



REPUBLIC OF SOUTH AFRICA  
**GOVERNMENT GAZETTE**

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DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1848.

11 October 1974.

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It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 46 of 1974: National Road Safety Amendment Act, 1974.

No. 46 van 1974: Wysigingswet op Nasionale Verkeersveiligheid, 1974.

## NATIONAL ROAD SAFETY AMENDMENT ACT, 1974. Act No. 46, 1974

**ACT**

To amend the provisions of the National Road Safety Act, 1972, in order to further regulate the constitution of the National Road Safety Council; to further regulate the determination of the conditions of appointment of members of the said Council by the Minister; to extend the powers of the said Council; to further regulate the payment of allowances to the persons and under the circumstances contemplated in section 18 (5); to provide for the continued existence of the South African Road Safety Council Group Pension Scheme established in terms of section 21 (1) of the South African Road Safety Council Act, 1960; to make new provision regarding the administration of the funds, societies and schemes referred to in section 20 (1); and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)*  
*(Assented to 3 October 1974.)*

**BE IT ENACTED** by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

1. Section 3 of the National Road Safety Act, 1972 (hereinafter referred to as the principal Act), is hereby amended—
- (a) by the substitution for subparagraph (ii) of subsection (1) (a) of the following subparagraph:
- “(ii) one shall be a person selected by the Minister from three persons nominated by the United Municipal Executive of South Africa; and”;
- (b) by the substitution for paragraph (b) of subsection (1) of the following paragraph:
- “(b) five shall be members of the executive committees of the four provinces and the territory of South-West Africa, each designated by the executive committee concerned to serve on the Council, or the alternates of such members each of whom has been designated by such member;”;
- (c) by the substitution for paragraph (c) of subsection (1) of the following paragraph:
- “(c) three shall be the Secretary for Transport, the Secretary for Justice and the Commissioner of the South African Police, respectively, or the alternates of such persons each of whom has been designated by such person;” and
- (d) by the substitution for subsection (2) of the following subsection:
- “(2) A member of the Council, other than a member referred to in subsection (1) (b) or (c), shall be appointed for such period (not exceeding five years) and on such conditions as the Minister may determine: Provided that the Minister may, if in his opinion there exist sufficient reasons therefor, terminate the services of any such member at any time before the expiry of his period of office.”.

Amendment of section 3 of Act 9 of 1972.

## NATIONAL ROAD SAFETY AMENDMENT ACT, 1974. Act No. 46, 1974

2. Section 7 of the principal Act is hereby amended by the substitution for paragraph (a) of the following paragraph: Amendment of section 7 of Act 9 of 1972.
- “(a) appoint as officers and employees of the Council persons who, in the opinion of the Council, command appropriate training and experience, and confer or impose any of its powers or duties upon such officers and employees: Provided that the powers and duties contained in paragraphs (b), (c), (d) and (f) shall only be exercised in pursuance of a resolution of the Council or with the written authority of the Director, which shall be reported to the next meeting of the Council;”.
3. Section 18 of the principal Act is hereby amended by the substitution for subsection (5) of the following subsection: Amendment of section 18 of Act 9 of 1972.
- “(5) If the salary or wage payable from time to time to any person in terms of subsection (4) is less than the salary or wage to which he was or would have been entitled in accordance with the scale of salary or wage applicable to him as an officer or an employee of the Road Safety Council immediately prior to the fixed date, there shall be paid to him a pensionable allowance equal to the difference between the first-mentioned and the last-mentioned salaries or wages, as the case may be.”.
4. (1) The following section is hereby substituted for section 19 of the principal Act: Substitution of section 19 of Act 9 of 1972.
- “Continued existence of the South African Road Safety Council Group Pension Scheme. 19. (1) Notwithstanding the repeal of the South African Road Safety Council Act, 1960 (Act No. 1 of 1960), by this Act, the South African Road Safety Council Group Pension Scheme established in terms of section 21 (1) of the first-mentioned Act shall continue to exist, subject to the provisions of the rules governing the said Scheme.
- (2) All persons who immediately prior to the fixed date were members of the said Group Pension Scheme shall, subject to the provisions of the said rules and section 20 of this Act, continue to be members thereof, and in the application of such rules in respect of such members, service with the Council shall be deemed to be service with the Road Safety Council.”.
- (2) Subsection (1) shall be deemed to have come into operation on 15 March 1972.
5. (1) Section 20 of the principal Act is hereby amended— Amendment of section 20 of Act 9 of 1972.
- (a) by the substitution for subsection (1) of the following subsection:
- “(1) The Council may, subject to the approval of the Minister, establish and conduct or assist in establishing or conducting—
- (a) pension or provident funds for the officers and employees of the Council, either in addition to or in lieu of the Group Pension Scheme referred to in section 19 (1) or any other pension or provident fund; and
- (b) mutual or medical benefit societies and home ownership schemes for the said officers and employees,
- either by way of contracts of insurance entered into by or on behalf of the said officers and employees or in some other manner.”; and
- (b) by the substitution for subsection (4) of the following subsection:
- “(4) Any pension or provident fund or mutual or medical benefit society or home ownership scheme established in terms of subsection (1) shall be administered in accordance with the provisions of the rules of such fund, society or scheme.”.

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(2) Subsection (1) shall be deemed to have come into operation on 15 March 1972.

6. (1) Section 22 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection: Amendment of section 22 of Act 9 of 1972.

“(3) The Council shall pay the expenses necessarily incurred by the Board of Trustees of the Group Pension Scheme mentioned in section 19 (1) in the performance of its functions.”

(2) Subsection (1) shall be deemed to have come into operation on 15 March 1972.

7. This Act shall be called the National Road Safety Amendment Act, 1974, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*. Short title and commencement.