



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

VOL. 400

CAPE TOWN, 7 OCTOBER 1998

No. 19327

KAAPSTAD, 7 OKTOBER 1998

OFFICE OF THE PRESIDENT

No. 1252.

7 October 1998

It is hereby notified that the President has assented to the following Act which is hereby published for general information:—

No. 71 of 1998: Road Accident Fund Commission Act, 1998.

KANTOOR VAN DIE PRESIDENT

No. 1252.

7 Oktober 1998

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 71 van 1998: Wet op die Padongelukfondskommissie, 1998.

*(English text signed by the President.)
(Assented to 28 September 1998.)*

ACT

To provide for the establishment of a commission of inquiry to inquire into, and to make recommendations regarding, a system for the payment of compensation or benefits, or a combination of compensation and benefits, in the event of the injury or death of persons in road accidents; and to provide for incidental matters.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Definitions

- | | |
|---|----|
| 1. In this Act, unless inconsistent with the context— | 5 |
| “Chairperson” means the Chairperson of the Commission, referred to in section 3(3); | |
| “Commission” means the Road Accident Fund Commission, established by section 2(1); | |
| “injury” means a bodily injury; | |
| “Minister” means the Minister of Transport; | |
| “road accident” means an accident or collision caused by or arising from the driving of a motor vehicle; | |
| “Road Accident Fund” means the Road Accident Fund established by section 2(1) of the Road Accident Fund Act, 1996 (Act No. 56 of 1996); and | |
| “this Act” includes any regulation made under section 13. | 15 |

Establishment and object of Commission

- | | |
|--|----|
| 2. (1) A commission of inquiry to be known as the Road Accident Fund Commission is hereby established. | |
| (2) The object of the Commission is to inquire into and to make recommendations regarding a reasonable, equitable, affordable and sustainable system for the payment by the Road Accident Fund of compensation or benefits, or a combination of compensation and benefits, in the event of the injury or death of persons in road accidents in the Republic. | 20 |

Constitution of Commission

- | | |
|---|----|
| 3. (1) The Commission consists of three members appointed by the President in consultation with the Cabinet. | 25 |
| (2) The members of the Commission must be persons who, in the opinion of the President, are fit for appointment because by reason of their qualifications and experience they will contribute to the effective performance or exercise of the functions, powers and duties of the Commission. | |
| (3) One of the members of the Commission must be a judge of the Constitutional Court or of a High Court, and is the Chairperson of the Commission. | 30 |
| (4) The President must make the names of the persons appointed as members of the Commission known by proclamation in the <i>Gazette</i> . | |
| (5) A person appointed as a member of the Commission holds office for the duration of the Commission. | 35 |

(Engelse teks deur die President geteken.)
 (Goedgekeur op 28 September 1998.)

WET

Om voorsiening te maak vir die instelling van 'n kommissie van ondersoek om ondersoek in te stel na, en aanbevelings te doen betreffende, 'n stelsel vir die betaling van vergoeding of voordele, of 'n kombinasie van vergoeding en voordele, in die geval van die besering of dood van persone in padongelukke; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

DAAR WORD BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:

Woordomskrywings

1. In hierdie Wet, tensy ditstrydig is met die samehang, beteken—
 - 5 “besering” 'n liggaamlike besering;
 - “hierdie Wet” ook enige regulasie uitgevaardig kragtens artikel 13;
 - “Kommissie” die Padongelukfondskommissie, ingestel by artikel 2(1);
 - “Minister” die Minister van Vervoer;
 - “padongeluk” 'n ongeluk of botsing veroorsaak deur of voortspruitend uit die bestuur van 'n motorvoertuig;
 - “Padongelukfonds” die Padongelukfonds, ingestel by artikel 2(1) van die Padongelukfondswet, 1996 (Wet No. 56 van 1996); en
 - “Voorsitter” die Voorsitter van die Kommissie, bedoel in artikel 3(3).

