwameni Semali Yesifundazwe ukuze kubhekelwe izidingo zikahulumeni onyakeni wezimali ka-2007/08, kumavoti ehlukenene **nezingxenyane zamavoti**, kanye nangokwezinhloso ezibaluliwe, kuchaziwe kwiSheduli.
- (2) Ukusetshenziswa kwezimali ezabiwe kumele kuhambisane noMthetho Wokuphathwa Kwezimali Zomphakathi kanye nesigaba 3 salo Mthetho.

Ukwabiwa kwezimali okubalulwe ngokukhethekileyo

3. Ngaphezu kwezinhlinzeko zanoma yimuphi umthetho, izimali ezabelwe ivoti **noma izingxenyane/izigaba** zevoti ezibalulwe ngokukhethekileyo, zingasetshenziselwa kuphela inhloso ebaluliwe futhi azikwazi ukusetshenziselwa enye inhloso, ngaphandle uma uMthetho wePhalamende Lesifundazwe uchibiyela noma uguqula inhloso ezazatshelwe yona.

Isihloko Esifushane nokuqala ukusebenza

4. Lo Mthetho uzokwaziwa ngoMthetho WaKwaZulu-Natali Wokwabiwa Kwezimali **Maphakathi noNyakamali** ka-2007.

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Ivoti	Ukuchazwa	Ivoti nezabelo ezinkulu	Imininingwane yezamba ezabliwe			Izamba ezabliwe Inhlolo ethile
			Izinkokhelo Zamanje	Ezidluliswe Nemixhaso	Izinkokhelo Zempahla	
1	<p>Ihhovisi likaNdunankulu Ukusiza uNdunankulu ekwenzeni imisebenzi yakhe ebekwe ngumthethosisekelo neminye imithetho ngokuthi kwenziwe ngobungcweti imiyalelo enikezwe iminyango, ukuhlela nokwenza zonke izinhlelo zeSifundazwe, ukukhuthaza ukusebenza ngokubambisana nokubusa kahle, kuhlinzekwe ngocwaningo lwezinqubomgomo oluseqophelweni eliphezulu kanye nezeluleko zezomthetho, ukwenza izinqubomgomo ezihambisana nemithetho, ulwazi kanye nemithetho, kanye nokweseka uphiko oluphezulu ekwenzeni imithetho nezinqubomgomo.</p> <p>1. Ezokuphatha Ukwenza imisebenzi yokusiza uNdunankulu kanye neNhlolo Yomnyango ekulawuleni iHhovisi Likandunankulu, ngokuhlinzeka ngemisebenzi yokusiza abaphathi emnyangweni.</p> <p>2. Ukuthuthukiswa Kwezikhungo Ukwenza ngcono ukwenziwa komsebenzi ngokuhlomisa ngamakhono izikhungo kanye nokulawulwa kwezinguquko.</p> <p>4. Izinhlelo eziyisipesheli..... Ukuphatha kwamaphrojekthi ayisipesheli kanjengokuba ekhonjwe nguNdunankulu kanye nesiGungu seSifundazwe.</p> <p><i>Asebenzisana nezikhungo zomphakathi:</i> Ibhodi lezokuGembula KwaZulu-Natali Ikhomishana Yentsha YaKwaZulu-Natali</p> <p><i>Abelwe ukuba agxile kakhulu:</i> Ukutonyulwa kokuqala kwe-Worldcup ka-21010 nokuzidayisa kwesifundazwe Umnikelo - YMCA World Council Assembly Umnikelo - Indimezulu Trust Fund</p>	R000 54,430	R000 35,092	R000 (9,740)	R000 29,078	R000 17,266
		16,528	6,566	235	9,727	
		10,617	(8,054)	(394)	19,065	
		27,285	36,580	(9,581)	286	
				(4,810) (2,439)		16,816 350 100
2	<p>Isishayamthethi Sezifundazwe Ukwakha isishayamthetho esibhekana nezidingo zabantu baKwaZulu-Natali, kanye nokukhuthaza impilo engcono kubantu ngokwelusa ukusetshenziswa kwezinsizakusebenza ezikhona eSifundazweni.</p> <p>1. Ezokuphatha Ukubheka ulawulo-jikelele Lwesishayamthetho Sesifundazwe</p> <p>2. Imisebenzi Yephalamende Ukuhlinzeka ngemisebenzi yezokuphatha nokusiza amalungu ePhalamende ngezinsizakusebenza.</p> <p>3. Izakhiwo Zamalungu Namaqembu Ezombusazwe Ukwenza imisebenzi yezokuphatha kwenzelwa abasebenza ehhovisi kanye namanye amalungu eSishayamthetho ngokuphathelene nezakhiwo nemihlomulo</p>	38,922	31,453	9,569	(2,100)	-
		17,331	17,094	2,337	(2,100)	
		(123)	(123)	-	-	
		21,714	14,482	7,232	-	
3	<p>Ezolimo Nezemvelo Ukukhuthaza, ngokubambisana nababambe iqhaza abaqondene, umphakathi onenqubekelaphambili ngokulandela izinhlelo zezolimo nezemvelo eziphusile.</p> <p>1. Ezokuphatha Ukweseka izingxeny eziqondene nemisebenzi ethile zomnyango, ekufezeni izinhloso zazo.</p> <p>2. Imisebenzi Yokuthuthukiswa Kwezolimo Ukuvundulula amandla ezolimo esifundazweni kanye nokutholakala kokudla kubo bonke abantu besifundazwe.</p> <p><i>Uxhaso olunale mibandela:</i> Uxhaso lokunakekelwa komhlaba Uhlelo olubanzi lokwesekwa kwezolimo</p> <p><i>Kusebenziswanwa nalezi khungo zomphakathi:</i> <i>Isabelo sabo yilesi:</i> Mjindi Farming Ithala</p> <p>3. Ukulawulwa KweZemvelo Ukuqinisekisa kokulandela kwemithetho eqondene nokuphatha kwezemvelo.</p> <p>4. Ukugcinwa Kwezemvelo Ukubhekela ukudluliselwa kwezimali ezikhungweni ezahlukene esiFundazweni okuyilezi ezilandelayo:</p>	56,063	153,162	(159,085)	61,986	15,951
		77,179	47,319	-	29,860	
		(38,193)	99,731	(161,812)	23,888	4,172 11,779
		17,077	6,112	2,727	8,238	
		-	-	-	-	
				8,400 (170,000)		

