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Government Gazette

REPUBLIC OF SOUTH AFRICA

Vol. 558 Cape Town 14 December 2011 **No. 34866**

THE PRESIDENCY

No. 1062

14 December 2011

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

No. 23 of 2011: Adjustments Appropriation Act, 2011.



AIDS HELPLINE: 0800-123-22 Prevention is the cure

(English text signed by the President)
(Assented to 12 December 2011)

ACT

To effect adjustments to the appropriation of money from the National Revenue Fund for the requirements of the State in respect of the 2011/2012 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WHEREAS section 213(2) of the Constitution of the Republic of South Africa, 1996, provides that money may be withdrawn from the National Revenue Fund only in terms of an appropriation by an Act of Parliament;

WHEREAS the Appropriation Act, 2011 (Act No. 11 of 2011), provides for the appropriation of money from the National Revenue Fund to provide for the requirements of the State in respect of the 2011/2012 financial year;

AND WHEREAS section 30 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), provides for adjustments to be effected to the amounts of money appropriated in an Appropriation Act,

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 the Appropriation Act, 2011 (Act No. 11 of 2011), or the Public Finance Management Act, 1999 (Act No. 1 of 1999), has the meaning assigned to it in those Acts. 5

Appropriation of adjusted amounts of money for requirements of State

2. (1) Adjusted appropriations by Parliament of money from the National Revenue Fund for the requirements of the State in respect of the 2011/2012 financial year to votes and main divisions within a vote, and amendments to the aims and purposes specified, are set out in Schedule 2 to this Act. 10

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

Appropriation listed as specifically and exclusively

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3. An appropriation to a vote or main division within a vote that is listed as specifically and exclusively appropriated in Schedule 2 may only be utilised for the purpose indicated, and may not be used for any other purpose, unless an Act of Parliament amends or changes the purpose for which it was allocated.

Conditional expenditure

4. (1) The Minister may—
- (a) impose conditions in respect of an appropriation in Schedule 2, in order to promote and enforce transparency and effective management in respect of revenue, expenditure, assets and liabilities of departments, public entities and constitutional institutions in accordance with section 6(1)(g) of the Public Finance Management Act; and 5
 - (b) stop any allocation in terms of such an appropriation until any condition imposed by the Minister is met.
- (2) A notification of an amount stopped in terms of subsection (1)(b) must be included in the National Treasury's next statement of actual revenue and expenditure in terms of section 32(1) of the Public Finance Management Act. 10

Utilisation of saving

5. (1) Notwithstanding section 43(4)(b) and (c) of the Public Finance Management Act, the National Treasury may, in order to expedite service delivery, approve the utilisation of a saving in— 15
- (a) an amount appropriated for transfer to another organ of state or to an organisation or body outside of government, provided that the expenditure will be utilised for the same purpose as that of the main division within the vote in which it was originally appropriated; 20
 - (b) an amount appropriated for payments for capital assets, if the saving is to be utilised in the same vote for other categories of expenditure, other than for the compensation of employees.
- (2) The approval of the utilisation of savings in terms of subsection (1) must be reported in the next quarterly expenditure report to both the Standing and Select Committees on Appropriations. 25

Allocations for and expenditure by departments whose allocations are included in same budget vote

6. (1) The votes listed in column 1 of Schedule 1 contain the allocations for departments listed in column 2 of Schedule 1. 30
- (2) Departments listed in column 2 of Schedule 1 whose allocations are included in the same budget vote must comply with requirements contained in section 7 of the Appropriation Act, 2011 (Act No. 11 of 2011).

Regulations

7. The Minister may, by notice in the *Gazette*, make regulations regarding— 35
- (a) anything which may be prescribed in terms of this Act; and
 - (b) 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

8. This Act is called the Adjustments Appropriation Act, 2011. 40

SCHEDULE 1

Column 1: Budget Vote	Column 2: Department	
Vote 3: Cooperative Governance and Traditional Affairs	Department of Cooperative Governance	5
	Department of Traditional Affairs	
Vote 12: Public Service and Administration	Department of Public Service and Administration	10
	Public Administration Leadership and Management Academy	
Vote 22: Defence and Military Veterans	Department of Defence	
	Department of Military Veterans	

SCHEDULE 2

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	The Presidency <i>Aim: 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>	115 927	28 229	32 854		60 544	(5 700)	
	1 Administration	52 194	26 949	32 854		(1 909)	(5 700)	
	2 National Planning	1 280	1 280					
	3 National Youth Development <i>Of which</i> <i>Departmental agencies and accounts</i> – National Youth Development Agency: Programmes promoting youth development	(385 853)				(385 853)		
	3 Auxiliary and Associated Services <i>Of which</i> <i>Departmental agencies and accounts</i> – National Youth Development Agency: Programmes promoting youth development – Brand South Africa: Contribution to operations	448 306				448 306		
						385 853		
						62 453		
2	Parliament <i>Aim: Provide the support services required by Parliament to fulfil its constitutional functions, to assist political parties represented in Parliament to secure administrative support and service constituents, and to provide members of Parliament with the necessary facilities.</i>	7 628	9 095	(11 161)		9 674	20	
	1 Administration	18 554	9 095	9 439			20	
	2 Legislation and Oversight	1 600		1 600				
	4 Members' Facilities	(22 200)		(22 200)				
	5 Associated Services <i>Of which</i> <i>Non-profit institutions</i> – Political Party Support: Contribution to operations – Party Leadership Support: Contribution to political parties for party leaders' remuneration	9 674				9 674		
						9 073		
						601		
3	Cooperative Governance and Traditional Affairs <i>Aim: Improve cooperative governance across the three spheres of government, in partnership with institutions of traditional leadership, thereby ensuring that provinces and municipalities carry out their service delivery and development functions effectively.</i>	271 082	15 947	20 212		234 523		400
	1 Administration	(7 200)	6 100	(14 400)			700	400
	2 Policy, Research and Knowledge Management	(4 500)		(4 500)				
	3 Governance and Intergovernmental Relations <i>Of which</i> <i>Households</i> * – Municipal Councillors' Pension Fund: Once-off gratuity payment to non-returning municipal councillors	262 697		(3 620)		266 317		
						266 317		
	4 Disaster Response Management	(4 940)		(4 240)			(700)	
	5 Provincial and Municipal Government Systems <i>Of which</i> <i>Conditional grant to local government</i> * – Municipal Systems Improvement Grant	1 545	2 165	(1 410)		790		
						790		
	6 Infrastructure and Economic Development <i>Of which</i> <i>Households</i> * – Community Work Programme: Work opportunities for historically marginalised communities <i>Public corporations</i> – Development Bank of Southern Africa - Siyenza Manje: Operational and strategic support for under-capacitated municipalities	23 480	7 682	48 610		(32 812)		
						5 600		
						(38 412)		
	7 Traditional Affairs <i>Of which</i> <i>Departmental agencies and accounts</i> * – Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities: Contribution to operations			(228)		228		
						228		

* Specifically and Exclusively Appropriated