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DEPARTMENT OF TRANSPORT.

The following Bill which the Minister of Transport proposes introducing at the next session of Parliament is published for general information.

DEPARTEMENT VAN VERVOER.

Onderstaande Wetsontwerp wat die Minister van Vervoer voornemens is om by die volgende Parlement-sitting in te dien, word vir algemene inligting gepubliseer.

BILL

To provide for the establishment of a South African Road Safety Council and a Central Road Safety Fund; to define the functions of the said Council; to abolish the National Road Safety Organization of South Africa; and to provide for other incidental matters.

(To be introduced by the MINISTER OF TRANSPORT.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—
 - (i) "action committee" means the action committee of 5 the Council appointed in terms of section *eight*; (ii)
 - (ii) "Administrator" means the Administrator of a province acting with the consent of the executive committee thereof; (i)
 - (iii) "Council" means the South African Road Safety 10 Council established under section *two*; (viii)
 - (iv) "Fund" means the Central Road Safety Fund established under section *sixteen*; (iv)
 - (v) "local road safety association" means a local road safety association recognized as such by or affiliated 15 to the Council; (vii)
 - (vi) "local road safety committee" means a local road safety committee recognized as such by or affiliated to the Council; (vi)
 - (vii) "Minister" means the Minister of Transport; (v) 20
 - (viii) "officer" means an officer of the Council appointed in terms of section *eighteen*; (iii)
 - (ix) "prescribed" means prescribed by regulation under this Act; (x)
 - (x) "Public Service" means the public service as defined 25 in section *three* of the Public Service Act, 1957 (Act No. 54 of 1957). (ix)

Establishment of the South African Road Safety Council.

2. As from the date of commencement of this Act, there shall be established a body to be known as the South African Road Safety Council, which shall be a body corporate, capable 30 of suing and being sued in its corporate name and of performing all such acts as are necessary for or incidental to the attainment of its objects and the performance of its functions, powers and duties under this Act.

Constitution of the Council.

3. (1) The Council shall consist of not more than sixty 35 members to be appointed by the Minister.
- (2) The Minister shall appoint as members of the Council—
 - (a) the Secretary for Transport, whom he shall designate as chairman;
 - (b) one other representative of the Department of Trans- 40 port, whom he shall designate as deputy-chairman;
 - (c) one representative of each Provincial Administration nominated by the Administrator concerned;
 - (d) one representative nominated by the United Municipal Executive of South Africa; and 45
 - (e) not more than two representatives of the South African Council for Scientific and Industrial Research nominated by that council.
- (3) The remaining members to be appointed to the Council shall include— 50
 - (a) representatives nominated by such interested Departments of State as the Minister may from time to time determine;
 - (b) such additional representatives of the interests of Provincial Administrations as the Minister may 55 from time to time determine after consultation with the Administrators;

WETSONTWERP

Om voorsiening te maak vir die instelling van 'n Suid-Afrikaanse Padveiligheidsraad en 'n Sentrale Padveiligheidsfonds; om die werksaamhede van genoemde Raad te omskryf; om die Nasionale Padveiligheidsorganisasie van Suid-Afrika af te skaf; en om voorsiening te maak vir ander bykomstige aangeleenthede.

(Ingedien te word deur die MINISTER VAN VERVOER.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. In hierdie Wet, tensy uit die samehang anders blyk, Woord-
omskrywings.
 - 5 beteken—
 - (i) „Administrateur” die Administrateur van 'n provinsie handelende met die toestemming van die uitvoerende komitee daarvan; (ii)
 - 10 (ii) „aksiekomitee” die aksiekomitee van die Raad ingevolge artikel *agt* aangestel; (i)
 - (iii) „amptenaar” 'n amptenaar van die Raad ingevolge artikel *agtien* aangestel; (viii)
 - (iv) „Fonds” die Sentrale Padveiligheidsfonds kragtens artikel *sestien* ingestel; (iv)
 - 15 (v) „Minister” die Minister van Vervoer; (vii)
 - (vi) „plaaslike padveiligheidskomitee” 'n plaaslike padveiligheidskomitee as sodanig erken deur of geaffilieer met die Raad; (vi)
 - 20 (vii) „plaaslike padveiligheidsvereniging”, 'n plaaslike padveiligheidsvereniging as sodanig erken deur of geaffilieer met die Raad; (v)
 - (viii) „Raad” die Suid-Afrikaanse Padveiligheidsraad kragtens artikel *twee* ingestel; (iii)
 - 25 (ix) „Staatsdiens” die Staatsdiens soos in artikel *drie* van die Staatsdienswet, 1957 (Wet No. 54 van 1957) omskryf; (x)
 - (x) „voorgeskryf” by regulasie kragtens hierdie Wet voorgeskryf. (ix)
2. Vanaf die datum van die inwerkingtreding van hierdie Instelling van die
Suid-Afrikaanse
Padveiligheids-
raad.
 - 30 Wet word daar 'n liggaam ingestel met die naam van die Suid-Afrikaanse Padveiligheidsraad wat met regspersoonlikheid beklee is en wat in sy naam as regspersoon as eiser en verweerder in regte kan optree, en wat alle handelinge kan verrig wat vir die bereiking van sy oogmerke en die verrigting van sy werksaamhede, bevoegdhede en pligte ingevolge hierdie Wet nodig is of daarmee in verband staan.
3. (1) Die Raad bestaan uit hoogstens sestig lede deur die Samestelling
van die Raad. Minister aangestel te word.
 - (2) Die Minister stel as lede van die Raad aan—
 - 40 (a) die Sekretaris van Vervoer, wat hy as voorsitter aanwys;
 - (b) een ander verteenwoordiger van die Departement van Vervoer, wat hy as adjunk-voorsitter aanwys;
 - (c) een verteenwoordiger van elke Provinsiale Administrasie deur die betrokke Administrateur benoem;
 - 45 (d) een verteenwoordiger deur die Verenigde Munisipale Bestuur van Suid-Afrika benoem; en
 - (e) hoogstens twee verteenwoordigers van die Suid-Afrikaanse Raad vir Wetenskaplike en Nywerheidsnavorsing deur daardie raad benoem.
 - 50 (3) Die oorblywende lede wat in die Raad aangestel moet word, sluit in—
 - (a) verteenwoordigers van die belangstellende Staatsdepartemente wat die Minister van tyd tot tyd bepaal;
 - 55 (b) sodanige addisionele verteenwoordigers van die belang van Provinsiale Administrasies as wat die Minister van tyd tot tyd na oorlegpleging met die Administrateurs bepaal;

- (c) such additional representatives of the interests of local authorities as the Minister may from time to time determine after consultation with the United Municipal Executive of South Africa;
 - (d) not more than seventeen representatives elected by or on behalf of local road safety associations and local road safety committees in the manner and subject to the conditions as may be prescribed;
 - (e) persons of standing in such groups, other than those referred to in sub-section (2) and paragraphs (a), (b), (c) and (d) of this sub-section, as in the opinion of the Minister are most closely affected by and in a position to make the greatest contribution to the road safety effort; and
 - (f) one or more other persons whom the Minister, owing to their knowledge and experience, considers to be proper persons to be members of the Council.
- (4) The members referred to in paragraph (e) of sub-section (3) shall be appointed after consultation with such public bodies or associations recognized by the Minister as representative of the interests concerned.
- (5) The Minister may appoint an alternate member in respect of each member of the Council and for this purpose he may appoint any person (including a member of the Council) as an alternate to one member or more than one member of the Council.
- (6) The provisions of sub-sections (2), (3) and (4) entitling any authority, association, body or group of bodies to nominate a member or to be consulted in regard to the appointment of a member, shall apply *mutatis mutandis* to the appointment of alternate members.
- (7) Subject to the provisions of paragraph (a) of sub-section (2), the members of the Council and alternate members shall be appointed for such period not exceeding three years and on such conditions as the Minister may determine when making the appointments: Provided that individual members and alternate members may be appointed for different periods and upon different conditions: Provided further that the Minister may in his discretion terminate the appointment of any member or alternate member at any time before the expiry of his period of office: Provided further that a member or alternate member shall, on the expiry of his period of office, be eligible for re-appointment.
- (8) If any member or alternate member dies, or resigns by notice in writing addressed to the Minister or ceases to be a member or alternate member in terms of sub-section (7), the Minister may with due regard to the provisions of sub-sections (2), (3), (4) and (6), appoint a person as successor to such member or alternate member, as the case may be.
- (9) If any authority, association, body or group of bodies entitled to nominate or elect one or more representatives in terms of sub-section (2) or (3) or to be consulted in regard to the appointment of such representative or representatives fails to nominate or elect such representative or representatives within the period specified in the notice calling upon it to do so, or if no such authority, association, body or group of bodies exists, the Minister may appoint one or more persons whom he deems suitable in the place of the representative or representatives who are required to be nominated or elected by such authority, association, body or group of bodies.

Meetings of the Council.

