



# Government Gazette

REPUBLIC OF SOUTH AFRICA  
REPHABLIKI YA AFRIKA BORWA

Vol. 619 Cape Town,  
Kaapstad, 19 January 2017

**No. 40556**

## THE PRESIDENCY

No. 34 19 January 2017

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

**Act No. 7 of 2016: Finance Act, 2016**

## MOPRESIDENTE

No. 34 19 January 2017

Go itsisiwi fano gore Mopresidente o saennwe Molao o o latelang o o phasalediwang kitso ya botlhe fano:

**No 7 wa 2016: Molao wa Matlotlo, 2016**



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## 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.

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*(English text signed by the President)*  
*(Assented to 18 January 2017)*

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# ACT

**To approve unauthorised expenditure; and to provide for matters connected therewith.**

**B**E IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

### Interpretation

1. In this Act, unless the context indicates otherwise, a word or expression to which a meaning has been assigned in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), must bear the meaning so assigned. 5

### Approval of unauthorised expenditure

2. (1) The unauthorised expenditure referred to in Schedule 1 to this Act in the amount of R1 509 825 368.04, and described in the reports of the Committee on Public Accounts of the National Assembly identified in the second column of that Schedule, is authorised as a direct charge against the National Revenue Fund in terms of section 34(1)(a) of the Public Finance Management Act, 1999 (Act No. 1 of 1999). 10

(2) The unauthorised expenditure referred to in Schedule 2 to this Act in the amount of R1 398 676 990.92, and described in the reports of the Committee on Public Accounts of the National Assembly identified in the second column of that Schedule, is authorised and previously surrendered funds are reallocated to the votes in terms of section 34(1)(b) of the Public Finance Management Act, 1999. 15

### Recovery of unauthorised expenditure

3. This Act does not detract from or limit any power or duty to take appropriate steps to recover unauthorised expenditure from a responsible official or former official. 20

### Short title

4. This Act is called the Finance Act, 2016.

**GENERAL EXPLANATORY NOTE:**

[ ] Mafoko a a kwetsweng ka bontsho mo masakaneng a a sekwere  
a bontsha tse di tlogetsweng go tswa mo melaong e e leng teng.  
Mafoko a a thaletsweng ka mola o o kopaneng a bontsha tse di  
tsentsweng mo melaong e e leng teng.

(Engelse teks deur die President geteken)  
(Goedgekeur op 18 Januarie 2017)

# MOLAO

**Go rebola ditshenyegelo tse di sa dumelelwang; le go tlamela mabapi le merero e e golaganang le tsona.**

**O** DIRWA MOLAO ke Palamente ya Rephaboliki ya Aforika borwa, jaana:—

**Tlhaloso**

1. Mo Molaong ono, ntle le fa bokao bo kaya ka mokgwa mongwe, lefoko kgotsa tlhagiso e e neilweng bokao mo karolong 1 ya *Public Finance Management Act*, 1999 (Molao 1 wa 1999), o tshwanetse go nna le bokao jo bo neetsweng. 5

**Thebolo ya tshenyegelo tse e sa dumelelwang**

2. (1) Tshenyegelo e e sa dumelelwang e e kailweng mo Šejuleng 1 ya Molao ono ya boleng jwa R1 509 825 368.04, le go tlhaloswa mo dipegelong tsa Komiti ya Diakhaonto tsa Setšhaba ya Kokoano Bosetšhaba e e tlhagisitsweng mo kholomong ya bobedi ya Šejule, e dumeletswe jaaka tuediso ka tlhamalalo kgatthanong le Letlole la Lotseno la Bosetšhaba go ya ka karolo 34(1)(a) ya *Public Finance Management Act*, 1999 (Molao 1 wa 1999). 10

(2) Tshenyegelo e e sa dumelelwang e e kailweng mo Šejuleng 2 ya Molao ono ya boleng jwa R1 398 676 990.92, le go tlhaloswa mo dipegelong tsa Komiti ya Diakhaonto tsa Setšhaba ya Kokoano Bosetšhaba e e tlhagisitsweng mo kholomong ya bobedi ya Šejule eo, e dumeletswe e bile matlole a a busitsweng pele a abelwa gape kwa dikabong go ya ka karolo 34(1)(b) ya *Public Finance Management Act*, 1999. 15

**Pusetso ya tshenyegelo e e sa dumelelwang**

3. Molao ono ga o fokotse kgotsa lekanyetse thata nngwe le nngwe kgotsa tiro ya go tsaya dikgato tse di maleba tsa go busetsa tshenyegelo e e sa dumelelwang go tswa go motlhankedi yo o rwalang maikarabelo kgotsa motlhankedi wa pele. 20

