



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 1330.

6 Julie 1988

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

No. 80 van 1988: Wet op Deregulering van Vervoer, 1988.

No. 1330.

6 July 1988

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

No. 80 of 1988: Transport Deregulation Act, 1988.

WET

Om die Wet op die Koördinering van Vervoer, 1948, te herroep; en om voorsiening te maak vir die voortbestaan van, en die voortsetting van sekere werksaamhede deur, die Nasionale Vervoerkommissie; vir die oordrag van sekere bevoegdhede, werksaamhede en pligte van die Nasionale Vervoerkommissie aan die Suid-Afrikaanse Padraad en vir die oorgang van sekere goed van daardie kommissie op daardie raad; vir die deregulering van padvervoer; vir die aangaan van ooreenkomste met die regerings van sekere lande en gebiede in verband met padvervoer; en vir aangeleenthede wat daarmee in verband staan.

*(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 27 Junie 1988.)*

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

Woordomskrywing

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken—
 - (i) “gebied” ’n selfregerende gebied soos omskryf in artikel 38 (1) van die 5
Grondwet van die Nasionale State, 1971 (Wet No. 21 van 1971); (vii)
 - (ii) “hierdie Wet” ook enige regulasie daarkragtens uitgevaardig; (viii)
 - (iii) “Kommissie” die Nasionale Vervoerkommissie vermeld in artikel 3 van die
Wet op die Koördinering van Vervoer, 1948 (Wet No. 44 van 1948); (ii)
 - (iv) “land” ’n ander land as die Republiek; (iii) 10
 - (v) “Minister” die Minister van Vervoerwese; (iv)
 - (vi) “padvervoer” padvervoer soos omskryf in artikel 1 (1) van die Wet op
Padvervoer, 1977 (Wet No. 74 van 1977); (v)
 - (vii) “raad” ’n plaaslike padvervoerraad wat ingevolge artikel 4 van die Wet op
Padvervoer, 1977, ingestel is; (i) 15
 - (viii) “Suid-Afrikaanse Padraad” die Suid-Afrikaanse Padraad by artikel 2 van
die Wet op die Suid-Afrikaanse Padraad, 1988, ingestel. (vi)

Herroeping van Wet 44 van 1948, en voorbehoude

2. (1) Behoudens die bepalings van subartikels (2) tot en met (8) word die Wet op die Koördinering van Vervoer, 1948 (Wet No. 44 van 1948), hierby herroep. 20

(2) Ondanks die bepalings van subartikel (1) bly die Kommissie voortbestaan en bly dit ’n regs persoon.

(3) Met ingang van die datum wat onmiddellik volg op die datum van die eersvolgende verstryking, na die datum van inwerkingtreding van hierdie artikel, van die ampstermyn van die lede van die Kommissie soos dit saamgestel was 25 onmiddellik voor bedoelde datum van inwerkingtreding, bestaan die Kommissie uit die getal lede wat die Minister van tyd tot tyd by kennisgewing in die *Staatskoerant* bepaal en word sy lede aangestel deur die Minister.

(4) ’n Aanstelling kragtens subartikel (3) word deur die Minister gedoen met inagneming van die bepalings van artikel 3 (4) van die Wet op die Koördinering van 30 Vervoer, 1948, soos daardie bepalings onmiddellik voor die inwerkingtreding van subartikel (1) bestaan het.

ACT

To repeal the Transport (Co-ordination) Act, 1948; and to provide for the continued existence of, and the continuation of certain functions by, the National Transport Commission; for the transfer of certain powers, functions and duties of the National Transport Commission to the South African Roads Board and for the vesting of certain property of that commission in that board; for the deregulation of road transportation; for the entering into agreements with the governments of certain countries or territories in connection with road transportation; and for matters connected therewith.

