

GAUTENG PROVINCIAL LEGISLATURE

DIRECT CHARGES ACT, 2001

ENGLISH TEXT SIGNED BY THE PREMIER
ASSENTED TO ON 29/03/2001

ASSENTED TO

PREMIER

CERTIFIED CORRECT AS PASSED BY
THE GAUTENG PROVINCIAL LEGISLATURE

SIGNED 

DATE 23/3/2001

No 2, 2001

ACT

To provide for direct charges against the Provincial Revenue Fund as referred to in section 226 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) read with the Public Finance Management Act, 1999; and to provide for matters connected therewith.

BE IT ENACTED by the Gauteng Provincial Legislature, as follows:—

Definitions

1. In this Act, unless the context otherwise indicates—
 - “Province” means the Gauteng Province; and
 - “the PFMA” means the Public Finance Management Act, 1999 (Act No. 1 of 1999).

Direct charges against the Provincial Revenue Fund

2. The following payments are direct charges against the Provincial Revenue Fund:
 - (a) transfers of money by the Provincial Treasury from the Provincial Revenue Fund to a provincial department or provincial public entity affected by the withdrawal of exclusions in terms of section 23(3)(a) of the PFMA; 10
 - (b) withdrawals by the Provincial Treasury from the Provincial Revenue Fund in terms of section 24(1)(b) and 24(1)(c) of the PFMA;
 - (c) authorisations by the MEC for Finance in terms of section 25(1) of the PFMA; 15
 - (d) the utilisation of savings by an accounting officer of a provincial department in terms of section 43(1) of the PFMA;
 - (e) withdrawal of funds from the Provincial Revenue Fund in terms of section 29 of the PFMA, as an interim measure, until such time as the annual Provincial budget is passed; and 20
 - (f) withdrawals of commissions paid in terms of section 21(1)(b) of the PFMA, in respect of taxes, levies, duties and motor vehicle licence fees collected by authorised agents, on behalf of the Province for the benefit of the Province.

Repeal of laws

3. Section 2 of the Gauteng Finance Management Supplementary Act, 2000 (Act No. 1 of 2000) is repealed with effect from 01 April 2001. 25

Short title and commencement

4. This Act is called the Direct Charges Act, 2001, and takes effect on 01 April 2001.