



GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

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KAAPSTAD, 11 OKTOBER 1974

DEPARTEMENT VAN DIE EERSTE MINISTER

11 Oktober 1974.

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

No. 46 van 1974: Wysigingswet op Nasionale Verkeers-
veiligheid, 1974.

Wet No. 46, 1974 WYSIGINGSWET OP NASIONALE VERKEERSVEILIGHEID, 1974.

WET

Tot wysiging van die bepalings van die Wet op Nasionale Verkeersveiligheid, 1972, ten einde die samestelling van die Nasionale Verkeersveiligheidsraad verder te reël; die bepaling van die aanstellingsvoorwaardes van lede van bedoelde Raad deur die Minister, verder te reël; die bevoegdhede van bedoelde Raad uit te brei; die betaling van toelaes aan die persone en onder die omstandighede in artikel 18 (5) bedoel, verder te reël; voorsiening te maak vir die voortbestaan van die Suid-Afrikaanse Padveiligheidsraad-groeppensioenskema ingestel kragtens artikel 21 (1) van die Wet op die Suid-Afrikaanse Padveiligheidsraad, 1960; nuwe voorsiening te maak betreffende die bestuur van die fondse, verenigings en skemas vermeld in artikel 20 (1); en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)

(Goedgekeur op 3 Oktober 1974.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van
artikel 3 van Wet
9 van 1972.

1. Artikel 3 van die Wet op Nasionale Verkeersveiligheid, 1972 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur subparagraaf (ii) van subartikel (1) (a) deur die volgende subparagraaf te vervang:

„(ii) een iemand moet wees wat die Minister gekies het uit drie persone wat deur die Verenigde Munisipale Bestuur van Suid-Afrika benoem is; en”;

(b) deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

„(b) vyf lede is van die uitvoerende komitees van die vier provinsies en die gebied Suidwes-Afrika, wat elk deur die betrokke uitvoerende komitee aangewys word om in die Raad te dien, of die plaasvervangers is van dié lede wat elk deur so 'n lid aangewys is;”;

(c) deur paragraaf (c) van subartikel (1) deur die volgende paragraaf te vervang:

„(c) drie onderskeidelik die Sekretaris van Vervoer, die Sekretaris van Justisie en die Kommissaris van die Suid-Afrikaanse Polisie is, of die plaasvervangers is van dié persone wat elk deur so 'n persoon aangewys is;”;

(d) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) 'n Lid van die Raad, uitgesonderd 'n lid bedoel in subartikel (1) (b) of (c), word aangestel vir die tydperk (maar hoogstens vyf jaar) en op die voorwaardes wat die Minister bepaal: Met dien verstande dat die Minister, indien daar na sy oordeel gegronde redes daarvoor bestaan, die dienste van so 'n lid te eniger tyd voor die verstryking van sy ampstermyn kan beëindig.”.

NATIONAL ROAD SAFETY AMENDMENT ACT, 1974.

Act No. 46, 1974

ACT

To amend the provisions of the National Road Safety Act, 1972, in order to further regulate the constitution of the National Road Safety Council; to further regulate the determination of the conditions of appointment of members of the said Council by the Minister; to extend the powers of the said Council; to further regulate the payment of allowances to the persons and under the circumstances contemplated in section 18 (5); to provide for the continued existence of the South African Road Safety Council Group Pension Scheme established in terms of section 21 (1) of the South African Road Safety Council Act, 1960; to make new provision regarding the administration of the funds, societies and schemes referred to in section 20 (1); and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)

(Assented to 3 October 1974.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

1. Section 3 of the National Road Safety Act, 1972 (hereinafter referred to as the principal Act), is hereby amended—
 - (a) by the substitution for subparagraph (ii) of subsection (1) (a) of the following subparagraph:

“(ii) one shall be a person selected by the Minister from three persons nominated by the United Municipal Executive of South Africa; and”;
 - (b) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) five shall be members of the executive committees of the four provinces and the territory of South-West Africa, each designated by the executive committee concerned to serve on the Council, or the alternates of such members each of whom has been designated by such member;”;
 - (c) by the substitution for paragraph (c) of subsection (1) of the following paragraph:

“(c) three shall be the Secretary for Transport, the Secretary for Justice and the Commissioner of the South African Police, respectively, or the alternates of such persons each of whom has been designated by such person;”;
 - (d) by the substitution for subsection (2) of the following subsection:

“(2) A member of the Council, other than a member referred to in subsection (1) (b) or (c), shall be appointed for such period (not exceeding five years) and on such conditions as the Minister may determine: Provided that the Minister may, if in his opinion there exist sufficient reasons therefor, terminate the services of any such member at any time before the expiry of his period of office.”.

