

REPUBLIC OF SOUTH AFRICA

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# ESKOM DEBT RELIEF AMENDMENT BILL

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*(As introduced in the National Assembly (proposed section 77))  
(The English text is the official text of the Bill)*

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(MINISTER OF FINANCE)

[B 38—2023]

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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 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.**

**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 paragraph: 5  
    “(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
  - (b) by the addition of the following subsection: 10  
    “(4)(a) If Eskom fails to comply with a condition determined in terms of subsection (2)(b), the Minister may, after consultation with Eskom, reduce amounts envisaged in subsection (1). 15  
    (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 financial year; and
    - (iii) must be disclosed in the National Treasury’s next quarterly report to the relevant Parliamentary Committees.”. 20

**Short title**

2. This Act is called the Eskom Debt Relief Amendment Act, 2023. 20



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