

GAUTENG PROVINCIAL LEGISLATURE

**GAUTENG PROVINCIAL
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, 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 in the Province of Gauteng)

[B—2023]

B I L L

To effect adjustments to the appropriation of money from the Gauteng Provincial Revenue Fund for the requirements of the Province in respect of the 2023/24 financial year ending 31 March 2024; 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WHEREAS section 226(2)(a) of the Constitution of the Republic of South Africa, 1996, provides that money may be withdrawn from the Gauteng Provincial Revenue Fund only in terms of an appropriation by a provincial Act, or as a direct charge against the Fund, when it is provided for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, 2023 (Act No. 4 of 2023), 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 2024.

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, 2023 (Act No. 4 of 2023), 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 2024, 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 Adjustments Appropriation Act, 2023.