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11 July 2022

No. 46689

THE PRESIDENCY

No. 1144 11 July 2022

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

Act No. 6 of 2022: Second Adjustments Appropriation (2021/22 Financial Year) Act, 2022

MO PRESIDENTE

No. 1144 11 July 2022

Mona ho tsebiswa hore Mopresidente a amohetse Molao ona a latelang, o phatlalatswang mona bakeng sa tsebiso ya setjhaba ka bophara:—

No. 6 wa 2022: Ditokiso Tsa Bobedi Go Molao wa Dotekanyetso (Ngwaga wa dittshelete wa 2021/22), 2022

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—————
(English text signed by the President)
(Assented to 7 July 2022)
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ACT

To effect adjustments to the appropriation of money from the National Revenue Fund for expenditure approved in the 2021/22 financial year; and to provide for matters incidental thereto.

PREAMBLE

WHEREAS section 213(2) of the Constitution of the Republic of South Africa, 1996, provides that money may be withdrawn from the National Revenue Fund only in terms of an appropriation by an Act of Parliament or as a direct charge against that Fund, when it is provided for in the Constitution of the Republic of South Africa, 1996, or an Act of Parliament;

WHEREAS section 12(1) and (2) of the Money Bills and Related Matters Act, 2009 (Act No. 9 of 2009), provides for the tabling of a national adjustments budget, as envisaged in section 30 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), with an adjustments appropriation Bill;

AND WHEREAS the Appropriation Act, 2021 (Act No. 10 of 2021), provides for the appropriation of money from the National Revenue Fund to provide for the requirements of the State in respect of the 2021/22 financial year, whereas the Adjustments Appropriation Act, 2021 (Act No. 18 of 2021), effected adjustments to the appropriation of money provided for in the Appropriation Act, 2021, and whereas further adjustments are required to authorise expenditure approved in terms of section 6 of the Appropriation Act, 2021, and section 16 of the Public Finance Management Act, 1999,

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa, as follows:—

Interpretation

1. In this Act, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in section 1 of the Appropriation Act, 2021 (Act No. 10 of 2021), or section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), must bear the meaning so assigned. 5

Adjustments to appropriations of money for approved expenditure

2. (1) Adjustments to appropriations by Parliament of money from the National Revenue Fund for expenditure approved in terms of section 6 of the Appropriation Act, 2021, and section 16 of the Public Finance Management Act, in the 2021/22 financial year to votes and the main divisions within a vote, are set out in the Schedule. 10

(2) The expenditure envisaged in subsection (1) is subject to this Act, the Appropriation Act, 2021, and the Public Finance Management Act.

(English text signed by the President)
(Assented to 7 July 2022)

MOLAO

Go dira ditokišo go ditekanyetšo tša tšhelete ya gotšwa go Sekhwama sa Letseno sa Bosetšhaba go e šomiša go ditshenyegelo tša mmušo tše di dumeletšwego ka go ngwaga wa ditšhelete wa 2021/22; le go fana ka taelo mererong ye e ka swanago le ye.

KETAPELE

MOO karolo ya 213(2) ya Molaotheo wa Repabliki ya Afrika Borwa, wa 1996, e laelago gore tšhelete e ka ntšhwa go Sekhwama sa Letseno sa Bosetšhaba, fela e ka ntšhwa go ya ka ditekanyetšo tša Molao wa Palamente goba bjalo ka tefelo ya thwii gotšwa go Sekhwama, ge e le gore e akareditšwe go Molaotheo wa Repabliki ya Afrika Borwa, wa 1996, goba ka gare ga Molao wa Palamente;

MOO karolo ya 12(1) le (2) ya Melaokakanywa ya Ditšhelete le Molao wa Merero ya go Swana, wa 2009 (Molao wa No. ya 9 wa 2009), e fanago ka tumelelo ya go thala ditokišo tša ditekanyetšo tša bosetšhaba, bjalo ka ge go letetšwe ka go karolo ya 30 ya Molao wa Taolo ya Ditšhelete tša Setšhaba, wa 1999, (Molao wa No. ya 1 wa 1999), le ka go Molaokakanywa wa ditokišo tša ditekanyetšo;