4. (1) The first meeting of the Council shall be held on a day and at a place to be appointed by the Minister, and every subsequent meeting shall be held at a time and at a place to be appointed by the Council or by the chairman, if authorized thereto by it: Provided that the chairman may convene a special meeting at any time: Provided further that the chairman shall convene a special meeting if twenty members of the Council request him in writing to do so and indicate to him the purpose for which they desire the meeting to be held.
- (2) Whenever the chairman convenes a special meeting of the Council in terms of either of the provisos to sub-section (1), he shall do so by notice in writing and shall state in such notice the purpose for which the meeting is convened.
- (3) Whenever a member of the Council is unable to be present at any meeting of the Council, the alternate member appointed under sub-section (5) of section three in respect of

- (c) sodanige addisionele verteenwoordigers van die belange van plaaslike besture as wat die Minister van tyd tot tyd na oorlegpleging met die Verenigde Munisipale Bestuur van Suid-Afrika bepaal;
- 5 (d) hoogstens sewentien verteenwoordigers gekies deur of ten behoeve van plaaslike padveiligheidsverenigings en plaaslike padveiligheidskomitees op die wyse en onderworpe aan die voorwaardes wat voorgeskryf word;
- 10 (e) persone van aansien in sodanige groepe behalwe dié bedoel in sub-artikel (2) en paragrawe (a), (b), (c) en (d) van hierdie sub-artikel, as wat volgens die oordeel van die Minister die nouste geraak word deur, en in 'n posisie is om die grootste bydrae te lewer tot,
- 15 (f) een of meer ander persone wat volgens die oordeel van die Minister, weens hulle kennis en ondervinding, geskikte persone is om lede van die Raad te wees.
- (4) Die in paragraaf (e) van sub-artikel (3) bedoelde lede word aangestel na oorlegpleging met sodanige openbare liggame of verenigings as wat volgens die oordeel van die Minister verteenwoordigend is van die betrokke belange.
- (5) Die Minister kan ten opsigte van elke lid van die Raad 'n plaasvervangende lid aanstel en vir hierdie doel kan hy enige
- 25 persoon (met inbegrip van 'n lid van die Raad) as 'n plaasvervanger van een lid of meer as een lid van die Raad aanstel.
- (6) Die bepalings van sub-artikels (2), (3) en (4) wat 'n owerheid, vereniging, liggaam of groep liggame die reg gee om 'n lid te benoem of om geraadpleeg te word aangaande die aanstelling van 'n lid, is *mutatis mutandis* op die aanstelling van plaasvervangende lede van toepassing.
- (7) Behoudens die bepalings van paragraaf (a) van sub-artikel (2), word die lede van die Raad en plaasvervangende lede aangestel vir sodanige tydperk van hoogstens drie jaar en op sodanige voorwaardes as wat die Minister bepaal wanneer hy die
- 35 aanstellings doen: Met dien verstande dat individuele lede en plaasvervangende lede vir verskillende tydperke en op verskillende voorwaardes aangestel kan word: Met dien verstande voorts dat die Minister na goeë dunnke die aanstelling van enige
- 40 lid of plaasvervangende lid te eniger tyd voor die verstryking van sy ampstydperk kan beëindig: Met dien verstande voorts dat 'n lid of plaasvervangende lid, by die verstryking van sy ampstydperk, weer aangestel kan word.
- (8) Indien 'n lid of plaasvervangende lid te sterwe kom of by
- 45 skriftelike kennisgewing gerig aan die Minister bedank of ingevolge sub-artikel (7) ophou om 'n lid te wees, kan die Minister met behoorlike inagneming van die bepalings van sub-artikels (2), (3), (4) en (6), iemand as opvolger van daardie lid of plaasvervangende lid, na gelang van die geval, aanstel.
- 50 (9) Indien 'n owerheid, vereniging, liggaam of groep liggame wat ingevolge sub-artikel (2) of (3) daarop geregtig is om een of meer verteenwoordigers te benoem of te kies, of om aangaande die aanstelling van bedoelde verteenwoordiger of verteenwoordigers geraadpleeg te word, versuim om sodanige ver-
- 55 teenwoordiger of verteenwoordigers te benoem of te kies binne die tydperk vermeld in die kennisgewing waarin hy aangesê word om dit te doen, of indien so 'n owerheid, vereniging, liggaam of groep liggame nie bestaan nie, kan die Minister een of meer persone, wat hy geskik ag, aanstel in die plek van
- 60 die verteenwoordiger of verteenwoordigers wat deur bedoelde owerheid, vereniging, liggaam of groep liggame benoem of gekies moet word.
4. (1) Die eerste vergadering van die Raad word gehou op 'n dag en plek deur die Minister bepaal te word en elke daaropvolgende vergadering word gehou op 'n tyd en plek deur die Raad of deur die voorsitter, indien daartoe deur die Raad gemagtig, bepaal te word: Met dien verstande dat die voorsitter 'n buitengewone vergadering te eniger tyd kan belê: Met dien verstande voorts dat die voorsitter 'n buitengewone vergadering moet belê indien twintig lede van die Raad hom skriftelik daartoe versoek en aan hom 'n aanduiding gee van die doel waarvoor hulle verlang dat die vergadering gehou moet word.
- (2) Wanneer die voorsitter 'n buitengewone vergadering van die Raad ingevolge die een of die ander voorbehoudsbepaling by sub-artikel (1) belê, moet hy dit by skriftelike kennisgewing doen en moet hy in sodanige kennisgewing die doel waarvoor die vergadering belê word, vermeld.
- (3) Wanneer 'n lid van die Raad nie op 'n vergadering van die Raad aanwesig kan wees nie, kan die plaasvervangende lid wat
- 80 kragtens sub-artikel (5) van artikel drie ten opsigte van daardie

Vergaderings
van die Raad.

that member, may attend that meeting and take part in the proceedings and vote thereat in his stead.

(4) The chairman or, in his absence, the deputy-chairman shall preside at every meeting of the Council which he attends, and if neither the chairman nor the deputy-chairman attends a meeting, the other members and alternate members (if any) present thereat shall elect one of their number to preside at that meeting. 5

(5) Twenty members (including alternate members, if any) shall be a quorum at any meeting of the Council. 10

(6) The decision of the majority of the members (including alternate members, if any) present at any meeting of the Council, shall be deemed to be a decision of the Council, and in the event of an equality of votes at such meeting, the person presiding at the meeting shall have a casting vote. 15

Objects of the Council.

5. The objects for which the Council is established are to promote and to encourage road safety in the Union in all its aspects.

Functions of the Council.

6. The functions and duties of the Council shall be to do all such things as in the opinion of the Council are necessary for or incidental to the attainment of the objects for which the Council is established and to that end the Council shall, in addition to any other powers vested in it by this Act, have power— 20

(a) after due consideration of the report of the Committee of Inquiry into Road Safety (1955-'57) [U.G. 14-'58], the report of the Commission of Inquiry into Road Motor Transportation (1945) [U.G. 46-'47] and the final report of the Road Safety Mission [U.G. 47-'48], to formulate and propagate a co-ordinated national policy concerning road safety matters; 30

(b) subject to the provisions of section *seven*, to raise funds for its activities in any manner it may deem fit;

(c) to hire or, with the consent of the Minister, to acquire immovable property, and to hire or purchase movable property, and to let or sub-let such immovable property or otherwise to grant a right of occupation thereof, and to let or sell movable property, and with the consent of the Minister to sell, exchange or mortgage any immovable property acquired by it; 40

(d) in accordance with such principles and conditions as it may determine, to grant recognition to local road safety associations and local road safety committees and to encourage the establishment of new local road safety associations and local road safety committees in areas where this appears necessary; 45

(e) to consider and approve the action programmes and the annual estimates of income and expenditure of local road safety associations and in its discretion to grant subsidies to them; 50

(f) in its discretion to grant such financial assistance to local road safety committees as may appear necessary;

(g) to give assistance, guidance and encouragement to local road safety associations and local road safety committees and to explore directions in which their activities can be co-ordinated in their common interest; 55

(h) to consider all matters referred to it by local road safety associations and local road safety committees and, where necessary, to make representations regarding such matters to the authorities concerned; or on its own initiative or acting on information that may be supplied to it from any other source, to make representations to the authorities concerned regarding the improvement of conditions affecting road safety; 60

(i) to arrange for such training as may appear necessary of persons engaged or to be engaged on road safety work; or to promote or encourage the institution of training facilities for such persons; 65

lid aangestel is, daardie vergadering bywoon en aan die verrigtinge deelneem en daarop in sy plek stem.

(4) Die voorsitter of, by sy afwesigheid, die adjunk voorsitter, moet op elke vergadering van die Raad waarop hy aanwesig is,

5 voorsit, en indien nóg die voorsitter nóg die adjunk-voorsitter 'n vergadering bywoon, kies die ander lede en plaasvervangende lede (indien enige) wat daarop aanwesig is, een uit hul midde om op daardie vergadering voor te sit.

