

REPUBLIC OF SOUTH AFRICA

**SECOND ADJUSTMENTS
APPROPRIATION (2021/22
FINANCIAL YEAR) BILL**

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

(MINISTER OF FINANCE)

[B 8—2022]

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BILL

To effect adjustments to the appropriation of money from the National Revenue Fund for expenditure approved in 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WHEREAS section 213(2) of the Constitution of the Republic of South Africa, 1996, provides that money may be withdrawn from the National Revenue Fund only in terms of an appropriation by an Act of Parliament or as a direct charge against that Fund, when it is provided for in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, whereas the Adjustments Appropriation Act, 2021 (Act No. 18 of 2021), effected adjustments to the appropriation of money provided for in the Appropriation Act, 2021, and whereas further adjustments are required to authorise expenditure approved in terms of section 6 of the Appropriation Act, 2021, and section 16 of the Public Finance Management Act, 1999,

B E 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 approved expenditure

2. (1) Adjustments to appropriations by Parliament of money from the National Revenue Fund for expenditure approved in terms of section 6 of the Appropriation Act, 2021, and section 16 of the Public Finance Management Act, in the 2021/22 financial year to votes and the main divisions within a vote, are set out in the Schedule. 10

(2) The expenditure envisaged in subsection (1) is subject to this Act, the Appropriation Act, 2021, and the Public Finance Management Act.

(3) Despite the effective date of this Act, the appropriation of money for expenditure in terms of— 15

- (a) section 6 of the Appropriation Act, 2021, envisaged in subsection (1), must be regarded as an appropriation and expenditure for the 2021/22 financial year; and
- (b) section 16 of the Public Finance Management Act, envisaged in subsection (1), must be regarded as an appropriation for the 2021/22 and 2022/23 financial years and the expenditure must be recorded in the financial year in which any portion of the appropriation is spent. 5

Amounts listed as specifically and exclusively appropriated

3. An amount that is marked as specifically and exclusively appropriated in the Schedule may be used only for the purpose indicated, unless the amount or purpose is amended by, or in terms of, an Act of Parliament. 10

Conditions for appropriations

- 4. (1) The Minister may, in writing—
 - (a) impose conditions on an amount in the Schedule, other than a conditional allocation, in order to promote transparency and accountability and the effective management of the appropriation; and 15
 - (b) stop the use of an amount in respect of which conditions imposed in terms of paragraph (a) are not met.
- (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. 20

Delegations and authorisations

- 5. (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 6; and
 - (b) authorise an employee of the National Treasury to perform any duty imposed on the Minister in terms of this Act. 25
- (2) A delegation or authorisation in terms of subsection (1)—
 - (a) must be in writing;
 - (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; 30
 - (d) does not divest the Minister of the responsibility concerning the exercise of the delegated power or the performance of the authorised duty; and
 - (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 authorisation in terms of subsection (1), subject to any rights that may have vested as a result of the decision. 35

Regulations

6. The Minister may, by notice in the *Gazette*, make regulations regarding any ancillary or incidental administrative or procedural matter that is necessary to prescribe for the proper implementation or administration of this Act. 40

Short title

7. This Act is called the Second Adjustments Appropriation (2021/22 financial year) Act, 2022.

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
8	National Treasury	18 100 000					18 100 000
	4 Asset and Liability Management	18 100 000					18 100 000
	<i>Of which</i>						
	*** ** * – South African Special Risks Insurance Association: Purchase of equity						18 100 000
18	Health	500 000	500 000				
	3 Communicable and Non-Communicable Diseases	500 000	500 000				
	<i>Of which</i>						
	**** * – Covid-19 vaccine programme		500 000				
	TOTAL	18 600 000	500 000				18 100 000

* Specifically and Exclusively Appropriated

** Includes R7.1 billion expenditure authorised in terms of section 16(1) of the Public Finance Management Act, 1999 (Act No. 1 of 1999)

*** Includes R11 billion expenditure authorised in terms of section 6(1)(b) of the Appropriation Act, 2021 (Act No. 10 of 2021)

**** Expenditure authorised in terms of section 6(1)(b) of the Appropriation Act, 2021 (Act No. 10 of 2021)