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No. 42170

THE PRESIDENCY

No. 17 17 January 2019

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

Act No. 13 of 2018: Money Bills Amendment Procedure and Related Matters Amendment Act, 2018

VHUPRESIDENDE

No. 17 17 January 2019

Zwi khou divhadziwa henefha uri mupresidende o tendelana na uyu mulayo une wa khou andadziwa hu u itela ngivhadzo kha tshitshavha:—

Nom 13 ya 2018: Mulayo wa Khwiniso ya Kuitele kwa Khwiniso ya Milayotibe ya Masheleni na Mafhungo a Elanaho na Zwenezwo wa 2018

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GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate deletions from existing enactments.
- _____ Words underlined with a solid line indicate insertions in existing enactments.
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 (English text signed by the President)
 (Assented to 16 January 2019)

ACT

To amend the Money Bills Amendment Procedure and Related Matters Act, 2009 so as to amend and insert certain definitions; to clarify which instruments the Act apply to; to correct the powers and functions of the committees dealing with matters related to the Act; to clarify and amend the procedure, resultant reporting and periods involved in the amendment of money Bills and division of revenue Bills and related fiscal instruments; to repeal certain provisions; to establish the Parliamentary Budget Office as a juristic person and to strengthen the accountability model of the Parliamentary Budget Office; and to provide for matters connected therewith.

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

Amendment of section 1 of Act 9 of 2009

1. Section 1 of the Money Bills Amendment Procedure and Related Matters Act, 2009 (Act No. 9 of 2009) (hereinafter referred to as the principal Act), is hereby amended— 5

(a) by the substitution for the definition of “Adjustments Appropriation Bill” of the following definition:

“ ‘**Adjustments Appropriation Bill**’ means the bill that provides for [the] adjustments to the [appropriation] Appropriation Act necessary to give effect to [the] a national adjustments budget referred to in section 30 of the Public Finance Management Act;”;

(b) by the insertion after the definition of “Adjustments Appropriation Bill” of the following definition:

“ ‘**advisory board**’ means the chairpersons of the committees of finance and appropriations in each House as well as the house chairpersons of the National Assembly and the National Council of Provinces;”;

HALUTSHEDZO NYANGAREDZI YA ZWIGA ZWO SHUMISWAHO:

- [] Maipfi o swifhadzwaho a re kha burakete dza zwikwea a sumbedza zwo phumulwaho kha mulayo u re hone.
- _____ Maipfi o talelwaho nga mutalo u songo khauwaho a sumbedza zwo dzeniswaho kha mulayo wo phasiswaho u re hone.

 (English text signed by the President)
 (Assented to 16 January 2019)

MULAYO

U khwinisa Mulayo wa Kuitele kwa Khwiniso ya Milayotibe ya Masheleni na Mafhungo a Elanaho na Zwenezwo wa 2009 hu u itela u khwinisa na u dzenisa thalutshedzo dziñwe; u bvisela khagala zwishumiswa zwine Mulayo wa shuma khazwo; u khakhulula maanḁa na mishumo zwa komiti dzi shumaho na mafhungo a elanaho na Mulayo; u bvisela khagala na u khwinisa kuitele, vhuvhigi hu ḁaho nga murahu na zwifhinga zwi katelwaho musu hu tshi khwiniswa Milayotibe ya masheleni na Milayotibe ya mukovho wa mbuelo na zwishumiswa na muvhalelano u elanaho na zwenezwo; u fhelisa dziñwe mbetshelwa; u thoma Ofisi ya Mugaganyagwama wa Phalamenndeni sa muthu tshimulayo na u khwaḁhisa modele wa vhuḁifhinduleli ha Ofisi ya Mugaganyagwama wa Phalamenndeni; na u ḁetshedza mafhungo a elanaho na zwenezwo.

ZWO RALO U PHASISWA HA MULAYO nga Phalamennde ya Riphabuḁiki ya Afrika Tshipembe nga nḁila i tevhelaho:—

Khwiniso ya khethekanyo ya 1 ya Mulayo wa 9 wa 2009

1. Khethekanyo ya 1 ya Mulayo wa Kuitele kwa Khwiniso ya Milayotibe ya Masheleni na Mafhungo a Elanaho na Zwenezwo wa 2009 (Mulayo wa 9 wa 2009) (une hafha wa vhidzwa u pfi Mulayo muhulwane) u khou khwiniswa— 5
- (a) nga u dzenisa thalutshedzo ya “Mulayotibe wa Mukovho wa Ndinganyelo” vhudzuloni ha thalutshedzo i tevhelaho:
- “**‘Mulayotibe wa Mukovho wa Ndinganyelo’** zwi amba mulayotibe une wa ḁetshedza [u] ndinganyelo kha [mukovho] Mulayo wa Mukovho ndi wa ndeme uri u ḁise tshanduko kha mugaganyagwama wa ndinganyelo ya lushaka yo bulwaho kha khethekanyo ya 30 ya Mulayo wa Ndangulo ya Masheleni a Tshitshavha;”;
- (b) nga u dzenisa nga murahu ha thalutshedzo ya “Mulayotibe wa Mukovho wa Ndinganyelo” ha thalutshedzo i tevhelaho: 10
- “**‘bodo ngeletshedzi’** zwi amba vhadzulatshidulo vha komiti dza masheleni na mikovho kha inwe na inwe ya Nnḁu khathihi na vhadzulatshidulo vha nnḁu ya Buthano Ja Lushaka na Khoro ya Lushaka ya Mavunḁu;”;

- (c) by the substitution for the definition of “committee” of the following definition:
 “**‘committee’** means a committee, subcommittee or joint committee consisting of members of Parliament and established in terms of the standing rules or legislation;”;
- (d) by the insertion after the definition of “day” of the following definition:
 “**‘department’** means a national department or a national government component as defined in the Public Finance Management Act;”;
- (e) by the substitution for the definition of “Division of Revenue Bill” of the following definition:
 “**‘Division of Revenue Bill’** means the Bill which must be [enacted] introduced in the National Assembly annually in terms of section 10 of the Intergovernmental Fiscal Relations Act, 1997 (Act No. 97 of 1997), pursuant to section 214(1) of the Constitution;”;
- (f) by the insertion after the definition of “Division of Revenue Bill” of the following definition:
 “**‘Executive Authority’** means the Speaker of the National Assembly and the Chairperson of the National Council of Provinces, acting jointly;”;
- (g) by the insertion after the definition of “extra-budgetary revenue and expenditure” of the following definition:
 “**‘Financial Management of Parliament and Provincial Legislatures Act’** means the Financial Management of Parliament and Provincial Legislatures Act, 2009 (Act No. 10 of 2009);”;
- (h) by the substitution for the definition of “fiscal framework” of the following definition:
 “**‘fiscal framework’** means the framework [for a specific financial year] covering the period of the MTEF that gives effect to the national executive’s macro-economic policy and includes—
 (a) estimates of all revenue proposals, budgetary and extra-budgetary specified separately, [expected] estimated to be raised during that [financial year] period;
 (b) estimates of all expenditure, budgetary and extra-budgetary specified separately, for that [financial year] period;
 (c) estimates of borrowing for that [financial year] period;
 (d) estimates of interest and debt servicing charges; and
 (e) an indication of the contingency reserve necessary for an appropriate response to emergencies or other temporary needs, and other factors based on similar objective criteria;”;
- (i) by the insertion after the definition of “joint rules” of the following definition:
 “**‘main division within a vote’** has the same meaning as defined in the Public Finance Management Act;”;
- (j) by the insertion after the definition of “medium term budget policy statement” of the following definition:
 “**‘MTEF’** means the Medium Term Expenditure Framework that—
 (a) translates government policies and plans into a multi-year spending plan; and
 (b) promotes transparency, accountability and effective public financial management for expenditure of the current and subsequent two financial years;”;

- (c) nga u dzhenisa thalutshedzo ya “komiti” vhudzuloni ha thalutshedzo i tevhelaho:
 “**‘komiti’** zwi amba komiti, komitithukhu kana komitithanganelo yo vhumchwaho nga mirado ya Phalamennde na u vha yo thomiwa u ya nga milayondango kana milayo;”;
- (d) nga u dzhenisa nga murahu ha thalutshedzo ya “dvhva” ya thalutshedzo i tevhelaho:
 “**‘muhasho’** zwi amba muhasho wa lushaka kana tshipiqa tsha muvhuso wa lushaka sa zwe zwa thalutshedzwa kha Mulayo wa Ndangulo ya Masheleni a Tshitshavha;”;
- (e) nga dzhenisa thalutshedzo ya “Mulayotibe wa Mukovho wa Mbuelo” vhudzuloni ha thalutshedzo i tevhelaho:
 “**‘Mulayotibe wa Mukovho wa Mbuelo’** zwi amba Mulayotibe une wa tea u [phasiswa] divhadzwa kha Buthano la Lushaka n'waha mu'we na mu'we u ya nga khethekanyo ya 10 ya Mulayo wa Vhushaka ha Muvhalelano wa Mivhusoledzani wa 1997 (Mulayo wa 97 wa 1997), u ya nga khethekanyo ya 214(1) ya Mulayotewa;”;
- (f) nga u dzhenisa nga murahu ha thalutshedzo ya “Mulayotibe wa Mukovho wa Mbuelo” ya thalutshedzo i tevhelaho:
 “**‘Maanda a Khorondangi’** zwi amba Mulangadzulo wa Buthano la Lushaka na Mudzulatshidulo wa Khoron ya Lushaka ya Mavundu, vha tshi khou shumisana;”;
- (g) nga u dzhenisa nga murahu ha thalutshedzo ya “mbuelo ya zwa mugaganyagwama wo engedzwaho na zwibviswa” ya thalutshedzo i tevhelaho:
 “**‘Mulayo wa Ndangulo ya Masheleni a Phalamennde na Vhusimamilayo ha Mavundu’** zwi amba Mulayo wa Ndangulo ya Masheleni a Phalamennde na Vhusimamilayo ha Mavundu wa 2009 (Mulayo wa 10 wa 2009);”;
- (h) nga u dzhenisa thalutshedzo ya “muhanga wa muvhalelano” vhudzuloni ha thalutshedzo i tevhelaho:
 “**‘muhanga wa muvhalelano’** zwi amba muhanga [wa n'waha wa muvhalelano wa tiwaho] u katelaho tshifhinga tsha MTEF tshine tsha d'isa tshanduko kha mbekanyamatele ya divhaikonomi ya mekhiri ya khorondangi ya lushaka na u katela—
 (a) u anganywa ha makumedzwa a mbuelo othe, zwa mugaganyagwama na zwa mugaganyagwama wo engedzwaho wo tetselwaho thungo, [lavhelelwa] wo anganyelwaho u do kuvhanganywa nga tshifhinga [n'waha wa muvhalelano] tshenetsho;
 (b) u anganywa ha tshinyalelo, zwa mugaganyagwama na mugaganyagwama wo engedzwaho wo tetselwaho thungo, wa tshifhinga [n'waha wa muvhalelano] tshenetsho;
 (c) u anganywa ha khadzimiswa dza tshifhinga [n'waha wa muvhalelano] tshenetsho;
 (d) u anganywa ha nzwalelo na mbadelo dza tshedele ya tshikolodo; na
 (e) tsumbedzo ya tshedele ya tshiimo tsha shishi i todeaho u do shumiswa nga tshifhinga tsha shishi kana dzi'we thodea dza tshifhinga nyana, na zwi'we zwiitisi zwo d'isendekaho nga khiraitheriaitwa dzi fanaho na zwenezwi;”;
- (i) nga u dzhenisa nga murahu ha thalutshedzo ya “milayo ya thanganelano” ya thalutshedzo i tevhelaho:
 “**‘mukovho muhulwane kha voutu’** zwi amba thalutshedzo i fanaho na ya Mulayo wa Ndangulo ya Masheleni a Tshitshavha;”;
- (j) nga u dzhenisa nga murahu ha thalutshedzo ya “tshitatamennde tsha mbekanyamatele ya mugaganyagwama wa vhukati ha n'waha” ya thalutshedzo i tevhelaho:
 “**‘MTEF’** zwi amba Muhanga wa Tshinyalelo ya Vhukati ha N'waha—
 (a) une wa shandukisa mbekanyamatele dza muvhuso na pulane dza vha pulane ya u shumisa masheleni ya mi'waha minzhi; na
 (b) u t'uwedza u vha khagala, vhu'fihinduleli na ndangulo ya masheleni a tshitshavha i vhu'edzaho ya tshinyalelo ya n'waha wa muvhalelano uno na mivhili i u tevhelaho;”;

- (k) by the substitution for the definition of “Parliament” of the following definition:
 “**‘Parliament’** means the National Assembly and the National Council of Provinces [**as envisaged**] referred to in section 42 of the Constitution;” 5
- (l) by the substitution for the definition of “Public Finance Management Act” of the following definition:
 “**‘Public Finance Management Act’** means the Public Finance Management Act, 1999 (Act No. 1 of 1999); 10
- (m) by the deletion of the definition of “Secretary”; and 10
- (n) by the insertion after the definition of “the Constitution” of the following definition:
 “**‘this Act’** includes the regulations made under section 16A; and”.