LE MOO Molao wa Ditekanyetšo, wa 2021 (Molao wa No. ya 10 wa 2021), o fanago ka tumelelo ya go dira ditekanyetšo tša tšhelete ya gotšwa go Sekhwama sa Letseno sa Bosetšhaba ye e tlo šomišwago go dinyakwa tša Mmušo malebana le ngwaga wa ditšhelete wa 2021/22, moo Molao wa Ditokišo tša Ditekanyetšo (Molao wa No. ya 18 wa 2021), o dirilego ditokišo go ditekanyetšo tša tšhelete ye e ngwadilwego ka go Molao wa Ditekanyetšo wa, 2021, ebile le moo ditokišo tša go tšwela pele di nyakegago go dumelela tšhomišo ya tšhelete go ditshenyegelo tša mmušo tše di dumeletšwego go ya ka karolo 6 ya Molao wa Ditekanyetšo, le ya 16 ya Molao wa Taolo ya Ditšhelete tša Setšhaba, wa 1999,

KA GONA O DIRWA MOLAO KE Palamente ya Repabliki ya Afrika Borwa, ka mo go latelago:—

Ditlhathollo

1. Mo go Molao wo, ntle le ge diteng di šupa se sengwe, lentšu goba mmolelwana wo mongwe le wo mongwe wo o nago le tlhalošo ka go karolo ya 1 ya Molao wa Ditekanyetšo, wa 2021 (Molao wa No. ya 10 wa 2021), goba karolo ya 1 ya Molao wa Taolo ya Ditšhelete tša Setšhaba, wa 1999 (Molao wa No. ya 1 wa 1999), o swanetše go rwala tlhalošo yeo o e filwego. 5

Ditokišo go ditekanyetšo tša ditšhelete tše di dumeletšwego tša ditshenyegelo tša mmušo 10

2. (1) Ditokišo go ditekanyetšo tša Palamente tša tšhelete yeo e tšwago go Sekhwama sa Letseno sa Bosetšhaba malebana le tumelelo ya tšhomišo ya tšhelete go ditshenyegelo tša mmušo tše di dumeletšwego go ya ka karolo ya 6 ya Molao wa Ditekanyetšo, wa 2021, le ka karolo ya 16 ya Molao wa Taolo ya Ditšhelete tša Setšhaba, ka go ngwaga wa ditšhelete wa 2021/22, yeo e išwago go diboutu le dikarolothwii tša ka gare ga boutu, di ngwadilwe ka gare ga šetule ya Molao wo. 15

(3) Despite the effective date of this Act, the appropriation of money for expenditure in terms of—

- (a) section 6 of the Appropriation Act, 2021, envisaged in subsection (1), must be regarded as an appropriation and expenditure for the 2021/22 financial year; and
- (b) section 16 of the Public Finance Management Act, envisaged in subsection (1), must be regarded as an appropriation for the 2021/22 and 2022/23 financial years and the expenditure must be recorded in the financial year in which any portion of the appropriation is spent.

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Amounts listed as specifically and exclusively appropriated

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

Conditions for appropriations

4. (1) The Minister may, in writing—

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- (a) impose conditions on an amount in the Schedule, other than a conditional allocation, in order to promote transparency and accountability and the effective management of the appropriation; and
- (b) stop the use of an amount in respect of which conditions imposed in terms of paragraph (a) are not met.

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(2) The stoppage of an amount in terms of subsection (1)(b) must be disclosed in the National Treasury's next quarterly report to the relevant Parliamentary Committees.

Delegations and authorisations

5. (1) The Minister may—

- (a) delegate to an employee of the National Treasury any power conferred on the Minister in terms of this Act, except section 6; and
- (b) authorise an employee of the National Treasury to perform any duty imposed on the Minister in terms of this Act.

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(2) A delegation or authorisation in terms of subsection (1)—

- (a) must be in writing;
- (b) is subject to any limitations or conditions that the Minister may impose;
- (c) may authorise the employee to sub-delegate, in writing, the delegated power or authorised duty to another suitable employee of the National Treasury;
- (d) does not divest the Minister of the responsibility concerning the exercise of the delegated power or the performance of the authorised duty; and
- (e) may be withdrawn by the Minister in writing.

