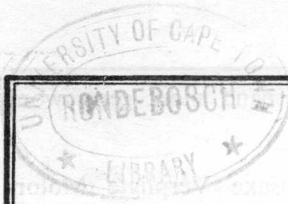


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REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE
STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

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25 OKTOBER

PROCLAMATION

by the State President of the Republic of South Africa

No. 215, 1974

COMMISSION OF INQUIRY INTO CERTAIN ASPECTS OF COMPULSORY MOTOR VEHICLE INSURANCE IN TERMS OF THE PROVISIONS OF THE COMPULSORY MOTOR VEHICLE INSURANCE ACT, 1972 (ACT 56 OF 1972), AS AMENDED

Under the powers vested in me by section 1 of the Commissions Act, 1947 (Act 8 of 1947), as amended by section 13 of the General Law Amendment Act, 1964 (Act 80 of 1964), I hereby declare that the provisions of the said Act shall be applicable to the Commission of Inquiry into Compulsory Motor Vehicle Insurance in terms of the Compulsory Motor Vehicle Insurance Act, 1972 (Act 56 of 1972), as amended, which I have this day appointed.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town, this Seventeenth day of October, One thousand Nine hundred and Seventy-four.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

S. L. MULLER.

GOVERNMENT NOTICE

DEPARTMENT OF TRANSPORT

No. 1992

25 October 1974

APPOINTMENT OF COMMISSION OF INQUIRY INTO CERTAIN ASPECTS OF COMPULSORY MOTOR VEHICLE INSURANCE IN TERMS OF THE COMPULSORY MOTOR VEHICLE INSURANCE ACT, 1972 (ACT 56 OF 1972), AS AMENDED

It is notified for general information that it has pleased the State President to appoint a Commission of Inquiry to inquire into and report on certain aspects of compulsory motor vehicle insurance in terms of the Compulsory Motor Vehicle Insurance Act, 1972 (Act 56 of 1972), as amended, with the terms of reference contained in the Schedule hereto.

29216—A

PROKLAMASIE

van die Staatspresident van die Republiek van Suid-Afrika

No. 215, 1974

KOMMISSIE VAN ONDERSOEK INSAKE SEKERE ASPEKTE VAN VERPLIGTE MOTORVOERTUIG-VERSEKERING INGEVOLGE DIE BEPALINGS VAN DIE WET OP VERPLIGTE MOTORVOERTUIG-VERSEKERING, 1972 (WET 56 VAN 1972), SOOS GEWYSIG

Kragtens die bevoegdheid my verleen by artikel 1 van die Kommissiewet, 1947 (Wet 8 van 1947), soos gewysig by artikel 13 van die Algemene Regswysigingswet, 1964 (Wet 80 van 1964), verklaar ek hierby dat die bepalings van genoemde Wet van toepassing is op die Kommissie van Onderzoek insake Verpligte Motorvoertuigversekering ingevolge die bepalings van die Wet op Verpligte Motorvoertuigversekering, 1972 (Wet 56 van 1972), soos gewysig, wat ek vandag aangestel het.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Sewentiende dag van Oktober Eenduisend Negehoenderd Vier-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

S. L. MULLER.

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN VERVOER

No. 1992

25 Oktober 1974

AANSTELLING VAN KOMMISSIE VAN ONDERSOEK INSAKE SEKERE ASPEKTE VAN VERPLIGTE MOTORVOERTUIGVERSEKERING INGEVOLGE DIE BEPALINGS VAN DIE WET OP VERPLIGTE MOTORVOERTUIGVERSEKERING, 1972 (WET 56 VAN 1972), SOOS GEWYSIG

Hierby word vir algemene kennisname bekendgemaak dat dit die Staatspresident behaag het om 'n Kommissie van Onderzoek aan te stel om sekere aspekte van verpligte motorvoertuigversekering ingevolge die bepalings van die Wet op Verpligte Motorvoertuigversekering, 1972 (Wet 56 van 1972), soos gewysig, te ondersoek en daarvoor verslag te doen, met die opdrag vervat in bygaande Bylae.

4467—1

Any representations in the above connection should be directed to:

The Secretary
Commission of Inquiry into Compulsory Motor Vehicle Insurance
Private Bag X193
Pretoria
0001

SCHEDULE COMMISSION

BY THE STATE PRESIDENT OF THE REPUBLIC
OF SOUTH AFRICA

To:

SCHALK WILLEM VORSTER WESSELS.
SCHALK WILLEM VAN DER MERWE.
CARL THEODORUS MOLLER.
CHRISTO ALFONZO BISSCHOFF.
HENNING JACOBUS CLAASSENS.

