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OFFICE OF THE PRESIDENT

KANTOOR VAN DIE PRESIDENT

No. 1192. 23 September 1998

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

Hierby word bekend gemaak dat die Waarnemende President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 54 of 1998: Inherited Debt Relief Act, 1998.

No. 54 van 1998: Wet op die Verligting van Nagelate Skuld, 1998.

ACT

To empower the Minister of Finance to borrow the amount of R936 138 000 during the financial year ending on 31 March 1999, for the purpose of discharging certain debts of the former Transkei, Bophuthatswana, Venda and Ciskei and former self-governing territories of Gazankulu, Kangwane, Kwandebele and Lebowa that had devolved upon certain provinces in terms of the Constitution of the Republic of South Africa, 1993, and were still outstanding on 31 March 1995, and, where applicable, compensating such a province for its partial repayment of such a debt after that date; to make arrangements for the transfer to those provinces of the money so borrowed and for their payment of the balances outstanding on those debts; and to provide for incidental matters.

*(English text signed by the Acting President.)
(Assented to 15 September 1998.)*

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

Definitions

1. In this Act, except if inconsistent with the context—
 - (i) “affected province” means any one of the following provinces, namely— 5
 - (a) Eastern Cape;
 - (b) Mpumalanga;
 - (c) North West; and
 - (d) Northern Province; (i)
 - (ii) “former homeland” means the former— 10
 - (a) Republic of Transkei, Bophuthatswana, Venda or Ciskei; or
 - (b) self-governing territory of Gazankulu, Kangwane, Kwandebele or Lebowa; and (iii)
 - (iii) “inherited debt” means the liabilities incurred on behalf of any former homeland, which— 15
 - (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, had devolved upon an affected province;
 - (b) was still outstanding on 31 March 1995; and
 - (c) is represented by the amount as specified in column 2 of the Schedule to 20
 - this Act opposite the name of the affected province concerned (which is specified in column 1 of that Schedule). (ii)

Minister of Finance may borrow money to discharge affected provinces' inherited debts and compensate them for partial repayment

2. (1) Despite the provisions of any other law, the Minister of Finance may borrow an amount of R936 138 000 during the financial year ending on 31 March 1999, for the purposes of settling the outstanding balances of the affected provinces' inherited debts and compensating any affected province for having partially settled its inherited debt after that date, as provided hereafter. 25
- (2) (a) The Minister of Finance will transfer to each affected province from the money so borrowed— 30
 - (i) the sum of money that may be required to settle the outstanding balance of the affected province's inherited debt; and

WET

Om die Minister van Finansies te magtig om gedurende die boekjaar wat op 31 Maart 1999 eindig, die bedrag van R936 138 000 te leen ten einde sekere skulde van die voormalige Transkei, Bophuthatswana, Venda en Ciskei en voormalige selfregerende gebiede van Gazankulu, Kangwane, Kwandebele en Lebowa wat ingevolge die Grondwet van die Republiek van Suid-Afrika, 1993, op sekere provinsies oorgegaan het en op 31 Maart 1995 steeds uitstaande was, af te los en, waar van toepassing, so 'n provinsie vir sy gedeeltelike betaling van so 'n skuld ná daardie datum, te vergoed; reëlings te tref vir die oordra aan dié provinsies van die geld aldus geleen, en vir hul betaling van die saldo's op daardie skulde uitstaande; en om voorsiening te maak vir bykomstige aangeleenthede.

