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Department:
Trade, Industry and Competition
REPUBLIC OF SOUTH AFRICA

THE NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

QUESTION NO. 995

MP Mr S Thambo (EFF) name (PARTY name) to ask the Minister of Trade, Industry and Competition:

- (1) Whether, considering reports that the National Lotteries Commission (NLC) made a transfer of R300 million of its surplus funds to the National Revenue Fund (NRF), after the National Treasury requested that R1,2 billion be transferred to the NRF, he has found such allegations to be true; if not, what is the position in this regard; if so,
- (2) Whether he has found this act by the NLC to be in line with (a) the prescripts of the NLC and (b) the Constitution of the Republic of South Africa, 1996 (the Constitution); if not, what steps is he going to take in this regard; if so, which prescripts and provisions of the Constitution was this act in line with? NW1231E

REPLY: (1)&(2)

I have been advised by the Department that the NLC made a transfer of R300 million of its surplus funds to the National Revenue Fund. The transfer of the funds emanated from a letter from the National Treasury (NT) dated, 15 April 2023, which states that - "In terms of section 53(3) of the Public Finance Management Act, (Act 1 of 1999) read together with paragraphs 6.1 and 6.2 of the National Treasury Instruction No. 12 of 2020/21, the National Treasury hereby directs the NLC to surrender the R300 million to the National Revenue Fund through the Department of Trade, Industry and Competition by 30 April 2023".

Furthermore, as per the NT letter referred to above, mention is made that the revised surrender amount of R300 million from the initial R1.2 billion was as a result of extensive engagements and NT having assessed the information availed by the NLC.

In view of the above, R300 million was surrendered by the NLC to the National Revenue Fund through the Department.

As mentioned by the NLC during the Portfolio Committee meeting on 18 September 2024, discussions with National Treasury are still ongoing.

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