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(3) The Minister may vary or revoke any decision taken by an employee as a result of a delegation or authorisation in terms of subsection (1), subject to any rights that may have vested as a result of the decision.

Regulations

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6. The Minister may, by notice in the *Gazette*, make regulations regarding any ancillary or incidental administrative or procedural matter that is necessary to prescribe for the proper implementation or administration of this Act.

(2) Ditshenyegelo tšeo di ka letelwago ka go karolwana ya (1) di laolwa ke Molao wo, Molao wa Ditekanyetšo, wa 2021, le Molao wa Taolo ya Ditšhelete tša Setšhaba.

(3) Ntle le gore Molao wo o thoma go šoma neng, tekanyetšo ya ditšhelete tša ditshenyegelo go ya ka—

- (a) karolo ya 6 ya Molao wa Ditekanyetšo, wa 2021, ye e letetšwego ka go karolwana ya (1), e swanetšwe go tšewa bjalo ka tekanyetšo le tshenyegelo ya ngwaga wa ditšhelete wa 2021/22; le 5
- (b) karolo ya 16 ya Molao wa Taolo ya Ditšhelete tša Setšhaba, ye e letetšwego ka go karolwana ya (1), e swanetše go tšewa bjalo ka tekanyetšo ya mengwaga ya ditšhelete ya 2021/22 le 2022/23 ebile tshenyegelo e swanetše go ngwalwa ka go ngwaga wa ditšhelete wo karolo ya tekanyetšo e šomišitšwego go wona. 10

Ditšhelete tšeo di ngwadilwego bjalo ka tšeo di nago le ditekanyetšo tša go ikgetha

3. Tšhelete yeo e ngwadilwego ka gare ga šetule ya Molao wo, bjalo ka yeo e kgethegilego e ka šomišwa fela go morero wo o ngwadilwego, ntle le ge tšhelete goba morero o ka fetošwa ke, goba go ya ka, Molao wa Palamente. 15

Mabaka a ditekanyetšo

4. (1) Tona, ka lengwalo, a ka—

- (a) gapeletša gore go be le mabaka a go šomiša tšhelete ya ka gare ga šetule, ka ntle le ditekanyetšo tšeo di nago le mabaka, gore a tšwetšepete ditiragalo tša pepeneneng le tša maikarabelo gammogo le taolo yeo e šomago ya ditekanyetšo; le 20
- (b) go thibela tšhomišo ya tšhelete yeo e sa fihlelelego kobamelo ya mabaka go ya ka temana ya (a).

(2) Go thibela tšhomišo ya tšhelete go ya ka karolwana ya (1)(b) go swanetše go tsebagatšwa ka gare ga pego ya kotara yeo e latelago ya Matlotlo a Bosetšhaba go Dikomiti tša Palamente tšeo di amegago. 25

Ditaelo le ditumelelo

5. (1) Tona e ka—

- (a) laela gore mošomi wa Matlotlo a Bosetšhaba a fiwe maatla ao a filwego Tona go ya ka Molao wo, ntle le karolo ya 6; le gore 30
- (b) a dumelele mošomi wa Matlotlo a Bosetšhaba go dira mošomo wo mongwe le wo mongwe wo Tona e swanetšwego go o dira go ya ka Molao wo.

(2) Taelo le tumelelo go ya ka karolwana ya (1)—

- (a) e swanetše go ngwalwa;
- (b) e ka ba le mellwane goba mabaka ao Tona a ka a beago; 35
- (c) e ka fa mošomi yo a filwego maatla go fa yo mongwe wa bašomi maatla, ka go ngwala maatla ao goba mošomo wa mošomi yowe yo mongwe yo a nago le bokgoni wa Matlotlo a Bosetšhaba;
- (d) se ga se tloše maikarabelo a Tona a go šetša tšhomišo ya maatla ao a filwego goba phethagatšo ya mošomo wo o laetšwego; le 40
- (e) gore maatla a ka tšeelwa morago ke Tona ka mokgwa wa go ngwala.

