

NORTHERN CAPE PROVINCE

**NORTHERN CAPE
MAIN APPROPRIATION BILL, 2024**

*(As introduced by the **MEC for FINANCE, ECONOMIC DEVELOPMENT AND TOURISM**)*

[B1 - 2024]

BILL

To effect appropriations of money from the Northern Cape Provincial Revenue Fund for the requirements of the Northern Cape Province in respect of the financial year ending 31 March 2025; 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WHEREAS Section 226(2) of the Constitution of the Republic of South Africa, 1996 provides that money may be withdrawn from the Provincial Revenue Fund, only in terms of an appropriation by a provincial Act;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 the Northern Cape Main Appropriations Act, 2024 (Act No 1 of 2024), provides for the appropriation of money from the Provincial Revenue Fund to provide for the requirements of the Northern Cape Province in respect of the financial year ending 31 March 2025;

AND WHEREAS Section 31 of the Public Finance Management Act provides for the tabling of a provincial adjustments budget to make adjustments to the Provincial Appropriation Act;

BE IT THEREFORE ENACTED by the Northern Cape Provincial Legislature, 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 —

“Conditional grants” means allocations to provinces, local government or municipalities 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;

“Conditional allocation” means an allocation to a municipality as contemplated in section 36 of the Municipal Finance Management Act, 2003 (Act. 56 of 2003);

“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, payments for capital assets and payments made under section 73 of the Public Finance Management Act;

“Payments for capital assets” means any payment made by a provincial department—

- (a) for an asset that can be used continuously or repeatedly in production for more than one year, and which is expected to have future economic benefits or service potential for the provincial department making the payment; and

- (b) that must be classified as or deemed to be a payment for capital assets in accordance with the Reference Guide to the new Economic Reporting 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;

“Municipal financial year” means a financial year for municipalities ending on 30 June;

“Payments for financial assets” means any payment made by a department classified as or deemed to be a payment for financial assets in terms of the *Guidelines for Implementing the Economic Reporting Format* (September 2009), issued by the National Treasury under section 76 of the Public Finance Management Act. The above entails the provision for payments associated with certain purchases of financial assets in order to expense the transactions where the purpose of such a transaction is not market oriented;

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

“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.

“Transferring Provincial Officer” means the Accounting Officer of the department that will make transfers to the municipality

Appropriation of money for the requirements of the Northern Cape Province

2. (1) Appropriations by Northern Cape Provincial Legislature of money from the Northern Cape Provincial Revenue Fund for the requirements of the Northern Cape Province in the 2024/25 financial year to votes and the main divisions within a vote, and for the specific listed purposes, are set out in the Schedule to this Act.
- (2) Subject to section 3, spending of appropriations is subject to the provisions of the Public Finance Management Act.

Appropriation listed as specifically and exclusively

3. Appropriations to a vote or main divisions within a vote that are listed as specifically and exclusively may only be utilised for the purpose indicated and may not be used for any other purpose, unless an Act of the Northern Cape Provincial Legislature amends or changes the purpose for which it was allocated.

Utilisation of saving

4. Despite the provisions of section 3 of this Act, the Provincial Treasury may approve the utilisation of a saving in an amount appropriated under a vote for transfer to a specific

institution, other than the amount specifically and exclusively appropriated, for any other purpose within a vote.

Conditional allocations to municipalities

5. Conditional allocations to municipalities from the provincial budget in respect of the 2024/25 financial year. An envisaged division of the conditional allocations to municipalities from the provincial budget for the next financial year and the 2024 MTEF as set out in **Annexure A**, which is subject to the annual Northern Cape Appropriation Act for those years.

