

MPUMALANGA PROVINCE



**MPUMALANGA
APPROPRIATION BILL, 2021**

(As introduced in the Mpumalanga Provincial Legislature (as a section 120 Bill))

(MEC FOR FINANCE, ECONOMIC DEVELOPMENT AND TOURISM)

BILL

To appropriate money from the Provincial Revenue Fund for the requirements of the Province for the 2021/22 financial year; to prescribe conditions for the spending of funds withdrawn for the 2022/23 financial year before the commencement of the Mpumalanga Appropriation Act for the 2022/23 financial year; and to provide for matters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WHEREAS section 226(2) of the Constitution of the Republic of South Africa, 1996, provides that money may be withdrawn from the Provincial Revenue Fund only in terms of an appropriation by a Provincial Act or as a direct charge against that Fund, when it is provided for in the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 the Provincial Legislature;

AND WHEREAS section 26 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), provides that the Provincial Legislature must appropriate money for each financial year for the requirements of the Province,

BE IT THEREFORE ENACTED by the Provincial Legislature of the Province of Mpumalanga, as follows:—

Definitions

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 Public Finance Management Act, must bear the meaning so assigned, and —

“**conditional grant / allocation**” means a conditional allocation to the province or municipality from the national government’s share of revenue raised nationally, which is provided for and whose purpose is specified in the Division of Revenue Act for the 2021/22 financial year envisaged in section 214(1)(c) of the Constitution of the Republic of South Africa, 1996;

“**current payments**” means any payment made by a department classified as, or deemed to be, a current payment in terms of the instructions issued in the *Guidelines for Implementing the Economic Reporting Format* (September 2009), in terms of section 76 of the Public Finance Management Act;

“**MEC**” means the Member of an Executive Council responsible for finance in the Province;

“**payments for capital assets**” means any payments made by a department classified as, or deemed to be, a payment for capital assets in terms of the *instructions issued in the Guidelines for Implementing the Economic Reporting Format* (September 2009) and the *Asset Management Framework* (April 2004, Version 3.3), in terms of section 76 of the Public Finance Management Act;

“**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 instructions issued in the *Guidelines for Implementing the Economic Reporting Format* (September 2009) and the *Asset Management Framework* (April 2004, Version 3.3), in terms of section 76 of the Public Finance Management Act;

“**Province**” means the Province of Mpumalanga;

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

“**transfers and subsidies**” means any payments made by a department classified as, or deemed to be, a transfer or subsidy payment in terms of the instructions issued in the *Guidelines for Implementing the Economic Reporting Format* (September 2009), in terms of section 76 of the Public Finance Management Act.

Appropriation of money for requirements of the Province

2. (1) Appropriations by the Provincial Legislature of money from the Provincial Revenue Fund for the requirements of the Province in the 2021/22 financial year to votes and the main divisions within a vote, and for the purposes that are specified, are set out in the Schedule.

(2) The spending of appropriations envisaged in subsection (1) is subject to this Act, the Public Finance Management Act and the Division of Revenue Act for the 2021/22 financial year.

(3) The spending of funds withdrawn from the Provincial Revenue Fund before this Act takes effect, as envisaged in section 29(1) of the Public Finance Management Act, is subject to—

- (a) section 6 of the Mpumalanga Appropriation Act, 2020 (Act No. 2 of 2020);
- (b) the applicable provisions of the Division of the Revenue Act for the 2021/22 financial year, when the said Act takes effect.

Amounts listed as specifically and exclusively appropriated

3. An amount within a vote or main division within a vote 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 for which it was allocated, is amended by means of—
- (a) an Act of the Provincial Legislature or
 - (b) an Act of Parliament.

Conditional grants / allocations

4. Conditional allocations to Votes and as listed specifically and exclusively in the Schedule to this Act must be utilised subject to the conditions imposed by the Minister.

