

13 1106
Sec approp



Office of the Chairperson

Portfolio Committee on Legislature Oversight; Premier's Office and Finance

Enquiries: Adv T Mosoetsa Email: ThabangM@mpuleg.gov.za Tel. No: 013 766 1140 / 1024

NEGOTIATING MANDATE

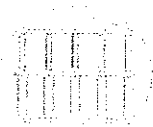
- To : The Chairperson: Select Committee on Appropriations
- Name of the Bill : Division of Revenue Amendment Bill
- Number of the Bill : [B38 - 2013]
- Date of Deliberation : 05 November 2013
- Vote of the Legislature :

The Portfolio Committee on Legislature Oversight; Premier's Office and Finance (the Committee) supports the **Division of Revenue Amendment Bill [B38 - 2013]**, and confers on the permanent delegate representing the Province of Mpumalanga in the National Council of Provinces, the mandate to vote in favour of the Division of Revenue Amendment Bill.

HON VVZ WINDVOËL (MPL)

05/10/13
DATE

CHAIRPERSON: PORTFOLIO COMMITTEE ON LEGISLATURE OVERSIGHT; PREMIER'S OFFICE AND FINANCE



NEGOTIATING MANDATE

TO: HON TE CHAANE
CHAIRPERSON: SELECT COMMITTEE ON
APPROPRIATIONS

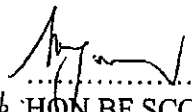
NAME OF BILL: DIVISION OF REVENUE AMENDMENT
BILL

NUMBER OF BILL: B38 - 2013

DATE OF DELIBERATION: TUESDAY, 5 NOVEMBER 2013

VOTE OF THE LEGISLATURE:

The Portfolio Committee on Finance met today, Tuesday, the 5th of November 2013 & agreed to mandate the KwaZulu-Natal delegation to the National Council of Provinces to support the Division of Revenue Amendment Bill [B38-2013].


.....
HON BF SCOTT
CHAIRPERSON OF FINANCE
PORTFOLIO COMMITTEE

5/11/2013
.....
DATE



GAUTENG
LEGISLATURE

NEGOTIATING MANDATE

TO: The Chairperson of the Select Committee on Appropriations
Honorable TE Chaane

NAME OF BILL: Division of Revenue Amendment Bill (Section 76)

NUMBER OF BILL: [B38 – 2013]

DATE OF DELIBERATION: 30th October 2013

VOTE OF THE LEGISLATURE:

The Gauteng Provincial Legislature supports the Principle and the Detail of the Bill and therefore votes in favor of the-

- Division of Revenue Amendment Bill.

Honorable Sakhile Khumalo

Chairperson: Finance Portfolio Committee

GAUTENG PROVINCIAL LEGISLATURE

Date: 30th October 2013



**FINANCE PORTFOLIO COMMITTEE
REPORT ON THE
DIVISION OF REVENUE AMENDMENT BILL [B38 - 2013]**

(Section 76)

1. INTRODUCTION

The Chairperson of the Finance Portfolio Committee, Mr. S Khumalo, tables the Committee's report on the Division of Revenue Amendment Bill [B38 - 2013] Section 76 Bill, as follows:

2. PROCESS FOLLOWED

The Speaker referred the Division of Revenue Amendment Bill [B38-2013]- Section 76 Bill ('the Bill') to the Portfolio Committee on Finance ('the Committee'), in terms of Rule 251 (1).

The Portfolio Committee, represented by the Chairperson and Members S Ngwenya and M Radebe, participated at the briefing by the Minister of Finance on the Bill at the invite of both Select and Appropriation Committees of Finance at the National Council of Provinces.

On Wednesday, 30th October 2013, the Committee considered and adopted the Negotiating Mandate inclusive of a report that outlines the implications of the Bill to Gauteng. The Negotiating Mandate will be tabled at the NCOP on Wednesday, 06th November 2013.