Withholding of conditional allocations

6. (1) A transferring provincial officer may withhold the transfer of a conditional allocation to a municipality or any portion of such allocation for a period not exceeding 30 days, if-
 - (a) the municipality does not comply with conditions to which the allocation is subject; or
 - (b) expenditure on previous transfers during the financial year reflects significant under-spending for which no satisfactory explanation is given.
- (2) A transferring provincial officer must, at least 21 days, or such shorter period as may be approved by the Provincial Treasury, prior to withholding an allocation in terms of subsection (1)-
 - (a) give the relevant municipality-
 - (i) written notice of the intention to withhold the allocation; and
 - (ii) an opportunity to submit written representations, within those 21 days as to why the allocation should not be withheld; and
 - (b) inform the Provincial Treasury and the provincial department responsible for local government of its intention to withhold the allocation.
- (3) A notice contemplated in subsection (2) must include the reasons for withholding the allocation and the intended duration of the withholding.
- (4) (a) The Provincial Treasury may, when a transferring provincial officer is withholding an allocation in terms of subsection (1), instruct that officer, or approve a request from that officer to withhold an allocation for a period longer than 30 days, but not exceeding 120 days, if the withholding will-
 - (i) facilitate compliance with the conditions to which the allocation is subject; or
 - (ii) minimise the risk of under-spending.
- (b) A transferring provincial officer must, when requesting the withholding of an allocation in terms of this subsection, submit proof of its compliance with subsection (2) and a copy of any representations received from the municipality concerned, to the Provincial Treasury.

- (c) The transferring provincial officer must again comply with subsection (2) when the Provincial Treasury instructs or approves a request in terms of paragraph (a).

Stopping of conditional allocations

- 7. (1) Despite section 6, the Provincial Treasury may in its discretion or at the request of a transferring provincial officer stop the transfer of a conditional allocation or any portion of such allocation to a municipality-
 - (a) on the grounds of a persistent and material non-compliance with conditions to which the allocation, as provided for in the relevant framework published in the *Provincial Gazette*, is subject; or
 - (b) if the Provincial Treasury anticipates that the municipality will substantially under-spend on the programme or allocation concerned in the current financial year.
- (2) The Provincial Treasury must before stopping an allocation in terms of this section-
 - (a) give the relevant receiving municipality-
 - (i) 21 days written notice of the intention to stop the allocation; and
 - (ii) an opportunity to submit written representations within those 21 days as to why the transfer of the allocation or part thereof should not be stopped; and
 - (c) consult the Member of Executive Council responsible for the provincial department wanting to stop the conditional allocation.
- (3) Any stopping of an allocation contemplated in subsection (1) must, together with an explanatory memorandum, be published by the Provincial Treasury in the *Provincial Gazette*.
- (4) The Member of Executive Council responsible for finance must report any stopping of allocations in terms of this section to the Provincial Legislature and the Auditor-General at the tabling of the next appropriation legislation in the Provincial Legislature after the commencement of this Act.

Re-allocation after stopping of conditional allocation

- 8. The Provincial Treasury may, where it stops an allocation in terms of section 7, after consultation with the transferring provincial officer, determine that the allocation or any portion thereof be reallocated to one or more municipalities on condition that the allocation must be spent in the current financial year or the next financial year.

Transfers made in error and fraudulently

- 9. (1) The transfer of an allocation to a municipality in error or fraudulently is regarded as not legally due to the municipality.

- (2) A transfer contemplated in subsection (1) must be recovered, without delay, by the responsible transferring provincial officer, unless an instruction has been issued in terms of subsection (3).
- (3) The Provincial Treasury may instruct the transferring officer that the recovery contemplated in subsection (2) be effected by set-off against future transfers due to the municipality.

