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REPHABLIKI YA AFRIKA BORWA

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Cape Town,
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No. 40558

THE PRESIDENCY

No. 36

19 January 2017

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

Act No. 11 of 2016: Division of Revenue Amendment Act, 2016

MO-PRESIDENTE

No. 36

19 January 2017

Mo go tsebisa gore Mo-Presidente o dumetse molao o latelago, wona o tla gatiswa e le tsebiso ya kakaretso:—

Nmr 11 ya 2016: Molao wa Phetošo wa Karoganyo ya Letseno, wa 2016

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(English text signed by the President)
(Assented to 18 January 2017)

ACT

To amend the Division of Revenue Act, 2016, in accordance with the Money Bills Amendment Procedure and Related Matters Act, 2009; and to provide for matters connected therewith.

PREAMBLE

WHEREAS section 214(1) of the Constitution of the Republic of South Africa, 1996, requires an Act of Parliament to provide for—

- (a) the equitable division of revenue raised nationally among the national, provincial and local spheres of government;
- (b) the determination of each province's equitable share of the provincial share of that revenue; and
- (c) 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;

WHEREAS the Division of Revenue Act, 2016 (Act No. 3 of 2016), gives effect to section 214(1) of the Constitution in respect of the 2016/17 financial year;

AND WHEREAS section 12(4) of the Money Bills Amendment Procedure and Related Matters Act, 2009 (Act No. 9 of 2009), requires the Minister of Finance to table a division of revenue amendment Bill with a revised fiscal framework if the adjustments budget effects changes to the Division of Revenue Act for the relevant year,

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of Schedule 1, Part A of Schedules 4 and 5 and Parts A and B of Schedule 6 to Act 3 of 2016

1. (1) Column A of Schedule 1 to this Act is hereby substituted for Column A of Schedule 1 to the Division of Revenue Act, 2016 (hereinafter referred to as the principal Act), setting out the equitable division of revenue raised nationally among the national, provincial and local spheres of government for the 2016/17 financial year. 5

(2) Column A of Part A of Schedule 4 to this Act is hereby substituted for Column A of Part A of Schedule 4 to the principal Act, specifying the allocations to provinces to supplement the funding of programmes or functions funded from provincial budgets for the 2016/17 financial year. 10

(3) Column A of Part A of Schedule 5 to this Act is hereby substituted for Column A of Part A of Schedule 5 to the principal Act, specifying the specific purpose allocations to provinces for the 2016/17 financial year. 15

(4) (a) Column A of Parts A and B of Schedule 6 to this Act is hereby substituted for Column A of Parts A and B of Schedule 6 to the principal Act, specifying the allocations-in-kind to provinces and municipalities for designated special programmes for the 2016/17 financial year.

(b) Part A of Schedule 6 to this Act is hereby amended by the insertion before the School Infrastructure Backlogs Grant of the following allocation-in-kind to provinces for designated special programmes:

“Comprehensive Agriculture Support Programme”.

Short title

2. This Act is called the Division of Revenue Amendment Act, 2016.

(4) (a) Kholomo A ya Dikarolo A le B tša Šetule 6 go Molao wo di a tlošwa go lokelwe Kholomo A ya Dikarolo A le B tša Šetule 6 go Molao mogolo, go laetšwa ditekanyetšo tše di swanago go diprofense le bomasepala bakeng sa mananeo a kgethegilego ao a kgethilwego bakeng sa ngwaga wa ditšhelete wa 2016/17.

(b) Karolo A ya Šetule 6 go Molao wo e a fotošwa ka go lokela pele ga Thušo ya go se ye pele ya Mananeokgoparara a Dikolo ya tekanyetšo ye e swanago ye e latelago go diprofense bakeng sa mananeo a a kgethegilego ebile a kgethilwego:

“Lenaneo leo le Thekgago tša Temo leo le gka retšago”.

Thaetlele ye kopana

2. Molao wo o bitšwa Molao Phetošo wa Karoganyo ya Letseno, wa 2016.

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SCHEDULE 1**EQUITABLE DIVISION OF REVENUE RAISED NATIONALLY AMONG THE THREE SPHERES OF GOVERNMENT**

Spheres of Government	Column A		
	2016/17 Main Allocation	Adjustment	2016/17 Adjusted Allocation
National ^{1,2}	R'000 855 070 793	R'000 (5 412 775)	R'000 849 658 018
Provincial	410 698 585		410 698 585
Local	52 568 706		52 568 706
TOTAL	1 318 338 084	(5 412 775)	1 312 925 309

1. National share includes conditional allocations to provincial and local spheres, general fuel levy sharing with metropolitan municipalities, debt-service costs and the contingency reserve
2. The direct charges for the provincial equitable share are netted out

