

GOVERNMENT GAZETTE 10 JULY 1991
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REPUBLIC OF SOUTH AFRICA



GOVERNMENT GAZETTE

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VAN DIE REPUBLIEK VAN SUID-AFRIKA

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CAPE TOWN, 10 JULY 1991

No. 13365

KAAPSTAD, 10 JULIE 1991

STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 1514.

10 July 1991

No. 1514.

10 Julie 1991

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 120 of 1991: Finance Act, 1991

No. 120 van 1991: Finansiewet, 1991

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with a solid line indicate insertions in existing enactments.

ACT

To provide for certain payments from the surplus in the State Revenue Account and the payment of certain amounts in dividends directly to the Development Bank of Southern Africa; to charge the Accounts for Provincial Services: Cape, Orange Free State and Transvaal with certain unauthorized expenditure and authorize other expenditure; to ratify loans raised by the Trans-Caledon Tunnel Authority; to remit a certain amount owed by the South African Broadcasting Corporation to the State; to amend the Exchequer Act, 1975, so as to further regulate those powers, duties and functions which are at present exercised or performed by the Minister of State Expenditure; and to provide for a reduction in the permanent capital of the South African Broadcasting Corporation; to amend the Finance and Financial Adjustments Acts Consolidation Act, 1977, so as to further regulate the allocation of traffic fines to local authorities; to repeal certain existing Finance Acts; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 27 June 1991.)

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

Disposal of certain surplus State revenues

1. (1) There shall be paid from the surplus in the State Revenue Account as at 31 March 1991, as certified by the Auditor-General—

- (a) to the Associated Institutions Pension Fund established under section 2(1)(b) of the Associated Institutions Pension Fund Act, 1963 (Act No. 41 of 1963), the Government Service Pension Fund established by section 3 of the Government Service Pension Fund Act, 1973 (Act No. 57 of 1973), and the Temporary Employees Pension Fund established under section 3(1) of the Temporary Employees Pension Fund Act, 1979 (Act No. 75 of 1979), jointly an amount not exceeding R1 000 000 000, such amount to be divided between the said funds by the accounting officer for such funds as he may decide, with the concurrence of the Minister of Finance; 5 10
- (b) to the Re-insurance Fund for Export Credit and Foreign Investments established under section 5(1) of the Export Credit and Foreign Investments Re-insurance Act, 1957 (Act No. 78 of 1957), an amount not exceeding R450 000 000; and 15

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skrapings uit bestaande verordenings aan.

[] Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Om voorsiening te maak vir sekere betalings uit die surplus in die Staatsinkomsterekening en die betaling van sekere bedrae aan dividende direk aan die Ontwikkelingsbank van Suider-Afrika; om die Rekenings vir Provinsiale Dienste: Kaap, Oranje-Vrystaat en Transvaal met sekere ongemagtigde uitgawes te belas en ander uitgawes te magtig; om lenings aangegaan deur die Trans-Caledon-tonnelowerheid te bekragtig; om 'n sekere bedrag verskuldig deur die Suid-Afrikaanse Uitsaaikorporasie aan die Staat kwyt te skeld; om die Skatkiswet, 1975, te wysig ten einde dié bevoegdhede, pligte en werksaamhede wat tans deur die Minister van Staatsbesteding uitgeoefen, uitgevoer of verrig word, verder te reël; en om voorsiening te maak vir 'n vermindering van die permanente kapitaal van die Suid-Afrikaanse Uitsaaikorporasie; tot wysiging van die Konsolidasiewet op Finansiële en Finansiële Reëlingswette, 1977, ten einde die toewysing van verkeersboetes aan plaaslike owerhede verder te reël; om sekere bestaande Finansiële wette te herroep; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 27 Junie 1991.)

DAAR WORD BEPAAL deur die Staatspresident en die Parlement van die Republiek van Suid-Afrika, soos volg:—

Besteding van sekere surplus-staatsinkomste

1. (1) Uit die surplus in die Staatsinkomsterekening op 31 Maart 1991, soos
5 deur die Ouditeur-generaal gesertifiseer, word—

- (a) aan die Pensioenfonds vir Geassosieerde Inrigtings ingestel kragtens
artikel 2(1)(b) van die Wet op die Pensioenfonds vir Geassosieerde
Inrigtings, 1963 (Wet No. 41 van 1963), die Regeringsdienspensioen-
10 fonds ingestel by artikel 3 van die Regeringsdienspensioenwet, 1973
(Wet No. 57 van 1973), en die Pensioenfonds vir Tydelike Werknemers
ingestel kragtens artikel 3(1) van die Wet op die Pensioenfonds vir
Tydelike Werknemers, 1979 (Wet No. 75 van 1979), gesamentlik 'n
bedrag van hoogstens R1 000 000 000 oorbetaal, welke bedrag deur
die rekenpligtige beampste van die fondse tussen genoemde fondse
15 verdeel word soos hy met die instemming van die Minister van
Finansies besluit;
- (b) aan die Herversekeringsfonds vir Uitvoerkrediet en Buitelandse Be-
leggings ingestel kragtens artikel 5(1) van die Uitvoerkrediet- en
Buitelandse Beleggingsherversekeringswet, 1957 (Wet No. 78 van
20 1957), 'n bedrag van hoogstens R450 000 000 oorbetaal; en

- (c) to the Stabilization Fund of the Maize Board and the Stabilization Fund of the Sorghum Grain Board established by a scheme in terms of section 46 of the Marketing Act, 1968 (Act No. 59 of 1968), jointly an amount not exceeding R350 000 000, for redemption of debt obligations of the said Boards at the Land and Agricultural Bank of South Africa established under section 3 of the Land Bank Act, 1912 (Act No. 18 of 1912), such amount to be divided between the said stabilization funds by the Minister of Agriculture with the concurrence of the Minister of Finance. 5
- (2) If the extent of the surplus is insufficient to meet the full amounts mentioned in subsection (1), the Minister of Finance may in his discretion reduce these amounts. 10

