

REPUBLIC OF SOUTH AFRICA

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# EXCHEQUER AMENDMENT BILL

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*(As introduced)*

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(MINISTER OF FINANCE)

[B 7—97]

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REPUBLIEK VAN SUID-AFRIKA

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# SKATKISWYSIGINGS- WETSONTWERP

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*(Soos ingedien)*

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(MINISTER VAN FINANSIES)

[W 7—97]

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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.
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# **BILL**

**To provide for the redemption of certain obligations arising from the assumption by the Republic of South Africa of liability for the payment of debts incurred in terms of loans mentioned in a Loan Facility Agreement concluded between the South African Reserve Bank and the Bank of Namibia; and to provide for matters connected therewith.**

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

**Insertion of section 52C in Act 66 of 1975**

**1.** The following section is hereby inserted in the Exchequer Act, 1975, after section 52B: 5

**“Redemption of certain obligations of Republic of Namibia**

**52C.** (1) Notwithstanding anything to the contrary contained in any law the Minister of Finance may redeem any obligation which arises from the assumption by the Republic of South Africa of liability for the payment of the debts incurred by the Republic of Namibia in terms of the loans mentioned in Annexure A to the Loan Facility Agreement concluded between the South African Reserve Bank and the Bank of Namibia, and signed on behalf of the said Banks on 25 March 1992 and 8 May 1992, respectively, and may increase the State Debt accordingly. 10

(2) The Minister of Finance shall cause the date with effect from which liability is assumed by the Republic of South Africa, as contemplated in subsection (1), to be published by notice in the *Gazette*.”. 15

**Short title**

**2.** This Act shall be called the Exchequer Amendment Act, 1997.

**MEMORANDUM ON THE OBJECTS OF THE EXCHEQUER  
AMENDMENT BILL, 1997**

By virtue of the accord reached on 6 December 1994 between the President of the Republic of South Africa and the President of the Republic of Namibia, the Republic of South Africa shall assume liability for the debts incurred by the Republic of Namibia in terms of the loans mentioned in Annexure A to the Loan Facility Agreement entered into between the South African Reserve Bank and the Bank of Namibia, which was signed on 25 March 1992 and 8 May 1992, respectively, on behalf of the said Banks. It proposed that the Exchequer Act, 1975 (Act No. 66 of 1975), be amended so as to provide for the redemption of the liability so assumed. In the opinion of the State Law Advisers, after consultation with the Department of Finance, the Bill should be dealt with in terms of section 75 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996). (A copy of the said Loan Facility Agreement is available for inspection.)

**Parties and establishments consulted:**

The South African Reserve Bank;  
The relevant functionaries of the Republic of Namibia;  
The Department of State Expenditure.