ŠETULE 1

KAROGANYO YA TEKATEKANO YA LETSENO LEO LE KGOBOKEDITŠWEGO MAEMONG A BOSETŠHABA MAGARENG GA MAKALA A MARARO A MMUŠO

Makala a Mmušo	Kholomo A		
	Tekanyetšokgolo ya '2016/17	Phetošo	Phetošo Tekanyetšo ya '2016/17
Bosetšhabal ^{1,2}	R'000 855 070 793	R'000 (5 412 775)	R'000 849 658 018
Profense	410 698 585		410 698 585
Selegae	52 568 706		52 568 706
PALOMOKA	1 318 338 084	(5 412 775)	1 312 925 309

1. Lekala la bosetšhaba le akaretša ditekanyetšo tša mabaka makaleng a diprofense le selegae, karoganyokakarešo tefišo le bomasepala baditoropokgolo, ditshenyagalelo tša tirelo ya dikoloto le resefe ya tiragalokgonego
2. Ditefišothwii bakeng sa tekanyetšo ya tekatekano ya profense ya di tšweletšwa morago ga ditefišothomo

SCHEDULE 4, PART A**ALLOCATIONS TO PROVINCES TO SUPPLEMENT THE FUNDING OF PROGRAMMES OR FUNCTIONS FUNDED FROM PROVINCIAL BUDGETS**

Vote	Name of allocation	Purpose	Type of allocation	Province	Column A	
					R'000	R'000 2016/17 Adjusted Allocation
Transport (Vote 35)	(a) Provincial Roads Maintenance Grant	To supplement provincial investments for routine, periodic and special maintenance; to ensure all roads are classified as per Road Infrastructure Strategic Framework For South Africa and the Technical Recommendations for Highways Road Classification and Access Management guidelines; to implement and maintain Road Asset Management Systems as per Technical Methods for Highways; to supplement provincial projects for the repair of roads and bridges damaged by declared natural disasters; to improve the state of the road network serving electricity generation infrastructure; to improve road safety with a special focus on pedestrian safety in rural areas.	General conditional allocation to provinces	Eastern Cape Free State Gauteng KwaZulu-Natal Limpopo Mpumalanga Northern Cape North West Western Cape Unallocated	1 279 725 1 258 030 501 784 1 925 378 995 109 1 638 865 905 359 867 524 830 729	R'000 1 279 725 1 258 030 501 784 2 201 069 995 109 1 638 865 905 359 867 524 830 729
	(b) Public Transport Operations Grant	To provide supplementary funding towards public transport services provided by provincial departments of transport.	Nationally assigned function to provinces	Eastern Cape Free State Gauteng KwaZulu-Natal Limpopo Mpumalanga Northern Cape North West Western Cape	218 217 241 257 2 033 590 1 011 046 326 129 549 132 49 096 100 925 870 900	R'000 218 217 241 257 2 033 590 1 011 046 326 129 549 132 49 096 100 925 870 900
Social Development (Vote 17)	Early Childhood Development Grant	To extend access to early childhood development to South Africa's children	General conditional allocation to provinces	Eastern Cape Free State Gauteng KwaZulu-Natal Limpopo Mpumalanga Northern Cape North West Western Cape Unallocated	5 400 292	R'000 5 400 292

SCHEDULE 5, PART A**SPECIFIC PURPOSE ALLOCATIONS TO PROVINCES**

Vote	Name of allocation	Purpose	Type of allocation	Province	Column A		
					2016/17 Main Allocation	R'000 Adjustment	2016/17 Adjusted Allocation
Public Works (Vote 11)	(b) Social Sector Expanded Public Works Programme Incentive Grant for Provinces	To incentivise provincial social sector departments, identified in the 2015 social sector Expanded Public Works Programme log-frame to increase job creation by focusing on the strengthening and expansion of social sector programmes that have employment potential.	Conditional allocation	Eastern Cape Free State Gauteng KwaZulu-Natal Limpopo Mpumalanga Northern Cape North West Western Cape Unallocated	R'000 21 460 21 979 49 969 61 553 36 802 59 554 26 769 42 053 39 523	R'000 21 460 21 979 49 969 61 553 36 802 59 554 26 769 42 053 39 523	R'000 21 460 21 979 49 969 61 553 36 802 59 554 26 769 42 053 39 523
				TOTAL	359 662		359 662
Social Development (Vote 17)	Substance Abuse Treatment Grant	To provide funding for the construction of substance dependency treatment facilities in the provinces of Eastern Cape, Free State, Northern Cape and North West.	Conditional allocation	Eastern Cape Free State Gauteng KwaZulu-Natal Limpopo Mpumalanga Northern Cape North West Western Cape	42 500		42 500
				TOTAL			
Sport and Recreation South Africa (Vote 40)	Mass Participation and Sport Development Grant	To facilitate sport and recreation participation and empowerment in partnership with relevant stakeholders.	Conditional allocation	Eastern Cape Free State Gauteng KwaZulu-Natal Limpopo Mpumalanga Northern Cape North West Western Cape	85 500		85 500
				TOTAL			