(5) Twintig lede (met inbegrip van plaasvervangende lede, 10 indien enige) maak op 'n vergadering van die Raad 'n kworum uit.

(6) Die besluit van die meerderheid van die lede (met inbegrip van plaasvervangende lede, indien enige) wat op 'n vergadering van die Raad aanwesig is, word geag 'n besluit 15 van die Raad te wees, en in geval van staking van stemme op so 'n vergadering, het die persoon wat op die vergadering voorsit, 'n beslissende stem.

5. Die oogmerke waarvoor die Raad ingestel word is om padveiligheid in die Unie in al sy aspekte te bevorder en aan te 20 moedig. Oogmerke van die Raad.

6. Die werksaamhede en pligte van die Raad is om enigiets te doen wat na die Raad se oordeel vir die bereiking van die oogmerke waarvoor die Raad ingestel word, nodig is of daarmee in verband staan, en vir daardie doel is die Raad, benewens 25 enige ander bevoegdhede wat ingevolge hierdie Wet by hom berus, bevoeg— Werksaamhede van die Raad.

(a) om na behoorlike oorweging van die verslag van die Komitee van Ondersoek na Padveiligheid (1955-'57) [U.G. 14-'58], die verslag van die Kommissie van Ondersoek na Padvervoer (1945) [U.G. 46-'47] en 30 die finale verslag van die Padveiligheidsending [U.G. 47-'48], 'n gekoördineerde nasionale beleid aangaande padveiligheidsaangeleenthede te formuleer en propageer;

(b) om behoudens die bepalings van artikel sewe, fondse vir sy aktiwiteite te verkry op enige wyse wat hy goëvind;

(c) om onroerende goed te huur of, met die toestemming van die Minister, te verkry, en om roerende goed te huur of koop, en om bedoelde onroerende goed te verhuur of onderverhuur of om andersins 'n reg van okkupasie daarvan te verleen, en om roerende goed te verhuur of verkoop en om met die toestemming van die Minister enige onroerende goed wat hy verkry het, 40 te verkoop, verruil of verhipotekeer;

(d) om in ooreenstemming met beginsels en voorwaardes wat hy bepaal, aan plaaslike padveiligheidsverenigings en plaaslike padveiligheidskomitees erkenning te verleen en die instelling van nuwe plaaslike padveiligheidsverenigings en -komitees in gebiede waar dit nodig mag blyk, aan te moedig; 50

(e) om die programme van aksie en die jaarlikse ramings van inkomste en uitgawes van plaaslike padveiligheidsverenigings te oorweeg en goed te keur en na goëddunke subsidies aan hulle toe te staan; 55

(f) om na goëddunke sodanige finansiële hulp aan plaaslike padveiligheidskomitees te verleen as wat nodig mag blyk;

(g) om aan plaaslike padveiligheidsverenigings en -komitees hulp, voorligting en aanmoediging te verleen en ondersoek in te stel na rigtings waarin hulle aktiwiteite in hul gemeenskaplike belang gekoördineer kan word; 60

(h) om alle aangeleenthede wat deur plaaslike padveiligheidsverenigings en -komitees na hom verwys word, te oorweeg en, waar nodig, verhoë tot die betrokke owerhede aangaande bedoelde aangeleenthede te rig; of om uit eie beweging of handelende op inligting wat uit enige ander bron aan hom verskaf word, verhoë tot die betrokke owerhede te rig aangaande die verbetering van omstandighede rakende padveiligheid; 70

(i) om reëlins te tref vir sodanige opleiding as wat nodig mag blyk, van persone wat in padveiligheidswerk betrokke is of betrokke gaan wees of om die instelling van opleidingsfasiliteite vir sodanige persone te bevorder of aan te moedig; 75

- (j) to issue a newsletter mainly for the guidance of local road safety associations and local road safety committees;
- (k) to arrange for the production of publicity material (including films) for distribution by itself, or by local road safety associations and local road safety committees, on such conditions as it may determine; 5
- (l) to promote and give financial support to research in connection with road safety and publish the results of such research, and in co-operation with the authorities and bodies concerned to take any steps for promoting road safety that may appear necessary in the light of such results; 10
- (m) in collaboration with the authorities concerned, to promote the compilation and use of road accident records and statistics; 15
- (n) to promote the general application of traffic engineering principles which affect road safety;
- (o) to make representations to the authorities concerned regarding road safety legislation; 20
- (p) to remain in close contact with road traffic law enforcement activities; to assist in the formulation of a uniform and reasonable road traffic law enforcement policy; and to make every effort to make such policy acceptable to and popular with the public; 25
- (q) to promote or encourage the institution of training facilities for persons engaged or to be engaged on traffic law enforcement;
- (r) to promote road safety education for children and to supply education authorities with material that may be useful for such education; 30
- (s) in consultation with interested bodies, to undertake or promote road safety education for all sections of the adult population, and to obtain in this regard the co-operation of the public press, the broadcasting authorities and other publicity media, and to supply them regularly with information; 35
- (t) to obtain the support and co-operation of all bodies interested in road safety;
- (u) to investigate the question of how the examination of applicants for driver's licences and the checking of motor vehicles for roadworthiness can be raised to a high standard throughout the Union;
- (v) to organize safe-driving schemes;
- (w) to keep in touch with and to obtain information about road safety matters from other countries, and to disseminate such information at its discretion;
- (x) from time to time, as circumstances in its opinion make it desirable, to arrange for road safety congresses to be convened on a national, provincial or regional basis; 50
- (y) to investigate the possibility of undertaking an annual survey of road safety activities in the Union;
- (z) to co-operate with bodies or organizations having similar objects, either in the Union or in other countries or territories and, subject to the approval of the Minister and on such conditions as he may deem fit, to provide for such bodies or organizations to be associated with or affiliated to the Council; and 55
- (aa) to do all other lawful things connected with or conducive to road safety. 60

Council not to enter into competition with commercial agencies or undertakings.

Appointment of action committee.

7. Nothing in this Act contained shall authorize the Council to engage in trading or in any other activity for profit in competition with any commercial agency or undertaking.

8. (1) The Council shall appoint an action committee consisting of— 65

- (a) the chairman of the Council, who shall be chairman of the action committee;
- (b) the deputy-chairman of the Council, who shall be deputy-chairman of the action committee; 70
- (c) one of the members referred to in paragraph (c) of sub-section (2) of section three who shall be nominated by the four Administrators jointly;

- (j) om 'n nuusbrief uit te reik hoofsaaklik vir die voorligting van plaaslike padveiligheidsverenigings en -komitees;
- 5 (k) om reëlings te tref vir die vervaardiging van publisiteitsmateriaal (met inbegrip van rolprente) vir distribusie deur homself of deur plaaslike padveiligheidsverenigings en -komitees, op sodanige voorwaardes as wat hy mag bepaal;
- 10 (l) om navorsing in verband met padveiligheid te bevorder en finansiële steun daaraan te verleen en die resultate van die navorsing te publiseer, en om in samewerking met die betrokke owerhede en liggame enige stappe te doen vir die bevordering van padveiligheid wat in die lig van bedoelde resultate nodig mag blyk;
- 15 (m) om in samewerking met die betrokke owerhede, die samestelling en gebruik van padongelukaantekenings en -statistieke te bevorder;
- (n) om die algemene toepassing van die beginsels van verkeersingenieurswese wat padveiligheid raak, te bevorder;
- 20 (o) om verhoë te rig tot die betrokke owerhede aangaande padveiligheidswetgewing;
- (p) om in noue voeling te bly met aktiwiteite in verband met die toepassing van padverkeerswette; om te help met die formulering van 'n eenvormige en redelike beleid in verband met die toepassing van padverkeerswette; en om alle pogings aan te wend om bedoelde beleid aanneemlik vir en gewild by die publiek te maak;
- 25 (q) om die instelling van opleidingsfasiliteite vir persone wat betrokke is of betrokke gaan wees in die toepassing van padverkeerswette te bevorder of aan te moedig;
- 30 (r) om padveiligheidsonderrig vir kinders te bevorder en om aan onderwysowerhede materiaal te verskaf wat vir bedoelde onderrig nuttig mag wees;
- 35 (s) om in oorleg met belangstellende liggame, padveiligheidsonderrig vir alle seksies van die volwasse bevolking te onderneem of te bevorder, en om in hierdie verband die samewerking van die openbare pers, die uitsaai-owerhede en ander publisiteitsmedia te verkry, en om gereeld inligting aan hulle te verskaf;
- 40 (t) om die ondersteuning en samewerking van alle liggame wat in padveiligheid belang stel te verkry;
- (u) om die vraagstuk te ondersoek van hoe die ondersoek van applikante om rybewyse en die ondersoek van motorvoertuie vir padwaardigheid dwarsdeur die Unie tot 'n hoë standaard verhoog kan word;
- 45 (v) om veiligbestuurskemas te organiseer;
- (w) om in voeling te bly met en inligting te verkry van ander lande oor padveiligheidsaangeleenthede, en om sodanige inligting na goeddunke te versprei;
- 50 (x) om van tyd tot tyd, soos omstandighede dit volgens sy oordeel wenslik maak, reëlings te tref vir die belê van padveiligheidskongresse op 'n nasionale, provinsiale of streeksbasis;
- 55 (y) om ondersoek in te stel na die moontlikheid om 'n jaarlikse opname te maak van padveiligheidsaktiwiteite in die Unie;
- (z) om saam te werk met liggame of organisasies wat soortgelyke oogmerke het, hetsy in die Unie hetsy in ander lande of gebiede, en onderworpe aan die goedkeuring van die Minister en op sodanige voorwaardes as wat hy goedvind, voorsiening te maak vir sodanige liggame of organisasies om geassosieer te word met of geaffiliseer te word met die Raad; en
- 60 (aa) om alle ander wettige dinge te doen wat in verband staan met of bevorderlik is vir padveiligheid.