Payment of dividends by Industrial Development Corporation of South Africa, Limited, to Development Bank of Southern Africa

2. (1) The Minister of Finance may, notwithstanding the provisions of any other law, with the concurrence of the Minister responsible for the Industrial Development Corporation of South Africa, Limited, established under section 2(1) of the Industrial Development Act, 1940 (Act No. 22 of 1940), determine that dividends, not exceeding R500 000 000 per financial year (as defined in section 1 of the Exchequer Act, 1975 (Act No. 66 of 1975)), accruing to the State as a shareholder of the Industrial Development Corporation of South Africa, Limited, be paid directly to the Development Bank of Southern Africa during the 1991-92 and 1992-93 financial years by the said Corporation. 15 20

(2) The amount in dividends determined in terms of subsection (1) shall be paid directly to the said Bank, and the balance of the dividends, if any, shall be deposited in the State Revenue Fund. 25

(3) The amount referred to in subsection (2) shall be paid over to the said Bank in fulfilment of the State's funding obligations, or part of such obligations, towards that Bank.

Defraying of unauthorized expenditure from Account for Provincial Services: Cape for 1987-88 financial year 30

3. (1) The Account for Provincial Services: Cape is hereby charged with the amount of R11 785 758,63 to defray certain expenditure over and above the amounts appropriated for the service of the province of the Cape of Good Hope for the financial year which ended on 31 March 1988. 35

(2) The expenditure referred to in subsection (1) is set forth in Schedule 1 and is further described in paragraph 5 on page 5 of the Report of the Auditor-General on the Accounts of the Provincial Administration of the Cape of Good Hope for 1987-88 [RP 75-89], which has been submitted to Parliament, and in the Report of the Joint Committee on Provincial Accounts, 1990. 40

Defraying of unauthorized expenditure from Account for Provincial Services: Cape for 1988-89 financial year

4. (1) The Account for Provincial Services: Cape is hereby charged with the amount of R25 365 779,63 to defray certain expenditure over and above the amounts appropriated for the service of the province of the Cape of Good Hope for the financial year which ended on 31 March 1989. 45

(2) The expenditure referred to in subsection (1) is set forth in Schedule 1 and is further described in paragraph 5 on page 5 of the Report of the Auditor-General on the Accounts of the Provincial Administration of the Cape of Good Hope for 1988-89 [RP 64-90], which has been submitted to Parliament, and in the Report of the Joint Committee on Provincial Accounts, 1990. 50

Defraying of unauthorized expenditure from Account for Provincial Services: Orange Free State for 1987-88 financial year

5. (1) The Account for Provincial Services: Orange Free State is hereby charged 00

- (c) aan die Stabilisasiefonds van die Mielieraad en die Stabilisasiefonds van die Graansorghumraad ingestel deur 'n skema ingevolge artikel 46 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), gesamentlik 'n bedrag van hoogstens R350 000 000 oorbetaal, ter delging van skuldverpligtinge van gemelde rade by die Land- en Landboubank van Suid-Afrika ingestel kragtens artikel 3 van die Landbankwet, 1912 (Wet No. 18 van 1912), welke bedrag verdeel word tussen gemelde stabilisasiefondse deur die Minister van Landbou met die instemming van die Minister van Finansies.
- 10 (2) Indien die omvang van die surplus nie voldoende is om die volle bedrae vermeld in subartikel (1) te betaal nie, kan hierdie bedrae na goeddunke deur die Minister van Finansies verminder word.

Betaling van dividende deur Nywerheid-ontwikkelingskorporasie van Suid-Afrika, Beperk, aan Ontwikkelingsbank van Suider-Afrika

- 15 2. (1) Die Minister van Finansies kan, ondanks andersluidende bepalings van enige ander wet, met die instemming van die Minister verantwoordelik vir die Nywerheid-ontwikkelingskorporasie van Suid-Afrika, Beperk, ingestel kragtens artikel 2(1) van die Nywerheid-ontwikkelingswet, 1940 (Wet No. 22 van 1940), bepaal dat dividende van hoogstens R500 000 000 per boekjaar (soos omskryf in artikel 1 van die Skatkiswet, 1975 (Wet No. 66 van 1975)), wat die Staat as aandeelhouer van die Nywerheid-ontwikkelingskorporasie van Suid-Afrika, Beperk, gedurende die boekjaar 1991-92 en 1992-93 toeval, deur genoemde Korporasie direk aan die Ontwikkelingsbank van Suider-Afrika oorbetaal moet word.
- 20 (2) Die bedrag aan dividende ingevolge subartikel (1) bepaal, word regstreeks aan genoemde Bank oorbetaal, en die balans van die dividende, indien daar is, word in die Staatsinkomstefonds gestort.
- 25 (3) Die bedrag bedoel in subartikel (2) word aan genoemde Bank oorbetaal ter nakoming van die Staat se befondsingsverpligtinge, of gedeelte van sodanige verpligtinge, teenoor daardie Bank.

Bestryding van ongemagtigde uitgawes uit Rekening vir Provinsiale Dienste: Kaap vir boekjaar 1987-88

3. (1) Die Rekening vir Provinsiale Dienste: Kaap word hierby belas met die bedrag van R11 785 758,63 tot dekking van sekere uitgawes bo en behalwe die bedrae beskikbaar gestel vir die diens van die provinsie die Kaap die Goeie Hoop vir die boekjaar wat op 31 Maart 1988 geëindig het.
- 35 (2) Die uitgawes in subartikel (1) bedoel, word uiteengesit in Bylae 1 en word nader beskryf in paragraaf 5 op bladsy 5 van die Verslag van die Ouditeur-generaal oor die rekenings van die Provinsiale Administrasie van die Kaap die Goeie Hoop vir 1987-88 [RP 75-89], wat aan die Parlement voorgelê is, en die Verslag van die Gesamentlike Komitee oor Provinsiale Rekenings, 1990.

