

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

Ms Ncumisa Mnyani
Head of Department
Gauteng Provincial Treasury
Imbumba House
75 Fox Street
Marshalltown
Johannesburg
2107

Dear Ms Mnyani

RE: CERTIFICATION OF GAUTENG PROVINCIAL SECOND ADJUSTMENTS APPROPRIATION BILL, 2023

- 1. The State Law Advisory Services was called upon to scrutinise and certify the above-mentioned Bill on an urgent basis.
- Kindly find attached for your attention, a copy of the said Bill, Schedule and Explanatory Memorandum on the Objects of the Bill, as duly certified by the State Law Advisory Services.
- 3. 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.
- 4. 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.
- 5. 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.
- 6. 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,

Adv. Geert Kuit

Chief Director: State Law Advisory Services

Date: 06/03/2023

GAUTENG PROVINCIAL LEGISLATURE

GAUTENG PROVINCIAL SECOND ADJUSTMENTS APPROPRIATION BILL, 2023

(As introduced in the Gauteng Provincial Legislature in terms of rule 192(2) of the Standing Rules of the Gauteng Provincial Legislature 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)

[B-2023]



BILL

To effect adjustments to the appropriation of money from the Gauteng Provincial Revenue Fund for the requirements of the Province in respect of the 2022/23 financial year ending 31 March 2023; 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WHEREAS section 226(2)(a) of the Constitution of the Republic of South Africa, 1996, provides that money may be withdrawn from the Gauteng Provincial Revenue Fund only in terms of an appropriation by a provincial Act, or as a direct charge against the Fund, when it is provided for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, 2022 (Act No. 4 of 2022), 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 2023.

AND WHEREAS section 31(1) of the Public Finance Management Act, 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 by or under section 1 of the Gauteng Provincial Appropriation Act, 2022 (Act No. 4 of 2022), 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 Gauteng Provincial Legislature of money from the Gauteng Provincial Revenue Fund for the requirements of the Province for the financial year ending 31 March 2023, to votes and main divisions within a vote, and for the specific listed purposes, are 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 Second Adjustments Appropriation Act, 2023.



(As a charge to the Provincial Revenue Fund)

Details of appropriated amount

Vote		Current Payments					Payments		Specified transfer
R thousand	Adjusted Appropriation	Compensation of Employees	Goods and Services	Other	Transfers and Subsidies	Payments for Capital Assets	for Financial Assets	Second Adjusted Appropriation	payments and amounts specifically an exclusively appropriated
	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'000	R'ODO
1. Office of the Premier	803 858							803 858	
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									
1. Administration	212 715							212 715	
2. Institutional Development	269 265							269 265	
3. Policy and Governance	321 878							321 878	
of which									
Transfers to Higher education institutions									
GCRO	30 244								30 24
Transfers to Non-profit Institutions	144 682								144 68
2. Gauteng Provincial Legislature	825 163							825 163	147 90
Vision: A progressive legislature that fosters confidence in democracy and improving the quality of life of the people of Gauteng.	023 103							023 103	
Leadership and Governance	62 863							62 863	
2. Office of the Secretary	27 902							27 902	
3. Corporate Support Services	414 989							414 989	
of which									
Transfers to Non-profit Institutions	158 015								158 01
4. Core Business	259 427							259 427	
5. Office of the CFO	59 982							59 982	
3. Economic Development	1 796 830							1 796 830	
Vision: A radically transformed, modernised and re- industrialised economy in Gauteng, manifesting decent work, economic inclusion and equity	1 750 030							1790 030	
1. Administration	261 551							261 551	
2. Integrated Economic Development Services	223 876							223 876	
of which									
Transfers to Departmental Agencies and Accounts	000 070								000.07
Gauteng Enterprise Propeller 3. Trade and Sector Development	223 876 788 013							788 013	223 876
of which									
Transfers to Departmental Agencies and Accounts	550.005								550,000
Gauteng Growth and Development Agency	556 065	1							556 065
Cradle of Humankind	57 733								57 733
Dinokeng	37 778								37 778
Gauteng Tourism Authority 1. Business Regulation and Governance	116 437 146 797							146 797	116 437
of which				- 1					
Transfers to Departmental Agencies and Accounts									
Gauteng Liqour Board	79 327								79 327
Gauteng Gambling Board Economic Planning Fransfer to Public corporations and private	14 600 376 593					1		376 593	14 600
enterprises	224 748			\rightarrow					224 748
k. Health //sion: A responsive, value-based, people-centred lealth care system in Gauteng.	61 351 417	139						61 351 556	
. Administration	1 456 146		21					1 456 146	
2. District Health Services	21 087 151	139	-	7.000 S process	-		T STANCES	21 087 290	
	E1 007 101	100	F-1277 1	tribil) H	Yarira!	W ADVISE	¥	E 1 001 ED0	

