OFFICIAL GAZETTE

EXTRAORDINARY

OF SOUTH WEST AFRICA

BUITENGEWONE

OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA

PUBLISHED BY AUTHORITY — UITGAWE OP GESAG

30c — Monday 21 December 1981 — WINDHOEK — Maandag 21 Desember 1981 — No. 4570

CONTENTS: — INHOUD:

Page — *Bladsy*

GOVERNMENT NOTICE:

No. AG. 166 Promulgation of Road Transportation Amendment Act, 1981 (Act 18 of 1981), of the National Assembly of South West Africa 1

GOEWERMENTSKENNISGEWING:

No. AG. 166 Afkondiging van Wysigingswet op Padvervoer, 1981 (Wet 18 van 1981), van die Nasionale Vergadering van Suidwes-Afrika 1

Government Notice

Office of the
ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

DEPARTMENT OF THE COUNCIL OF MINISTERS

No. AG. 166 1981

PROMULGATION OF ACT OF NATIONAL ASSEMBLY

The following Act, which has been adopted by the National Assembly of South West Africa and signed by the Administrator-General in terms of the National Assembly Proclamation, 1979 (Proclamation AG. 21 of 1979), is hereby published in terms of section 19 of that Proclamation:—

No. 18 of 1981: Road Transportation Amendment Act, 1981

Goewermentskennisgewing

Kantoor van die
ADMINISTRATEUR-GENERAAL VIR DIE GEBIED SUIDWES-AFRIKA

DEPARTEMENT VAN DIE MINISTERSRAAD

No. AG. 166 1981

AFKONDIGING VAN WET VAN NASIONALE VERGADERING

Die volgende Wet, wat ingevolge die Proklamasie op die Nasionale Vergadering, 1979 (Proklamasie AG. 21 van 1979), deur die Nasionale Vergadering van Suidwes-Afrika aangeneem en deur die Administrateur-generaal onderteken is, word hierby afgekondig ingevolge artikel 19 van daardie Proklamasie:—

No. 18 van 1981: Wysigingswet op Padvervoer, 1981

Act No. 18, 1981 **ROAD TRANSPORTATION AMENDMENT ACT, 1981**

(Afrikaans text signed by the Administrator-General on 10 December 1981)

ACT

To amend the Road Transportation Act, 1977, so as to extend the exceptions in relation to the conveyance by farmers of their farm labourers; to further regulate the exceptions in relation to the conveyance of goods by means of goods vehicles the carrying capacity of which does not exceed one thousand kilograms; to provide for exceptions in relation to the conveyance, by certain persons, of goods by means of goods vehicles the gross vehicle mass of which does not exceed two thousand five hundred kilograms; to provide for the prescribing of conditions in relation to certain forms of conveyance which, for the purposes of the said Act, are deemed not to be road transportation; and to provide for incidental matters.

BE IT ENACTED by the National Assembly of South West Africa, as follows:—

Amendment of section 1 of Act 74 of 1977, as amended by section 1 of Act 29 of 1980.

1. Section 1 of the Road Transportation Act, 1977, is hereby amended —

(a) by the insertion after subparagraph (iii) of paragraph *(b)* of subsection (2) of the following subparagraph:

"(iii)*bis* between any place where they are so employed and any other place within the Territory to do any shopping or to attend any church service or funeral or for purposes of any sports or recreational meeting; or":

(b) by the substitution for paragraph *(l)* of subsection (2) of the following paragraph:

"*(l)* the conveyance of goods by means of a goods vehicle of which the carrying capacity does not exceed one thousand kilograms under authority of a public permit which may be issued by the commission if the carrier concerned satisfies the commission in writing within one month after the date of commencement of the Road Transportation Amendment Act, 1981, that such goods vehicle was on such date of commencement used for such conveyance;";

(c) by the insertion after paragraph *(l)* of subsection (2) of the following paragraph:

WYSIGINGSWET OP PADVERVOER, 1981 Wet No. 18, 1981

(Afrikaanse teks deur die Administrateur-generaal onderteken op 10 Desember 1981)

WET

Tot wysiging van die Wet op Padvervoer, 1977, ten einde die uitsonderings met betrekking tot die vervoer deur boere van hul plaasarbeiders uit te brei; om die uitsonderings met betrekking tot die vervoer van goedere deur middel van vragvoertuie waarvan die draagvermoë nie duisend kilogram oorskry nie, verder te reël; om voorsiening te maak vir uitsonderings met betrekking tot die vervoer, deur sekere persone, van goedere deur middel van vragvoertuie waarvan die brutovoertuigmassa nie tweeduisend vyfhonderd kilogram oorskry nie; om voorsiening te maak vir die voorskrywing van voorwaardes met betrekking tot sekere soorte vervoer wat by die toepassing van genoemde Wet geag word nie padvervoer te wees nie; en om voorsiening te maak vir verbandhoudende aangeleenthede.

DAAR WORD BEPAAL deur die Nasionale Vergadering van Suidwes-Afrika, soos volg:—

1. Artikel 1 van die Wet op Padvervoer, 1977, word hierby gewysig — Wysiging van artikel 1 van Wet 74 van 1977, soos gewysig by artikel 1 van Wet 29 van 1980.