Bestryding van ongemagtigde uitgawes uit Rekening vir Provinsiale Dienste: Kaap vir boekjaar 1988-89

4. (1) Die Rekening vir Provinsiale Dienste: Kaap word hierby belas met die bedrag van R25 365 779,63 tot dekking van sekere uitgawes bo en behalwe die bedrae beskikbaar gestel vir die diens van die provinsie die Kaap die Goeie Hoop vir die boekjaar wat op 31 Maart 1989 geëindig het.
- 45 (2) Die uitgawes in subartikel (1) bedoel, word uiteengesit in Bylae 1 en word nader beskryf in paragraaf 5 op bladsy 5 van die Verslag van die Ouditeur-generaal oor die Rekenings van die Provinsiale Administrasie van die Kaap die Goeie Hoop vir 1988-89 [RP 64-90], wat aan die Parlement voorgelê is, en in die Verslag van die Gesamentlike Komitee oor Provinsiale Rekenings, 1990.

Bestryding van ongemagtigde uitgawes uit Rekening vir Provinsiale Dienste: Oranje-Vrystaat vir boekjaar 1987-88

- 55 5. (1) Die Rekening vir Provinsiale Dienste: Oranje-Vrystaat word hierby

with the amount of R49 153 016,51 to defray certain expenditure over and above the amounts appropriated for the service of the province of the Orange Free State for the financial year which ended on 31 March 1988.

(2) The expenditure referred to in subsection (1) is set forth in Schedule 2 and is further described in paragraph 5 on pages 8 to 10 of the Report of the Auditor-General on the Accounts of the Provincial Administration of the Orange Free State for 1987-88 [RP 69-89], which has been submitted to Parliament, and in the Report of the Joint Committee on Provincial Accounts, 1990.

Defraying of unauthorized expenditure from Account for Provincial Services: Orange Free State for 1988-89 financial year 10

6. (1) The Account for Provincial Services: Orange Free State is hereby charged with the amount of R31 066 634,00 to defray certain expenditure over and above the amounts appropriated for the service of the province of the Orange Free State for the financial year which ended on 31 March 1989.

(2) The expenditure referred to in subsection (1) is set forth in Schedule 2 and is further described in paragraph 6(1) on page 8 of the Report of the Auditor-General on the Accounts of the Provincial Administration of the Orange Free State for 1988-89 [RP 42-90], which has been submitted to Parliament, and in the Report of the Joint Committee on Provincial Accounts, 1990.

Defraying of unauthorized expenditure from Account for Provincial Services: Orange Free State for 1989-90 financial year 20

7. (1) The Account for Provincial Services: Orange Free State is hereby charged with the amount of R28 096 214,18 to defray certain expenditure over and above the amounts appropriated for the service of the province of the Orange Free State for the financial year which ended on 31 March 1990.

(2) The expenditure referred to in subsection (1) is set forth in Schedule 2 and is further described in the Report of the Joint Committee on Provincial Accounts, 1990.

Defraying of unauthorized expenditure from Account for Provincial Services: Transvaal for 1988-89 financial year 30

8. (1) The Account for Provincial Services: Transvaal is hereby charged with the amount of R102 347,93 to defray certain expenditure over and above the amounts appropriated for the service of the province of the Transvaal for the financial year which ended on 31 March 1989.

(2) The expenditure referred to in subsection (1) is set forth in Schedule 3 and is further described in paragraph 5 on page 5 of the Report of the Auditor-General on the Accounts of the Provincial Administration of the Transvaal for 1988-89 [RP 70-90], which has been submitted to Parliament, and in the Report of the Joint Committee on Provincial Accounts, 1990.

Defraying of unauthorized expenditure from Account for Provincial Services: Transvaal for 1989-90 financial year 40

9. (1) The Account for Provincial Services: Transvaal is hereby charged with the amount of R63 469,42 to defray certain expenditure over and above the amounts appropriated for the service of the province of the Transvaal for the financial year which ended on 31 March 1990.

(2) The expenditure referred to in subsection (1) is set forth in Schedule 3 and is further described in the Report of the Joint Committee on Provincial Accounts, 1990.

Defraying of unauthorized expenditure from Account for Provincial Services: Transvaal for 1990-91 financial year 50

10. (1) The Account for Provincial Services: Transvaal is hereby charged with the amount of R47 724,62 to defray certain expenditure over and above the amounts appropriated for the service of the province of the Transvaal for the financial year which ended on 31 March 1991.

belas met die bedrag van R49 153 016,51 tot dekking van sekere uitgawes bo en behalwe die bedrae beskikbaar gestel vir die diens van die provinsie die Oranje-Vrystaat vir die boekjaar wat op 31 Maart 1988 geëindig het.

- (2) Die uitgawes in subartikel (1) bedoel, word uiteengesit in Bylae 2 en word nader beskryf in paragraaf 5 op bladsye 8 tot 10 van die Verslag van die Ouditeur-generaal oor die rekenings van die Provinsiale Administrasie van die Oranje-Vrystaat vir 1987-88 [RP 69-89], wat aan die Parlement voorgelê is, en in die Verslag van die Gesamentlike Komitee oor Provinsiale Rekenings, 1990.

Bestryding van ongemagtigde uitgawes uit Rekening vir Provinsiale Dienste:

10 Oranje-Vrystaat vir boekjaar 1988-89

6. (1) Die Rekening vir Provinsiale Dienste: Oranje-Vrystaat word hierby belas met die bedrag van R31 066 634,00 tot dekking van sekere uitgawes bo en behalwe die bedrae beskikbaar gestel vir die diens van die provinsie die Oranje-Vrystaat vir die boekjaar wat op 31 Maart 1989 geëindig het.

- 15 (2) Die uitgawes in subartikel (1) bedoel, word uiteengesit in Bylae 2 en word nader beskryf in paragraaf 6(1) op bladsy 8 van die Verslag van die Ouditeur-generaal oor die Rekenings van die Provinsiale Administrasie van die Oranje-Vrystaat vir 1988-89 [RP 42-90], wat aan die Parlement voorgelê is, en in die Verslag van die Gesamentlike Komitee oor Provinsiale Rekenings, 1990.

