

GAUTENG PROVINCIAL LEGISLATURE

GAUTENG PROVINCIAL APPROPRIATION BILL, 2025

*(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)*

(proposed section 120 Bill)

(The English text is the official text of the Bill)

(Member of the Executive Council responsible for finance in the Province of Gauteng)

[B —2025]



B I L L

To provide for the appropriation of money from the Gauteng Provincial Revenue Fund for the requirements of the Province of Gauteng in respect of the financial year ending 31 March 2026; and to provide for matters incidental thereto.

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WHEREAS section 226(2)(a) of the Constitution of the Republic of South Africa, 1996, provides that money may be withdrawn from the Gauteng Provincial Revenue Fund only in terms of an appropriation by a provincial Act, or as a direct charge against the Fund, when it is provided for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;

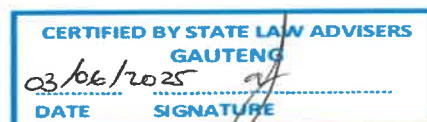
AND WHEREAS section 26 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), provides that the Provincial Legislature must appropriate money for each financial year for the requirements of the Province;

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

Definitions

1. In this Act, unless the context indicates otherwise, a word or an expression to which a meaning has been assigned in the Public Finance Management Act, 1999, has the meaning assigned to it in that Act, and—

“**conditional grants**” means allocations to provinces, local government or municipalities from the national government’s share of revenue raised nationally, provided for under section 214(1)(c) of the Constitution of the Republic of South Africa, 1996;



“current payments” means any payment made by a provincial department in respect of the operational requirements of that department, and includes, among other things, payments for the compensation of employees, goods and services, interest, rental of immovable property and financial transactions relating to assets and liabilities, but excludes transfers and subsidies, payments for capital assets and payments made under section 73 of the Public Finance Management Act, 1999;

“payments for capital assets” means any payment made by a provincial department—

- (a) for assets that can be used continuously or repeatedly in production for more than one year, and from which future economic benefits or service potential is expected to flow directly to the provincial department making the payment; and
- (b) that must be classified as or deemed to be payments for capital assets in accordance with the *“Reference Guide to the Economic Reporting Format”* (September 2009) and the *“Asset Management Framework”* (April 2004, Version 3.3), issued by the National Treasury under section 76 of the Public Finance Management Act, 1999;

“Province” means the Province of Gauteng referred to in section 103(c) of the Constitution of the Republic of South Africa, 1996;

“Provincial Legislature” means the Provincial Legislature of the Province of Gauteng;

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

“this Act” includes the Schedule; and

“transfers and subsidies” means any payment made by a provincial department to another organ of state or any other person in respect of which the provincial department does not receive anything of similar value directly in return, and includes the payment of conditional grants.

Appropriation of money for requirements of Province

2. (1) Appropriations by the Provincial Legislature of money from the Gauteng Provincial Revenue Fund for the requirements of the Province in the 2025/26 financial year, to votes and main divisions within a vote, and for the specific listed purposes, is set out in the Schedule.



(2) Subject to section 3, spending of appropriations referred to in subsection (1) is subject to the Public Finance Management Act, 1999, and, to the extent that the Provincial Legislature is concerned, the Financial Management of Parliament and Provincial Legislatures Act, 2009 (Act No. 10 of 2009).

Amounts listed as specifically and exclusively appropriated

3. Despite anything contained in any other law, an amount within a vote or main division within a vote that are listed as specifically and exclusively appropriated may only be utilised for the purpose indicated and may not be used for any other purpose, unless an Act of the Provincial Legislature amends or changes the purpose for which it was allocated.

Short title

4. This Act is called the Gauteng Provincial Appropriation Act, 2025.

