

**Provincial Gazette
Extraordinary**

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*Friday, 28 August 2009***Buitengewone
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*Vrydag, 28 Augustus 2009***Isongezelelo
kwiGazethi yePhondo**

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OF THE PROVINCE OF
WESTERN CAPE**

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It is hereby notified that the Acting Premier of the Province of Western Cape has assented to the following Act which is hereby published for general information:—

No. 6 of 2009: Western Cape Irregular Expenditure Act, 2009.

*As 'n Nuusblad by die Poskantoor Geregistreer***KANTOOR VAN DIE PREMIER
VAN DIE PROVINSIE
WES-KAAP**

P.K. 311/2009 28 Augustus 2009

Hierby word bekend gemaak dat die Waarnemende Premier van die Provinsie Wes-Kaap die onderstaande Wet wat hierby ter algemene inligting gepubliseer word, bekragtig het:—

Nr. 6 van 2009: Wes-Kaapse Wet Onreëlmatige Uitgawe, 2009.

*Ibhaliswe ePosini njePhephandaba***I-OFISI YENKULUMBUSO
YEPHONDO LENTSHONA
KOLONI**

P.N. 311/2009 28 Agasti 2009

Kwenziwa isaziso apha sokuba iNkulumbuso eBambeleyo yePalamente yePhondo leNtshona Koloni iwamkele ngokusemthethweni lo Mthetho ulandelayo opapashelwe ulwazi gabalala apha:—

Nomb 6 ka-2009: UMthetho oSayilwayo weNkcithomali engaqhelekanga weNtshona Koloni, ka-2009.



(English text signed by the Acting Premier)
(Assented to 24 August 2009)

ACT

**To validate certain irregular expenditure in respect of the 2007/2008 financial year;
and to provide for matters connected therewith.**

WHEREAS, in the 2007/2008 financial year, the Provincial Treasury (Vote 3) made a donation of R250 000 to the Western Cape Provincial Youth Commission via the Premier's Office;

AND WHEREAS the donation amounted to irregular expenditure within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999), read with National Treasury Regulation 21.1.1 in that it exceeded R100 000 and the approval of the Provincial Parliament was not sought by including the item separately in the Appropriation Bill;

AND WHEREAS the irregular expenditure is disclosed in the Report of the Accounting Officer in the Annual Financial Statements for the year ended 31 March 2008 and the Disclosure Notes to the Annual Financial Statements;

AND WHEREAS, in terms of National Treasury Practice Note 4 of 2008/2009, the approval of the Provincial Parliament is required for the condonation of the irregular expenditure,

BE IT ENACTED by the Provincial Parliament of the Western Cape, as follows:—

Validation of certain irregular expenditure

1. Expenditure in the amount of R250 000 incurred in the 2007/2008 financial year by the Provincial Treasury against Vote 3 for the purpose of a donation to the Western Cape Provincial Youth Commission, is hereby validated. 5

Short title

2. This Act is called the Western Cape Irregular Expenditure Act, 2009.

(Engelse teks deur die Waarnemende Premier geteken)
(Bekragtig op 24 Augustus 2009)

WET

Om sekere onreëlmatige uitgawes ten opsigte van die 2007/2008 boekjaar geldig te verklaar; en om voorsiening te maak vir aangeleenthede wat daarmee verband hou.

WAAR, gedurende die 2007/2008 boekjaar, die Provinsiale Tesourie (Begrotingspos 3) 'n skenking van R250 000 via die Kantoor van die Premier aan die Wes-Kaapse Provinsiale Jeugkommissie gemaak het;

EN WAAR die skenking as onreëlmatige uitgawes geklassifiseer word in terme van die Wet op Openbare Finansiële Bestuur, 1999 (Wet 1 van 1999), saamgelees met Nasionale Tesourieregulasie 21.1.1, in die sin dat dit die bedrag van R100 000 oorskry het en goedkeuring van die Provinsiale Parlement nie verkry is deur dit as 'n aparte item in die Begrotingswetsontwerp in te sluit nie;