20 Bestryding van ongemagtigde uitgawes uit Rekening vir Provinsiale Dienste: Oranje-Vrystaat vir boekjaar 1989-90

7. (1) Die Rekening vir Provinsiale Dienste: Oranje-Vrystaat word hierby belas met die bedrag van R28 096 214,18 tot dekking van sekere uitgawes bo en behalwe die bedrae beskikbaar gestel vir die diens van die provinsie die Oranje-Vrystaat vir die boekjaar wat op 31 Maart 1990 geëindig het.

- 25 (2) Die uitgawes in subartikel (1) bedoel, word uiteengesit in Bylae 2 en word nader beskryf in die Verslag van die Gesamentlike Komitee oor Provinsiale Rekenings, 1990.

Bestryding van ongemagtigde uitgawes uit Rekening vir Provinsiale Dienste:

30 Transvaal vir boekjaar 1988-89

8. (1) Die Rekening vir Provinsiale Dienste: Transvaal word hierby belas met die bedrag van R102 347,93 tot dekking van sekere uitgawes bo en behalwe die bedrae beskikbaar gestel vir die diens van die provinsie Transvaal vir die boekjaar wat op 31 Maart 1989 geëindig het.

- 35 (2) Die uitgawes in subartikel (1) bedoel, word uiteengesit in Bylae 3 en word nader beskryf in paragraaf 5 op bladsy 5 van die Verslag van die Ouditeur-generaal oor die Rekenings van die Provinsiale Administrasie van Transvaal vir 1988-89 [RP 70-90], wat aan die Parlement voorgelê is, en in die Verslag van die Gesamentlike Komitee oor Provinsiale Rekenings, 1990.

40 Bestryding van ongemagtigde uitgawes uit Rekening vir Provinsiale Dienste: Transvaal vir boekjaar 1989-90

9. (1) Die Rekening vir Provinsiale Dienste: Transvaal word hierby belas met die bedrag van R63 469,42 tot dekking van sekere uitgawes bo en behalwe die bedrae beskikbaar gestel vir die diens van die provinsie Transvaal vir die boekjaar wat op 31 Maart 1990 geëindig het.

- 45 (2) Die uitgawes in subartikel (1) bedoel, word uiteengesit in Bylae 3 en word nader beskryf in die Verslag van die Gesamentlike Komitee oor Provinsiale Rekenings, 1990.

Bestryding van ongemagtigde uitgawes uit Rekening vir Provinsiale Dienste:

50 Transvaal vir boekjaar 1990-91

10. (1) Die Rekening vir Provinsiale Dienste: Transvaal word hierby belas met die bedrag van R47 724,62 tot dekking van sekere uitgawes bo en behalwe die bedrae beskikbaar gestel vir die diens van die provinsie Transvaal vir die boekjaar wat op 31 Maart 1991 geëindig het.

(2) The expenditure referred to in subsection (1) is set forth in Schedule 3 and is further described in the Report of the Joint Committee on Provincial Accounts, 1990.

Authorizing of expenditure

11. (1) (a) The expenditure of R165 343,06 incurred by the South African Defence Force, and further described in paragraph 6(1) on page 30 of the Report of the Auditor-General on the Appropriation and Miscellaneous Accounts in respect of General Affairs for 1988-89 [RP 89-89], which has been submitted to Parliament, and in the Second Report of the Joint Committee on Public Accounts, 1990, is hereby authorized.

(b) The expenditure mentioned in paragraph (a) shall form a first charge against the Vote: Defence Force for the 1992-93 financial year.

(2) The expenditure of R1 588 017,04 incurred by the Provincial Administration of the Orange Free State, and further described in paragraph 6(2) on page 12 of the Report of the Auditor-General on the Accounts of the Provincial Administration of the Orange Free State for 1988-89 [RP 42-90], which has been submitted to Parliament, and in the Report of the Joint Committee on Provincial Accounts, 1990, is hereby authorized.

(3) The expenditure of R20 565 000,00 incurred by the Provincial Administration of the Transvaal, and further described in paragraph 5 on page 5 of the Report of the Auditor-General on the Accounts of the Provincial Administration of the Transvaal for 1988-89 [RP 70-90], which has been submitted to Parliament, and in the Report of the Joint Committee on Provincial Accounts, 1990, is hereby authorized.

Ratification of loans raised by Trans-Caledon Tunnel Authority

12. All loans raised by the Trans-Caledon Tunnel Authority, established under section 138A(1) of the Water Act, 1956 (Act No. 54 of 1956), before 1 April 1990 in terms of section 138D(1) of that Act, shall be deemed to have been raised with the concurrence of the Minister of Finance.

Remission of certain money owing by South African Broadcasting Corporation

13. The South African Broadcasting Corporation is hereby discharged, with effect from 1 October 1990, from all liability in respect of an amount of R9 528 285,64, being loans granted to it by the State before that date and which have not yet been repaid.

Amendment of section 1 of Act 66 of 1975, as amended by section 36 of Proclamation 85 of 1979, section 7 of Act 21 of 1980, section 1 of Act 100 of 1984, section 4 of Act 79 of 1985, section 22 of Act 69 of 1986, section 7 of Act 77 of 1986, section 36 of Act 9 of 1989, section 18 of Act 52 of 1989 and section 5 of Act 109 of 1990

14. Section 1 of the Exchequer Act, 1975 (hereinafter referred to as the principal Act), is hereby amended by the addition of the following subsection:

“(6) Any power, duty or function mentioned in this Act which is conferred or imposed upon, or assigned to, the Treasury or the Minister of Finance or the Minister of State Expenditure and which, owing to the nature thereof, can neither be exercised or performed by the Minister of Finance or an officer in the Department of Finance on his own nor by the Minister of State Expenditure or an officer in the Department of State Expenditure on his own, shall be exercised or performed by the said Ministers or the said officers in a manner agreed to by the Ministers concerned or the officers concerned, as the case may be.”

