

MPUMALANGA PROVINCE



**MPUMALANGA
APPROPRIATION BILL, 2020**

(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for the requirements of the Province for the 2020/21 financial year; to prescribe conditions for the spending of funds withdrawn for the 2021/22 financial year before the commencement of the Mpumalanga Appropriation Act for the 2021/22 financial year; and to provide for matters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WHEREAS section 226(2) of the Constitution of the Republic of South Africa, 1996, provides that money may be withdrawn from the Provincial Revenue Fund only in terms of an appropriation by a Provincial Act or as a direct charge against that Fund, when it is provided for in the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 Provincial Legislature of the Province of Mpumalanga, as follows:—

Definitions

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 2020/21 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 2020/21 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 2020/21 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, 2019 (Act No. 2 of 2019);

(b) the applicable provisions of the Division of the Revenue Act for the 2020/21 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 2020/21 annual budget for a project and the disbursement of funds is required for the implementation of the project; or
 - (c) was approved in the appropriation for the 2019/20 financial year and shall be proposed to be rolled over to the 2020/21 financial year in order to finalise expenditure that could not take place in the 2019/20 financial year as originally planned.
- (2) 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 2020/21 financial year.

Spending before commencement of Appropriation Act for 2021/22 financial year

6. The spending of funds withdrawn in terms of section 29 of the Public Finance Management Act for the 2021/22 financial year before the commencement of the Appropriation Act for the 2021/22 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 2020/21 financial year, as if the funds were allocated for the 2020/21 financial year;
 - (b) the applicable provisions of the Division of Revenue Act for the 2020/21 financial year, and the Division of Revenue Amendment Act for the 2020/21 financial year, as if the funds were allocated for the 2020/21 financial year; and
 - (c) The applicable provisions of the Division of Revenue Act for the 2021/22 financial year, when the said Act takes effect.

Short title

7. This Act is called the Mpumalanga Appropriation Act, 2020.
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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	359 647	195 496	159 199	–	1 952	3 000	–
<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>	131 712	82 785	45 675	–	252	3 000	–
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>	96 724	64 020	31 354	–	1 350	–	–
3. Policy and Governance <i>To provide effective Macro Policy advice.</i>	131 211	48 691	82 170	–	350	–	–
2 Provincial Legislature	395 222	230 489	101 439	–	59 867	3 427	–
<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>	201 066	129 180	68 459	–	–	3 427	–
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>	194 156	101 309	32 980	–	59 867	–	–
3 Provincial Treasury	440 557	214 948	212 492	–	1 091	12 026	–
<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>	110 852	72 063	34 890	–	899	3 000	–
2. Sustainable Resources Management <i>To promote optimal and effective provincial resource allocation and utilization, efficient provincial budget management, accurate financial reporting on provincial revenue generation and maximization, provide quality and accurate socio-economic research reports to inform the provincial budget and planning process, promote efficient planning implementation and management of infrastructure by provincial departments and municipalities, and provide technical support to delegated municipalities on the implementation of the MFMA.</i>	75 657	45 155	30 346	–	156	–	–

Vote	Total	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
		Compensation of employees	Goods and services	Other			
3. Asset And Liabilities Management <i>To monitor and support Assets, Liabilities, Provincial Supply Chain Management, Transversal Systems as well as provisioning of Information Technology Services to Departments, Public Entities and Municipalities in Mpumalanga Province.</i>	221 233	70 543	141 628	–	36	9 026	–
4. Financial Governance <i>To facilitate, monitor, support and provide professional advice to ensure good governance in the Province.</i>	32 815	27 187	5 628	–	–	–	–
4 Co-operative Governance and Traditional Affairs <i>Aim: To ensure that municipalities and Traditional Institutions in the Province perform their basic responsibilities and functions by promoting good governance, sound financial management and administrative capability.</i>	568 337	433 511	95 604	–	31 923	7 299	–
1. Administration <i>To provide effective financial, technical and administrative support to department in terms of Political guidance, Strategic Management, Risk Management, Legal Services, Financial Management, Security Management, Human Resource Management, Transversal services, Planning and Programme management and Communication and IT services in accordance with the applicable Acts and policies of the department.</i>	156 383	90 098	57 663	–	1 323	7 299	–
2. Local Governance <i>To strengthen the administrative and financial capacity of municipalities as well as deepening democracy at local level in order to ensure that Municipalities perform their developmental responsibilities.</i>	205 819	185 513	20 306	–	–	–	–
3. Development and Planning <i>To strengthen Municipalities on development and planning requirements as well as coordinating and enhancing the delivery of quality infrastructure to improve the provision of basic services at local government level.</i> <i>Of which</i> <i>Conditional Grant</i> <i>Expanded Public Works Programme Integrated Grant for Provinces</i>	53 585	45 860	7 725	–	–	–	–
4. Traditional Institutional Management <i>To strengthen the institution of Traditional Leadership in order to fulfil its mandate through sound financial and administrative management of Traditional Councils.</i>	127 665	93 935	3 130	–	30 600	–	–
5. The House of Traditional Leaders <i>The Mpumalanga House of Traditional Leaders (MPHTL) Programme performs an oversight function over Government Departments and Agencies pertaining service delivery projects and Programmes in Traditional communities.</i>	24 885	18 105	6 780	–	–	–	–
5 Agriculture, Rural Development, Land and Environmental Affairs <i>Aim: To lead and facilitate integrated, comprehensive, sustainable development and social cohesion by participating and partnering with all sectors of society, through agriculture, rural development and land administration.</i>	1 266 621	707 129	438 843	–	8 238	112 411	–
1. Administration <i>To provide strategic leadership and governance framework in enabling the Department to execute its mandate within a framework set by the government and to ensure accountability.</i>	207 652	136 510	55 814	–	8 238	7 090	–

