

PROVINCE OF WESTERN CAPE

**WESTERN CAPE
UNAUTHORISED EXPENDITURE
BILL**

(As introduced)

(MINISTER OF FINANCE, ECONOMIC DEVELOPMENT AND TOURISM)

[B 3—2009]

PROVINSIE WES-KAAP

**WES-KAAPSE WETSONTWERP OP
ONGEMAGTIGDE
UITGAWE**

(Soos ingedien)

(MINISTER VAN FINANSIES, EKONOMIESE ONTWIKKELING EN TOERISME)

[W 3—2009]

IPHONDO LENTSHONA KOLONI

**UMTHETHO OSAYILWAYO
WENKCITHO
ENGAGUNYAZISWANGA
WENTSHONA KOLONI**

(Njengoko wazisiwe)

(UMPHATHISWA WEZEMALI, UPHUHLISO IWEZOQOQOSHO NEZOKHENKETHO)

[B 3—2009]

BILL

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

BE 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 2007/2008 financial year in the amount of R114 228 315,10 and for the 2006/2007 financial year in the amount of R13 528 721,22, set out in the Schedule and described in the Report of the Provincial Parliament's Standing Committee on Public Accounts of 2 February 2009, 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, 2009. 10

SCHEDULE

Vote	Financial Year	Description	Amount authorised (R)
6—Health	2007/2008	Programme 2	60 207 280,96
		Programme 4	28 470 192,20
		Programme 5	25 550 841,94
			114 228 315,10
6—Health	2006/2007	Programme 4	13 528 721,22
			13 528 721,22

EXPLANATORY MEMORANDUM

Introduction

1. The object of the Bill is to give effect to the Report of the Standing Committee on Public Accounts, dated 2 February 2009, namely that certain unauthorised expenditure as reported in note 9 of the audited financial statements of the Department of Health, and by the Auditor-General in the Annual Report of the Department of Health for the 2007/2008 financial year, be authorised as a direct charge against the Provincial Revenue Fund.
2. Unauthorised expenditure in the amount of R114 228 315,10 was incurred by the Department of Health during the 2007/2008 financial year as a result of the occupational specific dispensation for nurses for which insufficient funds were allocated to the department to address the full cost of the implementation.
3. Unauthorised expenditure in the amount of R13 528 721,22 was incurred by the Department of Health during the 2006/2007 financial year to procure the services of agency nursing staff to ensure the continuation of services to patients in hospitals.
4. All the provisions of the Bill fall within the legislative competence of the Province.

Consultation

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

Financial Implications

6. There are no additional financial implications for the Province as such, since the unauthorised expenditure has been accommodated within the Vote itself as explained in the Adjustments Estimate of 2007/2008 and 2008/2009 for the reporting years 2006/2007 and 2007/2008 respectively.

WETSONTWERP

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

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

Goedkeuring van ongemagtigde uitgawe

1. Die ongemagtigde uitgawe, vir die 2007/2008 boekjaar ten bedrae van R114 228 315,10 en vir die 2006/2007 boekjaar ten bedrae van R13 528 721,22, in die Skedule 5 uiteengesit en in die Verslag van die Provinsiale Parlement se Staande Komitee oor Openbare Rekeninge van 2 Februarie 2009 beskryf, is goedgekeur en gemagtig as 'n direkte las teen die Provinsiale Inkomstefonds.

Kort titel

2. Hierdie Wet heet die Wes-Kaapse Wet op Ongemagtigde Uitgawe, 2009. 10

SKEDULE

Begrotingspos	Boekjaar	Beskrywing	Bedrag gemagtig (R)
6—Gesondheid	2007/2008	Program 2	60 207 280,96
		Program 4	28 470 192,20
		Program 5	25 550 841,94
			114 228 315,10
6—Gesondheid	2006/2007	Program 4	13 528 721,22
			13 528 721,22

VERKLARENDE MEMORANDUM

Inleiding

1. Die doelwit van hierdie Wetsontwerp is om uitvoering te gee aan die Verslag van die Staande Komitee oor Openbare Rekeninge, gedateer 2 Februarie 2009, naamlik dat sekere ongemagtigde uitgawe wat in nota 9 van die geouditeerde finansiële jaarstate van die Departement van Gesondheid, en deur die Ouditeur-general in die Jaarverslag van die Departement van Gesondheid vir die 2007/2008 boekjaar gerapporteer is, as 'n direkte las teen die Provinsiale Inkomstefonds te magtig.
2. Ongemagtigde uitgawe ter bedrae van R114 228 315,10 is gedurende die 2007/2008 boekjaar deur die Departement van Gesondheid aangegaan as gevolg van beroepspesifieke dispensasie vir verpleegsters, waarvoor onvoldoende fondse aan die departement toegewys is om die volle koste van implementering aan te spreek.
3. Ongemagtigde uitgawe ter bedrae van R13 528 721,22 is gedurende die 2006/2007 boekjaar deur die Departement van Gesondheid aangegaan om die dienste van agentskapsverpleegspersoneel te verkry ten einde die voortgesette dienste aan pasiënte in hospitale te verseker.
4. Al die bepalings van die Wetsontwerp is binne die wetlike bevoegdheid van die Provinsie.

