**National Assembly**

**Question Number: 411**

**Dr C P Mulder (FF Plus) to ask the Minister of Transport:**

Whether he, with reference to the replies to question 2271 on 31 August 2017 and question 3332 on 22 November 2018, is now in a position to indicate whether a provincial member of the Executive Council has the authority to delegate the issuing of permits to permit offices and officials; if not, what steps will he take to correct the alleged malpractice; if so, on what legal basis does such a member of the Executive Council depend to implement the specified delegation of competencies?

**NW474E**

**REPLY:**

Yes, the provincial MECs have the authority in terms of section 91(2) to authority delegate to any other person any power conferred upon him or her by or under the National Road Traffic Act, 1996 (Act 93 of 1996). For the sake of ease of reference, I hereby quote section 91(2), which provides as follows

*“91. Delegation by Minister and MEC*

*“(2) The MEC concerned may –*

*(a) delegate to any other person any power conferred upon him or her by or under this Act; and*

*(b) authorise any other person to perform any duty assigned to the MEC by or under this Act,*

*and may effect such delegation or grant such authorisation subject to such conditions as he or she may deem fit.”*

I am not aware of any alleged malpractices but should there be such, the measures to deal with those malpractices I would like to believe will be provided for in the aforesaid delegations.