Amendment of section 30 of Act 66 of 1975, as amended by section 11 of Act 111 of 1977 and section 17 of Act 101 of 1979

15. Section 30 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

(2) Die uitgawes in subartikel (1) bedoel, word uiteengesit in Bylae 3 en word nader beskryf in die Verslag van die Gesamentlike Komitee oor Provinsiale Rekenings, 1990.

Magtiging van uitgawes

5 **11.** (1) (a) Die uitgawe van R165 343,06 aangegaan deur die Suid-Afrikaanse Weermag, en nader beskryf in paragraaf 6(1) op bladsy 30 van die Verslag van die Ouditeur-generaal oor die Appropriasie- en Diverse Rekenings ten opsigte van Algemene Sake vir 1988-89 [RP 89-89], wat aan die Parlement voorgelê is, en in die Tweede Verslag van die Gesamentlike Komitee oor Openbare

10 Rekenings, 1990, word hierby gemagtig.
(b) Die uitgawe vermeld in paragraaf (a) sal 'n eerste las teen die Begrotingspos: Weermag in die boekjaar 1992-93 uitmaak.

(2) Die uitgawe van R1 588 017,04 aangegaan deur die Provinsiale Administrasie van die Oranje-Vrystaat, en nader beskryf in paragraaf 6(2) op bladsy 12
15 van die Verslag van die Ouditeur-generaal oor die Rekenings van die Provinsiale Administrasie: Oranje-Vrystaat vir 1988-89 [RP 42-90], wat aan die Parlement voorgelê is, en in die Verslag van die Gesamentlike Komitee oor Provinsiale Rekenings, 1990, word hierby gemagtig.

(3) Die uitgawe van R20 565 000,00 aangegaan deur die Transvaalse Provinsiale Administrasie, en nader beskryf in paragraaf 5 op bladsy 5 van die Verslag van die Ouditeur-generaal oor die Rekenings van die Provinsiale Administrasie: Transvaal vir 1988-89 [RP 70-90], wat aan die Parlement voorgelê is, en in die
20 Verslag van die Gesamentlike Komitee oor Provinsiale Rekenings, 1990, word hierby gemagtig.

25 Bekragtiging van lenings aangegaan deur Trans-Caledon-tonnelowerheid

12. Alle lenings deur die Trans-Caledon-tonnelowerheid, ingestel kragtens artikel 138A(1) van die Waterwet, 1956 (Wet No. 54 van 1956), aangegaan voor 1 April 1990 ingevolge artikel 138D(1) van daardie Wet, word geag met die instemming van die Minister van Finansies aangegaan te wees.

30 Kwytsekelding van sekere geld verskuldig deur Suid-Afrikaanse Uitsaaikorporasie

13. Die Suid-Afrikaanse Uitsaaikorporasie word hierby met ingang van 1 Oktober 1990 onthef van alle aanspreeklikheid ten opsigte van 'n bedrag van R9 528 285,64, synde lenings wat voor daardie datum deur die Staat aan hom toegestaan is en nog nie terugbetaal is nie.

35 Wysiging van artikel 1 van Wet 66 van 1975, soos gewysig deur artikel 36 van Proklamasie 85 van 1979, artikel 7 van Wet 21 van 1980, artikel 1 van Wet 100 van 1984, artikel 4 van Wet 79 van 1985, artikel 22 van Wet 69 van 1986, artikel 7 van Wet 77 van 1986, artikel 36 van Wet 9 van 1989, artikel 18 van Wet 52 van 1989 en artikel 5 van Wet 109 van 1990

40 **14.** Artikel 1 van die Skatkiswet, 1975 (hieronder die Hoofwet genoem), word hierby gewysig deur die volgende subartikel by te voeg:

“(6) Enige bevoegdheid, plig of werksaamheid vermeld in hierdie Wet wat aan die Tesourie of die Minister van Finansies of die Minister van Staatsbesteding verleen, opgelê of opgedra is en wat weens die aard
45 daarvan, nóg slegs deur die Minister van Finansies of 'n beampte in die Departement van Finansies nóg slegs deur die Minister van Staatsbesteding of 'n beampte in die Departement van Staatsbesteding uitgeoefen of verrig kan word, word deur genoemde Ministers of genoemde beamptes uitgeoefen of verrig op 'n wyse waarop die betrokke Ministers of die betrokke
50 beamptes, na gelang van die geval, ooreenkom.”

Wysiging van artikel 30 van Wet 66 van 1975, soos gewysig deur artikel 11 van Wet 111 van 1977 en artikel 17 van Wet 101 van 1979

15. Artikel 30 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

“(1) An amount of **[R35 020 000]** R27 391 400 of the amount of **[R38 200 000]** R35 020 000 made available by the Treasury to the South African Broadcasting Corporation shall be deemed to have been made available to it as permanent capital, and the said amount shall not be repayable to the Treasury, and an amount of **[R3 180 000]** R7 628 600, being the balance of the said amount of **[R38 200 000]** R35 020 000, is hereby written off.” 5

Amendment of section 36 of Act 66 of 1975, as amended by section 14 of Act 94 of 1978, section 10 of Act 100 of 1984 and section 15 of Act 77 of 1986

16. Section 36 of the principal Act is hereby amended by the addition of the following subsection: 10

“(4) A reference in any other law to the Minister of Finance shall, unless the context indicates otherwise, be construed as a reference to the Minister of State Expenditure if such reference pertains to an expenditure from or contemplated from the State Revenue Fund or to any power referred to in section 31 of this Act.” 15

Substitution of section 6 of Act 11 of 1977

17. The following section is hereby substituted for section 6 of the Finance and Financial Adjustments Acts Consolidation Act, 1977: 20

“Disposal of traffic fines

6. (1) Notwithstanding anything to the contrary in any law contained, any traffic fine shall, when recovered, be paid to the local authority within whose area of jurisdiction the offence in respect of which that traffic fine was imposed, was committed. 25