7. Die bepalings van hierdie Wet magtig nie die Raad om in mededinging met enige handelsliggaam of -onderneming vir wins handel te dryf of aan enige ander aktiwiteit deel te neem nie.

Raad mag nie met handelsliggame of -ondernemings meeding nie.

8. (1) Die Raad moet 'n aksiekomitee aanstel wat bestaan uit—

Aanstelling van aksiekomitee.

- (a) die voorsitter van die Raad, wat voorsitter van die aksiekomitee moet wees;
- 75 (b) die adjunk-voorsitter van die Raad, wat adjunk-voorsitter van die aksiekomitee moet wees;
- (c) een van die lede bedoel in paragraaf (c) van sub-artikel (2) van artikel drie wat deur die vier Administrateurs gesamentlik benoem moet word;

- (d) one member of the Council nominated by the United Municipal Executive of South Africa;
- (e) not more than three of the representatives of local road safety associations and local road safety committees referred to in paragraph (d) of sub-section (3) of section *three* who shall be nominated by the said representatives in the manner and subject to the conditions as may be prescribed; and
- (f) one of the members of the Council referred to in paragraph (e) of sub-section (3) of section *three* who shall be nominated by the Minister.

(2) Subject to the approval of the Minister, the Council may, from among its members, appoint not more than three additional members of the action committee.

(3) The members of the action committee referred to in paragraph (e) of sub-section (1) and any member appointed under sub-section (2), shall be appointed annually. The members of the action committee referred to in paragraphs (c), (d) and (f) of sub-section (1), shall hold office for such periods not exceeding three years as the Administrators, the United Municipal Executive of South Africa or the Minister, as the case may be, shall specify when making their nominations in terms of the said paragraphs.

(4) A member of the action committee shall cease to be a member thereof if he ceases to be a member of the Council.

(5) Upon the expiry of his period of office any member of the action committee shall, subject to the provisions of sub-section (4), be eligible for re-appointment.

Powers of
action
committee.

9. In addition to the powers conferred upon it by section *eighteen*, the action committee may, subject to such directions as the Council may give from time to time, exercise all the powers and perform all the functions of the Council between meetings of the Council, but shall not have the power, save in so far as the Council directs, to set aside or vary any decision of the Council.

Meetings of
action
committee.

10. (1) The action committee shall meet at such times and places as the chairman or the deputy-chairman may determine.

(2) The chairman or, in his absence, the deputy-chairman shall preside at every meeting of the action committee which he attends, and if neither the chairman nor the deputy-chairman attends a meeting, the other members present thereat shall elect one of their number to preside at that meeting.

(3) Five members shall be a quorum at any meeting of the action committee.

(4) The decision of the majority of the members present at any meeting of the action committee shall be deemed to be a decision of the action committee, and in the event of an equality of votes at such meeting, the person presiding thereat shall have a casting vote.

Subsidiary
committees.

11. (1) The Council may establish subsidiary committees, each consisting of such a number of members as determined by it from time to time, to assist it in the performance of its functions and duties, and may appoint such persons, including members of the staff of the Council referred to in sections *eighteen* and *nineteen*, as it may deem fit, to be members of any such committee.

(2) The Council shall designate one of the members of a subsidiary committee as chairman.

(3) The Council may appoint an alternate member in respect of each member of a subsidiary committee and for this purpose it may appoint any person, including any member of the staff of the Council referred to in sections *eighteen* and *nineteen*, as an alternate to one member or more than one member of a subsidiary committee.

(4) A member and an alternate member of a subsidiary committee shall be appointed for such period not exceeding three years and on such conditions as the Council may determine when making the appointment: Provided that the Council may in its discretion terminate the appointment of any member or alternate member at any time before the expiry of his period of office: Provided further that a member or alternate member shall, on the expiry of his period of office, be eligible for re-appointment.

(5) Two members (including alternate members, if any) shall be a quorum at any meeting of a subsidiary committee.

(6) A subsidiary committee shall meet at such times and places as the chairman may determine.

- (d) een lid van die Raad benoem deur die Verenigde Munisipale Bestuur van Suid-Afrika;
- (e) hoogstens drie van die verteenwoordigers van plaaslike padveiligheidsverenigings en -komitees bedoel in paragraaf (d) van sub-artikel (3) van artikel drie wat deur bedoelde verteenwoordigers benoem moet word op die wyse en onderworpe aan die voorwaardes wat voorgeskryf word; en
- (f) een van die lede van die Raad bedoel in paragraaf (e) van sub-artikel (3) van artikel drie wat deur die Minister benoem moet word.
- (2) Onderworpe aan die goedkeuring van die Minister, kan die Raad uit sy lede hoogstens drie addisionele lede van die aksiekomitee aanstel.
- (3) Die in paragraaf (e) van sub-artikel (1) bedoelde lede van die aksiekomitee en enige lid kragtens sub-artikel (2) aangestel, word jaarliks aangestel. Die in paragrawe (c), (d) en (f) van sub-artikel (1) bedoelde lede van die aksiekomitee beklee hul amp vir sodanige tydperke van hoogstens drie jaar as wat die Administrateurs, die Verenigde Munisipale Bestuur van Suid-Afrika of die Minister, na gelang van die geval, mag bepaal wanneer hulle hulle benoemings ingevolge bedoelde paragrawe doen.
- (4) 'n Lid van die aksiekomitee hou op om 'n lid daarvan te wees as hy ophou om 'n lid van die Raad te wees.
- (5) By die verstryking van sy ampstydperk kan 'n lid van die aksiekomitee, behoudens die bepalinge van sub-artikel (4), weer aangestel word.
9. Benewens die bevoegdheide wat by artikel agtien aan hom verleen word, kan die aksiekomitee, behoudens die voorskrifte wat die Raad, van tyd tot tyd mag gee, tussen vergaderings van die Raad al die bevoegdheide en werksaamhede van die Raad uitoefen en verrig, maar het nie die bevoegdheid, behalwe vir sover die Raad gelas, om 'n besluit van die Raad ter syde te stel of te wysig nie.
10. (1) Die aksiekomitee vergader op die tye en plekke wat die voorsitter of die adjunk-voorsitter bepaal. Bevoegdheide van aksiekomitee.
- (2) Die voorsitter of, by sy afwesigheid, die adjunk-voorsitter, moet op alle vergaderings van die aksiekomitee waarop hy aanwesig is, voorsit, en indien nóg die voorsitter nóg die adjunk-voorsitter 'n vergadering bywoon, kies die ander lede wat daarop aanwesig is, een uit hul midde om op daardie vergadering voor te sit.
- (3) Vyf lede maak op 'n vergadering van die aksiekomitee 'n kworum uit.
- (4) Die besluit van die meerderheid van die lede wat op 'n vergadering van die aksiekomitee aanwesig is, word geag 'n besluit van die aksiekomitee te wees, en in geval van staking van stemme op so 'n vergadering, het die persoon wat op die vergadering voorsit, 'n beslissende stem.
11. (1) Die Raad kan hulpkomitees instel, elk bestaande uit so 'n getal lede as wat hy van tyd tot tyd bepaal, om hom by die verrigting van sy werksaamhede en pligte by te staan, en kan sodanige persone, met inbegrip van die in artikels agtien en negentien bedoelde lede van die personeel van die Raad, aanstel, as wat hy mag goetvind, om lede van so 'n komitee te wees.
- (2) Die Raad wys een van die lede van 'n hulpkomitee as voorsitter aan.
- (3) Die Raad kan 'n plaasvervangende lid aanstel ten opsigte van elke lid van 'n hulpkomitee en vir hierdie doel kan hy enige persoon, met inbegrip van die in artikels agtien en negentien bedoelde lede van die personeel van die Raad, as 'n plaasvervanger van een lid of meer as een lid van 'n hulpkomitee aanstel.
- (4) 'n Lid en 'n plaasvervangende lid van 'n hulpkomitee word aangestel vir sodanige tydperk van hoogstens drie jaar en op sodanige voorwaardes as wat die Raad bepaal wanneer hy die aanstelling doen: Met dien verstande dat die Raad na goetdunke die aanstelling van enige lid of plaasvervangende lid te eniger tyd voor die verstryking van sy ampstydperk kan beëindig: Met dien verstande voorts dat 'n lid of plaasvervangende lid, by die verstryking van sy ampstydperk, weer aangestel kan word.
- (5) Twee lede (met inbegrip van plaasvervangende lede, indien enige) maak op 'n vergadering van 'n hulpkomitee 'n kworum uit.
- (6) 'n Hulpkomitee vergader op die tye en plekke wat die voorsitter bepaal.
- Hulpkomitees.