Instelling en oogmerk van Kommissie

- 15 2. (1) Daar word hierby 'n kommissie van ondersoek ingestel wat die Padongelukfondskommissie genoem word.
 - (2) Die oogmerk van die Kommissie is om ondersoek in te stel na en aanbevelings te doen betreffende 'n redelike, regverdige, bekostigbare en handhaafbare stelsel vir die betaling deur die Padongelukfonds van vergoeding of voordele, of 'n kombinasie van vergoeding en voordele, in die geval van die besering of dood van persone in padongelukke in die Republiek.

Samestelling van Kommissie

- 25 3. (1) Die Kommissie bestaan uit drie lede deur die President aangestel in oorlegpleging met die Kabinet.
 - (2) Die lede van die Kommissie moet persone wees wat, na die mening van die President, geskik is vir aanstelling omdat hulle op grond van hulle kwalifikasies en ondervinding sal bydra tot die doeltreffende verrigting of uitoefening van die werkzaamhede, bevoegdhede en pligte van die Kommissie.
 - (3) Een van die lede van die Kommissie moet 'n regter van die Konstitusionele Hof of van 'n Hoë Hof wees, en is die Voorsitter van die Kommissie.
 - (4) Die President moet die name van die persone wat as lede van die Kommissie aangestel word, by proklamasie in die *Staatskoerant* bekend maak.
 - (5) 'n Persoon wat as 'n lid van die Kommissie aangestel word, beklee die amp vir die duur van die Kommissie.

Remuneration of members of Commission

4. (1) A member of the Commission is entitled to such remuneration, allowances and other benefits, if any, as the President may determine.

(2) The remuneration determined for the Chairperson of the Commission may be higher than that determined for the other members.

5

Functions of Commission

5. (1) The Commission must inquire into—

(a) the nature of the existing system for the payment of compensation in the event of the injury or death of persons in road accidents, with reference to—

(i) the terms and conditions governing that system, as provided for in terms of the Road Accident Fund Act, 1996 (Act No. 56 of 1996), and the regulations thereunder, and the problems experienced in this respect; and

(ii) the current financial condition of the Road Accident Fund, taking full account of all likely contingent liabilities that have already arisen, whether the claims relating thereto have already been lodged or not, and whether those claims have already been settled or not; and

(b) the nature and the relative advantages and disadvantages of—

(i) all available representations concerning the matters referred to in paragraph (a) received in writing or orally, where records exist, by the Ministry and the Department of Transport, by the Road Accident Fund and the Multilateral Motor Vehicle Accidents Fund, and by the Portfolio Committee on Transport of the National Assembly, since 10 May 1994; and

(ii) the issues raised and the proposals contained in the White Paper on the Road Accident Fund, Notice No. 170 of 1998, published in the *Gazette* No. 18658 of 4 February 1998, and in the preceding drafts thereof, and the available submissions thereon made to the bodies referred to in subparagraph (i) in writing or orally, where records exist, as well as recordings of public hearings and meetings.

(2) The Commission must make recommendations to the President on a reasonable, equitable, affordable and sustainable system for the payment by the Road Accident Fund of compensation or benefits, or a combination of compensation and benefits, in the event of the injury or death of persons in road accidents in the Republic, and in doing so the Commission must have due regard to the provisions of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996).

(3) The recommendations referred to in subsection (2) must take into account and must be made with reference to the necessity or desirability of achieving, as soon as may be practicable, the Road Accident Fund's solvency in the sense that its liabilities, contingent or otherwise, are fully funded. The Commission must also consider the audit reports of the Auditor-General in respect of the Road Accident Fund and the Multilateral Motor Vehicle Accidents Fund, covering several years before the making of the recommendations.

(4) The Minister must make available to the Commission all the documents and records contemplated in subsection (1)(b)(i) and (ii).

