

PROVINCE OF WESTERN CAPE

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**WESTERN CAPE UNAUTHORISED  
EXPENDITURE BILL**

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*(As introduced)*

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(MINISTER OF FINANCE, ECONOMIC DEVELOPMENT AND TOURISM)

[B 5—2010]

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PROVINSIE WES-KAAP

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**WES-KAAPSE WETSONTWERP OP  
ONGEMAGTIGDE UITGAWE**

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*(Soos ingedien)*

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(MINISTER VAN FINANSIES, EKONOMIESE ONTWIKKELING EN TOERISME)

[W 5—2010]

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IPHONDO LENTSHONA KOLONI

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**UMTHETHO OYILWAYO  
WENKCITHO  
ENGAGUNYAZISWANGA  
WENTSHONA KOLONI**

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*(Ngokokungeniswa kwawo)*

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(UMPHATHISWA WEZIMALI, UPHUHLISO LOQOQOSHO NOKHENKETHO)

[B 5—2010]

# BILL

**To approve certain unauthorised expenditure as a direct charge against the Provincial Revenue Fund.**

**B**E IT ENACTED by the Provincial Parliament of the Province of the Western Cape, as follows:—

## **Approval of unauthorised expenditure**

1. The unauthorised expenditure, for the 2008/2009 financial year in the amount of R89 178 705.58 as set out in the Schedule and described in the Report of the Provincial Parliament's Standing Committee on Public Accounts of 12 February 2010, is approved and authorised as a direct charge against the Provincial Revenue Fund. 5

## **Short title**

2. This Act is called the Western Cape Unauthorised Expenditure Act, 2010.

**SCHEDULE**

<b>Vote</b>	<b>Financial Year</b>	<b>Description</b>	<b>Amount authorised (R)</b>
6—Health	2008/2009	Programme 2	81 403 209.78
		Programme 3	7 775 495.80
			89 178 705.58

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## **MEMORANDUM ON THE OBJECTS OF THE WESTERN CAPE UNAUTHORISED EXPENDITURE BILL**

### **Introduction**

1. The object of the Bill is to give effect to the Report of the Standing Committee on Public Accounts, dated 12 February 2010, namely that certain unauthorised expenditure as reported in note 10 of the audited financial statements of the Department of Health, and by the Auditor-General of South Africa in the Annual Report of the Department of Health for the 2008/2009 financial year, be authorised as a direct charge against the Provincial Revenue Fund.
2. Unauthorised expenditure in the amount of R89 178 705.58 was incurred by the Department of Health during the 2008/2009 financial year as a result of increased patient activity, the use of agency staff, a decision to provide anti-retroviral treatment to patients with HIV/AIDS and the appointment of additional emergency practitioners at emergency medical services to assist in the FIFA Soccer World Cup for which insufficient funds were allocated to the department to address the full cost of the implementation.
3. All the provisions of the Bill fall within the legislative competence of the Province.

### **Consultation**

4. The Department of the Premier: Legal Services was consulted on the Bill.

### **Financial Implications**

5. There are no additional financial implications for the Province as such, since the unauthorised expenditure has been accommodated within the surpluses of other programmes in the Vote. The promulgation of the Western Cape Unauthorised Expenditure Act, 2010, will validate the unauthorised expenditure as a charge against the Provincial Revenue Fund.

# WETSONTWERP

**Om sekere ongemagtigde uitgawe as 'n direkte las teen die Provinsiale Inkomstefonds goed te keur.**

**D**AAR WORD BEPAAL deur die Provinsiale Parlement van die Provinsie Wes-Kaap, soos volg: —

## **Goedkeuring van ongemagtigde uitgawe**

1. Die ongemagtigde uitgawe, vir die 2008/2009 boekjaar ten bedrae van R89 178 705.58 in die Skedule uiteengesit en in die Verslag van die Provinsiale Parlement se Staande Komitee oor Openbare Rekeninge van 12 Februarie 2010 beskryf, is goedgekeur en gemagtig as 'n direkte las teen die Provinsiale Inkomstefonds. 5

## **Kort titel**

2. Hierdie Wet heet die Wes-Kaapse Wet op Ongemagtigde Uitgawe, 2010.

**SKEDULE**

<b>Begrotingspos</b>	<b>Boekjaar</b>	<b>Beskrywing</b>	<b>Bedrag gemagtig (R)</b>
6—Gesondheid	2008/2009	Program 2	81 403 209.78
		Program 3	7 775 495.80
			89 178 705.58

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## **MEMORANDUM VAN DIE OOGMERKE VAN DIE WES-KAAPSE WETSONTWERP OP ONGEMAGTIGDE UITGAWE**

### **Inleiding**

1. Die doelwit van hierdie Wetsontwerp is om uitvoering te gee aan die Verslag van die Staande Komitee oor Openbare Rekening, gedateer 12 Februarie 2010, naamlik dat sekere ongemagtigde uitgawe wat in nota 10 van die geouditeerde finansiële jaarstate van die Departement van Gesondheid, en deur die Ouditeur-generaal van Suid-Afrika in die Jaarverslag van die Departement van Gesondheid vir die 2008/2009 boekjaar gerapporteer is, as 'n direkte las teen die Provinsiale Inkomstefonds te magtig.
2. Ongemagtigde uitgawe ter bedrae van R89 178 705.58 is gedurende die 2008/2009 boekjaar deur die Departement van Gesondheid aangegaan as gevolg van 'n toename in pasiëntgetalle, gebruik van agentskappersoneel, die besluit om anti-retrovirale behandeling aan HIV/Vigs pasiënte te voorsien asook die aanstelling van addisionele noodhulppersoneel by noodhulpsentrums om te assisteer gedurende die FIFA sokker wêreldbekertoernooi, waarvoor onvoldoende fondse aan die departement toegewys is om die volle koste van implementering aan te spreek.
3. Al die bepalings van die Wetsontwerp is binne die wetgewende bevoegdheid van die Provinsie.

