
PROVINCE OF THE WESTERN CAPE

**PROVINCIAL CAPITAL FUND
ORDINANCE REPEAL ACT, 2012**

PROVINSIE WES-KAAP

**WET OP DIE HERROEPING VAN DIE
ORDONNANSIE OP DIE PROVINSIALE
KAPITAALFONDS, 2012**

IPHONDO LENTSHONA KOLONI

**UMTHETHO WOBHANGISO
LOMMISELO WENGXOWA-MALI
KWIZINTO EZINKULU WEPHONDO,
2012**

No 5, 2012

ACT

To repeal the Provincial Capital Fund Ordinance, 1962; to abolish the Provincial Working Capital Fund, the Divisional Councils Reserve Fund and the Capital Accounts; and to provide for matters incidental thereto.

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

Definition

1. In this Act, unless the context indicates otherwise—
“**the Ordinance**” means the Provincial Capital Fund Ordinance, 1962 (Ordinance 3 of 1962). 5

Repeal of laws

2. The laws listed in the Schedule, in so far as they have been assigned to the Western Cape, are repealed.

Abolition of Provincial Working Capital Fund 10

3. The Provincial Working Capital Fund established under section 1(1) of the Ordinance is abolished and must be wound up, and any balance in the fund must be transferred to the Provincial Revenue Fund.

Abolition of Divisional Councils Reserve Fund

4. The Divisional Councils Reserve Fund established under section 5(1) of the Ordinance is abolished and must be wound up, and any balance in the fund must be transferred to the Provincial Revenue Fund. 15

Abolition of Capital Accounts

5. The following Capital Accounts referred to in column 1 of Schedule I to the Ordinance are abolished and must be wound up, and any balance in the accounts must be transferred to the Provincial Revenue Fund— 20
 - (a) Hospital Regional and Pharmaceutical Stores;
 - (b) Hospital Ancillary Services;
 - (c) Student Teachers’ Loan Fund;
 - (d) Repayable Advances Fund; and
 - (e) Roads Capital Account. 25

Short title and commencement

6. This Act is called the Provincial Capital Fund Ordinance Repeal Act, 2012, and is regarded as having taken effect on 1 April 2012.

SCHEDULE

Short title, No. and year of law	Extent of Repeal
Provincial Capital Fund Ordinance, 1962 (Ordinance 3 of 1962)	The whole
Provincial Capital and Loan Funds Amendment Ordinance, 1964 (Ordinance 7 of 1964)	The whole
Proclamation 20 of 1992	The whole
Provincial Capital Funds Ordinance Amendment Act, 2007 (Act 1 of 2007)	The whole

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WET

Om die Ordonnansie op die Provinsiale Kapitaalfonds, 1962, te herroep; om die Provinsiale Bedryfskapitaalfonds, die Afdelingsrade-reserwefonds en die Kapitaalrekenings af te skaf; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

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

Woordomskrywing

1. In hierdie Wet, tensy dit uit die samehang anders blyk, beteken—
“die Ordonnansie” die Ordonnansie op die Provinsiale Kapitaalfonds, 1962 (Ordonnansie 3 van 1962). 5

Herroeping van wette

2. Die wette wat in die Bylae genoem word, in soverre hulle aan die Wes-Kaap opgedra is, word herroep.

Afskaffing van Provinsiale Bedryfskapitaalfonds 10

3. Die Provinsiale Bedryfskapitaalfonds, wat kragtens artikel 1(1) van die Ordonnansie ingestel is, word afgeskaf en moet beredder word, en enige saldo in die fonds moet na die Provinsiale Inkomstefonds oorgedra word.

Afskaffing van Afdelingsrade-reserwefonds

4. Die Afdelingsrade-reserwefonds, wat kragtens artikel 5(1) van die Ordonnansie ingestel is, word afgeskaf en moet beredder word, en enige saldo in die fonds moet na die Provinsiale Inkomstefonds oorgedra word. 15

Afskaffing van Kapitaalrekenings

5. Die volgende Kapitaalrekenings in kolom 1 van Bylae I by die Ordonnansie bedoel, word afgeskaf en moet beredder word, en enige saldo in die rekenings moet na die Provinsiale Inkomstefonds oorgedra word— 20

- (a) Hospitaalstreek- en Artsenymagasyne;
- (b) Hospitaalhelpdienste;
- (c) Kwekelingonderwysersleningsfonds;
- (d) Terugbetaalbare Voorskotsfonds; en 25
- (e) Padkapitaalrekening.

