



GAUTENG PROVINCE

OFFICE OF THE PREMIER
REPUBLIC OF SOUTH AFRICA

Enquiries: Adv Monwabisi Nguqu
Telephone number: (011) 355 6312/ 063 698 5430
Reference number: 11/1/130

Mr Mncedisi Vilakazi
Acting Head of Department
Gauteng Provincial Treasury
Imbumba House
75 Fox Street
Marshalltown
Johannesburg
2107

Dear Mr Vilakazi

**RE: CERTIFICATION OF GAUTENG PROVINCIAL THIRD ADJUSTMENTS
APPROPRIATION BILL, 2020**

1. Kindly find attached for your attention, a copy of the above-mentioned Bill, Schedule and Memorandum on the Objects of the Bill, as duly certified by the State Law Advisory Services.
2. The State Law Advisory Services classify the Bill as a money Bill envisaged in Rule 192(2) of the Standing Rules of the Gauteng Provincial Legislature, read with section 120 of the Constitution of the Republic of South Africa, 1996.
3. Please note that no changes may be made to the certified Bill and the Memorandum without the prior approval of the State Law Advisory Services. Any unauthorised change will nullify the certification of the Bill, together with the Schedule and the Memorandum thereto.
4. The State Law Advisory Services do not certify the correctness of the amounts reflected in the Schedule and the Memorandum, as these are the responsibility of the Gauteng Provincial Treasury.
5. Kindly ensure that this certificate accompanies the Bill, together with the Schedule and the Memorandum, when they are introduced in the Gauteng Provincial Legislature.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Adv. Geert Kuit', written over a horizontal line.

Adv. Geert Kuit
Chief Director: State Law Advisory Services
Date: 10/3/2021



GAUTENG PROVINCIAL LEGISLATURE

**GAUTENG PROVINCIAL THIRD
ADJUSTMENTS APPROPRIATION
BILL, 2021**

*(As introduced in the Gauteng Provincial Legislature in terms of rule 192(2) of the
Standing Rules of the Gauteng Provincial Legislature, 2018 read with section 119
of the Constitution of the Republic of South Africa, 1996 (section 120 Bill))
(The English Text is the official text of the Bill)*

(Member of the Executive Council responsible for finance in the Province of Gauteng)

[B—2021]



BILL

To effect adjustments to the appropriation of money from the Gauteng Provincial Revenue Fund for the requirements of the Province of Gauteng in respect of the financial year ending 31 March 2021; and to provide for matters incidental thereto or connected therewith.

PREAMBLE

WHEREAS section 226(2)(a) of the Constitution of the Republic of South Africa, 1996, provides that money may be withdrawn from the Gauteng Provincial Revenue Fund only in terms of an appropriation by a provincial Act, or as a direct charge against the Fund, when it is provided for in the Constitution or a provincial Act;

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

AND WHEREAS the Gauteng Provincial Appropriation Act, 2020 (Act No. 2 of 2020), provides for the appropriation of money from the Gauteng Provincial Revenue Fund to provide for the requirements of the Province in respect of the financial year ending 31 March 2021;

AND WHEREAS section 31(1) of the Public Finance Management Act, 1999 (Act No. 1 of 1999), provides that the Member of an Executive Council responsible for finance in the Province may table an adjustments budget in the Gauteng Provincial Legislature, subject to subsection (3) thereof.



BE IT THEREFORE ENACTED by the Gauteng Provincial Legislature, as follows:—

Definitions

1. In this Act, any expression, phrase or word to which a meaning has been assigned in section 1 of the Gauteng Provincial Appropriation Act, 2020 (Act No. 2 of 2020), or section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), has the meaning assigned to it in that Act.

Adjustments to appropriation of money for requirements of Province

2. (1) Adjustments to appropriations by the Provincial Legislature of money from the Gauteng Provincial Revenue Fund for the requirements of the Province in the financial year ending 31 March 2021, to votes and main divisions within a vote, and for the specific listed purposes, is set out in the Schedule.

(2) The spending of appropriations referred to in subsection (1) is subject to this Act and the Public Finance Management Act, 1999.

Amounts listed as specifically and exclusively appropriated

3. An amount that is listed as specifically and exclusively appropriated may be used only for the purpose indicated, unless the amount or purpose is amended by, or in terms of, a provincial Act.