Vote	Total	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
		Compensation of employees	Goods and services	Other			
2. Sustainable Resource Management <i>To provide agricultural support services to farmers in order to ensure sustainable development and management of agricultural resources.</i> <i>Of which</i> Conditional Grant <i>Land Care Programme Grant: Poverty Relief and Infrastructure Development</i>	71 395	44 173	27 222	–	–	–	–
3. Farmer Support and Development <i>To render district level services in support of agrarian reform and rural development; this includes providing technical and infrastructure support to land reform beneficiaries including subsistence food producers, smallholder farmers and commercial farmers.</i> <i>Of which</i> Conditional Grants <i>Ilima/Letsema Projects Grant</i> <i>Comprehensive Agricultural Support Programme Grant</i>	531 409	194 496	239 184	–	–	97 729	–
4. Veterinary Services <i>To promote animal health, welfare, production and the health and welfare of both humans and animals through veterinary public health programmes. It also provides support to the Masibuyele Esibayeni (MESP) programme in terms of advice and animal health services.</i> <i>Of which</i> Conditional Grant <i>Comprehensive Agricultural Support Programme Grant</i>	164 422	121 222	38 643	–	–	4 557	–
5. Research and Technology Development Services <i>To provide agricultural research and the development and transfer of appropriate agricultural technologies. The programme conducts adaptive research to improve agricultural productivity. It is responsible for establishment and strengthening of partnerships in agriculture research. The key services of the programme include research in crop and animal production as well as range and forage research.</i>	66 221	50 677	14 559	–	–	985	–
6. Agricultural Economics Services <i>To provide timely and relevant agricultural economic services to the sector in support of sustainable agricultural and agri-business development to increase economic growth.</i>	19 538	14 927	4 611	–	–	–	–
7. Structured Agricultural Education and Training <i>To provide agricultural training at the Further Education and Training level (NQF level 1 to 4). Further Education and Training (FET) programmes are conducted throughout the province for farmers on commodity basis. Furthermore, the programme is responsible for the development of the curriculum and founding documents for the Agricultural Training Institute in the province.</i> <i>Of which</i> Conditional Grant <i>Comprehensive Agricultural Support Programme Grant</i>	30 806	15 210	15 596	–	–	–	–
8. Rural Development Coordination <i>To create vibrant, equitable rural communities with food security for all through the sustainable rural economic livelihoods. The programme will mainly focus on the three legs of the Comprehensive Rural Development strategy which are Agrarian transformation, land reform and rural development.</i>	30 047	24 330	5 717	–	–	–	–

Vote	Total	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets	
		Compensation of employees	Goods and services	Other				
	9. Environmental Affairs <i>To promote a well-managed, sustainable environment. The main role of the Environmental Affairs Programme is to facilitate sustainable development through environmental planning and co-ordination, greener governance, environmental awareness and capacity building, integrated pollution and waste management, enforcing compliance to environmental legislation and to promote biodiversity management.</i> <i>Of which</i> Conditional Grant Expanded Public Works Programme Integrated Grant for Provinces	145 131	105 584	37 497	–	–	2 050	–
		–	3 724	–	–	–	–	–
6	Economic Development and Tourism <i>Aim: To drive economic growth that creates decent employment and promotes sustainable development.</i>	1 353 068	158 412	84 204	–	748 681	361 771	–
	1. Administration <i>To provide administrative support for the implementation of the departmental mandate.</i>	112 000	73 710	33 151	–	551	4 588	–
	2. Integrated Economic Development <i>To stimulate economic growth in the province.</i> <i>Of which</i> Public Entity Mpumalanga Economic Growth Agency	663 804	31 534	33 284	–	241 803	357 183	–
			–	–	–	241 803	–	–
	3. Trade and Sector Development <i>To support the development of industry within the key economic sectors of the province and create a conducive environment for trade and investment.</i>	24 481	14 216	10 265	–	–	–	–
	4. Business Regulation and Governance <i>To ensure an equitable, socially responsible business environment that allows fair trade and the protection of consumer rights.</i> Public Entity Mpumalanga Economic Regulator	120 092	18 596	2 727	–	98 769	–	–
			–	–	–	98 769	–	–
	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>	19 540	16 350	3 190	–	–	–	–
	6. Tourism <i>To ensure development, promotion and regulation of tourism in the province that will contribute to a sustainable tourism sector</i> Public Entity Mpumalanga Tourism and Parks Board	413 151	4 006	1 587	–	407 558	–	–
			–	–	–	407 558	–	–
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 servant.</i>	23 497 519	18 711 777	2 510 807	–	1 718 615	556 320	–
	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>	1 572 563	1 198 464	355 683	–	15 916	2 500	–
	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> Conditional Grants	19 224 007	16 617 504	1 380 540	–	1 225 909	54	–

