



GAUTENG PROVINCE

OFFICE OF THE PREMIER
REPUBLIC OF SOUTH AFRICA

Ms Ncumisa Mnyani
Head of Department
Gauteng Provincial Treasury
Imbumba House
75 Fox Street
Marshalltown
Johannesburg
2001

Dear Ms Mnyani

RE: CERTIFICATION OF THE GAUTENG PROVINCIAL SECOND ADJUSTMENTS APPROPRIATION BILL, 2022

1. Please find herewith attached a copy of the abovementioned Bill, together with the Explanatory Memorandum of Objects on the Bill as well as the Schedule to the Bill as scrutinised and 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, 2nd ed (2018), read with section 120 of the Constitution of the Republic of South Africa, 1996.
3. Kindly note that no changes may be made to the certified Bill, the Memorandum and the Schedule without the prior approval of the State Law Advisory Services. Any unauthorised change will nullify the certification of the Bill, the Memorandum and the Schedule.
4. The State Law Advisory Services do not certify the correctness of the amounts and dates reflected in the Schedule and the Memorandum, as these are the responsibility of the Gauteng Provincial Treasury.
5. Please ensure that this certificate accompanies the Bill, the Memorandum and the Schedule when the Bill is introduced into the Gauteng Provincial Legislature

Enquires may be directed to **Adv. Monwabisi Nguqu, Director: Co-ordinated Legislative Drafting** at Telephone number: (011) 355 6312 | Cellular phone number 063 698 5430 | Email address: Monwabisi.Nguqu@gauteng.gov.za.

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

Adv. Geert Kuit
Chief Director: State Law Advisory Services

Date: 08/03/2022

GAUTENG PROVINCIAL LEGISLATURE

**GAUTENG PROVINCIAL SECOND
ADJUSTMENTS APPROPRIATION
BILL, 2022**

(As introduced in the Gauteng Provincial Legislature in terms of rule 192(2) of the Standing Rules of the Gauteng Provincial Legislature, 2nd ed (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 for Finance and e-Government)

[B—2022]



BILL

To effect adjustments to the appropriation of money from the Gauteng Provincial Revenue Fund for the requirements of the Gauteng Province in respect of the 2021/22 financial year ending 31 March 2022; and to provide for matters incidental thereto or connected therewith.

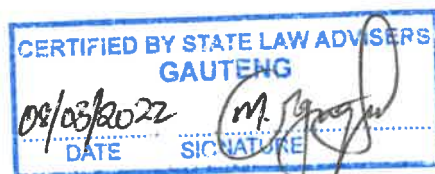
PREAMBLE

WHEREAS section 226(2) 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 the 2021/22 financial year ending 31 March 2022 for the requirements of the Gauteng Province;

AND WHEREAS the Gauteng Provincial Appropriation Act, 2021 (Act No. 4 of 2021), provides for the appropriation of money from the Gauteng Provincial Revenue Fund to provide for the requirements of the Gauteng Province in respect of the 2021/22 financial year ending 31 March 2022;

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 for Finance in the Gauteng 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, unless the context indicates otherwise, any expression, phrase or word to which a meaning has been assigned in section 1 of the Gauteng Provincial Appropriation Act, 2021 (Act No. 4 of 2021), or section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), has the meaning assigned to it in the latter Act.

Adjustments to appropriation of money for requirements of Gauteng Province

2. (1) Adjustments to appropriations by the Gauteng Provincial Legislature of money from the Gauteng Provincial Revenue Fund for the requirements of the Gauteng Province in the 2021/22 financial year ending 31 March 2022, to votes and main divisions within a vote, and for the specific listed purposes, is set out in the Schedule to this Act.

(2) The spending of appropriations referred to in subsection (1) is subject to this Act, the Gauteng Provincial Appropriation Act, 2021, 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 in the Schedule to this Act 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 Second Adjustments Appropriation Act, 2022.



EXPLANATORY MEMORANDUM OF OBJECTS ON THE GAUTENG PROVINCIAL SECOND ADJUSTMENTS APPROPRIATION BILL, 2022

1. POLICY UNDERLYING THE BILL

Section 31(1) of the Public Finance Management Act, 1999 (Act No. 1 of 1999), empowers the Member of Executive Committee for Finance in the Gauteng Province to table an adjustments budget in the Gauteng Provincial Legislature. On 9 December 2021, the Gauteng Provincial Treasury tabled an adjustments appropriation amounting to R149.559 billion, and it is now on the same basis that approval is further requested to amend the previous adjustments budget as tabled on 9 December 2021.

