

REPUBLIC OF SOUTH AFRICA

ROAD TRAFFIC MANAGEMENT CORPORATION AMENDMENT BILL

*(As amended by the Select Committee on Public Services (National Council of Provinces))
(The English text is the official text of the Bill)*

(SELECT COMMITTEE ON PUBLIC SERVICES)

[B 32B—2000]

REPUBLIEK VAN SUID-AFRIKA

WYSIGINGSWETSONTWERP OP DIE PADVERKEERS- BESTUURSKORPORASIE

*(Soos gewysig deur die Gekose Komitee oor Openbare Dienste (Nasionale Raad van
Provinsies)) (Die Afrikaanse teks is die amptelike vertaling van die Wetsontwerp)*

(GEKOSE KOMITEE OOR OPENBARE DIENSTE)

[W 32B—2000]

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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.
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BILL

To amend the Road Traffic Management Corporation Act, 1999, so as to regulate the appointment of the chief executive officer and the managers of functional units; to empower the Shareholders Committee to determine the requirements for such appointments; and to provide for matters connected therewith.

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) (hereinafter referred to as the principal Act), is hereby amended— 5
- (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.”; and
- (b) by the substitution for subsection (3) of the following subsection: 10
- “(3) Any person appointed as 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** 15
- (c) **be a South African citizen; unless the Shareholders Committee determines otherwise]** comply with the requirements determined by the Shareholders Committee by notice in the *Government Gazette*.”.

Amendment of section 19 of Act 20 of 1999

2. Section 19 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection: 20
- “(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 determined by the Shareholders Committee by notice in the *Government Gazette*.”. 25

Short title

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

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

1. The Bill seeks to amend the Road Traffic Management Corporation Act, 1999 (Act No. 20 of 1999) (“the Act”), in order to regulate the appointment of the Chief Executive Officer and the managers. It is proposed that the period for the appointment of the Chief Executive Officer be extended and that the requirements for such appointment and the appointment of managers be determined by the Shareholders Committee.

CONSULTATION

2. Members of the Executive Council responsible for traffic or transport in the nine provinces were consulted and consensus regarding the proposed changes was reached.

IMPLICATIONS FOR PROVINCES

3. None

FINANCIAL IMPLICATIONS FOR STATE

4. None

PARLIAMENTARY PROCEDURE

5. The State Law Advisers and the Department of Transport are of the opinion that the Bill must be dealt with in accordance with the procedure established by section 76 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), since it falls within a functional area listed in Schedule 4 to the Constitution, namely “Road traffic regulation”.