*(English text signed by the State President.)
(Assented to 27 June 1988.)*

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

Definitions

1. In this Act, unless the context otherwise indicates—

- 5 (i) "board" means a local road transportation board established in terms of section 4 of the Road Transportation Act, 1977 (Act No. 74 of 1977); (vii)
(ii) "Commission" means the National Transport Commission referred to in section 3 of the Transport (Co-ordination) Act, 1948 (Act No. 44 of 1948);
(iii)
10 (iii) "country" means any country other than the Republic; (iv)
(iv) "Minister" means the Minister of Transport Affairs; (v)
(v) "road transportation" means road transportation as defined in section 1 (1) of the Road Transportation Act, 1977 (Act No. 74 of 1977); (vi)
(vi) "South African Roads Board" means the South African Roads Board
15 established by section 2 of the South African Roads Board Act, 1988; (viii)
(vii) "territory" means a self-governing territory as defined in section 38 (1) of the National States Constitution Act, 1971 (Act No. 21 of 1971); (i)
(viii) "this Act" includes any regulation made thereunder. (ii)

Repeal of Act 44 of 1948, and savings

- 20 2. (1) Subject to the provisions of subsections (2) to (8), inclusive, the Transport (Co-ordination) Act, 1948 (Act No. 44 of 1948), is hereby repealed.
(2) Notwithstanding the provisions of subsection (1) the Commission shall continue to exist and shall remain a juristic person.
(3) With effect from the date immediately following the date of the first ensuing
25 expiration, after the date of commencement of this section, of the term of office of the members of the Commission as it was constituted immediately prior to the said date of commencement, the Commission shall consist of so many members as the Minister may from time to time determine by notice in the *Gazette*, and its members shall be appointed by the Minister.
30 (4) Any appointment under subsection (3) shall be made by the Minister with due regard to the provisions of section 3 (4) of the Transport (Co-ordination) Act, 1948, as those provisions existed immediately prior to the commencement of subsection (1).

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(5) Die lede van die Kommissie wat ingevolge subartikel (3) deur die Minister aangestel word, word aldus vir 'n termyn van hoogstens vyf jaar aangestel en bekleed hul amp, behoudens die hieropvolgende bepalings van hierdie artikel, op die voorwaardes wat die Minister bepaal wanneer hy die aanstellings doen: Met dien verstande dat 'n lid van die Kommissie by verstryking van sy ampstermyn weer deur die Minister aangestel kan word: Met dien verstande voorts dat individuele lede van die Kommissie vir verskillende termyne en op verskillende voorwaardes aldus deur die Minister aangestel kan word. 5

(6) Die Direkteur-Generaal: Vervoer is die voorsitter van die Kommissie soos hy uit hoofde van die bepalings van subartikel (2) bly voortbestaan en van tyd tot tyd ingevolge subartikel (3) deur die Minister saamgestel word.

(7) Die bepalings van artikels 4, 5, 6 (1), (2), (5) en (6), 10 en 12 van die Wet op die Koördinerings van Vervoer, 1948, soos daardie bepalings onmiddellik voor die inwerkingtreding van subartikel (1) bestaan het, is *mutatis mutandis* van toepassing met betrekking tot die Kommissie soos hy uit hoofde van die bepalings van subartikel (2) bly voortbestaan en van tyd tot tyd ingevolge subartikel (3) deur die Minister saamgestel word.

(8) By die toepassing van subartikel (7) word 'n verwysing—

(i) in artikel 4 (1) (d) van die Wet op die Koördinerings van Vervoer, 1948, na die Staatspresident; en 20

(ii) in onderskeidelik artikels 4 (4), 4 (5) en 10 van laasgenoemde Wet na die Goewerneur-generaal, uitgelê as 'n verwysing na die Minister.

Oordrag van sekere bevoegdhede, werksaamhede en pligte van Nasionale Vervoerkommissie aan Suid-Afrikaanse Padraad en voortsetting deur daardie Kommissie van sekere werksaamhede 25

3. (1) Met ingang van die datum van inwerkingtreding van hierdie artikel word daardie bevoegdhede, werksaamhede en pligte wat by of kragtens die Wet op Nasionale Paaie, 1971 (Wet No. 54 van 1971), die Wet op Nasionale Verkeersveiligheid, 1972 (Wet No. 9 van 1972), en die Wet op Stedelike Vervoer, 1977 (Wet No. 78 van 1977), aan die Kommissie verleen of toegewys is, deur die Suid-Afrikaanse Padraad uitgeoefen en verrig en word laasgenoemde Raad, by die toepassing van genoemde Wette, vir alle doeleindes geag die opvolger van die Kommissie te wees. 30