Substitution of section 3 of Act 9 of 2009

2. The following section is hereby substituted for section 3 of the principal Act: 15

“Application of this Act

3. This Act applies to all [**proposed amendments to**] money Bills, all division of revenue Bills, the medium term budget policy statement, the fiscal framework, amendments to any of the aforesaid and related instruments brought before Parliament.” 20

Amendment of section 4 of Act 9 of 2009

3. Section 4 of the principal Act is hereby amended—
- (a) by the substitution for subsection (2) of the following subsection:
 “(2) A committee on finance has the powers and functions conferred [**to**] on it by the Constitution, legislation, the standing rules or a resolution of a House, including considering and reporting on— 25
- (a) the national macro-economic and fiscal policy;
- (b) [**amendments to**] the fiscal framework, revised fiscal framework [**and revenue proposals and**], Bills and amendments thereto;
- (c) actual revenue published by the National Treasury; and 30
- (d) any other related matter set out in this Act.”; and
- (b) by the substitution for subsection (4) of the following subsection:
 “(4) A committee on appropriations has the powers and functions conferred [**to**] on it by the Constitution, legislation, the standing rules or a resolution of a House, including considering and reporting on— 35
- (a) spending issues;
- (b) [**amendments to**] the Division of Revenue Bill, the Appropriation Bill, Supplementary [**Appropriations**] Appropriation Bills [and], the [**Adjustment Appropriations**] Adjustments Appropriation Bill, and amendments thereto; 40
- (c) recommendations of the Financial and Fiscal Commission, including those referred to in the Intergovernmental Fiscal Relations Act, 1997 (Act No. 97 of 1997);
- (d) reports or statements on actual expenditure published by the National Treasury; and 45

- (k) nga u dzhenisa thalutshedzo ya “Phalamennde” vhudzuloni ha thalutshedzo i tevhelaho:
 “**‘Phalamennde’** zwi amba Buthano la Lushaka na Khoro ya Lushaka ya Mavundu [sa zwe zwa lavhelelwa] yo bulwaho kha khethekanyo ya 42 ya Mulayotewa;”;
- (l) nga u dzhenisa thalutshedzo ya “Mulayo wa Ndangulo ya Masheleni a Tshitshavha” vhudzuloni ha thalutshedzo i tevhelaho:
 “**‘Mulayo wa Ndangulo ya Masheleni a Tshitshavha’** zwi amba Mulayo wa Ndangulo ya Masheleni a Tshitshavha wa 1999 (Mulayo wa 1 wa 1999);”;
- (m) nga u phumula thalutshedzo ya “Muñwaleli”; na
- (n) nga u dzhenisa nga murahu ha thalutshedzo ya “Mulayotewa” ya thalutshedzo i tevhelaho:
 “**‘Mulayo uyu’** u katela milayo yo itwaho nga fhasi ha khethekanyo ya 16A; na”.

U bviswa ha khethekanyo ya 3 ya Mulayo wa 9 wa 2009

2. Khethekanyo i tevhelaho i khou bviswa kha khethekanyo ya 3 ya Mulayo muhulwane:

“U shumiswa ha Mulayo uyu

3. Mulayo uyu u shuma kha [khwiniso dzo kumedzwaho] Milayotibe ya masheleni yothe, Milayotibe yothe ya mbuelo ya mukovho, tshitata-mennde tsha mbekanyamaitele ya mugaganyagwama wa vhukati ha ñwaha, muhanga wa muvhalelano, khwiniso kha tshinwe na tshinwe tsha zwishumiswa zwi elanaho na zwenezwo zwo bulwaho afho ntha zwo diswaho Phalamenndeni.”.

Khwiniso ya khethekanyo ya 4 ya Mulayo wa 9 wa 2009

3. Khethekanyo ya 4 ya Mulayo muhulwane i khou khwiniswa—

- (a) Nga u dzhenisa khethekanyo thukhu ya (2) vhudzuloni ha khethekanyo thukhu i tevhelaho:
 “(2) Komiti ya zwa masheleni i na maanda na mishumo ye ya netshedzwa nga Mulayotewa, milayo, milayo ya tshothe kana tsho ya Ndu, hu tshi katelwa na u sedzulusa na u vhiga nga ha—
 (a) divhaikonomi ya mekhiri ya lushaka na mbekanyamaitele ya muvhalelano;
 (b) [khwiniso kha] muhanga wa muvhalelano, muhanga wa muvhalelano wo sedzuluswaho [na makumedzwa a mbuelo na], Milayotibe na Khwiniso dza hone;
 (c) Mbuelo ya vhukuma yo anqadzawo nga Vhufaragwama ha Lushaka; na
 (d) manwe mafhungo a elanaho na zwenezwo e a dzheniswa kha Mulayo uyu.”; na
- (b) nga u dzhenisa khethekanyo thukhu ya (4) vhudzuloni ha khethekanyo thukhu i tevhelaho:
 “(4) Komiti ya zwa mikovho i na maanda na mishumo ye ya netshedzwa nga Mulayotewa, milayo, milayo ya tshothe kana tsho ya Ndu, hu tshi katelwa na u sedzulusa na u vhiga nga ha—
 (a) mafhungo a u shumisa tshelede;
 (b) [khwiniso kha] Mulayotibe wa Mukovho wa Mbuelo, Mulayotibe wa Mukovho, Milayotibe ya Mukovho wa u Inga [Mikovho] [na], [Mikovho ya Ndinganyelo] Mulayotibe wa Mukovho wa Ndinganyelo, na khwiniso dza hone;
 (c) themendelo dza Khomishini ya Masheleni na Muvhalelano, hu tshi katelwa na idzo dzo bulwaho kha Mulayo wa Vhushaka ha Muvhalelano wa Mivhusoledzani wa 1997 (Mulayo wa 97 wa 1997);
 (d) Mivhigo kana zwitatamennde nga ha tshinyalelo ya vhukuma yo anqadzawo nga Vhufaragwama ha Lushaka; na

(e) any other related matter set out in this Act.”.

Amendment of section 5 of Act 9 of 2009

4. Section 5 of the principal Act is hereby amended—

- (a) by the substitution for the heading of the following heading: 5
“Procedure prior to introduction of [the] national budget”;
- (b) by the substitution for subsection (1) of the following subsection:
 “(1) The National Assembly, through its committees, must annually assess the performance of each national department, with reference to the following:
 (a) The medium term estimates of expenditure of each national department, its strategic **[priorities]** goals and measurable objectives, as tabled in the National Assembly with the national budget; 10
 (b) prevailing strategic plans;
 (c) the expenditure **[report]** reports or statements relating to a vote appropriating funds for such department published by the National Treasury in terms of section 32 of the Public Finance Management Act; 15
 (d) the financial statements and annual report of such department;
 (e) the reports of the Standing Committee on Public Accounts relating to a department; and 20
 (f) any other information requested by or presented to a House or Parliament.”;
- (c) by the substitution for paragraph (b) in subsection (3) of the following paragraph:
 “(b) must provide an assessment on the effectiveness and efficiency of the **[departments]** department’s use and forward allocation of available resources; and”; 25
- (d) by the substitution for subsection (4) of the following subsection:
 “(4) A committee reporting to the National Assembly in terms of this section must submit its budgetary review and recommendation report after the adoption of the Appropriation Bill and prior to the adoption of the reports on the **[Medium Term Budget Policy Statement]** medium term budget policy statement.”; and 30
- (e) by the substitution for subsection (6) of the following subsection:
 “(6) Additional budgetary review and recommendation reports may be submitted at the discretion of a committee of the National Assembly.”. 35

Amendment of section 6 of Act 9 of 2009

5. Section 6 of the principal Act is hereby amended—

- (a) by the substitution for subsections (2) and (3) of the following subsections 40 respectively:
 “(2) The medium term budget policy statement must include—
 (a) a revised fiscal framework for the **[present]** financial year in which the statement is tabled and the proposed fiscal **[framework]** frameworks for the next three financial years; 45
 (b) an explanation of the macro-economic and fiscal policy position, the macro-economic projections and the assumptions underpinning the fiscal framework;

- (e) mañwe mafhungo a elanaho na zwenezwo e a dzheniswa kha Mulayo uyu.”.

Khwiniso ya khethekanyo ya 5 ya Mulayo wa 9 wa 2009

4. Khethekanyo ya 5 ya Mulayo muhulwane i khou khwiniswa—

- (a) nga u dzhenisa dzina vhudzuloni ha dzina li tevhelaho: 5
“Kuitele phandā ha u ñivhadzwa ha mugaganyagwama wa lushaka”;
- (b) nga u bvisa khethekanyo ðukhu ya (1) ya khethekanyo ðukhu i tevhelaho: 10
 “(1) Buthano ña Lushaka, nga komiti dzayo, ñi tea u swikela mashumele a muhasho wa lushaka muñwe na muñwe nga ñwaha, malugana na zwitevhelaho:
 (a) U anganywa ha tshinyalelo ya vhubati ha ñwaha ya muhasho wa muvhuso muñwe na muñwe, maano a vhubali a ño **ndivho [dzo sedzwaho]** na zwipikwa zwi kaleaho, sa zwe zwa swikiswa tafulani kha Buthano ña Lushaka na mugaganyagwama wa lushaka; 15
 (b) pulane dza maano a vhubali dzine dza vha hone;
 (c) mivhigo kana zwitamende zwa [muvhigo] tshinyalelo zwi elanaho na voutu i kovhelaho muhasho wonoyo tshelede zwo anqadzwa nga Vhufaragwama ha Lushaka u ya nga khethekanyo ya 32 ya Mulayo wa Ndangulo ya Masheleni a Tshitshavha; 20
 (d) zwitamende zwa masheleni na muvhigo wa ñwaha nga ñwaha wa muhasho wonoyo;
 (e) mivhigo ya Komiti nga ha Akhaunthu dza Tshitshavha dzi elanaho na muhasho; na
 (f) mañwe mafhungo o humbelwaho nga kana o swikiswaho kha Nñu kana Phalamende.”; 25
- (c) nga u dzhenisa pharagirafu (b) i re kha khethekanyo ðukhu ya (3) vhudzuloni ha pharagirafu i tevhelaho: 30
 “(b) i tea u ñetshedza ndingo nga ha kushumisele kwa muhasho [mihasho] ku bveledzaho na vhubati na u isa phandā nyavhelo ya zwiko zwi re hone; na”;
- (d) nga u dzhenisa khethekanyo ðukhu ya (4) vhudzuloni ha khethekanyo ðukhu i tevhelaho: 35
 “(4) Komiti i vhubati kha Buthano ña Lushaka u ya nga khethekanyo iyi i tea u ñetshedza tsedzuliso ya mugaganyagwama wayo na muvhigo wa u themendela nga murahu ha u ñanganedzwa ha Mulayotibe wa Mukovho hu sa athu ñanganedzwa mivhigo nga ha **[Tshitatamende tsha Mbekanyamaitele ya Mugaganyagwama wa Vhubati ha Nwaha]** tshitatimende tsha mbekanyamaitele ya mugaga nyangwama wa vhubati ha hwaho.”; na 40
- (e) nga u dzhenisa khethekanyo ðukhu ya (6) vhudzuloni ha khethekanyo ðukhu i tevhelaho: 45
 “(6) Tsedzuliso ya mugaganyagwama wo engedzwaho na mivhigo ya themendelo zwi nga ñetshedzwa u ya nga u vhubati ha komiti ya Buthano ña Lushaka.”.

Khwiniso ya khethekanyo ya 6 ya Mulayo wa 9 wa 2009

5. Khethekanyo ya 6 ya Mulayo muhulwane i khou khwiniswa—

- (a) nga u dzhenisa khethekanyo ðukhu ya (2) na ya (3) vhudzuloni ha khethekanyo ðukhu dzi tevhelaho nga u fhambana hadzo: 50
 “(2) Tshitatamende tsha mbekanyamaitele ya mugaganyagwama wa vhubati ha ñwaha tshi tea u katela—
 (a) muhanga wa muvhalelano wo sedzuluswaho wa ñwaha wa muvhalelano **[uno]** une tshitatamende tsha swikiswa na mihanga ya muvhalelano yo kumedzwaho **[muhanga]** ya minwaha ya muvhalelano miraru i tevhelaho; 55
 (b) ðhalutshedzo ya ñivhaikonomi ya mekhiri na tshiimo tsha mbekanyamaitele ya muvhalelano, migaganyo ya ñivhaikonomi ya mekhiri na khumbulelo dzine dza vha thikho ya muhanga wa muvhalelano;

- (c) the spending priorities of national government for the next three financial years;
- (d) the proposed division of revenue between the spheres of government [**and between arms of government within a sphere**] for the next three financial years; 5
- (e) the proposed substantial adjustments to conditional grant allocations to provinces and [**local governments**] municipalities, if any; and
- (f) a review of actual spending by each national department and each provincial government between 1 April and 30 September of the [**current fiscal**] financial year in which the statement is tabled. 10
- (3) A House must refer matters referred to in [**subsections**] subsection (2)(a) and (b) to its committee on finance.”;
- (b) by the substitution for subsections (5) to (8) of the following subsections respectively: 15
- “(5) Each committee on finance must, within [30] 15 days after the tabling of the [**Medium Term Budget Policy Statement**] medium term budget policy statement or as soon as reasonably possible thereafter, report to the National Assembly or the National Council of Provinces, as the case [**may be**] requires, on the proposed fiscal framework for the next three financial years, which report may be consolidated with the report referred to in section 12(7). 20
- (6) The report may include recommendations to amend the proposed fiscal framework [should it remain materially unchanged when submitted with the national budget]. 25
- (7) A report referred to in subsection (5) must be submitted to the Minister within [**7**] seven days after its adoption by a House or as soon as reasonably possible thereafter.
- (8) A House must refer matters concerning [**subsections**] subsection (2)(c), (d), [and] (e) and (f) to its committee on appropriations and may, in addition, refer matters concerning subsection (2)(f) to any other committee.”; and 30
- (c) by the substitution for subsections (10) to (12) of the following subsections respectively: 35
- “(10) Each committee on appropriations must, within 30 days after the tabling of the [**Medium Term Budget Policy Statement submit a**] medium term budget policy statement or as soon as reasonably possible thereafter, submit a report to the National Assembly or the National Council of Provinces, as the case [**may be**] requires, on the proposed division of revenue and the conditional grant allocations to provinces and [**local governments**] municipalities. 40
- (11) A report referred to in subsection (10) may include a recommendation to amend the proposed division of revenue [should it remain materially unchanged in the Division of Revenue Bill].
- (12) A report referred to in subsection (10) must be submitted to the Minister within [**7**] seven days after its adoption by a House or as soon as reasonably possible thereafter.”. 45

