

PROVINCE OF THE WESTERN CAPE

**WESTERN CAPE UNAUTHORISED
EXPENDITURE BILL**

(As introduced)

(MINISTER OF FINANCE, ECONOMIC DEVELOPMENT AND TOURISM)

[B 2—2012]

PROVINSIE WES-KAAP

**WES-KAAPSE WETSONTWERP OP
ONGEMAGTIGDE UITGAWE**

(Soos ingedien)

(MINISTER VAN FINANSIES, EKONOMIESE ONTWIKKELING EN TOERISME)

[W 2—2012]

IPHONDO LENTSHONA KOLONI

**UMTHETHO OYILWAYO WENKCITHO
ENGAGUNY AZISWANGA WENTSHONA
KOLONI**

(Ngokokungeniswa kwawo)

(UMPHATHISWA weZIMALI, UPHUHLISO LOQOQOSHO noKHENKETHO)

[B 2—2012]

BILL

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

BE IT ENACTED by the Provincial Parliament of the Western Cape, as follows:—

Approval of unauthorised expenditure

1. The unauthorised expenditure for the 2009/2010 financial year in the amount of R70 472 901,52, set out in the Schedule and described in the Report of the Provincial Parliament's Standing Committee on Public Accounts of 11 August 2011, 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, 2012.

SCHEDULE

Vote	Financial Year	Description	Amount authorised (R)
6—Health	2009/2010	Programme 5	70 472 901,52

**MEMORANDUM ON THE OBJECTS OF THE WESTERN CAPE
UNAUTHORISED EXPENDITURE BILL, 2012**

Introduction

1. The object of the Bill is to give effect to the Report of the Standing Committee on Public Accounts, dated 11 August 2011, namely that unauthorised expenditure as reported in Note 10 of the audited financial statements of the Department of Health, and reported by the Auditor-General in the Audit Report of the Department of Health for the 2009/2010 financial year, be authorised as a direct charge against the Provincial Revenue Fund.
2. Unauthorised expenditure in the amount of R70 472 901,52 was incurred by the Department of Health during the 2009/2010 financial year as a result of increased patient activity, a higher than anticipated inflation rate on medical and surgical sundries, especially medicines, an unexpected outbreak of diseases such as H1N1 and measles, the impact of HIV/Aids and tuberculosis on laboratory costs, the inadequacy of the national treasury services grant and the health professions training and development grant, as well as the higher than funded levels of occupational specific dispensations and improvements of service.
3. All the provisions of the Bill fall within the legislative competence of the Province in terms of the Constitution and the Public Finance Management Act.

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 already been incurred during the 2009/2010 financial year against the unspent funds of the abovementioned Vote and now needs to be authorised as a direct charge against the Provincial Revenue Fund.

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 Wes-Kaap, soos volg:—

Goedkeuring van ongemagtigde uitgawe

1. Die ongemagtigde uitgawe vir die 2009/2010 boekjaar ten bedrae van R70 472 901,52, in die Bylae uiteengesit en in die Verslag van die Provinsiale Parlement se Staande Komitee oor Openbare Rekeninge van 11 Augustus 2011 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, 2012.

BYLAE

Begrotingspos	Boekjaar	Beskrywing	Bedrag gemagtig (R)
6—Gesondheid	2009/2010	Program 5	70 472 901,52

MEMORANDUM VAN DIE DOELWITTE VAN DIE WES-KAAPSE WET OP ONGEMAGTIGDE UITGAWES, 2012

Inleiding

1. Die doelwit van hierdie Wetsontwerp is om uitvoering te gee aan die Verslag van die Staande Komitee op Openbare Rekeninge, gedateer 11 Augustus 2011, naamlik om ongemagtigde uitgawes soos vermeld in Nota 10 van die geouditeerde finansiële jaarstate van die Departement van Gesondheid, en wat deur die Ouditeur-Generaal in die Ouditverslag van die Departement van Gesondheid vir die 2009/2010 boekjaar gerapporteer is, as 'n direkte las teen die Provinsiale Inkomstefonds te magtig.
2. Ongemagtigde uitgawes ten bedrae van R70 472 901,52 is gedurende die 2009/2010 boekjaar aangegaan as gevolg van 'n toename in pasiënte, 'n hoër as verwagte inflasiekoers op mediese en chirurgiese voorrade, veral medisyne, die onverwagse uitbreek van siektes soos H1N1 en masels, die impak van MIV/VIGS en tuberkulose op laboratoriumkoste, die ontoereikende Nasionale Tesourie-dienstoeleae en die gesondheidsberoepsopleiding- en ontwikkelingstoeleae, asook die vlakke van beroepspesifieke bedelings en verbetering van dienste wat meer uitgawes geveer het as waarvoor befonds is.
3. Ingevolge die Grondwet en die Wet op Openbare Finansiële Bestuur is al die bepalings van die Wetsontwerp binne die wetlike bevoegdheid van die Provinsie.