(2) Alle bevoegdhede, werksaamhede en pligte wat by of kragtens die een of ander wet aan die Kommissie verleen of toegewys is, en wat nie by of kragtens hierdie Wet of enige ander wet aan 'n ander instelling of liggaam oorgedra is of deur so 'n ander instelling of liggaam uitgeoefen of verrig word nie, word steeds uitgeoefen of verrig deur die Kommissie soos hy uit hoofde van die bepalings van artikel 2 (2) bly voortbestaan en van tyd tot tyd ingevolge artikel 2 (3) deur die Minister saamgestel word. 40

(3) Benewens die bevoegdhede, werksaamhede en pligte bedoel in subartikel (2), oefen die Kommissie, soos hy uit hoofde van die bepalings van artikel 2 (2) bly voortbestaan en van tyd tot tyd ingevolge artikel 2 (3) deur die Minister saamgestel word, die bevoegdhede uit en verrig hy die werksaamhede en pligte wat die Minister van tyd tot tyd by kennisgewing in die *Staatskoerant* aan hom verleen of toewys. 45

(4) By die toepassing van die bepalings van subartikel (1) word 'n verwysing in enige van die Wette in daardie subartikel bedoel, of in enige dokument wat in verband met die toepassing van daardie Wette verly is, na die Kommissie, uitgelê as 'n verwysing na die Suid-Afrikaanse Padraad.

Oorgang van sekere goed van Nasionale Vervoerkommissie op Suid-Afrikaanse Padraad 50

4. (1) Die Minister kan van tyd tot tyd, na oorleg met die Kommissie en die Suid-Afrikaanse Padraad, by kennisgewing in die *Staatskoerant* verklaar dat roerende of onroerende goed waarvan die eiendomsreg vir die doeleindes van uit hoofde van die bepalings van die Wet op Nasionale Paaie, 1971 (Wet No. 54 van 1971), of die Wet op Stedelike Vervoer, 1977 (Wet No. 78 van 1977), deur die Kommissie verkry is, en wat deur die Minister in bedoelde kennisgewing omskryf word, met ingang van 'n datum deur die Minister in bedoelde kennisgewing bepaal, oorgaan op die Suid-Afrikaanse Padraad.

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(5) The members of the Commission who are appointed by the Minister in terms of subsection (3), shall be so appointed for a period not exceeding five years and shall, subject to the succeeding provisions of this section, hold office upon such conditions as the Minister may determine when making the appointments: Provided that any member of the Commission shall upon the expiration of his term of office be eligible for reappointment by the Minister: Provided further that individual members of the Commission may be so appointed by the Minister for different periods and upon different conditions.

(6) The Director-General: Transport shall be the chairman of the Commission as it continues to exist by virtue of the provisions of subsection (2) and is constituted by the Minister from time to time in terms of subsection (3).

(7) The provisions of sections 4, 5, 6 (1), (2), (5) and (6), 10 and 12 of the Transport (Co-ordination) Act, 1948, as those provisions existed immediately prior to the commencement of subsection (1), shall be applicable, *mutatis mutandis*, in relation to the Commission as it continues to exist by virtue of the provisions of subsection (2) and is constituted by the Minister from time to time in terms of subsection (3).

(8) For the purposes of subsection (7) any reference—

(i) in section 4 (1) (d) of the Transport (Co-ordination) Act, 1948, to the State President; and

(ii) in sections 4 (4), 4 (5) and 10, respectively, of the last-mentioned Act to the Governor-General,

shall be construed as a reference to the Minister.

Transfer of certain powers, functions and duties of National Transport Commission to South African Roads Board and continuation by that Commission of certain functions

3. (1) With effect from the date of commencement of this section those powers, functions and duties which are conferred upon or entrusted to the Commission by or under the National Roads Act, 1971 (Act No. 54 of 1971), the National Road Safety Act, 1972 (Act No. 9 of 1972), and the Urban Transport Act, 1977 (Act No. 78 of 1977), shall be exercised and performed by the South African Roads Board and for the purposes of the said Acts the last-mentioned Board shall for all purposes be deemed to be the successor of the Commission.