Unspent conditional allocations

- 10.** (1) Subject to the Public Finance Management Act, the Municipal Finance Management Act, 2003 and the Division of Revenue Act, any conditional allocation or portion thereof, that in terms of this Act is not spent by the municipality at the end of a municipal financial year, reverts to the Provincial Revenue Fund, unless the roll-over of the allocation is approved in terms of subsection (2).
- (2) The Provincial Treasury may, at the request of the transferring provincial officer or a municipality, approve in consultation with the transferring officer a roll-over of a conditional allocation to the next municipal financial year if the unspent funds are committed to identifiable projects.
 - (3) The receiving officer must ensure that any funds that must revert to the Provincial Revenue Fund in terms of subsection (1) are paid by the municipality to the transferring officer's bank account, who will in turn transfer them to the Provincial Revenue Fund.
 - (4) The Provincial Treasury, in accordance with subsection (5), may offset any funds which must revert to the Provincial Revenue Fund in terms of subsections (1) and (3), but which have not yet been paid to that Fund, against future conditional allocations to that municipality.
 - (5) Before any funds are offset in terms of subsection (4), the Provincial Treasury must give the relevant transferring provincial officer, and receiving municipal officer –
 - (a) written notice of the intention to offset amounts against future conditional allocations; and
 - (b) an opportunity, within 14 days of receipt of the notice referred to in paragraph (a), to–
 - (i) submit written representations that prove to the satisfaction of the Provincial Treasury that the unspent conditional allocation was either spent in accordance with the relevant framework or is committed to identifiable projects;
 - (ii) propose alternative means acceptable to the Provincial Treasury by which the unspent conditional allocations can be paid into the Provincial Revenue Fund; and
 - (iii) propose an alternative payment arrangement in terms of which the unspent conditional allocations will be paid into the Provincial Revenue Fund.

- (6) A notice contemplated in subsection (5) must include the intended amount to be offset against allocations, and the reasons for offsetting the amounts.
- (7) No approval will be granted for municipalities requesting roll-over of the same grant for the third consecutive time.

Short title

11. This Act is called the Northern Cape Main Appropriation Act, 2024.

SCHEDULE								
Details of Vote		Details of Main Appropriation						
Vote	Title	Total R'000	Current Payments			Transfers and Subsidies R'000	Payment for Capital Assets R'000	Amounts Specifically and Exclusively Appropriated R'000
			Compensation of Employees R'000	Goods and Services R'000	Other R'000			
1	Office of the Premier <i>To provide strategic leadership, direction and coordinated planning, monitoring and evaluation of developmental programmes to improve the quality of life for all.</i>	314 544	199 023	71 890	-	41 038	2 593	-
	1. Administration.....	149 498	78 594	51 344	-	19 003	557	-
	2. Institutional Development.....	110 311	77 201	18 141	-	13 221	1 748	-
	3. Policy and Governance.....	54 735	43 228	2 405	-	8 814	288	-
2	Legislature <i>To provide administrative, logistical, information, legal and procedural services to the Legislature of the Northern Cape in fulfilling constitutional mandate of law making and oversight over the executive and organs thereof.</i>	195 623	126 241	36 002	-	33 380	-	-
	1. Administration.....	81 568	65 604	15 365	-	599	-	-
	2. Facilities and Benefits to Members and Political Parties.....	52 423	11 700	7 942	-	32 781	-	-
	3. Parliamentary Services.....	61 632	48 937	12 695	-	-	-	-
3	Transport, Safety and Liaison <i>To coordinate and facilitate safety and security through civilian oversight over the police, promotion of good community police relations, coordination of integrated social crime prevention, traffic law enforcement, administration and road safety education and awareness in the Northern Cape.</i>	348 247	188 076	74 653	-	75 182	10 336	-
	1. Administration.....	128 215	68 889	52 951	-	4 000	2 375	-
	2. Civilian Secretariat.....	30 106	24 404	5 083	-	-	619	-
	3. Transport Operations.....	87 520	14 035	2 136	-	71 182	167	-
	4. Transport Regulation.....	102 406	80 748	14 483	-	-	7 175	-
4	Education <i>To be service provider of quality education, guided by our vision. To transform the education system to reflect and advance the interest and aspirations of all South Africans on an equitable basis.</i>	8 112 487	5 962 497	715 930	-	803 709	630 351	-
	1. Administration.....	813 581	550 695	190 435	-	4 331	68 120	-
	2. Public Ordinary School Education.....	5 982 580	5 028 235	296 309	-	657 809	227	-
	3. Independent Schools Subsidy.....	11 617	-	-	-	11 617	-	-
	4. Public Special Schools Education.....	198 906	170 397	9 915	-	17 968	626	-
	5. Early Childhood Development.....	214 700	119 033	13 929	-	81 623	115	-
	6. Infrastructure Development.....	716 303	28 000	127 733	-	-	560 570	-
	7. Examinations and Education Related Services.....	174 800	66 137	77 609	-	30 361	693	-