Authorisation of expenditure

5. (1) Despite any provision in any other legislation to the contrary and before an Adjustments Appropriation Bill is introduced in the Provincial Legislature, the MEC may approve expenditure, if it cannot reasonably be delayed without negatively affecting service delivery and such expenditure—
- (a) is unforeseeable and unavoidable;
 - (b) was announced during the tabling of the 2021/22 annual budget or an adjustments budget; or
 - (c) was approved in the appropriation for the 2020/21 financial year and shall be proposed to be rolled over to the 2021/22 financial year in order to finalise expenditure that could not take place in the 2020/21 financial year as originally planned.
- (2) Any expenditure approved in terms of subsection (1)(b) may not exceed the amount announced by the MEC for a specific item during the tabling of the annual budget or an adjustments budget.
- (3) Expenditure approved in terms of subsection (1)—
- (a) is a direct charge against the Provincial Revenue Fund;
 - (b) may be made subject to conditions imposed by the Minister;
 - (c) must be disclosed in the Provincial Treasury's next quarterly report to the relevant Legislature Committees; and
 - (d) must, despite section 31(2) of the Public Finance Management Act, be included in the Adjustments Appropriation Bill or another Appropriation Bill for the 2021/22 financial year.

Spending before commencement of Appropriation Act for 2022/23 financial year

6. The spending of funds withdrawn in terms of section 29 of the Public Finance Management Act for the 2022/23 financial year before the commencement of the Appropriation Act for the 2022/23 financial year is, with necessary changes, subject to—
- (a) any applicable conditions imposed in terms of section 4, and the applicable provisions of the Adjustments Appropriation Act for the 2021/22 financial year, as if the funds were allocated for the 2021/22 financial year;
 - (b) the applicable provisions of the Division of Revenue Act for the 2021/22 financial year, and the Division of Revenue Amendment Act for the 2021/22 financial year, as if the funds were allocated for the 2021/22 financial year; and
 - (c) The applicable provisions of the Division of Revenue Act for the 2022/23 financial year, when the said Act takes effect.

Short title

7. This Act is called the Mpumalanga Appropriation Act, 2021.
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SCHEDULE							
Vote	Total	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
		Compensation of employees	Goods and services	Other			
	R'000	R'000	R'000	R'000	R'000	R'000	R'000
1 Office of the Premier	383 904	184 185	104 117	–	91 602	4 000	–
<i>Aim: To provide strategic direction and support evidence based decision-making through research, monitoring and evaluation, integrated planning, co-ordination of government programmes and institutional development.</i>							
1. Administration <i>To perform proper and effective coordinating and monitoring functions of administrative and strategic matters, both within the Office of the Premier and across the Provincial Government.</i>	122 303	75 332	43 719	–	252	3 000	–
2. Institutional Development <i>To provide institutional development service, advice, strategic support and co-ordination and development of policies to ensure operational efficiency, alignment and corporate compliance with a view to improve the capacity of Mpumalanga Provincial government to deliver effective and efficient services.</i>	85 422	60 550	23 522	–	1 350	–	–
3. Policy and Governance <i>To provide effective Macro Policy advice.</i>	176 179	48 303	36 876	–	90 000	1 000	–
2 Provincial Legislature	376 813	243 832	75 946	–	56 162	873	–
<i>Aim: To hold the Executive and other state organs accountable through intensified oversight, enhanced public involvement and effective law making supported by professional administrative service.</i>							
1. Administration <i>To provide strategic leadership, management and administrative support to ensure institutional effectiveness and the achievement of the core business of the Legislature</i>	181 393	134 879	45 641	–	–	873	–
2. Parliamentary Business <i>To provide strategic management and support in relation to parliamentary services to ensure institutional effectiveness in the fulfilment of the constitutional mandate of the Legislature.</i>	195 420	108 953	30 305	–	56 162	–	–
3 Provincial Treasury	481 057	215 316	252 530	–	696	12 515	–
<i>Aim: To enhance fiscal discipline, accountability and effective governance in PFMA and MFMA institutions through: capable and professional workforce, inter-governmental collaboration and sustainable funding and equitable allocation and prudent financial management.</i>							
1. Administration <i>To provide prompt, continuous, effective and efficient administrative support to all line functions in the Provincial Treasury and responsible for the political, financial and administrative management of the Provincial Treasury.</i>	111 353	70 103	37 454	–	696	3 100	–
2. Sustainable Resources Management	63 894	50 179	13 715	–	–	–	–