GREETINGS:

Whereas I deem it expedient to appoint a commission to inquire into and report on the matters mentioned hereinafter;

Now, therefore, by reason of the great trust I repose in your knowledge and ability, I hereby authorise and appoint you to be members, and you, SCHALK WILLEM VORSTER WESSELS, to be chairman of a commission with the following terms of reference:

To inquire into, report on and make recommendations in connection with—

(a) the following aspects of compulsory motor vehicle insurance in terms of the Compulsory Motor Vehicle Insurance Act, 1972 (Act 56 of 1972), as amended—

(i) the desirability or otherwise of applying the provisions of section 22 (1) of the said Act to all passengers conveyed in motor vehicles insured under this Act;

(ii) whether or not the limitation of the amount of compensation to which claimants are entitled in terms of section 22 (1) should be retained in the event of provision being made for third party cover for all passengers as contemplated in (i) above;

(iii) the effect on the premiums paid in respect of the insurance of motor vehicles under the Act in the event of a measure as contemplated in (i) above being introduced;

(iv) the desirability or otherwise of excluding pain, suffering and loss of amenities as factors in the assessment of damages under the Act, particularly with a view to the increase in premiums which must necessarily follow in the event of the measure contemplated in (i) above is introduced;

(v) whether special tariffs should not be fixed for legal and medical costs of the handling of claims and the treatment of third party patients;

(vi) whether claimants to whom compensation is paid in terms of the Act expend such amounts judiciously and, if not, what measures should be introduced to ensure the judicious spending of large amounts;

Enige vertoë in bogemelde verband moet gerig word tot:

Die Sekretaris
Kommissie van Ondersoek insake Verpligte Motorvoertuigversekering
Privaatsak X193
Pretoria
0001

BYLAE

OPDRAG

VAN DIE STAATSPRESIDENT VAN DIE
REPUBLIEK VAN SUID-AFRIKA

Aan:

SCHALK WILLEM VORSTER WESSELS.
SCHALK WILLEM VAN DER MERWE.
CARL THEODORUS MOLLER.
CHRISTO ALFONZO BISSCHOFF.
HENNING JACOBUS CLAASSENS.

SALUUT:

Nademaal ek dit dienstig ag om 'n kommissie aan te stel om ondersoek in te stel na en verslag te doen oor die aangeleenthede hieronder vermeld;

So is dit dat ek, terwyl ek groot vertroue in u kennis en bekwaamheid stel, u hierby magtig en aanstel as lede en u, SCHALK WILLEM VORSTER WESSELS, as voorsitter van 'n kommissie met die volgende opdrag:

Om ondersoek in te stel na, en verslag en aanbevelings te doen in verband met—

(a) die volgende aspekte van verpligte motorvoertuig-versekering ooreenkomstig die Wet op Verpligte Motorvoertuigversekering, 1972 (Wet 56 van 1972), soos gewysig:

(i) Die wenslikheid al dan nie om die bepaling van artikel 22 (1) van genoemde Wet van toepassing te maak op alle passasiers wat in motorvoertuie wat ooreenkomstig hierdie Wet verseker is, vervoer word;

(ii) of die beperking op die bedrag van vergoeding waarop eisers ingevolge artikel 22 (1) geregtig is, behoue moet bly al dan nie ingeval voorsiening vir derdepartydekking vir alle passasiers soos in (i) hierbo beoog, gemaak word;

(iii) die uitwerking op die premies wat ten opsigte van die versekering van motorvoertuie ooreenkomstig genoemde Wet betaal word indien 'n maatreël soos in (i) hierbo beoog, ingevoer word;

(iv) die wenslikheid al dan nie vir die uitskakeling van pyn, lyding en verlies van lewensgenietinge as faktore by die vaststelling van skadevergoeding kragtens die Wet, vernameklik met die oog op die verhoging in premies wat noodwendig sal volg indien die maatreël soos in (i) hierbo beoog, ingevoer word;

(v) of spesiale tariewe vir regs- en mediese koste van die hantering van eise en die behandeling van derdepartypasiënte nie vasgestel moet word nie;

(vi) of eisers aan wie vergoeding ingevolge die Wet betaal word, sodanige bedrae oordeelkundig bestee en, indien nie, watter maatreëls daargestel moet word om die oordeelkundige besteding van groot bedrae te verseker;

(vii) whether claimants are exploited by their representatives and, if necessary, whether control measures should be introduced;

(b) any other matter which the Commission may deem to be relevant to or necessary in connection with its inquiry.

You are requested to report as soon as possible on the matters with which you are hereby charged.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Seventeenth day of October, One thousand Nine hundred and Seventy-four.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

S. L. MULLER.

(vii) of eisers deur hulle verteenwoordigers uitgebuit word en, indien nodig, of beheermaatreëls daargestel moet word;

(b) enige ander aangeleentheid wat die Kommissie ag betrekking te hê op of nodig te wees in verband met sy ondersoek.

U word versoek om so spoedig moontlik verslag te doen oor die aangeleenthede wat hierby aan u opgedra is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Sewentiende dag van Oktober Eenduisend Negehoenderd Vier-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

S. L. MULLER.

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