Vote	Total	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets	
		Compensation of employees	Goods and services	Other				
	4. Transport Operations <i>To plan, regulate and facilitate the provision of integrated land transport services through co-ordination and co-operation with national planning authorities, CBOs, NGOs and the private sector in order to enhance the mobility of all communities particularly those with less or no limited access.</i> <i>Of which</i> <i>Conditional Grant</i> <i>Public Transport Operations Grant</i>	1 367 580	88 317	509 374	–	715 549	54 340	–
			–	–	–	676 941	–	–
	5. Community Based Programmes <i>To manage the implementation of programmes and strategies that lead to the development and empowerment of communities and contractors</i> <i>Of which</i> <i>Conditional Grant</i> <i>Expanded Public Works Programme Integrated Grant for Provinces</i>	86 823	51 126	34 697	–	106	894	–
			–	–	–	–	–	–
			–	7 342	–	–	–	–
9	Community Safety, Security and Liaison <i>Aim: A safe, secure, crime and road crash free Mpumalanga Province</i>	1 514 057	644 923	850 606	–	3 346	15 182	–
	1. Administration <i>To provide for the overall management and administrative support to the department, in accordance with applicable prescripts.</i>	159 472	99 090	58 280	–	422	1 680	–
	2. Civilian Oversight <i>To exercise oversight on the South African Police Service on their effectiveness and efficiency to provide safety to communities</i> <i>Of which</i> <i>Conditional Grant</i> <i>Social Sector Expanded Public Works Programme Incentive Grant for Provinces</i>	66 023	46 160	18 435	–	176	1 252	–
			2 780	–	–	–	–	–
	3. Transport Regulation <i>To provide a safe road environment through the regulation of traffic flow on public roads, overload control, implementation of road safety campaigns as well as registration and licensing of vehicles and drivers.</i>	695 612	490 981	189 851	–	2 692	12 088	–
	4. Security Management <i>To coordinate the provision of security services in the province.</i>	592 950	8 692	584 040	–	56	162	–
10	Health <i>Aim: To improve the quality of health and well-being of all people of Mpumalanga Province by providing needs-based, people centred, equitable health care delivery system through an integrated network of health care services provided by a cadre of dedicated and well skilled health workers.</i>	15 568 194	9 389 758	4 587 732	–	188 517	1 402 187	–
	1. Administration <i>To provide the overall management of the Department, and provide strategic planning, legislative, communication services and centralised administrative support through the MEC's office and administration.</i>	367 364	164 906	172 552	–	27 906	2 000	–
	2. District Health Services <i>To render comprehensive Primary Health Care Services to the community using the District Health System model.</i> <i>Of which</i> <i>Conditional Grants</i> <i>HIV, TB, Malaria and Community Outreach Grant</i> <i>National Health Insurance Grant</i>	9 462 771	6 205 124	3 138 735	–	82 897	36 015	–
			477 918	1 638 812	–	69 000	19 984	–
			21 104	–	–	–	–	–

Vote	Total	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
		Compensation of employees	Goods and services	Other			
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>	1 138 794	52 482	4 968	–	1 081 344	–	–
		–	–	–	1 081 044	–	–
		–	2 009	–	–	–	–
4. Housing Asset Management <i>To facilitate for tenure security and land rights through the delivery of Title Deeds.</i> <i>Of which</i> <i>Conditional Grant</i> <i>Title Deeds Restoration Grant</i>	59 859	18 951	2 125	–	38 783	–	–
		–	–	–	38 483	–	–
Total 2020/21 allocation to departmental baseline	54 018 839	33 037 889	11 237 023	–	5 556 367	4 187 560	–
Total 2020/21 Provincial Fiscal Framework	54 018 839						