

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***NT 35.5****Summary procedure**

1. If the organisation and the employee so agree in writing, the summary procedure as set out hereunder may apply to the proceedings. The presiding officer shall, at such meeting(s) with the parties, as he/she deems necessary:
 - (a) confirm that the matter is ready for adjudication;
 - (b) ascertain and record in writing, signed by himself/herself and the parties, the facts on which the parties agree and those on which they disagree, herein called "issues";
 - (c) receive from the parties such documents or copies thereof as they consider relevant to the determination of the issues;
 - (d) receive evidence or submissions, orally or in writing, sworn or not sworn at joint meetings with the parties or, if the parties so agree, by the interchange of written statements or submissions, between the parties with copies to the presiding officer, provided that each party shall be given reasonable opportunities to those of the other; and
 - (e) deliver a determination, in writing, within ten working days of the last day of the hearing or submission of the last document to the presiding officer, if there was no hearing.

NT 35.6**Right of resignation**

1. An officer who receives a notice of misconduct shall be entitled to resign from employment or to retire, if eligible, in terms of the retirement fund rules, provided that:
 - (a) the officer does so prior to the handing down of a determination; and
 - (b) the officer consents in writing to the deductions of all and any amounts owing by him or her to the organisation from any monies payable to him or her by the organisation (including but not limited to retirement fund monies) arising out of or in connection with his or her resignation or retirement.
2. In such an event, the disciplinary enquiry shall not proceed.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***NT 35.7****Disciplinary tribunal**

1. In general, a person appointed to serve as the presiding officer should be a senior officer of the organisation. However, if this is not possible or desirable, any other suitably qualified person may be appointed.
2. During the conduct of the enquiry, the officer may make application on good cause shown for the recusal of the presiding officer.
3. The presiding officer shall not consult, confer or have casual contact with any of the parties or their representatives while handling a matter without the presence or consent of the other party.
4. The determination of the disciplinary tribunal shall be final and binding to the organisation save that the officer may lodge an appeal thereto.

NT 35.8**Recording**

1. The proceedings of the disciplinary tribunal shall be recorded by means of a mechanical device.
2. The record of the proceedings shall be kept in safe custody by the organisation and, upon request, a copy will be provided to the officer or his or her representatives.

NT 35.9**Non-attendance**

In the event of the failure by an officer, or a duly appointed representative, to attend an enquiry or appeal without good cause and after proper serving of the notice of misconduct was effected, the enquiry may be conducted in absentia and discipline effected.

NT 35.10**Right of representation**

1. An officer shall be entitled to representation at any enquiry by another officer, a shop steward or union official who is willing and able to represent the officer.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***NT 35.11****Suspension**

1. The organisation may, at any time before or after an officer has been charged with misconduct, suspend the officer or utilise him or her temporarily in another capacity should the authorised representatives be of the opinion that it would be detrimental to the interests of the organisation if the officer remained in active service.
2. If the authorised representatives intend to suspend an officer, they shall give notice of such intention and afford the officer with an opportunity to make representation as to why he or she should not be suspended. The enquiry shall be done by means of the summary procedure as provided for herein.
3. The suspension or utilisation in another capacity shall be for a fixed and pre-determined period and shall not exceed a period of three months. Any suspension effected shall be on full remuneration.

NT 35.12**Appeal**

1. The employee has the right to appeal against any disciplinary sanction, which has been given at a disciplinary enquiry.
2. An appeal must be lodged on the prescribed form within five working days of receipt of written notification of the disciplinary decision and the grounds of appeal must be clearly set out, provided that the failure by a party to raise a ground of appeal shall not preclude that party from subsequently raising it before the disciplinary appeal tribunal.
3. Appeals shall be heard by a management level above that of the presiding officer of the enquiry in the case of final written warnings and by a higher level of management which does not exercise direct management control over the affected employee, in the case of dismissals and suspensions without pay.
4. By agreement, an appeal may be heard by an impartial arbitrator appointed by the parties to the appeal.
5. The appeal will only be heard on the grounds of an appeal submitted by the officer and any amendment thereto and by having regard to the record of the proceedings and submissions based thereon. The appeal should not entail any rehearing.

