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No. 25541

THE PRESIDENCY

No. 1403

7 October 2003

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

No. 20 of 2003: National Road Traffic Amendment Act, 2003.

DIE PRESIDENSIE

No. 1403

7 Oktober 2003

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

No. 20 van 2003: Nasionale Padverkeerswysigingswet, 2003.



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GENERAL EXPLANATORY NOTE:

Words underlined with a solid line indicate insertions in existing enactments.

*(English text signed by the President.)
(Assented to 1 October 2003.)*

ACT

To amend the National Road Traffic Act, 1996, so as to provide anew for the period within which certain driving licences remain valid; and to empower the Minister to set different periods within which different categories of persons must substitute their driving licences; and to provide for matters connected therewith.

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

Amendment of section 18 of Act 93 of 1996

1. Section 18 of the National Road Traffic Act, 1996 (Act No. 93 of 1996) (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution for subsection (6) of the following subsection:

“(6) (a) A driving licence which has officially been included in an identity document shall be deemed to be a driving licence issued under this Act, until a date fixed by the Minister by notice in the *Gazette*.

(b) In respect of any notice issued in terms of paragraph (a), in the case of any person who was unable to apply for such a driving licence due to him or her having been—

- (i) admitted to any medical facility or detained in any state institution in terms of an order issued or sentence imposed by a court of law;
 - (ii) posted by the Government on a foreign mission or assignment;
 - (iii) on a contract of employment outside the borders of the Republic; or
 - (iv) a full-time student at a foreign academic institution,
- the date determined in that notice shall, upon proof submitted by any such person of the date of his or her discharge from such facility or, release from such institution or his or her return to the Republic, be deemed to be a date six months after the date of such discharge, release or return.”; and

(b) by the addition of the following subsection:

“(7) (a) A driving licence other than a licence contemplated in subsection (6) that was valid immediately before the commencement of this section remains valid until a date determined by the Minister by notice in the *Gazette*.

(b) The Minister may—

- (i) determine different dates for the expiry of the validity of driving licences contemplated in paragraph (a) in respect of different categories of persons; and
- (ii) extend any date determined in terms of subparagraph (i).”

ALGEMENE VERDUIDELIKENDE NOTA:

Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

*(Engelse teks deur die President geteken.)
(Goedgekeur op 1 Oktober 2003.)*

WET

Tot wysiging van die Nasionale Padverkeerswet, 1996, ten einde opnuut voorsiening te maak vir die tydperk waarin sekere bestuurslisensies geldig bly; en die Minister te magtig om verskillende tydperke te bepaal waarin verskillende kategorieë persone hulle bestuurslisensies moet vervang; 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:—

Wysiging van artikel 18 van Wet 93 van 1996

1. Artikel 18 van die Nasionale Padverkeerswet, 1996 (hierna die Hoofwet genoem), word hierby gewysig—

(a) deur subartikel (6) deur die volgende subartikel te vervang:

“(6) (a) 'n Bestuurslisensie wat amptelik in 'n identiteitsdokument opgeneem is, word geag 'n bestuurslisensie te wees wat kragtens hierdie Wet uitgereik is, tot op 'n datum bepaal deur die Minister by kennisgewing in die *Staatskoerant*.

(b) Ten opsigte van enige kennisgewing uitgereik ingevolge paragraaf (a), in die geval van 'n persoon wat nie in staat was om aansoek te doen om sodanige bestuurslisensie nie weens —

- (i) opname in 'n mediese fasiliteit of aanhouding in 'n staatsinstelling ingevolge 'n bevel uitgereik of vonnis opgelê deur 'n geregshof;
- (ii) uitplasing deur die Regering op 'n buitelandse missie of opdrag;
- (iii) 'n dienskontrak buite die grense van die Republiek; of
- (iv) voltydse studie aan 'n buitelandse akademiese instelling, word die datum in daardie kennisgewing bepaal, by voorlegging van bewys deur enige sodanige persoon van die datum van sy of haar ontslag uit sodanige fasiliteit, vrylating uit sodanige instelling of van sy of haar terugkeer na die Republiek, geag 'n datum te wees ses maande na die datum van sodanige ontslag, vrylating of terugkeer.”; en

(b) deur die volgende subartikel by te voeg:

“(7) (a) 'n Ander bestuurslisensie as 'n lisensie beoog in subartikel (6), wat onmiddellik voor die inwerkingtreding van hierdie artikel geldig was, bly geldig tot op 'n datum deur die Minister by kennisgewing in die *Staatskoerant* bepaal.

(b) Die Minister kan —

- (i) verskillende datums vir die verval van die geldigheid van bestuurslisensies beoog in paragraaf (a) ten opsigte van verskillende kategorieë persone bepaal; en
- (ii) enige datum wat ingevolge subparagraaf (i) bepaal is, verleng.”.

Substitution of section 19 of Act 93 of 1996

2. The following section is hereby substituted for section 19 of the principal Act:

“Substitution of driving licence before certain date

19. (1) The holder of a driving licence contemplated in section 18(6) or (7) shall apply to a driving licence testing centre for the issue of a driving licence in substitution of his or her existing licence. 5

(2) An application under subsection (1) shall be made in the prescribed manner and be accompanied by the prescribed documents.

(3) A driving licence which has not been substituted as contemplated in subsection (1) becomes invalid on the day after the date determined by the Minister in terms of section 18(6) or (7), as the case may be. 10

(4) Any person whose licence has become invalid in terms of subsection (3) and who requires a driving licence must apply anew for the issue of a licence in terms of section 18.”.

Short title and commencement

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3. This Act is called the National Road Traffic Amendment Act, 2003, and section 1(a) must be regarded as having taken effect on 30 April 2003.

Vervanging van artikel 19 van Wet 93 van 1996

2. Artikel 19 van die Hoofwet word hierby deur die volgende artikel vervang:

“Vervanging van bestuurslisensie voor sekere datum

19. (1) Die houer van 'n bestuurslisensie beoog in artikel 18(6) of (7) moet by 'n bestuurslisensie-toetssentrum aansoek doen om die uitreiking van 'n bestuurslisensie wat sy of haar bestaande lisensie vervang. 5

(2) 'n Aansoek kragtens subartikel (1) word gedoen op die voorgeskrewe wyse en moet vergesel gaan van die voorgeskrewe dokumente.

(3) 'n Bestuurslisensie wat nie vervang is soos beoog in subartikel (1) nie, raak ongeldig op die dag na die datum deur die Minister bepaal ingevolge artikel 18(6) of (7), na gelang van die geval. 10

(4) 'n Persoon wie se lisensie ongeldig geraak het ingevolge subartikel (3) en wat 'n bestuurslisensie verlang, moet opnuut vir die uitreiking van 'n lisensie ingevolge artikel 18 aansoek doen.”.

Kort titel

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3. Hierdie Wet heet die Nasionale Padverkeerswysigingswet, 2003, en artikel 1(a) word geag op 30 April 2003 in werking te getree het.