Short title

4. This Act is called the Gauteng Provincial Third Adjustments Appropriation Act, 2021.

(As a charge to the Provincial Revenue Fund)

[illegible]

Details of appropriated amount

[illegible]

DATE _____

~~SIGNATURE~~

(As a charge to the Provincial Revenue Fund)

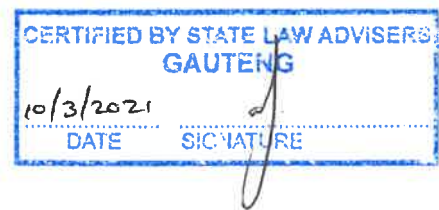
[illegible]

Details of appropriated amount

[illegible]

SCHEDULE (As a charge to the Provincial Revenue Fund)									
Details of appropriated amount									
Vote R thousand	Adjusted Appropriation	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets	Final Adjusted Appropriation	Specified transfer payments and amounts specifically and exclusively appropriated
		Compensation of Employees	Goods and Services	Other					
3. Traffic Management of which Transfers to Provinces and Municipalities Transfers to public corporations and private enterprise	522 276 170							522 276	170
11. Agriculture and Rural Development Vision: An economically transformed agricultural sector including agro-processing and sustainable environmental management for healthy, food secure, developed rural and urban communities in Gauteng.	994 713							994 713	
1. Administration of which Transfers to Departmental Agencies and Accounts	250 991 1 423							250 991 1 423	
2. Agriculture and Rural Development of which National conditional grants Land Care Ilima/Letsema Projects Comprehensive Agricultural Support Programme Transfers to Higher Education Institutions Transfers to Departmental Agencies and Accounts	424 624 4 730 25 403 100 139 6 465							424 624 4 730 25 403 100 139 6 465	
3. Environmental Affairs of which Expanded Public Works Programme Integrated Grant	319 098 2 271							319 098 2 271	
12. Sport, Arts, Culture and Recreation Vision: An active, creative and modernised Gauteng City Region contributing to sustainable economic growth and social cohesion.	877 512							877 512	
1. Administration of which National conditional grants Expanded Public Works Programme Integrated Grant	160 609 2 000							160 609 2 000	
2. Cultural Affairs of which National conditional grants Community Library Services Transfers to Provinces and Municipalities Transfers to Non Profit Institutions	222 856 2 654 38 469 27 450							222 856 2 654 38 469 27 450	
3. Library and Archives Services of which National conditional grants Community Library Services Transfers to Provinces and Municipalities Transfers to Non Profit Institutions	265 133 130 539 165 800 2 000							265 133 130 539 165 800 2 000	
4. Sport and Recreation of which National conditional grants Mass Sport and Recreation Participation Programme Transfers to Non Profit Institutions	228 914 40 061 74 017							228 914 40 061 74 017	
13. E-Government Vision: A connected Gauteng City-Region leverages technology to provide quality services to citizens.	1 386 437							1 386 437	
1. Administration 2. Information Communication Technology(Ict) Shared Services	239 056 1 023 010							239 056 1 023 010	

SCHEDULE (As a charge to the Provincial Revenue Fund)									
Details of appropriated amount									
Vote	Adjusted Appropriation	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets	Final Adjusted Appropriation	Specified transfer payments and amounts specifically and exclusively appropriated
R thousand		Compensation of Employees	Goods and Services	Other					
<i>of which</i>									
Transfers to Higher Education Institutions	22 800								22 800
3. Human Resources Services	124 371							124 371	
14. Gauteng Provincial Treasury	677 458							677 458	
Vision: To provide strategic leadership in financial and fiscal matters to ensure sustainable and inclusive social and economic development of the people of Gauteng so that all may enjoy value-for-money services of the highest quality.									
1. Administration	153 610							153 610	
2. Sustainable Fiscal Resource Management	152 821							152 821	
<i>of which</i>									
Departmental agencies and accounts									
Gauteng Infrastructure Financing Agency	61 406								61 406
3. Financial Governance	125 397							125 397	
4. Supply Chain Management	99 227							99 227	
<i>of which</i>									
Transfers to Non Profit Institutions									
5. Municipal Financial Governance	46 506							46 506	
6. Gauteng Audit Services	99 897							99 897	
15. Infrastructure Development	3 197 771							3 197 771	
Vision: To be a leading sustainable infrastructure provider and facilitator that positions Gauteng as a globally competitive city region with inclusive economic growth and decent work for all.									
1. Administration	403 687							403 687	
2. Public Works Infrastructure	2 621 576							2 621 576	
<i>of which</i>									
Transfers to Municipalities									
Devolution of rates and taxes	1 082 931								1 082 931
3. Expanded Public Works Programme	172 508							172 508	
Expanded Public Works Programme Integrated Grant	21 163								21 163
TOTAL FOR THE PROVINCE	143 649 056				100 000			143 749 056	



EXPLANATORY MEMORANDUM ON OBJECTS OF THE GAUTENG PROVINCIAL THIRD ADJUSTMENTS APPROPRIATION BILL, 2021

1. POLICY UNDERLYING THE BILL

Section 31(1) of the Public Finance Management Act, 1999 (Act No. 1 of 1999), provides that the Member of Executive Committee for finance in a province may table an adjustments budget in the provincial legislature. It is on the basis of this legislative framework that approval to amend the Gauteng Provincial Adjustments Appropriation, 2020/21, as tabled on 19 November 2020, is requested.