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6. The presiding officer of the disciplinary appeal tribunal shall have the power to confirm or set aside any decision, determination or finding and to confirm, set aside or reduce any sanction imposed.
7. The presiding officer of the disciplinary appeal tribunal shall fix the time and date of the hearing which will take place within ten working days of the date of the appointment. In consultation with the parties, the presiding officer may vary the time and date and order a mutually convenient time, date and place.
8. The appeal hearing will be conducted by the presiding officer in whatever manner and procedure, including the summary procedure as set out in clause 35.7 above, that will produce the most expeditious hearing of the matter.
9. The disciplinary appeal tribunal is to consider whether the disciplinary enquiry and sanction was fair. The presiding officer shall be entitled to make whatever order he or she deems reasonable in the circumstances.
10. The disciplinary appeal tribunal shall make its determination, in writing, within ten working days from the last day of the hearing and provide a copy of the determination to the authorised representatives and the officer or his or her representative.

NT 35.13**Conduct and sanctions****Standard and conduct**

1. All officers are expected to comply in every respect with the conditions of employment and collective agreements and any related regulation, order, policy and practice, and to refrain from any conduct which would give just cause for discipline.
2. In particular, officers should:
 - (a) attend work regularly and punctually;
 - (b) conform to the reasonable dress and uniform requirements of the organisation;
 - (c) perform their tasks and job responsibilities diligently, carefully and to the best of their ability;
 - (d) obey all lawful and reasonable instructions given by a person having authority to do so;

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- (e) conduct themselves with honesty and integrity;
- (f) request permission in advance for any leave of absence whenever possible;
- (g) refrain from being absent from duty without leave or permission, except on good cause;
- (h) refrain from accepting any other employment outside normal working hours without prior permission of the senior officer, which permission shall not be reasonably withheld;
- (i) refrain from any rude, abusive, insolent, provocative, intimidatory or aggressive behaviour to a fellow officer or member of the public;
- (j) refrain from wilful or negligent behaviour, which may result in the damage of the organisation's property, material and equipment;
- (k) refrain from participating, either individually or with others, in any form of action, which will have the effect of disrupting the operations and procedures of the organisation, other than actions contemplated by the Labour Relations Act;
- (l) refrain from wrongfully disclosing privileged information; and
- (m) refrain from consuming alcohol or using any intoxicating substances or drugs whilst on duty.

Sanctions for misconduct

1. In accordance with the disciplinary policy, any sanction that is imposed for misconduct will be intended to deter future repetition of that behaviour. The sanction imposed must be based on the seriousness of the offence and considering the officer's disciplinary record.
2. The imposition of discipline is progressive in that sanctions are to be applied with increasing severity with the repetition of the offence. Sanctions will generally be applied by first issuing a written warning and then a final warning, except in cases of misconduct which would constitute grounds for immediate dismissal or suspension without pay or the immediate imposition of a final written warning.
3. All written warnings and suspensions are to be recorded in the officer's file.
4. A written warning will remain valid on the record of an officer for a period of six months from the date imposition.

5. The organisation may impose, as a sanction, a suspension without pay having regard either to the serious nature of the misconduct or the fact that there has been a previous warning or warnings for the same behaviour in which event:
 - (a) the maximum period will be ten working days;
 - (b) the period of suspension will run consecutively;
 - (c) in the event of a suspension in excess of five working days, the suspension without pay shall be spread over three monthly pay periods; and
 - (d) a suspension without pay shall be regarded as a sanction more serious than a final written warning.
6. As a guideline, an officer may be dismissed on the first occasion for, inter alia:
 - (a) intimidation, fighting and/or assault;
 - (b) theft, unauthorised possession of or malicious damage to the organisation's property and equipment;
 - (c) being under the influence of alcohol or any intoxicating drugs or substances, whilst on duty, such that performance is seriously impaired or diminished;
 - (d) any act of gross dishonesty;
 - (e) any act of gross negligence;
 - (f) gross insubordination;
 - (g) wrongful disclosure of privileged information;
 - (h) any act of bribery or corruption; and
 - (i) any other act of misconduct which would constitute a just cause for dismissal.

NT 35.14**Grievance process**

1. A grievance is any dissatisfaction or sense of injustice that an officer may have in connection with:
 - (a) his or her job;
 - (b) his or her work environment;
 - (c) employment practices; or
 - (d) management practices.
2. The grievance process is intended to:

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- (a) provide an officer with a credible channel for expressing and resolving any grievances that he/she may have; and
 - (b) provide management with a guide for resolving an officer's grievances fairly, objectively and expediently.
3. It is important to maintain a positive climate by resolving grievances as speedily as possible, protecting officers against any victimisation and by applying sound interpersonal relationship skills, whilst handling grievances.

Grievance procedure - informal open talk procedure

1. The officer approaches his or her superior and requests an appointment, stating the issue or concern to be discussed.
2. At the meeting, the officer explains his or her situation to the superior and asks the superior for his or her views and assistance on the issue or concern.
3. The officer and the superior discuss the issue or concern with a view to reaching a solution.
4. During the discussion, the superior should encourage discussion directed specifically towards gaining an understanding of the officer's views.
5. If the issue or concern is not resolved by means of the open talk procedure, and the officer(s) wish to take the matter further, the formal grievance procedure may be started by completing a formal grievance form.

