
G E N E R A L N O T I C E S

NOTICE 1538 OF 2000

DEPARTMENT OF TRANSPORT**PROPOSED ROAD TRAFFIC MANAGEMENT CORPORATION AMENDMENT BILL**

The National Department of Transport hereby publishes the proposed Road Traffic Management Corporation Amendment Bill, 2000 for public information, discussion and comment.

The explanatory **summary** of the Bill is hereby published in accordance with Rule 241(c) of the Rules of the National Assembly.

The Bill amends the Road Traffic Management Corporation Act, 1999, so as to provide for the period within which the chief executive officer must be appointed after the commencement of the Act; and to provide that the requirements for appointment as a chief executive officer and those of managers of **functional** units shall be determined by the Shareholders Committee.

Comments should be sent or faxed to:

The Director-General: Transport
Attention: **Mr Aubrey Thabo Tsholetsane**
Department of Transport
Private Bag X193
PRETORIA
0001
Fax: (012) 309 3134/ 3093812

Comments must be received on or before 20 May 2000.

GENERAL EXPLANATORY NOTE:

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

_____ Words underlined with a solid line indicate insertions in existing enactments.

BILL

To amend the Road Traffic Management Corporation Act, 1999, so as to provide for the period within which the chief executive officer must be appointed after the commencement of the Act; and to provide that the requirements for appointment as a chief executive officer and those of managers of functional units shall be determined by the Shareholders Committee.

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

Amendment of section 15 of Act 20 of 1999

1. Section 15 of the Road Traffic Management Corporation Act, 1999 (Act No. 20 of 1999) is hereby amended –

(a) by the substitution for subsection (1) of the following subsection:

“(1) The Shareholders Committee must, subject to subsection (3), appoint a chief executive officer of the Corporation within **[one month]** three months after the date of commencement of this Act.

(b) by substitution for subsection (3) of the following subsection:

“(3) Any person appointed as a chief executive officer of the Corporation must [—

(a) **have at least five years managerial experience of which at**

least three years must have been gained in an executive capacity;

(b) be knowledgeable about road traffic affairs; and

(c) be a South African citizen, unless the Shareholders Committee determines otherwise comply with the requirements as determined by the Shareholders Committee for the post."

Amendment of section 19 of Act 20 of 1999

2. Section 19 of the Road Traffic Management Corporation Act, 1999 (Act No. 20 of 1999) is hereby amended –

(a) by the substitution for subsection (3) of the following subsection:

“(3) Any person appointed to the post of manager must [–

(a) be knowledgeable about road traffic management and operations;

(b) have proven executive managerial experience; and

(c) be a South African citizen] comply with the requirements as determined by the Shareholders Committee for the post.”

Short title

3. This Bill is called the Road Traffic Management Corporation Amendment Bill, 2000.

MEMORANDUM ON THE OBJECTS OF THE ROAD TRAFFIC MANAGEMENT CORPORATION AMENDMENT BILL, 2000

1. In terms of section 3 of the Road Traffic Management Corporation Act, 1999 (Act No. 20 of 1999) ("the Act"), a juristic person called the Road Traffic Management Corporation ("the Corporation") is established. The composition of which consists of a Shareholders Committee; a chief executive officer; a board; managers of functional units and such professional, technical, administrative and support staff as maybe required for the proper performance of its functions. The Shareholders Committee consists of the Minister of Transport; every Member of the Executive Council responsible for road traffic in a province and two representatives appointed by the national organisation recognised in terms of the Organised Local Government Act, 1997.

2. In terms of section 15 (1) of the Act, the Shareholders Committee must appoint a chief executive officer of the Corporation within one month after commencement of the Act.

3. In terms of section 15 (3) of the Act, any person appointed as a chief executive officer of the Corporation must have at least five years managerial experience of which at least three years must have been gained in an executive capacity; be knowledgeable about road traffic affairs; and be a South African citizen, unless the Shareholders Committee determines otherwise.

4. In terms of section 19 (3) of the Act, Any person appointed to the post of manager must be knowledgeable about road traffic management and operations; have proven executive managerial experience; and be a South African citizen.

5. In order to implement the Act effectively, the period within which the chief executive officer is to be appointed after the commencement of the Act need to be changed and also the requirements to be appointed as the chief executive officer and a manager need to be changed to enable the Minister to head hunt the suitable candidates for the posts.

CONSULTATION

6. The Minister of Transport consulted with the Members of the Executive Council responsible for traffic and/or transport of the nine provinces where a consensus regarding the proposed changes was reached.

IMPLICATION FOR PROVINCES

7. None

FINANCIAL IMPLICATIONS FOR THE STATE

8. None

PARLIAMENTARY PROCEDURE

9. The State Law Advisers and the Department of Transport are of the opinion that this Bill must be dealt with in accordance with section 76 of the Constitution.