3. PRINCIPLE AND DETAIL OF THE BILL

The preamble of the Bill states that section 214(1) of the Constitution of the Republic of South Africa, 1996, requires an Act of Parliament to provide for:

- The equitable division of revenue raised nationally among the national, provincial and local spheres of government;

- The determination of each province's equitable share of the provincial share of that revenue; and
- Any other allocations to provinces, local government or municipalities from the national government's share of that revenue, and any conditions on which those allocations may be made.

4. OBJECTIVE OF THE BILL

The Bill seeks to amend the Division of Revenue Act, 2013, in accordance with the Money Bills Amendment Procedure and Related Matters Act, 2009 (Act No.9 of 2009); and to provide for matters connected therewith. The latter requires the Minister of Finance to table a division of revenue amendment Bill with a revised fiscal framework if the adjustment budget effects changes to the Division of Revenue Act for the relevant year.

5. AMENDMENTS TO THE DIVISION OF REVENUE ACT, 2013

Adjustment to the Equitable Share for Gauteng

The Committee notes that the provincial budget has been adjusted upwardly by an amount of R 119 977 000. This increase is mainly as a result of the following:

- a. Improvement to Conditions of Service as well as regarding of clerical workers positions amounting to R 119 977 000. This includes an amount of R 3 173 000 which was made to Further Education and Training Colleges to cater for higher than budgeted wage increases

Adjustments to Provincial Grants

Provincial Roads and Maintenance Grant

A new formula for allocating provincial roads and maintenance grant was used to determine allocations in the Division of Revenue Act, 2013. The new formula is based on the provincial road networks, road traffic and weather conditions. These factors reflect the different costs of maintaining road networks in each province. However, the new formula will not be implemented immediately but phased-in over the three years of the 2013 MTEF. Gauteng receives an additional amount of R 222 200 000 to rehabilitate road infrastructure.

5.1 CONSTITUTIONALITY AND GENERAL LEGAL COMPLIANCE OF THE BILL

As alluded in earlier paragraphs, the Bill is constitutionally sanctioned by section 214(1) of the constitution of the Republic of South Africa. It amends the Division of Revenue Act, 2013. The Minister of Finance is empowered to introduce the Bill and its provisions do not infringe on any other constitutional right. It also conforms to all other relevant legislation.

The Bill was developed and tabled on the basis of the Money Bills Amendment Procedure and Related Matters Act of 2009, which requires that the Minister of Finance must table a Division of Revenue Amendment Bill with the revised fiscal framework if the adjustment budget effects changes to the Division of Revenue Act for the relevant financial year.

6. FINANCIAL IMPLICATIONS AND SOCIO ECONOMIC IMPACT ASSESSMENT OF THE BILL FOR THE PROVINCE

6.1 FINANCIAL IMPLICATIONS OF THE BILL

As per the Explanatory Memorandum to the Division of Revenue Amendment Bill 2013, the financial implications are limited to the transfer of funds to relevant Provincial departments.

6.2 SOCIO-ECONOMIC IMPACT

The view of the Committee is that the amendments to the Bill seek to cater for the improvement of conditions of services in the main.

7. VIEWS OF THE PROVINCIAL EXECUTIVE COUNCIL ON THE BILL

The Gauteng Provincial Treasury supports the **Division of Revenue Amendment Bill [B38-2013] – Section 73.**

8. NEGOTIATING POSITION ADOPTED BY COMMITTEE

The Finance Portfolio Committee supports the principle and detail of the **Division of Revenue Amendment Bill [B38 - 2013] - Section 76.**



FREE STATE LEGISLATURE

Negotiating Mandate

TO: Chairperson of the National Council of Provinces

NAME OF BILL: DIVISION OF REVENUE AMENDMENT BILL (B38-2013)

NUMBER OF BILL: B38-2013

DATE OF DELIBERATION: 05 November 2013

VOTE OF THE LEGISLATURE:

The Free State Legislature votes in favour of the Bill.

A handwritten signature in black ink, appearing to read 'C. VAN ROOYEN', is written over a horizontal line.