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Ivoti	Ukuchazwa	Ivoti nezabelo ezinkulu	Iminingwane yezamba ezabiwe			Izamba ezabelwe inhloso ethile
			Izinkokhelo Zamanje	Ezidutlisiwe Nemixhaso	Izinkokhelo Zempahla	
		R000	R000	R000	R000	R000
4	Ukuthuthukiswa Kwezomnotho Ukwakha nokusiza ekuqalisweni kwamasu adala isimo esivuna ukukhula kwezomnotho okusimeme kanye nentuthuko KwaZulu-Natali.	84,000	(58,557)	139,901	2,656	231,000
	1. Ezokuphatha Ukuhlinzeka ngayo yonke misebenzi yezokuphatha komnyango, nokwenza umsebenzi wokusiza ezinye izinhlelo ngokwemisebenzi ekhona eyehlukehlekene.	6,911	6,020	66	825	
	2. Imisebenzi Yezokuthuthukiswa Komnotho Edidiyele Ukuhlinzeka ngobuhlobo obunohlonze, umgudu kanye nokuxhunyaniswa kwemisebenzi yokuhlomisa ngezomnotho esifundazweni <i>Kusebenziswanwa nalezi khungo zomphakathi:</i> <i>Isabelo sabo yilesi:</i> Ithala	(173,689)	(68,222)	(106,900)	1,433	
	3. Ukuthuthukiswa Kwezohwebo Nezimboni Ukukhuthaza ukukhuliswa komnotho ngokuthuthukisa izimboni, ezohwebo kanye nokuthuthukiswa kotshalomali. <i>Isabelo salokhu yilesi:</i> I-Dube Tradeport	250,675	4,871	245,705	99	231,000
	4. Ukulawulwa Nokuphatha Kwamabhizinisi Ukuvumela indawo yezamabhizinisi enokulingana nokuzibophezela komphakathi	766	645	–	121	
	5. Ukuhlelwa Kwezomnotho Ukwakha izinqubomgomo kanye namasu okusebenza ezomnotho zesifundazwe kanye namasu okusebenza okufeza nokukala intuthuko yezomnotho esimeme.	(663)	(1,871)	1,030	178	
5	Ezemfundo Ukuhlinzeka ngamathuba wonke umuntu ukuze athole imfundo eseqophelweni eliphezulu, okuzokwenza ngcono isimo sakhe, abe negalelo ekukhuthazweni kwemigomongqangi yentando yeningi KwaZulu-Natali.	260,079	140,079	120,000	–	46,271
	1. Ezokuphatha Ukuhlinzeka umkhandlu olawulayo kanye nokuphatha jikelele komnyango, okufaka lolu xhasomali olulandelayo	56,507	76,507	–	(20,000)	
	2. Imfundo yasezikoleni zomphakathi Ukuhlinzeka ngemfundo yomphakathi esifundazweni. <i>Noxhasomali olunale mibandela:</i> Uhlelo lokuhlinzeka izikole ngokudla okunempilo	98,712	1,712	120,000	(23,000)	46,271
	3. Uxhasomali lwezikole ezizimele Ukwalusa nokuxhasa izikole ezizimele ngokulandela inqubomgomo kazwelonke kanye nezinkambiso.	–	–	–	–	
	4. Izikole zomphakathi eziyisipesheli Ukuhlinzeka ngemfundo yomphakathi ezikoleni eziyisipesheli, nangazo zonke izidingo zazo.	24,118	4,118	–	20,000	
	5. Ukuqhubeka nemfundo kanye nokuqeqesha Ukuhlinzeka ngemfundo eqhubekayo nokuqeqesha kumakolishi okuqeqesha (FET) <i>Noxhasomali olunale mibandela:</i> Ukuvuselelwa Kwezikhungo Zemfundo Eqhutshezelayo	26,443	3,443	–	23,000	
	6. Imfundo Yabadala Nokuqeqesha Ukunikeza abantu abadala ithuba lokuthuthukisa amakhono abo okufunda nokubhala, ngokuhambisana noMthetho Wemfundo Yabadala.	1,034	1,034	–	–	
	7. Ukuthuthukiswa kwemfundo yezingane Ukuhlinzeka ngemfundo yokuthuthukisa izingane ebangeni lesigaba-R nakwamanye angaphambili, ukuze kuqinisekise ukuthi bonke abafundi bathola imfundo yasemazingeni aphantsi ngaphambi kokuba bangene esikoleni.	1,915	1,915	–	–	
	8. Imisebenzi eyengezayo neminye ehlobene nayo Ukuhlinzeka ngemisebenzi yokweseka ngesikhathi sokuhlolwa kwabafundi emabangeni afanele, kanye nokuqinisekisa ukuthi umsebenzi wezemfundo usezingeni eliphezulu.	51,350	51,350	–	–	

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Ivoti	Ukuchazwa	(UHLU)				Izamba ezabelwe inhloso ethile
		Ivoti nezabelo ezinkulu	Imininingwane yezamba ezabiwe			
			Izinkokhelo Zamanje	Ezidluliswe Nemixhaso	Izinkokhelo Zempahla	
		R000	R000	R000	R000	R000
6	UMgcinimafa Wesifundazwe Ukuqinisekisa ukuthi izinsizakusebenza zabiwa ngokulinganayo kanye nokuhiinzekela ngamasu okusebenza amahle emkhakheni wezokuphathwa kwezimali zikahulumeni	(70,829)	(103,033)	21,824	10,380	6,500
	1. Ezokuphatha Ukuhiinzekela ngomsebenzi wokweseka uNgqongqoshe kanye nomnyango	7,451	(3,142)	213	10,380	
	2. Ukuphathwa kwezinsizakusebenza..... Ukuphatha nokwalusa ngendlela izinsizakusebenza eziyizimali zikahulumeni wesifundazwe nowasekhaya.	(347,981)	(347,946)	(35)	–	
	3. Ukuphathwa Kwezimali Ukuqinisekisa ukuphathwa ngendlela kwempahla nezimali zikahulumeni wesifundazweni nowasekhaya.	2,862	2,793	69	–	
	4. Ukucwangingwa Kwamabhuku Kwangaphakathi Ukusungula amasu aphasile ezolawulo lwangaphakathi, lokulawulwa kwezimo ezinobungozi, ukwakha nokugcina ubudlelwane obuhle nesisebenzisana nabo, ukutshala ulwazi ngokwakha isiko lokufunda nokwakha isisekelo sokusebenza kahle ukweseka uHulumeni wesifundazwe sakwa-Natali ekufezeni inhloso yawo.	7,254	7,240	14	–	
	5. Ukukhula Nentuthuko Ukuhiinzekela imiklamo njengoba kuvunywe uMkhandlu Omkhulu Ophethe Isifundazwe <i>isabelo salokhu yilesi:</i> Ukuhlela/ukulawula izindleko zezifunda zikaHulumeni	259,585	238,022	21,563	–	6,500
7	Ezempilo Ukuthuthukisa uhlelo lwezempilo olusimeme noludidiyelwe kuwona wonke amazinga okunakekela, ngokubuka unakekelongqangi lwezempilo ngoHlelo Lwezempilo Lwezifunda	512,613	282,991	26,187	203,435	188,237
	1. Ezokuphatha Ukuhiinzekela ngawo wonke amasu okuhola, ukuxhumanisa nokulawulwa kwemisebenzi ekufezekiseni izimpokophelo zesimo sempilo ebalulekile yayo yonke imiphakathi esifundazweni, kanye nokuphathwa komnyango okuhambisana nemisebenzi yokubusa okuhle.	6,364	6,353	11	–	
	2. Usizo Lwezempilo Lwezifunda Ukuhiinzekela ngosizo lwezempilo kanye nezibhedlela zesifunda. <i>Ngalolu xhasomali olunemibandela olandelayo:</i> Umsebenzi wokuhlola izifo	175,821	111,707	14,771	49,343	62,867
	3. Imisebenzi Yezempilo Ephuthumayo Ukuhiinzekela ngosizo lwezempilo oluphuthumayo ngaphambi kokufika esibhedlela kubandakanye nokwedluliselwa kwesinye isibhedlela nokuhlelwa kwezinto zokuthutha	1,302	10,708	200	(9,606)	
	4. Imisebenzi Yasesibhedlela Esifundazweni Ukuhiinzekela ngosizo lwasesibhedlela olufinyelelekayo, olufanele kanye noluphusile kanye nokuhiinzekela ngemisebenzi yochwepheshe edingekayo kubandakanye nomsebenzi wokuhlunyelwisa kwezimilo, kanye nesigcawu soqeqesho lochwepheshe bezempilo kanye nowaningo.	102,240	86,637	11,603	4,000	
	5. Imisebenzi Yosizo Lwasesibhedlela Ukuhiinzekela ngemisebenzi yezempilo esezingeni eliphezulu nesigcawu sokuqeqeshwa kwabasebenzi bezempilo. Uxhaso olunemibandela yilolu olulandelayo: Uqeqesho INtuthuko Yochwepheshe Bezempilo.	13,842	13,842	–	–	
	6. Izifundo Zezempilo Noqeqesho Ukuhiinzekela ngamathuba oqeqesho nentuthuko yalabo abangase babe abasebenzi noma abayibo abasebenzi bomnyango.	19,115	15,780	(398)	3,733	
	7. Imisebenzi Yokusiza nokweseka Ezempilo..... Ukuhiinzekela ngoxhasomali emisebenzini yosizo lwezempilo, ikakhulukazi i-Akhawunti Yokuhwebelana Ngemithi.	–	–	–	–	
	8. Ukuphathwa Kwezinsisa Zezempilo Ukuhiinzekela ukuphathwa kwezinsisa zezempilo emitholampilo yomphakathi kanye nasezikhungweni zezempilo, ezibhedlela zesifundazwe ezikhungweni zezimo eziphuthumayo zezempilo, ezibhedlela zokufunda kanye nakwezinye izakhiwo nezinhloso, ngokusebenzisa lolu xhasomali oluphuthumayo olulandelayo: Uxhasomali Lokwakhiwa Kabusha Kwezibhedlela Umsebenzi wokuhlola izifo	193,929	37,964	–	155,965	91,761 33,609