(7) Whenever a member of a subsidiary committee is unable to be present at any meeting of the committee, the alternate member appointed under sub-section (3) in respect of that member, may attend that meeting and take part in the proceedings and vote thereat in his stead. 5

(8) The chairman shall preside at every meeting of a subsidiary committee which he attends, and if he does not attend a meeting, the other members and alternate members (if any) present thereat shall elect one of their number to preside at that meeting. 10

(9) The decision of the majority of the members (including alternate members, if any) present at any meeting of a subsidiary committee shall be deemed to be a decision of the subsidiary committee, and in the event of an equality of votes at such meeting, the person presiding thereat shall have a casting vote. 15

(10) The Council may assign to a subsidiary committee established under this section, such of its powers and on such conditions as it may deem fit, but it shall not be divested of any power which it may assign to such a committee, and it may amend or withdraw any decision taken by such a committee. 20

Validity of
acts, and
decisions of
Council, action
committee or
subsidiary
committees.

12. (1) No act or decision of the Council, the action committee or any subsidiary committee established under section *eleven*, shall be held to be invalid by reason only of the fact that a person who was entitled to receive notice of a meeting of the Council, action committee or subsidiary committee, 25 did not receive such notice or by reason only of the fact that a person who was disqualified from being a member of the Council, the action committee or such subsidiary committee or in whose appointment there was some defect, was a member of the Council, the action committee or such subsidiary committee, as the case may be, when such act was performed or such decision was taken, whether or not such person's concurrence was necessary to the performance of that act or the taking of that decision. 30

(2) For the purposes of sub-section (1) the term "member" shall, in the case of the Council and any subsidiary committee established under section *eleven*, be deemed to include an alternate number. 35

Allowances
payable to
members of the
Council and their
alternates,
members of
action committee
and members of
subsidiary
committees
and their
alternates.

13. The members of the Council and their alternates, members of the action committee, and members of any subsidiary committee established under section *eleven* and their alternates, may be paid such allowances from the Fund as may be determined by the Minister in consultation with the Minister of Finance. 40

Interim Council
and interim
action committee.

14. (1) Any person who prior to the commencement of this Act was appointed by the Minister as a member or as an alternate to a member of the body known as the Interim South African Road Safety Council and any person who prior to the commencement of this Act was appointed as a member of the interim action committee of that body, and who at such commencement still holds such office, shall as from such commencement be deemed to have been appointed as a member of the Council or as an alternate to such member or as a member of the action committee, as the case may be, in terms of this Act. 50 55

(2) Any act or decision of the said Interim Council or the said interim action committee performed or taken prior to the commencement of this Act shall be deemed to be an act or decision of the Council or of the action committee, as the case may be, in terms of this Act. 60

(3) As from the commencement of this Act the said Interim Council and the said interim action committee shall for all purposes be deemed to be the Council and the action committee respectively.

Abolition of
the National
Road Safety
Organization
of South Africa
and transfer of
its assets, rights,
liabilities and
obligations to
the Council.

15. (1) As from the date of the commencement of this Act, the association registered under the name of the National Road Safety Organization of South Africa under section *twenty-one* of the Companies Act, 1926 (Act No. 46 of 1926), shall cease to exist and all the assets, rights, liabilities and obligations of the said Organization shall, subject to the provisions of this Act and without payment of transfer duty, stamp duty or other fees, become the assets, rights, liabilities and obligations of the Council, and any reference in any document to the said Organization shall be construed as a reference to the Council. 65 70

(7) Wanneer 'n lid van 'n hulpkomitee nie op 'n vergadering van die komitee aanwesig kan wees nie, kan die plaasvervangende lid wat kragtens sub-artikel (3) ten opsigte van daardie lid aangestel is, daardie vergadering bywoon en aan die verrigtinge deelneem en daarop in sy plek stem.

(8) Die voorsitter moet op elke vergadering van 'n hulpkomitee waarop hy aanwesig is, voorsit, en indien hy nie 'n vergadering bywoon nie, kies die ander lede en plaasvervangende lede (indien enige) wat daarop aanwesig is, een uit hul midde om op daardie vergadering voor te sit.

(9) Die besluit van die meerderheid van die lede (met inbegrip van plaasvervangende lede, indien enige, wat op 'n vergadering van 'n hulpkomitee aanwesig is, word geag 'n besluit van dié hulpkomitee te wees, en in geval van 'n staking van stemme op so 'n vergadering, het die persoon wat op die vergadering voorsit, 'n beslissende stem.

(10) Die Raad kan aan 'n ingevolge hierdie artikel ingestelde hulpkomitee sodanige van sy bevoegdhede en op sodanige voorwaardes oordra as wat hy goedvind, maar hy word nie van enige bevoegdhede wat hy aan so 'n komitee mag oordra, ondoen nie, en hy kan enige besluit geneem deur so 'n komitee wysig of intrek.

12. (1) Geen handeling of besluit van die Raad, die aksiekomitee of 'n hulpkomitee ingevolge artikel *elf* ingestel, word 25 beslis ongeldig te wees, slegs omrede van die feit dat iemand wat daarop geregtig was om kennisgewing van 'n vergadering van die Raad, aksiekomitee of hulpkomitee te ontvang nie sodanige kennisgewing ontvang het nie of slegs omrede van die feit dat iemand wat onbevoeg was om 'n lid van die Raad, die 30 aksiekomitee of daardie hulpkomitee te wees of in wie se aanstelling daar een of ander gebrek was, 'n lid was van die Raad, die aksiekomitee of daardie hulpkomitee, na gelang van die geval, toe bedoelde handeling verrig of bedoelde besluit geneem is nie, hetsy bedoelde persoon se toestemming vir die verrigting 35 van daardie handeling of die neem van daardie besluit, nodig was al dan nie.

(2) By die toepassing van sub-artikel (1) word die uitdrukking „lid”, in die geval van die Raad en 'n hulpkomitee ingevolge artikel *elf* ingestel, geag 'n plaasvervangende lid in te sluit.

40 13. Aan die lede van die Raad en hulle plaasvervangers, lede van die aksiekomitee, en lede van 'n hulpkomitee ingevolge artikel *elf* ingestel en hulle plaasvervangers, kan sodanige toelaes uit die Fonds betaal word as wat deur die Minister in oorleg met die Minister van Finansies bepaal word.

Geldigheid van handeling en besluite van Raad, aksiekomitee of hulpkomitees.

Toelaes betaalbaar aan lede van die Raad en hulle plaasvervangers, lede van die aksiekomitee en lede van hulpkomitees en hulle plaasvervangers.

45 14. (1) Enige persoon wat voor die inwerkingtreding van hierdie Wet deur die Minister aangestel is as 'n lid van die liggaam bekend as die Tussentydse Suid-Afrikaanse Padveiligheidsraad en enige persoon wat voor die inwerkingtreding van hierdie Wet aangestel is as 'n lid van die tussentydse aksiekomitee van daardie liggaam en wat by sodanige inwerkingtreding nog bedoelde amp beklee, word by sodanige inwerkingtreding geag ingevolge hierdie Wet aangestel te gewees het as 'n lid van die Raad of as 'n plaasvervanger van so 'n lid of as 'n lid van die aksiekomitee, na gelang van die geval.

Tussentydse Raad en tussentydse aksiekomitee.

50 (2) Enige handeling of besluit van bedoelde Tussentydse Raad of bedoelde tussentydse aksiekomitee verrig of geneem voor die inwerkingtreding van hierdie Wet, word geag 'n handeling of besluit van die Raad of van die aksiekomitee, na gelang van die geval, ingevolge hierdie Wet te wees.

60 (3) Vanaf die inwerkingtreding van hierdie Wet word bedoelde Tussentydse Raad en bedoelde tussentydse aksiekomitee vir alle doeleindes geag onderskeidelik die Raad en die aksiekomitee te wees.

15. (1) Vanaf die datum van die inwerkingtreding van hierdie 65 Wet, hou die organisasie wat kragtens artikel *een-en-twintig* van die Maatskappywet, 1926 (Wet No. 46 van 1926) onder die naam van die Nasionale Padveiligheidsorganisasie van Suid-Afrika geregistreer is, op om te bestaan, en word al die bates, regte, laste en verpligtings van genoemde Organisasie, behoudens die bepaling van hierdie Wet en sonder betaling van hereregte, seëlregte of ander gelde, die bates, regte, laste en verpligtings van die Raad, en word elke verwysing in enige dokument na genoemde Organisasie uitgelê as 'n verwysing na die Raad.

