

REPUBLIC OF SOUTH AFRICA

ADJUSTMENTS APPROPRIATION BILL

*(As introduced in the National Assembly (proposed section 77))
(The English text is the official text of the Bill)*

(MINISTER OF FINANCE)

[B 20—2021]

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BILL

To effect adjustments to the appropriation of money from the National Revenue Fund for the requirements of the State in respect of the 2021/22 financial year; and to provide for matters incidental thereto.

PREAMBLE

WHEREAS section 213(2) of the Constitution of the Republic of South Africa, 1996, provides that money may be withdrawn from the National Revenue Fund only in terms of an appropriation by an Act of Parliament or as a direct charge against that Fund, when it is provided for in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 Parliament;

WHEREAS section 12(1) and (2) of the Money Bills and Related Matters Act, 2009 (Act No. 9 of 2009), provides for the tabling of a national adjustments budget, as envisaged in section 30 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), with an adjustments appropriation Bill;

AND WHEREAS the Appropriation Act, 2021 (Act No. 10 of 2021), provides for the appropriation of money from the National Revenue Fund to provide for the requirements of the State in respect of the 2021/22 financial year,

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa, 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 Appropriation Act, 2021 (Act No. 10 of 2021), or section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), must bear the meaning so assigned. 5

Adjustments to appropriations of money for requirements of State

2. (1) Adjustments to appropriations by Parliament of money from the National Revenue Fund for the requirements of the State in the 2021/22 financial year to votes and the main divisions within a vote, and amendments to the purposes that are specified, are set out in the Schedule to this Act. 10

(2) The spending of appropriations envisaged in subsection (1) is subject to this Act, the Appropriation Act, 2021, the Public Finance Management Act and the Division of Revenue Act, 2021 (Act No. 9 of 2021). 15

Amounts listed as specifically and exclusively appropriated

3. An amount that is marked 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, an Act of Parliament.

Conditions for appropriations

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4. (1) The Minister may, in writing—

(a) impose conditions on an amount in the Schedule to this Act, other than a conditional allocation, in order to promote transparency and accountability and the effective management of the appropriation; and

(b) stop the use of an amount in respect of which conditions imposed in terms of paragraph (a) are not met. 10

(2) The stoppage of an amount in terms of subsection (1)(b) must be disclosed in the National Treasury's next quarterly report to the relevant Parliamentary Committees.

Use of unspent funds

5. (1) Despite section 3 of this Act, section 3 of the Appropriation Act, 2021, and section 43(4) of the Public Finance Management Act, the Minister may approve that unspent funds in an amount in the Schedule to this Act appropriated for— 15

(a) compensation of employees, be used within the same vote for transfers and subsidies for the payment of severance or exit packages;

(b) goods and services, be used within the same vote for compensation of employees; 20

(c) transfers and subsidies to other institutions, be used elsewhere within the same main division;

(d) payments for capital assets, be used elsewhere in any main division within the same vote; or 25

(e) payments for financial assets, be used elsewhere within the same main division.

(2) The Minister may not approve the use of unspent funds in terms of subsection (1)(c), (d) or (e) for compensation of employees.

(3) The sum of the unspent funds in a main division of a vote approved for use in another main division of that vote in terms of— 30

(a) subsection (1); and

(b) section 43(1) of the Public Finance Management Act, may not exceed eight per cent of the amount appropriated under that main division.

(4) The approval of the use of unspent funds in terms of subsection (1) must be disclosed in the National Treasury's next quarterly report to the relevant Parliamentary Committees. 35

Delegations and authorisations

6. (1) The Minister may—

(a) delegate to an employee of the National Treasury any power conferred on the Minister in terms of this Act, except section 7; and 40

(b) authorise an employee of the National Treasury to perform any duty imposed on the Minister in terms of this Act.

