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THE PRESIDENCY

No. 435

21 April 2009

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

No. 7 of 2009: Western Cape Inherited Debt Relief Act, 2009.



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GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

*(English text signed by the President.)
(Assented to 19 April 2009.)*

ACT

To authorise the discharge of certain debts of the former Cape Provincial Administration and the former House of Representatives, which have devolved upon the Western Cape Province in terms of the Constitution of the Republic of South Africa, 1993, and are still outstanding; to make arrangements for the settling of accounts in relation to the debts; and to provide for matters incidental thereto.

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

Definitions

1. In this Act, except if inconsistent with the context, “**inherited debt**” means the liabilities incurred on behalf of the former Cape Provincial Administration and the former House of Representatives, which— 5

- (a) in terms of section 239(3) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), or by virtue of any allocation made in terms of that section, devolved upon the Western Cape Province;
- (b) is still outstanding; and 10
- (c) is represented by the amounts as specified in column 2 of Schedule 1 to this Act.

Authorisation of inherited debt

- 2. (1) The unauthorised expenditure of the former Cape Provincial Administration of R 799 366 196.11, which is specified in column 2 of Schedule 1, is hereby authorised. 15
- (2) The unauthorised expenditure of the former House of Representatives of R 112 724 302.23, which is specified in column 2 of Schedule 1, is hereby authorised.
- (3) The amounts referred to in subsections (1) and (2) are direct charges against the National Revenue Fund.

Amendment of section 3 of Act 35 of 2000

3. Section 3 of the Finance Act, 2000, is hereby amended by the substitution for the words preceding paragraph (a) of the following words:

“The unauthorized expenditure of [R4 139 465 912,82] R3 959 123 269,76 referred to in Schedule 3 which—”.

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Amendment of Schedule 3 to Act 35 of 2000

4. Schedule 3 to the Finance Act, 2000, is hereby amended by—

- (a) the deletion of the entries and amounts set out in Schedule 2 to this Act; and
- (b) the substitution of the total indicated at the bottom of the first column of Schedule 3, as follows:

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“[R4 139 165 912.82] R3 959 123 269.76.”.

Short title

5. This Act is called the Western Cape Inherited Debt Relief Act, 2009.

Schedule 1

INHERITED DEBTS	
Column 1: Source of Inherited Debt	Column 2: Amount of Inherited Debt (R)
Former Cape Provincial Administration	799 366 196.11
Former House of Representatives	112 724 302.23
TOTAL (R):	912 090 498.34

Schedule 2

Entries Deleted from Schedule 3 to Act 35 of 2000

<i>Amount Unauthorised R</i>	<i>Resolution Reference</i>	<i>Financial Year</i>	<i>RP/PR No.</i>	<i>Former Province, TBVC or self- governing states</i>	<i>Vote/Title</i>
94 119 749.67	P93 Resolution 1	1992/1993	109/94	Cape of Good Hope	Health Services
78 749 147.40	P93 Resolution 3	1993/1994	166/95	Cape of Good Hope	Health Services
191 400.00	P93 Resolution 2	1993/1994	166/95	Cape of Good Hope	Gen Provincial Services
3 878 000.00	WI Resolution 27	1994/1995	PR27/1996	Cape of Good Hope	Improv of Conditions of Service
1 894 623.54	P91 Resolution 26	1994/1995	PR27/1996	Cape of Good Hope	Gen Provincial Services
15 297.31	P90 Resolution 1(a)	1989/1990	PR27/1996	House of Representatives	Education and Culture
174 720.00	P89 Resolution 2(b)	1986/1987	RP76/1991	House of Representatives	Budgetary and Auxiliary Services
390 366.14	P89 Resolution 2(b)	1987/1988	RP85/1993	House of Representatives	Budgetary and Auxiliary Services
345 744.00	P89 Resolution 2(b)	1988/1989	RP85/1993	House of Representatives	Budgetary and Auxiliary Services
53 095.00	P89 Resolution 2(b)	1991/1992	RP85/1993	House of Representatives	Health and Welfare Service
530 500.00	P75 Resolution 5(1)	1994/1995	RP225/1995	House of Representatives	Education and Culture