

REPUBLIC OF SOUTH AFRICA

---

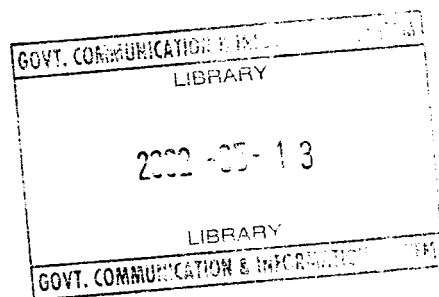
# HEALTH DONATIONS FUND ACT REPEAL BILL

---

*(As introduced in the National Assembly as a section 75 Bill; explanatory summary of Bill  
published in Government Gazette No 23251 of 20 March 2002)  
(The English text is the official text of the Bill)*

---

(MINISTER OF HEALTH)



[B 20—2002]

ISBN 0 621 32158 3

No. of copies printed ..... 1 800

# BILL

To provide for the disestablishment of the Health Donations Fund and for the repeal of the Health Donations Fund Act, 1978; and to provide for matters connected therewith.

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

## **Disestablishment of Health Donations Fund**

1. (1) The Health Donations Fund established by section 2 of the Health Donations Fund Act, 1978 (Act No. 11 of 1978), is hereby disestablished. 5

(2) Any unexpended balance of the money of the Fund, whether or not it is invested in terms of section 4 of the Health Donations Fund Act, 1978 (Act No. 11 of 1978), standing to the credit of the Fund at the date of the disestablishment accrues to the National Revenue Fund.

(3) Any liability of the Fund in terms of the Health Donations Fund Act, 1978 (Act No. 11 of 1978), which has not been met at the date of the disestablishment devolves upon the State. 10

## **Repeal of Act 11 of 1978**

2. The Health Donations Fund Act, 1978 (Act No. 11 of 1978), is hereby repealed.

## **Short title**

15

3. This Act is called the Health Donations Fund Act Repeal Act, 2002.

**MEMORANDUM ON THE OBJECTS OF THE HEALTH DONATIONS  
FUND ACT REPEAL BILL, 2002**

1. The Bill seeks to disestablish the Health Donations Fund ("the Fund") established by the Health Donations Fund Act, 1978 (Act No. 11 of 1978) ("the Act"), and to repeal the said Act. The reasons for the disestablishment of the Fund are the following:

- (a) The donations of R27 672,95, interest included, made to the Fund in the past 24 years have been insufficient.
- (b) It is costly for the Department to audit the Fund.
- (c) The Standing Committee on Public Accounts advised the Department to disestablish the Fund.

**2. FINANCIAL IMPLICATIONS FOR STATE**

The State will no longer incur any costs relating to the auditing of the Fund when the Bill is passed into law.

**3. ORGANISATIONS AND BODIES CONSULTED**

The Auditor-General and the Standing Committee on Public Accounts.

**4. PARLIAMENTARY PROCEDURE**

The State Law Advisers and the Department of Health are of the opinion that this Bill must be dealt with in accordance with the procedure established by section 75 of the Constitution since it contains no provision to which the procedure set out in section 74 or 76 of the Constitution applies.