C. VAN ROOYEN
Chairperson: Public Accounts, Finance, Office of the Premier and the Legislature
FREE STATE LEGISLATURE

05 November 2013



Private Bag X5066
Kimberley 8300

Nobengula Ext
Galeshewe
8300

Fax: Admin (053) 839 8094
Tel: (053) 839 8083
jbabuseng@ncpg.gov.za

PORTFOLIO COMMITTEE ON FINANCE, ECONOMIC DEVELOPMENT & TOURISM

Ref 15.6.2.3.8

Hon C de Beer
Chairperson: Select Committee on Finance

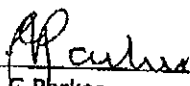
NEGOTIATING MANDATE

Name of the Bill: Division of Revenue Amendment Bill 2013

Number of the Bill: [B38-2013]

Date of deliberation: 04 November 2013

Vote of the Legislature: The Portfolio Committee on Finance, Economic Development & Tourism votes in favour of the Bill


Hon G Parker

Chairperson: Portfolio Committee on Finance, Economic Development & Tourism

2013 -11- 04

Negotiating Mandate



PORTFOLIO COMMITTEE ON FINANCE, ECONOMIC DEVELOPMENT & TOURISM

NEGOTIATING MANDATE ON THE DIVISION OF REVENUE AMENDMENT BILL [B38-2013]

1. INTRODUCTION

The Chairperson of the Portfolio Committee on Finance, Economic Development & Tourism Hon G Parker tables the Committee's draft Report on the Division of Revenue Amendment Bill [B38-2013], as adopted by the Portfolio Committee on the 4 November 2013.

2. PROCESS FOLLOWED

- 2.1 The Speaker of the Northern Cape Provincial Legislature has on receipt of the Bill referred the *Division of Revenue Amendment Bill, 2013* to the Portfolio Committee on Finance, Economic Development & Tourism.
- 2.2 On the 4th November 2013, the Portfolio Committee received a briefing on the Bill by Mr. Emmanuel Pillay from the National Treasury.
- 2.3 The Portfolio Committee could not engage in public hearings because of the busy and tight programme of the Legislature.

3. INPUTS FROM THE STAKEHOLDERS

No inputs as no public hearing were held.

4. WRITTEN INPUTS ON THE BILL

None were received as no public hearing was held.

5. COMMITTEE INPUTS ON THE BILL

The Committee concerns:

- Part of the Eskom levy currently charged, that is used for maintenance of Mpumalanga roads should be considered to make provision for provinces like the Northern Cape which have similar conditions (large mining activities and high usage of road by trucks) should also benefit.
- The signing off of the bill and the subsequent release of funds should be fast tracked to enable provinces to spend the funds before end of the financial year especially on disaster-stricken areas.

After due deliberation, the Portfolio Committee on Finance, Economic Development & Tourism supports the bill.

6. COMMITTEE ADOPTION OF THE BILL

The Committee adopted this negotiating mandate duly signed by the Chairperson of the Committee, Hon G Parker.

The Committee recommends to the House to mandate the Permanent Delegates to participate in deliberations at the negotiating stage and to support the Bill.



COMMITTEE CHAIRPERSON
HON G Parker

2013-11-04

NORTH WEST PROVINCIAL LEGISLATURE

Office of the Speaker

Legislature Building
Dr James Moroka Ave
Private Bag X2018
Mmabatho, 2735

Tel: (018) 392 7061
Fax: (018) 392 7186

NEGOTIATING MANDATE

To: Hon T E Chaane
Chairperson: Select Committee on Appropriations

Name of Bill/question: Division of Revenue Amendment Bill

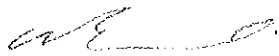
Number of Bill/question: [B38 2013]

Date of Deliberation: 4 November 2013

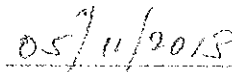
Vote of Legislature: National Treasury needs to analyse thoroughly and revise the appropriation to the Department of Finance with regards to the wage bill of the employees of the North West provincial government.

The Portfolio Committee on Provincial Affairs & Finance votes in favour and supports the Bill

The NCOP delegate is conferred with the authority and mandate to negotiate in favour of the Bill.



Hon L Mabe
Chairperson: Provincial Affairs & Finance



Date