### **Konsultasie**

4. Die Departement van die Premier: Regsdienste was geraadpleeg aangaande die Wetsontwerp.

### **Finansiële Implikasies**

5. Daar is as sulks geen bykomende finansiële implikasies vir die Provinsie nie, aangesien die ongemagtigde uitgawe deur surplusse in ander programme van die Begrotingspos geakkommodeer is. Die promulgasie van die Wes-Kaapse Wet op Ongemagtigde Uitgawe, 2010, sal die ongemagtigde uitgawe as 'n direkte las teen die Provinsiale Inkomstefonds magtig.

# UMTHETHO OYILWAYO

**Ukugunyazisa inkcitho ethile engagunyaziswanga nokuyixhuzula ngqo kwiNgxowa-mali yeNgeniso yePhondo.**

**K**UWISWA UMTHETHO KE NGOKO yiPalamente yePhondo leNtshona Koloni, ngelithi:—

## **Ukugunyaziswa kwenkcitho engagunyaziswanga**

1. Inkcitho engagunyaziswanga yonyaka-mali wama-2008/2009 engama-R89 178 705.58 nedweliswe kwiShedyuli yaza yachazwa kwiNgxelo yeKomiti eSisigxina yePalamente yePhondo ejongene neeMali zoLuntu ngomhla wesi-12 kuFebhruwari 2010, iyavunywa kwaye igunyaziswa njengemali exhuzulwa ngqo kwiNgxowa-mali yeNgeniso yePhondo. 5

## **Isihloko esifutshane**

2. Lo Mthetho uya kwaziwa ngegama elithi nguMthetho weNkcitho engagunyaziswanga weNtshona Koloni, 2010.



**ISHEDYULI**

<b>Ivoti</b>	<b>Unyaka-mali</b>	<b>Inkcazo</b>	<b>Imali Engunyazisiweyo (R)</b>
6-EzeMpilo	2008/2009	UMsebenzi 2 UMsebenzi 3	81 403 209.78 7 775 495.80
			89 178 705.58

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**IMEMORANDAM IINJONGO ZOMTHETHO  
OYILWAYO WENTSHONA KOLONI: WENKCITHO  
ENGAGUNYAZISWANGA**

**Intshayelelo**

1. Injongo yalo Mthetho uYilwayo kukuphumeza oko kuqulathwe kwiNgxelo yeKomiti eSisigxina yeeMali zoluNtu yangomhla we-12 kweyoMdumba 2010, nto leyo ithi inkcitho ethile engagunyaziswanga njengoko ichazwe kwinqaku le-10 lengxelo-mali eziphicothiweyo zeSebe lezeMpilo, nangumPhicothi Jikelele woMzantsi Afrika kwiNgxelo-mali yoNyaka yeSebe lezeMpilo yonyaka-mali wama-2008/2009, mayigunyaziswe njengemali exhuzulwa ngqo kwiNgxowa-mali yeNgeniso yePhondo.
2. Inkcitho engagunyaziswana engama- R 89 178 705.58 yenziwe lisebe Lezempilo kunyaka mali ka 2008/2009 ngenxa yamalungiselelo okonyuka kweenkqubo zabongi, nokusetyenziswa kwabasebenzi bamaqumrhu, isigqibo sokunikezela ngamachiza entsholongwane kagawulayo (HIV/AIDS) kubantu abaphila nesisifo, nokongezwa kwabasebenzi kwicala lonyango olungxamisekileyo abazokuncedisa kwindebe yebhola yehlabathi ka 2010 apho isebe lalingabelwanga mali yaneleyo yokujongana nazo zonke iindleko zokuqhuba lo mcimbi.
3. Yonke imimiselo equlathwe ngulo Mthetho uYilwayo ikulungele ukusingathwa liPhondo ngokweenkqubo zowiso-mthetho.

**Uboniswano**

4. ISebe leNkulumbuso: Iinkonzo zoMthetho kubonisenwe nalo ngalo Mthetho uYilwayo.

**Ukuchaphazeleka ngokwezimali**

5. Akukho nkcitho mali zongezelelweyo kwiPhondo, nanjengoko inkcitho engagunyaziswanga iye yalungiselelwa kunyaka mali ka 2008/09 kwimali yenkcitho ethe yayintsalela kwezinye iinkqubo kwakweli candelo. Ukwaziswa koMthetho weNkcitho engagunyaziswanga weNtshona Koloni ka 2010 kuyakuqinisekisa ngokusemthethweni ukuba inkcitho engagunyaziswanga mayixhuzulwe kwi Ngxowa- mali ye Ngeniso yePhondo.