Afskaffing van die Nasionale Padveiligheidsorganisasie van Suid-Afrika, en oordrag van sy bates, regte, laste en verpligtings aan die Raad.

(2) Upon the abolition of the National Road Safety Organization of South Africa in terms of sub-section (1) the provincial road safety committees established under the articles of association of the said Organization shall likewise cease to exist.

(3) The abolition of the National Road Safety Organization of South Africa in terms of sub-section (1) shall not in itself affect the continued existence of local road safety associations and local road safety committees which immediately prior to the commencement of this Act were affiliated to the said Organization.

Establishment
and control of
Central Road
Safety Fund.

16. (1) The Council shall establish a fund, to be known as the Central Road Safety Fund, into which shall be paid—

(a) all moneys which become the property of the Council in terms of section *fifteen* and all moneys derived from the realization of any assets referred to in the said section;

(b) all moneys appropriated by Parliament or any Provincial Council for the Council;

(c) all other moneys which may accrue to the Council from any other source.

(2) The Fund shall be administered by the Council which shall, after defraying therefrom all its administration expenses and other lawful liabilities, use the balance of the amount in the Fund for promoting and encouraging road safety in accordance with the provisions of this Act: Provided that no payment shall be made out of the Fund except in accordance with estimates of expenditure approved by the Minister in terms of sub-section (4).

(3) The administration expenses referred to in sub-section (2) shall include—

(a) the allowances and travelling expenses payable to members and alternate members of the Council, members of the action committee, and members and alternate members of subsidiary committees established by the Council;

(b) the salaries, wages and allowances payable to members of the staff of the Council referred to in sections *eighteen* and *nineteen*;

(c) the reasonable costs and other expenses incurred by the board of trustees of the Fund referred to in sub-section (1) of section *twenty* and the contributions payable by the Council to the said Fund in terms of the rules of that Fund;

(d) the contributions payable by the Council to the Union Pension Fund established under section *two* of the Government Service Pensions Act, 1955 (Act No. 58 of 1955), in respect of any officer of the Public Service seconded to the service of the Council;

(e) the contributions payable by the Council to any pension or provident fund and other benefit schemes established under section *twenty-one*;

(f) any amount payable for the benefit of the Consolidated Revenue Fund in respect of an audit carried out by the Controller and Auditor-General in terms of section *seventeen*; and

(g) any other expenditure incidental to the performance by the Council, the action committee and the said subsidiary committees, of their functions and duties under this Act.

(4) Once during every financial year (which shall end on the thirty-first day of March) at such times as the Minister may direct, the Council shall submit to the Minister for his approval, after consultation with the Minister of Finance, estimates of the income and expenditure of the Council during the following financial year, and the Council may also, during the course of a financial year, submit to the Minister for such approval, supplementary estimates of expenditure for that year. The Council shall not incur expenditure exceeding the total expenditure which has been so approved by the Minister.

(5) The Council shall open an account in the name of the Fund with a bank approved by the Minister and shall deposit therein all moneys received by the Council from any source, and any unexpended balance in the Fund at the close of any financial year not required for immediate use or as a reasonable working balance shall be carried forward as a credit in the Fund to the next succeeding financial year or shall be invested temporarily by the Council with the Public Debt Commissioners or in such other manner as the Minister may, after consultation with the Minister of Finance, direct.

(6) The Council shall cause proper records to be kept of all moneys received or expended by it and of all its assets and

(2) Wanneer die Nasionale Padveiligheidsorganisasie van Suid-Afrika ingevolge sub-artikel (1) afgeskaf word, hou die provinsiale padveiligheidskomitees wat kragtens die statute van genoemde Organisasie ingestel is, insgelyks op om te bestaan.

(3) Die afskaffing van die Nasionale Padveiligheidsorganisasie van Suid-Afrika ingevolge sub-artikel (1) raak nie op sigself die voortbestaan van plaaslike padveiligheidsverenigings en -komitees wat onmiddellik voor die inwerkingtreding van hierdie Wet met genoemde Organisasie geaffilieer was nie.

16. (1) Die Raad stel 'n fonds in, bekend te staan as die Sentrale Padveiligheidsfonds, waarin gestort word—

Instelling en beheer van Sentrale Padveiligheidsfonds.

(a) alle gelde wat ingevolge artikel vyftien die eiendom van die Raad word en alle gelde wat verkry word van die tot geld maak van enige in daardie artikel bedoelde bates;

(b) alle gelde wat deur die Parlement of 'n Provinsiale Raad aan die Raad beskikbaar gestel word; en

(c) alle ander gelde wat uit enige ander bron aan die Raad toeval.

(2) Die Fonds word bestuur deur die Raad wat na betaling van al sy administrasiekoste en ander wettige laste, die balans van die bedrag in die Fonds moet gebruik om padveiligheid ooreenkomstig die bepalings van hierdie Wet te bevorder en aan te moedig: Met dien verstande dat geen betaling uit die Fonds gedoen mag word nie behalwe ooreenkomstig ramings van uitgawes deur die Minister ingevolge sub-artikel (4) goedgekeur.

(3) Die in sub-artikel (2) bedoelde administrasiekoste sluit in—

(a) die toelaes en reiskoste betaalbaar aan lede en plaasvervangende lede van die Raad, lede van die aksiekomitee en lede en plaasvervangende lede van hulpkomitees deur die Raad ingestel;

(b) die salarisse, lone en toelaes betaalbaar aan lede van die personeel van die Raad in artikels agtien en negentien bedoel;

(c) die redelike onkoste en ander uitgawes deur die raad van trustees van die in sub-artikel (1) van artikel twintig bedoelde Fonds en die bydraes betaalbaar deur die Raad aan bedoelde Fonds volgens die reëls van daardie Fonds;

(d) die bydraes betaalbaar deur die Raad aan die Uniepensioenfonds gestig kragtens artikel twee van die Regeringsdienspensioenwet, 1955 (Wet No. 58 van 1955) ten opsigte van 'n beampte van die Staatsdiens wat aan die diens van die Raad afgestaan is;

(e) die bydraes betaalbaar deur die Raad aan enige pensioen- of voorsorgsfonds en ander onderstandskemas ingestel kragtens artikel een-en-twintig;

(f) enige bedrag betaalbaar ten bate van die Gekonsolideerde Inkomstefonds ten opsigte van 'n oudit deur die Kontroleur en Ouditeur-generaal kragtens artikel sewentien; en

(g) enige ander uitgawes wat in verband staan met die verrigting deur die Raad, die aksiekomitee en bedoelde hulpkomitees van hulle werkzaamhede en pligte ingevolge hierdie Wet.

(4) Eenmaal gedurende elke boekjaar (wat eindig op die een-en-dertigste dag van Maart) op so 'n tydstip as wat die Minister gelas, moet die Raad aan die Minister voorlê vir sy goedkeuring, na oorlegpleging met die Minister van Finansies, ramings van die inkomste en uitgawes van die Raad gedurende die volgende boekjaar, en die Raad kan ook, gedurende die loop van 'n boekjaar, aan die Minister voorlê vir bedoelde goedkeuring, aanvullende ramings van uitgawes vir daardie jaar. Die Raad mag geen uitgawes aangaan wat die totale uitgawes wat aldus deur die Minister goedgekeur is, oorskry nie.

(5) Die Raad moet op naam van die Fonds 'n rekening open by 'n bank wat deur die Minister goedgekeur word en moet alle gelde wat deur die Raad uit enige bron ontvang word daarin stort, en enige onbestede saldo in die Fonds by die afsluiting van 'n boekjaar wat nie vir onmiddellike gebruik of as 'n redelike bedryfsbalans nodig is nie, word as 'n krediet in die Fonds na die daaropvolgende boekjaar oorgedra of word deur die Raad tydelik by die Openbare Skuldkommissaris belê of op so 'n ander wyse as wat die Minister, na oorlegpleging met die Minister van Finansies, mag gelas.

(6) Die Raad laat behoorlike aantekeninge hou van alle gelde deur hom ontvang of bestee en van al sy bates en laste

liabilities and of all its financial transactions, and shall as soon as possible after the end of each financial year cause statements of account and a balance sheet to be prepared showing in all necessary detail the moneys received and expenditure made by it during, and its assets and liabilities as at the end of, that financial year. 5

(7) Any expenditure incurred prior to the commencement of this Act by the Interim South African Road Safety Council referred to in section *fourteen* with the approval of the Minister, shall be deemed to have been lawfully incurred by the Council under this Act. 10

Auditing of accounts.

17. The records and statements of account and balance sheet referred to in sub-section (6) of section *sixteen* shall be audited by the Controller and Auditor-General.