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			Compensation of Employees R'000	Goods and Services R'000	Other R'000			
5	Roads and Public Works <i>To provide and maintain all provincial land, building and road infrastructure in an integrated sustainable manner.</i>	2 203 643	358 467	1 365 104	-	102 175	377 897	-
	1. Administration.....	200 021	118 220	71 863	-	5 162	4 776	-
	2. Public Works Infrastructure.....	180 572	52 561	35 006	-	93 005	-	-
	3. Transport Infrastructure	1 726 385	164 026	1 197 761	-	4 008	360 590	-
	4. Community based Programme.....	96 665	23 660	60 474	-	-	12 531	-
6	Economic Development and Tourism <i>To create an enabling environment for the achievement of economic growth and development in the Northern Cape Province.</i>	360 185	126 843	82 713	-	140 386	10 243	-
	1. Administration.....	85 804	59 877	23 890	-	-	2 037	-
	2. Integrated Economic Development Service.....	62 507	21 398	11 500	-	23 010	6 599	-
	3. Trade and Sector Development.....	106 483	10 485	16 578	-	79 245	175	-
	4. Business Regulations & Governance.....	45 416	9 008	2 985	-	33 181	242	-
	5. Economic Planning.....	19 869	13 479	4 046	-	1 500	844	-
	6. Tourism.....	40 106	12 596	23 714	-	3 450	346	-
7	Sport, Arts and Culture <i>To create a nurturing environment for the development and promotion of unique artistic, cultural and linguistic diversity.</i>	432 627	240 093	95 928	-	78 256	18 350	-
	1. Administration.....	109 154	75 159	22 710	-	4 391	6 894	-
	2. Cultural Affairs.....	63 800	38 218	9 747	-	15 647	188	-
	3. Library and Archives Services.....	198 189	103 964	37 454	-	46 714	10 057	-
	4. Sport and Recreation.....	61 484	22 752	26 017	-	11 504	1 211	-
8	Provincial Treasury <i>To promote sound fiscal policy that enables financial sustainability and support economic development.</i>	395 051	271 969	81 372	32 600	4 104	5 006	-
	1. Administration.....	175 998	86 478	49 556	32 000	4 104	3 860	-
	2. Sustainable Fiscal Resource Management.....	53 072	35 056	17 881	-	-	135	-
	3. Supply Chain Management, Asset and Liabilities Management.	41 644	37 308	3 486	600	-	250	-
	4. Financial Governance.....	27 458	24 028	3 305	-	-	125	-
	5. Municipal Finance Management.....	57 401	52 285	4 661	-	-	455	-
	6. Provincial Internal Audit.....	39 478	36 814	2 483	-	-	181	-