- (c) mbadelo dza zwithu zwa ndeme dza muvhuso wa lushaka kha minwaha ya muvhalelano miraru i tevhelaho;
- (d) mukovho wa mbuelo wo kumedzwaho vhukati ha masia a muvhuso **[na vhukati ha madavhi a muvhuso kha sia]** kha minwaha ya muvhalelano miraru i tevhelaho; 5
- (e) ndinganyelo dza ndeme dzo kumedzwaho kha u avhelwa ha magavhelo mavunduni u ya nga nyimele na **[mivhusoyapo]** mimasipala, arali dzi hone; na
- (f) Tsedzuluso ya mbadelo dza vhukuma nga muhasho wa lushaka muñwe na muñwe na muvhuso wa vundu muñwe na muñwe 10
vhukati ha ja 1 Lambamai na ja 30 Khubvumedzi ya iwaha wa muvhalelano **[muvhalelano]** uno une tshitatamennde tsha swikiswa tafulani.
- (3) Nndu i tea u isa mafhungo o bulwaho kha **[khethekanyo thukhu]** khethekanyo thukhu ya (2)(a) na (b) kha komiti yayo ya masheleni.”; 15
- (b) nga u dzhenisa khethekanyo thukhu ya (5) u ya kha ya (8) vhudzuloni ha khethekanyo thukhu dzi tevhelaho nga u fhambana hadzo:
“(5) Komiti inwe na inwe ya zwa masheleni i tea u, hu sa athu fhira maḍuvha a **[30] 15** nga murahu ha u swikiswa tafulani ha **[Tshitatamennde tsha Mbekanyamaitele ya Mugaganyagwama wa Vhukati ha Nwaha]** tshitatamennde tsha mbekanyamaitele ya mugaganyagwama 20
wa vhukati ha iwaha kana nga u tavhanya nga hune zwa konadzea nga murahu, i vhige kha Buthano ja Lushaka kana Khoro ya Lushaka ya Mavundu, sa zwine nyimele **[ya nga vha i zwone]** ya zwi toḍa, kha 25
muhanga wa muvhalelano wo kumedzwaho wa minwaha ya muvhalelano miraru i tevhelaho, une muvhigo u nga khwaḥiswa nga muvhigo wo bulwaho kha khethekanyo ya 12(7).
- (6) Muvhigo u nga katela themendelo dza u khwinisa muhanga wa muvhalelano wo kumedzwaho **[arali zwa itea wa sa shanduke musu u tshi rumelwa na mugaganyagwama wa lushaka]**. 30
- (7) Muvhigo wo bulwaho kha khethekanyo thukhu ya (5) u tea u rumelwa kha Minisiḥa hu sa athu fhela maḍuvha a **[7] sumbe** musu wo tangananedzwa nga Nndu kana nga u tavhanya nga hune zwa konadzea nga murahu.
- (8) Nndu i tea u isa mafhungo a kwamaho **[khethekanyo thukhu]** khethekanyo thukhu ya (2)(c), (d), **[na]** (e) na (f) kha komiti yayo nga ha mikovho na uri i nga, u engedza kha izwo, isa mafhungo a kwamaho khethekanyo thukhu ya (2)(f) kha komiti inwe na inwe.”; na 35
- (c) nga u dzhenisa khethekanyo thukhu ya (10) u ya kha ya (12) vhudzuloni ha khethekanyo thukhu dzi tevhelaho nga u fhambana hadzo: 40
“(10) Komiti inwe na inwe nga ha mikovho i tea, hu sa athu fhela maḍuvha a 30 musu ho swikiswa tafulani **[u rumela Tshitatamennde tsha Mbekanyamaitele ya Mugaganyagwama wa Vhukati ha Nwaha]** tshitatamennde tsha mbekanyamaitele ya mugaganyagwama 45
wa vhukati ha iwaha kana nga u tavhanya nga hune zwa konadzea nga murahu, i rumele muvhigo kha Buthano ja Lushaka kana Khoro ya Lushaka ya Mavundu, sa zwine nyimele **[ya nga vha i zwone]** ya zwi toḍa, nga ha mukovho wa mbuelo wo kumedzwaho na u avhelwa ha magavhelo mavunduni u ya nga nyimele na **[mivhusoyapo]** mimasipala.
- (11) Muvhigo wo bulwaho kha khethekanyo thukhu ya (10) u nga 50
katela themendelo ya u khwinisa mukovho wa mbuelo wo kumedzwaho **[arali zwa itea wa sa shanduke kha Mulayotibe wa Mukovho wa Mbuelo]**.
- (12) Muvhigo wo bulwaho kha khethekanyo thukhu ya (10) u tea i rumelwa kha Minisiḥa hu sa athu fhela maḍuvha a **[7] sumbe** musu wo 55
tangananedzwa nga Nndu kana nga u tavhanya nga hune zwa konadzea nga murahu.”.

Substitution of section 7 of Act 9 of 2009

6. The following section is hereby substituted for section 7 of the principal Act:

“Introduction of [the Division of Revenue Bill, the] national annual budget, Division of Revenue Bill and [the] Appropriation Bill

7. (1) The Minister must table the national annual budget in the National Assembly as set out in section 27 of the Public Finance Management Act, at the same time as the Division of Revenue Bill and the Appropriation Bill. 5

(2) In addition to the information stipulated in section 27 of the Public Finance Management Act, the documentation tabled by the Minister with the national annual budget must include— 10

- (a) the proposed fiscal framework **[for the financial year and subsequent two years]**;
- (b) the key macro-economic assumptions underlying the fiscal framework over the short, medium and long term;
- (c) key fiscal ratios for the next three financial **[year and subsequent two]** years, including revenue, expenditure, the primary and overall balance and outstanding general government and public sector debt at the end of the financial year as a percentage of gross domestic product;
- (d) tax and other revenue proposals, including the contribution of the different revenue categories to national revenue for the next three financial **[year and subsequent two]** years; 20
- (e) cyclical factors taken into account in the formulation of the proposed fiscal framework for the next three financial **[year and subsequent two]** years;
- (f) an estimate of aggregate general government and public sector debt levels in the short, medium and long term; 25
- (g) an estimate and breakdown of contingent liabilities for the next three financial **[year and subsequent two]** years; and
- (h) any other information requested by a House from time to time. 30

[(3) The Division of Revenue Bill must be introduced at the same time as the Bills referred to in subsection (1).]

(4) The Minister must submit a report to the Houses at the same time as tabling the Bills referred to in **[subsections] subsection (1) [and (3)]**, explaining how the Division of Revenue Bill and the national budget give effect to, or the reasons for not taking into account, the recommendations contained in the reports referred to in sections 5(2), 6(7) and 6(12).” 35

Amendment of section 8 of Act 9 of 2009

7. Section 8 of the principal Act is hereby amended—

- (a) by the substitution for the heading of the following heading: 40
“[Adopting the] Adoption of fiscal framework [and revenue proposals]”;

Ubviswa ha khethekanyo ya 7 ya Mulayo wa 9 wa 2009

6. Khethekanyo i tevhelaho i khou dzheniswa vhudzuloni ha khethekanyo ya 7 ya Mulayo muhulwane:

“U ñvhadzwa ha [Mulayotibe wa Mukovho wa Mbuelo,] mugaganyagwama wa ñwaha nga ñwaha wa lushaka, Mulayotibe wa Mukovho wa Mbuelo na Mulayotibe wa Mukovho 5

7. (1) Minisiṭa vha tea u swikisa mugaganyagwama wa ñwaha nga ñwaha wa lushaka kha Buthano ʒa Lushaka sa zwe zwa bulwa kha khethekanyo ya 27 ya Mulayo wa Ndangulo ya Masheleni a Tshitshavha, nga tshifhinga tshithihi na Mulayotibe wa Mukovho wa Mbuelo na Mulayotibe wa Mukovho. 10

(2) U engedza kha mafhungo o bulwaho kha khethekanyo ya 27 ya Mulayo wa Ndangulo ya Masheleni a Tshitshavha, ʒinwalo ʒo swikiswaho nga Minisiṭa na mugaganyagwama wa ñwaha nga ñwaha wa lushaka u tea u katela— 15

(a) muhanga wa muvhalelano wo kumedzwaho **[wa ñwaha wa muvhalelano na mivhili i tevhelaho]** miñwaha; 15

(b) khumbulelo dza ndeme dza ñvhaikonomi ya mekhiro dzine dza vha theo ya muhanga wa muvhalelano kha tshifhinga tshipfufhi, tsha vhukati na tshilapfu; 20

(c) reshio dza muvhalelano dza ndeme dza miñwaha ya muvhalelano miraru i ñwaha **[ñwaha na mivhili i tevhelaho]**, hu tshi katelwa na mbuelo, tshinyalelo, ndinganyiso khulwane na yoṭhe nga u angaredza na tshikolodo tshi kolodwaho tsha muvhuso nga u angaredza na tsha sekithara ya tshitshavha mafheloni a ñwaha wa muvhalelano sa phesenthe ya zwiveledzwa guṭe zwa shango; 25

(d) muthelo na mañwe makumedzwa a mbuelo, hu tshi katelwa na mbadelo ya khethekanyo dza mbuelo dzo fhambanaho kha mbuelo ya lushaka ya miñwaha ya muvhalelano miraru i tevhelaho **[ñwaha na mivhili i tevhelaho]**; 30

(e) nzulele dza tshannzie dzo dzhielwaho nṭha musu hu tshi itwa muhanga wa muvhalelano wo kumedzwaho dza miñwaha ya muvhalelano miraru i tevhelaho **[ñwaha na mivhili i tevhelaho]**; 30

(f) zwiimo zwa tshikolodo tsho anganywaho tsha ṭhanganyelo nyangaredzi ya muvhuso na sekithara ya tshitshavha kha tshifhinga tshipfufhi, tsha vhukati na tshilapfu; 35

(g) milandu i songo lavhelelwaho yo anganywaho na u fhambanyiswa nga zwipiṭa ya miñwaha ya muvhalelano miraru i tevhelaho **[ñwaha na mivhili i tevhelaho]**; na 40

(h) mañwe mafhungo o humbelwaho nga Nnḁu musu muñwe. 40

[(3) Mulayotibe wa Mukovho wa Mbuelo u tea u ñvhadzwa nga tshifhinga tshithihi na Milayotibe yo bulwaho kha khethekanyo ṭhukhu ya (1).]

(4) Minisiṭa vha tea u rumela muvhigo Kha Nnḁu nga tshifhinga tshithihi na tshine ha swikiswa Milayotibe yo bulwaho kha **[khethekanyo ṭhukhu]** khethekanyo ṭhukhu ya (1) **[na ya (3)]**, vha tshi ṭalutshedza uri Mulayotibe wa Mukovho wa Mbuelo na mugaganyagwama wa lushaka u ita uri hu vhe na u shuma, kana zwiitisi zwa u sa dzhiela nṭha themendelo dzi re kha mivhigo yo bulwaho kha khethekanyo dza 5(2), 6(7) na 6(12).” 45

Khwiniso ya khethekanyo ya 8 ya Mulayo wa 9 wa 2009

50

7. Khethekanyo ya 8 ya Mulayo muhulwane i khou khwiniswa—

(a) nga u dzhenisa inwe ṭhoho ya mafhungo vhudzuloni ha i tevhelaho:

“[U ṭanganedza] ṭhanganedzo ya muhanga wa muvhalelano [na makumedzwa a mbuelo]”;

- (b) by the substitution for subsections (1) to (4) of the following subsections respectively:
- “(1) The National Assembly and the National Council of Provinces must refer the fiscal framework **[and revenue proposals]** to their respective committees on finance. 5
- (2) The committees must conduct joint public hearings on the fiscal framework **[and revenue proposals]**.
- (3) The committees must, within 16 days after the tabling of the national budget **[submit a]** or as soon as reasonably possible thereafter, report to the National Assembly **[and]** or the National Council of Provinces, as the case requires, on the fiscal framework **[and revenue proposals]**. 10
- (4) The report must include a clear statement accepting or amending the fiscal framework **[and revenue proposals]**.”;
- (c) by the substitution for paragraph (b) in subsection (5) of the following paragraph: 15
- “(b) ensure that debt levels and debt **[interest cost]** servicing charges are reasonable.”; and
- (d) by the deletion of subsection (7).

Substitution of section 9 of Act 9 of 2009 20

8. Section 9 of the principal Act is hereby amended—

- (a) by the substitution for subsections (2) and (3) of the following subsections respectively:
- “(2) After the Division of Revenue Bill is passed by the National Assembly and referred to the National Council of Provinces, the Bill must be referred to the committee on appropriations of the National Council of Provinces for consideration and report. 25
- (3) The Division of Revenue Bill must be passed **[no later than]** within 35 days after the adoption of the fiscal framework by Parliament or as soon as reasonably possible thereafter.”; and 30
- (b) by the substitution for subsections (5) to (8) of the following subsections respectively:
- “(5) The standing rules must provide for—
- (a) the participation **[of chairpersons]** of other committees in considering the Division of Revenue Bill; 35
- (b) public hearings by the committees on appropriations;
- (c) any member of Cabinet affected by the proposed amendments to respond to the proposed amendments affecting conditional grant allocations;
- (d) provinces and **[local governments]** municipalities affected by the proposed amendments to respond to the proposed amendments; and 40
- (e) the committee on appropriations of each House to prepare a report on the Division of Revenue Bill in accordance with subsection (6).
- (6) The report of the respective committees on appropriations must, at least[:]— 45
- (a) indicate whether the effects of the proposed amendments on the total national, provincial and local government equitable and conditional grant allocations in terms of the Bill are consistent with the adopted fiscal framework;
- (b) motivate the amendments in terms of service delivery improvements; and 50
- (c) demonstrate that the impact of amendments has been taken into account in respect of the service delivery obligations of all affected national departments, **[provinces,]** provincial governments and **[local governments]** municipalities. 55

- (b) nga u dzhenisa dziinwe khethekanyo thukhu dza (1) u swika (4) vhudzuloni ha dzi tevhelaho:
- “(1) Buthano la Lushaka na Khoro ya Lushaka ya Mavundu dzi tea u fhirisela muhanga wa muvhalelano **[na makumedzwa a mbuelo]** kha dzikomiti nga ha masheleni. 5
- (2) Komiti dzi tea u tshimbidza vhupfiwa nga vhatu ho tangelanelaho nga ha muhanga wa muvhalelano **[na makumedzwa a mbuelo]**.
- (3) Komiti dzi fanela, hu sa athu fhela maquvha a 16 nga murahu ha u swikiswa ha mugaganyagwama wa lushaka **[u rumela]** kana nga u tavanhedza musi zwi tshi konadzea nga murahu, u vhiga kha Buthano la Lushaka **[na]** kana kha Khoro ya Lushaka ya Mavundu, arali zwi tshi khou todea, nga ha muhanga wa muvhalelano **[na makumedzwa a mbuelo]**. 10
- (4) Muvhigo u fanela u katela tshitatamende tshi re khagala tsha u tangedza kana u khwinisa muhanga wa muvhalelano **[na makumedzwa a mbuelo]**.”; 15
- (c) nga u dzhenisa inwe pharagirafu vhudzuloni ha pharagirafu ya (b) kha khethekanyo thukhu ya (5) i tevhelaho:
- “(b) u khwathisedza uri levele ya tshikolodo na tshikolodo **[mbadelo dza muingapfuma]** tsha mbadelo ya tshinyalelo dzi a pfesesa;”;
na 20
- (d) nga u phumula khethekanyo thukhu ya (7).