Vote	Total	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
		Compensation of employees	Goods and services	Other			
<p><i>To promote optimal and effective provincial resource allocation and utilization, efficient provincial budget management, accurate financial reporting on provincial revenue generation and maximization, provide quality and accurate socio-economic research reports to inform the provincial budget and planning process, promote efficient planning implementation and management of infrastructure by provincial departments and municipalities, and provide technical support to delegated municipalities on the implementation of the MFMA.</i></p> <p>3. Asset And Liabilities Management <i>To monitor and support Assets, Liabilities, Provincial Supply Chain Management, Transversal Systems as well as provisioning of Information Technology Services to Departments, Public Entities and Municipalities in Mpumalanga Province.</i></p> <p>4. Financial Governance <i>To facilitate, monitor, support and provide professional advice to ensure good governance in the Province.</i></p>	235 777	69 337	157 025	–	–	9 415	–
<p>4 Co-operative Governance and Traditional Affairs <i>Aim: To ensure that municipalities and Traditional Institutions in the Province perform their basic responsibilities and functions by promoting good governance, sound financial management and administrative capability.</i></p> <p>1. Administration <i>To provide effective financial, technical and administrative support to department in terms of Political guidance, Strategic Management, Risk Management, Legal Services, Financial Management, Security Management, Human Resource Management, Transversal services, Planning and Programme management and Communication and IT services in accordance with the applicable Acts and policies of the department.</i></p> <p>2. Local Governance <i>To strengthen the administrative and financial capacity of municipalities as well as deepening democracy at local level in order to ensure that Municipalities perform their developmental responsibilities.</i></p> <p>3. Development and Planning <i>To strengthen Municipalities on development and planning requirements as well as coordinating and enhancing the delivery of quality infrastructure to improve the provision of basic services at local government level.</i> <i>Of which</i> <i>Conditional Grant</i> <i>Expanded Public Works Programme Integrated Grant for Provinces</i> <i>Specifically and Exclusively Appropriated</i> <i>Disaster Relief</i></p> <p>4. Traditional Institutional Management <i>To strengthen the institution of Traditional Leadership in order to fulfil its mandate through sound financial and administrative management of Traditional Councils.</i></p> <p>5. The House of Traditional Leaders</p>	731 241	407 814	294 724	–	20 190	8 513	–
	152 249	90 098	54 500	–	1 390	6 261	–
	204 123	176 293	27 830	–	–	–	–
	247 798	39 619	208 179	–	–	–	–
	107 385	83 782	2 551	–	18 800	2 252	–
	19 686	18 022	1 664	–	–	–	–

Vote	Total	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
		Compensation of employees	Goods and services	Other			
7. Structured Agricultural Education and Training <i>To provide agricultural training at the Further Education and Training level (NQF level 1 to 4). Further Education and Training (FET) programmes are conducted throughout the province for farmers on commodity basis. Furthermore, the programme is responsible for the development of the curriculum and founding documents for the Agricultural Training Institute in the province.</i> <i>Of which</i> <i>Conditional Grant</i> <i>Comprehensive Agricultural Support Programme Grant</i>	34 206	15 102	18 804	–	–	300	–
8. Rural Development Coordination <i>To create vibrant, equitable rural communities with food security for all through the sustainable rural economic livelihoods. The programme will mainly focus on the three legs of the Comprehensive Rural Development strategy which are Agrarian transformation, land reform and rural development.</i>	29 587	23 558	6 029	–	–	–	–
9. Environmental Affairs <i>To promote a well-managed, sustainable environment. The main role of the Environmental Affairs Programme is to facilitate sustainable development through environmental planning and co-ordination, greener governance, environmental awareness and capacity building, integrated pollution and waste management, enforcing compliance to environmental legislation and to promote biodiversity management.</i> <i>Of which</i> <i>Conditional Grant</i> <i>Expanded Public Works Programme Integrated Grant for Provinces</i>	144 064	108 246	33 708	–	–	2 110	–
5 027		5 027	–	–	–	–	–
6 Economic Development and Tourism <i>Aim: To drive economic growth that creates decent employment and promotes sustainable development.</i>	1 354 663	156 701	89 490	–	762 976	345 496	–
1. Administration <i>To provide administrative support for the implementation of the departmental mandate.</i>	108 466	73 217	31 117	–	558	3 574	–
2. Integrated Economic Development <i>To stimulate economic growth in the province.</i> <i>Of which</i> <i>Public corporations and private enterprises</i> <i>Mpumalanga Economic Growth Agency</i>	641 613	29 804	32 567	–	237 320	341 922	–
–		–	–	–	237 320	–	–
3. Trade and Sector Development <i>To support the development of industry within the key economic sectors of the province and create a conducive environment for trade and investment.</i>	32 476	14 122	18 354	–	–	–	–
4. Business Regulation and Governance <i>To ensure an equitable, socially responsible business environment that allows fair trade and the protection of consumer rights.</i> <i>Of which</i> <i>Departmental agencies and accounts</i> <i>Mpumalanga Economic Regulator</i>	137 808	18 593	2 414	–	116 801	–	–
–		–	–	–	116 801	–	–
5. Economic Planning <i>To provide economic policy direction and strategies in addition to conducting research on the provincial economy to inform strategy development.</i>	20 330	16 966	3 364	–	–	–	–