Konsultasie

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

Finansiële implikasies

6. Daar is as sulks geen bykomende finansiële implikasies vir die Provinsie nie, aangesien die ongemagtigde uitgawe deur die Begrotingspos self geakkomodeer is, soos in die Aansuiweringsbegroting van 2007/2008 en 2008/2009 vir onderskeidelik die 2006/2007 en 2007/2008 verslaggewingsjare, verduidelik is.

UMTHETHO OYILWAYO

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

OLU YILO LOMTHETHO MALWENZIWE LUSEBENZE yiPalamente yePhondo leNtshona Koloni, ngolu hlobo:—

Ukwamkelwa kwenkcitho engagunyaziswanga

1. Inkcitho engagunyaziswanga yonyaka-mali wama-2007/2008 engama-R114 228 315,10 neyonyaka wama-2006/2007 yonyaka-mali engama-R13 528 721,22, nedweliswe kwiShedyuli yaza yachazwa kwiNgxelo yeKomiti eSisigxina yePalamente yePhondo ejongene neeMali zoLuntu ngomhla wesi-2 kuFebhruwari 2009, iyavunywa kwaye igunyaziswa njengemali exhuzulwa ngqo kwiNgxowa-mali yeNgeniso yePhondo. 5

Isihloko esifutshane 10

2. Lo Mthetho ubizwa ngokuba nguMthetho weNtshona Koloni: weNkcitho engaGunyaziswanga, 2009.

ISHEDYULI

Ivoti	Unyaka-mali	Inkcazo	Imali Engunyazisiweyo (R)
6- EzeMpilo	2007/2008	UMsebenzi 2	60 207 280,96
		UMsebenzi 4	28 470 192,20
		UMsebenzi 5	25 550 841,94
			114 228 315,10
6-EzeMpilo	2006/2007	UMsebenzi 4	13 528 721,22
			13 528 721,22

IMEMORANDAM ECACISAYO

Intshayelelo

1. Injongo yalo Mthetho uYilwayo kukuphumeza oko kuqulethwe kwiNgxelo yeKomiti eSisigxina yeeMali zoluNtu yangomhla wesi-2 kuFebhruwari 2009, nto leyo ithi inkcitho ethile engagunyaziswanga njengoko ichazwe kwinqaku le-9 leengxelo-mali eziphicothiweyo zeSebe lezeMpilo, nanguMhloli-zincwadi-jikelele kwiNgxelo-mali yoNyaka yeSebe lezeMpilo yonyaka-mali wama-2007/2008, mayigunyaziswe njengemali exhuzulwa ngqo kwiNgxowa-mali yeNgeniso yePhondo.
2. Incitho engagunyaziswana engama-R114 228 315,10 yenziwa liSebe lezeMpilo kunyaka-mali wama-2007/2008 ngenxa yamalungiselelo awayenzelwe abongi ngokukodwa xeshikweni isebe lalingabelwanga mali yaneleyo yokujongana nazo zonke iindleko zokuqhuba lo mcimbi.
3. Incitho engagunyaziswana engama-R13 528 721,22 yenziwa liSebe lezeMpilo kunyaka-mali wama-2006/2007 ngenjongo yokuba kuqeshwe abongi abasebenzela ii-arhente ukuze kuqinisekiswa ukuqhubeka komsebenzi wokunika izigulane iinkonzo ezibhedlele.
4. Yonke imimiselo equlethwe ngulo Mthetho uYilwayo ikulungele ukusingathwa liPhondo ngokweenkqubo zoWiso-Mthetho.

UBoniswano

5. ISebe leNkulumbuso: Iinkonzo zoMthetho kubonisenwe nazo ngalo Mthetho uYilwayo.

Ukuchaphazeleka ngokwezimali

6. Akukho zimali zongezelelweyo kwiPhondo, nanjengoko inkcitho engagunyaziswanga ibandakanyiwe kuleyo iVotelweyo njengoko kucacisiwe kuQikelelo oluHlengahlengisiweyo luka-2007/2008 nakweka-2008/2009 kwingxelo ka-2006/2007 nakweka-2007/2008.

