

**Interim report of the Portfolio Committee on Transport on the Administrative Adjudication of Road Traffic Offences Amendment Bill [B 38 - 2015] (National Assembly – sec76), dated 16 November 2016**

The Portfolio Committee on Transport (the Committee) has considered the subject of the *Administrative Adjudication of Road Traffic Offences Amendment Bill [B 38 - 2015]* (National Assembly – sec76) (the Bill) referred to it and classified by the Joint Tagging Mechanism (JTM) as a section 76 Bill. The Bill seeks to amend the Administrative Adjudication of Road Traffic Offences Act, 1998 (Act No. 46 of 1998) (the Act) so as to: substitute and insert certain definitions; simplify the manner of service of documents; provide for financing of the Authority; provide for the apportionment of penalties; effect textual corrections; and provide for matters connected therewith.

The Bill was referred to the Committee on 30 November 2015 (ATC No. 161-2015). The Committee held public hearings and considered proposed amendments to the Bill. Whilst inquiring into the subject of the Bill and during public hearings the Committee realised it is necessary to amend other provisions of the principal Act which were not included in the Bill, and further extend the public consultations. The Committee now seeks to amend other provisions in the Act beyond the scope of the Bill. The envisaged amendments, which are not currently contained in the Administrative Adjudication of Road Traffic Offences Amendment Bill [B 38 - 2015] amongst others will cover:

- The inclusion in the proposed definition of “infringement” of “National Land Transport Act, 2009 (Act No. 5 of 2009) and Cross-Border Road Transport Act, 1998 (Act No. 4 of 1998)” after “road traffic legislation.”
- The inclusion of a clause that establishes and administers rehabilitation programmes for habitual infringers.
- The inclusion of a Chapter in the principal Act, after Chapter III, that will provide for the establishment of an Appeals Tribunal.
- The inclusion of a new clause on the apportionment of penalties including, but not limited to, considerations on prevention of duplication of penalties or alternative options.

The Committee submits this interim report to motivate its request for permission, in terms of Assembly Rule 286(4)(c), to amend other provisions in the Administrative Adjudication of Road Traffic Offences Act, 1998 (Act No.46 of 1998).

Report to be considered.