Grievance procedure - formal grievance procedure

1. A formal grievance form must be completed and handed to the direct superior of the aggrieved officer(s).
2. The immediate superior must submit the form within two working days to the next level of management, who will arrange a formal grievance hearing no later than three working days after receiving the form.
3. The grievance hearing is attended by a senior officer who will chair the meeting, the officer(s) and their representative and the direct superior of the officer(s).
4. The grievance proceeds to increasingly higher levels of management until the level of the Chief of Traffic is reached.

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5. If the grievance is not resolved to the satisfaction of the aggrieved officer(s), the dispute procedure may be invoked.

NT 35.15**Disciplinary reports**

1. When an officer is suspended or dismissed, the Corporation has to be notified immediately so as to change or adjust the status of that particular officer on the national personnel database. Such reporting must be submitted to Human Resources for filing.

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**PART D: NON-COMPLIANCE WITH NATIONAL STANDARDS
AND TARGETS**

PART D2: RESPONSIBILITIES OF THE CORPORATION

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CHAPTER 36: PROCEDURES TO BE FOLLOWED AND STEPS TO BE TAKEN

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CHAPTER 36: RESPONSIBILITIES OF THE CORPORATION

Purpose

Indicates the disciplinary sanctions that can be taken against an authority for non-compliance with the code or performance targets.

Policy statement

The Corporation is dedicated to an improvement in traffic law enforcement and any non-compliance or non-performance will be sanctioned as may be required.

NATIONAL TARGETS

RESPONSIBILITIES OF THE CORPORATION

NT 36.1

Service level agreement

1. The Corporation aims to enter into a service level agreement with all road traffic law enforcement authorities.
2. The service level agreement will detail expected levels of performance.
3. The Corporation will aim to provide assistance to authorities in terms of the service level agreement between the Corporation and the authority.
4. The assistance or remuneration by the Corporation will not necessarily be in financial aid but may also be in the form of human resources, vehicles and/or equipment.
5. An example of the service level agreement is included in annexure 20 of part F of the Code.

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1. In instances of non-compliance to the code and the service level agreement the Corporation will impose disciplinary sanctions against the authority.
2. The sanctions can include removal of any rewards in terms of the service level agreement or in extreme cases the replacement of traffic law enforcement services by services employed by the Corporations.
3. Counselling and assistance will be provided to authorities before any disciplinary sanctions are imposed.

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PART E: SMART MANAGEMENT AND ENFORCEMENT

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CHAPTER 38: PRACTICAL TIPS AND GUIDELINES FOR SUPERVISORS

CHAPTER 39: PRACTICAL TIPS AND GUIDELINES FOR TRAFFIC OFFICERS

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October 2007*

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CHAPTER 37

PRACTICAL TIPS AND GUIDELINES FOR TRAFFIC CHIEFS

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CHAPTER 37: PRACTICAL TIPS AND GUIDELINES FOR TRAFFIC CHIEFS

Purpose

Provides assistance to Chiefs of Traffic and other top management staff to provide an effective service.

Policy statement

The Corporation aims to improve the level of road traffic law enforcement and aims to provide assistance and help in this matter to all authority staff members.

NATIONAL TARGETS

PRACTICAL TIPS AND GUIDELINES FOR TRAFFIC CHIEFS

NT 37.1

Tips for Chiefs

1. Know and understand your conditions and level of service.
2. Chiefs must have basic traffic training.
3. Chiefs must have a tertiary or management qualification.
4. Ensure that the structure is able to perform optimally and be in charge of all sections/divisions that are necessary for the success of the authority.
5. Commitment.
6. Develop and train officers and supervisors.
7. Openness and transparency.
8. Ensure implementation of strategic plans.
9. Plan in accordance with accidents, statistics and traffic volumes.
10. Empower subordinates.
11. Ensure understanding of business and strategic plans.
12. Get input from stakeholders and employees.
13. Evaluate performance regularly.

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CHAPTER 38: PRACTICAL TIPS AND GUIDELINES FOR SUPERVISORS

Purpose

Provides assistance to supervisors and other mid-management staff to provide an effective service.

Policy statement

The Corporation aims to improve the level of road traffic law enforcement and aims to provide assistance and help in this matter to all authority staff members.

