

SECTION 22 (CLAUSE 2)

- Clause 2 of the Bill amend section 22 of the Principal Act for a new subsection.
 - The amendment changes the name of South African Rail Commuter Corporation limited and replaces it with the word Passenger Rail Agency of South Africa.
 - The section also empowers the Minister to establish the new Agency.

SECTION 23 MAIN OBJECTS AND POWERS(CLAUSE 3)

- Clause 3 of the Bill amend section 23 of the Principal Act by substitution of the whole section 23 for a new section 23.
 - The purpose of the amendment is to add the powers of the corporation and remove the restriction of powers that was placed by the Principal Act.

SECTION 23 MAIN OBJECTS AND POWERS(CLAUSE 3)

-The object of the corporation has been newly defined. The corporation's object will in consultation with the Department of Transport be to provide passenger rail and the long distance bus services within, to and from the Republic in terms of the principles set out in section 4 of the National Land Transport Transition Act, 2000 (Act No. 22 of 2002).

SECTION 23 MAIN OBJECTS AND POWERS(CLAUSE 3)

- The corporation shall have the capacity and powers of a natural person of full capacity in so far as juristic person is cable of having such capacity or of exercising such powers.
- The corporation shall have full capacity to enter into contracts and perform other legal acts. The corporation is now empowered to borrow money, lend or invest money.

SECTION 23 MAIN OBJECTS AND POWERS(CLAUSE 3)

-The corporation is also empowered by the amendment Bill to form companies or acquire interest therein and to finance them, for purposes of realizing or advancing its objects and to transfer all or any portion of its business, assets and liabilities to such companies.

SECTION 24 (CLAUSE 4)

- Clause 4 amend section 24 of the Principal Act by substitution of the reference to Association of Regional Service Councils to **South African Local Government Association**" (SALGA).

NEW SECTION 25A CLAUSE 5

- Clause 5 amend section 25 of the Principal Act by addition of new subsection 25A.
 - The new added subsection 25A empowers the Minister of Transport in consultation with the Minister of Public Enterprise to identify and transfer assets owned by the Company to the Corporation.

SECTION 31 CLAUSE 6

- Clause 6 of the Bill amends section 31 of the Principal Act by insertion of section 17 between reference to section 13 (7) and section 18.
 - The purpose of insertion of section 17 is to make section 31 (1) (a) to be applicable also to the Corporation.

SECTION 14 CLAUSE 7

- Clause 7 of the Bill amends the Principal Act by substituting the word “ Company” with the expression “ Company and the corporation” wherever Company appears

- The reason is to give Corporation equal status with the company.

CONSULTATION

- An amendment Bill was published for comment on 02 October 2007
- The intention to introduce the Bill in Parliament was published in Government Gazette No. on the May 2008

CONCLUSION

It is recommended that the Committee
approve with the Amendment Bill

THANK YOU