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(UHLU)						
Ivoti	Ukuchazwa	Ivoti nezabelo ezinkulu	Imininingwane yezamba ezabiwe			Izamba ezabelwe inhloso ethile
			Izinkokhelo Zamanje	Ezidluliswe Nemixhaso	Izinkokhelo Zempahla	
		R000	R000	R000	R000	R000
8	Ezezindlu Ukuqalisa ngempumelelo nangekhono izinhlelo zikazwelonke nezesifundazwe ngokubambisana nababambe iqhaza abaqondene kanye nokuhlizeka ngezindlu ezanele nezingabizi kulezo zakhamuzi ezifanele esifundazweni saKwaZulu-Natali.	-	(23,950)	(36,050)	60,000	-
	1. Ezokuphatha Ukuhlizeka ngamasu amahle obuholi, ukuqinisekisa ukuphathwa kahle kwezimali, ukuhlizeka ngamasu okweseka ezezindlu, ukulawula ezezimakethe eziqondene nezindlu kanye nezakhiwo zamakhaya, ukuqalisa ukusebenza nokwalusa ukubusa okuhle nokuhlizeka ngokuphathwa kahle kwamasu okusebenza.	6,700	5,200	1,500	-	
	2. Ukuhlelelwa nokwakhiwa Kwezindlu Ukwenza ucwaningo nokusungula izinqubomgomo, ukuhlela, ukulawulwa kolwazi	(1,700)	(1,700)	-	-	
	3. Ukuqaliswa Kokwakhiwa Kwezindlu Ukukhuthaza izinhlelo ezisebenzayo nezifanele zokulethwa kwezindlu.	(5,000)	(5,300)	(59,700)	60,000	
	4. Ukuphathwa Kwempahla Eyizakhiwo Ukuphathwa kwempahla eyayingaphansi kwe-Natal Administration ne-Own Affairs, njengezindlu zokuhlala, umhlaba ongasetshenziswa kanye nezakhiwo okungezona Uxhasomali Lwezindlu	-	(22,150)	22,150	-	
9	Ezokuphepha nokuxhumana nomphakathi..... Ukuba ngabaholi abahola yonke imizamo yezokuphepha komphakathi, nemizamo eyokwenza iKwaZulu-Natali ingabi nobugebengu.	-	(2,423)	-	2,423	-
	1. Ezokuphatha Ukuqinisekisa ulawulo jikelele emnyangweni, nokwenza imisebenzi eqondene nezokuphatha, ezezimali, usizo iwezomthetho nolwabasebenzi.	-	(233)	-	233	
	2. Ukusingathwa Kwezindaba Ezithinta Umphakathi Ukubheka ukusebenza ngendlela kwamaphoyisa, ukukhuthaza intuthuko kwemisebenzi yezocwaningo kanye nokuhlela imizamo yokugwema ubugebengu, kanye nokwakha ubudlelwane obuhle phakathi kwamaphoyisa nomphakathi.	-	(2,190)	-	2,190	
10	Umntyango Wezindaba ZaseNdlunkulu Ukudala isimo esifanele ukuthi iNgonyama yamaZulu ikwazi ukwenza imisebenzi	875	875	-	-	-
	1. Imisebenzi Yokwelekelela – iNgonyama Ukusingathwa ulawulo jikelele loMntyango obhekene nezindaba zaseNdlunkulu.	(176)	(176)	-	-	
	2. Ukuthuthukiswa Nokuhlelwa Kwezigidlo Ukuhlizeka ngayo yonke ingqalasizinda edingekayo kanye nokunakekelwa	838	838	-	-	
	3. Amapulazi eNgonyama Ukuhlizeka ngosizo ekugcinweni nasekuthuthukisweni kwamapulazi eNgonyama.	213	213	-	-	
11	Izindaba Zomdabu Nohulumeni Basekhaya Ukukhuthaza ulawulo lohulumeni basekhaya olugxile kubantu, olunesibopho sokubika nolusheshisa ukulethwa kwezidingo lubuye luqinisekise imiphakathi esimeme.	16,235	(91,513)	134,861	(27,113)	-
	1. Ezokuphatha Ukulelelela uNgqongqoshe nokwenza eminye imisebenzi yokwelekelela ngaphakathi eMnyangweni, kanye nokuphathwa kwezimali.	(12,157)	(15,202)	3,313	(268)	
	2. Ulawulo Lohulumeni Basekhaya Ukuqalisa uhlaka lwezokuphatha nolwezimali komasipala, ukuhlizeka ngenqalasizinda yomasipala.	26,440	(31,371)	58,249	(438)	
	3. Intuthuko Nokuhlela Ukukhuthaza ukuhlela okudidiyele kanye nentuthuko esifundazweni. <i>Uxhasomali olwedluliselwa kulesi sikhungo somphakathi:</i> Ikhomishana yesifundazwe Yezokuhlela Nentuthuko	1,353	(38,143)	39,743	(247)	
	4. Ukulawulwa Kwezikhungo Zomdabu Ukweseka nokuthuthukisa amandla ezindawo zamakhosi esifundazweni.	15,795	8,900	518	6,377	
	5. Ukuthuthukiswa Kwezindawo Zasemadolobheni Nezasemakhaya Ukusiza imiphakathi ethathwa njengenomnotho ophansi ukuba ithole amathuba okufinyelela kumnotho wezenhlalo nokubhekana kangcono nezinsalelo ababhekene nazo.	-	5,071	28,243	(33,314)	
	6. Uthuthukiswa Kwezikhungo Nezinhlelo <i>Ukwakha nokuqalisa isu lokusebenza lokuthuthukiswa kwamakhono olubanzi lomnyango, ngaphezu kokusungula izikhungo zokuqapha nokuhlola kanye nokuxhumana kwangaphandle ukuze kuthuthukiswe izinguquko zikamasipala nezezikhungo zendabuko</i>	(15,196)	(20,768)	4,795	777	

Act No. 8, 2007

KWAZULU-NATAL ADJUSTMENTS APPROPRIATION ACT, 2007

(UHLU)						
Ivoti	Ukuchazwa	Ivoti nezabelo ezinkulu	Imininingwane yezamba ezabiwe			Izamba ezabelwe Inhlalo ethile
			Izinkokhelo Zamanje	Ezidluliswe Nemixhaso	Izinkokhelo Zempahla	
		R000	R000	R000	R000	R000
12	Ezokuthutha Ukuhlizeka umphakathi ngengqalazizinda edidiyele nefinyelelekayo yezokuthutha, ukukhuthaza ukuphepha kwezokuthutha emgwaqeni kanye nokuqinisekisa ukuthi ekwenzeni lokhu, umnyango uyahlangabezana nezidingo zentuthuko zesifundazwe.	214	(15,325)	–	15,539	–
	1. Ezokuphatha Ukuhlizeka ngemisebenzi yokwelekelela kanye nokusingatha ukuphathwa jikelele komnyango.	1,214	214	1,000	–	
	2. Inggqalazizinda Yezomgwaqo Ukuhlizeka ngengqalazizinda yemigwaqo esifundazweni ngokulinganayo ngokwenziwa ngcono kwemigwaqo kanye nokugcinwa kwayo kanye namabuloho, ngokusebenzisa le mali yoxhasomali elandelayo:	1,000	(15,000)	1,000	15,000	
	3. Ukuthutha Ukuhlela, ukulawula nokuthuthukisa ezokuthutha umphakathi nempahla ukuze kuqinisekise ezokuthutha umphakathi nempahla eziphephile nezisimeme, ngokudlulisela uxhasomali kulesi sikhungo:	(3,000)	(539)	(3,000)	539	
	4. Ukulawulwa Kwezokuthutha Ukuqinisekisa isimo esiphephile emgwaqeni ngokulawulwa kokuhamba kwezimoto emigwaqeni yomphakathi, ukuhlonishwa komthetho, ukuqaliswa kwemikhankaso yokuphepha emgwaqeni kanye nezinhlelo zokuqwashisa nokubhaliswa nokunikezwa kwamalayisense ezimoto nawabashayeli.	1,000	–	1,000	–	
	5. Izinhlelo Ezigxile Emphakathini Ukubhekela izinhlelo zentuthuko ezakhelwe ukuthuthukisa nokudlulisela amakhono kuleyo miphakathi eyayincishwe amathuba ngaphambilini, kuthi ngaleyo ndlela kukhuthazwe ukubamba kwayo iqhaza emnothweni wezwe.	–	–	–	–	
13	Ezenhlalakahle Nokuthuthukiswa Komphakathi Ukuhlizeka, ukukhuthaza nokuthuthukisa ezenhlalakahle ezididiyele nezibeka umphakathi phambili, ukuze kukhuliswe ikhono lawo wonke umuntu KwaZulu-Natali.	64,863	34,068	26,615	4,180	58,907
	1. Ezokuphatha Ukuhlizeka ngolawulo jikelele olwesekelele emaswini okusebenza kanye nemisebenzi yokwelekelela umnyango.	30,603	28,603	–	2,000	
	2. Usizo Lomphakathi Ukuhlizeka ngomisebenzi wosizo lomphakathi nezibonelelo ngenhlo yezingane, imindeni, abantu abadala, abantu abagetshengwayo nabahlukunyezwayo, abantu abahlukunyezwe yisandulelangulazi nengculazi, abantu abakhubazekile, kanye nasemkhakheni wokuhlukunyezwa izidakamizwa nokugwema ubugbengu emphakathini.	7,106	(1,500)	6,426	2,180	
	3. Intuthuko nocwaningo Ukuhlizeka ngezinhlelo ezinokugcineka ezizosiza abantu abahiwempu ukuba bafike ezingeni lokuzimela. <i>Abelwe ukuba agxile kakhulu:</i> Izikhwama zokudla	27,154	6,965	20,189	–	58,907
14	Ezemisebenzi Ukuhlizeka ngezokwakha ezingabizi nemisebenzi yokulawulwa kwezindlu ngendlela efanele ezokukhuthaza amathuba emisebenzi ukuze kuqedwe ububha.	90	(8,175)	3,188	5,077	–
	1. Ezokuphatha Ukusingatha ukuphathwa jikelele komnyango, ukwakhiwa kwenqubomgomo nguNgqongqoshe kanye nabaphathi boMnyango kanye nokuhlizeka ngemisebenzi yezokuphatha neyasehlovisi enobungcweti.	21,206	18,051	1,605	1,550	
	2. Umhlaba Ukuqinisekisa ukusebenza kahle kophiko lwezemhlaba kanye nokuqinisekisa ukuthi abantu esisebenzisana nabo bahlinzekelwa ngendawo engabizi neyanele.	226	26	–	200	
	3. Ukuhlizeka ngezakhiwo, izinhloka kanye nezinsizakusebenza Ukuhlizeka iminyango esisebenzisana nayo ngezindlu, izakhiwo, kanye nempahla ngesikhathi esifanele futshi ngokulandela izimiso zayo, ukwenza ngcono indlela ezihlinzekela ngayo ngemisebenzi, ukwenza indawo engcono nevumela ukuthuthuka kwamabhizinisi asafufusa nayencishwe amathuba ngaphambilini, ukuhlela amasu okubambisana, kanye nokuhlela nokuqondanisa imisebenzi neyehhovisi lesifunda.	(21,342)	(26,252)	1,583	3,327	