(2) In this section— 25

‘local authority’ means a **[city council, a town council, a village council, a village management board, a health committee, a town board, the Local Health Commission constituted in terms of the Development and Services Board Ordinance, 1941 (Ordinance 20 of 1941 of the Province of Natal) or a local board]** local authority as defined in section 1 of the Promotion of Local Government Affairs Act, 1983 (Act No. 91 of 1983), in so far as such authority is charged with traffic matters within its area of jurisdiction; 30

‘traffic fine’ means a fine imposed and moneys estreated as bail in respect of any offence (other than an offence at common law or an offence under the **[Motor Carrier Transportation Act, 1930 (Act 39 of 1930)]** Road Transportation Act, 1977 (Act No. 74 of 1977)), relating to any vehicle whatsoever or to traffic of whatever nature (other than aerial or waterborne traffic) committed within the area of jurisdiction of a local authority.” 35 40

Repeal of section 16 of Act 11 of 1977

18. Section 16 of the Finance and Financial Adjustments Acts Consolidation Act, 1977, is hereby repealed.

Repeal of laws

19. The laws specified in Schedule 4 are hereby repealed to the extent indicated in the third column thereof. 45

Short title

20. This Act shall be called the Finance Act, 1991.

“(1) ’n Bedrag van **[R35 020 00]** R27 391 400 van die bedrag van **[R38 200 000]** R35 020 000 wat deur die Tesourie aan die Suid-Afrikaanse Uitsaaikorporasie beskikbaar gestel is, word geag as permanente kapitaal aan hom beskikbaar gestel te wees en genoemde bedrag is nie aan die
5 Tesourie terugbetaalbaar nie en ’n bedrag van **[R3 180 000]** R7 628 600 synde die balans van genoemde bedrag van **[R38 200 000]** R35 020 000 word hierby afgeskryf.”.

**Wysiging van artikel 36 van Wet 66 van 1975, soos gewysig deur artikel 14 van Wet 94 van 1978, artikel 10 van Wet 100 van 1984 en artikel 15 van Wet 77 van
10 1986**

16. Artikel 36 van die Hoofwet word hierby gewysig deur die volgende subartikel by te voeg:

“(4) ’n Verwysing in enige ander wet na die Minister van Finansies word, tensy uit die samehang anders blyk, uitgelê as ’n verwysing na die Minister van Staatsbesteding indien sodanige verwysing betrekking het op ’n uitgawe uit of beoog uit die Staatsinkomstefonds of op enige bevoegdheid bedoel in
15 artikel 31 van hierdie Wet.”.

Vervanging van artikel 6 van Wet 11 van 1977

17. Artikel 6 van die Konsolidasiewet op Finansie- en Finansiële Reëlings-
20 wette, 1977, word hierby deur die volgende artikel vervang:

“Beskikking oor verkeersboetes

6. (1) Ondanks andersluidende wetsbepalings word ’n verkeersboete, nadat dit ingevorder is, oorbetaal aan die plaaslike **[bestuur]** owerheid in wie se regsgebied die misdryf ten opsigte waarvan daardie verkeersboete opgelê is, gepleeg is.
25

(2) In hierdie artikel beteken—
‘plaaslike **[bestuur]**’ ’n stadsraad, ’n dorpsraad, ’n dorpsbestuursraad, ’n gesondheidskomitee, ’n dorpsbestuur, die Kommissie vir Plaaslike Gesondheid gestig ingevolge die Ordonnansie op die Raad op Ontwikkeling en Dienste, 1941 (Ordonnansie 20 van 1941 van die provinsie Natal), gestig, of ’n plaaslike raad] owerheid’ ’n plaaslike owerheid soos omskryf in artikel 1 van die Wet op die Bevordering van Plaaslike Owerheidsaangeleenthede, 1983 (Wet No. 91 van 1983), in soverre sodanige owerheid met verkeersaangeleenthede
30 binne sy regsgebied belas is;

‘verkeersboete’ ’n opgelegde boete en verbeurdverklarde borggeld in verband met alle misdrywe (uitgesonderd gemeenregtelike misdrywe of misdrywe kragtens die **[Motortransportwet, 1930 (Wet 39 van 1930)]** Wet op Padvervoer, 1977 (Wet No. 74 van 1977)), met betrekking tot watter voertuie ook al of verkeer van watter aard ook al (uitgesonderd lug- of waterverkeer) gepleeg in die regsgebied van
40 ’n plaaslike **[bestuur]** owerheid.”.

Herroeping van artikel 16 van Wet 11 van 1977

18. Artikel 16 van die Konsolidasiewet op Finansie- en Finansiële Reëlings-
45 wette, 1977, word hierby herroep.

Herroeping van wette

19. Die wette in Bylae 4 uiteengesit, word hierby herroep in die mate in die derde kolom daarvan aangedui.

Kort titel

50 20. Hierdie Wet heet die Finansiewet, 1991.

Act No. 120, 1991

FINANCE ACT, 1991

Schedule 1**(ACCOUNT FOR PROVINCIAL SERVICES: CAPE)****(Sections 3 and 4)**

| Vote number | Title of Vote and financial year | Amount |
|-------------|--|----------------------|
| | | R |
| Vote 3 | Hospital Services and Public Health, 1987-88 | 11 785 758,63 |
| Vote 1 | General Provincial Services, 1988-89 | 397 644,46 |
| Vote 3 | Hospital and Health Services, 1988-89 | 10 380 610,70 |
| Vote 10 | Community Services, 1988-89 | 14 587 524,47 |
| | | <u>37 151 538,26</u> |

Schedule 2**(ACCOUNT FOR PROVINCIAL SERVICES: ORANGE FREE STATE)****(Sections 5, 6 and 7)**

| Vote number | Title of Vote and financial year | Amount |
|-------------|--------------------------------------|-----------------------|
| | | R |
| Vote 2 | Hospitals and Public Health, 1987-88 | 1 009 234,57 |
| Vote 3 | Roads and Bridges, 1987-88 | 5 827 130,15 |
| Vote 4 | Miscellaneous Services, 1987-88 | 1 900,00 |
| Vote 5 | Works, 1987-88 | 39 948,63 |
| Vote 6 | Community Services, 1987-88 | 42 274 803,16 |
| Vote 6 | Community Services, 1988-89 | 31 066 634,00 |
| Vote 6 | Community Services, 1989-90 | 28 096 214,18 |
| | | <u>108 315 864,69</u> |

