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The Chief Executive Officer
Pfizer Laboratories (Proprietary) Limited
85 Bute Lane
Sandton, Johannesburg
South Africa

Dear Sir

RE: Letter of Concurrence Regarding Indemnity Provision in Agreement for the Procurement of COVID-19 Vaccines

In respect of the Agreement for the procurement of COVID-19 vaccines with Pfizer Laboratories (Proprietary) Limited ("Pfizer"), a key term requested by Pfizer is an indemnity from the Republic of South Africa to Pfizer. The purpose of this letter is to provide the authorisations and concurrences necessary for the indemnity contained in the Agreement to bind the National Revenue Fund to future financial commitments pursuant to the Public Finance Management Act, 1999 (Act No. 1 of 1999) ("the PFMA").

The Minister of Health, in his capacity as the responsible Cabinet member, authorises the expenditure for the purchase of the COVID-19 vaccines and agrees to the indemnity provisions contained in clause 8 of the Agreement pursuant to section 66(2)(a) of the PFMA, acting with the concurrence of the Minister of Finance in terms of section 70 of the PFMA.

The Minister of Health confirms that Dr Sandile S.S. Buthelezi, in his capacity as the Director General of the National Department of Health in South Africa, is authorized to perform all duties and responsibilities as an Accounting Officer in terms of sections 36, 38 and 39 of the PFMA, including executing the Agreement and the indemnity contained therein consistent with the authorisation and concurrence of the Minister of Health and Minister of Finance contained in this letter.

The Minister of Finance concurs in the use of the funds in terms of the applicable provisions of the PFMA and the appropriation legislation, and grants concurrence to the Minister of Health to issue the indemnity contained in clause 8 of the Agreement in terms of sections 66(2)(a) and 70(1)(a) of the PFMA. The Minister of Finance has reviewed the indemnity provisions and other related provisions of the Agreement, and has been provided with all relevant information required regarding the issue of the indemnity and the relevant financial commitment as required by section 70(3) of the PFMA.

Yours Sincerely



DR ZL MKHIZE, MP
MINISTER OF HEALTH
DATE:

TT MBOWENI, MP
MINISTER OF FINANCE
DATE: 29/03/2021