(2) All powers, functions and duties conferred upon or entrusted to the Commission by or under any law, and which have not been transferred to any other institution or body or are not exercised or performed by such other institution or body by or under this Act or any other law, shall continue to be exercised or performed by the Commission as it continues to exist by virtue of the provisions of section 2 (2) and is constituted by the Minister from time to time in terms of section 2 (3).

(3) In addition to the powers, functions and duties referred to in subsection (2), the Commission, as it continues to exist by virtue of the provisions of section 2 (2) and is constituted by the Minister from time to time in terms of section 2 (3), shall exercise such powers and perform such functions and duties as the Minister may from time to time confer upon it or entrust thereto by notice in the *Gazette*.

(4) For the purposes of the provisions of subsection (1) any reference to the Commission in any of the Acts referred to in that subsection, or in any document executed in connection with the application of those Acts, shall be construed as a reference to the South African Roads Board.

Vesting of certain property of National Transport Commission in South African Roads Board

4. (1) The Minister may from time to time, after consultation with the Commission and the South African Roads Board, by notice in the *Gazette* declare that movable or immovable property which is specified by the Minister in such notice and of which the Commission has for the purposes of, or by virtue of the provisions of, the National Roads Act, 1971 (Act No. 54 of 1971), or the Urban Transport Act, 1977 (Act No. 78 of 1977), acquired ownership, shall with effect from a date determined by the Minister in the said notice vest in the South African Roads Board.

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(2) Die oordrag aan die Suid-Afrikaanse Padraad, uit hoofde van die bepalings van subartikel (1), van onroerende goed wat deur die Kommissie kragtens een akte of titelbewys gehou of besit word, kan, op skriftelike aansoek deur die Suid-Afrikaanse Padraad by die beampte in bevel van die betrokke registrasiekantoor van aktes, deur daardie beampte bewerkstellig word deur middel van 'n endossement op daardie akte of titelbewys. 5

(3) Geen herereg, seëlreg, kantoorgeld of ander geld is deur die Suid-Afrikaanse Padraad betaalbaar in verband met die bewerkstelling van 'n oordrag bedoel in subartikel (2) nie.

Deregulering van padvervoer

10

5. (1) Behoudens die bepalings van subartikel (3) hou die bepalings van die Wet op Padvervoer, 1977 (Wet No. 74 van 1977), vir sover dit van toepassing is met betrekking tot die vervoer van—

(a) goedere; of

(b) persone, 15

op om van krag te wees met ingang van 'n datum wat die Minister by kennisgewing in die *Staatskoerant* bepaal.

(2) Die datum ingevolge subartikel (1) bepaal ten opsigte van die aangeleentheid vermeld in paragraaf (a) van daardie subartikel kan verskil van die datum aldus bepaal ten opsigte van die aangeleentheid vermeld in paragraaf (b) van daardie subartikel: Met dien verstande dat die datum aldus bepaal ten opsigte van die aangeleentheid vermeld— 20

(a) in subartikel (1) (a), nie 'n datum voor die datum van inwerkingtreding van 'n ander wet van die Parlement as die Wet op Padvervoer, 1977, waarvan een van die oogmerke die handhawing van bevredigende standaarde by die vervoer van goedere deur middel van padvervoer is; of 25

(b) in subartikel (1) (b), nie 'n datum voor die datum van inwerkingtreding van so 'n ander wet van die Parlement waarvan een van die oogmerke die handhawing van bevredigende standaarde by die vervoer van persone deur middel van padvervoer is, 30

mag wees nie.

(3) Die Minister kan, behoudens die bepalings van subartikel (4), by 'n kennisgewing uitgereik ingevolge subartikel (1), verklaar dat die een of die ander in die kennisgewing vermelde bepaling, of al die bepalings, van die Wet op Padvervoer, 1977, ophou om van krag te wees met betrekking tot— 35

(a) enige klas of klasse padvervoer;

(b) enige persoon of goedere of klas of klasse persone of goedere wat deur middel van padvervoer vervoer word;

(c) padvervoer binne 'n bepaalde gebied of binne bepaalde gebiede in die Republiek; of 40

(d) enige soort of klas motorvoertuig of soorte of klasse motorvoertuie wat by padvervoer gebruik word,

wat in die kennisgewing vermeld word.

