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THE PRESIDENCY

No. 1525 22 November 2019

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

Act No. 25 of 2019: Special Appropriation Act, 2019

MOPRESIDENTE

No. 1525 22 November 2019

Go itsisiwi fano gore MoPresidente o saennwe Molao o o latelang o o phasalediwang kitso ya botlhe fano:—

No. 25 wa 2019: Molao wa Tekanyetso e e Kgethegileng, 2019

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(English text signed by the President)
(Assented to 20 November 2019)
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ACT

To appropriate an additional amount of money for the requirements of the Department of Public Enterprises to assist Eskom Holdings SOC Limited with its financial obligations and to provide for matters connected therewith.

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

Appropriation of additional amount of money for requirements of Public Enterprises

1. (1) (a) An amount of R59 billion is hereby appropriated out of the National Revenue Fund for the requirements of the Department of Public Enterprises, of which—
- (i) R26 billion is for the 2019/2020 financial year; and
 - (ii) R33 billion is for the 2020/2021 financial year.
- (b) The money contemplated in paragraph (a) must be transferred to Eskom in each financial year to assist Eskom with its financial obligations.
- (2) (a) Subject to the Public Finance Management Act, 1999 (Act No. 1 of 1999), the accounting officer of the Department of Public Enterprises must transfer to Eskom the amount, referred to in subsection (1), in the portions and on such dates as the Minister of Finance determines, taking into account the financial position of Eskom as verified by the National Treasury.
- (b) For the purpose of promoting transparency and the effective management of the amount referred to in subsection (1), the Minister of Finance, in writing—
- (i) may impose conditions to be met by Eskom before any part of the amount is transferred;
 - (ii) must impose conditions to be met by Eskom after the transfer of any part of the amount; and
 - (iii) must stop the use of any part of the amount in respect of which conditions have been imposed in terms of subparagraph (ii), until such conditions are met.
- (c) The National Treasury must disclose the stoppage of an allocation in terms of paragraph (b)(iii) in its next quarterly report to the Standing Committee on Finance of the National Assembly and the Select Committee on Finance of the National Council of Provinces.
- (d) Any part of the amount referred to in subsection (1) not transferred to Eskom by the end of the relevant financial year reverts to the National Revenue Fund.

Short title

2. This Act is called the Special Appropriation Act, 2019.

(English text signed by the President)
(Assented to 20 November 2019)

MOLAO

Go lekanyetsa madi a tlaeletso mabapi le ditlhokego tsa Lefapha la Dikgwebo tsa Setšhaba go thusa Eskom Holdings SOC Limited ka maikarabelo a yona a tsa ditšhelete le go tlamela mabapi le merero e e amanang le ona.

O DIRWA MOLAO ke Palamente ya Rephaboliki ya Aforika borwa, jaana:—

Tekanyetso ya madi a tlaeletso mabapile ditlhokego tsa Dikgwebo tsa Setšhaba

1. (1) (a) Madi a a kana ka R59 bilione a a lekanyetswa go tswa mo Letloleng la Lotseno la Setšhaba mabapi le ditlhokego tsa Lefapha la Dikgwebo tsa Setšhaba, ao mo go ona— 5

(i) R26 bilione ke ya ngwaga wa ditšhelete wa 2019/2020; e bile

(ii) R33 bilione ke ya ngwaga wa ditšhelete wa 2020/2021.

(b) Madi a a umakilweng mo temaneng (a) a tshwanetse go sutisetswa go Eskom mo ngwageng nngwe le nngwe ya ditšhelete go thusa Eskom ka maikarabelo a yona a tsa ditšhelete. 10

(2) (a) Go ya ka *Public Finance Management Act, 1999* (Molao 1 wa 1999), motlankedi wa ditshupatlotlo wa Lefapha la Dikgwebo tsa Setšhaba o tshwanetse go sutisetsa madi go Eskom, a a kailweng mo karotlaleletsong (1), ka dikarolwana le ka matlha ao a tlhomaisitsweng ke Tona ya Matlotlo, ka go tsaya tsia maemo a ditšhelete a Eskom go ya ka moo Matlotlo a Bosetšhaba a netefaditseng ka teng. 15

(b) Mabapi le maitlomo a go tswelatsa ponalatshego le botsamaisi jo bo nonofileng jwa madi a a kailweng mo karotlaleletsong (1), Tona ya Matlotlo, ka go kwala o—

(i) ka pateletsa gore Eskom e fitlhelele dipeelo pele go ka sutiswa karolo efe ya madi; 20

(ii) tshwanetse go pateletsa Eskom go fitlhelela dipeelo morago ga tshutiso ya karolo efe ya madi; e bile

(iii) tshwanetse go emisa tiriso ya karolo efe ya madi a mabapi le ona dipeelo di pateleditsweng go ya ka temanatlaleletso (ii), go fitlhela dipeelo tseo di fitlhelelwa. 25

(c) Matlotlo a Bosetšhaba a tshwanetse go senolela Komiti ya Leruri ya Matlotlo ya Kokoano ya Bosetšhaba le Komitikgetho ya Matlotlo ya Khansela ya Bosetšhaba ya Diporofense ka ga kemiso ya kabo go ya ka temana (b)(iii) mo pegelong ya ona ya kotare.

(d) Karolo nngwe le nngwe ya madi a a kailweng mo karotlaleletsong (1) e e sa sutisetswang go Eskom kwa bokhutlong jwa ngwaga wa ditšhelete o o maleba e busetswa kwa Letloleng la Lotseno la Bosetšhaba. 30

Setlhogokhutshwane

2. Molao ono o bidiwa Molao wa Tekanyetso e e Kgethegileng, 2019.

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