GAUTENG PROVINCIAL LEGISLATURE

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

GAUTENG PROVINCIAL SECOND ADJUSTMENTS APPROPRIATION

BILL, 2022

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(As introduced in the Gauteng Provincial Legislature in terms of rule 192(2) of the Standing Rules of the Gauteng Provincial Legislature, 2nd ed (2018), 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 and e-Government)

**[B―2022]**

## BILL

**To effect adjustments to the appropriation of money from the Gauteng Provincial Revenue Fund for the requirements of the Gauteng Province in respect of the 2021/22 financial year ending 31 March 2022; and to provide for matters incidental thereto or connected therewith.**

**PREAMBLE**

**WHEREAS** section 226(2) of the Constitution of the Republic of South Africa, 1996, provides that money may be withdrawn from the Gauteng Provincial Revenue Fund only in terms of an appropriation by a provincial Act, or as a direct charge against the Fund, when it is provided for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 the 2021/22 financial year ending 31 March 2022 for the requirements of the Gauteng Province;

**AND WHEREAS** theGauteng ProvincialAppropriation Act, 2021 (Act No. 4 of 2021), provides for the appropriation of money from the Gauteng Provincial Revenue Fund to provide for the requirements of the Gauteng Province in respect of the 2021/22 financial year ending 31 March 2022;

**AND WHEREAS** section 31(1) of the Public Finance Management Act, 1999 (Act No. 1 of 1999), provides that the Member of an Executive Council for Finance in the Gauteng Province may table an adjustments budget in the Gauteng Provincial Legislature, subject to subsection (3) thereof.

**B**E IT THEREFORE ENACTED by the Gauteng Provincial Legislature, as follows:—

**Definitions**

**1.** In this Act, unless the context indicates otherwise, any expression, phrase or word to which a meaning has been assigned in section 1 of the Gauteng Provincial Appropriation Act, 2021 (Act No. 4 of 2021), or section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), has the meaning assigned to it in the latter Act.

**Adjustments to appropriation of money for requirements of Gauteng Province**

**2.** (1) Adjustments to appropriations by the Gauteng Provincial Legislature of money from the Gauteng Provincial Revenue Fund for the requirements of the Gauteng Province in the 2021/22 financial year ending 31 March 2022, to votes and main divisions within a vote, and for the specific listed purposes, is set out in the Schedule to this Act.

1. The spending of appropriations referred to in subsection (1) is subject to this Act, the Gauteng Provincial Appropriation Act, 2021, 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 in the Schedule to this Act 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, 2022.