Powers of Commission on conducting inquiry

45

6. (1) When conducting the inquiry referred to in section 5(1), the Commission may—

(a) in such manner as the Chairperson may determine, invite any specific person or body or in general any person or body to submit oral or written evidence or arguments to the Commission;

(b) through the Chairperson, in writing request from any person or body such written particulars and information as it may consider necessary for the inquiry;

(c) by written notice signed by the Chairperson, addressed to and delivered by a member of the staff of the Commission or by a sheriff to any person, require

50

Besoldiging van lede van Kommissie

4. (1) 'n Lid van die Kommissie is geregtig op die besoldiging, toelaes en ander voordele, indien enige, wat die President bepaal.

(2) Die besoldiging wat vir die Voorsitter van die Kommissie bepaal word, mag hoër wees as dié wat vir die ander lede bepaal word.

Werksaamhede van Kommissie

5. (1) Die Kommissie moet ondersoek instel na—

- (a) die aard van die bestaande stelsel vir die betaling van vergoeding in die geval van die besering of dood van persone in padongelukke, met verwysing na—
 - (i) die bepalings en voorwaardes wat daardie stelsel beheers, soos voorvoorsiening gemaak ingevolge die Padongelukfondswet, 1996 (Wet No. 56 van 1996), en die regulasies daaroor, en die probleme wat in hierdie oopsig ondervind word; en
 - (ii) die heersende finansiële toestand van die Padongelukfonds, met volle inagneming van alle waarskynlike voorwaardelike verpligte wat alreeds ontstaan het, hetsy die eise wat daarmee verband hou alreeds ingedien is al dan nie, en hetsy daardie eise alreeds geskik is al dan nie; en
- (b) die aard en die relatiewe voordele en nadade van—
 - (i) alle beskikbare vertoë aangaande die aangeleenthede bedoel in paraaf (a) wat skriftelik of mondeling, waar rekords bestaan, ontvang is deur die Ministerie en die Departement van Vervoer, deur die Padongelukfonds en die Multilaterale Motorvoertuigongelukkefonds, en deur die Portefeuiljekomitee oor Vervoer van die Nasionale Vergadering, sedert 10 Mei 1994; en
 - (ii) die vraagpunte geopper en die voorstelle vervat in die Witskrif oor die Padongelukfonds, Kennisgewing No. 170 van 1998, gepubliseer in die Staatskoerant No. 18658 van 4 Februarie 1998, en in die voorafgaande konsepte daarvan, en die beskikbare voorleggings daaroor wat skriftelik of mondeling, waar rekords bestaan, gedoen is aan die liggende bedoel in subparagraph (i), asook opnames van openbare aanhorings en vergaderings.

(2) Die Kommissie moet aanbevelings doen aan die President oor 'n redelike, regverdig, bekostigbare en handhaafbare stelsel vir die betaling deur die Padongelukfonds van vergoeding of voordele, of 'n kombinasie van vergoeding en voordele, in die geval van die besering of dood van persone in padongelukke in die Republiek, en terwyl die Kommissie dit doen, moet dit behoorlik ag staan op die bepalings van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996).

(3) Die aanbevelings bedoel in subartikel (2) moet gedoen word met inagneming van en met verwysing na die noodsaaklikheid of wenslikheid om, so gou soos wat uitvoerbaar mag wees, die Padongelukfonds se solvensie te bereik, in die sin dat sy verpligte, voorwaardelik of andersins, ten volle befonds is. Die Kommissie moet ook die ouditverslae van die Ouditeur-Generaal ten opsigte van die Padongelukfonds en die Multilaterale Motorvoertuigongelukkefonds oorweeg wat verskeie jare voor die doen van die aanbevelings dek.

(4) Die Minister moet al die dokumente en rekords beoog in subartikel (1)(b)(i) en (ii) aan die Kommissie beskikbaar stel.