(4) Die Minister kan 'n opheffing van bepalings van die Wet op Padvervoer, 1977, ingevolge subartikel (3) bewerkstellig ook op die grondslag van 'n samevoeging van 45 meer as een van die elemente vermeld in paragrafe (a) tot en met (d) van daardie subartikel.

(5) Wanneer 'n bepaling van die Wet op Padvervoer, 1977, ingevolge subartikel (1) ophou om van krag te wees, word enige verrigtinge kragtens of uit hoofde van so 'n bepaling, waarby die Kommissie of 'n raad betrokke is en wat op daardie stadium 50 nog nie afgehandel is nie, met ingang van die datum waarop daardie bepaling aldus ophou om van krag te wees, gestaak en word daardie verrigtinge geag nie ingestel te gewees het nie.

(6) In hierdie artikel het 'n woord of uitdrukking wat nie in artikel 1 omskryf word nie maar waaraan daar in die Wet op Padvervoer, 1977, 'n betekenis geheg word, die 55 betekenis aldus daaraan geheg.

Padvervoerooreenkomste met ander regerings

6. (1) Die Staatspresident kan 'n ooreenkoms met die regering van 'n land of gebied aangaan waarby reëlins met daardie regering getref word vir die beheer en regulering van die vervoer van persone of goedere tussen die Republiek en daardie 60 land of gebied.

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(2) The transfer to the South African Roads Board, by virtue of the provisions of subsection (1), of immovable property held or possessed by the Commission under any one deed or title deed, may, on written application by the South African Roads Board to the officer in charge of the relevant deeds registry, be effected by that officer by means of an endorsement on that deed or title deed.

(3) No transfer duty, stamp duty, office fee or other fee shall be payable by the South African Roads Board in connection with the effecting of a transfer referred to in subsection (2).

Deregulation of road transportation

10 5. (1) Subject to the provisions of subsection (3), the provisions of the Road Transportation Act, 1977 (Act No. 74 of 1977), in so far as they are applicable in relation to the conveyance of—

- (a) goods; or
- (b) persons,

15 shall cease to be in force with effect from a date determined by the Minister by notice in the *Gazette*.

(2) The date determined in terms of subsection (1) in respect of the matter referred to in paragraph (a) of that subsection may differ from the date so determined in respect of the matter referred to in paragraph (b) of that subsection: Provided that

20 the date so determined in respect of the matter referred to—

- (a) in subsection (1) (a), shall not be a date prior to the date of commencement of an act of Parliament, other than the Road Transportation Act, 1977, having as one of its objects the maintenance of satisfactory standards in the conveyance of goods by means of road transportation; or
- 25 (b) in subsection (1) (b), shall not be a date prior to the date of commencement of such other act of Parliament having as one of its objects the maintenance of satisfactory standards in the conveyance of persons by means of road transportation.

(3) The Minister may, subject to the provisions of subsection (4), by a notice

30 issued in terms of subsection (1), declare that any provision specified in the notice, or all the provisions, of the Road Transportation Act, 1977, shall cease to be in force in relation to—

- (a) any class or classes of road transportation;
- (b) any person or goods or class or classes of persons or goods conveyed by
- 35 means of road transportation;
- (c) road transportation within a particular area or within particular areas in the Republic; or
- (d) any kind or class of motor vehicle or kinds or classes of motor vehicles used
- 40 specified in the notice.

(4) The Minister may effect an abrogation in terms of subsection (3) of provisions of the Road Transportation Act, 1977, also on the basis of a combination of more than one of the elements referred to in paragraphs (a) to (d), inclusive, of that subsection.

45 (5) When any provision of the Road Transportation Act, 1977, ceases, in terms of subsection (1), to be in force, any proceedings under or by virtue of such provision, involving the Commission or a board and which have at that stage not yet been concluded, shall cease with effect from the date upon which that provision so ceases to be in force, and those proceedings shall be deemed not to have been instituted.

50 (6) In this section any word or expression which is not defined in section 1 but to which a meaning is assigned in the Road Transportation Act, 1977, shall bear the meaning so assigned thereto.

Road transportation agreements with other governments

55 6. (1) The State President may enter into an agreement with the government of a country or territory whereby arrangements are made with that government for the control and regulation of the transportation of persons or goods between the Republic and that country or territory.