Raadpleging

4. Die Departement van die Premier: Regsdienste is oor die Wetsontwerp geraadpleeg.

Finansiële implikasies

5. As sodanig is daar nie bykomende finansiële implikasies vir die Provinsie nie, aangesien die ongemagtigde uitgawes reeds gedurende die 2009/2010 boekjaar teen die onbestede fondse van die bogenoemde Begrotingspos aangegaan is en nou as 'n direkte las teen die Provinsiale Inkomstefonds gemagtig moet word.

UMTHETHO OYILWAYO

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

KUWISWA UMTHETHO KE NGOKO yiPalamente yePhondo leNtshona Koloni, ngelithi:—

Ukwamkelwa kwenkcitho engagunyaziswanga

1. Inkcitho engagunyaziswanga yonyaka-mali wama-2009/2010 engama-R70 472 901,52, nedweliswe kwiShedyuli yaza yachazwa kwiNgxelo yeKomiti eMiyi 5 yePalamente yePhondo ejongene neeMali zoLuntu ngomhla wesi-11 EyeThupa 2011, iyavunywa kwaye igunyaziswa njengemali exhuzulwa ngqo kwiNgxowa-mali yeNgeniso yePhondo.

Isihloko esifutshane

2. Lo Mthetho uyakwaziwa ngegama elithi nguMthetho weNkcitho 10 engaGunyaziswanga weNtshona Koloni, 2012.

ISHEDYULI

Ivoti	Unyaka-mali	Inkcazo	Imali Engunyazisiweyo (R)
6- EzeMpilo	2009/2010	UMsebenzi 5	70 472 901,52

**IMEMORANDAM ECACISA IINJONGO ZOMTHETHO OYILWAYO
WENTSHONA WENKCITHO ENGAGUNYAZISWANGA, KOLONI
2012**

Intshayelelo

1. Injongo yalo mThetho uYilwayo kukuphumeza oko kuqulethwe kwiNgxelo yeKomiti Emiyo yeeMali zoluNtu yangomhla wesi-11 kuAugusti 2011, nto leyo ithi inkcitho ethile engagunyaziswanga njengoko ichazwe kwinqaku lesi-10 leengxelo-mali eziphicothiweyo zeSebe lezeMpilo, nangumPhicothi Jikelele kwiNgxelo-mali yoNyaka yeSebe lezeMpilo yonyaka-mali wama-2009/2010, mayigunyaziswe njengemali exhuzulwa ngqo kwiNgxowa-mali yeNgeniso yePhondo.
2. Inkcitho engagunyaziswana engama-R70 472 901,52 yenziwa liSebe lezeMpilo kunyaka-mali wama-2009/2010 ngenxa yamalungiselelo athi enyuka ukulungiselela izigulane, myinge lowo othe wenyuka kunoko bekulindelwe ngenxa yokuhla nokunyuka kwamaxabiso obekungalindelekanga kwezonyango nakwezozhaqho ngokwahlukenenyo, ingakumbi amayeza, noqhambuko lwezifo ezifana ne H1N1, imasisi, impembelelo yesifo se HIV/Aids kunye nesifo sephepha (TB) kumaxabiso akwi laboratory, nokungenelisi kwesibonelelo soncedo kwiinkonzo esisuka kuNoNdyabo kaZwelonke isibonelelo ngemali kunye noqeqesho kubungcali kwezeMpilo, izibonelelo kuphuhliso nangaphezu komgangatho kwakunye namanqanaba aphezulu kunalawo abekelwe imali athi abelwe umsebenzi othile nokuphuculwa kweenkonzo.
3. Yonke imimiselo equlethwe ngulo mThetho uYilwayo ikulungele ukusingathwa liPhondo ngokweenkqubo zoMgaqo -siseko kwakunye noMthetho wokuLawulwa kweziMali zika Rhulumente.

Uboniswano

4. ISebe leNkulumbuso: Iinkonzo zomThetho kubonisenwe nalo ngalo mThetho uYilwayo.

Ukuchaphazeleka ngokwezimali

5. Akukho kuchaphazeleka kungako kwengeziweyo ezimalini zePhondo, njengoko inkcitho engagunyaziswanga ibandakanyiwe kunyaka mali ka 2009/2010 yaye ichasene nemali engasetyenziwsanga kule voti echazwe apha ngentla eyakuthi igunyaziswe njengetyala elithathwe ngqo kwi Ngxowa Mali ye Phondo.