KWAZULU-NATAL ADJUSTMENTS APPROPRIATION ACT, 2007

Act No. 8, 2007

(UHLU)						
Ivoti	Ukuchazwa	Ivoti nezabelo ezinkulu	Imininingwane yezamba ezabiwe			Izamba ezabelwe inhloso ethile
			Izinkokhelo Zamanje	Ezidlulisiwe Nemixhaso	Izinkokhelo Zempahla	
		R000	R000	R000	R000	R000
15	Ezobuciko, Amasiko Nezokuvasha Ukuhlinzeka nokukhuthaza imisebenzi edlondlobele yezamasiko nokuvakasha ebhekela izidingo ezahlukene zabantu bakulesi sifundazwe ukuze kwenziwe ngcono izinga labo lempilo.	5,806	(5,814)	9,900	1,720	–
	1. Ezokuphatha Ukusingatha ukuphathwa-jikelele komnyango.	659	32	–	627	
	2. Ezamasiko Ukusiza izinhlangano zezobuciko namasiko, ukukhuthaza, ukuthukisa nokugcina amasiko ukuze kuhlomule abantu baKwaZulu-Natali.	2,448	790	1,169	489	
	3. Imisebenzi Yezemitapo Yolwazi Nezokugcinwa Kwamagugu Ukuthukisa imitapo yolwazi yomphakathi kanye nezinqolobane zokugcina amagugu esifundazweni.	66	(3,436)	2,898	604	
	4. Ezokuvakasha Nokwesekela Izikhungo Zomphakathi Ukukhuthaza ukuthukisa komnotho ngokukhuthaza nokuthukisa amathuba amabhizinisi kwezokuvakasha, ukulwa nobubha, ukuvula amathuba emisebenzi, ukwakha ubudlelwane obuqinile nezinkampani zangaphandle, kanye nokweseka izikhungo zomphakathi. Lokhu kufaka phakathi ukudluliselwa kwezimali kulezi zikhungo ezilandelayo: KZN Toursim Authority Natal Sharks Board.	2,633	(3,200)	5,833	–	
				2,500 533		
16	EzeMidlalo nezokuNgcbeleka Ukwenza ngcono izinga lempilo kubantu baKwaZulu-Natali ngokwandisa amathuba okungcbeleka nokuvelela kwezemidlalo, ngokubamba iqhaza nokuthukisa abantu abaningi.	1,600	264	838	498	–
	1. EzokuPhatha Ukusingatha ukuphathwa jikelele komnyango, ukwakhiwa kwenqubomgomo nguNgqoqoshe kanye nabaphathi bomnyango.	(764)	(1,292)	30	498	
	2. Ukuhlelwa KwezeMidlalo Ukuqhakambisa, ukuthukisa nokuhlinzeka ngezimali ezemidlalo esifundazweni.	2,364	1,556	808		
Imiphumela yesamba sezimali ezabiwe		1,024,961	369,194	288,008	367,759	564,132

[English text signed by the Premier]

**KWAZULU-NATAL UNAUTHORISED EXPENDITURE
AUTHORISATION ACT, 2007
(Act. No. 7 of 2007)**

Assented to on 13-12-2007

ACT

To approve unauthorised expenditure as a direct charge against the Provincial Revenue Fund and to provide for matters connected therewith.

BE IT ENACTED by the Provincial Legislature of the Province of KwaZulu-Natal, as follows:—

Interpretation

1. In this Act, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Public Finance Management Act, 1999 (Act No.1 of 1999), has the meaning assigned to it in that Act.

Approval of unauthorised expenditure

2. The unauthorised expenditure referred to in the Schedule in the amount of R2,973,671,187.73 and described in the selected Resolutions of the Provincial Standing Committee on Public Accounts identified in Column 2 of the Schedule, is approved and authorised as a direct charge against the Provincial Revenue Fund.

Recovery of unauthorised expenditure

3. This Act does not detract from or limit any right or obligation to take appropriate steps to recover unauthorised expenditure from a responsible official or former official.

Short title

4. This Act is called the KwaZulu-Natal Unauthorised Expenditure Authorisation Act, 2007.

KWAZULU-NATAL UNAUTHORISED EXPENDITURE AUTHORISATION ACT, 2007

Act No. 7, 2007

SCHEDULE

Amount Unauthorised (R)	Standing Committee on Public Accounts Resolution Reference	Financial Year	Vote Title
Column 1	Column 2	Column 3	Column 4
18 421.97	49/2003	1992/93	Provincial Treasury
106 773.52	50/2003	1994/95	Agriculture & Environmental Affairs
127 062.12	50/2003	1994/95	Economic Development
288 875.81	50/2003	1994/95	Education
7 967.44	50/2003	1994/95	Provincial Treasury
167 974.65	50/2003	1994/95	Works
5 660 000.00	51/2003 and 89/2005	1994/95	Provincial Treasury
18 732 973.92	None	1997/98	Provincial Treasury
393 190.45	21/2003	1999/2000	Provincial Legislature
3 217 111.69	21/2003	1999/2000	Transport
90 653 557.18	21/2003	1999/2000	Social Welfare and Population Development
6 735 438.11	21/2003	1999/2000	Works
1 801 569.39	27/2003 and 71/2004	2000/01	Education
3 700.00	81/2003	2000/01	Local Government and Traditional Affairs
947 000.00	29/2003 and 91/2003	2000/01	Works
6 351 000.00	32/2003	2001/02	Housing
513 000.00	33/2003	2001/02	The Royal Household
15 283 800.48	70/2003	2001/02	Transport
161 553 887.27	102/2003	2001/02	Social Welfare and Population Development
3 001.00	None	2001/02	Works
174 508 186.15	62/2003	2002/03	Health
30 836 890.78	69/2003	2002/03	Transport
147 196 163.59	103/2003	2002/03	Social Welfare and Population Development
102 408 360.73	104/2004	2003/04	Education
2 333 447.19	104/2004	2003/04	Health
14 395 965.29	104/2004	2003/04	Housing
4 689 476.57	104/2004	2003/04	Transport
693 095 259.07	104/2004	2003/04	Social Welfare and Population Development
12 342 866.26	111/2006	2004/05	Education
92 003 142.43	102/2006	2004/05	Health
12 289 133.35	103/2006	2004/05	Housing
502 000.00	108/2006	2004/05	Community Safety & Liaison
639 384.72	107/2006	2004/05	Transport
782 118 678.48	106/2006	2004/05	Social Welfare and Population Development
346 887 969.19	111/2006	2005/06	Education
232 061 315.80	102/2006	2005/06	Health
12 176 525.55	103/2006	2005/06	Housing
339 335.60	108/2006	2005/06	Community Safety & Liaison
258 117.25	107/2006	2005/06	Transport
22 664.73	112/2006	2005/06	Sports and Recreation
2 973 671 187.73			

[Engelse teks deur die Premier geteken]

**KWAZULU-NATAL WET OP DIE MAGTIGING VAN
ONGEMAGTIGDE UITGAWES, 2007**
(Wet No. 7 van 2007)

Goedgekeur op 13-12-2007

WET

Om ongemagtigde uitgawes goed te keur as 'n direkte eis teen die Provinsiale Inkomstefonds en om voorsiening te maak vir sake wat daarmee verband hou.

