

OFFICE OF THE PRESIDENT

No. 2075 2 December 1994

NO. 27 OF 1994: NATIONAL ROADS GENERAL AMENDMENT ACT, 1994.

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

General Explanatory Note:

Words in ***bold italic*** indicate omissions from existing enactments.

Words in *italic* indicate insertions in existing enactments.

ACT

To amend the National Roads Act, 1971, so as to make further provision for the declaration of toll roads; and to amend the South African Roads Board Act, 1988, so as to further regulate the functions of the Toll Roads Committee; and to provide for matters connected therewith.

(Afrikaans text signed by the President.) (Assented to 23 November 1994.)

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

Amendment of section 9 of Act 54 of 1971, as inserted by section 4 of Act 79 of 1983 and amended by section 7 of Act 100 of 1992

1. Section 9 of the National Roads Act, 1971, is hereby amended-

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

(c) the Board has invited, in the manner prescribed by regulation, ****persons residing or carrying on business within a radius of 20 kilometres from any proposed toll gate, to make such representations to it as they may wish to make in regard thereto***interested parties to make written representations to it, which may include representations on the position of the toll gate,* and has considered such representations, if any;"

(b) by the addition to subsection (3) of the following paragraph:

(d) the Board has in its consultation with any local authority and in its invitation contemplated in paragraph (c) given an indication of the approximate position of the proposed toll gate."; and

(c) by the insertion after subsection (3) of the following subsection:

"(3A) The Board may, after a national road or any portion thereof has been declared as a toll road, give interested parties, including any local authority contemplated in subsection (3)(b), the opportunity of submitting further written representations regarding the position of a toll gate on such road, and shall not take a final decision regarding the position of the toll gate in question before considering any such further representations received as well as the representations contemplated in subsection

Amendment of section 8 of Act 74 of 1988

2. Section 8 of the South African Roads Board Act, 1988, is hereby amended by the substitution for paragraph (c) of the following paragraph:

(c) in exercising its powers and performing its functions and duties also take into consideration the *****effect which the erection of any toll gate as contemplated in section 9 of the National Roads Act, 1971, will have on the transport of persons residing within a radius of 20 kilometres from such toll gate*** representations contemplated in section 9(3)(c) and (3A) of the National Roads Act, 1971."

Validation of declaration of certain roads as toll roads

3. Any national road or any portion thereof purporting to have been declared as a toll road in terms of section 9 of the National Roads Act, 1971 (Act No. 54 of 1971), before the commencement of this Act shall be deemed to have been validly so declared in accordance with the provisions of that section and section

8(c) of the South African Roads Board Act, 1988 (Act No. 74 of 1988).

Short title

4. This Act shall be called the *National Roads General Amendment Act, 1994*.