SCHEDULE 6, PART A
ALLOCATIONS-IN-KIND TO PROVINCES FOR DESIGNATED SPECIAL PROGRAMMES

Vote	Name of allocation	Purpose	Column A		
			2016/17 Main Allocation	Adjustment	2016/17 Adjusted Allocation
Agriculture, Forestry and Fisheries (Vote 24)	Comprehensive Agriculture Support Programme	To provide effective agricultural support services, promote and facilitate agricultural development by targeting beneficiaries of land reform, restitution and redistribution, and other black producers who have acquired land through private means and are engaged in value-adding enterprises domestically, or involved in export; to address damage to infrastructure caused by floods and provide drought relief.	R'000	R'000	R'000
Basic Education (Vote 14)	School Infrastructure Backlog Grant	Eradication of all inappropriate school infrastructure; provision of water, sanitation and electricity to schools.		212 000	212 000
Health (Vote 16)	National Health Insurance Indirect Grant	To address capacity constraints in the provinces and to create an alternate track to speed up infrastructure delivery; to develop and pilot innovative models for purchasing services from health practitioners and other service providers in National Health Insurance pilot districts; to improve spending, performance, monitoring and evaluation on National Health Insurance pilots and infrastructure projects; to fund the introduction of the Human Papillomavirus vaccination programme in schools; to enable the health sector to address deficiencies in the primary health care facilities systematically to yield big fast results; to fund development and roll-out of new health information systems in preparation for National Health Insurance	2 374 867	(194 290)	2 180 577
TOTAL			3 636 097	17 710	3 441 807

SCHEDULE 6, PART B
ALLOCATIONS-IN-KIND TO MUNICIPALITIES FOR DESIGNATED SPECIAL PROGRAMMES

Vote	Name of allocation	Purpose	Column A		
			2016/17 Main Allocation	R'000	2016/17 Adjusted Allocation
Cooperative Governance and Traditional Affairs (Vote 4)	(a) Municipal Infrastructure Grant	To provide specific capital finance for eradicating basic municipal infrastructure backlogs for poor households, micro enterprises and social institutions servicing poor communities.			
	(b) Municipal Demarcation Transition Grant	To subsidise the additional institutional and administrative costs arising from major boundary changes due to come into effect at the time of the 2016 local government elections.		27 858	27 858
	(c) Municipal Systems Improvement Grant	To assist municipalities to perform their functions and stabilise institutional and governance systems as required in the Municipal Systems Act, the Municipal Property Rates Act and related legislation.		84 349	84 349
Energy (Vote 26)	Integrated National Electrification Programme (Eskom) Grant	To implement the Integrated National Electrification Programme by providing capital subsidies to Eskom to address the electrification backlog of occupied residential dwellings, the installation of bulk infrastructure and rehabilitation and refurbishment of electricity infrastructure in order to improve quality of supply in Eskom licenced areas.		3 526 334	3 526 334
National Treasury (Vote 7)	Neighbourhood Development Partnership Grant	To plan, catalyse and invest in targeted locations in order to attract and sustain third party capital investments aimed at spatial transformation, that will improve the quality of life and access to opportunities for residents in South Africa's under-served neighbourhoods, generally townships.		22 209	22 209
Water and Sanitation (Vote 36)	(a) Bucket Eradication Programme Grant	To provide funding for the eradication of bucket sanitation in formal areas.		350 000	72 000
	(b) Water Services Infrastructure Grant	To facilitate the planning and implementation of various water and sanitation projects to accelerate backlog reduction and improve the sustainability of services in prioritised district municipalities, especially in rural municipalities; provide interim, intermediate water and sanitation services that ensure provision of services to identified and prioritised communities, including through spring protection, drilling, testing and equipping of boreholes and on-site solutions; to support drought relief projects in affected municipalities.		311 545	50 600
	(c) Regional Bulk Infrastructure Grant	To develop new, refurbish, upgrade and replace ageing infrastructure that connects water resources to infrastructure serving extensive areas across municipal boundaries or large regional bulk infrastructure serving numerous communities over a large area within a municipality; to develop new, refurbish, upgrade and replace ageing waste water infrastructure of regional significance; to pilot regional Water Conservation and Water Demand Management projects or facilitate and contribute to the implementation of local Water Conservation and Water Demand Management projects that will directly impact on bulk infrastructure requirements.		3 478 829	3 478 829
	TOTAL		7 773 266	150 458	7 923 724