Staff of the Council.

18. (1) Subject to the provisions of sub-section (2), the action committee may appoint such officers as it may deem necessary to assist the Council to achieve the objects and to perform the functions and duties for which it is established, and for the same purpose enter into contracts for the rendering of casual services by persons other than officers of the Council. 15 20

(2) The Minister shall, on the recommendation of the action committee, and after consultation with the Minister of Finance, determine the number and grading of posts for officers.

(3) Every officer shall be subject to such conditions of service as the Minister may, on the recommendation of the Council, and after consultation with the Minister of Finance, prescribe by regulation. 25

(4) At the request of the action committee the Minister may, subject to the provisions of sub-section (6) of section *thirteen* of the Public Service Act, 1957 (Act No. 54 of 1957), second any officer of the Public Service to the service of the Council. 30

(5) For the purposes of any law governing the Public Service, the chairman of the Council shall be deemed to be the head of the department in which an officer of the Public Service seconded as aforesaid to the service of the Council, is serving. 35

(6) The action committee may in its discretion apply the provisions of sub-sections (3), (4) and (5) of section *nineteen mutatis mutandis* to the appointment in terms of sub-section (1) of any person who immediately prior to such appointment was an employee of a local road safety association and for the purpose of the application of the said sub-sections any reference therein to the National Road Safety Organization of South Africa shall be construed as a reference to the local road safety association of which such person was an employee and any reference therein to a fixed date shall be construed as a reference to the date of such person's appointment to the service of the Council. 40 45

Employees of the National Road Safety Organization to become employees of the Council and provision with regard to their conditions of service.

19. (1) Any person who immediately before the date of commencement of this Act (hereinafter referred to as the fixed date), was in the full-time employ of the National Road Safety Organization of South Africa referred to in sub-section (1) of section *fifteen*, shall as from that date become an employee of the Council. 50

(2) Save as is otherwise specifically provided in this Act, the conditions of service of all persons referred to in sub-section (1) shall be those which applied to them immediately prior to the fixed date: Provided that except with his own consent or in accordance with this Act or any other law, the salary or the scale of salary or wage at or in accordance with which any such person was remunerated immediately prior to the fixed date, shall not be reduced. 55 60

(3) Notwithstanding any limitation in respect of age or educational qualifications which may be prescribed by regulation under this Act but subject otherwise to the provisions of any such regulation, any person referred to in sub-section (1) who has not attained the age prescribed for the retirement of officers, may be appointed in terms of sub-section (1) of section *eighteen* on probation or otherwise to a post created in terms of sub-section (2) of that section, provided the action committee is satisfied that such person is sufficiently proficient in the use of both official languages of the Union to enable him to discharge efficiently the duties of such post. 65 70

(4) Any person appointed in terms of sub-section (3) shall be

en van al sy finansiële transaksies, en moet so gou moontlik na die end van elke boekjaar rekenings en 'n balansstaat laat opmaak wat in alle nodige besonderhede die gelde deur hom ontvang en uitgawes deur hom gemaak gedurende, en sy bates en laste aan die end van, daardie boekjaar aantoon.

(7) Enige uitgawes wat voor die inwerkingtreding van hierdie Wet deur die in artikel *veertien* bedoelde Tussentydse Suid-Afrikaanse Padveiligheidsraad met die goedkeuring van die Minister aangegaan is, word geag wettiglik deur die Raad kragtens hierdie Wet aangegaan te gewees het.

17. Die in sub-artikel (6) van artikel *sestien* bedoelde aantekeninge en rekeningstate en balansstaat word deur die Kontroleur en Ouditeur-generaal geouditeer. Ouditering van rekenings.

18. (1) Behoudens die bepalinge van sub-artikel (2), kan die aksiekomitee sodanige amptenare aanstel as wat hy nodig ag om die Raad te help om die oogmerke te bereik en die werkzaamhede en pligte te verrig waarvoor hy ingestel word, en kan hy met dieselfde doel voor oë kontrakte aangaan vir die lewering van toevallige dienste deur persone wat nie amptenare van die Raad is nie. Personeel van die Raad.

(2) Die Minister bepaal, op aanbeveling van die Raad en na oorlegpleging met die Minister van Finansies, die getal en gradering van poste vir amptenare.

(3) Elke amptenaar is onderworpe aan die diensvoorwaardes wat die Minister, op aanbeveling van die Raad en na oorlegpleging met die Minister van Finansies, by regulasie voorskryf.

(4) Op versoek van die aksiekomitee kan die Minister, met inagneming van die bepalinge van sub-artikel (6) van artikel *dertien* van die Staatsdienswet, 1957 (Wet No. 54 van 1957), enige beamppte van die Staatsdiens aan die diens van die Raad afstaan.

(5) Vir die doeleindes van enige wetsbepaling op die Staatsdiens word die voorsitter van die Raad beskou as die hoof van die departement waarin 'n beamppte van die Staatsdiens wat soos voormeld aan die diens van die Raad afgestaan is, diens doen.

(6) Die aksiekomitee kan na goeëddunke die bepalinge van sub-artikels (3), (4) en (5) van artikel *negentien mutatis mutandis* toepas op die aanstelling ingevolge sub-artikel (1) van iemand wat onmiddellik voor bedoelde aanstelling 'n werknemer van 'n plaaslike padveiligheidsvereniging was en vir die doeleindes van die toepassing van genoemde sub-artikels word enige verwysing daarin na die Nasionale Padveiligheidsorganisasie van Suid-Afrika uitgelê as 'n verwysing na die plaaslike padveiligheidsvereniging waarvan bedoelde persoon 'n werknemer was, en enige verwysing daarin na 'n vasgestelde datum word uitgelê as 'n verwysing na die datum van daardie persoon se aanstelling in die diens van die Raad.

19. (1) Enige persoon wat onmiddellik voor die datum van die inwerkingtreding van hierdie Wet (hieronder die vasgestelde datum genoem) in die voltydse diens van die in sub-artikel (1) van artikel *vyftien* bedoelde Nasionale Padveiligheidsorganisasie van Suid-Afrika was, word vanaf daardie datum 'n werknemer van die Raad. Werknemers van die Nasionale Padveiligheidsorganisasie word werknemers van die Raad, en voorsiening met betrekking tot hulle diensvoorwaardes.

(2) Behalwe soos anders uitdruklik in hierdie Wet bepaal word, is die diensvoorwaardes van alle in sub-artikel (1) bedoelde persone dié wat onmiddellik voor die vasgestelde datum op hulle van toepassing was: Met dien verstande dat behalwe met sy eie toestemming of ooreenkomstig hierdie Wet of enige ander wetsbepaling, die salaris of die salaris- of loonskaal waarteen of waarvolgens so 'n persoon onmiddellik voor die vasgestelde datum besoldig was, nie verminder mag word nie.

(3) Nieteenstaande enige beperking ten opsigte van leeftyd of opvoedkundige kwalifikasies wat by regulasie kragtens hierdie Wet voorgeskryf mag word, maar onderworpe andersins aan die bepalinge van enige sodanige regulasie, kan enige in sub-artikel (1) bedoelde persoon wat nie die ouderdom bereik het wat vir die aftrede van amptenare voorgeskryf word nie, ingevolge sub-artikel (1) van artikel *agtien* aangestel word op proef of andersins in 'n pos wat ingevolge sub-artikel (2) van daardie artikel ingestel is, mits die aksiekomitee oortuig is dat bedoelde persoon genoegsaam bedrewe is in die gebruik van albei amptelike tale van die Unie om hom in staat te stel om die pligte aan daardie pos verbonde op bekwame wyse na te kom.

(4) Iemand wat ingevolge sub-artikel (3) aangestel is, moet

adjusted to the scale of salary applicable to the post to which he has been appointed at such notch on that scale as may be determined by the action committee.

(5) In addition to the salary applicable to any such person from time to time by virtue of his occupancy of a post created in terms of sub-section (2) of section *eighteen*, there shall be paid to him a personal allowance equal to the difference between his said salary for the time being and the higher salary (if any) to which he was, or would have been entitled in accordance with the scale of salary applicable to him as an employee of the National Road Safety Organization of South Africa referred to in sub-section (1), immediately prior to the fixed date.

Continuation
of the National
Road Safety
Organization
Personnel
Superannuation
Fund.

20. (1) Notwithstanding the abolition of the National Road Safety Organization of South Africa in terms of sub-section (1) of section *fifteen*, but subject to the provisions of that sub-section and section *twenty-one*, the National Road Safety Organization Personnel Superannuation Fund established for the purpose of providing superannuation and assurance benefits for employees of the said Organization and its affiliated associations or organizations, shall continue, subject to the provisions of the rules of the said Fund.

(2) All persons who were members of the said National Road Safety Organization Personnel Superannuation Fund immediately prior to the fixed date shall, subject to the provisions of the rules of the said Fund and of section *twenty-one*, continue to be members thereof.

