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OFFICE OF THE PRESIDENT

No. 1164.

11 September 1998

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

No. 47 of 1998: Road Traffic Laws Rationalisation Act, 1998.

KANTOOR VAN DIE PRESIDENT

No. 1164.

11 September 1998

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

No. 46 van 1998: Wet op Rasionalisering van Wette Betreffende Padverkeer, 1998.

ACT

To extend the application of the Road Traffic Act, 1989, to the whole of the Republic; to repeal certain laws relating to road traffic applicable only in particular areas of the Republic in so far as they fall outside the functional areas mentioned in Schedules 4 and 5 to the Constitution; to make transitional arrangements; and to provide for matters connected therewith.

*(English text signed by the President.)
(Assented to 9 September 1998.)*

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

Application of Road Traffic Act, 1989, throughout Republic

1. The Road Traffic Act, 1989 (Act No. 29 of 1989), including all amendments thereto by national legislation, (in this Act referred to as “the Road Traffic Act”), applies in the whole of the Republic. 5

Partial repeal of laws

2. Every law mentioned in the Schedule, including all amendments thereto, wherever the law applied in the Republic immediately before the commencement of this Act, is hereby repealed to the extent that the law deals with matters— 10

- (a) falling outside the functional areas mentioned in Schedules 4 and 5 to the Constitution; and
- (b) provided for in the Road Traffic Act.

Transitional provisions

3. (1) Subject to subsections (2), (3) and (4), anything— 15

- (a) purportedly done in good faith under a provision of a law repealed by section 2 (in this section referred to as a “repealed law”); or
- (b) deemed to have been so done under a repealed law,

and which may be done under a corresponding provision of the Road Traffic Act, is deemed to have been done under that corresponding provision. 20

(2) Any registration, licence, certificate, permit or authorisation —

- (a) purportedly effected, issued or granted in good faith under any provision of a repealed law; or
- (b) deemed to have been so effected, issued or granted under a repealed law,

and which may be effected, issued or granted under a corresponding provision of the Road Traffic Act is deemed to have been effected, issued or granted under that corresponding provision of the Road Traffic Act, subject to the same conditions as those under which, and for the same period for which, it was effected, issued or granted. 25

(3) Any person—

- (a) purportedly appointed in good faith under any provision of a law repealed; or 30
- (b) deemed to have been so appointed under a repealed law,

to exercise a power or perform a duty which corresponds with a power that may be exercised or a duty that must be performed by a person appointed in terms of the Road

WET

Om die toepassing van die Padverkeerswet, 1989, uit te brei na die hele Republiek; om sekere wette te herroep wat met padverkeer verband hou en wat van toepassing is slegs in bepaalde gebiede van die Republiek, in soverre dit buite die funksionele gebiede vermeld in Bylaes 4 en 5 by die Grondwet val; om oorgangsreëlings te tref; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

*(Engelse teks deur die President geteken.)
(Goedgekeur op 9 September 1998.)*

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

Toepassing van Padverkeerswet, 1989, dwarsdeur Republiek

1. Die Padverkeerswet, 1989 (Wet No. 29 van 1989), met inbegrip van alle wysigings daartoe deur nasionale wetgewing, (in hierdie Wet “die Padverkeerswet” genoem), is van toepassing in die hele Republiek.

Gedeeltelike herroeping van wette

2. Elke wet vermeld in die Bylae, met inbegrip van alle wysigings daaraan, waar die wet ook al van toepassing was in die Republiek onmiddellik voor die inwerkingtreding van hierdie Wet, word hierby herroep in die mate wat die wet handel met aangeleenthede—

- (a) wat buite die funksionele gebiede vermeld in Bylaes 4 en 5 by die Grondwet val; en
- (b) waarvoor in die Padverkeerswet voorsiening gemaak word.

15 Oorgangsbepalings

3. (1) Behoudens subartikels (2), (3) en (4) word enigiets—

- (a) wat skynbaar te goeder trou kragtens ’n bepaling van ’n wet wat by artikel 2 herroep is (in hierdie artikel ’n “herroepe wet” genoem), gedoen is; of
- (b) wat kragtens ’n herroepe wet as sodanig geag word gedoen te gewees het, en wat kragtens ’n ooreenstemmende bepaling van die Padverkeerswet, gedoen kan word, geag kragtens daardie ooreenstemmende bepaling gedoen te gewees het.

- (2) Enige registrasie, lisensie, sertifikaat, permit of magtiging—

- (a) wat skynbaar te goeder trou kragtens enige bepaling van ’n herroepe wet uitgevoer, uitgereik of toegestaan is; of
- (b) wat kragtens ’n herroepe wet as sodanig geag word uitgevoer, uitgereik of toegestaan te gewees het, en wat kragtens ’n ooreenstemmende bepaling van die Padverkeerswet uitgevoer, uitgereik of toegestaan kan word, word geag kragtens daardie ooreenstemmende bepaling van die Padverkeerswet uitgevoer, uitgereik of toegestaan te gewees het, onderhewig aan dieselfde voorwaardes as dié waaronder, en vir dieselfde tydperk waarvoor, dit uitgevoer, uitgereik of toegestaan is.