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(As a charge to the Provincial Revenue Fund)

Details of appropriated amount

R thousand	Adjusted Appropriation	Compensation	0		Transfers and	Payments for Capital	Payments for	Second Adjusted	payments and amounts
		of Employees	Goods and Services	Other	Subsidies	Assets	Financial Assets	Appropriation	specifically and exclusively appropriated
National conditional grants									
District Health Programmes Grant Social Sector Expanded Public Works Programme Incentive Grant for Provinces	6 552 999 17 980								6 552 999 17 98
National Health Insurance Grant	90 399	139							90 53
Transfers to Municipalities	517 164	139							517 164
Transfers to Mon-profit institutions	429 078								429 078
3. Emergency Medical Services	1 795 100							1 795 100	723 070
4. Provincial Hospital Services	11 286 458							11 286 458	
of which									
National conditional grants									
Human Resources and Training Grant	590 079								590 079
National Tertiary Services Grant 5. Central Hospital Services	39 505 21 978 884							21 978 884	39 505
of which									
Transfers to Non-profit Institutions	299 000			٠.					299 000
National conditional grants									
National Tertiary Services Grant	5 269 088								5 269 088
Human Resources and Training Grant	1 303 455								1 303 455
6. Health Sciences and Training	1 090 663							1 090 663	
of which	1								
Transfers to Departmental Agencies and Accounts	25 819	1							25 819
Transfers Higher Education Institutions	4 039								4 03
7. Health Care Support Services	432 966							432 966	
3. Health Facilities Management	2 224 049							2 224 049	
of which									
National conditional grants									
Health Facility Revitalisation Grant Expanded Public Works Programme (EPWP) Integrated Grant	1 058 859 2 360								1 058 859 2 360
5. Education			250 000			46 487		60 286 142	2 000
rision: Every learner feels valued and inspired in our novative education system.	59 989 655		230 000			40 401		00 200 142	
. Administration	4 753 641							4 753 641	
of which									
Transfers to Departmental Agencies and Accounts 2. Public Ordinary School Education	80 42 560 532							42 560 532	80
of which									
National conditional grants									
HIV/AIDS (Life Skills Education)	37 311								37 311
Vational School Nutrition	993 367								993 367
daths, Science and Technology	60 901								60 901
ransfers to Non-profit Institutions	3 667 112								3 667 112
I. Independent School Subsidies	1 099 548	1						1 099 548	
of which									
Transfers to Non-Profit Institutions . Public Special School Education	1 087 848 4 886 584							4 886 584	1 087 848
of which									
lational conditional grants									
earners with Profound Intellectual Disabilities	35 150								
Fransiers to Non-profit Institutions	1 017 727								1 017 727
•	1 996 790							1 996 790	
Early Childhood Development	1 200 1 20				The second secon	Toping-ready Control		1 000 1 00	
of which	1 202 120		OFET, T	ied Di		ADVISE		1 000 100	

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(As a charge to the Provincial Revenue Fund)