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(2) 'n Ooreenkoms bedoel in subartikel (1) en enige wysiging daarvan word deur die Staatspresident by proklamasie in die *Staatskoerant* afgekondig, tree in werking op die datum van ondertekening van die ooreenkoms of wysiging of op die later datum in die ooreenkoms of wysiging bepaal en het regskrag, en die bepalings daarvan gee die deurslag in die geval van strydigheid tussen dié bepalings en die bepalings van hierdie Wet of 'n ander wet. 5

(3) Die Staatspresident kan by proklamasie in die *Staatskoerant*—

- (a) by hierdie Wet enige Bylae voeg waarin die teks opgeneem is van enige ooreenkoms kragtens subartikel (1) aangegaan;
- (b) so 'n Bylae wysig ten einde enige wysiging van so 'n ooreenkoms weer te 10 gee; en
- (c) so 'n Bylae herroep wanneer die betrokke ooreenkoms verstryk het of opgesê word.

(4) Die Minister moet 'n afskrif van elke proklamasie kragtens subartikel (2) deur die Staatspresident uitgevaardig, binne 14 dae nadat die proklamasie in die 15 *Staatskoerant* gepubliseer is in die Parlement ter Tafel lê indien die Parlement dan byeen is, of, indien die Parlement dan nie byeen is nie, binne 14 dae na die aanvang van sy eersvolgende sessie.

Regulasies

7. (1) Die Minister kan by kennisgewing in die *Staatskoerant* die regulasies 20 uitvaardig wat hy nodig of raadsaam ag ten einde 'n ooreenkoms kragtens artikel 6 aangegaan, of enige wysiging van so 'n ooreenkoms, uit te voer en aan die bepalings daarvan gevolg te gee.

(2) 'n Regulasie uitgevaardig kragtens subartikel (1) kan—

- (a) behalwe in die geval van 'n regulasie beoog in paragraaf (b), met 25 terugwerkende krag uitgevaardig word;
- (b) strawwe voorskryf vir 'n oortreding daarvan of 'n versuim om daaraan te voldoen, maar geen sodanige straf mag 'n boete van R10 000 of gevangenisstraf vir 'n tydperk van vyf jaar, of daardie boete sowel as daardie gevangenisstraf, te bowe gaan nie. 30

Kort titel en inwerkingtreding

8. (1) Hierdie Wet heet die Wet op Deregulering van Vervoer, 1988, en die bepalings daarvan tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

(2) Verskillende datums kan ingevolge subartikel (1) ten opsigte van verskillende 35 bepalings van hierdie Wet bepaal word.

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(2) An agreement referred to in subsection (1) and any amendment thereof shall be published by the State President by proclamation in the *Gazette*, shall come into force on the date of signature of the agreement or amendment or on the later date stipulated in the agreement or amendment and shall have the force of law, and the provisions thereof shall prevail in the case of conflict between such provisions and the provisions of this Act or any other law.

(3) The State President may by proclamation in the *Gazette*—

- (a) add to this Act any Schedule setting out the text of any agreement entered into under subsection (1);
- 10 (b) amend such Schedule so as to reflect any amendment of such an agreement; and
- (c) repeal such Schedule when the agreement in question has expired or is terminated.

(4) The Minister shall lay a copy of every proclamation issued by the State President under subsection (2), upon the Table in Parliament within 14 days after publication of such proclamation in the *Gazette* if Parliament is then in session, or if Parliament is not then in session, within 14 days after the commencement of its next ensuing session.

Regulations

20 7. (1) The Minister may by notice in the *Gazette* make such regulations as he may deem necessary or expedient for carrying out and for giving effect to the provisions of any agreement entered into under section 6 or any amendment of such an agreement.

(2) Any regulation made under subsection (1) may—

- 25 (a) except in the case of a regulation contemplated in paragraph (b), be made with retrospective effect;
- (b) prescribe penalties for any contravention thereof or failure to comply therewith, but no such penalty shall exceed a fine of R10 000 or imprisonment for a period of five years, or both such fine and such imprisonment.

30 Short title and commencement

8. (1) This Act shall be called the Transport Deregulation Act, 1988, and the provisions thereof shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

(2) Different dates may in terms of subsection (1) be fixed in respect of different provisions of this Act.