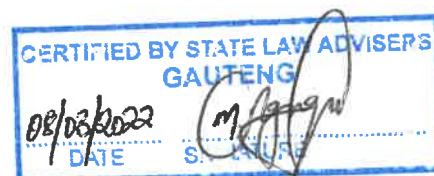
Subsequent to the previous adjustments appropriation, the National Departments of Transport and of Human Settlements, in consultation with the National Treasury and affected provincial departments, decreased conditional grants to the Gauteng Province by R71.8 million. The conditional grants for which the allocation to the Gauteng Province was decreased, are the Provincial Road Maintenance Grant (R51.8 million) and Informal Settlements Upgrading Partnership Grant (R20 million). As a result, the budget for the Gauteng Province decreases by R71.8 million in the second adjustments budget from R149.559 billion to R149.487 billion.

1.1 Amendments to previous adjustments appropriation

The total adjusted budget to the previous adjustments appropriation are discussed below.

Gauteng Department of Roads and Transport

The 2021/22 adjusted budget of the Gauteng Department of Transport decreases by R51.8 million from R8.567 billion to R8.516 billion. The National Department of



Transport decreased the Provincial Road Maintenance Conditional Grant to the Gauteng Province by R51.8 million. The poor spending on the conditional grant was mainly due to department's inability to finalise procurement of the contractors for maintenance programme on time.

Gauteng Department of Human Settlements

The 2021/22 adjusted budget of the Gauteng Department of Human Settlements decreases by R20 million from R5.986 billion to R5.966 billion. The National Department of Human Settlement decreased the Informal Settlement Upgrading Partnership Grant. There had to be a lot of planning done for the ISUPG from its inception hence the delays that were further exacerbated by prolonged supply chain processes which resulted in delayed appointment of service providers.

The Gauteng Provincial Treasury is accordingly required to table a second adjustments budget in the Gauteng Provincial Legislature using the National Treasury's Gazettes as a basis to decrease the budget in compliance with legislation (the Division of Revenue Act, 2021).

1.2 2021/22 adjusted budget allocations

Table 1 below presents amendments to the Gauteng Provincial Government departments' appropriations as well as the final adjustments appropriation for the 2021/22 financial year ending on 31 March 2022.

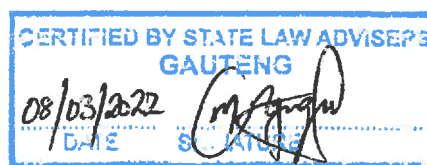


Table 1: Revised Allocations

Vote R thousand	Adjusted Appropriation	Adjustments	Final Adjusted Appropriation
1. Office of the Premier	867 023		867 023
2. Gauteng Provincial Legislature	795 708		795 708
3. Economic Development	1 782 911		1 782 911
4. Health	59 625 510		59 625 510
5. Education	56 678 273		56 678 273
6. Social Development	6 148 557		6 148 557
7. Cooperative Governance and Traditional Affairs	592 072		592 072
8. Human Settlements	5 986 126	(20 000)	5 966 126
9. Roads and Transport	8 567 497	(51 773)	8 515 724
10. Community Safety	980 953		980 953
11. Agriculture and Rural Development	1 044 811		1 044 811
12. Sport, Arts, Culture and Recreation	1 025 853		1 025 853
13. e-Government	1 538 942		1 538 942
14. Gauteng Provincial Treasury	675 545		675 545
15. Infrastructure Development	3 249 020		3 249 020
TOTAL FOR THE PROVINCE	149 558 801	(71 773)	149 487 028

2. SOCIAL IMPACT

None.

3. FINANCIAL IMPLICATIONS

The second adjustments to the previous adjustments appropriation decreases the total provincial revenue and expenditure by an amount of R71.773 million due to the decrease in the allocations of the Gauteng Department of Roads and Transport and Gauteng Department of Human Settlements.

4. ENVIRONMENTAL IMPACT

None.

5. IMPLICATIONS OF BILL FOR LOCAL GOVERNMENT

None.



6. PUBLIC PARTICIPATION IN DEVELOPMENT OF BILL

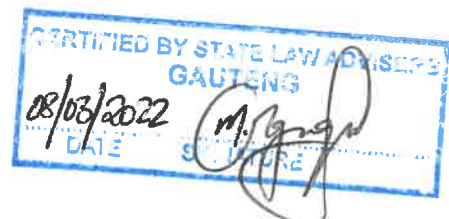
None.