(3) The rules of the said Fund may be amended at any time either in the manner provided in the said rules or by the Council subject to the approval of the Minister after consultation with the Minister of Finance and the board of trustees, provided that the rights and benefits of any person who is a member of the Fund shall not be prejudicially affected by such amendments.

Establishment
of pension or
provident fund
and other benefit
schemes.

21. (1) The Council may, subject to the approval of the Minister after consultation with the Minister of Finance, and if in the opinion of the said Ministers it is for the benefit of officers or employees of the Council, establish and carry on or assist in the establishment and carrying on of—

(a) pension or provident funds for the said officers or employees, either in addition to or in substitution of the National Road Safety Organization Personnel Superannuation Fund referred to in section *twenty*; and

(b) mutual benefit or medical benefit societies and home ownership schemes for the said officers or employees, either by way of contracts of insurance entered into by or on behalf of such officers and employees or in some other manner.

(2) The Council may, subject to the approval of the Minister after consultation with the Minister of Finance, insure such of its officers or employees as are excluded from the definition of "workman" in section *three* of the Workmen's Compensation Act, 1941 (Act No. 30 of 1941), against disablement or death resulting from accidents or scheduled diseases as defined in that Act, either by means of a special arrangement with the Workmen's Compensation Commissioner as provided for in the said section or in some other manner.

(3) Nothing contained in sub-sections (1) and (2) shall prevent membership of the pension or provident funds or other benefit schemes being extended to employees of local road safety associations and local road safety committees.

Regulations.

22. The Minister may, after consultation with the Council, make regulations not inconsistent with the provisions of this Act, as to—

(a) any matter which by this Act is required or permitted to be prescribed by regulation;

(b) the appointment of members of the Council, the action committee and a subsidiary committee and of alternate members of the Council and a subsidiary committee, the convening and control of and the procedure at meetings of the Council, the action committee and a subsidiary committee; and

(c) generally any matter which he considers it necessary or expedient to prescribe for the effective exercise or performance by the Council, the action committee or any subsidiary committee of its powers, functions and duties.

Reports to the
Minister.

23. (1) The Council shall, as soon as possible after the end of each financial year, furnish to the Minister a report upon its

aangepas word op die salarisskaal wat op die pos waarin hy aangestel is van toepassing is, teen die kerf op daardie skaal wat deur die aksiekomitee bepaal word.

- (5) Benewens die salaris wat van tyd tot tyd aan so 'n persoon betaalbaar is uit hoofde van sy bekleding van 'n ingevolge sub-artikel (2) van artikel *agtien* ingestelde pos, moet daar aan hom 'n persoonlike toelae betaal word gelyk aan die verskil tussen sy bedoelde salaris wat hy dan trek en die hoër salaris, indien enige, waarop hy geregtig was of sou gewees het ooreenkomstig die salarisskaal wat onmiddellik voor die vasgestelde datum op hom as 'n werknemer van die in sub-artikel (1) bedoelde Nasionale Padveiligheidsorganisasie van Suid-Afrika van toepassing was.

20. (1) Ondanks die afskaffing van die Nasionale Padveiligheidsorganisasie van Suid-Afrika ingevolge sub-artikel (1) van artikel *vyftien* maar onderworpe aan die bepalings van daardie sub-artikel en artikel *een-en-twintig*, moet die Personeelpensioenfonds van die Nasionale Padveiligheidsorganisasie wat ingestel is ten einde voorsiening te maak vir aftredings- en assuransievoordele vir werknemers van daardie Organisasie en sy geaffilieerde verenigings of organisasies, bly voortbestaan, behoudens die bepalings van die reëls van genoemde Fonds.

Voortsetting van die Personeelpensioenfonds van die Nasionale Padveiligheidsorganisasie.

- (2) Alle persone wat onmiddellik voor die vasgestelde datum lede was van bedoelde Personeelpensioenfonds van die Nasionale Padveiligheidsorganisasie, hou aan om, behoudens die bepalings van die reëls van bedoelde Fonds en van artikel *een-en-twintig*, lede daarvan te wees.

- (3) Die reëls van bedoelde Fonds kan te eniger tyd gewysig word of op die wyse voorgeskryf in bedoelde reëls of deur die Raad onderworpe aan die goedkeuring van die Minister na oorlegpleging met die Minister van Finansies en die raad van kuratore, met dien verstande dat die regte en voordele van enige persoon wat 'n lid van die Fonds is, nie deur sodanige wysigings nadelig geraak word nie.

21. (1) Die Raad kan, onderworpe aan die goedkeuring van die Minister na oorlegpleging met die Minister van Finansies, en as dit volgens die oordeel van genoemde Ministers tot voordeel van die amptenare of werknemers van die Raad is—

Instelling van pensioen- of voorsorgsfonds- en ander onderstandskemas.

- (a) pensioen- of voorsorgsfondse vir bedoelde amptenare of werknemers, of benewens of ter vervanging van die Personeelpensioenfonds van die Nasionale Padveiligheidsorganisasie in artikel *twintig* bedoel; en

- (b) onderlinge hulp- of geneeskundige hulpverenigings en huiseienaarskemas vir bedoelde amptenare of werknemers,

- instel en voortsit of help met die instelling en voortsetting daarvan, hetsy by wyse van assuransiekontrakte aangegaan deur of ten behoeve van bedoelde amptenare en werknemers of op 'n ander manier.

- (2) Die bepalings van sub-artikel (1) verhoed nie dat lidmaatskap van die pensioen- of voorsorgsfondse of ander onderstandskemas na werknemers van plaaslike padveiligheidsverenigings en plaaslike padveiligheidskomitees uitgebrei word nie.

22. Die Minister kan na oorlegpleging met die Raad, regulasies uitvaardig wat nie met die bepalings van hierdie Wet strydig is nie, aangaande—

Regulasies.

- (a) enige aangeleentheid wat by hierdie Wet by regulasie voorgeskryf moet of kan word;

- (b) die aanstelling van lede van die Raad, die aksiekomitee en 'n hulpkomitee en van plaasvervangende lede van die Raad en 'n hulpkomitee, die byeenroep en beheer van en die prosedure op vergaderings van die Raad, die aksiekomitee en 'n hulpkomitee; en

- (c) in die algemeen enige aangeleentheid wat hy nodig of dienstig ag om voor te skryf vir die doeltreffende uitoefening of verrigting deur die Raad, die aksiekomitee of 'n hulpkomitee van sy bevoegdhede, werksaamhede en pligte ingevolge hierdie Wet.

23. Die Raad moet, so gou moontlik na die end van elke boekjaar, aan die Minister 'n verslag verskaf oor sy werk

Verslae aan die Minister.

work during that financial year, together with a balance sheet and a complete statement of its income and expenditure for that year, and shall in the report so furnished give particulars as to—

- (a) the extent and value of all classes of property held by the Council; 5
- (b) the expenses of management and administration and all other expenses incurred by the Council;
- (c) the erection and construction, repair, improvement or alteration of any building or equipment and the cost thereof; 10
- (d) the price or rent of any land or any other immovable property acquired or hired; and
- (e) any other matter with which the Minister may require the Council to deal. 15

(2) Every report furnished under sub-section (1) shall be laid by the Minister upon the Tables of both Houses of Parliament within thirty days after it has been furnished to him, if Parliament is then in ordinary session, or if Parliament is not then in ordinary session, within thirty days after the commencement of its next ensuing ordinary session. 20

Short title and
date of
commencement.

24. This Act shall be called the South African Road Safety Council Act, 1960, and shall come into operation on a date to be fixed by the Governor-General by proclamation in the *Gazette*. 25

gedurende daardie boekjaar, tesame met 'n balansstaat en 'n volledige staat van sy inkomste en uitgawes vir daardie jaar, en moet in die verslag aldus verskaf besonderhede verstrek aangaande—

- 5 (a) die omvang en waarde van alle kategorieë van eiendom wat die Raad besit;
- (b) die bestuurs- en administrasiekoste en alle ander uitgawes deur die Raad aangegaan;
- (c) die oprigting en bou, reparasie, verbetering of verandering van enige gebou of uitrusting en die koste daarvan;
- 10 (d) die prys of huurgeld van enige grond of enige ander onroerende goed verkry of gehuur; en
- (e) enige ander aangeleentheid waarmee die Minister die Raad mag versoek om te handel.
- 15 (2) Elke verslag wat kragtens sub-artikel (1) verskaf word, word deur die Minister in beide Huise van die Parlement ter Tafel gelê binne dertig dae nadat dit aan hom verskaf word, as 'n gewone sitting van die Parlement dan aan die gang is,
- 20 of as 'n gewone sitting van die Parlement nie dan aan die gang is nie, binne dertig dae na die aanvang van sy eersvolgende gewone sitting.

24. Hierdie Wet heet die Wet op die Suid-Afrikaanse Pad-veiligheidsraad, 1960, en tree in werking op 'n datum deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* bepaal te word.
- 25 Kort titel en datum van inwerkingtreding