Vote	Total	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
		Compensation of employees	Goods and services	Other			
6. Tourism <i>To ensure development, promotion and regulation of tourism in the province that will contribute to a sustainable tourism sector</i> <i>Of which</i> <i>Departmental agencies and accounts</i> <i>Mpumalanga Tourism and Parks Board</i>	413 970	3 999	1 674	–	408 297	–	–
		–	–	–	408 297	–	–
7 Education <i>Aim: Mpumalanga Department of Education commits to working together with stakeholders to ensure effective teaching and learning through pro-active and effective communication, and good governance utilising tools of the fourth industrial revolution to create responsive public servants.</i>	22 336 062	18 583 748	1 492 047	–	1 305 359	954 908	–
1. Administration <i>To provide overall management of, and support to the education system in accordance with the National Education Policy Act, the Public Finance Management Act and other relevant policies.</i>	1 314 734	1 108 351	191 870	–	14 513	–	–
2. Public Ordinary Schools Education <i>To provide ordinary education from Grades 1 to 12 in accordance with the South African Schools Act, 1996 and White Paper 6 on inclusive education.</i> <i>Of which</i> <i>Conditional Grants</i> <i>Maths, Science and Technology Grant</i> <i>National School Nutrition Programme Grant</i>	18 754 972	16 557 552	1 045 886	–	1 151 534	–	–
		–	42 584	–	–	–	–
		3 939	636 056	–	137 347	–	–
3. Independent Schools Subsidies <i>To support independent schools in accordance with the South African Schools Act, 1996</i>	22 526	–	–	–	22 526	–	–
4. Public Special Schools Education <i>To provide compulsory public education in Special Schools in accordance with the South African Schools Act, 1996 and White Paper 6 on Inclusive Education, Child Justice Act No. 75 of 2008, Children's Act No 38 of 2005.</i> <i>Of which</i> <i>Conditional Grant</i> <i>Learners With Profound Intellectual Disabilities Grant</i>	403 726	333 119	30 301	–	40 061	245	–
		19 586	10 301	–	–	245	–
5. Early Childhood Development <i>To provide Early Childhood Education (ECD) at the Grade R and earlier levels in accordance with White Paper 5.</i>	438 494	427 310	–	–	11 184	–	–
6. Infrastructure Development <i>To provide and maintain infrastructure facilities for the administration and schools.</i> <i>Of which</i> <i>Conditional Grants</i> <i>Education Infrastructure Grant</i> <i>Expanded Public Works Programme Integrated Grant for Provinces</i>	1 163 610	38 000	168 125	–	2 822	954 663	–
		38 000	165 990	–	2 822	954 663	–
		–	2 135	–	–	–	–
7. Examination and Education Related Services <i>To provide training, support and effective implementation of skills development programmes towards improving human capital capacity for the Province</i> <i>Of which</i> <i>Conditional Grant</i> <i>HIV and AIDS (Life Skills Education) Grant</i>	238 000	119 416	55 865	–	62 719	–	–
		946	5 865	–	12 719	–	–