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			Compensation of Employees R'000	Goods and Services R'000	Other R'000			
9	Co-operative Governance, Human Settlements and Traditional Affairs	1 631 521	330 919	102 370	-	1 186 988	11 244	869 298
	<i>To improve the quality life for all and to promote,partner and monitor systems and structures geared at meeting socio-economic and service delivery needs,for the citizens of the Northern Cape Province.</i>							
	1. Administration.....	194 879	113 938	71 285	-	2 437	7 219	-
	2. Human Settlements.....	1 257 577	63 296	9 895	-	1 183 410	976	-
	<i>of which specific allocation is:</i>							
	Provincial Housing Programme (HSDG) Pledging Human Settlement Development Grant							600 000
	<i>of which specific allocation is:</i>							
10	Pledging Capital Repayment Human Settlement Development Grant							269 298
	3. Co-operative Governance.....	145 228	125 439	16 963	-	-	2 826	-
	4. Traditional Institutional Management.....	33 837	28 246	4 227	-	1 141	223	-
	Health	6 442 133	3 740 702	2 333 505	-	46 851	321 075	-
	<i>To promote the health of the people of the Northern Cape, by providing quality health care, by means of the District Health System based on the Primary Health Care approach.</i>							
	1. Administration.....	264 977	174 379	85 624	-	2 154	2 820	-
	2. District Health Services.....	2 941 329	1 802 662	1 092 033	-	21 708	24 926	-
11	3. Emergency Medical Services.....	448 052	268 247	147 419	-	587	31 799	-
	4. Provincial Hospital Services.....	522 479	353 782	166 787	-	1 645	265	-
	5. Central Hospital Services.....	1 290 986	837 800	411 954	-	1 673	39 559	-
	6. Health Sciences.....	345 377	172 196	150 637	-	19 084	3 460	-
	7. Health Care and Support.....	143 938	95 573	43 352	-	-	5 013	-
	8. Health Facilities Management.....	484 995	36 063	235 699	-	-	213 233	-
	Social Development	977 916	505 575	225 150	-	210 093	37 098	-
	<i>To reflect the socio and economic outcome or results that the department wishes to achieve.</i>							
	1. Administration.....	185 703	124 119	34 937	-	7 337	19 310	-
	2. Social Welfare Services.....	177 760	47 720	38 762	-	87 234	4 044	-
	3. Children and Families.....	234 560	120 747	41 124	-	67 304	5 385	-
	4. Restorative Services.....	227 406	142 246	75 650	-	4 932	4 578	-
	5. Development and Research.....	152 487	70 743	34 677	-	43 286	3 781	-

SCHEDULE								
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			Compensation of Employees R'000	Goods and Services R'000	Other R'000			
12	Agriculture, Land Reform and Rural Development <i>The department as a lead agent in the sector, will champion land and agrarian transformation, promote and facilitate increased production and provide expertise for improved livelihoods, sustainable rural development and food security for all.</i>	718 977	390 638	230 525	-	5 025	92 789	-
	1. Administration.....	215 335	128 705	80 067	-	2 000	4 563	-
	2. Sustainable Resource Management.....	34 278	19 877	13 529	-	-	872	-
	3. Farmer Support Services.....	225 269	58 172	87 820	-	-	79 277	-
	4. Veterinary Services.....	53 189	45 563	6 401	-	-	1 225	-
	5. Technology Research and Development Services.....	65 907	47 106	11 159	-	3 025	4 617	-
	6. Agricultural Economics Services.....	13 230	9 446	3 617	-	-	167	-
	7. Rural Development Coordination.....	27 807	16 658	10 620	-	-	529	-
	8. Environment and nature Conservation.....	83 964	65 113	17 312	-	-	1 539	-
Amount to be Voted		22 132 954	12 441 043	5 415 142	32 600	2 727 187	1 516 982	869 298

Direct Charge: Provincial Legislature Members
Total Payments as per Fiscal Framework 2024

<i>27 687</i>	<i>27 687</i>
22 160 641	12 468 730

Annexure A

FRAMEWORK FOR LOCAL GOVERNMENT GRANTS

LIBRARY SERVICES

Name of Allocation	Library Services Transfers to Municipalities
Transferring provincial department	Sport, Arts and Culture
Purpose	To have a transformed urban and rural community library infrastructure, facilities and services (primarily targeting previously disadvantaged communities) through a recapitalised programme at national, provincial and local level.
Measurable outputs	Increased staff capacity, current awareness services, promotion and outreach activities, general operational support, maintenance and upgrading of infrastructure.
Conditions	Grant to be utilized for personnel expenditure, maintenance, upgrading, literacy projects and library material in line with the signed Memorandum of Agreement and Business Plan between the Department of Sport, Arts and Culture and municipalities.
Allocation criteria	Costed Business Plans submitted by the municipalities listing projects and programmes to be evaluated by the Department against the predetermined criteria.
Monitoring mechanisms	Municipalities to sign an agreement with the Department of Sport, Arts and Culture submitting monthly and quarterly reports.
Projected life	2024/25 MTEF
Payment schedule	

