

PROVINCE OF EASTERN CAPE

**EASTERN CAPE
APPROPRIATION BILL, 2007**

(As introduced)

(BY MEMBER OF THE EXECUTIVE COUNCIL RESPONSIBLE FOR FINANCE)

BILL

To provide for the appropriation of money from the Provincial Revenue Fund for the requirements of the Province of the Eastern Cape in the 2007/08 financial year and to provide for matters incidental thereto.

PREAMBLE

WHEREAS section 226(2) of the Constitution of the Republic of South Africa, 1996 provides that money may be withdrawn from the Provincial Revenue Fund only in terms of an appropriation by a provincial Act;

AND WHEREAS section 26 of the Public Finance Management Act, 1999 (Act No. 1 of 1999) provides that the Provincial Legislature must appropriate money for each financial year for the requirements of the Province;

BE IT THEREFORE ENACTED by the Legislature of the Province of the Eastern Cape, as follows:—

Definitions

1. In this Act, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Public Finance Management Act has the meaning assigned to it in that Act and —

“**Act**” includes the Schedule;

“**conditional grants**” means allocations to the province, from the national government’s share of revenue raised nationally, provided for in section 214(1)(c) of the Constitution of the Republic of South Africa, 1996;

“**current payments**” means any payments made by a provincial department in respect of the operational requirements of that department, and includes, amongst others, payments for the compensation of employees, goods and services, interest, rental of immovable property and financial transactions relating to assets and liabilities, but exclude transfers and subsidies and payments for capital assets;

“payments for capital assets” means any payments made by a provincial department –

- (a) for assets that can be used continuously or repeatedly in production for more than one year, and from which future economic benefits or service potential is expected to flow directly to the provincial department making the payment; and
- (b) that must be classified as or deemed to be payments for capital assets in accordance with the *“Reference Guide to the new Economic Format”* (November 2003, Version 2) and the *“Asset Management Framework”* (April 2004, Version 3.3), issued by the National Treasury under section 76 of the Public Finance Management Act;

“Public Finance Management Act” means the Public Finance Management Act, 1999 (Act No. 1 of 1999); and

“transfers and subsidies” means any payments made by a provincial department to another organ of state or any other person in respect of which the provincial department does not receive anything of similar value directly in return.

Appropriation of money for the requirements of the Province

2. (1) Appropriations by the Legislature of the Province of the Eastern Cape of money from the Provincial Revenue Fund for the requirements of the Province in the 2007/08 financial year, to votes and main divisions within a vote, and for the specific listed purposes, are set out in the Schedule.

(2) Subject to section 3, spending of appropriations is subject to the Public Finance Management Act.

Appropriation listed as specifically and exclusively

3. Despite the provisions of any law, appropriations to a vote or main divisions within a vote that are listed as specifically and exclusively in the Schedule may only be utilised for the purpose indicated and may not be used for any other purpose, unless an Act of the Legislature of the Province of the Eastern Cape amends or changes the purpose for which it was allocated.

Short title and commencement

4. This Act is called the Eastern Cape Appropriation Act, 2007, and comes into operation on 1 April 2007.

APPROPRIATION BILL, 2007 (EASTERN CAPE)

SCHEDULE PER DEPARTMENT

Vote	DEPARTMENT	AMOUNT R'000
1	Office of the Premier	311 812
2	Provincial Legislature	154 525
3	Health	8 142 743
4	Social Development	951 735
5	Public Works	617 973
6	Education	14 726 061
7	Housing, Local Government & Traditional Affairs	1 574 138
8	Agriculture	989 282
9	Economic Affairs, Environment and Tourism	620 973
10	Roads and Transport	2 239 065
12	Provincial Treasury	243 859
14	Sport, Recreation, Arts and Culture	406 011
15	Safety and Liaison	30 634
	TOTAL	31 008 811