Vote	Total	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
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3. Transport Regulation <i>To provide a safe road environment through the regulation of traffic flow on public roads, overload control, implementation of road safety campaigns as well as registration and licensing of vehicles and drivers.</i>	687 147	474 177	176 902	–	2 895	33 173	–
4. Security Management <i>To coordinate the provision of security services in the province.</i>	595 140	7 840	587 070	–	59	171	–
10 Health <i>Aim: To improve the quality of health and well-being of all people of Mpumalanga Province by providing needs-based, people centred, equitable health care delivery system through an integrated network of health care services provided by a cadre of dedicated and well skilled health workers.</i>	16 204 083	9 259 067	5 350 662	–	115 269	1 479 085	–
1. Administration <i>To provide the overall management of the Department, and provide strategic planning, legislative, communication services and centralised administrative support through the MEC's office and administration.</i>	332 698	148 244	152 941	–	29 417	2 096	–
2. District Health Services <i>To render comprehensive Primary Health Care Services to the community using the District Health System model.</i> <i>Of which</i> <i>Conditional Grants</i> <i>HIV, TB, Malaria and Community Outreach Grant</i> <i>National Health Insurance Grant</i> <i>Social Sector Expanded Public Works Programme Incentive Grant for Provinces</i>	10 011 389	6 157 712	3 808 283	–	14 565	30 829	–
3. Emergency Medical Services <i>To provide pre-hospital medical services, inter-hospital transfers, Rescue and Planned Patient Transport to all inhabitants of Mpumalanga Province within the national norms of 15 minutes in urban and 40 minutes in rural areas.</i>	427 635	314 259	81 901	–	1 457	30 018	–
4. Provincial Hospital Services <i>To render level 1 and 2 health services in regional hospitals and to render TB specialized hospital services.</i>	1 557 109	1 160 965	389 601	–	3 399	3 144	–
5. Central Hospital Services <i>To render tertiary health care services and to provide a platform for training of health care workers and to conduct research.</i> <i>Of which</i> <i>Conditional Grant</i> <i>National Tertiary Services Grant</i>	1 376 433	1 001 408	339 819	–	1 413	33 793	–
6. Health Sciences and Training <i>To ensure the provision of skills development programmes in support of the attainment of the identified strategic objectives of the Department.</i> <i>Of which</i> <i>Conditional Grant</i> <i>Statutory Human Resources, Training and Development Grant</i>	430 277	289 211	71 118	–	64 948	5 000	–
7. Health Care Support Services	296 833	123 033	142 442	–	70	31 288	–

Vote	Total	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
		Compensation of employees	Goods and services	Other			
Of which Conditional Grant Expanded Public Works Programme Integrated Grant for Provinces		-	-	-	-	-	-
2. Social Welfare Services To provide integrated developmental social welfare services to the poor and vulnerable in partnership with stakeholders and civil society organisations	289 291	108 916	63 485	-	115 409	1 481	-
3. Children and Families To provide comprehensive child and family care and support services to communities in partnership with stakeholders and civil society organisations Of which Conditional Grant Early Childhood Development Grant	738 630	248 965	29 304	-	457 561	2 800	-
4. Restorative Services To provide integrated developmental social crime and anti-substance abuse services to the most vulnerable in partnership with stakeholders and civil society organisations	217 391	128 936	34 310	-	47 854	6 291	-
5. Development and Research To provide sustainable development programmes which facilitate empowerment of communities, based on empirical research and demographic information Of which Conditional Grant Social Sector Expanded Public Works Programme Incentive Grant for Provinces	173 185	111 721	17 956	-	36 361	7 147	-
		-	264	-	5 873	-	-
13 Human Settlements <i>Aim: To co-ordinate and facilitate the creation of integrated sustainable human settlements.</i>	1 557 402	238 888	43 327	-	1 178 294	96 893	-
1. Administration To provide Strategic administrative and management support to the department.	146 307	106 149	38 164	-	101	1 893	-
2. Housing Needs, Research and Planning To facilitate and undertake housing delivery planning.	180 593	59 004	1 589	-	25 000	95 000	-
3. Housing Development To provide individual subsidies and housing opportunities to beneficiaries in accordance with the housing policy. Of which Conditional Grants Human Settlements Development Grant Informal Settlements Upgrading Partnership Grant	1 209 690	54 803	1 694	-	1 153 193	-	-
		-	-	-	893 960	-	-
		-	-	-	259 233	-	-
4. Housing Asset Management To facilitate for tenure security and land rights through the delivery of Title Deeds.	20 812	18 932	1 880	-	-	-	-
Total 2021/22 allocation to departmental baseline	53 576 427	32 659 863	11 147 978	-	5 281 856	4 486 730	-
Total 2021/22 Provincial Fiscal Framework	53 576 427						