

MPUMALANGA PROVINCE



**MPUMALANGA
APPROPRIATION BILL, 2022**

(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for the requirements of the Province for the 2022/23 financial year; to prescribe conditions for the spending of funds withdrawn for the 2023/24 financial year before the commencement of the Mpumalanga Appropriation Act for the 2023/24 financial year; and to provide for matters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WHEREAS section 226(2) of the Constitution of the Republic of South Africa, 1996, provides that money may be withdrawn from the Provincial Revenue Fund only in terms of an appropriation by a Provincial Act or as a direct charge against that Fund, when it is provided for in the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 Mpumalanga Provincial Legislature, 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 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 2022/23 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 2022/23 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 2022/23 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, 2021 (Act No. 2 of 2021);
- (b) the applicable provisions of the Division of the Revenue Act for the 2022/23 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 2022/23 annual budget or an adjustments budget; or
- (c) was approved in the appropriation for the 2021/22 financial year and shall be proposed to be rolled over to the 2022/23 financial year in order to finalise expenditure that could not take place in the 2021/22 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 2022/23 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 2023/24 financial year before the commencement of the Appropriation Act for the 2023/24 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 2022/23 financial year, as if the funds were allocated for the 2022/23 financial year;
- (b) the applicable provisions of the Division of Revenue Act for the 2022/23 financial year, and the Division of Revenue Amendment Act for the 2022/23 financial year, as if the funds were allocated for the 2022/23 financial year; and
- (c) The applicable provisions of the Division of Revenue Act for the 2023/24 financial year, when the said Act takes effect.

Short title

7. This Act is called the Mpumalanga Appropriation Act, 2022.

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	377 826	196 392	111 540	–	63 921	5 973	–
<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>	145 350	79 759	59 228	–	390	5 973	–
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>	89 392	64 153	22 727	–	2 512	–	–
3. Policy and Governance <i>To provide effective Macro Policy advice.</i>	143 084	52 480	29 585	–	61 019	–	–
2 Provincial Legislature	371 838	250 520	64 917	–	55 486	915	–
<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>	175 876	134 884	40 077	–	–	915	–
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>	195 962	115 636	24 840	–	55 486	–	–
3 Provincial Treasury	566 548	222 664	317 866	–	1 817	24 201	–
<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>	127 869	73 584	38 849	–	1 092	14 344	–
2. Sustainable Resources Management	93 113	51 588	41 256	–	269	–	–

Vote	Total	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
		Compensation of employees	Goods and services	Other			
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>	21 210	16 670	4 540	–	–	–	–
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>Public Entity</i> <i>Mpumalanga Tourism and Parks Board</i>	498 183	3 906	7 014	–	467 263	20 000	–
		–	–	–	467 263	–	–
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>	24 273 229	18 719 486	2 970 504	–	2 155 615	427 624	–
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>	1 435 745	1 109 545	304 880	–	14 320	7 000	–
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>	19 508 816	16 654 452	1 719 441	–	1 134 923	–	–
		–	43 833	–	–	–	–
		1 850	683 670	–	120 534	–	–
3. Independent Schools Subsidies <i>To support independent schools in accordance with the South African Schools Act, 1996</i>	23 182	–	–	–	23 182	–	–
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>	409 554	333 962	34 380	–	41 212	–	–
		20 143	11 380	–	–	–	–
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>	774 171	466 191	25 142	–	282 658	180	–
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>	1 186 638	33 100	729 494	–	3 600	420 444	–
		33 100	680 816	–	–	420 444	–
		–	2 278	–	–	–	–
7. Examination and Education Related Services	935 123	122 236	157 167	–	655 720	–	–

Vote	Total	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
		Compensation of employees	Goods and services	Other			
12 Social Development <i>Aim: To provide, equitable, integrated and quality sustainable social development services in partnership with all stakeholders to eradicate poverty and protect vulnerable groups in all communities of Mpumalanga</i>	1 616 230	831 749	274 200	-	396 679	113 602	-
1. Administration <i>To provide the strategic management and support services at all levels of the department that is provincial and district</i>	411 885	209 287	125 557	-	1 978	75 063	-
2. Social Welfare Services <i>To provide integrated developmental social welfare services to the poor and vulnerable in partnership with stakeholders and civil society organisations</i>	291 548	108 042	62 354	-	119 668	1 484	-
3. Children and Families <i>To provide comprehensive child and family care and support services to communities in partnership with stakeholders and civil society organisations</i>	482 218	269 440	14 190	-	196 388	2 200	-
4. Restorative Services <i>To provide integrated developmental social crime and anti-substance abuse services to the most vulnerable in partnership with stakeholders and civil society organisations</i>	234 935	121 294	43 412	-	52 938	17 291	-
5. Development and Research <i>To provide sustainable development programmes which facilitate empowerment of communities, based on empirical research and demographic information</i> <i>Of which</i> <i>Conditional Grant</i> <i>Social Sector Expanded Public Works Programme</i> <i>Incentive Grant for Provinces</i>	195 644	123 686	28 687	-	25 707	17 564	-
		-	264	-	5 630	-	-
13 Human Settlements <i>Aim: To co-ordinate and facilitate the creation of integrated sustainable human settlements.</i>	1 506 885	233 899	71 827	-	1 199 175	1 984	-
1. Administration <i>To provide Strategic administrative and management support to the department.</i>	171 834	105 612	64 132	-	106	1 984	-
2. Housing Needs, Research and Planning <i>To facilitate and undertake housing delivery planning.</i>	61 588	59 118	2 470	-	-	-	-
3. Housing Development <i>To provide individual subsidies and housing opportunities to beneficiaries in accordance with the housing policy.</i> <i>Of which</i> <i>Conditional Grants</i> <i>Human Settlements Development Grant</i> <i>Expanded Public Works Programme Integrated Grant for Provinces</i>	1 259 782	56 213	4 500	-	1 199 069	-	-
		-	-	-	924 416	-	-
		-	2 000	-	-	-	-
4. Housing Asset Management <i>To facilitate for tenure security and land rights through the delivery of Title Deeds.</i>	13 681	12 956	725	-	-	-	-
Total 2022/23 allocation to departmental baseline	56 442 764	33 621 397	12 711 299	-	5 979 522	4 130 546	-
Total 2022/23 Provincial Fiscal Framework	56 442 764						