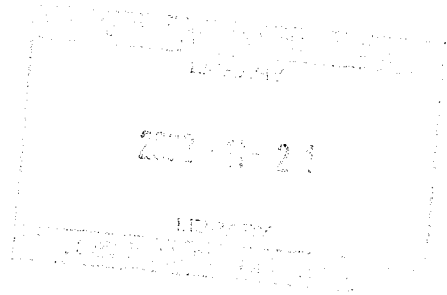


REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
INSOLVENCY SECOND
AMENDMENT BILL**

[B 53B—2002]

*(As agreed to by the Portfolio Committee on Justice and Constitutional Development
(National Assembly))*



[B 53C—2002]

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AMENDMENTS AGREED TO

INSOLVENCY SECOND AMENDMENT BILL [B 53B—2002]

NEW CLAUSES

1. That the following be new Clauses:

Amendment of section 49 of Act 24 of 1936, as amended by section 21 of Act 6 of 1963, section 12 of Act 99 of 1965 and section 1 of Act 49 of 1996

5. Section 49 of the Insolvency Act, 1936, is amended by the substitution for subsection (2) of the following subsection:

“(2) Nothing in this section shall be construed as preventing the [Secretary for Inland Revenue] Commissioner for the South African Revenue Service from proving in the manner provided in this Act a claim against the estate of a partnership in respect of any sum referred to in paragraph (b) of section one hundred and one, or any interest due on such sum.”.

Amendment of section 99 of Act 24 of 1936, as substituted by section 5 of Act 6 of 1972 and amended by section 6 of Act 62 of 1973, section 9 of Act 29 of 1974, section 69 of Act 85 of 1974, section 50 of Act 103 of 1978, section 3 of Act 139 of 1992 and section 3 of Act 122 of 1998

6. Section 99 of the Insolvency Act, 1936, is amended—

- (a) by the substitution for the words following subparagraph (v) of subsection (1)(b) of the following words:

“but did not pay to the [Secretary for Inland Revenue] Commissioner for the South African Revenue Service prior to the sequestration of the estate, and any interest payable under that Act in respect of such amount in respect of any period prior to the date of sequestration of the estate;”; and

- (b) by the substitution for paragraph (e) of subsection (1) of the following paragraph:

“(e) any amount which in terms of the Unemployment Insurance Contributions Act, [1966 (Act No. 30 of 1966)] 2002 (Act No. 4 of 2002), was, immediately prior to the sequestration of the estate, due to the Unemployment Insurance Fund by the insolvent in his capacity as an employer, in respect of any contribution, penalty or other payment; and”.

LONG TITLE

1. On page 2, in the fifth line, to omit the second “and”.
2. On page 2, in the sixth line, after “compensation;” to insert:

and so as to effect certain textual corrections;