

Simone Porter

Subject: FW: PRESCRIPTION OF PUBLIC SCHOOL FEES

Sent: Wednesday, 23 February 2022 2:40 PM

To: Simone Porter <Simone@ceebee.co.za>

Cc: Ledwaba, Charles <Ledwaba.C@dbe.gov.za>; Jiyane. Thembisile <Jiyane.T@dbe.gov.za>

Subject: PRESCRIPTION OF PUBLIC SCHOOL FEES

Good Morning Ms Porter

Kindly note that section 11 of the Prescription Act, 1969 (Act No. 69 of 1969 provides as follows:

“The periods of prescription of debts shall be the following:

(a) thirty years in respect of—

(i) any debt secured by mortgage bond;

(ii) any judgment debt;

(iii) any debt in respect of any taxation imposed or levied by or under any law;

(iv) any debt owed to the State in respect of any share of the profits, royalties or any similar consideration payable in respect of the right to mine minerals or other substances;

(b) fifteen years in respect of any debt owed to the State and arising out of an advance or loan of money or a sale or lease of land by the State to the debtor, unless a longer period applies in respect of the debt in question in terms of paragraph (a);

c) six years in respect of a debt arising from a bill of exchange or other negotiable instrument or from a notarial contract, unless a longer period applies in respect of the debt in question in terms of paragraph a) or (b);

(d) save where an Act of Parliament provides otherwise, three years in respect of any other debt.

In terms of section 11(d) of the Act, School fees will prescribe after 3 years.

Kindly note that I will confirm the viewpoint as indicated above once I have consulted with the Directors and Chief Director as they are currently in meeting today.

Kind regards

Ms Gela

Legal Admin Officer

Legislative Services: Department of Basic Education

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