Bevoegdhede van Kommissie by voer van ondersoek

6. (1) Wanneer die Kommissie die ondersoek bedoel in artikel 5(1) voer, kan die Kommissie—

- (a) op die wyse wat die Voorsitter bepaal, enige spesifieke persoon of liggaaom of in die algemeen enige persoon of liggaaom uitnooi om mondeline of skriftelike getuenis of argumente aan die Kommissie voor te lê;
- (b) deur die Voorsitter, skriftelik van enige persoon of liggaaom die skriftelike besonderhede en inligting versoek wat die Kommissie as nodig vir die ondersoek beskou;
- (c) by skriftelike kennisgewing onderteken deur die Voorsitter, gerig aan en afgelewer deur 'n lid van die personeel van die Kommissie of deur 'n balju

- that person to appear before the Commission in relation to the inquiry at a time and place specified in the notice and, if required, to produce to it all or any documents in the possession or under the control of that person which the Commission may consider necessary for the inquiry; and
- (d) through the Chairperson, have full access to the Minister, the Board and the management of the Road Accident Fund, and Government departments.
- (2) The Commission may, through the Chairperson or a member of its staff designated by the Chairperson, administer an oath to or take an affirmation from any person appearing before it in terms of subsection (1), and question that person under oath or affirmation regarding any matter which it may consider necessary for the inquiry.
- (3) Any person appearing before the Commission in terms of subsection (1)(c) is entitled to receive as witness fees an amount equal to the amount which that person would have received as witness fees had the person been subpoenaed to attend civil proceedings in the High Court held at the place mentioned in the written notice in question.
- (4) Any person questioned by the Commission in terms of subsection (2) is, despite the provisions of any law or the common law to the contrary, but subject to the provisions of subsection (5)—
- (a) competent and compelled to answer all questions put to that person regarding any matter connected with the inquiry despite that the answer may be self-incriminating; and
- (b) compelled to produce to the Commission all or any documents in the possession or under the control of that person which the Commission may consider necessary for the inquiry.
- (5) The provisions of subsection (4) are not to be interpreted as meaning that a self-incriminating answer referred to in subsection (4)(a) is admissible as evidence against the person concerned in any criminal proceedings.
- (6) A member of the Commission or a member of the staff of the Commission designated in writing for that purpose by the Chairperson may, for the purposes of the inquiry, at all reasonable times enter upon and inspect any premises and demand and seize any document kept on those premises relating to the inquiry.
- (7) A person may not without the written permission of the Chairperson disseminate any document submitted or produced to the Commission by any person concerning the inquiry or publish the contents or any portion of the contents of such a document.
- (8) The Commission may hold such public hearings as it may consider necessary for the purposes of the inquiry.
- Duties of Commission on completion of inquiry**
7. (1) The Commission must complete the inquiry referred to in section 5(1) within a period of nine months from the date of appointment of the members of the Commission in terms of section 3(1).
- (2) The Commission must, after the completion of the inquiry, prepare a written report containing its findings and conclusions, and the recommendations referred to in section 5(2).
- (3) (a) Decisions by the Commission on the contents of the report must be taken on the basis of consensus amongst the members.
- (b) In the event of consensus not being reached, decisions may be taken by a two-thirds majority of the members of the Commission.
- (c) In the case contemplated in paragraph (b), minority views may be presented in the form of footnotes or annexures to the report.
- (4) The Commission must submit its report to the President within a period of three months from the completion of the inquiry.
- (5) The Commission is dissolved on submission of its report to the President.
- Publication of report of Commission**
8. (1) The President must, within a period of one month from the submission of the report by the Commission, submit the report to the presiding officers of both Houses for tabling in Parliament.

aan enige persoon, van daardie persoon verg om voor die Kommissie te verskyn in verband met die ondersoek op 'n tydstip en plek in die kennisgewing gespesifieer en, indien vereis, om aan die Kommissie alle of enige dokumente in die besit of onder die beheer van daardie persoon oor te lê wat die Kommissie as nodig vir die ondersoek beskou; en

5 (d) deur die Voorsitter, volle toegang hê tot die Minister, die Raad en die bestuur van die Padongelukfonds, en Regeringsdepartemente.

