

Government Gazette

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8 April 2024

No. 50452

THE PRESIDENCY

No. 4713

8 April 2024

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

Act No. 05 of 2024: Eskom debt relief Amendment Act, 2024

UMONGAMELI

No. 4713

8 April 2024

Kuyaziswa ukuba uMongameli ukwamkele lo mthetho ulandelayo, othi upapashwe ukuze ufumane ulwazi ngokubanzi:—

Inani No. 05 ka 2024: Isikhibelelo somthetho wezwelo lesikolodo se-Eskom, 2024



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2 No. 50452

Act No. 05 of 2024

Eskom debt relief Amendment Act, 2024

2

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 4 April 2024)

ACT

To amend the Eskom Debt Relief Act, 2023, so as to provide for the payment of interest by Eskom on amounts advanced as a loan; to provide for a power for the Minister of Finance to reduce the amounts for the requirements for Eskom in the event of non-compliance with conditions; and to provide for matters incidental thereto.

 ${f B}^{E}$ IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 2 of Act 7 of 2023

- 1. Section 2 of the Eskom Debt Relief Act, 2023, is hereby amended—
 - (a) by the insertion in subsection (2) after paragraph (a) of the following 5 paragraph:
 - "(aA) Eskom must pay interest on the amounts advanced as a loan, in terms of paragraph (a), at the rate determined by the Minister."; and be addition of the following subsection:
 - (b) by the addition of the following subsection:"(4)(a) If Eskom fails to comply with a condition determined in terms 10

of subsection (2)(b), the Minister may, after consultation with Eskom, reduce amounts envisaged in subsection (1).

- (b) The reduction in terms of paragraph (a)—
- (i) applies to the portion of the amount not yet advanced to Eskom;
- (ii) may not exceed five percent of the total amount for the applicable 15 financial year; and
- (iii) must be disclosed in the National Treasury's next quarterly report to the relevant Parliamentary Committees.".

Short title

2. This Act is called the Eskom Debt Relief Amendment Act, 2024.

20

Inani No. 05 ka 2024

3

INOTHI ESIHLATHULULIZOMBELELE:

> (English text signed by the President) (Assented to 4 April 2024)

UMTHETHO

Ukukhibelela umThetho weZwelo lesiKolodo se-Eskom, womnyaka wee-2023, ukwenzela ukuqalelela bona i-Eskom ibhadala amakonyana wamanani wemali ewanikelwe njengesikolodo; ukuqalelela amandla kaNgqongqotjhe wezeeMali ukwenzela ukuphungula amanani weemfuno ze-Eskom lapho kungakathotjelwa khona imibandela, begodu nokuqalelela iindaba ezikhambisana nalokho.

UMTHETHO UNGAPHASISWA yiPalamende yeRiphabliki yeSewula Afrika, ngendlela elandelako:—

Ukukhitjelelwa kwesigaba 2 somThetho we-7 womnyaka wee-2023

1. Isigaba 2 somThetho weZwelo lesiKolodo se-Eskom, womnyaka wee-2023, ngalokhu siyakhitjelelwa—

- (a) ngokuhlomelela esigatjaneni (2) ngemva kwendima (a) yendima elandelako:
 "(aA) I-Eskom kufanele ibhadale amakonyana wamanani wemali enikelwe yona njengesikolodo, ngokwendima (a), ngesilinganiso esibekwe nguNgqongqotjhe."; begodu
- (b) ngokungezelela isigatjana esilandelako:
 - "4(*a*) Nangabe i-Eskom ihluleka ukuthobela imigomo ebekwe ngokwesigatjana 2(*b*), ngemuva kokubonisana ne-Eskom, uNgqongqotjhe angaphungula amanani wemali ahlongozwe esigatjaneni (1). (*b*) Ukuphungulwa ngokwendima (*a*)—
 - (i) kusebenza engcenyeni yenani lemali engakanikelwa i-Eskom;
 - (ii) akukafaneli kweqe amaphesende amahlanu wenani lemali elipheleleko lomnyakamali ofaneleko; begodu
 - (iii) kufanele kuvezwe tjhatjhalazi ngaphakathi kombiko wekotara elandelako weZiko lezeeMali zeNarha oya eenkomidini zePalamende ezifaneleko.". 20

Isihloko esifitjhani

2. UmThetho lo ubizwa ngesiKhibelelo somThetho weZwelo lesiKolodo se-Eskom, womnyaka wee-2024.

10

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