Ubviswa ha khethekanyo ya 9 ya Mulayo wa 9 wa 2009

8. Khethekanyo ya 9 ya Mulayo muhulwane i khou khwinisa—

- (a) nga u dzhenisa dziinwe khethekanyo thukhu vhudzuloni ha khethekanyo thukhu ya (2) na ya (3) dzi tevhelaho:
- “(2) Nga murahu ha u phasiswa ha Mulayotibe wa Mukovho wa Mbuelo nga Buthano la Lushaka na u fhiriselwa kha Khoro ya Lushaka ya Mavundu, Mulayotibe u fanela u fhiriselwa kha komiti nga ha mikovho ya Khoro ya Lushaka ya Mavundu uri u tangedzwe na muvhigo. 25
- (3) Mulayotibe wa Mukovho wa Mbuelo u fanela u phasiswa **[hu sa athu u fhira]** maquvha a 35 nga murahu ha u tangedzwa ha muhanga wa muvhalelano nga Phalamende kana nga u tavanhedza musi zwi konadzea nga murahu.”; na 30
- (b) nga u dzhenisa dziinwe khethekanyo thukhu vhudzuloni ha khethekanyo ya (5) u ya kha ya (8) dzi tevhelaho:
- “(5) Milayo ya tshothe i fanela u ntschedza—
- (a) vhuslamulenzhe **[nga vhadzulatshidulo]** vha dziinwe komiti kha u tangedza Mulayotibe wa Khethekanyo ya Mbuelo; 40
- (b) Vhupfiwa nga vhatu nga dzikomiti nga ha mikovho;
- (c) murafo muinwe na muinwe wa Khabinethe o kwameaho nga khwiniso dzo dzinginywaho dzi kwamaho khovhelo ya gavhelo lo tiwaho;
- (d) mavundu na **[mivhuso yapo]** mimasipala yo kwameaho nga khwiniso dzo dzinginywaho dzi do tea u fhindula nga ha khwiniso dzo dzinginywaho; na 45
- (e) komiti nga ha mikovho ya Ndu inwe na inwe i do fanela u dzudzanya muvhigo nga ha Mulayotibe wa Mukovho wa Mbuelo u ya nga khethekanyo thukhu ya (6). 50
- (6) Muvhigo wa dzikomiti nga ha mikovho u fanela u [:]—
- (a) sumbedzisa uri u vha hone ha khwiniso dzo dzinginywaho kha tlanganyelo ya ndinganyiso na khovhelo ya gavhelo lo tiwaho ya lushaka, la vundu na muvhuso wapo u ya nga Mulayotibe zwi khou elana na muhanga wa muvhalelano wo tangedzawo; 55
- (b) nea zwiitisi zwa khwiniso u ya nga khwinifhadzo ya ndisedzo ya tshumelo; na
- (c) sumbedzisa uri u kwamea ha khwiniso ho dzhielwa ntha malugana na mishumo ya ndisedzo ya tshumelo ya mihasho ya lushaka yo kwameaho, **[mavundu]** mivhuso ya mavundu na **[mivhuso yapo]** mimasipala. 60

- (7) The **[committees]** committee on appropriations must—
- (a) consult with the Financial and Fiscal Commission; and
 - (b) allow the Minister the opportunity to respond to any proposed amendments **[proposed]** at least **[3]** three days prior to the submission of the report to the relevant House. 5
- (8) The **[report]** reports submitted by the committees on appropriations to the respective Houses must be accompanied by any response of the Minister to any proposed amendments.”.

Amendment of section 10 of Act 9 of 2009

9. Section 10 of the principal Act is hereby amended— 10
- (a) by the substitution for subsections (1) to (3) of the following subsections respectively:
 - “(1) After the adoption of the fiscal framework[:]—
 - (a) the Appropriation Bill must be referred to the **[Committee]** committee on **[Appropriations]** appropriations of the National Assembly; 15
 - (b) the Minister must table the proposals setting out the **[strategic priorities, measurable objectives]** purpose and other strategic performance information for each **[department, public entity or institution]** vote against its expected revenue and proposed expenditure by programme, **[sub-programme]** main division and economic **[items of expenditure]** classifications; and 20
 - (c) the relevant members of Cabinet must table updated strategic plans for each department, public entity or constitutional institution, which must be referred to the relevant committee for consideration and report. 25
 - (2) After the Appropriation Bill is passed by the National Assembly and **[has been]** referred to the National Council of Provinces, the Bill must be referred to the **[Committee]** committee on **[Appropriations]** appropriations of the National Council of Provinces.”; 30
 - (b) by the substitution for subsection (5) of the following subsection:
 - “(5) Another committee may advise a **[Committee]** committee on **[Appropriations]** appropriations that a sub-division of a main division within a vote be appropriated conditionally to ensure that the money requested for the main division will be spent effectively, efficiently and economically, provided that— 35
 - (a) the committee must specify the conditions that need to be met before the **[Committee]** committee on **[Appropriations]** appropriations may recommend to the House that the funds be released;
 - (b) the Minister **[or]** and the affected member of Cabinet must be given at least **[2]** two days to respond to the proposed conditional appropriation, which response must be included in the report containing the recommendation; and
 - [(c) a recommendation to the House that a sub-division of a main division within a vote is appropriated conditionally must be accompanied by the response from the Minister and the affected member of Cabinet, as the case requires; and]** 45
 - (d) the House must consider the recommendation of the **[Committee]** committee on **[Appropriations]** appropriations to release the funds within **[7]** seven days after that committee reported to the House.”; 50
 - (c) by the substitution for subsection (6) of the following subsection:
 - “(6) Another committee may advise a **[Committee]** committee on **[Appropriations]** appropriations that an amount must be appropriated specifically and exclusively for a purpose mentioned under a main division within a vote.”; 55

- (7) **[dzikomiti]** komiti nga ha mikovho i fanela u—
 (a) kwamana na Khomishini ya Muvhalelano na Masheleni; na
 (b) ŋea Minisiŋa tshikhala tsha u fhindula nga ha khwiniso dziŋwe na dziŋwe dzo dzinginywaho **[u dzinginywa]** kha maŋuvha **[3 mararu phanŋa]** ha musi muvhigo u tshi rumelwa kha Nnŋu yo teaho. 5
 (8) **[muvhigo]** mivhigo yo rumelwaho nga dzikomiti nga ha mikovho kha Nnŋu u ya nga u fhambana hadzo u fanela u fhelekedzwa nga phindulo iŋwe na iŋwe ya Minisiŋa nga ha khwiniso dzo dzinginywaho dziŋwe na dziŋwe.”.

Khwiniso ya khethekanyo ya 10 ya Mulayo wa 9 wa 2009 10

9. Khethekanyo ya 10 ya Mulayo muhulwane i khou khwiniswa—

- (a) nga u dzhenisa dziŋwe khethekanyo ŋhukhu vhudzuloni ha khethekanyo ŋhukhu ya (1) u swika kha ya (3) dzi tevhelaho:
 “(1) Nga murahu ha u ŋanganedzwa ha muhanga wa muvhalelano
 [:]— 15
 (a) Mulayotibe wa Mukovho u tea u fhiriselwa kha **[Komiti]** komiti nga ha **[Mikovho]** mikovho ya Buthano ŋa Lushaka;
 (b) Minisiŋa u fanela u swikisa makumedzwa a sumbedzisaho **[zwithu zwa vhuŋhogwa kha pulane ya u swikelela ndivho, zwiipikwa zwi kaleaho]** ndivho na maŋwe mafhungo a kushumele kwa pulane ya vhuŋali zwa **[muhasho, dzangano ŋa muvhuso kana zwiimiswa]** voutu iŋwe na iŋwe kha mbuelo yo no khou lavhelelwa yazwo na tshinyalelo yo dzinginywaho nga mbekanyamushumo, **[mbekanyamushumo ŋhukhu]** mukovho muhulwane na khethekanyo kha zwa ikonomi **[zwithu zwa tshinyalelo]**; na 20
 (c) miraŋo yo teaho ya Khabinethe i fanela u swikisa pulane dza tshiŋirathedzhi dzo khwiniswaho dza muhasho muŋwe na muŋwe, dzangano ŋa muvhuso kana zwiimiswa zwa ndayotewa, dzine dza tea u fhiriselwa kha komiti yo teaho uri dzi ŋanganedzwe na muvhigo. 25
 (2) Nga murahu ha musi Mulayotibe wa Mukovho wo phasiswa nga Buthano ŋa Lushaka [na u] fhiriselwa kha Khoro ya Lushaka ya Mavunŋu, Mulayotibe u fanela u fhiriselwa kha **[Komiti]** komiti nga ha **[Mikovho]** mikovho ya Khoro ya Lushaka ya Mavunŋu.”;
 (b) nga u dzhenisa iŋwe khethekanyo ŋhukhu vhudzuloni ha khethekanyo ŋhukhu ya (5) i tevhelaho: 30
 “(5) Iŋwe komiti i nga eletshedza **[Komiti]** komiti nga ha **[Mikovho]** mikovho uri khethekanyo ŋhukhu ya khethekanyo khulwane nga ngomu kha voutu i kovhelwe nga nŋila yo tiwaho u khwaŋhisedza uri tshedele yo humbelwaho ya khethekanyo khulwane i ŋo shumiswa nga nŋila yo teaho, yo linganaho na yo vhulungelaho, arali— 40
 (a) komiti i tshi fanela u bula milayo ine ya tea u swikelelwa phanŋa ha musi **[Komiti]** komiti nga ha **[Mikovho]** mikovho i tshi themendela kha Nnŋu uri masheleni a bvisiwe;
 (b) Minisiŋa **[kana]** na muraŋo a kwameaho wa Khabinethe vha fanela u ŋewa maŋuvha a linganaho **[2 mavhili]** a u fhindula kha mukovho wo tiwaho wo dzinginywaho, hune phindulo ya fanela u katelwa kha muvhigo une wa vha na themendelo; na 45
[(c) themendelo kha Nnŋu ya uri khethekanyo ŋhukhu ya khethekanyo khulwane nga ngomu ha voutu i khou kovhelwa u ya nga milayo yo tiwaho nahone i fanela u fhelekedzwa nga phindulo u bva kha Minisiŋa na muraŋo a kwameaho wa Khabinethe, arali zwi tshi nga ŋodea; na] 50
 (d) Nnŋu i fanela u ŋanganedza themendelo ya **[Komiti]** komiti nga ha **[Mikovho]** mikovho ya u bvisa masheleni hu sa athu fhela maŋuvha a **[7 sumbe]** nga murahu ha musi komiti yo vhiga kha Nnŋu.”; 55
 (c) nga u dzhenisa iŋwe khethekanyo ŋhukhu vhudzuloni ha khethekanyo ŋhukhu ya (6) i tevhelaho:
 “(6) Iŋwe komiti i nga eletshedza **[Komiti]** komiti nga ha **[Mikovho]** mikovho uri tshedele i kovhiwe nga nŋila yo tiwaho na u itelwa fhedzi ndivho yo buliwaho nga fhasi ha khethekanyo khulwane nga ngomu ha voutu.”; 60

- (d) by the substitution for subsections (8) to (10) of the following subsections respectively:
- “(8) The standing rules must provide for—
- (a) the **[Committee]** committee on **[Appropriations]** appropriations to hold public hearings on the Appropriation Bill and proposed amendments; 5
 - (b) the **[Committee]** committee on **[Appropriations]** appropriations to report to the House on the comments on and amendments to the Appropriation Bill;
 - (c) other committees to consult with the **[Committee]** committee on **[Appropriations]** appropriations in respect of proposed amendments to transfer payments, recurrent and capital expenditure of a vote, or a main division within a vote, taking into consideration any report adopted by the House; 10
 - (d) other committees to consult with the **[Committee]** committee on **[Appropriations]** appropriations in respect of proposed conditional appropriations; 15
 - (e) the **[Committee]** committee on **[Appropriations]** appropriations to mediate between committees proposing conflicting amendments to the Appropriation Bill; and 20
 - (f) the **[Committee]** committee on **[Appropriations]** appropriations to recommend to the House that proposed amendments reported by other committees are rejected where those amendments are inconsistent with the fiscal framework, the adopted Division of Revenue Bill or not motivated adequately in terms of this section. 25
- (9) The Minister and any other member of Cabinet affected by the proposed amendments must be given at least 10 days to respond to any amendments proposed to the Appropriation Bill by the **[Committee]** committee on **[Appropriations]** appropriations prior to reporting to the House. 30
- (10) A report of the **[Committee]** committee on **[Appropriations]** appropriations to the House that proposes amendments to the main Appropriation Bill must, in respect of each amendment—
- (a) indicate the reason for such proposed amendment;
 - (b) demonstrate how the amendment takes into account the broad strategic priorities and allocations of the relevant budget; 35
 - (c) demonstrate the implications of each proposed amendment for an affected vote and the main divisions within that vote;
 - (d) demonstrate the impact of any proposed amendment on the balance between transfer payments, capital and recurrent spending in an affected vote; 40
 - (e) set out the impact of any proposed amendment on service delivery; **[and]**
 - (f) set out the manner in which the amendment relates to prevailing departmental strategic plans, reports of the Auditor General, committee reports adopted by a House, reports in terms of section 32 of the Public Finance Management Act, annual reports and any other information submitted to a House or committee in terms of the standing rules or on request[.]; and 45
 - (g) include the responses of the Minister or affected member of Cabinet to any proposed amendment.”; and 50
- (e) by the deletion of subsection (11).

