

REPUBLIC OF SOUTH AFRICA

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**PORTFOLIO COMMITTEE AMENDMENTS  
TO**

**PUBLIC SERVICE  
AMENDMENT BILL**

**[B 13—2023]**

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*(As agreed to by the Portfolio Committee on Public Service and Administration)*

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**[B 13A—2023]**

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## PROPOSED AMENDMENTS TO

### PUBLIC SERVICE AMENDMENT BILL

[B 13—2023]

#### CLAUSE 2

1. On page 3, in line 49, to insert “of the relevant department” after “executive authority”.
2. On page 3, in line 55, to omit “may” and to substitute “must”.

#### CLAUSE 18

1. On page 10, from line 38, to omit paragraph (b) and to substitute the following:
 

“(b) been overpaid or received any such other benefit not due to him or her—

  - (i) an accounting officer shall recover such overpayment by way of deduction from the employee’s salary if the accounting officer and employee agree, in writing, on—
    - (aa) the amount of the overpayment;
    - (bb) a reasonable period for the repayment of the amount of overpayment; and
    - (cc) the amount to be deducted from the employee’s salary, either in full or in monthly instalments, taking into consideration the employee’s income and current financial obligations: Provided that the total monthly deduction is not more than one-quarter of the employee’s monthly salary;
  - (ii) an accounting officer shall, in the absence of agreement as contemplated in subparagraph (i), recover such amount of overpayment by way of legal proceedings;
  - (iii) an accounting officer shall, in the event that the person is no longer in the employ of a department, recover such amount by way of a deduction from any monies owing to such person by the State or by way of legal proceedings;
  - (iv) an accounting officer shall, in the event that the employee is in the employ of another department, request the accounting officer of that other department to recover, in the manner contemplated in subparagraph (i), the overpayment made;
  - (v) that other benefit shall be discontinued or withdrawn as from a current date, but the employee shall have the right to be compensated by the State for any patrimonial loss, which he or she has suffered as a result of that discontinuation or withdrawal.”.