7. OTHER DEPARTMENTS OR BODIES CONSULTED

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

8. CLAUSE BY CLAUSE DESCRIPTION

Clause 1 of the Gauteng Provincial Second Adjustments Appropriation Bill, 2022, contains definitions of important expressions, words, phrases and processes. Clause 2 contains details about the adjusted appropriations for use by the Gauteng Province for the 2021/22 financial year ending 31 March 2022. Clause 3 deals with amounts that are listed as specifically and exclusively appropriated. Clause 4 is the short title of the Bill. The Schedule contains the details of adjusted appropriation by vote as explained in paragraph 1 above.



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	Second Adjusted Appropriation	Specified transfer payments and amounts specifically and exclusively appropriated
		Compensation of Employees	Goods and Services	Other					
R thousand	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000
Vision: An active, creative and modernised Gauteng City Region contributing to sustainable economic growth and social cohesion.									
1. Administration	162 198								
2. Cultural Affairs	219 293							162 198	
of which								219 293	
National conditional grants									
Expanded Public Works Programme Integrated Grant	1 960								
Transfers to Provinces and Municipalities	2 793								
Transfers to Departmental Agencies and Accounts	38 691								
Transfers to Non Profit Institutions	16 500								
3. Library and Archives Services	310 096								310 096
of which									
National conditional grants									
Community Library Services	168 986								
Transfers to Provinces and Municipalities	195 725								
Transfers to Non Profit Institutions	4 700								
4. Sport and Recreation	334 266								334 266
of which									
National conditional grants									
Mass Sport and Recreation Participation Programme	102 826								
Social Sector Expanded Public Works Programme Incentive Grant for Provinces	1 439								
Transfers to Non Profit Institutions	63 605								
13. E-Government	1 538 942							1 538 942	
Vision: A smart Gauteng City Region that provides efficient quality services to citizens.									
1. Administration	282 514								
2. Information Communication Technology(Ict)								282 514	
Shared Services	1 130 858							1 130 858	
of which									
Transfers to Higher Education Institutions	22 800								
3. Human Resources Services	125 570								125 570
14. Gauteng Provincial Treasury	675 545							675 545	
Vision: Pioneers in fiscal prudence and good governance.									
1. Administration	138 449								
2. Sustainable Fiscal Resource Management	154 712								138 449
of which									154 712
Departmental agencies and accounts									
Gauteng Infrastructure Financing Agency	64 044								
3. Financial Governance	121 307								121 307
4. Supply Chain Management	103 479								103 479
5. Municipal Financial Governance	44 416								44 416
6. Gauteng Audit Services	113 182								113 182
15. Infrastructure Development	3 249 020							3 249 020	
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	468 108								
2. Public Works Infrastructure	2 599 635								468 108
of which									2 599 635
Transfers to Municipalities									
Devolution of rates and taxes	1 025 376								
3. Expanded Public Works Programme	181 277								181 277
of which									
Expanded Public Works Programme Integrated Grant									
TOTAL FOR THE PROVINCE	149 558 801		(51 773)		(20 000)			149 487 028	

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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	Second Adjusted Appropriation	Specified transfer payments and amounts specifically and exclusively appropriated
		Compensation of Employees	Goods and Services	Other					
R thousand	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000
1. Administration	401 398							401 398	
2. Transport Infrastructure of which	1 860 130		(51 773)					1 808 357	
National conditional grants									
Provincial Roads Maintenance	767 135		(51 773)						715 362
Expanded Public Works Programme Integrated Grant									
Transfers to Provinces and Municipalities	2 200								
3. Transport Operations of which	3 187 285							3 187 285	
National conditional grants									
Public Transport Operations	2 836 725								
Expanded Public Works Programme Integrated Grant	9 638								
Transfers to Public corporations and private enterprise	3 036 463								
4. Transport Regulation	341 868								
5. Gautrain Rapid Rail Link of which	2 776 816							341 868	
Transfers to Departmental Agencies and Accounts								2 776 816	
Gautrain Management Agency	2 776 816								
10. Community Safety	980 953							980 953	
Vision: To realise Gauteng as a province where people feel and are safe.									
1. Administration of which	169 644							169 644	
Transfers to Provinces and Municipalities									
2. Provincial Secretariat for Police Service of which	251 379							251 379	
National conditional grants									
Social Sector Expanded Public Works Programme Incentive Grant for Provinces									
Transfers to Departmental Agencies and Accounts									
3. Traffic Management of which	559 930							559 930	
Transfers to Provinces and Municipalities	179								
Transfers to Public corporations and private enterprise									
11. Agriculture and Rural Development	1 044 811							1 044 811	
Vision: An economically transformed agricultural sector including agro-processing and sustainable environmental management for healthy, food secure, developed rural and urban communities in Gauteng.									
1. Administration of which	271 928							271 928	
Transfers to Departmental Agencies and Accounts	1 360								
Transfers to Provinces and Municipalities	74								
2. Agriculture and Rural Development of which	468 791							468 791	
National conditional grants									
Land Care	5 016								
Ilima/Letsema Projects	36 459								
Comprehensive Agricultural Support Programme	100 904								
Transfers to Higher Education Institutions	7 205								
Transfers to Departmental Agencies and Accounts									
3. Environmental Affairs of which	304 092							304 092	
Expanded Public Works Programme Integrated Grant	2 943								
12. Sport, Arts, Culture and Recreation	1 025 853							1 025 853	

