
GAUTENG PROVINCIAL LEGISLATURE

**PROVINCIAL
ADJUSTMENT APPROPRIATION
AMENDMENT ACT, 2008**

No 1, 2008

ACT

To appropriate adjusted amounts of money from the Provincial Revenue Fund for the requirements of the Province in respect of the financial year ending 31 March 2008; and to provide for subordinate matters incidental thereto.

PREAMBLE

WHEREAS section 226(2) of the Constitution provides that money may be withdrawn from the Provincial Revenue Fund only in terms of an appropriation by a provincial Act;

AND WHEREAS section 26 of the Public Finance Management Act, 1999 (Act 1 of 1999) provides that the Provincial Legislature must appropriate money for each financial year for the requirements of the Province;

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

Definitions

1. In this Act, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Public Finance Management Act has the meaning assigned to it in that Act and - 5

“**Act**” includes the Schedule and its annexures;

“**current payments**” means any payments made by a provincial department in respect of the operational requirements of that department, and includes, amongst others, payments for the compensation of employees, goods and services, interest, rental of immovable property and financial transactions relating to assets and liabilities, but exclude transfers and subsidies, payments for capital assets and payments made under section 73 of the Public Finance Management Act; 10

“**transfers and subsidies**” means any payments made by a provincial department to another organ of state or any other person in respect of which the national department does not receive anything of similar value directly in return, and includes the payment of conditional grants; 15

“**payments for capital assets**” means any payments 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 20

(b) that must be classified as or deemed to be payments for capital assets in accordance with the “*Reference Guide to the new Economic Format*” (November 2003, Version 2) and the “*Asset Management Framework*” (April 2004, Version 3.3), issued by the National Treasury under section 76 of the Public Finance Management Act; 25

“**Public Finance Management Act**” means the Public Finance Management Act, 1999 (Act No. 1 of 1999); and 30

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

Appropriation of money for the requirements of the Province

2. (1) Adjusted appropriations by the Provincial Legislature of money from the Provincial Revenue Fund for the requirements of the Province in the 2007/08 financial year, to votes and main divisions within a vote, and for the specific listed purposes, is set out in the Schedule. 35

(2) The spending of appropriations contemplated in subsection (1) is subject to the Public Finance Management Act. 40

Appropriation listed as specifically and exclusively

3. Despite the provisions of any law, appropriations to a vote or main divisions within a vote that are listed as specifically and exclusively appropriated in the schedule may only be utilised for the purpose indicated and may not be used for any other purpose, unless an Act of Legislature amends or changes the purpose for which it was allocated. 5

Short title

4. This Act is called the Provincial Adjustment Appropriation Act, 2008.

SCHEDULE TO ADJUSTMENT BILL
(As a charge to the Provincial Revenue Fund)

Details of vote		Total per Vote and Adjustment Main Division	Details of adjustments			Total per Vote and Adjustment Main Division
No.	Title		Total Adjustments	Current Payments	Transfers	
		R'000	R'000	R'000	R'000	R'000
7	Housing <i>Vision: To be a province where all households inhabit quality homes in vibrant and sustainable communities</i>	2,659,097	350,000		350,000	3,009,097
1	Administration	157,452				157,452
	<i>Of which</i>					
	Conditional Grant from National					
	-Housing Fund	11,223				11,223
2	Housing Planning and Research	14,232				14,232
3	Housing Development Implementation.....	2,396,423	350,000		350,000	2,746,423
	<i>Of which</i>					
	Conditional Grant from National					
	-Housing Fund	2,134,000	350,000		350,000	2,484,000
	Earmarked allocation					
	-Urban Renewal Project	143,082				143,082
4	Housing Property Management.....	90,990				90,990
	<i>Of which</i>					
	Conditional Grant from National					
	-Housing Fund	52,000				52,000
9	Public Transport, Roads and Works <i>Vision: For socio-economic growth, development, and an enhanced quality of life for all people in Gauteng.</i>	6,671,035	600,000		600,000	7,271,035
1	Administration	209,512				209,512
2	Public Works.....	502,791				502,791
	<i>Of which</i>					
	Earmarked allocation					
	-Precinct Project	144,026				144,026
3	Road Infrastructure	5,570,281	600,000		600,000	6,170,281
	<i>Of which</i>					
	Conditional Grant from National					
	-Provincial Infrastructure	275,614				275,614
	-Gautrain	3,029,411				3,029,411
	Earmarked Allocation					
	-Gautrain	1,518,079	600,000		600,000	2,118,079
	Transfers					
	-Local Government	4,566				4,566
	-Departmental agencies and accounts	4,547,490				4,547,490
4	Public Transport	140,640				140,640
	<i>Of which</i>					
	Transfers					
	-Local Government	1,500				1,500
5	Community Based Programme.....	247,811				247,811
	TOTAL	9,330,132	950,000		950,000	10,280,132