



## ***Committee Services***

Our reference: **PORTFOLIO COMMITTEE ON INFRASTRUCTURE, ROADS, TRANSPORT  
AND HUMAN SETTLEMENT**  
Ons verwysing:  
Tshupo ya rona:

### **Negotiating Mandate**

**TO:** Chairperson of the Select Committee on Economic and Business  
Development

**NAME OF BILL:** Administrative Adjudication of Road Traffic Offences  
Amendment Bill

**NUMBER OF BILL:** [B38B – 2015]

**DATE OF DELIBERATION:** 10 May 2018

#### **VOTE OF THE LEGISLATURE:**

The Portfolio Committee on Infrastructure, Roads, Transport and Human Settlement as designated by the Free State Legislature votes in favour of the Bill with the following amendments: -

- a) That the current offenses be scrapped and all road users to start afresh with new mandates.
- b) That the Act in its format is welcomed and supported.
- c) The South African Post Office must be encouraged to play a crucial part in the implementation of this legislation and it must be ensured that they are ready at the time of implementation.
- d) "*Electronic services or communication*" as stipulated in **clause 16** of the Bill might be in conflict with the definition of "*electronic communication*" in Section 19(4) of the **Electronic Communication and Transactions Act, 2002 (Act 25 of 2002)**.

In terms of this Act electronic service on refers to service where license holders would have registered their emails or mobile phones.

e) Section 25(3)(b) of the Act results in an infringer not being allowed to apply for any form of license or permit under any transport legislation resulting in possible non-compliance with other legal obligations.

i. A person disqualified may not apply for the renewal of trailer license disk during his/her period of disqualification.

ii. This will then result in a double payment as the infringer will be penalized for late payment of his renewal of the trailer license disk.

Clarity on this section should be sought.

f) The fact that the Tribunal has jurisdiction throughout the Country is a cause for concern

g) It is recommended that AARTO should confirm if the laws of prescription may be waived in a legislation of this nature.

h) The Bill is supported.



**HON MS MOLELEKI**  
CHAIRPERSON OF PORTFOLIO COMMITTEE INFRASTRUCTURE, ROADS,  
TRANSPORT AND HUMAN SETTLEMENT  
FREE STATE LEGISLATURE

Date: 11 May 2018