- (3) Enige persoon—

- (a) wat skynbaar te goeder trou kragtens enige bepaling van ’n herroepe wet aangestel is; of
- (b) wat kragtens ’n herroepe wet geag word as sodanig aangestel te gewees het, om ’n bevoegdheid uit te oefen of ’n plig te verrig wat ooreenstem met ’n bevoegdheid of plig wat deur ’n persoon wat ingevolge die Padverkeerswet aangestel is, uitgeoefen

Traffic Act is, subject to subsection (4), deemed to have been appointed in terms of the Road Traffic Act, irrespective of whether that person meets the requirements stipulated in the Road Traffic Act for that appointment.

(4) The appointment of a person deemed by subsection (3) to have been appointed under the Road Traffic Act is—

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(a) subject to the same conditions as those under which that person was purportedly appointed under the repealed law concerned; and

(b) for the unexpired portion of the period for which that person was appointed under the repealed law concerned.

(5) When by reason of a conflict with a provision of the Road Traffic Act, which applies in the whole of the Republic in terms of section 1, any provision of provincial legislation becomes inoperative, subsections (1) to (4) of this section apply with the changes required by the context.

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Short title and commencement

4. This Act is called the Road Traffic Laws Rationalisation Act, 1998, and takes effect on a date determined by the President by proclamation in the *Gazette*.

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WET OP RASIONALISERING VAN WETTE BETREFFENDE
PADVERKEER, 1998

Wet No. 47, 1998

kan of verrig moet word, word, behoudens subartikel (4), geag ingevolge die Padverkeerswet aangestel te gewees het, ongeag of daardie persoon aan die vereistes wat in die Padverkeerswet vir daardie aanstelling bepaal is, voldoen.

(4) Die aanstelling van 'n persoon wat by subartikel (3) geag word kragtens die Padverkeerswet aangestel te gewees het, is—

(a) onderhewig aan dieselfde voorwaardes as dié waaronder daardie persoon skynbaar kragtens die betrokke herroepe wet aangestel is; en

(b) vir die onverstreke deel van die tydperk waarvoor daardie persoon kragtens die betrokke herroepe wet aangestel is.

(5) Wanneer weens 'n teenstrydigheid met 'n bepaling van die Padverkeerswet, wat van toepassing is in die hele Republiek ingevolge artikel 1, enige bepaling van provinsiale wetgewing kragteloos word, is subartikels (1) tot (4) van hierdie artikel van toepassing, met die veranderings wat deur die konteks verlang word.

Kort titel en inwerkingtreding

4. Hierdie Wet heet die Wet op Rasionalisering van Wette Betreffende Padverkeer, 1998, en tree in werking op 'n datum wat die President by proklamasie in die *Staatskoerant* bepaal.

SCHEDULE

(Section 2)

No. and year of law	Short title
Act No. 5 of 1967	Transkei Road Traffic Act, 1967
Act No. 7 of 1973	Bophuthatswana Road Traffic Act, 1973
Act No. 8 of 1973	Lebowa Road Traffic Act, 1973
Act No. 7 of 1975	Venda Road Traffic Act, 1975
Act No. 8 of 1980	Qwaqwa Traffic Act, 1980
Act No. 6 of 1981	KaNgwane Road Traffic Act, 1981
Act No. 18 of 1989	Ciskeian Road Traffic Act, 1989
Act No. 10 of 1991	Gazankulu Road Traffic Act, 1991
Act No. 18 of 1992	KwaZulu Traffic Act, 1992
Act No. 7 of 1993	KwaNdebele Road Traffic Amendment Act, 1993

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PADVERKEER, 1998

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BYLAE

(Artikel 2)

No. en jaar van wet	Kort titel
Wet No. 5 van 1967	Transkeise Wet op Padverkeer, 1967
Wet No. 7 van 1973	Bophuthatswana-wet op Padverkeer, 1973
Wet No. 8 van 1973	Lebowa Wet op Padverkeer, 1973
Wet No. 7 van 1975	Venda-wet op Padverkeer, 1975
Wet No. 8 van 1980	Qwaqwa-Verkeerswet, 1980
Wet No. 6 van 1981	KaNgwane Wet op Padverkeer, 1981
Wet No. 18 van 1989	Ciskeise Padverkeerswet, 1989
Wet No. 10 van 1991	Gazankulu Padverkeerswet, 1991
Wet No. 18 van 1992	KwaZulu Verkeerswet, 1992
Wet No. 7 van 1993	KwaNdebele-Padverkeers Wysigingswet, 1993