ANNEXURE A

				Library Services					
				Provincial and Municipal Financial Year			Provincial and Municipal Financial Year		
Category	DC	Number	Municipality	2024/25 Allocation (R'000)	2025/26 Allocation (R'000)	2026/27 Allocation (R'000)	2024/25 Allocation (R'000)	2025/26 Allocation (R'000)	2026/27 Allocation (R'000)
Department: Sport, Arts and Culture									
B	DC45	NC451	Joe Morolong	1 290	1 450	1 450	1 290	1 450	1 450
B	DC45	NC452	Ga-Segonyana	1 621	1 797	1 797	1 621	1 797	1 797
B	DC45	NC453	Gamagara	1 003	1 148	1 148	1 003	1 148	1 148
C	DC45	DC45	John Taolo Gaetsewe District Municipality						
Total: John Taolo Gaetsewe District				4	4	4	3 914	4 395	4 395
B	DC6	NC061	Richtersveld	1 300	1 328	1 443	1 300	1 328	1 443
B	DC6	NC062	Nama Khoi	1 635	1 655	1 780	1 635	1 655	1 780
B	DC6	NC064	Karniesberg	1 090	1 232	1 345	1 090	1 232	1 345
B	DC6	NC065	Hantam	1 853	1 870	1 985	1 853	1 870	1 985
B	DC6	NC066	Karoo Hoogland	1 300	1 328	1 443	1 300	1 328	1 443
B	DC6	NC067	Khai-Ma	1 308	1 328	1 433	1 308	1 328	1 433
C	DC6	DC6	Namakwa District Municipality						
Total: Namakwa District				8 486	8 741	9 429	8 486	8 741	9 429
B	DC7	NC071	Ubuntu	1 516	1 516	1 631	1 516	1 516	1 631
B	DC7	NC072	Umsobomvu	1 740	1 761	1 876	1 740	1 761	1 876
B	DC7	NC073	Emthanjeni	1 090	1 230	1 345	1 090	1 230	1 345
B	DC7	NC074	Kareeberg	1 306	1 328	1 443	1 306	1 328	1 443
B	DC7	NC075	Renosterberg	1 526	1 556	1 671	1 526	1 556	1 671
B	DC7	NC076	Thembelihle	1 090	1 230	1 345	1 090	1 230	1 345
B	DC7	NC077	Siyathemba	1 400	1 420	1 535	1 400	1 420	1 535
B	DC7	NC078	Siyancuma	1 516	1 536	1 651	1 516	1 536	1 651
C	DC7	DC7	Pixley ka Seme District Municipality						
Total: Pixley ka Seme District				11 184	11 577	12 497	11 184	11 577	12 497
B	DC8	NC082	Kail' Garib	1 190	1 232	1 345	1 190	1 232	1 345
B	DC8	NC084	!Kheis	3 270	3 500	3 615	3 270	3 500	3 615
B	DC8	NC085	Tsantsabane	1 090	1 232	1 345	1 090	1 232	1 345
B	DC8	NC086	Kgatelopele	1 417	1 440	1 555	1 417	1 440	1 555
B	DC8	NC087	David Kruiper	1 199	1 210	1 325	1 199	1 210	1 325
C	DC8	DC8	ZF Mkgawu District Municipality						
Total: ZF Mkgawu District				8 166	8 614	9 185	8 166	8 614	9 185
B	DC9	NC091	Sol Plaatje	9 264	9 264	9 397	9 264	9 264	9 397
B	DC9	NC092	Dikgatlong	1 300	1 308	1 423	1 300	1 308	1 423
B	DC9	NC093	Magareng	1 199	1 308	1 415	1 199	1 308	1 415
B	DC9	NC094	Phokwane	1 308	1 308	1 423	1 308	1 308	1 423
C	DC9	DC9	Frances Baard District Municipality						
Total: Frances Baard District				13 071	13 188	13 658	13 071	13 188	13 658
Unallocated by municipality									
or % of provincial allocation									
Provincial Total				44 821	46 515	49 164	44 821	46 515	49 164

Summary of allocations						
Metropolitan						
Districts						
Locals	44 821	46 515	49 164	43 818	45 367	48 016
Urban Nodes	9 264	9 264	9 397	9 264	9 264	9 397
Rural Nodes		0	0	0	0	0