Details of appropriated amount

			ils of appropriate	za amomit				1	Constitue
Vote		Curr	rent Payments				Payments		Specified transfer
R thousand	Adjusted Appropriation	Compensation of Employees	Goods and Services	Other	Transfers and Subsidies	Payments for Capital Assets	for Financial Assets	Second Adjusted Appropriation	payments an amounts specifically a exclusively appropriate
National conditional grants									
Early Childhood Development Grant	250 596								250 5
6. Infrastructure Development	1 826 012		250 000			46 487		2 122 499	
of which									
National conditional grants									
Education Infrastructure Grant	1 686 845		250 000			46 487			1 983 3
Early Childhood Development Grant	5 485								5 4
Transfers to Non-profit Institutions	6 000								60
7. Examination and Education Related Services	2 866 548							2 866 548	
of which									
National conditional grants									
Expanded Public Works Programme Integrated Grant Social Sector Expanded Public Works Programme Incentive Grant for Provinces	2 733 7 615								27. 76
Transfers to Non-profit Institutions	1 302 497								1 302 4
Transfers to Departmental Apencies and Accounts	118 856								118 8
6. Social Development								6 607 607	170 0
Vision: A caring and self-reliant society	5 537 037							5 537 037	
Administration	787 074							787 074	
of which									
Transfers to Departmental Agencies and Accounts	55								
Social Welfare Services	1 007 726							1 007 726	
of which									
Transfers to Non-profit Institutions	841 467								841 40
National conditional grants Social Sector Expanded Public Works Programme Incentive Grant for Provinces	21 948								21 94
Children and Families	1 933 114							1 933 114	
of which									
Transfers to Non-profit Institutions	531 910								531 91
National conditional grants									
Expanded Public Works Programme Integrated Grant	2 000								200
4. Restorative Services	955 420							955 420	
of which									
Transfers to Non-profit Institutions	667 324								667 32
5. Development and Research	853 703							853 703	
of which									
Transfers to Non-profit Institutions	326 124								326 12
7. Cooperative Governance and Traditional									
Affairs Vision: Sustainable, Smart, Inclusive Cities and Communities in the Gauteng City Region.	610 789							610 789	
1. Administration	163 198							163 198	
2. Local Governance	289 310		1					289 310	
of which	_,,,,,								
	500								50
Transfers to Municipalities 3. Development and Planning	137 933							137 933	50
of which									
National conditional grants									
National conditional grants Expanded Public Works Programme Integrated Grant	2 106								2 10
Transfers to Municipalities	24 106								24 10
4. Traditional Institutional Development	20 348							20 348	£7 10
B. Human Settlements	6 607 739							6 407 739	
Vision: To provide integrated sustainable human	0 001 139				TO LOT A			G 401 199	

06/03/2023

(As a charge to the Provincial Revenue Fund)

Details of appropriated amount

Vote	Adhr-4-3	Gurr	ent Payments		Transfers	Payments	Payments for	Second	Specified transfer payments and
R thousand	Adjusted Appropriation	Compensation of Employees	Goods and Services	Other	and Subsidies	for Capital Assets	Financial Assets	Adjusted Appropriation	amounts specifically and exclusively appropriated
1. Administration	691 922							691 922	
2. Housing Needs, Research and Planning	22 816							22 816	
3. Housing Development	5 610 214				(200 000)			5 410 214	
of which									
National conditional grants									
Human Settlements Development Informal Settlements Upgrading Partnership Grant for	3 736 767				4000 0000				3 736 76 1 128 16
Provinces	1 328 167				(200 000)				12 16
Expanded Public Works Programme Integrated Grant	12 157								12 10
Transfers to Departmental Agencies and Accounts									000.00
Gauteng Partnership Fund	968 005 282 787							282 787	968 00
Housing Assets and Property Management of which	202 / 01							202707	
National conditional grants									
Human Settlements Development	235 610								235 61
9. Roads and Transport	8 582 136				(97 475)			8 484 661	
Vision: A modern integrated, efficient and sustainable transport and road infrastructure system in Gauteng					(6. 11.3)				
1. Administration	428 057							428 057	
2. Transport Infrastructure	2 186 022							2 186 022	
of which									
National conditional grants									
Provincial Roads Maintenance	680 058								680 050
Transfers to Provinces and Municipalities	2 310								2 310
Transport Operations	2 960 335				(97 475)			2 862 860	
of which									
Netional conditional grants	2 730 550				(97 475)				2 633 075
Public Transport Operations					(31 410)				9 857
Expanded Public Works Programme Integrated Grant Transfers to Public corporations and private enterprise	9 857 2 852 815								5 001
4. Transport Regulation	350 156							350 156	
of which									
Transfers to Non-profit Institutions	21 915								21 915
5. Gautrain Rapid Rail Link	2 657 566							2 657 566	
of which									
Transfers to Departmental Agencies and Accounts									0.057.50
Gautrain Management Agency	2 657 566								2 657 566
10. Community Safety Vision: To realise Gauteng as a province where	1 374 065							1 374 085	
people feel and are safe. 1. Administration	185 012							185 012	
	100 012							100012	
of which Transfers to Provinces and Municipalities									
2. Provincial Secretariat for Police Service	287 675							287 675	
of which									
National conditional grants Social Sector Expanded Public Works Programme Incentive Grant for Provinces	4 706								4 706
Transfers to Departmental Agencies and Accounts									
3. Traffic Management	901 378							901 378	
of which	466								188
Transfers to Provinces and Municipalities Transfers to Public corporations and privete enterprise	188	#	נשנינייני	Secretaria de la composición del composición de la composición de la composición del composición de la composición de la composición del composición de la composición del composición del composición de la composición del composición de la composición del composición del composición del composición d	1 244 3.50	8. 15			100
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06/03/2028