DAAR WORD deur die Provinsiale Wetgewer van die provinsie KwaZulu-Natal soos volg bepaal:—

Interpretasie

1. In hierdie Wet, tensy uit die konteks anders blyk, dra enige woord of uitdrukking waaraan 'n betekenis geheg is in die Wet op die Bestuur van Openbare Finansies, 1999 (Wet No. 1 van 1999) die betekenis wat in daardie Wet daaraan geheg is.

Goedkeuring van ongemagtigde uitgawe

2. Die ongemagtigde uitgawe waarna in die bylae verwys word tot die bedrag van R2,973,671,187.73, en beskryf in die gekose besluite van die Provinsiale Staande Komitee oor Openbare Rekeninge geïdentifiseer in kolom 2 van die bylae, word goedgekeur en gemagtig as 'n direkte eis teen die Provinsiale Inkomstefonds.

Terugvordering van ongemagtigde uitgawe

3. Hierdie Wet doen nie afbreuk aan of beperk enige reg of verpligting om toepaslike stappe te doen om ongemagtigde uitgawe terug te vorder van 'n verantwoordelike beampte of vorige beampte nie.

Kort titel

4. Hierdie Wet heet die KwaZulu-Natal Wet op Magtiging van Ongemagtigde Uitgawes, 2007.

KWAZULU-NATAL UNAUTHORISED EXPENDITURE AUTHORISATION ACT, 2007

Act No. 7, 2007

BYLAE

Bedrag Ongemagtig (R)	Staaende Komitee oor Openbare Rekeninge Besluit Verwysing	Finansiële jaar	Stemtitel
Kolom 1	Kolom 2	Kolom 3	Kolom 4
18 421.97	49/2003	1992/93	Provinsiale Tesourie
106 773.52	50/2003	1994/95	Landbou en Omgewingsake
127 062.12	50/2003	1994/95	Ekonomiese Ontwikkeling
288 875.81	50/2003	1994/95	Onderwys
7 967.44	50/2003	1994/95	Provinsiale Tesourie
167 974.65	50/2003	1994/95	Werke
5 660 000.00	51/2003 en 89/2005	1994/95	Provinsiale Tesourie
18 732 973.92	Geen	1997/98	Provinsiale Tesourie
393 190.45	21/2003	1999/2000	Provinsiale Wetgewer
3 217 111.69	21/2003	1999/2000	Vervoer
90 653 557.18	21/2003	1999/2000	Maatskaplike Welsyn en Bevolkingsontwikkeling
6 735 438.11	21/2003	1999/2000	Werke
1 801 569.39	27/2003 en 71/2004	2000/01	Onderwys
3 700.00	81/2003	2000/01	Plaaslike Regering en Tradisionele Sakë
947 000.00	29/2003 en 91/2003	2000/01	Werke
6 351 000.00	32/2003	2001/02	Behuising
513 000.00	33/2003	2001/02	Die Koninklike Huishouding
15 283 800.48	70/2003	2001/02	Vervoer
161 553 887.27	102/2003	2001/02	Maatskaplike Welsyn en Bevolkingsontwikkeling
3 001.00	Geen	2001/02	Werke
174 508 186.15	62/2003	2002/03	Gesondheid
30 836 890.78	69/2003	2002/03	Vervoer
147 196 163.59	103/2003	2002/03	Maatskaplike Welsyn en Bevolkingsontwikkeling
102 408 360.73	104/2004	2003/04	Onderwys
2 333 447.19	104/2004	2003/04	Gesondheid
14 395 965.29	104/2004	2003/04	Behuising
4 689 476.57	104/2004	2003/04	Vervoer
693 095 259.07	104/2004	2003/04	Maatskaplike Welsyn en Bevolkingsontwikkeling
12 342 866.26	111/2006	2004/05	Onderwys
92 003 142.43	102/2006	2004/05	Gesondheid
12 289 133.35	103/2006	2004/05	Behuising
502 000.00	108/2006	2004/05	Gemeenskapveiligheid en Skakeling
639 384.72	107/2006	2004/05	Vervoer
782 118 678.48	106/2006	2004/05	Maatskaplike Welsyn en Bevolkingsontwikkeling
346 887 969.19	111/2006	2005/06	Onderwys
232 061 315.80	102/2006	2005/06	Gesondheid
12 176 525.55	103/2006	2005/06	Behuising
339 335.60	108/2006	2005/06	Gemeenskapveiligheid en Skakeling
258 117.25	107/2006	2005/06	Vervoer
22 664.73	112/2006	2005/06	Sport en Ontspanning
2 973 671 187.73			

[Umbhalo wasiNgisi unyathelwe nguNdunankulu]

**UMTHETHO WAKWAZULU-NATALI WOKUNIKA IMVUME
YEZINDLEKO EZINGAGUNYAZIWE, 2007
(Umthetho No. 7 ka 2007)**

Uvunywe mhlaka 13-12-2007

UMTHETHO

Ukunika imvume yokuba izindleko ezingagunyaziwe zikhokhelwe ngqo Esikhwameni Semali YeSifundazwe, kanye nokuhlinzekela imidanti ehambelana nalokhu.

MAKUMISWE UMTHETHO yiSishayamthetho SeSifundazwe sakwaZulu-Natali kanje:—

Ukuhunyushwa

1. Ngaphandle kokuba indikimba ikhomba okunye, kulo Mthetho lelo nalelo gama noma ibinzana lamagama elivele selinikezelwe incazelo ethile Emthethweni Wokuphathwa Kwezimali Zomphakathi, 1999 (uMthetho Ongunombolo 1 ka 1999), anikezelwa yona leyo ncazelo.

Ukunikezelwa kwemvume yezindleko ezingagunyaziwe

2. Izindleko ezingagunyaziwe okukhulunywa ngazo kuleli-Sheduli zenani lama-R2,973,671,187.73, futhi ezichazwe eZinqumweni Zekomidi Elimileyo LeSifundazwe Lama-Akhawunti Kahulumeni, okuhlonzwe Ohlwini lwesi-2 lwe-Sheduli, sekugunyazwa ukuba zikhokhelwe ngqo Esikhwameni Sezimali Zesifundazwe.

Ukukhokhiswa ngezindleko ezingagunyaziwe

3. Lo Mthetho awuguquli kumbe ugube noma yiliphi ilungelo noma isibopho esiqondene nokuthathelwa izinyathelo ezifanele kwaleso sikhulu esithintekayo, ukuze sikhokhiswe lezo zindleko esazenza zingunyaziwe.