(2) Die Kommissie kan, deur die Voorsitter of 'n lid van die Kommissie se personeel aangewys deur die Voorsitter, 'n eed of 'n bevestiging afneem van enige persoon wat 10 voor die Kommissie verskyn ingevolge subartikel (1), en daardie persoon onder eed of bevestiging ondervra betreffende enige aangeleentheid wat die Kommissie as nodig vir die ondersoek beskou.

15 (3) Enige persoon wat voor die Kommissie verskyn ingevolge subartikel (1)(c) is geregtig om as getuiegde te ontvang 'n bedrag gelykstaande aan die bedrag wat daardie persoon as getuiegde sou ontvang het indien die persoon gedagvaar sou gewees het om siviele verrigtinge by te woon in die Hoë Hof gehou op die plek genoem in die betrokke skriftelike kennisgewing.

20 (4) Enige persoon deur die Kommissie ondervra ingevolge subartikel (2) is, ondanks andersluidende bepalings van enige wet of die gemene reg, maar onderhewig aan die bepalings van subartikel (5)—

25 (a) bevoeg en verplig om alle vrae aan daardie persoon gestel betreffende enige aangeleentheid verbonde aan die ondersoek te beantwoord ten spyte daarvan dat die antwoord selfbeskuldigend mag wees; en

(b) verplig om aan die Kommissie alle of enige dokumente in die besit of onder die beheer van daardie persoon oor te lê wat die Kommissie as nodig vir die ondersoek beskou.

30 (5) Die bepalings van subartikel (4) moet nie vertolk word as sou dit beteken dat 'n selfbeskuldigende antwoord bedoel in subartikel (4)(a) as getuenis toelaatbaar is teen die betrokke persoon in enige strafregtelike verrigtinge nie.

35 (6) 'n Lid van die Kommissie of 'n lid van die personeel van die Kommissie skriftelik vir daardie doel aangewys deur die Voorsitter mag, vir die doeleindest van die ondersoek, te alle redelike tye enige perseel betree en besigtig en enige dokument wat op daardie perseel gehou word en met die ondersoek in verband staan, opeis en daarop beslag lê.

40 (7) 'n Persoon mag nie sonder die skriftelike toestemming van die Voorsitter enige dokument versprei wat aan die Kommissie voorgelê of oorgelê is deur enige persoon betreffende die ondersoek of die inhoud of enige gedeelte van die inhoud van so 'n dokument publiseer nie.

(8) Die Kommissie kan die openbare aanhorings hou wat die Kommissie as nodig vir die doeleindest van die ondersoek beskou.

Pligte van Kommissie by voltooiing van ondersoek

7. (1) Die Kommissie moet die ondersoek bedoel in artikel 5(1) voltooii binne 'n tydperk van nege maande vanaf die datum van aanstelling van die lede van die Kommissie ingevolge artikel 3(1).

45 (2) Die Kommissie moet ná voltooiing van die ondersoek 'n skriftelike verslag voorberei wat die Kommissie se bevindinge en gevolgtrekkings, en die aanbevelings bedoel in artikel 5(2), vervat.

(3) (a) Besluite deur die Kommissie oor die inhoud van die verslag moet op die grondslag van konsensus tussen die lede geneem word.

50 (b) In die geval waar konsensus nie bereik word nie, kan besluite deur 'n tweederdemeerderheid van die lede van die Kommissie geneem word.

(c) In die geval beoog in paragraaf (b), kan minderheidsbeskouings weergegee word in die vorm van voetnotas of aanhangsels tot die verslag.

55 (4) Die Kommissie moet sy verslag aan die President voorlê binne 'n tydperk van drie maande vanaf die voltooiing van die ondersoek.

(5) Die Kommissie word ontbind by voorlegging van sy verslag aan die President.

Publikasie van verslag van Kommissie

8. (1) Die President moet, binne 'n tydperk van een maand vanaf die voorlegging van die verslag deur die Kommissie, die verslag aan die voorsittende beamptes van beide 60 Huise voorlê vir tertafellegging in die Parlement.

(2) A person may not publish the report or a copy or any part thereof before the tabling of the report in terms of subsection (1).