(3) Tona e ka fapana le goba ya fediša sephetho seo se tšerego ke mošomi ka lebaka la go fiwa taelo goba tumelelo go ya ka karolwana ya (1), go ya ka ditokelo tšeo a ka bago a di filwe ka lebaka la sephetho seo.

Melawana

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6. Tona a ka, ka tsebišo ka go Kuranta ya Mmušo, a dire melawana mabapi le tirelo ye nngwe le ye nngwe ya thekgo goba yeo e diregago ka lebaka la taolo goba morero wa tšhepedišo wo o hlokegago go laela gore go be le phethagatšo goba tšhepedišo ya maleba ya Molao wo.

Short title

7. This Act is called the Second Adjustments Appropriation (2021/22 financial year) Act, 2022.

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Thaetlele ye kopana

7. Molao wo o bitšwa Ditokišo tša Bobedi go Molao wa Ditekanyetšo (ngwaga wa ditšhelete wa 2021/22), wa 2022.

SCHEDULE

Vote	Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
		Compensation of Employees	Goods and Services	Interest and Rent on Land			
	R'000	R'000	R'000	R'000	R'000	R'000	R'000
8	National Treasury	18 100 000					18 100 000
	4 Asset and Liability Management	18 100 000					18 100 000
	<i>Of which</i>						
	*** ** * – South African Special Risks Insurance Association: Purchase of equity						18 100 000
18	Health	500 000	500 000				
	3 Communicable and Non-Communicable Diseases	500 000	500 000				
	<i>Of which</i>						
	**** * – Covid-19 vaccine programme		500 000				
	TOTAL	18 600 000	500 000				18 100 000

* Specifically and Exclusively Appropriated

** Includes R7.1 billion expenditure authorised in terms of section 16(1) of the Public Finance Management Act, 1999 (Act No. 1 of 1999)

*** Includes R11 billion expenditure authorised in terms of section 6(1)(b) of the Appropriation Act, 2021 (Act No. 10 of 2021)

**** Expenditure authorised in terms of section 6(1)(b) of the Appropriation Act, 2021 (Act No. 10 of 2021)

ŠEDULE

Boutu	Karolothwii	Ditefelo tša ga Bjale			Diphethišetšo le Dithušo tša tšhelete	Ditefelo tša Dithoto tša Khepetelele	Ditefelo tša Dithoto tša Ditšhelete
		Meputso ya Bašomi	Didirišwa le Ditirelo	Tswala le Tefelo ya Tšhomišo ya Lefase			
8	Matlotlo a Bosetšhaba	R'000	R'000	R'000	R'000	R'000	R'000
	4 Taolo ya Dithoto le Dikoloto <i>E lego</i> *** ** * – Mokgatlo wa Afrika Borwa wa Inšorentshe ya Dikotsi tša go Ikgetha: Theko ya dišere	18 100 000					18 100 000
		18 100 000					18 100 000
							18 100 000
18	Maphelo	500 000	500 000				
	3 Malwetši a go Fetela le Malwetši ao a sa Fetelelo <i>E lego</i> **** * – Lenaneo la meento ya Covid-19	500 000	500 000				
			500 000				
	PALOMOKA	18 600 000	500 000				18 100 000

* Ditekanyetšo tše di rilego le tše di ikgethilego

** E akaretša dibilione tše 7.1 tša diranta tša ditshenyegelo tše di dumeletšwego go ya ka karolo ya 16(1) ya Molao wa Taolo ya Ditšhelete tša Setšhaba, wa 1999 (Molao wa No. ya 1 wa 1999)

*** E akaretša dibilione tše 11 tša diranta tša ditshenyegelo tše di dumeletšwego go ya ka karolo ya 6(1)(b) ya Molao wa Ditekanyetšo, wa 2021 (Molao wa No. ya 10 wa 2021)

**** E akaretša ditshenyegelo tše di dumeletšwego go ya ka karolo ya 6(1)(b) ya Molao wa Ditekanyetšo, wa 2021 (Molao wa No. ya 10 wa 2021)

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