



# STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

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REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 420.

4 Maart 1981.

No. 420.

4 March 1981.

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

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

No. 17 van 1981: Wysigingswet op die Spesiale Verdedigingsrekening, 1981.

No. 17 of 1981: Defence Special Account Amendment Act, 1981.

Act No. 17, 1981

DEFENCE SPECIAL ACCOUNT AMENDMENT ACT, 1981

**GENERAL EXPLANATORY NOTE:**

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

       Words underlined with solid line indicate insertions in existing enactments.

**ACT**

To amend the Defence Special Account Act, 1974, so as to substitute certain designations therein; and further regulate the administration of and accounting for moneys in the Special Defence Account and moneys paid therefrom; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)  
(Assented to 16 February 1981.)*

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

Amendment of section 1 of Act 6 of 1974, as substituted by section 21 of Act 102 of 1976.

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: 5  
“(b) moneys appropriated by Parliament by an appropriation or other Act for the requirements of the **[Department of Defence]** South African Defence Force if the Minister of Defence in consultation with the Minister of Finance deems it necessary in the public 10 interest, and thereupon such moneys shall be deemed to have been appropriated by law for the account;”.

Substitution of section 2 of Act 6 of 1974, as substituted by section 8 of Act 72 of 1975 and amended by section 22 of Act 102 of 1976.

2. The following section is hereby substituted for section 2 of the principal Act:

“Accounting for and utilization of moneys in the account. 2. (1) (a) Subject to the provisions of this Act, the 15 moneys in the account shall be State moneys for the purposes of the Exchequer and Audit Act, 1975 (Act No. 66 of 1975), and the Chief of the South African Defence Force [is, subject to the provisions of this Act, responsible for the 20 administration of the account], as accounting officer of the South African 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 25 connection with the special defence activities and purchases of the South African Defence Force referred to in paragraph (a) of subsection (2) and the expenditure referred to in paragraph (b) of that subsection. 30  
(b) The chief executive officer of the Armaments Corporation of South Africa, Limited, established by section 2 of the Armaments Development and Production Act, 1968 (Act No. 57 of 1968) (hereinafter referred to as the Corporation), shall be charged with the responsibility of administering and accounting for moneys paid 35

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from the account by the Corporation in connection with its special defence activities and purchases referred to in subsection (2) (a) of this section.

- (c) The provisions of the Armaments Development and Production Act, 1968, shall, subject to the provisions of section 5 of this Act, apply in respect of the expenditure incurred by the Corporation from the account and the administration of and accounting for the moneys paid therefrom by it, to the exclusion of the provisions of the Exchequer and Audit Act, 1975, except, in so far as the auditing by the Auditor-General in terms of the said section 5 is concerned, the provisions of sections 42 (7) and 45 (1), (1A) and (2) thereof.

(2) The moneys in the account shall—

- (a) with the approval of the Minister of Finance be utilized to defray the expenditure incurred in connection with such special defence activities and purchases of the [Department of Defence, and the Armaments Board established by section 2 of the Armaments Act, 1964 (Act No. 87 of 1964)] South African 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 [Department of Defence] South African 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 [Department of Defence] South African Defence Force shall be made by [that Department] the South African Defence Force, and payments for the said special defence activities and purchases of the [Armaments Board referred to in subsection (2)] Corporation shall be made by [that Board] the Corporation.

(4) Notwithstanding anything to the contrary in any law contained, the banking account for moneys in the account shall be kept in the Paymaster-General's Account of the Treasury and the payments referred to in subsection (3) shall be made from the latter account: Provided that the [Secretary to the Treasury] Director-General: Finance, or any person in the Department of Finance designated by him, may authorize a person or persons employed by the [Department or Armaments Board referred to in subsection (2)] South African Defence Force or the Corporation to sign warrant vouchers necessary for the said payments."

Short title and commencement.

3. This Act shall be called the Defence Special Account Amendment Act, 1981, and shall be deemed to have come into operation on 1 April 1980.