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GOVERNMENT GAZETTE

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DEPARTMENT OF THE PRIME MINISTER

No. 955. 17 May 1978.

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

No. 56 of 1978: Secret Services Account Act, 1978.

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 955. 17 Mei 1978.

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

No. 56 van 1978: Wet op die Rekening vir Geheime Dienste, 1978.

Wet No. 56, 1978 WET OP DIE REKENING VIR GEHEIME DIENSTE, 1978.

WET

Om voorsiening te maak vir die instelling van 'n rekening vir geheime dienste en vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 26 April 1978.)

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

Instelling van Rekening vir Geheime Dienste.

1. Hierby word 'n rekening met die naam Rekening vir Geheime Dienste (hieronder die rekening genoem) ingestel wat gekrediteer word met die geld wat die Parlement vir die rekening bewillig het.

Administrasie van, en aanwending van geld in, rekening.

2. (1) Behoudens die bepalings van hierdie Wet is die Sekretaris van die Tesourie verantwoordelik vir die administrasie van die rekening: Met dien verstande dat die rekenpligtige beampte van 'n Staatsdepartement waaraan geld ingevolge subartikel (3) beskikbaar gestel is, rekenpligtig is vir die geld wat aldus beskikbaar gestel is.

(2) *(a)* Die Minister van Finansies kan op versoek van die betrokke Minister soveel geld as waarop hulle ooreenkom, oordra uit die rekening na die Spesiale Rekening vir Buitelandse Sake ingestel by artikel 1 van die Wet op die Spesiale Rekening vir Buitelandse Sake, 1967 (Wet No. 38 van 1967), die Spesiale Rekening vir Veiligheidsdienste ingestel by artikel 1 van die Wet op die Spesiale Rekening vir Veiligheidsdienste, 1969 (Wet No. 81 van 1969), en die Spesiale Verdedigingsrekening ingestel by artikel 1 van die Wet op die Spesiale Verdedigingsrekening, 1974 (Wet No. 6 van 1974).

(b) Geld aldus oorgedra, word geag deur die Parlement vir die betrokke rekening bewillig te wees.

(3) Die Minister van Finansies kan op versoek van 'n ander Minister geld in die rekening op die wyse en behoudens die voorwaardes wat hy na oorleg met die betrokke ander Minister bepaal, aan 'n Staatsdepartement waarvoor dié ander Minister verantwoordelik is, beskikbaar stel vir aanwending vir dienste van 'n geheime aard wat die Minister van Finansies en daardie ander Minister van tyd tot tyd in die nasionale belang bepaal, en vir uitgawes wat met dié dienste in verband staan.

Oudit.

3. (1) Die rekening word deur die Ouditeur-generaal geouditeer.

(2) Behoudens die bepalings van die een of ander wet word die aanwending van geld wat uit die rekening na 'n Staatsdepartement ingevolge artikel 2 (3) oorgedra word, en die rekenings wat gehou word ten opsigte van geld aldus oorgedra, deur die Ouditeur-generaal geouditeer in die mate wat die Minister van Finansies na oorleg met die betrokke ander Minister en die Ouditeur-generaal bepaal, met inagneming van die spesiale aard van die betrokke transaksies.

Kort titel en inwerkingtreding.

4. Hierdie Wet heet die Wet op die Rekening vir Geheime Dienste, 1978, en tree in werking op 1 April 1978.

ACT

To provide for the establishment of an account for secret services and for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 26 April 1978.)

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

Establishment of Secret Services Account.

1. There is hereby established an account to be known as the Secret Services Account (hereinafter referred to as the account) which shall be credited with the moneys appropriated by Parliament for the account.

Administration of, and utilization of moneys in, account.

2. (1) The Secretary to the Treasury shall, subject to the provisions of this Act, be responsible for the administration of the account: Provided that the accounting officer of a Department of State to which any moneys have been made available in terms of subsection (3), shall be accountable for the moneys so made available.

(2) *(a)* The Minister of Finance may at the request of the Minister concerned transfer so much money as may be agreed upon between them from the account to the Foreign Affairs Special Account established by section 1 of the Foreign Affairs Special Account Act, 1967 (Act No. 38 of 1967), the Security Services Special Account established by section 1 of the Security Services Special Account Act, 1969 (Act No. 81 of 1969), or the Special Defence Account established by section 1 of the Defence Special Account Act, 1974 (Act No. 6 of 1974).

(b) Any moneys so transferred shall be deemed to have been appropriated by Parliament for the account in question.

(3) The Minister of Finance may, at the request of any other Minister, and in such manner and subject to such conditions as he may after consultation with such other Minister determine, make available to a Department of State for which such other Minister is responsible, moneys in the account for utilization for services of a secret nature determined from time to time by the Minister of Finance and such other Minister as being in the national interest, and for expenses incidental to such services.

Audit.

3. (1) The account shall be audited by the Auditor-General.

(2) Subject to the provisions of any law the utilization of moneys transferred from the account to a Department of State in terms of section 2 (3), and the accounts maintained in respect of moneys so transferred, shall be audited by the Auditor-General to the extent determined by the Minister of Finance after consultation with the other Minister concerned and the Auditor-General, having regard to the special nature of the transactions in question.

Short title and commencement.

4. This Act shall be called the Secret Services Account Act, 1978, and shall come into operation on 1 April 1978.

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