(2) A delegation or authorisation in terms of subsection (1)—

(a) must be in writing; 45

(b) is subject to any limitations or conditions that the Minister may impose;

(c) may authorise the employee to sub-delegate, in writing, the delegated power or authorised duty to another suitable employee of the National Treasury;

(d) does not divest the Minister of the responsibility concerning the exercise of the delegated power or the performance of the authorised duty; and 50

(e) may be withdrawn by the Minister in writing.

(3) The Minister may vary or revoke any decision taken by an employee as a result of a delegation or an authorisation in terms of subsection (1), subject to any rights that may have vested as a result of the decision.

Regulations

7. The Minister may, by notice in the *Gazette*, make regulations regarding any ancillary or incidental administrative or procedural matter that it is necessary to prescribe for the proper implementation or administration of this Act.

Short title

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8. This Act is called the Adjustments Appropriation Act, 2021.

SCHEDULE

Vote	Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
		Compensation of Employees	Goods and Services	Interest and Rent on Land			
	R'000	R'000	R'000	R'000	R'000	R'000	R'000
1 The Presidency Purpose: <i>Facilitate a common programme towards the achievement of the electoral mandate and the enhanced integrity of the state through considered planning, coordination, oversight, mobilisation and support.</i>	12 258	5 749*	2 960		3 549		
1 Administration	11 258	4 789	2 960		3 509		
2 Executive Support		(20)			20		
3 Policy and Research Services	1 000	980			20		
3 Cooperative Governance Purpose: <i>Improve cooperative governance across the three spheres of government, in partnership with provinces, municipalities, civil society and communities, to enable accelerated service delivery.</i>	384 061	5 861*	77 738		284 991	15 410	61
1 Administration	22 219	10 861	10 405		902		51
2 Local Government Support and Intervention Management Of which Departmental agencies and accounts * – Municipal Infrastructure Support Agent: Presidential Employment Initiative	279 700	1 000	(5 393)		284 089		4
3 Institutional Development	(3 558)	2 500	(6 058)				
4 National Disaster Management Centre	93 200	(1 000)	94 194				6
5 Community Work Programme	(7 500)	(7 500)	(15 410)			15 410	
4 Government Communication and Information System Purpose: <i>Provide a comprehensive communication service on behalf of government to facilitate the involvement of the majority of South Africans in governance, reconstruction and development, nation building, and reconciliation.</i>	7 746	5 646*	800		1 300		
1 Administration	2 714	1 946			768		
2 Content Processing and Dissemination	2 809	1 808	800		201		
3 Intergovernmental Coordination and Stakeholder Management	2 223	1 892			331		
5 Home Affairs Purpose: <i>Efficiently determine and safeguard the identity and status of citizens. Regulate immigration to ensure security, promote development and fulfil South Africa's international obligations.</i>	740 986	138 834*	562 152		40 000		
1 Administration	104 886	15 936	88 950				
2 Citizen Affairs	548 386	90 088	458 298				
3 Immigration Affairs	47 647	32 743	14 904				
4 Institutional Support and Transfers Of which Departmental agencies and accounts – Electoral Commission: Operations	40 067	67			40 000		
					40 000		
6 International Relations and Cooperation Purpose: <i>Formulate, coordinate, implement and manage South Africa's foreign policy and international relations programmes.</i>	65 500	32 500*	7 655	3 000	13 467	8 878	
1 Administration Of which Households – Employee Social Benefits: Leave gratuities	3 247	10 347	(11 776)	3 000	1 651	25	
					1 651		
2 International Relations Of which Households – Employee Social Benefits: Leave gratuities and severance packages	87 926	47 826	25 006		8 945	6 149	
					8 945		
3 International Cooperation Of which Households – Employee Social Benefits: Leave gratuities and severance packages	(28 470)	(28 470)	(5 173)		2 871	2 302	
					2 871		
4 Public Diplomacy and Protocol Services	2 797	2 797	(402)			402	

* Specifically and Exclusively Appropriated