Schedule 3**(ACCOUNT FOR PROVINCIAL SERVICES: TRANSVAAL)****(Sections 8, 9 and 10)**

| Vote number | Title of Vote and financial year | Amount |
|-------------|----------------------------------|-------------------|
| | | R |
| Vote 3 | Works, 1988-89 | 102 347,93 |
| Vote 3 | Works, 1989-90 | 63 469,42 |
| Vote 3 | Works, 1990-91 | 47 724,62 |
| | | <u>213 541,97</u> |

FINANSIEWET, 1991

Wet No. 120, 1991

Bylae 1

(REKENING VIR PROVINSIALE DIENSTE: KAAP)

(Artikels 3 en 4)

| Begrotingsposnommer | Titel van Begrotingspos en boekjaar | Bedrag |
|---------------------|--|----------------------|
| | | R |
| Begrotingspos 3 | Hospitaaldienste en Volksgesondheid, 1987-88 | 11 785 758,63 |
| Begrotingspos 1 | Algemene Provinsiale Dienste, 1988-89 | 397 644,46 |
| Begrotingspos 3 | Hospitaal- en Gesondheidsdienste, 1988-89 | 10 380 610,70 |
| Begrotingspos 10 | Gemeenskapsdienste, 1988-89 | 14 587 524,47 |
| | | <u>37 151 538,26</u> |

Bylae 2

(REKENING VIR PROVINSIALE DIENSTE: ORANJE-VRYSTAAT)

(Artikels 5, 6 en 7)

| Begrotingsposnommer | Titel van Begrotingspos en boekjaar | Bedrag |
|---------------------|---------------------------------------|-----------------------|
| | | R |
| Begrotingspos 2 | Hospitale en Volksgesondheid, 1987-88 | 1 009 234,57 |
| Begrotingspos 3 | Paaie en Bruë, 1987-88 | 5 827 130,15 |
| Begrotingspos 4 | Diverse Dienste, 1987-88 | 1 900,00 |
| Begrotingspos 5 | Werke, 1987-88 | 39 948,63 |
| Begrotingspos 6 | Gemeenskapsdienste, 1987-88 | 42 274 803,16 |
| Begrotingspos 6 | Gemeenskapsdienste, 1988-89 | 31 066 634,00 |
| Begrotingspos 6 | Gemeenskapsdienste, 1989-90 | 28 096 214,18 |
| | | <u>108 315 864,69</u> |

Bylae 3

(REKENING VIR PROVINSIALE DIENSTE: TRANSVAAL)

(Artikels 8, 9 en 10)

| Begrotingsposnommer | Titel van Begrotingspos en boekjaar | Bedrag |
|---------------------|-------------------------------------|-------------------|
| | | R |
| Begrotingspos 3 | Werke, 1988-89 | 102 347,93 |
| Begrotingspos 3 | Werke, 1989-90 | 63 469,42 |
| Begrotingspos 3 | Werke, 1990-91 | 47 724,62 |
| | | <u>213 541,97</u> |

Schedule 4

LAWS REPEALED

(Section 19)

| No. and year of law | Short title | Extent of repeal |
|---------------------|--------------------------|--|
| Act No. 111 of 1977 | Finance Act, 1977 | The whole. |
| Act No. 94 of 1978 | Finance Act, 1978 | The whole, excluding sections 4 and 7. |
| Act No. 101 of 1979 | Finance Act, 1979 | The whole. |
| Act No. 21 of 1980 | Finance Act, 1980 | The whole. |
| Act No. 100 of 1980 | Second Finance Act, 1980 | The whole, excluding section 4. |
| Act No. 100 of 1981 | Finance Act, 1981 | The whole. |
| Act No. 96 of 1982 | Finance Act, 1982 | The whole, excluding section 3. |
| Act No. 93 of 1983 | Finance Act, 1983 | The whole. |
| Act No. 113 of 1984 | Finance Act, 1984 | The whole. |
| Act No. 79 of 1985 | Finance Act, 1985 | The whole, excluding section 3. |
| Act No. 88 of 1985 | Second Finance Act, 1985 | The whole. |
| Act No. 77 of 1986 | Finance Act, 1986 | The whole, excluding sections 1 and 3. |
| Act No. 93 of 1987 | Finance Act, 1987 | The whole. |
| Act No. 88 of 1988 | Finance Act, 1988 | The whole, excluding section 1. |
| Act No. 80 of 1989 | Finance Act, 1989 | The whole. |
| Act No. 109 of 1990 | Finance Act, 1990 | The whole, excluding section 2. |

(Artikel 5, en 7)

