

PRESIDENT'S OFFICE

No. 1534.  
6 October 1995

NO. 71 OF 1995: DEFENCE SPECIAL ACCOUNT AMENDMENT ACT, 1995.

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

GENERAL EXPLANATORY NOTE:

\*\* \*\* Words between asterisks indicate omissions from existing enactments.

<< >> Words between pointed brackets indicate insertions in existing enactments.

ACT

To amend the Defence Special Account Act, 1974, so as to replace certain expressions; and to provide for matters in connection therewith.

(English text signed by the President.)  
(Assented to 28 September 1995.)

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:-

Amendment of section 1 of Act 6 of 1974, as amended by section 21 of Act 102 of 1976, section 1 of Act 17 of 1981 and section 10 of Act 113 of 1984

1. Section 1 of the Defence Special Account Act, 1974 (hereinafter referred to as the principal Act), is hereby amended by the substitution for paragraph (b) of the following paragraph:

"(b) moneys appropriated by Parliament by an Appropriation or other Act for the requirements of the \*\*South African\*\* <<Department of>> Defence \*\*Force\*\* if the Minister of Defence in consultation with the Minister of \*\*State Expenditure\*\* <<Finance>> deems it necessary in the public interest, and thereupon such moneys shall be deemed to have been appropriated by law for the account;"

Amendment of section 1A of Act 6 of 1974, as inserted by section 4 of Act 96 of 1982

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

"(1) The \*\*Chief of the South African\*\* <<accounting officer of the Department of>> Defence \*\*Force\*\* may, with the prior approval of the Minister of \*\*State Expenditure\*\* <<Finance>> in respect of any financial year enter into commitments for expenditure from the account for which moneys in the account may be utilized in terms of section 2(2) but for which no money has been provided in the account, and which in the aggregate does not exceed the amount shown in the estimates of expenditure, as defined in the Exchequer Act, 1975 (Act No. 66 of 1975), for the financial year concerned, under the vote of the \*\*South African\*\* <<Department of>> Defence \*\*Force\*\*, as estimated under-expenditure."

Amendment of section 2 of Act 6 of 1974, as substituted by section 2 of Act 17 of 1981 and amended by section 5 of Act 96 of 1982 and section 7 of Act 142 of 1992

3. Section 2 of the principal Act is hereby amended-

(a) by the substitution in subsection (1) for paragraph (a) of the following paragraph:

"(a) Subject to the provisions of this Act, the moneys in the account shall be State moneys for the purposes of the Exchequer Act, 1975 (Act No. 66 of 1975), and the \*\*Chief of the South African Defence Force, as\*\* accounting officer of the \*\*South African\*\* <<Department of>> Defence \*\*Force in terms of that Act\*\* shall be charged with the responsibility of administering and accounting for the moneys in the account received by him and moneys paid from the account by him in connection with the special defence activities and purchases of the \*\*South African\*\* <<Department of>> Defence \*\*Force\*\* referred to in paragraph (a) of subsection (2) and the expenditure referred to in paragraph (b) of that subsection.";

(b) by the substitution for subsections (2) and (3) of the following subsections:

"(2) The moneys in the account shall-

(a) with the approval of the Minister of \*\*State Expenditure\*\* <<Finance>> be utilized to defray the expenditure incurred in connection with such special defence activities in connection with the functions contained in the Defence Act, 1957 (Act No. 44 of 1957), and purchases of the \*\*South African\*\* <<Department of>> Defence \*\*Force\*\* and the Corporation as the Minister of Defence may from time to time approve;

(b) if the account has been credited with moneys referred to in section 1(b), also be utilized to defray any expenditure which would normally have been defrayed by the \*\*South African\*\* <<Department of>> Defence \*\*Force\*\* out of moneys appropriated by the Appropriation or other Act in question.

(3) Payments for the said special defence activities and purchases of the \*\*South African\*\* <<Department of>> Defence \*\*Force\*\* shall be made by the \*\*South African\*\* <<Department of>> Defence \*\*Force\*\*, and payments for the said special defence activities and purchases of the Corporation shall be made by the Corporation."; and

(c) by the substitution for the proviso to subsection (4) of the following proviso:

": Provided that the Director-General: State Expenditure or any person in the Department of State Expenditure designated by him, may authorize a person or persons employed by the \*\*South African\*\* <<Department of>> Defence \*\*Force\*\* <<in the Defence Secretariat>> or the Corporation to sign warrant vouchers necessary for the said payments.

Short title

4. This Act shall be called the Defence Special Account Amendment Act, 1995.