Amendment of section 11 of Act 9 of 2009

10. Section 11 of the principal Act is hereby amended—
- (a) by the substitution for the heading of the following heading: 55
“Passing [the] revenue Bills”;

(d) nga u dzhenisa dziñwe khethekanyo thukhu vhudzuloni ha khethekanyo thukhu ya (8) u swika kha ya (10) dzi tevhelaho:

“(8) Milayo ya tshothe i fanela u ngetshedza uri—

- (a) **[Komiti]** komiti nga ha **[Mikovho]** mikovho i fare vhubiwa nga vhatu nga ha Mulayotibe wa Mukovho na khwiniso dzo dzinginywaho; 5
- (b) **[Komiti]** komiti nga ha **[Mikovho]** mikovho i vhide kha Nnđu nga ha mahumbulwa nga ha na khwiniso kha Mulayotibe wa Mukovho;
- (c) dziñwe komiti dzi kwamane na **[Komiti]** komiti nga ha **[Mikovho]** mikovho malugana na khwiniso dzo dzinginywaho u rumela mbadelo, tshinyalelo ya khephithala na i dovhoolaho kha voutu, hu tshi khou dzhielwa ntha muvhigo wo tangedzwaho nga Nnđu; 10
- (d) dziñwe komiti dzi do kwama **[Komiti]** komiti nga ha **[Mikovho]** mikovho malugana na mikovho yo tiwaho yo dzinginywaho;
- (e) **[Komiti]** komiti nga ha **[Mikovho]** mikovho i do lamula vhukati ha komiti dzi no khou dzinginya khwiniso dzi sa faniho dzine vha sa khou andana kha Mulayotibe wa Mukovho; na 15
- (f) **[Komiti]** komiti nga ha **[Mikovho]** mikovho i do themendela kha Nnđu uri khwiniso dzo dzinginywaho dzo vhwigwaho nga dziñwe komiti dzi khou haniwa hune khwiniso dzenedzo dza vha dzi sa khou elana na muhanga wa muvhalelano, Mulayotibe wa Mukovho wa Mbuelo wo tangedzwaho kana wo tufuwedzwaho zwavhudi u ya nga khethekanyo iyi. 20

(9) Minisiya na murafo muñwe na muñwe wa Khabinethe a kwameaho nga khwiniso dzo dzinginywaho vha tea u newa maduvha a linganaho 10 u fhindula kha khwiniso dzo dzinginywaho dziñwe na dziñwe kha Mulayotibe wa Mukovho nga **[Komiti]** komiti nga ha **[Mikovho]** mikovho phanda ha u vhwigwa kha Nnđu. 25

(10) Muvhigo wa **[Komiti]** komiti nga ha **[Mikovho]** mikovho kha Nnđu une wa dzinginya khwiniso kha Mulayotibe wa Mukovho muhulwane u fanela, malugana na khwiniso inwe na inwe u— 30

- (a) sumbedzisa tshiti tsha khwiniso yeneyo yo dzinginywaho;
- (b) sumbedzisa uri khwiniso i dzhiela hani ntha zwithu zwa vhuhogwa kha pulane ya u swikelela ndivho na khovhelo ya mugaganya-gwama wo teaho; 35
- (c) sumbedzisa mvelelo dza khwiniso yo dzinginywaho inwe na inwe kha voutu i kwameaho na khethekanyo khulwane nga ngomu ha voutu iyo;
- (d) sumbedzisa masiandaitwa a khwiniso yo dzinginywaho inwe na inwe kha balantsi vhukati ha mbadelo dzo itwaho, khephithala na u shumisa hu dovhoolaho kha voutu i kwameaho; 40
- (e) talusa masiandaitwa a khwiniso yo dzinginywaho inwe na inwe kha ndisedzo ya tshumelo; **[na]**
- (f) talusa ndila ine khwiniso ya tshimbilelana na u bveledzwa ha pulane dza tshithathedzhi tsha muhasho, mivhigo ya Muoditha Dzhenerala, mivhigo ya komiti yo tangedzwaho nga Nnđu, mivhigo u ya nga khethekanyo ya 32 ya Mulayo wa Ndagulo ya Masheleni a Tshitshavha, mivhigo ya iwaha na mañwe mafhungo o rumelwaho kha Nnđu kana komiti u ya nga milayo ya tshothe kana nga khumbelo [.] na 45
- (g) dzhenisa phindulo dza Minisiya kana murafo a kwameaho wa Khabinethe kha khwiniso yo dzinginywaho inwe na inwe.”; na 50

(e) nga u phumulwa ha khethekanyo ya (11).

Khwiniso ya khethekanyo ya 11 ya Mulayo wa 9 wa 2009

10. Khethekanyo ya 11 ya Mulayo muhulwane u khou khwiniswa— 55

(a) nga u dzhenisa inwe thoho ya mafhungo vhudzuloni ha i tevhelaho:

“U Phasisa Milayotibe ya mbuelo”;

- (b) by the substitution for subsection (1) of the following subsection:
 “(1) Revenue Bills must be referred to the **[Committee]** committee on Finance of the National Assembly **[for consideration and report]**.”;
- (c) by the substitution for subsection (2) of the following subsection: 5
 “(2) After the National Assembly passed a revenue Bill, **[it]** the Bill must be referred to the National Council of Provinces, and referred to the committee on finance of the National Council of Provinces.”; and
- (d) by the substitution for subsection (4) of the following subsection: 10
 “(4) The standing rules must provide for the committee on finance to—
 (a) **[the Committee on Finance to]** hold public hearings on the revenue Bills;
 (b) **[the Committee on Finance to]** consult with other committees; and
 (c) **[the Committee on Finance to]** report to the House in terms of subsection **[(7)] (6)**.”. 15

Substitution of section 12 of Act 9 of 2009

11. The following section is hereby substituted for section 12 of the principal Act:

“National adjustments budget

12. (1) The Minister **[must]** may table a national adjustments budget as envisaged in section 30 of the Public Finance Management Act. 20
- (2) An adjustments appropriation Bill must be tabled with **[a]** the national adjustments budget.
- (3) The Minister must table a revised fiscal framework with the national adjustments budget if the adjustments budget effects changes to the fiscal framework. 25
- (4) The Minister must table a **[division of revenue amendment]** Division of Revenue Amendment Bill with the revised fiscal framework if the adjustments budget effects changes to the Division of Revenue Act for the relevant year. 30
- (5) If the Minister has tabled a revised fiscal framework, the revised framework must be referred to a joint sitting of the committees on finance for consideration.
- (6) If the Minister tables a **[division of revenue amendment]** Division of Revenue Amendment Bill, the Bill must be referred to **[a joint sitting of the committees on appropriations after the adoption of the revised fiscal framework by the House in terms of this section]** the committee on appropriations of the National Assembly after the adoption of the revised fiscal framework by Parliament. 35
- (6A) After the National Assembly passed the Division of Revenue Amendment Bill, the Bill must be referred to the National Council of Provinces and referred to the committee on appropriations of the National Council of Provinces. 40
- (7) The committees on finance must **[9]** within 15 days after the tabling of the national adjustments budget or as soon as reasonably possible thereafter submit a report on the revised fiscal framework to the respective Houses **[for consideration and adoption]**, which report may be consolidated with the report referred to in section 6(5). 45
- (8) The report may propose amendments to the revised fiscal framework.

- (b) nga u dzenisa inwe khethekanyo thukhu vhudzuloni ha khethekanyo thukhu ya (1) i tevhelaho:
 “(1) Milayotibe ya Mbuelo i fanela u fhiriselwa kha [**Komiti**] komiti nga ha [**Masheleni**] masheleni ya Buthano la Lushaka [**u itela u tanganedzwa na muvhigo**].”; 5
- (c) nga u dzenisa inwe khethekanyo thukhu vhudzuloni ha khethekanyo thukhu ya (2) i tevhelaho:
 “(2) Nga murahu ha musu Buthano la Lushaka lo phasisa Mulayotibe wa mbuelo, [**u**] Mulayotibe u fanela u fhiriselwa kha Khoro ya Lushaka ya Mavundu, na u fhiriselwa kha komiti nga ha masheleni ya Khoro ya Lushaka ya Mavundu.”; na 10
- (d) nga u dzenisa khethekanyo thukhu vhudzuloni ha khethekanyo thukhu ya (4) i tevhelaho:
 “(4) Milayo ya tshothe i fanela u ita uri komiti nga ha masheleni i—
 (a) [**Komiti nga ha Masheleni i**] fare vhubiwa nga vhatu nga ha Milayotibe ya mbuelo; 15
 (b) [**Komiti nga ha Masheleni i**] kwamane na dzinwe komiti; na
 (c) [**Komiti nga ha Masheleni i**] vhide kha Ndu u ya nga khethekanyo thukhu ya [(7)] (6).”.

Ubviswa ha khethekanyo ya 12 ya Mulayo wa 9 wa 2009 20

11. Khethekanyo i tevhelaho i khou bviswa vhudzuloni hayo ha dzeniswa khethekanyo ya 12 ya Mulayo muhulwane:

“Mugaganyagwama wa ndinganyelo wa Lushaka

12. (1) Minisiṭa vha [**fanela**] nga swikisa mugaganyagwama wa ndinganyelo wa lushaka sa zwe zwa buliwa kha khethekanyo ya 30 ya Mulayo wa Ndangulo ya Masheleni a Tshitshavha. 25

(2) Mulayotibe wa ndinganyelo ya mukovho u fanela u swikiswa na mugaganyagwama wa ndinganyelo wa lushaka.

(3) Minisiṭa vha fanela u swikisa muhanga wa muvhalelano wo sedzuluswaho khathihi na mugaganyagwama wa ndinganyelo ya lushaka arali mugaganyagwama wa ndinganyelo wo ita tshanduko kha muhanga wa muvhalelano. 30

(4) Minisiṭa u fanela u swikisa [**khwiniso ya mukovho wa mbuelo**] Mulayotibe wa Khwiniso ya Mukovho wa Mbuelo khathihi na muhanga wa muvhalelano wo sedzuluswaho arali mugaganyagwama wa ndinganyelo wo ita tshanduko kha Mulayo wa Mukovho wa Mbuelo kha iwaha wo teaho. 35

(5) Arali Minisiṭa o swikisa muhanga wa muvhalelano wo sedzuluswaho, muhanga wo sedzuluswaho u fanela u fhiriselwa kha dzulo lo tanganelaho la komiti dza nga ha masheleni uri u tanganedzwe. 40

(6) Arali Minisiṭa a swikisa [**khwiniso ya mukovho wa mbuelo**] Mulayotibe wa Khwiniso ya Mukovho wa Mbuelo, Mulayotibe u fanela u fhiriselwa kha [**dzulo lo tanganelaho la komiti dza nga ha mikovho nga murahu ha u tanganedzwa ha muhanga wa muvhalelano wo sedzuluswaho nga Ndu u ya nga khethekanyo iyi**] komiti nga ha mikovho ya Buthano la Lushaka nga murahu ha u tanganedzwa ha muhanga wa muvhalelano wo sedzuluswaho nga Phalamennde. 45

(6A) Nga murahu ha musu Buthano la Lushaka lo phasisa Mulayotibe wa Khwiniso ya Mukovho wa Mbuelo, Mulayotibe u fanela u fhiriselwa kha Khoro ya Lushaka ya Mavundu wa fhiriselwa kha komiti nga ha mikovho ya Khoro ya Lushaka ya Mavundu. 50

(7) Komiti dza nga ha masheleni, hu sa athu fhira maḍuvha a [**9**] 15 nga murahu ha u swikiswa ha mugaganyagwama wa ndinganyelo wa lushaka kana arali zwi tshi nga konadzea nga u tavhanyedza nga murahu, i fanela u rumela muvhigo nga ha muhanga wa muvhalelano wo sedzuluswaho kha Ndu nga u fhambana hadzo [**u itela uri u sedziwe na u tanganedzwa**], hune muvhigo u nga tanganyiswa na muvhigo wo ambiwaho kha khethekanyo ya 6(5). 55

(8) Muvhigo u nga dzinginya khwiniso kha muhanga wa muvhalelano wo dzinginywaho. 60

(9) If the report proposes amendments to the revised fiscal framework, the Minister must be given at least **[2] two** days to respond to the report and proposed amendments prior to the submission of the respective reports to the Houses.

(10) The report of the committees must include the comments from the Minister. 5

[(11) The committees on appropriations must 9 days after the adoption of the fiscal framework report to the respective Houses on the Division of Revenue Amendment Bill.]

(12) The report of the committee on appropriations on the Division of Revenue Amendment Bill may propose amendments to the Division of Revenue Amendment Bill. 10

(13) If the report proposes amendments to the Division of Revenue Amendment Bill, the Minister must be given at least **[4] four** days to respond to the **[report and]** proposed amendments prior to the submission of the report to the respective Houses. 15

(14) **[The]** A report of the committees on appropriations must include the comments of the Minister.

(15) **[In the event of a revised fiscal framework, an adjustment appropriation]** The Adjustment Appropriation Bill must be referred to the **[Committee]** committee on **[Appropriations]** appropriations of the National Assembly only after the **[Division of Revenue Amendment Bill]** revised fiscal framework is passed by Parliament. 20

(15A) After the National Assembly passed the Adjustment Appropriation Bill, the Bill must be referred to the National Council of Provinces and referred to the committee on appropriations of the National Council of Provinces. 25

(15B) The committee on appropriations may only report on the Adjustments Appropriation Bill after Parliament has passed the Division of Revenue Amendment Bill. 30

(16) The standing rules must provide for—

- (a) the **[Committee]** committee on **[Appropriations]** appropriations to report comments on and amendments to the Adjustments Appropriation Bill;
- (b) other committees to consult with the **[Committee]** committee on **[Appropriations]** appropriations on amendments to transfer payments, recurrent and capital expenditure of a vote or a main division within a vote, taking into consideration the reports referred to in section 5(2) or any other report adopted by the House; **[and]** 35
- (c) the **[Committee]** committee on **[Appropriations]** appropriations to mediate between committees proposing conflicting amendments to the Adjustments Appropriation Bill; and 40
- (d) the **[Committee]** committee on **[Appropriations]** appropriations to recommend to the House that proposed amendments by other committees are rejected where those amendments are inconsistent 45 with the fiscal framework, the adopted Division of Revenue Bill or not motivated adequately in terms of this section.

(17) The Minister must be given at least **[4] four** days to respond to any proposed amendments to the Adjustment Appropriation Bill by the **[Committee]** committee on **[Appropriations]** appropriations. 50

(18) The report of the **[Committee]** committee on **[Appropriations]** appropriations must—

- (a) comply with section 10(10); and
- (b) include comments of the Minister to any proposed amendments.