Amendment of
section 3 of Act
9 of 1972.

Wet No. 46, 1974 WYSIGINGSWET OP NASIONALE VERKEERSVEILIGHEID, 1974.

Wysiging van
artikel 7 van Wet
9 van 1972.

2. Artikel 7 van die Hoofwet word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te vervang:

„(a) persone wat, na die oordeel van die Raad, oor toepaslike opleiding en ervaring beskik, as beamptes en werknemers van die Raad aanstel, en van sy bevoegdhede of pligte aan sodanige beamptes en werknemers verleen of oplê: Met dien verstande dat die bevoegdhede en pligte in paragrafe (b), (c), (d) en (f) vervat slegs uitgeoefen word ingevolge 'n besluit van die Raad of met die skriftelike magtiging van die Direkteur, waarvan aan die volgende vergadering van die Raad verslag gedoen word;”.

Wysiging van
artikel 18 van Wet
9 van 1972.

3. Artikel 18 van die Hoofwet word hierby gewysig deur subartikel (5) deur die volgende subartikel te vervang:

„(5) Indien die salaris of loon wat van tyd tot tyd aan iemand ingevolge subartikel (4) betaalbaar is, minder is as die salaris of loon waarop hy geregtig was of sou gewees het ooreenkomstig die salaris- of loonskaal wat onmiddellik voor die vasgestelde datum op hom as 'n beampte of werknemer van die Padveiligheidsraad van toepassing was, moet aan hom 'n pensioendraende toelae betaal word gelyk aan die verskil tussen eersgenoemde en laasgenoemde salarisse of lone, na gelang van die geval.”.

Vervanging van
artikel 19 van Wet
9 van 1972.

4. (1) Artikel 19 van die Hoofwet word hierby deur die volgende artikel vervang:

„Voortbestaan van die Suid-Afrikaanse Padveiligheidsraad-groeppensioenskema. 19. (1) Ondanks die herroeping van die Wet op die Suid-Afrikaanse Padveiligheidsraad, 1960 (Wet No. 1 van 1960), deur hierdie Wet, bly die Suid-Afrikaanse Padveiligheidsraad-groeppensioenskema ingestel kragtens artikel 21 (1) van eersgenoemde Wet voortbestaan, behoudens die bepalinge van die reëls wat genoemde skema reël.

(2) Almal wat onmiddellik voor die vasgestelde datum lede van genoemde Groeppensioenskema was, hou aan om, behoudens die bepalinge van genoemde reëls en artikel 20 van hierdie Wet, lede daarvan te wees, en by die toepassing van dié reëls ten opsigte van sodanige lede word diens by die Raad geag diens by die Padveiligheidsraad te wees.”.

(2) Subartikel (1) word geag op 15 Maart 1972 in werking te getree het.

Wysiging van
artikel 20 van Wet
9 van 1972.

5. (1) Artikel 20 van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Die Raad kan, onderworpe aan die goedkeuring van die Minister—

(a) pensioen- of voorsorgfondse vir die beamptes en werknemers van die Raad, bykomend by of ter vervanging van die Groeppensioenskema vermeld in artikel 19 (1) of enige ander pensioen- of voorsorgfonds; en

(b) onderlinge of geneeskundige hulpverenigings en huiseienaarskemas vir genoemde beamptes en werknemers,

instel en voortsit of help met die instelling en voortsetting daarvan, hetsy by wyse van assuransiekontrakte aangegaan deur of namens genoemde beamptes en werknemers of op 'n ander manier.”; en

(b) deur subartikel (4) deur die volgende subartikel te vervang:

„(4) 'n Pensioen- of voorsorgfonds of onderlinge of geneeskundige hulpvereniging of huiseienaarskema wat ingevolge subartikel (1) ingestel is, word ooreenkomstig die bepalinge van die reëls van sodanige fonds, vereniging of skema bestuur.”.

NATIONAL ROAD SAFETY AMENDMENT ACT, 1974. Act No. 46, 1974

2. Section 7 of the principal Act is hereby amended by the substitution for paragraph (a) of the following paragraph:

Amendment of section 7 of Act 9 of 1972.