Isihloko esifingqiwe

4. Lo Mthetho waziwa ngokuthi Umthetho WaKwaZulu-Natali Wokunikalmvume Yezindleko Ezingagunyaziwe, 2007

UHLU			
Isamba Esingagunyaziwe (R)	I Refarensi Yezinqumo ZeKomidi Elimileyo LeSifundazwe Lama- Akhawunti Kahulumeni	Unyaka Wezimali	Isihloko Ivoti
i-Kholamu 1	i-kholamu 2	i-Kholamu 2	i-Kholamu 4
18 421.97	49/2003	1992/93	UMgcinimafa Wesifundazwe
106 773.52	50/2003	1994/95	Ezolimo Nezemvelo
127 062.12	50/2003	1994/95	Ukuthuthukiswa Kwezomnotho
288 875.81	50/2003	1994/95	Ezemfundo
7 967.44	50/2003	1994/95	UMgcinimafa Wesifundazwe
167 974.65	50/2003	1994/95	Ezemisebenzi
5 660 000.00	51/2003 and 89/2005	1994/95	UMgcinimafa Wesifundazwe
18 732 973.92	None	1997/98	UMgcinimafa Wesifundazwe
393 190.45	21/2003	1999/2000	Isishayamthethi Sezifundazwe
3 217 111.69	21/2003	1999/2000	Ezokuthutha
90 653 557.18	21/2003	1999/2000	Ezenhlalakahle Nokuthuthukiswa Komphakathi
6 735 438.11	21/2003	1999/2000	Ezemisebenzi
1 801 569.39	27/2003 and 71/2004	2000/01	Ezemfundo
3 700.00	81/2003	2000/01	Izindaba Zomdabu Nohulumeni Basekhaya
947 000.00	29/2003 and 91/2003	2000/01	Ezemisebenzi
6 351 000.00	32/2003	2001/02	Ezezindlu
513 000.00	33/2003	2001/02	Umnyango Wezindaba ZaseNdlunkulu
15 283 800.48	70/2003	2001/02	Ezokuthutha
161 553 887.27	102/2003	2001/02	Ezenhlalakahle Nokuthuthukiswa Komphakathi
3 001.00	None	2001/02	Ezemisebenzi
174 508 186.15	62/2003	2002/03	Ezempilo
30 836 890.78	69/2003	2002/03	Ezokuthutha
147 196 163.59	103/2003	2002/03	Ezenhlalakahle Nokuthuthukiswa Komphakathi
102 408 360.73	104/2004	2003/04	Ezemfundo
2 333 447.19	104/2004	2003/04	Ezempilo
14 395 965.29	104/2004	2003/04	Ezezindlu
4 689 476.57	104/2004	2003/04	Ezokuthutha
693 095 259.07	104/2004	2003/04	Ezenhlalakahle Nokuthuthukiswa Komphakathi
12 342 866.26	111/2006	2004/05	Ezemfundo
92 003 142.43	102/2006	2004/05	Ezempilo
12 289 133.35	103/2006	2004/05	Ezezindlu
502 000.00	108/2006	2004/05	Ezokuphepha nokuxhumana nomphakathi
639 384.72	107/2006	2004/05	Ezokuthutha
782 118 678.48	106/2006	2004/05	Ezenhlalakahle Nokuthuthukiswa Komphakathi
346 887 969.19	111/2006	2005/06	Ezemfundo
232 061 315.80	102/2006	2005/06	Ezempilo
12 176 525.55	103/2006	2005/06	Ezezindlu
339 335.60	108/2006	2005/06	Ezokuphepha nokuxhumana nomphakathi
258 117.25	107/2006	2005/06	Ezokuthutha
22 664.73	112/2006	2005/06	EzeMidlalo nezokuNgcebeleka
2 973 671 187.73			

[English text signed by the Premier]

**KWAZULU-NATAL TRADITIONAL LEADERSHIP AND
GOVERNANCE AMENDMENT ACT, 2007**

(Act. No. 9 of 2007)

Assented to on 13-12-2007

ACT

To amend the KwaZulu-Natal Traditional Leadership and Governance Act, 2005, so as to clarify the leadership of traditional sub-communities; to provide for the power of *Inkosi* to prepare a testamentary succession document identifying his or her successor; to provide for the safekeeping of testamentary succession documents; to rectify an omission in the English version of the Act; to provide for delegations; to provide for the recognition of *Amakhosi* who were recognised as such prior to the commencement of the Act; and to provide for matters connected therewith.

BE IT ENACTED by the Provincial Legislature of the Province of KwaZulu-Natal, as follows:-

Amendment of section 1 of Act 5 of 2005

1. Section 1 of the KwaZulu-Natal Traditional Leadership and Governance Act, 2005 (Act No. 5 of 2005), hereinafter referred to as the principal Act, is hereby amended by the insertion after the definition of "traditional leader" of the following definition:

“**traditional sub-community**” means a community –

(a) subject to the system of traditional leadership; and

(b) observing a system of customary law,

but which is located in an area different from the area in which *Inkosi* to whom the community owes allegiance resides.”.

Insertion of section 2A in Act 5 of 2005

2. The following section is hereby inserted in the principal Act after section 2:

“Recognition of traditional sub-communities”

2A.(1) Every *Inkosi* of a traditional sub-community may, in the manner contemplated in sections 2(2), 2(3) and 2(4)(a), read with the necessary changes, apply for the recognition of such a traditional sub-community.

(2) If the Premier grants the application for the recognition of a traditional sub-community, *Inkosi* must appoint an *Induna* to represent *Inkosi* in the area or areas under the supervision of *Inkosi* and in which *Inkosi* does not reside.

(3) Section 2(5)(b), (c) and (6) apply with the necessary changes to an application referred to in subsection (1). ”.

Amendment of section 19 of Act 5 of 2005

3. Section 19 of the principal Act is hereby amended by the substitution in subsection (1) for subparagraph (iii) of paragraph (a) of the following subparagraph:

“(iii) the Premier must, subject to subsection (3) of this section and section 3, recognise a person so identified in terms of subsection (1)(a)(i) as *Inkosi*: Provided that if the reason for the vacancy is the death of the recognised *Inkosi*, *Umndeni wenkosi* must, before identifying the person to be recognised as *Inkosi*, consider the content of the testamentary succession document referred to in section 19A.”.

Insertion of section 19A in Act 5 of 2005

4. The following section is hereby inserted in the principal Act after section 19:

“Preparation of testamentary succession document by *Inkosi*”

19A.(1) Every *Inkosi* should prepare a testamentary succession document, identifying the person to succeed as *Inkosi* in terms of the format as prescribed in the regulations.

(2) The responsible Member of the Executive Council must after consultation with the House of Traditional Leaders appoint a person to act as custodian and repository of all testamentary succession documents, and may prescribe the identity, powers, functions and duties of such custodian.

(3) The custodian and repository must keep any testamentary succession document lodged with him or her in safe custody in separate sealed envelopes, until such envelopes are opened by him or her after the death of *Inkosi* concerned, or until *Inkosi* concerned requests, in writing, the return thereof in order to amend, or alter the testamentary succession document or to execute a new testamentary succession document.

(4) Any amendment or alteration to a testamentary succession document must be in writing and signed as provided for in subsection (1).”.

Amendment of section 44 of Act 5 of 2005

5. Section 44 of the principal Act is hereby amended by the substitution in the English text for the introductory clause of subsection (2) of the following introductory clause to subsection (2):

“(2) The responsible Member of the Executive Council may, by notice in the *Gazette*, make regulations and issue notices in respect of -”.

Substitution of section 48 of Act 5 of 2005

6. The following section is hereby substituted for section 48 of the principal Act:

“Delegations”

48.(1) The Premier may, subject to the provisions of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003), delegate to the responsible Member of the Executive Council any role, power, function or duty conferred on, or assigned to, the Premier by this Act.

(2) The responsible Member of the Executive Council may, subject to the provisions of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003), delegate to the Head of Department any role, power, function or duty conferred on, or assigned to, the responsible Member of the Executive Council by this Act, except the power to make regulations and issue notices.

(3) Any role, power, function or duty delegated in terms of subsections (1) or (2) must be exercised or performed subject to such conditions as the person who made the delegation considers necessary.

(4) Any delegation referred to in subsections (1) or (2) –

(a) must be in writing;

(b) does not prohibit the person who made the delegation from exercising that power or performing that role, function or duty; and

(c) may at any time be withdrawn or amended in writing by the person who made the delegation. ”.

Amendment of section 52 of Act 5 of 2005

7. Section 52 of the principal Act is hereby amended by the addition after subsection (6) of the following subsection:–

“(7) *Inkosi* recognised as such in terms of applicable provincial legislation, and who was recognised as such immediately before the commencement of this Act is regarded to have been recognised as such in terms of section 19 of this Act.”.

Short title

8. This Act is called the KwaZulu Natal Traditional Leadership and Governance Amendment Act, 2007.

MEMORANDUM ON THE OBJECTS OF THE KWAZULU-NATAL TRADITIONAL LEADERSHIP AND GOVERNANCE AMENDMENT BILL, 2007

INTRODUCTION

1.(1) In 2005 the Provincial Legislature of KwaZulu-Natal passed the Traditional Leadership and Governance Act, 2005 (Act No. 5 of 2005) in order to provide for the recognition of traditional communities, the establishment and recognition of traditional councils, traditional leadership positions, the recognition of traditional leaders, houses of traditional leaders and certain ancillary matters.

(2) During the implementation of the Act it became necessary to—

- (a) deal with the position of traditional sub-communities, which had not been specifically dealt with in the Act;
- (b) provide for the power of *Inkosi* to prepare a testamentary succession document identifying his or her successor, and the process of such identification;
- (c) rectify an omission in the English text of the Act;
- (d) provide for delegations; and
- (e) provide for the recognition of Amakhosi who were recognised as such prior to the commencement of the Act.