The Gauteng Provincial Treasury tabled an adjusted appropriation on the 19 November 2020 amounting to R143.649 billion. Subsequent to this adjusted appropriation, the National Department of Human Settlements, in consultation with the National Treasury and affected provincial departments, increased conditional grants to the Gauteng Province by R100 million. The conditional grant for which the allocation to the Gauteng Province was increased, is the Human Settlements Development Grant. As a result, the budget for the Gauteng Province increases by R100 million in the third (final) adjustments budget from R143.649 billion to R143.749 billion.

1.1 Amendments to 2020/21 Adjusted Budget Appropriation

The total adjustments to the adjusted budget for 2020/21 appropriation are discussed below.

1.1.1 Gauteng Department of Human Settlements

The 2020/21 adjusted budget of the Gauteng Department of Human Settlements increases by R100 million from R5.378 billion to R5.478 billion. The National Department of Human Settlements increased the Human Settlements Development Conditional Grant to the Gauteng Province by R100 million. The Gauteng Provincial Treasury is subsequently required to table a third (final) adjustments budget at the Gauteng Provincial Legislature using the National Treasury's *Gazette* as a basis to increase the budget in compliance with legislation (the Division of Revenue Act, 2020). The Gauteng Provincial Government benefitted R100 million from the funds that were taken by National Treasury from other provinces.

1.2 2020/21 Adjusted Budget Allocations

Table 1 below presents amendments to the Gauteng Provincial Government departments' appropriations as well as the final adjusted appropriation for the 2020/21 financial year.

Table 1: Revised Allocations

Vote R thousand	Adjusted Appropriation R'000	Adjustments R'000	Final Adjusted Appropriation R'000
1. Office of the Premier	886 038		886 038
2. Gauteng Provincial Legislature	817 763		817 763
3. Economic Development	1 944 592		1 944 592
4. Health	58 835 503		58 835 503
5. Education	52 876 598		52 876 598
6. Social Development	5 887 349		5 887 349
7. Cooperative Governance and Traditional Affairs	611 972		611 972
8. Human Settlements	5 377 907	100 000	5 477 907
9. Roads and Transport	8 377 996		8 377 996
10. Community Safety	899 448		899 448
11. Agriculture and Rural Development	994 713		994 713
12. Sport, Arts, Culture and Recreation	877 512		877 512
13. E-Government	1 386 437		1 386 437
14. Gauteng Provincial Treasury	677 458		677 458
15. Infrastructure Development	3 197 771		3 197 771
TOTAL FOR THE PROVINCE	143 649 056	100 000	143 749 056

2. SOCIAL IMPACT

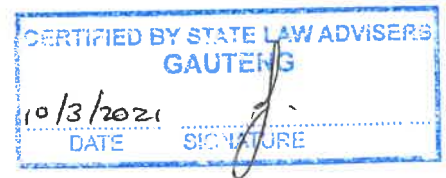
None.

3. FINANCIAL IMPLICATIONS

The third (Final) adjustment to the 2020/21 appropriation increases the total provincial revenue and expenditure by an amount of R100 million due to the increase in the allocation of the Gauteng Department of Human Settlements.

4. ENVIRONMENTAL IMPACT

No negative impact



5. IMPLICATIONS OF BILL FOR LOCAL GOVERNMENT

None.

6. PUBLIC PARTICIPATION IN DEVELOPMENT OF BILL

None.

7. CLAUSE BY CLAUSE DESCRIPTION

Clause 1 of the Bill contains definitions of important expressions, words, phrases and processes.

Clause 2 of the Bill contains details about the adjusted appropriations for use by the Gauteng Province for the financial year ending 31 March 2021.

Clause 3 of the Bill deals with amounts that are listed as specifically and exclusively appropriated.

Clause 4 of the Bill is the short title of the Bill.

The Schedule to the Bill contains the details of adjusted appropriation by vote as explained in paragraph 1 above.

8. OTHER DEPARTMENTS OR BODIES CONSULTED

The Gauteng Provincial Treasury consulted the relevant department regarding the adjustments relating to their respective budget appropriation.