Staff of Commission

9. (1) In the performance or exercise of its functions, powers and duties, the Commission must be assisted by a staff consisting of—

- (a) officers in the public service made available for that purpose by the Director-General: Transport; and
- (b) such other persons as the Minister may determine in consultation with the Chairperson.

(2) Every member of the staff of the Commission must help to preserve confidentiality regarding any matter or information that may come to the knowledge of a member of the staff in the performance of the duties of that member concerning the functions of the Commission, unless the Chairperson may in writing authorise such a member otherwise.

(3) A member of the staff of the Commission referred to in subsection (1)(a) is entitled to such allowance, and a member of the staff referred to in subsection (1)(b) is entitled to such remuneration and allowance, as the Minister may determine with the concurrence of the Minister of State Expenditure.

5

10

15

20

25

Expenditure concerning Commission

10. The expenditure concerning the performance or exercise of the functions, powers and duties of the Commission must be borne by the Road Accident Fund and accounted for by the Director-General: Transport.

Limitation of liability

11. A member of the Commission or of its staff or person acting on behalf of or on the instruction of the Commission, is not liable for anything done or omitted in good faith under any provision of this Act.

25

Offences and penalties

12. (1) A person commits an offence if that person—

- (a) refuses or fails to furnish written particulars or information requested from that person in terms of section 6(1)(b);
- (b) refuses or fails to comply with a written notice in terms of section 6(1)(c);
- (c) refuses to take an oath or to make an affirmation at the request of the Commission in terms of section 6(2);
- (d) refuses to answer any question put to that person in terms of section 6(2) or gives to such a question an answer which to that person's knowledge is false;
- (e) insults, disparages or belittles the Commission or does anything concerning the proceedings at a public hearing of the Commission which would have constituted contempt of court if those proceedings were proceedings in a court of law;
- (f) wilfully hinders or obstructs the Commission or a member of its staff in the performance or exercise of its or that member's functions, powers or duties;
- (g) wilfully interrupts the proceedings at a public hearing of the Commission or misbehaves in any other manner in the place where such a public hearing is held;
- (h) anticipates the proceedings at a public hearing or the findings of the Commission in a manner calculated to influence such proceedings or findings or does anything calculated to influence the Commission improperly in respect of any matter being or to be considered by the Commission concerning the inquiry referred to in section 5(1); or
- (i) contravenes or fails to comply with any provision of this Act aimed at preserving confidentiality.

30

35

40

45

50

(2) 'n Persoon mag nie die verslag of 'n afskrif of enige deel daarvan publiseer voor die tertafellegging van die verslag ingevolge subartikel (1) nie.

Personnel van Kommissie

- 9.** (1) In die verrigting of uitoefening van sy werksaamhede, bevoegdhede en pligte,
5 moet die Kommissie bygestaan word deur 'n personeel bestaande uit—
 (a) beampies in die staatsdiens beskikbaar gemaak vir daardie doel deur die
Direkteur-Generaal: Vervoer; en
 (b) die ander persone wat die Minister in oorleg met die Voorsitter bepaal.
 (2) Elke lid van die personeel van die Kommissie moet help om vertroulikheid te
10 bewaar betreffende enige aangeleentheid of inligting wat tot die kennis van 'n lid van
die personeel kom in die verrigting van die pligte van daardie lid rakende die
werksaamhede van die Kommissie, tensy die Voorsitter so 'n lid skriftelik andersins
magtig.
 (3) 'n Lid van die personeel van die Kommissie bedoel in subartikel (1)(a) is
15 geregtig op die toelaag, en 'n lid van die personeel bedoel in subartikel (1)(b) is
geregtig op die besoldiging en toelaag, wat die Minister met die instemming van die
Minister van Staatsbesteding bepaal.

Besteding betreffende Kommissie

- 10.** Die besteding betreffende die verrigting of uitoefening van die werksaamhede,
20 bevoegdhede en pligte van die Kommissie moet deur die Padongelukfonds gedra en
deur die Direkteur-Generaal: Vervoer verantwoord word.