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Details of appropriated amount

Vote	Adjusted Appropriation	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets	Second Adjusted Appropriation	Specified transfer payments and amounts specifically and exclusively appropriated
		Compensation of Employees	Goods and Services	Other					
R thousand	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000
6. Social Development	6 148 557							6 148 557	
Vision: A caring and self-reliant society									
1. Administration	742 701							742 701	
<i>of which</i>									
<i>Transfers to Departmental Agencies and Accounts</i>	3 144								
2. Social Welfare Services	1 004 532							1 004 532	
<i>of which</i>									
<i>Transfers to Non-Profit Institutions</i>	866 107								
<i>National conditional grants</i>									
<i>Social Sector Expanded Public Works Programme Incentive Grant for Provinces</i>	18 536								
3. Children and Families	2 738 596							2 738 596	
<i>of which</i>									
<i>Transfers to Non-Profit Institutions</i>	1 091 390								
<i>National conditional grants</i>									
<i>Early Childhood Development</i>	255 493								
4. Restorative Services	794 644							794 644	
<i>of which</i>									
<i>Transfers to Non-Profit Institutions</i>	490 887								
5. Development and Research	868 084							868 084	
<i>of which</i>									
<i>Transfers to Non-Profit Institutions</i>	252 255								
7. Cooperative Governance and Traditional Affairs	592 072							592 071	
Vision: Lead provincial department in the coordination, collaboration, and facilitation of cooperative governance in building a globally competitive and people-driven Gauteng City-Region.									
1. Administration	156 792							156 791	
2. Local Governance	292 494							292 494	
3. Development and Planning	127 856							127 856	
<i>of which</i>									
<i>National conditional grants</i>									
<i>Expanded Public Works Programme Integrated Grant</i>	2 037								
<i>Transfers to Municipalities</i>	20 037								
4. Traditional Institutional Development	14 930							14 930	
8. Human Settlements	5 966 126				(20 000)			5 966 126	
Vision: To provide integrated sustainable human settlements and improved quality of household life									
1. Administration	549 871							549 871	
2. Housing Needs, Research and Planning	19 890							19 890	
3. Housing Development	5 207 392				(20 000)			5 187 392	
<i>of which</i>									
<i>National conditional grants</i>									
<i>Human Settlements Development</i>	3 785 304								
<i>Informal Settlements Upgrading Partnership Grant for Provinces</i>	1 109 179				(20 000)				1 089 179
<i>Expanded Public Works Programme Integrated Grant</i>	8 507								
<i>Transfers to Departmental Agencies and Accounts</i>									
<i>Gauteng Partnership Fund</i>									
4. Housing Assets and Property Management	208 973							208 973	
<i>of which</i>									
<i>National conditional grants</i>									
<i>Human Settlements Development</i>	99 948								
<i>Title Deeds Restoration Grant</i>	1 426								
9. Roads and Transport	8 567 497		(51 773)					8 515 724	
Vision: A modern integrated, efficient and sustainable transport and road infrastructure system in Gauteng									