(19) The **[Committee]** committee on **[Appropriations]** appropriations must report to the relevant House within 30 days after the tabling of the national adjustments budget or as soon as reasonably possible thereafter.”. 55

(9) Arali muvhigo wo dzinginya khwiniso kha muhanga wa muvhalelano, Minisiṭa u fanela u ṅewa maḍuvha a linganaho [2] mavhili uri a fhindle nga ha muvhigo na khwiniso dzo dzinginywaho phanḁa ha u rumelwa mivhigo yeneyo kha Nṅḁu.

(10) Muvhigo wa komiti u fanela u katela mahumbulwa u bva kha Minisiṭa. 5

[(11) Komiti dza nga ha mikovho dzi fanela kha maḍuvha a 9 nga murahu ha u ṅanganedzwa ha muhanga wa muvhalelano u vhiga kha Nṅḁu u ya nga u fhambana hadzo nga ha Mulayotibe wa Khwiniso ya Mukovho wa Mbuelo.] 10

(12) Muvhigo wa komiti nga ha mikovho kha Mulayotibe wa Khwiniso ya Mukovho wa Mbuelo u nga dzinginya khwiniso kha Mulayotibe wa Khwiniso ya Mukovho wa Mbuelo.

(13) Arali muvhigo wa u dzinginya khwiniso kha Mulayotibe wa Khwiniso ya Mukovho wa Mbuelo, Minisiṭa u fanela u ṅewa maḍuvha a linganaho [4] mana uri a fhindle nga ha [muvhigo na] khwiniso dzo dzinginywaho phanḁa ha musi muvhigo u tshi rumelwa kha Nṅḁu u ya nga u fhambana hadzo. 15

(14) Muvhigo wa komiti dza nga ha mikovho u fanela u katela mahumbulwa a Minisiṭa. 20

(15) **[Kha nyimele ya muhanga wa muvhalelano wo sedzuluswaho, mukovho wa ndinganyelo]** Mulayotibe wa Mikovho ya Ndinganyelo u fanela u fhiriselwa kha [Komiti] komiti nga ha [Mikovho] mikovho ya Buthano ḁa Lushaka fhedzi nga murahu ha **[Mulayotibe wa Khwiniso ya Mukovho wa Mbuelo]** muhanga wa muvhalelano wo sedzuluswaho wo phasiswa nga Phalamennde. 25

(15A) Nga murahu ha musi Buthano ḁa Lushaka ḁo phasisa Mulayotibe wa Mikovho Ndinganyelo, Mulayotibe u fanela u fhiriselwa kha Khoro ya Lushaka ya Mavunḁu na u fhiriselwa kha komiti nga ha mikovho ya Khoro ya Lushaka ya Mavunḁu. 30

(15B) Komiti nga ha mikovho i nga vhiga fhedzi nga ha Mulayotibe wa Mukovho wa Ndinganyelo nga murahu ha musi Phalamennde yo phasisa Mulayotibe wa Khwiniso ya Mukovho wa Mbuelo.

(16) Milayo ya tshoṭhe i fanela u ita uri—

(a) **[Komiti] komiti** nga ha **[Mikovho] mikovho** i vhige mahumbulwa 35

nga ha na khwiniso kha Mulayotibe wa Mukovho wa Ndinganyelo; (b) dziṅwe komiti dzi kwamane na **[Komiti] komiti** nga ha **[Mikovho] mikovho** nga khwiniso u itela u rumela mbadelo, tshinyalelo i dovhoolahona na ya khephithala kha voutu kana khethekanyo khulwane nga ngomu ha voutu, hu tshi khou dzhelwa ṅḁa mivhigo yo sumbedzwaho kha khethekanyo ya 5(2) kana muṅwe muvhigo wo ṅanganedzwaho nga Nṅḁu; **[na]** 40

(c) **[Komiti] komiti** nga ha **[Mikovho] mikovho** i ḁo fanela u lamula vhukati ha komiti dzi dzinginyaho khwiniso dzi sa elaniho kha Mulayotibe wa Mikovho ya Ndinganyelo; na 45

(d) **[Komiti] komiti** nga ha **[Mikovho] mikovho** i ḁo fanela u themendela kha Nṅḁu uri khwiniso dzo dzinginywaho nga komiti dzi khou u haniwa hune khwiniso dzenedzo dza vha dzi sa tshimbilelani na muhanga wa muvhalelano, Mulayotibe wa Mukovho wa Mbuelo kana dzi songo ṭṭuwedzwa lwo eḁanaho u ya nga khethekanyo iyi. 50

(17) Minisiṭa u fanela ṅewa maḍuvha a linganaho [4] mana a u fhindula nga ha khwiniso dzo dzinginywaho dziṅwe na dziṅwe kha Mulayotibe wa Mikovho ya Ndinganyelo nga **[Komiti] komiti** nga ha **[Mikovho] mikovho**. 55

(18) Muvhigo wa **[Komiti] komiti** nga ha **[Mikovho] mikovho** u fanela u—

(a) tevhedza khethekanyo ya 10(10); na

(b) katela mahumbulwa a Minisiṭa kha khwiniso dzo dzinginywaho.

(19) **[Komiti] komiti** nga ha **[Mikovho] mikovho** i fanela u vhiga kha Nṅḁu yo teaho hu sa athu fhela maḍuvha a 30 nga murahu ha u swikiswa ha mugaganyagwama wa ndinganyelo wa lushaka kana arali zwi tshi nga konadzea nga u ṭavhanya nga murahu.”. 60

Substitution of section 13 of Act 9 of 2009

12. The following section is hereby substituted for section 13 of the principal Act:

“Passing other [Money] money Bills

13. (1) Any money Bill other than money Bills referred to in sections 10, 11 and 12 must be referred to the respective committees on appropriations. 5

(2) The standing rules must provide that a [Committee] committee on [Appropriations] appropriations considering a money Bill in terms of this section, must—

- (a) conduct public hearings on the Bill; and
- (b) report on the Bill to the relevant House. 10

(3) If a [Committee] committee on [Appropriations propose] appropriations proposes amendments to a money Bill referred to in this section, the Minister must be given at least 14 days to respond to such proposed amendments before the committee reports to the House.

(4) The report of a [Committee] committee on [Appropriations] appropriations referred to in this section must indicate— 15

- (a) the manner in which the proposed amendments are consistent with the prevailing fiscal framework; and
- (b) the manner in which the proposed amendments comply with section 8(5) [of this Act]. 20

(5) The report of a [Committee] committee on [Appropriations] appropriations must include the comments of the Minister [to] on any proposed amendments in terms of this section.”

Amendment of section 15 of Act 9 of 2009

13. Section 15 of the principal Act is hereby amended— 25

- (a) by the substitution for subsection (1) of the following subsection:

“(1) There is hereby established a Parliamentary Budget Office as a juristic person headed by a Director, the main objective of which is to provide independent, objective and professional advice and analysis to Parliament on matters related to the budget and other money Bills.”; 30

- (b) by the substitution for subsection (5) of the following subsection:

“(5) [The committees contemplated in section 4 must recommend to the respective Houses—

- (a) a person with the requisite experience, qualifications and leadership skills to manage the Parliamentary Budget Office with the functions as set out in 15(2) and 15(3) for appointment as Director by resolution of both Houses; and 35

(b) the conditions of service, including the salary and allowance of the Director, which must take into account the knowledge and experience of the person and substantially be the same as those of the top rank of the public service] The respective Houses, on 40

- (a) must appoint a fit and proper person with the requisite experience, qualifications and leadership skills to manage the Parliamentary Budget Office with the functions as set out in subsections (2) and (3) as Director on a five-year fixed term contract; 45

Ubviswa ha khethekanyo ya 13 ya Mulayo wa 9 wa 2009

12. Khethekanyo i tevelaho i khou bviswa vhudzuloni hayo ha dzheniswa khethekanyo ya 13 ya Mulayo muhulwane:

“U phasisa miñwe Milayotibe ya [Tshelede] tshelede

13. (1) Mulayotibe wa tshelede muñwe na muñwe nga nn̄a ha 5
Milayotibe ya tshelede yo sumbedzwaho kha khethekanyo ya 10, ya 11, na
ya 12 u fanela u fhiriselwa kha komiti dza nga ha mikovho dzo teaho.

(2) Milayo ya tshoṭhe i fanela u sumbedza uri [Komiti] komiti nga ha
[Mikovho] mikovho ine ya khou ṭanganedza Mulayotibe wa tshelede u ya 10
nga khethekanyo iyi i fanela u—

(a) tshimbidza vhupfiwa nga vhatu nga ha Mulayotibe; na

(b) vhiga nga ha Mulayotibe kha Nn̄du yo teaho.

(3) Arali [Komiti] komiti nga ha [Mikovho] mikovho i tshi khou
dzinginya khwiniso kha Mulayotibe wa tshelede wo sumbedzwaho kha
khethekanyo iyi, Minisiṭa u fanela u ṅewa maḍuvha a linganaho 14 uri a 15
fhindule nga ha khwiniso dzenedzo dzo dzinginywaho phanda ha musi i
tshi vhiga kha Nn̄du.

(4) Muvhigo wa [Komiti] komiti nga ha [Mikovho] mikovho wo
sumbedzwaho kha khethekanyo iyi u fanela u sumbedza—

(a) n̄ḍila ine khwiniso dzo dzinginywaho tsha tshimbilelana na muhanga 20
wa muvhalelano une wa vha hone zwino; na

(b) n̄ḍila ine khwiniso yo dzinginywaho ya tevhedza khethekanyo ya 8(5)
[ya Mulayo uyu].

(5) Muvhigo wa [Komiti] komiti nga ha [Mikovho] mikovho u fanela u 25
katela mahumbulwa a Minisiṭa kha khwiniso dzo dzinginywaho dziñwe na
dziñwe u ya nga khethekanyo iyi.”.

Khwiniso ya khethekanyo ya 15 ya Mulayo wa 9 wa 2009

13. Khethekanyo ya 15 ya Mulayo muhulwane i khou khwiniswa—

(a) nga u dzhenisa inwe khethekanyo ṭhukhu vhudzuloni ha khethekanyo ṭhukhu 30
ya (1) i tevelaho:

“(1) Hafha hu kho thomiwa Ofisi ya Mugaganyagwama wa
Phalamennde sa muthu tshimulayo yo rangwaho phan̄a nga Mulangi,
hune tshipikwa tshihulwane ha vha u ṅetshedza ngeletshedzo na
musaukanyo wo ḍiimisaho nga yoṭhe, u p̄falaho na u vha wa phuro- 35
feshinala kha Phalamennde kha mafhungo a elanaho na mugaga-
nyagwama na miñwe Milayotibe ya tshelede.”;

(b) nga u dzhenisa inwe khethekanyo ṭhukhu vhudzuloni ha khethekanyo ṭhukhu
ya (5) i tevelaho:

“(5) [Komiti dzo sedzeswaho zwavhuḍi kha khethekanyo ya 4 dzi
fanela u themendela kha Nn̄du u ya nga u fhambana hadzo— 40

(a) muthu ane a vha na tshenzhemo i ṭoḍeaho, ndalukanyo na
zwikili zwa vhurangaphan̄a ha u langa Ofisi ya Mugaga-
nyagwama wa Phalamennde na mishumo yo tiwaho kha 15(2)
na 15(3) ya u tholiwa sa Mulangi nga tsho ya Nn̄du vuvhili 45
hadzo; na

(b) nyimele dza mushumo, hu tshi katelwa muholo na dziñwe
mbuelo dza Mulangi, dzine dza fanela u dovha dza dzhiela n̄ḥa
n̄ḍivho na tshenzhemo ya muthu dzine zwiulwane dza vha dzi
tshi khou fana na dza muthu ane a vha kha vhuimo ha n̄ḥa kha
tshumelo dza tshitshavha] Nn̄du nga u fhambana hadzo, nga 50
themendelo ya komiti dzo sedzeswaho zwavhuḍi kha khethekanyo
ya 4—

(a) dzi fanela u thola muthu o dziaho o teaho a re na tshenzhemo
i no khou ṭoḍiwa, ndalukanyo na zwikili zwa vhurangaphan̄a
ha u kona u langa Ofisi ya Mugaganyagwama wa 55
Phalamennde na mishumo sa zwe zwa sumbedziswa kha
khethekanyo ṭhukhu dza (2) na (3) sa Mulangi lwa tshifhinga
tsha khont̄iraka ya miñwaha miṭanu yo tiwaho;

- (b) must determine the conditions of service, including the salary and allowance of the Director, which must take into account the knowledge and experience of the person and substantially be the same as those of the top rank of the public service; and
- (c) may, based on performance, renew the contract referred to in paragraph (a) on substantially the same conditions of service as contemplated in paragraph (b).”;
- (c) by the repeal of subsection (6);
- (d) by the substitution for subsection (7) of the following subsection:
 “(7) Any committee considering **[making]** a recommendation contemplated in subsection (5) must do so in an open and transparent manner.”;
- (e) by the substitution for subsection (9) of the following subsection:
 “(9) The Director **[shall be obliged to]** must report to Parliament any inappropriate political or executive interference to prevent the office from providing independent, objective and professional advice on matters related to the budget and other money Bills.”;
- (f) by the substitution for subsection (10) of the following subsection:
 “(10) The Parliamentary Budget Office must annually receive a transfer of funds from Parliament’s budget in accordance with section 35 of the Financial Management of Parliament and Provincial Legislatures Act to carry out its duties and functions.”;
- (g) by the insertion after subsection (10) of the following subsection:
 “(10A)(a) The Director is the Accounting Officer of the Parliamentary Budget Office and is responsible and accountable for the financial and human resource management of the office.
 (b) The Director must—
 (i) exercise the utmost care to protect the assets and records of the Parliamentary Budget Office;
 (ii) act with fidelity, honesty, integrity and in the best interests of the Parliamentary Budget Office in managing the financial affairs of the Parliamentary Budget Office;
 (iii) seek, within the Director’s sphere of influence, to prevent any prejudice to the financial interests of the Republic;
 (iv) ensure that the Parliamentary Budget Office has and maintains—
 (aa) effective, efficient and transparent systems of financial and risk management;
 (bb) an effective, efficient and transparent system of internal audit; and
 (cc) a procurement and provisioning system that is fair, equitable, transparent, competitive and cost-effective;
 (v) take appropriate and cost-effective steps to—
 (aa) collect revenue due to the Parliamentary Budget Office;
 (bb) prevent losses resulting from criminal conduct and expenditure that is not in accordance with the Parliamentary Budget Office’s operational policies; and
 (cc) manage available working capital efficiently and economically;
 (vi) manage and safe-guard the assets of the Parliamentary Budget Office, and manage the revenue, expenditure and liabilities of the Parliamentary Budget Office;