Beperking van aanspreeklikheid

- 11.** 'n Lid van die Kommissie of van sy personeel of persoon wat namens of in
opdrag van die Kommissie optree, is nie aanspreeklik vir enigiets te goeder trou gedoen
25 of nagelaat kragtens enige bepaling van hierdie Wet nie.

Misdrywe en strawwe

- 12.** (1) 'n Persoon pleeg 'n misdryf indien daardie persoon—
 (a) weier of versuim om skriftelike besonderhede of inligting van daardie
persoon versoek ingevolge artikel 6(1)(b) te verskaf;
 30 (b) weier of versuim om te voldoen aan 'n skriftelike kennisgewing ingevolge
artikel 6(1)(c);
 (c) weier om 'n eed af te lê of 'n bevestiging te maak op versoek van die
Kommissie ingevolge artikel 6(2);
 (d) weier om enige vraag te beantwoord wat ingevolge artikel 6(2) aan daardie
35 persoon gestel word of op so 'n vraag 'n antwoord verstrek wat na daardie
persoon se wete vals is;
 (e) die Kommissie beledig, neerhaal of verkleineer of enigiets doen rakende die
verrigtinge by 'n openbare aanhoring van die Kommissie wat minagtig van
40 die hof sou uitgemaak het indien daardie verrigtinge verrigtinge in 'n
geregshof was;
 (f) moedwillig die Kommissie of 'n lid van sy personeel in die verrigting of
uitoefening van die Kommissie of daardie lid se funksies, magte of pligte
belemmer of dwarsboom;
 45 (g) moedwillig die verrigtinge by 'n openbare aanhoring van die Kommissie
onderbreek of sig wangedra op enige ander wyse in die plek waar so 'n
openbare aanhoring gehou word;
 (h) die verrigtinge by 'n openbare aanhoring of die bevindinge van die
Kommissie vooruitloop op 'n wyse wat bereken is om sodanige verrigtinge
50 of bevindinge te beïnvloed, of enigiets doen wat bereken is om die
Kommissie onbehoorlik te beïnvloed ten opsigte van enige aangeleentheid
wat deur die Kommissie oorweeg word of gaan word betreffende die
ondersoek bedoel in artikel 5(1); of
 (i) enige bepaling van hierdie Wet wat daarop gemik is om vertroulikheid te
bewaar, oortree of versuim om daaraan te voldoen.

(2) A person convicted of an offence in terms of subsection (1) is liable to a fine or to imprisonment for a period not exceeding 12 months, or to both such fine and such imprisonment.

Regulations

13. (1) The Minister may make regulations prescribing any matter which is permitted to be prescribed in terms of this Act or which in the opinion of the Minister is necessary or expedient to be prescribed in order to achieve or promote the objects of this Act. 5

(2) Regulations under subsection (1) affecting State expenditure may be made only with the concurrence of the Minister of State Expenditure.

Short title 10

14. This Act is called the Road Accident Fund Commission Act, 1998.

(2) 'n Persoon wat skuldig bevind word aan 'n misdryf ingevolge subartikel (1) is strafbaar met 'n boete of met gevangenisstraf vir 'n tydperk wat nie 12 maande oorskry nie, of met beide sodanige boete en sodanige gevangenisstraf.

Regulasies

- 5 **13.** (1) Die Minister kan regulasies uitvaardig wat enige aangeleentheid voorskryf wat toegelaat is om ingevolge hierdie Wet voorgeskryf te word of wat na die mening van die Minister nodig of dienstig is om voorgeskryf te word ten einde die oogmerke van hierdie Wet te bereik of te bevorder.
10 (2) Regulasies kragtens subartikel (1) wat Staatsbesteding raak, kan alleenlik met die instemming van die Minister van Staatsbesteding uitgevaardig word.

Kort titel

14. Hierdie Wet heet die Wet op die Padongelukfondskommissie, 1998.