*(Engelse teks deur die Waarnemende President geteken.)
(Goedgekeur op 15 September 1998.)*

DAAR WORD BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

Woordomskrywing

1. In hierdie Wet, behalwe as dit met die sinsverband onbestaanbaar is, beteken—
- 5 (i) “geaffekteerde provinsie” enigeen van die volgende provinsies, naamlik—
- (a) Oos-Kaap;
- (b) Mpumalanga;
- (c) Noordwes; en
- (d) Noordelike Provinsie; (i)
- 10 (ii) “nagelate skuld” die verpligtinge namens enige voormalige tuisland aange-
gaan, wat—
- (a) ingevolge artikel 239(3) van die Grondwet van die Republiek van
Suid-Afrika, 1993 (Wet No. 200 van 1993), of uit hoofde van enige
toewysing ingevolge daardie artikel gedoen, oorgegaan het op 'n
15 geaffekteerde provinsie;
- (b) op 31 Maart 1995 steeds uitstaande was; en
- (c) verteenwoordig word deur die bedrag soos in kolom 2 van die Bylae by
hierdie Wet vermeld teenoor die naam van die betrokke geaffekteerde
provinsie (wat in kolom 1 van daardie Bylae vermeld word); en (iii)
- 20 (iii) “voormalige tuisland” die voormalige—
- (a) Republiek van Transkei, Bophuthatswana, Venda of Ciskei; of
- (b) selfregerende gebied van Gazankulu, Kangwane, Kwandebele of
Lebowa. (ii)

**Minister van Finansies kan geld leen om geaffekteerde provinsies se nagelate
25 skulde af te los en hulle te vergoed vir gedeeltelike terugbetaling**

2. (1) Ten spyte van enige ander wetsbepalings kan die Minister van Finansies gedurende die boekjaar wat op 31 Maart 1999 eindig, die bedrag van R936 138 000 leen met die doel om, soos hieronder bepaal, die uitstaande saldo's op die geaffekteerde provinsies se nagelate skulde te vereffen en 'n geaffekteerde provinsie te vergoed vir
30 dié se gedeeltelike vereffening van sy nagelate skuld ná daardie datum.

(2) (a) Die Minister van Finansies dra aan elke geaffekteerde provinsie vanuit die geld aldus geleen—

- (i) die geldsom oor wat nodig word om die uitstaande saldo op die geaffekteerde provinsie se nagelate skuld te vereffen; en

(ii) where applicable, a sum of money equivalent to the total amount the affected province had repaid on its inherited debt after 31 March 1995.

(b) A transfer in terms of paragraph (a), will be made on the terms and conditions that the Minister of Finance determines, subject to subsection (3).

(3) The money so transferred to an affected province for the purpose of settling the outstanding balance of its inherited debt, must be utilised for that purpose without delay. 5

(4) An affected province must keep separate accounts in respect of the money so transferred to it.

Short title

3. This Act is called the Inherited Debt Relief Act, 1998.

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- (ii) waar van toepassing, 'n geldsom oor gelykstaande aan die totale bedrag wat die geaffekteerde provinsie ná 31 Maart 1995 op sy nagelate skuld afbetaal het.
- (b) 'n Oordrag ingevolge paragraaf (a) word gedoen op die bedinge en voorwaardes wat die Minister van Finansies behoudens subartikel (3) bepaal.
- (3) Die geld aldus aan 'n geaffekteerde provinsie oorgedra ten einde die uitstaande saldo van sy nagelate skuld te vereffen, moet onverwyld vir daardie doel aangewend word.
- (4) 'n Geaffekteerde provinsie moet afsonderlike rekeninge hou ten opsigte van die geld aldus aan hom oorgedra.

Kort titel

3. Hierdie Wet word die Wet op die Verligting van Nagelate Skuld, 1998, genoem.

Act No. 54, 1998

INHERITED DEBT RELIEF ACT, 1998

SCHEDULE

Inherited Debts	
Column 1: Name of Affected Province	Column 2: Amount of Inherited Debt (R'000)
Eastern Cape	R596 700
Mpumalanga	R 58 281
North West	R189 124
Northern Province	R 92 033
TOTAL (R'000):	<u>R936 138</u>

BYLAE

Nagelate Skulde	
Kolom 1: Naam van Geaffekteerde Provinsie	Kolom 2: Bedrag van Nagelate Skuld (R'000)
Oos-Kaap	R596 700
Mpumalanga	R 58 281
Noordwes	R189 124
Noordelike Provinsie	R 92 033
TOTAAL (R'000):	<u>R936 138</u>