- (b) u vhekanya nyimele dza mushumo, hu tshi khou katelwa muholo na dzinwe mbuelo dza Mulangi, dzine dza fanela u dovha dza dzhiela n̄ha n̄divho na tshenzhemo ya muthu dzine dza fana nga maand̄a na dza muthu ane a vha kha vhuimo ha n̄ha kha tshumelo dza; na 5
- (c) dzi nga, zwi tshi bva kha kushumele, vusuludza khont̄iraka yo buliwaho kha pharagirafu ya (a) dzine dza fana nga maand̄a na nyimele dza mushumo dzo sedzeswaho zwavhuḍi kha pharagirafu ya (b).”; 5
- (c) nga u fhelisa khethekanyo thukhu ya (6); 10
- (d) nga u dzhenisa inwe khethekanyo thukhu vhudzuloni ha khethekanyo thukhu ya (7) i tevhelaho:
“(7) Komiti inwe na inwe ine ya khou humbula [u ita] themendelo yo sedzeswaho zwavhuḍi kha khethekanyo ya (5) i fanela u ita nga u ralo nga n̄ila i re khagala.”; 15
- (e) nga u dzhenisa inwe khethekanyo thukhu vhudzuloni ha khethekanyo thukhu ya (9) i tevhelaho:
“(9) Mulangi [u ḍo kombetshedzea u] u fanela u vhiga kha Phalamennde u dzhenelela huḥwe na huḥwe hu songo fanelaho ha pojotiki kana nga vhalanguli u thivhela ofisi uri i ḥetshedze ngeletshedzo i re na ndivho ya phurofeshinaḷa yo ḍiimisaho nga yoṯhe kha mafhungo a elanaho na mugaganyagwama na miḥwe Milayotibe ya tshelede.”; 20
- (f) u dzhenisa inwe khethekanyo thukhu vhudzuloni ha khethekanyo thukhu ya (10) i tevhelaho:
“(10) Ofisi ya Mugaganyagwama wa Phalamennde i fanela u wana masheleni n̄waha muḥwe na muḥwe u bva kha mugaganyagwama wa Phalamennde u ya nga khethekanyo ya 35 ya Mulayo wa Ndangulo ya Masheleni a Phalamennde na Vhusimamilayo ha Mavunḍu uri i kone u ita mushumo wayo.”; 25
- (g) u dzhenisa khethekanyo thukhu nga murahu ha khethekanyo thukhu ya (10) i tevhelaho:
“(10A) (a) Mulangi ndi Muofisiri o hweswaho Vhuḍifhinduleli ha Ofisi ya Mugaganyagwama wa Phalamennde nahone u na vhuḍifhinduleli ha ndangulo ya masheleni na vhashumi. 35
(b) Mulangi u fanela u—
(i) u vha na ndondolo khulwane kha u tsireledza ndaka na rekhodo dza Ofisi ya Mugaganyagwama wa Phalamennde;
(ii) shuma nga u fhulufhedzea na nga vhuthu nga n̄ila i vhuedzaho Ofisi ya Mugaganyagwama wa Phalamennde musi a tshi langa zwa masheleni a Ofisi ya Mugaganyagwama wa Phalamennde; 40
(iii) ḥoḍa, u bva kha sia ḷa thuthuwedzo ya Mulangi, u thivhela zwiito zwa u vhona zwithu nga sia ḷithihi kha madzangalelo a zwa masheleni a Riphabuḷiki;
(iv) khwaṯisedza uri Ofisi ya Mugaganyagwama wa Phalamennde i bvela phanḍa— 45
(aa) na sisiteme dza masheleni na ndaulo ya khovhandozwo dzi bveledzaho, dza vhukoni na u vha khagala;
(bb) sisiteme ya odithi ya nga ngomu i bveledzaho, ya vhukoni na u vha khagala; na
(cc) sisiteme ya u renga na ḥetshedzo ine i sa dzhie sia, i linganaho, i re khagala, ya khwine u fhira dzinwe na i bveledzaho i sa ḍuriho; 50
(v) dzhia maga a bveledzaho a sa ḍuriho kha u—
(aa) kuvhanganya mbuelo ine ya tea u badelwa Ofisi ya Mugaganyagwama wa Phalamennde; 55
(bb) thivhela ndozwo i vhangwaho nga vhuḍifari ha vhugevhenga na tshinyalelo ine i sa elane na mbekanyamaitele dza mishumo ya Ofisi ya Mugaganyagwama wa Phalamennde; na
(cc) langa khephithala i shumaho ine ya vha hone na kushumisele kwavhuḍi kwa masheleni; 60
(vi) langa na u tsireledza ndaka ya Ofisi ya Mugaganyagwama wa Phalamennde, na u langa mbuelo, tshinyalelo na ndozwo dza Ofisi ya Mugaganyagwama wa Phalamennde;

- (vii) establish systems and processes to ensure that effective and appropriate disciplinary steps are taken against any staff member of the Parliamentary Budget Office who—
- (aa) contravenes a law relevant to the performance of the Parliamentary Budget Office’s functions; or 5
- (bb) engages in conduct that undermines the financial management and internal control systems of the Parliamentary Budget Office; and
- (viii) generally ensure that the Parliamentary Budget Office complies with its legal obligations. 10
- (c) The Director must—
- (i) ensure that full and proper records of the financial affairs of the Parliamentary Budget Office are kept and maintained;
- (ii) prepare financial accounts for the Parliamentary Budget Office for each financial year which will form part of the annual report of Parliament; 15
- (iii) annually submit to the Executive Authority for tabling in Parliament a rolling three-year budget in time for inclusion in Parliament’s budget; and
- (iv) submit to the Executive Authority within five months after the end of each financial year, for tabling in Parliament, a report on the use of funds and the activities and performance of the Parliamentary Budget Office, including any matter that may be prescribed by regulation in terms of this Act.”; 20
- (h) by the repeal of subsection (11); 25
- (i) by the substitution for the words preceding paragraph (a) in subsection (13) of the following words:
 “The Director, in consultation with the **[committees referred to in section 4]** advisory board, must determine—”;
- (j) by the substitution for subsection (15) of the following subsection: 30
 “(15) When the position of Director is vacant, or if the Director is unable to fulfil the duties and functions of that position, the **[committees referred to in section 4]** advisory board must nominate a person in the employ of the Parliamentary Budget Office to act as Director until a Director is appointed in accordance with subsection (5).”; and 35
- (k) by the addition of the following subsection after subsection (16):
 “(17) The Parliamentary Budget Office may obtain information it requires for the performance of its functions from any organ of state or person the Parliamentary Budget Office considers appropriate. 40
 (18) Any information which the Parliamentary Budget Office requires for the performance of its functions and which is available to an organ of state or to any institution that derives any funds from the National Revenue Fund, a Provincial Revenue Fund or a municipality must, on request be supplied timeously and free of charge by that organ of state or institution to the Parliamentary Budget Office, unless they are prohibited by law from doing so.”. 45

- (vii) thoma sisiteme na maitete a u kwhaḥisedza uri maga a u kaidza o teaho a khou dzhielwa mushumi muḥwe na muḥwe wa Ofisi ya Mugaganyagwama wa Phalamennde ane a—
- (aa) pfuka mulayo u elanaho na kushumele kwa mishumo ya Ofisi ya Mugaganyagwama wa Phalamennde; kana 5
- (bb) dzhenela kha vhuḍifari vhune ha dzhiela fhasi sisiteme dza ndangulo ya zwa masheleni na ndaulo ya nga ngomu; na
- (viii) kwhaḥisedza nga u angaredza uri Ofisi ya Mugaganyagwama wa Phalamennde i khou tevhedza mishumo yayo ya zwa mulayo. 10
- (c) Mulangi u fanela u—
- (i) kwhaḥisedza uri rekhodo nga vhuḍalo dzo teaho dza zwa masheleni a Ofisi ya Mugaganyagwama wa Phalamennde dzi khou vhlungwa na u ḥogomelwa;
- (ii) dzudzanya akhaunthu dza zwa masheleni dza Ofisi ya Mugaganyagwama wa Phalamennde dza ḥwaha wa muvhalelano muḥwe na muḥwe dzine dza ḍo vhumba tshipiḍa tsha muvhigo wa ḥwaha wa Phalamennde; 15
- (iii) u rumela ḥwaha nga ḥwaha mugaganyagwama wa miḥwaha miraru nga u tevhkana kha Khorondangi nga tshifhinga uri u dzheniswe kha Mugaganyagwama wa Phalamennde; na 20
- (iv) u rumela kha Khorondangi muvhigo wa kushumisele kwa masheleni na mishumo ya Ofisi ya Mugaganyagwama wa Phalamennde hu sa athu fhela miḥwedzi miḥanu nga murahu ha mafhelo a ḥwaha wa muvhalelano muḥwe na muḥwe; hu tshi katelwa na mafhungo maḥwe na maḥwe ane a nga randelwa nga mulayo u ya nga Mulayo uyu.”; 25
- (h) nga u fhelisa khethekanyo ḥukhu ya (11);
- (i) nga u dzhenisa maḥwe maipfi vhuḍuloni ha maipfi phanḍa ha pharagirafu ya (a) kha khethekanyo ḥukhu ya (13) i tevhelaho: 30
- “(13) Mulanguli, a tshi kwamana na **[komiti dzo sumbedzwaho kha khethekanyo ya 4] bodongeletschedzi** u fanela u wana—”;
- (j) nga u dzhenisa iḥwe khethekanyo ḥukhu vhuḍuloni ha khethekanyo ḥukhu ya (15) i tevhelaho: 35
- “(15) Musi hu tshi vha na tshikhala tsha poswo ya Mulangi, kana arali Mulangi a tshi khou kundelwa u shuma mishumo ya vhuimo uvho, **[komiti dzo sumbedziswaho kha khethekanyo ya 4] bodongeletschedzi** i fanela u ta muthu kha Ofisi ya Mugaganyagwama wa Phalamennde uri a farele sa Mulangi u swikela Mulangi a tshi tholiwa u ya nga khethekanyo ḥukhu ya (5).”;
- (k) nga u engedza khethekanyo ḥukhu i tevhelaho nga murahu ha khethekanyo ḥukhu ya (16): 40
- “(17) Ofisi ya Mugaganyagwama wa Phalamennde i nga wana mafhungo ane ya ḥḍa uri i ite mishumo wayo u bva kha davhi ḥiḥwe na ḥiḥwe ḥa muvhuso kana muthu ane Ofisi ya Mugaganyagwama wa Phalamennde ya mu dzhia o tea. 45
- (18) Mafhungo maḥwe na maḥwe ane Ofisi ya Mugaganyagwama wa Phalamennde ya ḥḍa uri i ite mishumo yayo na ane a wanala davhini ḥa muvhuso kana tshiimiswa tshiḥwe na tshiḥwe tshine tsha wana masheleni maḥwe na maḥwe u bva kha Tshikwama tsha Mbuelo tsha Lushaka, Tshikwama tsha Mbuelo tsha Vunḍu kana masipala, a fanela nga u tou a humbela, u ḥetshedzwa tshifhinga tshoḥe nga mahala nga davhi ḥa muvhuso kana tshiimiswa kha Ofisi ya Mugaganyagwama wa Phalamennde, nga nḍa ha musī mulayo u sa vha tendeli u ita nga u ralo.”. 50

Substitution of section 16 of Act 9 of 2009

14. The following section is hereby substituted for section 16 of the principal Act:

“Norms and standards for provincial legislatures

16. Provincial legislatures must [**adhere to**] take into account the norms and standards for amending money Bills set out in the Schedule.”. 5

Insertion of section 16A in Act 9 of 2009

15. The following section is hereby inserted after section 16 of the principal Act:

“Regulations

16A. The Executive Authority may make regulations on a matter prescribed in terms of section 15(10A)(c)(iv).”. 10

Amendment of short title of Act 9 of 2009

16. The following short title is hereby substituted for the short title of the principal Act:

“17. This Act is called the Money Bills [**Amendment Procedure**] and Related Matters Act, [**2008**] 2009.”. 15

Amendment of Schedule to Act 9 of 2009

17. The following Schedule is hereby substituted for the Schedule to the principal Act:

“Schedule**NORMS AND STANDARDS FOR PROVINCIAL LEGISLATURES** 20

Legislation enacted by a provincial legislature to provide for a procedure to amend money Bills must [**provide**] take into account that the purpose of amending money Bills is to give effect to resolutions of the legislature on oversight, and must comply with the following principles:

- (a) A money Bill sent to the Premier for assent must be consistent with[:]— 25
 - (i) the relevant fiscal framework adopted by Parliament; and
 - (ii) the relevant Division of Revenue Bill adopted by Parliament.
- (b) When considering an amendment a provincial legislature or any of its committees must[:]—
 - (i) ensure that there is an appropriate balance between revenue, expenditure and borrowing; 30
 - (ii) ensure that debt levels and debt [**interest cost**] servicing charges are reasonable;
 - (iii) ensure that the cost of recurrent spending is not deferred to future generations; 35
 - (iv) ensure that there is adequate provision for spending on infrastructure;
 - (v) ensure that there is development, overall capital spending and maintenance;
 - (vi) consider the short, medium and long term implications of the fiscal framework, division of revenue and national budget on the long-term growth potential of the economy and the development of the country; 40

Ubviswa ha khethekanyo ya 16 ya Mulayo wa 9 wa 2009

14. Khethekanyo i tevhelaho i khou dzheniswa vhudzuloni ha khethekanyo ya 16 ya Mulayo muhulwane:

“Mikhwa na maitele a vhusimamilayo ha mavunḁu

16. Vhusimamilayo ha mavunḁu vhu fanela [u tevhedza] u dzhiela nḁha mikhwa na maitele a u khwinisa Milayotibe ya tshelede yo sumbedzwaho kha Shedulu.” 5

Udzhenisa khethekanyo ya 16A kha Mulayo wa 9 wa 2009

15. Khethekanyo i tevhelaho i khou dzheniswa nga murahu ha khethekanyo ya 16 ya Mulayo muhulwane: 10

“Milayo

16A. Khorondanguli i nga ita milayo nga ha mafhungo o randelwaho uya nga khethekanyo ya 15(10A)(c)(iv).”