(a) deur die volgende subparagraaf na subparagraaf (iii) van paragraaf *(b)* van subartikel (2) in te voeg:

"(iii)*bis* tussen 'n plek waar hulle aldus werksaam is en enige ander plek binne die Gebied ten einde inkopies te doen of enige kerkdiens of begrafnis by te woon of vir die doeleindes van enige sport- of ontspanningsbyeenkoms; of";

(b) deur paragraaf *(l)* van subartikel (2) deur die volgende paragraaf te vervang:

"*(l)* die vervoer van goedere deur middel van 'n vragvoertuig waarvan die draagvermoë nie duisend kilogram oorskry nie uit hoofde van 'n openbare permit wat deur die kommissie uitgereik kan word indien die betrokke karweier die kommissie binne een maand na die datum van inwerkingtreding van die Wysigingswet op Padvervoer, 1981, skriftelik oortuig dat daardie vragvoertuig op bedoelde datum van inwerkingtreding vir sodanige vervoer gebruik is;";

(c) deur die volgende paragraaf na paragraaf *(l)* van subartikel (2) in te voeg:

Act No. 18, 1981 ROAD TRANSPORTATION AMENDMENT ACT, 1981

"(1)*bis* the conveyance by any person (except a carrier) who carries on any industry or trade or business, of his own goods in the course of his industry or trade or business by means of a goods vehicle (except a trailer) of which the gross vehicle mass does not exceed two thousand five hundred kilograms;";

(d) by the substitution for paragraph *(w)* of subsection (2) of the following paragraph:

"*(w)* the conveyance in the manner and on the conditions prescribed by regulation of goods solely within the boundaries of an exempted area by means of a motor vehicle which is registered within such exempted area under the law governing the registration of motor vehicles in force in that area, provided such motor vehicle is identified in the manner prescribed by regulation;";

(e) by the substitution for paragraph *(x)* of subsection (2) of the following paragraph:

"*(x)* the conveyance of goods for reward by a carrier in the manner and on the conditions prescribed by regulation exclusively within an area with a radius of forty kilometres from such carrier's business address from where business is actually undertaken, by means of a motor vehicle which is identified in the manner prescribed by regulation and which is registered within the area concerned under the law governing the registration of motor vehicles in force in that area;"; and

(f) by the substitution for paragraph *(y)* of subsection (2) of the following paragraph:

"*(y)* the conveyance, in the manner and on the conditions prescribed by regulation, by a person who carries on any industry or trade or business, of his own goods in the course of his industry or trade or business exclusively within an area with a radius of eighty kilometres from any place where he carries on such industry, trade or business, by means of a motor vehicle of which such person is the owner and which is registered within the area concerned under the law governing the registration of motor vehicles in force in that area, provided such motor vehicle is identified in the manner prescribed by regulation;".

Short title.

2. This Act shall be called the Road Transportation Amendment Act, 1981.

WYSIGINGSWET OP PADVERVOER, 1981 **Wet No. 18, 1981**

"(1)*bis* die vervoer deur iemand (uitgesonderd 'n karweier) wat 'n bedryf uitoefen of handel of besigheid dryf, van sy eie goedere in die loop van sy bedryf of handel of besigheid deur middel van 'n vragvoertuig (uitgesonderd 'n sleepwa) waarvan die brutovoertuigmassa nie tweeduisend vyfhonderd kilogram oorskry nie;";

(d) deur paragraaf *(w)* van subartikel (2) deur die volgende paragraaf te vervang:

"*(w)* die vervoer op die by regulasie voorgeskrewe wyse en voorwaardes van goedere alleenlik binne die grense van 'n vrygestelde gebied deur middel van 'n motorvoertuig wat in daardie vrygestelde gebied geregistreer is kragtens die wet op die registrasie van motorvoertuie wat in daardie gebied geld, mits sodanige motorvoertuig op die by regulasie voorgeskrewe wyse van 'n herkenningsteken voorsien is;";

(e) deur paragraaf *(x)* van subartikel (2) deur die volgende paragraaf te vervang:

"*(x)* die vervoer van goedere teen vergoeding deur 'n karweier op die by regulasie voorgeskrewe wyse en voorwaardes uitsluitlik binne 'n gebied met 'n straal van veertig kilometer vanaf sodanige karweier se besigheidsadres van waar besigheid wel gedryf word, deur middel van 'n motorvoertuig wat op die by regulasie voorgeskrewe wyse geïdentifiseer is en wat binne daardie gebied geregistreer is kragtens die wet op die registrasie van motorvoertuie wat in daardie gebied geld;"; en

(f) deur paragraaf *(y)* van subartikel (2) deur die volgende paragraaf te vervang:

"*(y)* die vervoer op die by regulasie voorgeskrewe wyse en voorwaardes deur 'n persoon wat 'n bedryf uitoefen of handel of besigheid dryf, van sy eie goedere in die loop van sy bedryf of handel of besigheid uitsluitlik binne 'n gebied met 'n straal van tagtig kilometer vanaf enige plek waar hy die bedryf, handel of besigheid uitoefen of dryf, deur middel van 'n motorvoertuig waarvan sodanige persoon die eienaar is en wat in daardie gebied geregistreer is kragtens die wet op die registrasie van motorvoertuie wat in daardie gebied geld, mits sodanige motorvoertuig op die by regulasie voorgeskrewe wyse geïdentifiseer is;".

2. Hierdie Wet heet die Wysigingswet op Padvervoer, 1981. Kort titel.