(3) The Traditional Leadership and Governance Framework Act and the Constitution were analysed during this process and the provisions are fully compliant with the relevant prescripts. This Bill addresses those issues that are considered urgent to finalise and to give full effect to the provincial government business on traditional leadership.

CLAUSE BY CLAUSE EXPLANATION OF THE BILL

2.(1) Clauses 1 and 2 have been introduced to provide for the recognition of Traditional sub-communities, where a specific traditional community is situated in different and separate areas of KwaZulu-Natal, but owes allegiance to one *Inkosi*.

(2) Clause 3 provides that *Umndeni wenkosi* must consider the testamentary document

before identifying the person to succeed the *Inkosi* upon the *Inkosi's* death.

(3) Clause 4 provides for *Inkosi* to prepare a testamentary succession document in which *Inkosi* identifies the person he or she wishes to succeed him or her as *Inkosi*, and sets out the formalities which must be complied with for the proper execution and safekeeping of such documents.

(4) Clause 5 rectifies an omission in the English text of section 44(2) of the KwaZulu-Natal Traditional Leadership and Governance Act, 2005

(5) Clause 6 provides for the delegation of roles, powers, functions and duties by the Premier and the responsible member of the Executive Council.

(6) Clause 7 provides for the deemed recognition of *Amakhosi* who were recognised in terms of applicable provincial legislation, and who were recognised as such immediately before the commencement of the Act, to be recognised in terms of this Act.

(7) Clause 8 provides for the short title of the Act.

[Engelse teks deur die Premier geteken]

KWAZULU-NATAL WYSIGINGSWET OP TRADISIONELE LEIERSKAP EN REGERING, 2007

(Wet No. 9 van 2007)

Goedgekeur op 13-12-2007

WET

Om die KwaZulu-Natal Wet op Tradisionele Leierskap en Regering, 2005, te wysig om sodoende die leierskap van tradisionele subgemeenskappe uiteen te sit; om voorsiening te maak vir die bevoegdheid van 'n *Inkosi* om 'n testamentêre opvolgingsdokument voor te berei vir die aanwysing van sy of haar opvolger; om voorsiening te maak vir die veilige bewaring van testamentêre opvolgingsdokumente; om voorsiening te maak vir die erkenning van *Amakhosi* wat voor die inwerkingtreding van die Wet as sodanig erken is; en om voorsiening te maak vir sake wat daarmee verband hou.

DAAR WORD soos volg deur die Provinsiale Wetgewer van die provinsie KwaZulu-Natal bepaal:-

Wysiging van artikel 1 van Wet No. 5 van 2005

1. Artikel 1 van die KwaZulu-Natal Wet op Tradisionele Leierskap en Regering, 2005 (Wet No. 5 van 2005), hierna die Hoofwet genoem, word hierby gewysig deur die invoeging van die volgende omskrywing na die omskrywing van "tradisionele leier":

“**tradisionele subgemeenskap**” beteken 'n gemeenskap –

- (a) wat onderhewig is aan die tradisionele leierskapstelsel; en
- (b) wat 'n stelsel van gewoontereg nakom,

maar wat geleë is in 'n gebied wat verskillend is van die gebied waarin die *Inkosi* aan wie die gemeenskap

trou verskuldig is, woon.”.

Invoeging van artikel 2A by Wet No. 5 van 2005

2. Die volgende artikel word hierby na artikel 2 by die Hoofwet ingevoeg:

“Erkenning van tradisionele subgemeenskappe

2A.(1) 'n *Inkosi* of 'n tradisionele subgemeenskap kan, op die wyse waarvoor voorsiening gemaak is in subartikels (2) en (3), aansoek doen vir die erkenning van sodanige tradisionele subgemeenskap.

(2) Indien die Premier die aansoek om erkenning van 'n tradisionele subgemeenskap toestaan, moet die *Inkosi* 'n *Induna* aanstel om die *Inkosi* te verteenwoordig in die gebied of gebiede onder die *Inkosi* se toesig en waarin die *Inkosi* nie woon nie.

(3) Artikel 2(5)(b), (c) en (6) is met die nodige veranderings van toepassing op 'n aansoek vermeld in subartikel (1).”.

Wysiging van artikel 19 van Wet No. 5 van 2005

3. Artikel 19 van die Hoofwet word hierby gewysig deur die vervanging in subartikel (1) van subparagraaf (iii) van paragraaf (a) deur die volgende subparagraaf:

“(iii) die Premier moet, onderhewig aan subartikel (3) van hierdie artikel en artikel 3, 'n persoon as 'n *Inkosi* erken wat ingevolge subartikel (1)(a)(i) as sodanig aangewys is: Met dien verstande dat indien die rede vir die vakature die dood van die erkende *Inkosi* is, die *Umnjeni wenkosi* voor identifisering van die persoon wat as 'n *Inkosi* aangestel moet word, die inhoud van die testamentêre opvolgingsdokument vermeld in artikel 19A, moet oorweeg.”.

Invoeging van artikel 19A by Wet No. 5 van 2005

4. Die volgende artikel word hierby na artikel 19 by die Hoofwet ingevoeg:

“Vorbereiding van testamentêre opvolgingsdokument deur *Inkosi*

19A.(1) Elke *Inkosi* moet 'n testamentêre opvolgingsdokument voorberei waarin die *Inkosi* die persoon ingevolge die formaat wat in die regulasies voorgeskryf is identifiseer wat hom of haar as *Inkosi* sal opvolg.

(2) Die verantwoordelike Lid van die Uitvoerende Raad moet na oorlegpleging met die Huis van Tradisionele Leiers 'n persoon aanstel wat as bewaarder en vertroueling van alle testamentêre opvolgingsdokumente sal dien, en mag die identiteit, magte, funksies en pligte van sodanige bewaarder voorskryf.

(3) Die bewaarder en vertroueling moet enige testamentêre opvolgingsdokument wat by hom of haar in veilige bewaring gedeponeer is in aparte verseëelde koeverte, totdat sodanige koeverte deur hom of haar oopgemaak word na die dood van die betrokke *Inkosi*, of totdat die betrokke *Inkosi* skriftelik die terugbesorging daarvan versoek ten einde die testamentêre opvolgingsdokument te wysig of te verander of om 'n nuwe testamentêre opvolgingsdokument ten uitvoering te bring.

(4) Enige wysiging of verandering aan 'n testamentêre opvolgingsdokument moet skriftelik wees en geteken en gestaaf wees soos vermeld in subartikel (1).”.

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Wysiging van artikel 44 van Wet 5 van 2005

5. Artikel 44 van die Hoofwet word hierby gewysig deur die vervanging in die Engelse teks met die inleidende klousule van subartikel (2) van die volgende inleidende klousule tot subartikel (2):

"(2) Die verantwoordelike Lid van die Uitvoerende Raad kan by wyse van kennisgewing in die *Staatskoerant* regulasies en kennisgewings uitvaardig met betrekking tot –".

Vervanging van artikel 48 van Wet No. 5 van 2005

6. Die volgende artikel vervang hierby artikel 48 van die Hoofwet:

"Delegasie

48.(1) Die Premier kan, onderhewig aan die bepalings van die Raamwerkwet op Tradisionele Leierskap en Regering, 2003 (Wet No. 41 van 2003), enige rol, bevoegdheid, funksie of plig verleen of oorgedra aan die Premier deur hierdie Wet, aan die verantwoordelike Lid van die Uitvoerende Raad deleger.

(2) Die verantwoordelike Lid van die Uitvoerende Raad kan enige rol, bevoegdheid, funksie of plig aan die Hoof van die Departement deleger, verleen of oorgedra aan die verantwoordelike Lid van die Uitvoerende Raad deur hierdie Wet, behalwe die bevoegdheid om regulasies uit te vaardig en kennisgewings uit te reik

(3) Enige rol, bevoegdheid, funksie of plig gedeleger ingevolge subartikel (1) of (2) moet uitgeoefen of verrig word onderhewig aan sodanige voorwaardes as wat die persoon wat die delegering doen, nodig ag.

(4) Enige delegasie vermeld in subartikel (1) of (2) –

(a) moet skriftelik wees;

(b) verbied nie die persoon of wie die delegering gedoen het om daardie bevoegdheid uit te oefen of daardie rol, funksie of plig te verrig nie; en

(c) kan te eniger tyd skriftelik onttrek of gewysig word deur die persoon wat die delegering gedoen het. "

Wysiging van artikel 52 van Wet No. 5 van 2005

7. Artikel 52 van die Hoofwet word hierby gewysig deur die invoeging van die volgende subartikel na subartikel (6):–

"(7) 'n *Inkosi* wat as sodanig aangestel is ingevolge toepaslike provinsiale wetgewing, en wat as sodanig erken is onmiddelik voor die inwerkingtreding van hierdie Wet word as erken geag ingevolge artikel 19 van hierdie Wet."