(As a charge to the Provincial Revenue Fund)

Details of appropriated amount

ote		Current Payments					Payments		Specified transfer
thousand	Adjusted Appropriation	Compensation of Employees	Goods and Services	Other	Transfers and Subsidies	Payments for Capital Assets	for Financial Assets	Second Adjusted Appropriation	payments and amounts specifically and exclusively appropriated
ision: An economically transformed agricultural actor including agro-processing and sustainable nvironmental management for healthy, food secure, eveloped rural and urban communities in Gauteng.									77.0
Administration	280 945							280 945	
of which									
ransfers to Departmental Agencies and Accounts	1 322								1 32
ransfers to Provinces and Municipalities	58								5
Agriculture and Rural Development	498 930							498 930	
of which									
ational conditional grants									
and Care	5 219								5 21
ma/Letsema Projects	37 262								37 26
omprehensive Agricultural Support Programme	121 145								121 14
xpanded Public Works Programme Integrated Grant	3 355		-						3 35
ransfers to Higher Education Institutions Environmental Affairs	6 985 345 631							345 631	6 98
	340 001							2.5 = 2.	
f which	005								00
ransfers to Provinces and Municipalities	865				-				86
2. Sport, Arts, Culture and Recreation ision: An active, creative and modernised Gauteng by Region contributing to sustainable economic	968 169							968 169	
rowth and social cohesion. Administration	155 165							155 165	
Cultural Affairs	205 633							205 633	
	203 000							255 560	
of which	0.007								2 92
ransfers to Provinces and Municipalities	2 927								41 16
ransfers to Departmental Agencies and Accounts	41 169								12 00
ransfers to Non-profit Institutions Library and Archives Services	12 000 302 839							302 839	12 00
of which									
ational conditional grants	474.000								174 09
ommunity Library Services	174 099								202 64
ransfers to Provinces and Municipalities	202 649								3 50
ransfers to Non-profit Institutions Sport and Recreation	3 500 304 532							304 532	3 50
of which									
ational conditional grants									
ass Sport and Recreation Participation Programme	102 073								102 07
ransfers to Non-profit Institutions	43 337								43 337
b. E-Government sion: A smart Gauteng City Region that provides	1 735 961							1 735 961	
ficient quality services to citizens. Administration	267 584							267 584	
Information Communication Technology (ICT)								1 335 798	
nared Services of which	1 335 798							1 333 180	
ansfers to Higher Education Institutions	22 800								22 800
Hurnan Resources Services	132 579							132 579	
i, Gauteng Provincial Treasury	684 065							684 065	
sion: Pioneers in fiscal prudence and good evernance.									
Administration	173 506							173 506	
			ocaretel					151 162	

06/03/2023

(As a charge to the Provincial Revenue Fund)

Details of appropriated amount

Vote R thousand		Current Payments			Transfers	Payments	Payments	Second	Specified transfer payments and
	Adjusted Appropriation	Compensation of Employees	Goods and Services	Other	and Subsidies	for Capital Assets	for Financial Assets	Adjusted Appropriation	amounts specifically and exclusively appropriated
Departmental agencies and accounts									
Gauteng Infrastructure Financing Agency	63 706								63 706
3. Financial Governance	115 980							115 980	
4. Supply Chain Management	88 279							88 279	
5. Municipal Financial Governance	46 793							46 793	
Gauteng Audit Services	108 345							108 345	
15. Infrastructure Development	3 355 235							3 355 235	
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	417 907							417 907	
2. Public Works Infrastructure	2 774 708							2 774 708	
of which									
Transfers to Municipalities									
Devolution of rates and taxes	1 176 868								1 176 868
Expanded Public Works Programme of which	162 620					,		162 620	
Expanded Public Works Programme Integrated Grant	6 768								6 768
TOTAL FOR THE PROVINCE	155 347 625	139	250 000		(297 475)	46 487		155 346 776	



EXPLANATORY MEMORANDUM ON OBJECTS OF THE GAUTENG PROVINCIAL SECOND ADJUSTMENTS APPROPRIATION BILL, 2023

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 based on this legislative framework that approval to amend the Gauteng Provincial Adjustments Appropriation, 2022/23 as tabled on 24 November 2022, is requested.