**Setlhogo se sekhutswane**

4. Molao ono o bidiwa Molao wa Matlotlo, 2016.

**SCHEDULE 1: Unauthorised expenditure referred to in section 34(1)(a) of the Public Finance Management Act, 1999: An additional amount is appropriated as a direct charge against the National Revenue Fund to cover the overspending of the vote appropriation**

| Amount Unauthorised<br>(R)<br>Column 1 | Committee on Public Accounts Report Reference<br>Column 2 | Financial<br>Year<br>Column 3 | Vote Title<br>Column 4 |
|----------------------------------------|-----------------------------------------------------------|-------------------------------|------------------------|
| 53,002,000.00                          | <b>COPA 2016</b><br>1st report                            | 2005/06                       | Home Affairs           |
| 687,304,271.57                         | 1st report                                                | 2010/11                       | Home Affairs           |
| 160,394,000.00                         | 1st report                                                | 2012/13                       | Home Affairs           |
| 345,804,818.56                         | 3th report                                                | 2008/09                       | Transport              |
| 263,320,277.91                         | 3th report                                                | 2009/10                       | Transport              |
| 1,509,825,368.04                       |                                                           |                               |                        |

**SCHEDULE 2: Unauthorised expenditure referred to in section 34(1)(b) of the Public Finance Management Act, 1999: Funds surrendered by the vote in respect of the listed unauthorised expenditure will be refunded, as a direct charge against the National Revenue Fund in favour of the vote**

| Amount Unauthorised<br>(R)<br>Column 1 | Committee on Public Accounts Report Reference<br>Column 2 | Financial<br>Year<br>Column 3 | Vote Title<br>Column 4 |
|----------------------------------------|-----------------------------------------------------------|-------------------------------|------------------------|
| 46,881,000.00                          | <b>COPA 2015</b><br>1st report                            | 2005/06                       | Home Affairs           |
| 140,640,282.92                         | 1st report                                                | 2012/13                       | Home Affairs           |
| 3,782,000.00                           | 2nd report                                                | 2005/06                       | Water and Sanitation   |
| 844,979,607.76                         | 3th report                                                | 2008/09                       | Transport              |
| 362,394,100.24                         | 3th report                                                | 2009/10                       | Transport              |
| 1,398,676,990.92                       |                                                           |                               |                        |

ŠEJULE 1: Tshenyegelo e e sa dumelelwang e e kailweng mo karolong 34(1)(a) ya *Public Finance Management Act*, 1999: Madi a tlaletso a abilwe jaaka tuediso ka tihamalalo kgathlanong le Letlole la Lotseno la Bosetšhaba go duelela tiriso e e feteletseng ya kabo ya boutu

| Madi a a sa Dumelelwang<br>(R)<br>Kholomo 1 | Kaelo ya Pegelo ya Komiti ya Diakhaonto tsa<br>Setšhaba<br>Kholomo 2 | Ngwaga wa<br>Ditšhelete<br>Kholomo 3 | Setlhogo sa Boutu<br>Kholomo 4 |
|---------------------------------------------|----------------------------------------------------------------------|--------------------------------------|--------------------------------|
| 53,002,000.00                               | <b>COPA 2016</b><br>pegelo ya ntlha                                  | 2005/06                              | Merero ya Selegae              |
| 687,304,271.57                              | pegelo ya ntlha                                                      | 2010/11                              | Merero ya Selegae              |
| 160,394,000.00                              | pegelo ya ntlha                                                      | 2012/13                              | Merero ya Selegae              |
| 345,804,818.56                              | pegelo ya boraro                                                     | 2008/09                              | Dipalangwa                     |
| 263,320,277.91                              | pegelo ya boraro                                                     | 2009/10                              | Dipalangwa                     |
| 1,509,825,368.04                            |                                                                      |                                      |                                |

ŠEJULE 2: Tshenyegelo e e sa dumelelwang e e kailweng mo karolong 34(1)(b) ya *Public Finance Management Act*, 1999: Matlole a a busitsweng ka kabo mabapi le tshenyegelo e e sa dumelelwang e e neetsweng a tia busetswa, jaaka tuediso ka tihamalalo kgathlanong le Letlole la Lotseno la Bosetšhaba mo molemong wa kabo

| Madi a a sa Dumelelwang<br>(R)<br>Kholomo 1 | Kaelo ya Pegelo ya Komiti ya Diakhaonto tsa<br>Setšhaba<br>Kholomo 2 | Ngwaga wa<br>Ditšhelete<br>Kholomo 3 | Setlhogo sa Boutu<br>Kholomo 4 |
|---------------------------------------------|----------------------------------------------------------------------|--------------------------------------|--------------------------------|
| 46,881,000.00                               | <b>COPA 2015</b><br>pegelo ya ntlha                                  | 2005/06                              | Merero ya Selegae              |
| 140,640,282.92                              | pegelo ya ntlha                                                      | 2012/13                              | Merero ya Selegae              |
| 3,782,000.00                                | pegelo ya bobedi                                                     | 2005/06                              | Metsi le Kgelelo ya Leswe      |
| 844,979,607.76                              | pegelo ya boraro                                                     | 2008/09                              | Dipalangwa                     |
| 362,394,100.24                              | pegelo ya boraro                                                     | 2009/10                              | Dipalangwa                     |
| 1,398,676,990.92                            |                                                                      |                                      |                                |