| Rekening | Tot van het bedrag in boekjaar | Bestrijdingspostnummer |
|------------|--------------------------------|------------------------|
| 100 234 37 | 1985-86 | 1 |
| 100 234 37 | 1986-87 | 1 |
| 100 234 37 | 1987-88 | 1 |
| 100 234 37 | 1988-89 | 1 |
| 100 234 37 | 1989-90 | 1 |
| 100 234 37 | 1990-91 | 1 |
| 100 234 37 | 1991-92 | 1 |
| 100 234 37 | 1992-93 | 1 |
| 100 234 37 | 1993-94 | 1 |
| 100 234 37 | 1994-95 | 1 |
| 100 234 37 | 1995-96 | 1 |
| 100 234 37 | 1996-97 | 1 |
| 100 234 37 | 1997-98 | 1 |
| 100 234 37 | 1998-99 | 1 |
| 100 234 37 | 1999-00 | 1 |
| 100 234 37 | 2000-01 | 1 |
| 100 234 37 | 2001-02 | 1 |
| 100 234 37 | 2002-03 | 1 |
| 100 234 37 | 2003-04 | 1 |
| 100 234 37 | 2004-05 | 1 |
| 100 234 37 | 2005-06 | 1 |
| 100 234 37 | 2006-07 | 1 |
| 100 234 37 | 2007-08 | 1 |
| 100 234 37 | 2008-09 | 1 |
| 100 234 37 | 2009-10 | 1 |
| 100 234 37 | 2010-11 | 1 |
| 100 234 37 | 2011-12 | 1 |
| 100 234 37 | 2012-13 | 1 |
| 100 234 37 | 2013-14 | 1 |
| 100 234 37 | 2014-15 | 1 |
| 100 234 37 | 2015-16 | 1 |
| 100 234 37 | 2016-17 | 1 |
| 100 234 37 | 2017-18 | 1 |
| 100 234 37 | 2018-19 | 1 |
| 100 234 37 | 2019-20 | 1 |
| 100 234 37 | 2020-21 | 1 |
| 100 234 37 | 2021-22 | 1 |
| 100 234 37 | 2022-23 | 1 |
| 100 234 37 | 2023-24 | 1 |
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| 100 234 37 | 2025-26 | 1 |
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| 100 234 37 | 2028-29 | 1 |
| 100 234 37 | 2029-30 | 1 |
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| 100 234 37 | 2049-50 | 1 |
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| 100 234 37 | 2053-54 | 1 |
| 100 234 37 | 2054-55 | 1 |
| 100 234 37 | 2055-56 | 1 |
| 100 234 37 | 2056-57 | 1 |
| 100 234 37 | 2057-58 | 1 |
| 100 234 37 | 2058-59 | 1 |
| 100 234 37 | 2059-60 | 1 |
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| 100 234 37 | 2066-67 | 1 |
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| 100 234 37 | 2068-69 | 1 |
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| 100 234 37 | 2073-74 | 1 |
| 100 234 37 | 2074-75 | 1 |
| 100 234 37 | 2075-76 | 1 |
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| 100 234 37 | 2079-80 | 1 |
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| 100 234 37 | 2083-84 | 1 |
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| 100 234 37 | 2088-89 | 1 |
| 100 234 37 | 2089-90 | 1 |
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| 100 234 37 | 2091-92 | 1 |
| 100 234 37 | 2092-93 | 1 |
| 100 234 37 | 2093-94 | 1 |
| 100 234 37 | 2094-95 | 1 |
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| 100 234 37 | 2239-40 | 1 |
| 100 234 37 | 2240-41 | 1 |
| 100 234 37 | 2241-42 | 1 |

Bylae 4**WETTE HERROEP****(Artikel 19)**

| No. en jaar van wet | Kort titel | Omvang van herroeping |
|----------------------|--------------------------|---|
| Wet No. 111 van 1977 | Finansiewet, 1977 | Die geheel. |
| Wet No. 94 van 1978 | Finansiewet, 1978 | Die geheel, uitgesonderd artikels 4 en 7. |
| Wet No. 101 van 1979 | Finansiewet, 1979 | Die geheel. |
| Wet No. 21 van 1980 | Finansiewet, 1980 | Die geheel. |
| Wet No. 100 van 1980 | Tweede Finansiewet, 1980 | Die geheel, uitgesonderd artikel 4. |
| Wet No. 100 van 1981 | Finansiewet, 1981 | Die geheel. |
| Wet No. 96 van 1982 | Finansiewet, 1982 | Die geheel, uitgesonderd artikel 3. |
| Wet No. 93 van 1983 | Finansiewet, 1983 | Die geheel. |
| Wet No. 113 van 1984 | Finansiewet, 1984 | Die geheel. |
| Wet No. 79 van 1985 | Finansiewet, 1985 | Die geheel, uitgesonderd artikel 3. |
| Wet No. 88 van 1985 | Tweede Finansiewet, 1985 | Die geheel. |
| Wet No. 77 van 1986 | Finansiewet, 1986 | Die geheel, uitgesonderd artikels 1 en 3. |
| Wet No. 93 van 1987 | Finansiewet, 1987 | Die geheel. |
| Wet No. 88 van 1988 | Finansiewet, 1988 | Die geheel, uitgesonderd artikel 1. |
| Wet No. 80 van 1989 | Finansiewet, 1989 | Die geheel. |
| Wet No. 109 van 1990 | Finansiewet, 1990 | Die geheel, uitgesonderd artikel 2. |

Bylae 4

WETTE-HERROEP

(Alikeel 10)

| Opdrag van betoeping | Wet No. | Wet No. 120 van 1991 |
|-------------------------------------|--------------------------|----------------------|
| Die geskied | Finansiewet, 1977 | Wet No. 111 van 1977 |
| Die geskied, uitsonderend artikel 4 | Finansiewet, 1978 | Wet No. 94 van 1978 |
| Die geskied | Finansiewet, 1979 | Wet No. 101 van 1979 |
| Die geskied | Finansiewet, 1980 | Wet No. 57 van 1980 |
| Die geskied, uitsonderend artikel 4 | Tweede Finansiewet, 1980 | Wet No. 100 van 1980 |
| Die geskied | Finansiewet, 1981 | Wet No. 109 van 1981 |
| Die geskied, uitsonderend artikel 3 | Finansiewet, 1982 | Wet No. 96 van 1982 |
| Die geskied | Finansiewet, 1983 | Wet No. 97 van 1983 |
| Die geskied | Finansiewet, 1984 | Wet No. 113 van 1984 |
| Die geskied, uitsonderend artikel 3 | Finansiewet, 1985 | Wet No. 79 van 1985 |
| Die geskied | Tweede Finansiewet, 1985 | Wet No. 98 van 1985 |
| Die geskied, uitsonderend artikel 1 | Finansiewet, 1986 | Wet No. 77 van 1986 |
| Die geskied | Finansiewet, 1987 | Wet No. 93 van 1987 |
| Die geskied, uitsonderend artikel 1 | Finansiewet, 1988 | Wet No. 55 van 1988 |
| Die geskied | Finansiewet, 1989 | Wet No. 80 van 1989 |
| Die geskied, uitsonderend artikel 2 | Finansiewet, 1990 | Wet No. 100 van 1990 |