

NATIONAL TREASURY

NO. 2269

8 July 2022

**PUBLIC FINANCE MANAGEMENT ACT, 1999:
DIFFERENT CATEGORIES OF DEBT FOR INTEREST RATE APPLICABLE TO DEBTS
OWING TO STATE**

In terms of section 80(2) of the Public Finance Management Act, 1999 (Act No.1 of 1999 – “the Act”), I, Enoch Godongwana, the Minister of Finance, hereby repeal Government Notices Nos. 469 of 23 June 2017 and 499 of 18 May 2018 and determine that for debt which is payable into a Revenue Fund and owed by a person to an institution to which the Act applies and which—

- (a) results from the employment relationship between the person and a department or constitutional institution, no interest shall be payable at the rate determined in terms of section 80(1)(b) of the Act, except that such interest shall be payable for—
 - (i) wrongly granted remuneration as provided for in the prescripts applicable to the department or constitutional institution, where—
 - (aa) the person has left the employ of the department or constitutional institution; or
 - (bb) the monetary advantage resulted from the person’s fraudulent action;
 - (ii) loss or damage resulting from wilful or grossly negligent act of an employee or former employee of the institution; or
 - (iii) breach of contract or any delictual claim relating to the contractual relationship between the person and the institution; or
- (b) is a debt other than a debt resulting from the employment relationship between the person and the institution, referred to in paragraph (a), the interest shall be payable at the rate determined in terms of section 80(1)(b) of the Act, except that no such interest shall be payable for—
 - (i) a health service by a public health establishment provided to the person who is a patient classified as H1, H2 or H3 by the Minister of Health;
 - (ii) an overpayment made to the person for a social or unemployment benefit;
 - (iii) a health service funded or partly funded—
 - (aa) in terms of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993);
 - (bb) in terms of the Road Accident Fund Act, 1996 (Act No. 56 of 1996);
 - (cc) by a medical scheme registered in terms of the Medical Schemes Act, 1998 (Act No. 131 of 1998);
 - (iv) any fee for a patient treated by his or her own private practitioner in a public health establishment; or
 - (v) a health service by a public health establishment provided to a foreigner as defined in section 1 of the Immigration Act, 2002 (Act No. 13 of 2002).



Enoch Godongwana
Minister of Finance