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GOVERNMENT GAZETTE

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KAAPSTAD, 9 APRIL 1980

DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 659.

9 April 1980.

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

No. 16 of 1980: National Road Safety Amendment Act, 1980.

No. 659.

9 April 1980.

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

No. 16 van 1980: Wysigingswet op Nasionale Verkeersveiligheid, 1980.

Wet No. 16, 1980

WYSIGINGSWET OP NASIONALE VERKEERSVEILIGHEID, 1980

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

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

WET

Tot wysiging van die Wet op Nasionale Verkeersveiligheid, 1972, ten einde die Minister van Vervoerwese te magtig om die bedrag van die heffing op motorvoertuie by kennisgewing in die *Staatskoerant* vas te stel; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 21 Maart 1980.)

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

Wysiging van
artikel 25 van
Wet 9 van 1972.

1. Artikel 25 van die Wet op Nasionale Verkeersveiligheid, 1972, word hierby gewysig deur subartikels (1), (2), (3), (4) en (5) 5 deur die volgende subartikels te vervang:

„(1) 'n Heffing **[van vyftig sent]** teen 'n koers wat die Minister van tyd tot tyd by kennisgewing in die *Staatskoerant* vasstel, is betaalbaar op elke motorvoertuig soos omskryf in artikel 1 van die **[Motorvoertuigassuransiewet, 1942 (Wet 10 No. 29 van 1942)]** Wet op Verpligte Motorvoertuigversekering, 1972 (Wet No. 56 van 1972)—

- (a) wat ingevolge artikel **[19 (1)]** 2 (1) van dié Wet nie op 'n openbare pad bestuur mag word nie tensy dit ingevolge artikel **[3 of 5]** 12, 13 of 14 van genoemde 15 Wet **[verassureer]** verseker is of ingevolge artikel **[21]** 29 daarvan van die bepalings van genoemde artikel **[19 (1)]** 2 (1) vrygestel is, of wat in artikel **[19 (2) (b)]** 2 (2) (b) van genoemde Wet bedoel word; of
- (b) wat in artikel **[19 (2) (a)]** 2 (2) (a) van genoemde Wet 20 bedoel word en gebruik word op 'n openbare pad of 'n plek waartoe die publiek toegang het, uitgesonderd 'n motorvoertuig waarvan 'n ander staat of 'n regering buite die Republiek die eienaar is.

(2) Die heffing is betaalbaar deur die eienaar van die 25 betrokke motorvoertuig soos in artikel 1 van die **[Motorvoertuigassuransiewet, 1942]** Wet op Verpligte Motorvoertuigversekering, 1972, omskryf, en wel—

- (a) in die geval van 'n motorvoertuig in subartikel (1) (a) van hierdie artikel bedoel, ten opsigte van iedere 30 toepaslike **[assuransietydperk]** versekeringstydperk, soos aldus omskryf, wat 'n aanvang neem na die inwerkingtreding van hierdie Wet, of ten opsigte van 'n gedeelte van so 'n tydperk waarvoor so 'n motorvoertuig kragtens genoemde Wet **[verassureer]** verseker word 35 of ingevolge artikel **[21]** 29 van dié Wet van die bepalings van artikel **[19 (1)]** 2 (1) daarvan vrygestel word; en

NATIONAL ROAD SAFETY AMENDMENT ACT, 1980

Act No. 16, 1980

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the National Road Safety Act, 1972, so as to authorize the Minister of Transport Affairs to fix the amount of the levy on motor vehicles by notice in the *Gazette*; and to provide for incidental matters.

(Afrikaans text signed by the State President.)
(Assented to 21 March 1980.)

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

1. Section 25 of the National Road Safety Act, 1972, is hereby Amendment of section 25 of Act 9 of 1972.
 5 amended by the substitution for subsections (1), (2), (3), (4) and (5) of the following subsections:

“(1) A levy **[of fifty cents]** at a rate which the Minister may from time to time fix by notice in the *Gazette* shall be payable on every motor vehicle, as defined in section 1 of the **[Motor Vehicle Insurance Act, 1942 (Act No. 29 of 1942)]** Compulsory Motor Vehicle Insurance Act, 1972 (Act No. 56 of 1972)—

10 (a) which in terms of section **[19 (1)]** 2 (1) of the said Act may not be driven on a public road unless it has in terms of section **[3 or 5]** 12, 13 or 14 of the said Act been insured or has in terms of section **[21]** 29 thereof been exempted from the provisions of the said section **[19 (1)]** 2 (1), or which is referred to in section **[19 (2) (b)]** 2 (2) (b) of the said Act; or

20 (b) which is referred to in section **[19 (2) (a)]** 2 (2) (a) of the said Act and is used on a public road or a place to which the public have access, excluding any motor vehicle of which another state or a government outside the Republic is the owner.