Kort titel

8. Hierdie Wet word genoem die KwaZulu-Natal Wysigingswet op Tradisionele Leierskap en Regering, 2007.

{Umbhalo weSingisi unyathelwe nguNdunankulu}

**UMTHETHO OYISICHIBIYELO WOBUHOLI NOKUBUSA
KWENDABUKO WAKWAZULU-NATALI, 2007**

(Umthetho No. 9 ka 2007)

Uvunywe mhlaka 13-12-2007

UMTHETHO

Wokuchibiyela uMthetho wobuHoli nokuBusa kweNdabuko waKwaZulu-Natali, 2005, ukuze kucaciswe ubuholi bemiphakathi emincane esekelwe ngokwenqubo yomdabu; wokuhlinzekela amandla okuthi iNkosi ibhale umbhalo ohlonza umuntu ozoyilandela esikhundleni sobuKhosi; wokuhlinzekela ukugcinwa endaweni ephephile kwaleyo mibhalo; wokuhlinzekela ukwamukelwa kwamaKhosi ayemukelwe ngaphambi kokuqaliswa koMthetho; kanye nokuhlinzekela okunye okuphathelele nalokho.

MAKUMISWE UMTHETHO yisiShayamthetho sesiFundazwe saKwaZulu-Natali, kanje:-

Ukuchitshiyelwa kwesigaba 1 sika soMthetho 5 ka 2005

1. Isigaba 1 soMthetho wobuHoli nokuBusa kweNdabuko, 2005 (uMthetho No. 5

ka 2005), emva kwalokhu ozobizwa ngoMthetho omkhulu, ngalokhu siyachitshiyelwa ngokufaka emva kwencazelo “umholi wendabuko” le ncazelo elandelayo:

“**umphakathi omncane osekelwe ngokwenqubo yomdabu**” kusho umphakathi –

(a) ongaphansi kohlelo lobuholi bomdabu; futhi

(b) ohlonipha uhlelo lomthetho wesintu,

kodwa osendaweni ehlukile kunaleyo ndawo ehlala iNkosi lowo mphakathi okhonza ngaphansi kwayo.”

Ukufakwa kwesigaba 2A eMthethweni 5 ka-2005

2. Lesi sigaba esilandelayo ngalokhu sifakwa eMthethweni omkhulu emva kwesigaba 2:

“**Ukwamukelwa kwemiphakathi emincane esekelwe ngokwenqubo yomdabu**

2A.(1) INkosi yomphakathi omncane osekelwe ngokwenqubo yomdabu, ngendlela ehlinzekelwe ezigatshaneni (2) no (3), zingafaka isicelo sokwamukelwa njengomphakathi omncane osekelwe ngokwenqubo yomdabu.

(2) Uma uNdunankulu evuma isicelo sokwamukelwa komphakathi omncane osekelwe ngokwenqubo yomdabu, iNkosi kumele ibeke induna ukuba imele iNkosi endaweni noma ezindaweni ezingaphansi kwesandla sayo iNkosi engahlali kuyona noma kuzona.

(3) Isigaba 2(5)(b), (c) no (6) sisebenza kunye nezinguquko ezidingekayo esicelweni okukhulunywe ngaso esigatshaneni (1).”

Ukuchitshiyelwa kwesigaba 19 soMthetho 5 ka 2005

3. Isigaba 19 soMthetho omkhulu ngalokhu siyachitshiyelwa ngokufaka esikhundleni sesigatshana (1) indinyana (iii) yendima (a) yale ndinyana

elandelayo:

“(iii) uNdunankulu kumele, kuncike esigatshaneni (3) salesi sigaba kanye nesigaba 3, amukele umuntu ohlonzwe ngokwesigatshana (1)(a)(i) njengeNkosi: Kuncike ekutheni uma isizathu sokuvuleka kwesikhala kudalwe ngukukhothama kweNkosi ebikhona, uMndeni weNkosi kumele, ngaphambi kokuhlonza umuntu ozobekwa njengeNkosi, ucubungule okuqukethwe embhalweni ohlonza umuntu ozoyilandela esikhundleni sobuKhosi okukhulunywe ngawo esigabeni 19A.”.

Ukufakwa kwesigaba 19A eMthethweni 5 ka 2005

4. Lesi sigaba ngalokhu sifakwa eMthethweni omkhulu emva kwesigaba 19:

“Ukubhalwa kombhalo ohlonza umuntu ozolandela esikhundleni sobuKhosi yiNkosi

19A.(1) INkosi kumele ibhale umbhalo ohlonza umuntu ozoyilandela esikhundleni sobuKhosi ngokulandela indlela ebekiwe ngokweMithethonqubo.

(2) ILungu loMkhandlu oPhethe kumele, emva kokubonisana neNdlu Yabaholi Bomdabu, liqoke umuntu ozokuba ngumphathi nomgcini wayo yonke imibhalo yokuhlonza abantu abazolandela esikhundleni sobuKhosi.

(3) Umphathi nomgcini kumele agcine umbhalo wokuhlonza abantu abazolandela esikhundleni sobuKhosi ayinikeziwe endaweni ephephile nasezimvilophini ezahlukene ezivaliwe, aze ayivule emva kokukhothama kweNkosi ethintekayo, noma kuze kube iNkosi ethintekayo icela, ngokubhalwe phansi, ukuba ubuyiswe ukuze ichibiyele, noma ishintshe umbhalo wokuhlonza umuntu ozolandela esikhundleni sobuKhosi noma ibhale umbhalo wokuhlonza umuntu ozolandela esikhundleni sobuKhosi omusha.

(4) Noma yikuphi ukuchitshiyelwa noma ukushintshwa kombhalo

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wokuhlonza umuntu ozolandela esikhundleni sobuKhosi kumele ubhalwe phansi, usayinwe futhi ube nofakazi njengoba kuhlinzekelwe esigatshaneni (1)".

Ukuchitshiyelwa kwesigaba 44 soMthetho 5 ka 2005

5. Isigaba 44(2) soMthetho omkhulu ngalokhu siyachitshiyelwa ngokufaka esikhundleni sesigaba esiyisingeniso sesigatshana (2), lesi sigaba esiyisingeniso esilandelayo:

"(2) ILungu Lomkhandlu Ophethe elengamele, ngesaziso kwiGazethi, lingakha imithethonqubo futhi likhiphe izaziso mayelana –"

Ukushintshwa kwesigaba 48 soMthetho 5 ka-2005

6. Esikhundleni salesi sigaba ngalokhu kufakwa isigaba 48 soMthetho oMkhulu:

"Ukudluliselwa kwamandla

48.(1) UNdunankulu, kuncike ezinhlinzekweni zoMthetho owuHlaka wobuHoli nokuBusa kweNdabuko, 2003 (uMthetho No. 41 ka 2003), angadlulisela kwiLungu loMkhandlu oPhethe noma yiliphi iqhaza, umsebenzi noma isibopho okunikwe, uNdunankulu yilo Mthetho.

(2) ILungu loMkhandlu oPhethe lingadlulisela amandla kwiNhloko yoMnyango nanoma yiliphi iqhaza, amandla, umsebenzi noma isibopho okuthweswe noma okunikezwe, iLungu loMkhandlu oPhethe yilo Mthetho, ngaphandle kwamandla okwenza imithethonqubo kanye nokukhipha izaziso.

(3) Noma yiliphi iqhaza, amandla, umsebenzi noma isibopho okudluliselwe ngokwesigatshana (1) noma (2) kumele kusetshenziswe noma kwenziwe kuncike kuleyo mibandela engabonwa idingeka ngumuntu odluliselile.

(4) Noma yikuphi ukudlulisela okukhulunywe ngakho esigatshaneni (1) noma (2) –

- (a) kumele kubhalwe phansi;
- (b) akuvimbeli umuntu odluliselile ekusebenziseni amandla, ekubambeni iqhaza noma ekwenzeni umsebenzi; futhi
- (c) noma yingasiphi isikhathi kungahoxiswa noma kuchitshiyelwe ngokubhalwe phansi ngumuntu odluliselile.”.

Isihloko esifingqiwe

7. Lo Mthetho ubizwa ngokuthi uMthethosichibiyelo Wobuholi Nokubusa kweNdabuko waKwaZulu-Natali, 2007.