EN WAAR die onreëlmatige uitgawes soos in die Verslag van die Rekenpligtige Beampte in die Finansiële Jaarstate vir die jaar geëindig 31 Maart 2008 en die Verklarende Notas tot die Finansiële Jaarstate openbaar word;

EN WAAR, ingevolge die bepalings van Nasionale Tesourie Praktyk Nommer 4 van 2008/2009, die goedkeuring van die Provinsiale Parlement nodig is vir die kondonering van die onreëlmatige uitgawes,

DAAR WORD BEPAAL deur die Provinsiale Parlement van die Provinsie Wes-Kaap, soos volg:—

Geldigverklaring van sekere onreëlmatige uitgawes

1. Uitgawe ten bedrae van R250 000 wat in die 2007/2008 boekjaar deur die Provinsiale Tesourie teen Begrotingspos 3 aangegaan is vir die doel om 'n skenking aan die Wes-Kaapse Provinsiale Jeugkommissie te maak, word hiermee geldig verklaar. 5

Kort titel

2. Hierdie Wet heet die Wes-Kaapse Wet op Onreëlmatige Uitgawe, 2009.

(Umxholo wesiNgesi utyikitywe yiNkulumbuso eBambeleyo)
(Uvunywe ngowana-24 Agasti 2009)

UMTHETHO

Ukuguqula inkcitho ethile engavumelekanga yonyaka-mali wama-2007/2008 ibe yevumelekileyo; nokulungiselela imiba eyayamene noko.

NJENGOKO, kunyaka-mali wama-2007/2008, iCandelo looNondyebo bePhondo (Ivoti 3) lanikela ngama-R250 000 kwiKomishoni yoLutsha yePhondo leNtshona Koloni, mnikelo lowo uphume kwi-Ofisi yeNkulumbuso:

NANJENGOKO umnikelo lowo wathi kanti uyinkcitho engavumelekanga njengoko kuchazwe kuMthetho wokuPhathwa kweeMali zoLuntu (uMthetho 1 ka-1999), ufundwe kunye nemiGaqo yeCandelo looNondyebo beSizwe 21.1.1 kuba loo mnikelo uye wangaphezulu kwe-R100 000 kwaye oko kwenzeka kungacelwanga mvume kwiPalamente yePhondo ngokuthi loo mba ufakwe njengomba ozimeleyo kuMthetho oYilwayo woHlahlo-mali;

NANJENGOKO loo nkcitho ingavumelekanga yathi yabhengezwa kwiNgxelo yeGosa loBalo-mali kwiiNgxelo-mali zoNyaka unyaka owaphela ngomhla wama-31 kuMatshi 2008 nakumaNqakwana Abhengezayo apheleka ezo Ngxelo-mali zoNyaka;

NANJENGOKO, ngokomgaqo wokuSebenza wesi-4 weCandelo looNondyebo beSizwe (National Treasury Practice Note 4) wama-2008/2009, kufuneka kucelwe imvume yokuxolela inkcitho engavumelekanga kwiPalamente yePhondo,

OLU YILO LOMTHETHO MALWENZIWE LUSEBENZE yiPalamente yePhondo leNtshona Koloni, ngolu hlobo:—

Ukwamkelwa kwenkcitho ethile engavumelekanga

1. Inkcitho engama-R250 000 eyenziwe kunyaka-mali wama-2007/2008 liCandelo looNondyebo bePhondo ngokwayamene neVoti 3 ngenjongo yokunikela kwiKomishoni yoLutsha yePhondo leNtshona Koloni iyamkelwa ngalo mthetho. 5

Isihloko esifutshane

2. Lo Mthetho ubizwa ngokuba nguMthetho weNkcithomali engaVumelekanga weNtshona Koloni, ka-2009.