25 (2) The levy shall be payable by the owner of the motor vehicle in question as defined in section 1 of the **[Motor Vehicle Insurance Act, 1942]** Compulsory Motor Vehicle Insurance Act, 1972, and—

30 (a) in the case of a motor vehicle referred to in subsection (1) (a) of this section, in respect of every appropriate insurance period, as so defined, which commences after the commencement of this Act, or in respect of any portion of such period for which any such motor vehicle is insured under the said Act or is in terms of section **[21]** 29 of that Act exempted from the provisions of section **[19 (1)]** 2 (1) thereof; and

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- (b) in die geval van 'n motorvoertuig in subartikel (1) (b) bedoel, ten opsigte van iedere tydperk van 1 Mei in enige jaar tot 30 April in die volgende jaar, of 'n gedeelte van so 'n tydperk, waarin die motorvoertuig besit word. 5
- (3) Vir die doeleindes van die betaling van die heffing in die geval van 'n motorvoertuig in subartikel (1) (a) bedoel, word die bedrag van die premie wat ingevolge die **Motorvoertuigassuransiewet, 1942** Wet op Verpligte Motorvoertuigversekering, 1972, vir die **assuransie** versekering van 'n motorvoertuig betaalbaar is, met **['n]** die bedrag **[van vyftig sent]** wat die Minister kragtens subartikel (1) vasgestel het, verhoog, en behoudens die bepalinge van subartikel (6) word laasgenoemde bedrag vir alle doeleindes geag deel van daardie premie te wees. 10 15
- (4) Vir die doeleindes van die berekening van die heffing in die geval van **assuransie** versekering ooreenkomstig **artikel 5** artikels 13 en 14 van die **Motorvoertuigassuransiewet, 1942** Wet op Verpligte Motorvoertuigversekering, 1972, is die getal motorvoertuie wat die betrokke eienaar besit, die getal waarop hy en die betrokke **verassureerder** versekeraar ooreenkom. 20
- (5) Die **Minister** Sekretaris van Vervoer reik nie aan iemand 'n teken ingevolge **subartikel (2) van** artikel **[21]** 29 (3) van die **Motorvoertuigassuransiewet, 1942** Wet 25 op Verpligte Motorvoertuigversekering, 1972, uit nie, tensy so iemand aan **[die Minister]** genoemde Sekretaris die heffing, benewens die bedrag in genoemde subartikel vermeld, betaal het."

Kort titel en
inwerkingtreding.

2. Hierdie Wet heet die Wysigingswet op Nasionale Verkeers- 30
veiligheid, 1980, en tree op 1 Mei 1980 in werking.

NATIONAL ROAD SAFETY AMENDMENT ACT, 1980

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5 (b) in the case of a motor vehicle referred to in subsection (1) (b), in respect of every period from 1 May in any year to 30 April in the following year, or any portion of such period, during which the motor vehicle is owned.

10 (3) For the purposes of the payment of the levy in the case of a motor vehicle referred to in subsection (1) (a), the amount of the premium payable in terms of the **Motor Vehicle Insurance Act, 1942** Compulsory Motor Vehicle Insurance Act, 1972, for the insurance of a motor vehicle, shall be increased by **[an]** the amount **[of fifty cents]** fixed by the Minister under subsection (1), and the last-mentioned amount shall, subject to the provisions of subsection (6), for all purposes be deemed to be portion of that premium.

15 (4) For the purposes of the calculation of the levy in the case of insurance in accordance with **[section 5]** sections 13 and 14 of the Motor Vehicle Insurance Act, 1942 Compulsory Motor Vehicle Insurance Act, 1972, the number of motor vehicles which the owner in question owns, shall be the number agreed upon between himself and the insurer in question.

20 (5) The **[Minister]** Secretary for Transport shall not issue to any person a token in terms of **[subsection (2) of]** section **[21]** 29 (3) of the Motor Vehicle Insurance Act, 1942 Compulsory Motor Vehicle Insurance Act, 1972, unless such person has paid, in addition to the amount referred to in the said subsection, the levy to the **[Minister]** said Secretary.”

25 2. This Act shall be called the National Road Safety Amendment Act, 1980, and shall come into operation on 1 May 30 1980.

Short title and commencement.