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Details of appropriated amount									
Vote	Adjusted Appropriation	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets	Second Adjusted Appropriation	Specified transfer payments and amounts specifically and exclusively appropriated
		Compensation of Employees	Goods and Services	Other					
R thousand	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000
<i>National Health Insurance Grant</i>	49 859								
<i>Transfers to Municipalities</i>	470 568								
<i>Transfers to Non-profit institutions</i>	423 868								
3. Emergency Medical Services	1 619 305							1 619 305	
4. Provincial Hospital Services <i>of which</i>	11 081 898							11 081 898	
<i>National conditional grants</i>									
<i>Statutory Human Resources , Training and Development Grant</i>	406 333								
<i>National Tertiary Services Grant</i>	39 136								
5. Central Hospital Services <i>of which</i>	20 992 307							20 992 307	
<i>Transfers to Non-Profit Institutions</i>	82 000								
<i>National conditional grants</i>									
<i>National Tertiary Services grant</i>	5 195 287								
<i>Statutory Human Resources , Training and Development Grant</i>	1 064 384								
6. Health Sciences and Training <i>of which</i>	1 285 400							1 285 400	
<i>Transfers to Departmental Agencies and Accounts</i>	24 636								
<i>Transfers Higher Education Institutions</i>	16 309								
7. Health Care Support Services	414 874							414 874	
8. Health Facilities Management <i>of which</i>	2 462 930							2 462 930	
<i>National conditional grants</i>									
<i>Health Facility Revitalisation</i>	965 871								
<i>Expanded Public Works Programme (EPWP) Integrated Grant</i>	2 218								
5. Education	56 678 273							56 678 273	
Vision: Every learner feels valued and inspired in our innovative education system.									
1. Administration	4 461 537							4 461 537	
2. Public Ordinary School Education <i>of which</i>	40 508 439							40 508 439	
<i>National conditional grants</i>									
<i>HIV/AIDS (Life Skills Education)</i>	36 464								
<i>National School Nutrition</i>	968 730								
<i>Maths, Science and Technology</i>	58 811								
<i>Transfers to Non-Profit Institutions</i>	3 147 696								
3. Independent School Subsidies <i>of which</i>	980 518							980 518	
<i>Transfers to Non-Profit Institutions</i>	970 518								
4. Public Special School Education <i>of which</i>	4 484 983							4 484 983	
<i>National conditional grants</i>									
<i>Learners with Profound Intellectual Disabilities</i>	34 518								
<i>Transfers to Non-Profit Institutions</i>	913 427								
5. Early Childhood Development <i>of which</i>	1 464 353							1 464 353	
<i>Transfers to Non-Profit Institutions</i>	229 320								
6. Infrastructure Development <i>of which</i>	1 619 208							1 619 208	
<i>National conditional grants</i>									
<i>Education Infrastructure</i>	1 589 208								
7. Examination and Education Related Services <i>of which</i>	3 159 235							3 159 235	
<i>National conditional grants</i>									
<i>Expanded Public Works Programme Integrated Grant</i>	2 547								
<i>Social Sector Expanded Public Works Programme Incentive Grant for Provinces</i>									
<i>Transfers to Non-Profit Institutions</i>	1 587 060								
<i>Transfers to Departmental Agencies and Accounts</i>	110 628								

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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	Second Adjusted Appropriation	Specified transfer payments and amounts specifically and exclusively appropriated
		Compensation of Employees	Goods and Services	Other					
R thousand	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000
1. Office of the Premier Vision: Leadership for an integrated city-region, characterised by social cohesion and economic inclusion; the leading economy on the continent, underpinned by sustainable socio-economic development	867 023							867 023	
1. Administration	299 094							299 094	
2. Institutional Development	255 293							255 293	
3. Policy and Governance of which Transfers to Higher education institutions	312 636							312 636	
GCRO	30 114								
Transfers to Non-Profit Institutions	138 188								
2. Gauteng Provincial Legislature Vision: A progressive legislature that fosters confidence in democracy and improving the quality of life of the people of Gauteng.	795 708							795 708	
1. Leadership and Governance	29 802							29 802	
2. Office of the Secretary	32 118							32 118	
3. Corporate Support Services of which Transfers to Non-Profit Institutions	422 501							422 501	
	159 921								
4. Core Business	253 698							253 698	
5. Office of the CFO	57 589							57 589	
3. Economic Development Vision: A radically transformed, modernised and re-industrialised economy in Gauteng, manifesting decent work, economic inclusion and equity	1 782 911							1 782 911	
1. Administration	235 646							235 646	
2. Integrated Economic Development Services of which Transfers to Departmental Agencies and Accounts Gauteng Enterprise Propeller	309 403							309 403	
	309 403								
3. Trade and Sector Development of which National conditional grants Transfers to Departmental Agencies and Accounts Gauteng Growth and Development Agency Cradle of Humankind Dinokeng Gauteng Tourism Authority	806 246							806 246	
	589 114								
	54 701								
	38 422								
	124 009								
4. Business Regulation and Governance of which Transfers to Departmental Agencies and Accounts Gauteng Liquor Board Gauteng Gambling Board	93 415							93 415	
	10 423								
	10 423								
5. Economic Planning Transfer to Public corporations and private enterprises	338 200							338 200	
	191 815								
4. Health Vision: A responsive, value-based, people-centred health care system in Gauteng.	59 625 510							59 625 510	
1. Administration	1 292 275							1 292 275	
2. District Health Services of which National conditional grants HIV, TB, malaria and community outreach grant Statutory Human Resources, Training and Development Grant Social Sector Expanded Public Works Programme Incentive Grant for Provinces	20 476 521							20 476 521	
	5 967 355								
	30 345								
	25 005								

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