"(a) appoint as officers and employees of the Council persons who, in the opinion of the Council, command appropriate training and experience, and confer or impose any of its powers or duties upon such officers and employees: Provided that the powers and duties contained in paragraphs (b), (c), (d) and (f) shall only be exercised in pursuance of a resolution of the Council or with the written authority of the Director, which shall be reported to the next meeting of the Council;"

3. Section 18 of the principal Act is hereby amended by the substitution for subsection (5) of the following subsection:

Amendment of section 18 of Act 9 of 1972.

"(5) If the salary or wage payable from time to time to any person in terms of subsection (4) is less than the salary or wage to which he was or would have been entitled in accordance with the scale of salary or wage applicable to him as an officer or an employee of the Road Safety Council immediately prior to the fixed date, there shall be paid to him a pensionable allowance equal to the difference between the first-mentioned and the last-mentioned salaries or wages, as the case may be."

4. (1) The following section is hereby substituted for section 19 of the principal Act:

Substitution of section 19 of Act 9 of 1972.

"Continued existence of the South African Road Safety Council Group Pension Scheme.

19. (1) Notwithstanding the repeal of the South African Road Safety Council Act, 1960 (Act No. 1 of 1960), by this Act, the South African Road Safety Council Group Pension Scheme established in terms of section 21 (1) of the first-mentioned Act shall continue to exist, subject to the provisions of the rules governing the said Scheme.

(2) All persons who immediately prior to the fixed date were members of the said Group Pension Scheme shall, subject to the provisions of the said rules and section 20 of this Act, continue to be members thereof, and in the application of such rules in respect of such members, service with the Council shall be deemed to be service with the Road Safety Council."

(2) Subsection (1) shall be deemed to have come into operation on 15 March 1972.

5. (1) Section 20 of the principal Act is hereby amended—
(a) by the substitution for subsection (1) of the following subsection:

Amendment of section 20 of Act 9 of 1972.

"(1) The Council may, subject to the approval of the Minister, establish and conduct or assist in establishing or conducting—

(a) pension or provident funds for the officers and employees of the Council, either in addition to or in lieu of the Group Pension Scheme referred to in section 19 (1) or any other pension or provident fund; and

(b) mutual or medical benefit societies and home ownership schemes for the said officers and employees,

either by way of contracts of insurance entered into by or on behalf of the said officers and employees or in some other manner;" and

(b) by the substitution for subsection (4) of the following subsection:

"(4) Any pension or provident fund or mutual or medical benefit society or home ownership scheme established in terms of subsection (1) shall be administered in accordance with the provisions of the rules of such fund, society or scheme."

Wet No. 46, 1974 WYSIGINGSWET OP NASIONALE VERKEERSVEILIGHEID, 1974.

(2) Subartikel (1) word geag op 15 Maart 1972 in werking te getree het.

Wysiging van
artikel 22 van Wet
9 van 1972.

6. (1) Artikel 22 van die Hoofwet word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

„(3) Die Raad betaal die uitgawes wat deur die Raad van Trustees van die Groeppensioenskema vermeld in artikel 19 (1) by die verrigting van sy werksaamhede noodsaaklikerwys aangegaan word.”.

(2) Subartikel (1) word geag op 15 Maart 1972 in werking te getree het.

Kort titel en in-
werkingtreding.

7. Hierdie Wet heet die Wysigingswet op Nasionale Verkeersveiligheid, 1974, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

Act No. 46, 1974

6. (1) Section 22 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection: Amendment of section 22 of Act 9 of 1972.

“(3) The Council shall pay the expenses necessarily incurred by the Board of Trustees of the Group Pension Scheme mentioned in section 19 (1) in the performance of its functions.”.

7. This Act shall be called the National Road Safety Amendment Act, 1974, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*. Short title and commencement.

NATIONAL ROAD SAFETY AMENDMENT ACT, 1974

Act No. 46, 1974

(2) Subsection (1) shall be deemed to have come into operation on 15 March 1975.

6. (1) Section 22 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:—
“(3) The Council shall pay the expenses necessarily incurred by the Board of Trustees of the Group Pension Scheme mentioned in section 19 (1) in the performance of its functions.”

(2) Subsection (1) shall be deemed to have come into operation on 15 March 1975.

7. This Act shall be called the National Road Safety Amendment Act, 1974, and shall come into operation on a date fixed by the State President by proclamation in the Gazette.