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**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**



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#### National Treasury

##### General Notice

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## GENERAL NOTICE

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### NOTICE 1410 OF 2002

### MINISTRY OF FINANCE

### INTEREST TO BE LEVIED ON DEBTS OWING TO THE STATE

The Minister of Finance has, in terms of section 80(2) of the Public Finance Management Act, 1999 (Act No. 1 of 1999) (as amended), approved the undermentioned differentiation between categories of debts which must be paid into a Revenue Fund in terms of section 80(1)(b). This differentiation takes effect from 1 June 2000:

- 1 Debts to the State resulting from the service relationship between public servants and the State shall be recovered **without** interest, with the exception of the following categories of debt, which shall be levied **with** interest at a rate as determined by the Minister in terms of section 80(1)(b) of the Public Finance Management Act of 1999:
    - a Wrongly granted remuneration, as defined in section 38 of the Public Service Act, 1994 where the person concerned has left the employ of the State, or where the monetary advantage resulted from his or her own fraudulent action; or
    - b Loss and/or damage which originates as a result of circumstances where *mala fides* (evil intention) or the intentional causing of losses or damage were present, or where the person concerned has left the employ of the State; or
    - c Breach of contract or any delictual claim relating to the contractual relationship.
  - 2 Debts to the State by debtors who are not in the employ of the State, are to be recovered **with** interest at a rate as determined by the Minister in terms of section 80(1)(b) of the Public Finance Management Act of 1999, with the exception of the following categories of debt, which are to be recovered **without** interest:
    - a Overpayment of amounts paid to a debtor for social and unemployment benefits; or
    - b Debts resulting from support provided by State medical institutions to State patients.
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