Kort titel en inwerkingtreding

6. Hierdie Wet heet die Wet op die Herroeping van die Ordonnansie op die Provinsiale Kapitaalfonds, 2012, en word geag in werking te getree het op 1 April 2012.

BYLAE

Kort titel, No. en jaartal van wet	In hoeverre herroep	
Ordonnansie op die Provinsiale Kapitaalfonds, 1962 (Ordonnansie 3 van 1962)	Die geheel	5
Wysigingsordonnansie op die Provinsiale Kapitaal- en Leningsfondse, 1964 (Ordonnansie 7 van 1964)	Die geheel	
Proklamasie 20 van 1992	Die geheel	
Wysigingswet op die Provinsiale Kapitaalfonds-ordonnansie, 2007 (Wet 1 van 2007)	Die geheel	10

UMTHETHO

Ukuze kuBhangiswe uMmiselo weNgxowa-mali eyiNkunzi yePhondo, 1962; nokupheliswa kweNgxowa-mali eSebenzayo eyiNkunzi yePhondo, INgxowa mali eBekelwe bucala yoLwahlulo lwaMabhunga kwakunye neAkhawunti eziyiNkunzi; nokulungisela imibandela ehamba noko.

NGOKO KE KUWISWA UMTHETHO yiPalamente yePhondo leNtshona Koloni ngolu hlobo:—

Inkcazo

1. Kulo Mthetho ngaphandle kokuba uthetha nto yimbi—
“I-Ordinance” ithetha uMmiselo weNgxowa-mali eyiNkunzi yePhondo, 1962 (uMmiselo 3 ka 1962). 5

Ukubhangiswa kwemithetho

2. Le mithetho idweliswe kwishedyuli okwangoku njengoko inikezelwe kwiNtshona Koloni ibhangisiwe.

Ukupheliswa kweNgxowa-Mali eSebenzayo eyiNkunzi yePhondo 10

3. INgxowa-Mali eSebenzayo eyiNkunzi yePhondo eyamiselwa phantsi kwecandelo 1(1) loMmiselo iphelisiwe kwaye mayivuzwe, ukuze nayo nayiphina intsalela ekwinoxowa mali ithunyelwe kwiNgxowa mali yeNgeniso yePhondo.

Ukupheliswa kweNgxowa mali eBekelwe bucala yoLwahlulo lwaMabhunga

4. INgxowamali eBekelwe bucala yoLwahlulo lwaMabhunga esekwe phantsi kwecandelo 5(1) loMmisewlo liphelisiwe kwaye mayivuswe, ze nayo nayiphi na intsalela ekule Akhawunti ithunyelwe kwiNgxowa mali yeNgeniso yePhondo. 15

Ukupheliswa kweAkhawunti eziyiNkunzi

5. Ezi Akhawunti eziyinkunzi zilandelayo ezichaziweyo kwikholam 1 yeShedyuli 1 ukuya kuMmiselo ziphelisiwe yaye kufuneka zivuswe yaye , nayiphina intsalela kule akhawunti mayithunyelwe kwiNgxowa Mali yeNgeniso yePhondo—
 - (a) IziBhedlela zoMmandla kunye neAkhawunti zevenkile eziThengisa amayeza;
 - (b) IiNkonzo eziNcedisayo zesiBhedlela;
 - (c) IMalimboleko yabaFundi abafundela ubuTitshala ;
 - (d) IMali ehlawulwa ngaphambi kwexesha elimiselweyo; kunye 25
 - (e) neAkhawunti eyiNkunzi yezeNdlela.

Isihloko esifutshane kunye nokuqalisa

6. Lo Mthetho ubizwa uMthetho woBhangiso lweNgxowa-mali yoMmiselo wePhondo (Provincial Capital Fund Ordinance Repeal Act, 2012, yaye uyakuthi usebenze ngomhla wokuqala 1 kuTshazimpuzi 2012. 30

ISHEDYULI

Isihloko esifutshane, inombolo kunye nonyaka walomthetho	Ubungakanani bexesha ubhangisiwe	
uMmiselo weNgxowa-mali eyiNkunzi yePhondo, 1962 (uMmiselo 3 ka 1962)	Wonke	5
uMmiselo woLungiso weMali yeMboleko yeNgxowa-Mali eyiNkunzi yePhondo, 1964 (uMmiselo 7 ka 1964)	Wonke	
UMpoposho 20 ka 1992	Wonke	
UMthetho woLungiso weMali-Mboleko kwimali eyiNkunzi yePhondo, 2007 (uMthetho 1 ka 2007)	Wonke	10