Khwiniso ya Dzina liḁuku ḁa Mulayo wa 9 wa 2009

16. Dzina Lipfufhi li tevhelaho li khou dzheniswa vhudzuloni ha Dzina Lipfufhi ḁa Mulayo muhulwane: 15

“17. Mulayo uyu u vhidzwa u pfi Milayotibe ya Tshelede [Maitele a Khwiniso] na Mulayo wa Mafhungo a Elanaho wa [2008] 2009.”

Khwiniso ya Shedulu ya Mulayo wa 9 wa 2009

17. Shedulu i tevhelaho i dzheniswa vhudzuloni ha Shedulu kha Mulayo muhulwane: 20

“Shedulu**MIKHWA NA MAITELE A VHUSIMAMILAYO HA MAVUNḁU**

Mulayo wo phasiswaho nga vhusimamilayo ha vunḁu u itela u khwinisa Milayotibe ya tshelede u fanela [u itela u] u dzhiela nḁha ndivho ya u khwinisa Milayotibe ya tshelede u itela uri hu vhe na thasululo ya vhusimamilayo kha vhumelwani, na uri i tea u tevhedza milayo i tevhelaho: 25

- (a) Mulayotibe wa tshelede wo rumelwaho kha Mulangavunḁu u wana thendelo u fanela u tshimbilelana na [:]—
- (i) muhanga wa muvhalelano wo teaho we wa ḁanganedzwa nga Phalamennde; na 30
 - (ii) Mulayotibe wa Mukovho wa Mbuelo wo teaho we wa ḁanganedzwa nga Phalamennde.
- (b) Musi hu tshi ḁanganedzwa khwiniso, vhusimamilayo ha vunḁu kana inwe ya komiti dzaho i fanela u [:]—
- (i) khwaḁhisedza uri hu na baḁantsi yo teaho vhukati ha mbuelo, tshinyalelo na khadzimiso; 35
 - (ii) khwaḁhisedza uri ḁeveḁe dza tshikolodo na [mbadelo dza muingapfuma] mbadelo dza tshumelo ya tshikolodo dzi a pfesesea;
 - (iii) khwaḁhisedza uri mbadelo ya tshumiso ya masheleni i dovhololaho a i khou fhiriselwa kha mirafho ya tshifhinga tshi ḁaho; 40
 - (iv) khwaḁhisedza uri hu na mbetshelwa yo linganaho ya masheleni ane a ḁo shumiswa kha themamveledziso;
 - (v) khwaḁhisedza uri hu na mveledziso, masheleni ane shumiswa kha zwoḁhe na ḁhogomelo;
 - (vi) dzhiela nḁha u kwamea ha muhanga wa muvhalelano wa tshifhinga tshi pfufhi, tsha vhukati na tshilapfu, khethekanyo ya mbuelo na mugaganyagwama wa lushaka kha khonadzeo ya nyaluwo ya ikonomi ya tshifhinga tshilapfu na mveledziso ya shango; 45

- (vii) take into account cyclical factors that may impact on the prevailing fiscal position; and
- (viii) take into account all public revenue and expenditure, including extra budgetary funds, and contingent liabilities.
- (c) In amending revenue Bills and revenue proposals a provincial legislature and its committees must[:]— 5
 - (i) ensure that the total amount of revenue raised is consistent with the fiscal framework approved by Parliament and the relevant Division of Revenue Bill adopted by Parliament;
 - (ii) take into account the principles of equity, efficiency, certainty and ease of collection; 10
 - (iii) consider the impact of the proposed change on the composition of tax revenue with reference to the balance between direct and indirect taxes;
 - (iv) consider regional and international tax trends; and
 - (v) consider the impact on development, investment, employment and economic growth. 15
- (d) The standing rules of the provincial legislature must provide for timeframes to introduce and consider money Bills, with or without amendments, with due regard to[:]—
 - (i) its constitutional obligation to facilitate public involvement in its legislative and other processes of the legislature and its committees; and 20
 - (ii) comments from the Member of the Executive Council who is responsible for financial matters in the province.
- [(e) The report of a committee of the provincial legislature that proposes amendments to the provincial annual budget must, in respect of each amendment: 25**
 - (i) indicate the reason for such proposed amendment;**
 - (ii) demonstrate how the amendment takes into account the broad strategic priorities and allocations of the relevant budget;**
 - (iii) demonstrate the implications of each proposed amendment for an affected vote and the main divisions within that vote; 30**
 - (iv) demonstrate the impact of any proposed amendment on the balance between transfer payments, capital and recurrent spending in an affected vote;**
 - (v) set out the impact of any proposed amendment on service delivery; 35**
 - (vi) set out the manner in which the amendment relates to prevailing departmental strategic plans, reports of the Auditor General, committee reports adopted by the provincial legislature, reports in terms of section 32(2) of the Public Finance Management Act, annual reports and any other information submitted to the provincial legislature or committee in terms of the standing rules or on request; and 40**
 - (vii) include any responses from the member of the Executive Council who is responsible for financial matters in the province or any other member of the Executive Council. 45**
- (f) The report of a committee of the provincial legislature that propose a conditional appropriation of a sub-division of a main division within a vote to ensure that the money requested for the main division will be spent effectively, efficiently and economically must:
 - (i) consider comments from the Member of the Executive Council who is responsible for financial matters in the province or any other Member of the Executive Council; and 50
 - (ii) specify the conditions that need to be met before the provincial legislature may resolve to release the funds.]

- (vii) dzhiela n̄tha n̄dila dzine mutevheṭhandu wa vhubindudzi wa nga vha na masiandaitwa kha tshiimo tsha muthelo tsha zwino; na
- (viii) dzhiela n̄tha mbuelo dzoṭhe dza tshitshavha na tshinyalelo, hu tshi katelwa na masheleni a mugaganyagwama o engedzwaho, na khonadzeo dza ndozwo dzine dza nga bvelela tshifhinga tshi ḍaho. 5
- (c) Kha u khwinisa Milayotibe ya mbuelo na makumedzwa a mbuelo, vhusimamilayo ha vunḍu na komiti dzaho vhu fanela u [:]—
- (i) khwaṭhisedza uri masheleni oṭhe a mbuelo o kuvhanganywaho a khou tshimbilelana na muhanga wa muvhalelano wo ṭanganedzwaho nga Phalamennde na Mulayotibe wa Mukovho wa Mbuelo wo teaho we wa ṭanganedzwa nga Phalamennde; 10
- (ii) dzhiela n̄tha milayo ya ndinganyiso, vhukoni, khwaṭhisedzo na khuvhanganyo i leluwaho;
- (iii) dzhiela n̄tha masiandaitwa a tshanduko yo dzinginywaho nga ha tshivhumbeo tsha mbuelo ya muthelo malugana na baḷantsi vhukati ha muthelo u bvaho kha miholo na muthelo u bva kha zwivhambadzwa; 15
- (iv) dzhiela n̄tha maitele a muthelo wa dzingu na wa dzitshaka; na
- (v) dzhiela n̄tha masiandaitwa kha mveledziso, vhubindudzi, mishumo na nyaluwo ya ikonomi.
- (d) Milayo ya tshoṭhe ya vhusimamilayo ha mavunḍu i fanela u ṛetshedza tshifhinga tsho tiwaho tsha u ḍivhadza na u ṭanganedza Milayotibe ya tshelede, hu na khwiniso na musu hu si na khwiniso, malugana na [:]—
- (i) mushumo wa ndayotewa wayo wa u tshimbidza vhudzheneli nga tshitshavha kha maanḍa ayo a u sika milayo na maṅwe maitele a vhusimamilayo na komiti dzaho; na 20
- (ii) mahumbulwa u bva kha Muraḍo wa Khorotshitumbe ane a vha na vhuḍifhinduleli kha mafhungo a zwa masheleni a vunḍu. 25
- [(e) Muvhigo wa komiti ya vhusimamilayo ha vunḍu vhune ha kumedza khwiniso kha mugaganyagwama wa vunḍu wa ṅwaha nga ṅwaha vhu tea u, malugana na khwiniso iṅwe na iṅwe: 30**
- (i) sumbedza tshiitisi tsha khwiniso yo kumedzwaho;
- (ii) sumbedza uri khwiniso i dzhiela hani n̄tha zwo sedzwaho zwa maano a vhuṭali o ṭanḍavhuwaho na nyavhelo dza mugaganyagwama wo teaho;
- (iii) sumbedza u kwamea nga khwiniso ya voutu iṅwe na iṅwe yo kumedzwaho yo kwameaho na mikovho mihulwane i re kha voutu iyi; 35
- (iv) sumbedza tshanduko ya khwiniso yo kumedzwaho ifhio na ifhio kha tshelede yo salaho vhukati ha mbadelo dza ṭhirantsifere, lupfumo na mbadelo dzi dovhololaho kha voutu yo kwameaho; 40
- (v) thoma tshanduko ya khwiniso yo kumedzwaho kha n̄disedzo ya tshumelo;
- (vi) thoma n̄dila ine khwiniso ya kwama pulane dza maano a vhuṭali dza muhasho dzi re hone, mivhigo ya Muoditha Dzhnerala, mivhigo ya komiti yo ṭanganedzwaho nga vhusimamilayo ha vunḍu, mivhigo uya nga khethekanyo ya 32(2) ya Mulayo wa Ndangulo ya Masheleni a Tshitshavha, mivhigo ya ṅwaha nga ṅwaha na maṅwe mafhungo o ḍiswaho kha vhusimamilayo ha vunḍu kana komiti u ya nga milayo ya tshoṭhe kana nga khumbelo; na 45
- (vii) katela phindulo dziṅwe na dziṅwe dzi bvaho kha muraḍo wa Khorotshitumbe ane a vha na vhuḍifhinduleli ha mafhungo a masheleni vunḍuni kana muṅwe muraḍo wa Khorotshitumbe. 50
- (f) Muvhigo wa komiti ya vhusimamilayo ha vunḍu ine ya kumedza mukovho wo ḍisendekaho nga nyimele kha khethekanyo ṭhukhu ya khethekanyo khulwane i re kha voutu u itela u khwaṭhisedza uri tshelede yo humbelwaho u bva kha khethekanyo khulwane i ḍo shumiswa nga n̄dila i vhuedzaho ya vhukone na uri lwa ikonomi i tea u: 55**
- (i) dzhiela n̄tha mahumbulwa a bvaho kha Muraḍo wa Khorotshitumbe ane a vha na vhuḍifhinduleli ha mafhungo a masheleni vunḍuni kana muṅwe Muraḍo wa Khorotshitumbe; na 60
- (ii) bula nyimele dzine dza tea u swikelwa vhusimamilayo ha vunḍu vhu sa athu dzhia tsho ya u bvisa masheleni.]

- (g) A provincial legislature may appropriate an amount specifically and exclusively for a purpose mentioned under a main division within a vote.
- (h) A provincial legislature must pass, with or without amendments, or reject the provincial annual budget within four months after the start of the financial year to which it relates. 5
- (i) Notwithstanding any provision in this legislation, a provincial legislature or a committee may consider an amendment to a money Bill proposed by the Member of the Executive Council who is responsible for financial matters in the province in order to make technical corrections to the Bill.”

Substitution of long title of Act 9 of 2009 10

18. The following long title is hereby substituted for the long title of the principal Act:

“To provide for a procedure to amend money Bills and division of revenue Bills and related fiscal instruments before Parliament; to represent the interest of the people on public finances; to ensure public participation in the budget process; and for norms and standards for amending money Bills before provincial legislatures [and related]; and to provide for matters connected therewith.” 15

Short title

19. This Act is called the Money Bills Amendment Procedure and Related Matters Amendment Act, 2018. 20

- (g) Vhusimamilayo ha vunḁu vhu nga kovha tshelede nga nḁila yo tiwaho nahone sa tshiko tshithihi tsha mushumo wo bulwaho fhasi ha khethekanyo khulwane i re kha voutu.
- (h) Vhusimamilayo ha vunḁu vhu tea u phasisa, hu na kana hu si na khwiniso, kana wa hana mugaganyagwama wa ḁwaha nga ḁwaha wa vunḁu hu sa athu fhela minwedzi miḁa ho thoma ḁwaha wa muvhalelano u tutsshelanaho naho. 5
- (i) Hu si na u kwamea nga mbetshelwa inwe na inwe kha mulayo uyu, vhusimamilayo ha vunḁu kana komiti i nga sedza khwiniso ya Mulayotibe wa tshelede wo kumedzwaho nga Muraḁo wa Khorotshitumbe ane a vha na vhuḁifhinduleli ha mafhungo a masheleni vunḁuni hu u itela u ita ndulamiso dza thekinikaḁa kha Mulayotibe.”. 10

Ubviswa ha dzina ḁilapfu ḁa Mulayo wa 9 wa 2009

18. Dzina ḁilapfu ḁi tevhelaho ḁo bviswa kha dzina Lilapfu ḁa Mulayo muhulwane:

“U itela u ḁetshedza kuitele kwa u khwinisa Milayotibe ya tshelede na Milayotibe ya mikovho ya mbuelo na zwishumiswa zwa muvhalelano zwi elanaho na zwenezwo zwi re Phalamenndeni; u imela dzangalelo ḁa vhathu kha masheleni a tshitshavha; u khwaḁhisedza uri hu na vhushela mulenzhe nga tshitshavha kha maitele a mugaganyagwama; na zwithu zwo ḁowealeho na zwilinganywangazwo zwa u khwinisa Milayotibe ya tshelede i re vhusimamilayoni ha mavunḁu na [elanaho] mafhungo a elanaho na zwenezwo.”. 15 20

Dzina ḁipfufhi

19. Mulayo uyu u pfi Mulayo wa Khwiniso ya Kuitele kwa Khwiniso ya Milayotibe ya Masheleni na Mafhungo a Elanaho na Zwenezwo, wa 2018.