The Gauteng Provincial Treasury tabled an adjusted appropriation on 24 November 2022 amounting to R155.348 billion. After this adjusted appropriation, the National Department of Transport and the National Department of Human Settlements, in consultation with the National Treasury, decreased the conditional grants to the Gauteng Province by R297.475 million. The National Department of Basic Education and National Department of Health, in consultation with the National Treasury, increased the conditional grants to the Gauteng Province by R296.626 million. As a result, the budget for the Gauteng Province decreases by R0.849 million in the second adjustments budget from R155.348 billion to R155.347 billion.

2. 2022/23 ADJUSTED BUDGET ALLOCATIONS

Table 1 below represents amendments to the Gauteng Provincial Government departments' appropriations as well as the final adjusted appropriation for the 2022/23 financial year.



Table 1: Revised Allocations

R thousand	Adjusted Appropriation	Adjustments	Second Adjusted Appropriation
Office of the Premier	803 858		803 858
Provincial Legislature	825 163		825 163
Economic Development	1 796 830		1 796 830
Health	61 351 417	139	61 351 556
Education	59 989 655	296 487	60 286 142
Social Development	5 537 037		5 537 037
Cooperative Governance and Fraditional Affairs	610 789		610 789
Human Settlements	6 607 739	(200 000)	6 407 739
Roads and Transport	8 582 136	(97 475)	8 484 661
Community Safety	1 374 065		1 374 065
Agriculture, Rural Development and Environment	1 125 506		1 125 506
Sport, Arts, Culture and Recreation	968 169		968 169
e-Government	1 735 961		1 735 961
Provincial Treasury	684 065		684 065
infrastructure Development	3 355 235		3 355 235
l'otal	155 347 625	(849)	155 346 776

The total adjustments to the adjusted budget for 2022/23 appropriation are discussed below.

2.1 Gauteng Department of Health

The Gauteng Department of Health receives an additional R0.139 million in 2022/23 financial year. This amount is allocated to augment the allocation for the National Health Insurance Grant.

2.2 Gauteng Department of Education

The allocation for the Education Infrastructure Grant increases by R296.487 million due to good spending performance and to address the learner space challenges and maintenance of schools. As a result, the Gauteng Department of Education's budget increases from R59.990 billion to R60.286 billion.



2.3 Gauteng Department of Human Settlements

The 2022/23 adjusted budget of the Gauteng Department of Human Settlements decreases by R200 million from R6.608 billion to R6.408 billion due to unsatisfactory reported performance relating to Informal Settlements Upgrading Partnership Grant. According to the department, the slow spending is due to challenges with bulk infrastructure, dependencies on municipal approvals and some informal settlements that are in wetlands therefore not upgradable.

2.4 Gauteng Department of Roads and Transport

The allocation for the Gauteng Department of Roads and Transport decreases by R97.4 million from R8.582 billion to R8.485 billion. The reduction in the Public Transport Operations Grant allocation is caused by low kilometres travelled owing to a high number of 'Did Not Pay' penalties (DNOs) as well as the abandoned contracts that were deemed unprofitable by bus operators.

3. SOCIAL IMPACT

None.

4. FINANCIAL IMPLICATIONS

The second adjustment to the 2022/23 appropriation decreases the total provincial revenue and expenditure by an amount of R0.849 million due to the decrease in the allocations of the Gauteng Department of Roads and Transport and the Gauteng Department of Human Settlements, and an increase in the allocations of the Gauteng Department of Health as well as in the Gauteng Department of Education.



5. ENVIRONMENTAL IMPACT

No negative impact.

6. IMPLICATIONS OF BILL FOR LOCAL GOVERNMENT

None.

7. PUBLIC PARTICIPATION IN DEVELOPMENT OF BILL

None.

8. OTHER DEPARTMENTS OR BODIES CONSULTED

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

9. 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 2023.

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 the adjusted appropriation by vote as explained in paragraph 1 above.