NATIONAL TARGETS

PRACTICAL TIPS AND GUIDELINES FOR SUPERVISORS

NT 38.1

Tips for supervisors

1. Take supervisor courses.
2. Develop and maintain an administration manual.
3. Hold debriefing sessions with officers after certain critical operations.
4. Know the developments in the field of traffic control and safety.
5. Learn management skills.
6. Team building, performance monitoring, coaching and mentoring.
7. Daily inspections of and visits to patrol teams.
8. Build leaders and encourage officers to develop themselves.
9. Develop yourself, experience is not enough.
10. Commitment.
11. Co-operate with and show respect for colleagues.
12. Lead by example.
13. Prioritise.

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14. Build confidence by being prepared.
15. Communicate assertively.
16. Set long-term goals.
17. Learn how to manage your time more effectively.
18. Vary your routine.
19. Learn how to deal with criticism objectively.
20. Expect the unexpected.

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CHAPTER 39: PRACTICAL TIPS AND GUIDELINES FOR TRAFFIC OFFICERS

Purpose

Provides assistance to traffic officers to provide an effective service.

Policy statement

The Corporation aims to improve the level of road traffic law enforcement and aims to provide assistance and help in this matter to all authority staff members.

NATIONAL TARGETS

PRACTICAL TIPS AND GUIDELINES FOR TRAFFIC OFFICERS

NT 39.1

Tips for officers

1. Ensure compliance with legislation.
2. Always meet or surpass the set targets.
3. Do not take bribes.
4. Study and develop yourself.
5. Know what is expected from you and why.
6. Take the initiative, master your area of operation.
7. Report all corruption and set the example.
8. Respect the profession and the public.
9. Execute plans.
10. Zero tolerance to be applied.
11. Have a professional approach.
12. Complete documents correctly.

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13. Emphasise results, not activities.
14. Have stress-free relationships with colleagues.
15. Have stress-free relationships with superiors.

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ANNEXURE 18: PERFORMANCE POINTS

ANNEXURE 19: PRO FORMA FOR DISCIPLINARY PROCESS

ANNEXURE 20: SERVICE LEVEL AGREEMENT

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**ANNEXURE 1
EQUIPMENT REGISTER**

Register #

Create a Register page for all specialised law enforcement equipment such as weigh bridges, breathalysers, and speed measuring devices. Keep these records in a safe place complete with manufacturer/supplier invoices/receipts and certificates.

Equipment Details	Supplier Contact Details
Authority :	Company Name :
Equipment Type :	Contact Person :
Make :	Tel :
Model :	Fax :
Procurement Date :	Email :

Date	Event (Nature of Malfunction/Routine Test)	Details of Repairs	Calibration Test Date	Manufacturer/Supplier Reference
2023-01-01			2023-01-01	
2023-01-05			2023-01-05	
2023-01-10			2023-01-10	
2023-01-15			2023-01-15	
2023-01-20			2023-01-20	
2023-01-25			2023-01-25	
2023-02-01			2023-02-01	
2023-02-05			2023-02-05	
2023-02-10			2023-02-10	
2023-02-15			2023-02-15	
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2023-12-15			2023-12-15	
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2023-12-25			2023-12-25	
2024-01-01			2024-01-01	

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ANNEXURE 2
VEHICLE INSPECTION SHEET

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Vehicle & Equipment Check Sheet

Vehicle Details								
Licence # :								
Fleet # :								
Make :								
Model :								
Procurement Date :								
Date	dd/mm/yyyy	dd/mm/yyyy	dd/mm/yyyy	dd/mm/yyyy	dd/mm/yyyy	dd/mm/yyyy	dd/mm/yyyy	dd/mm/yyyy
Odometer Reading								
EQUIPMENT								
First Aid Kit								
Emergency Triangle[S]								
Cones - Total								
Tow Rope								
Cordoning Tape								
Jumper Cables								
Fire Extinguisher								
Road Flares								
Portable Warning Light								
Warning Lights [Fitted]								
Siren/PA [Fitted]								
Spade								
Broom								
Jack								
Wheel spanner								
Spare wheel								
Other								
Other								
Other								
Other								
Other								
Other								
Other								
OPERATIONAL CHECK								
Warning Lights (Operation)								
Siren/PA (Operation)								
Tyres								
Clearance Certificate								
Roadworthiness [Lights etc.]								
Oil Level								
Wheel Covers								
Log Book								
COMMENTS								
Defects								
Defects								
Defects								
Damage								
Damage								
Damage								
Vehicle Neatness %								
INSPECTION								
INSPECTED BY PRINT								
INSPECTED BY SIGN								
DRIVERS NAME PRINT								
DRIVERS SIGNATURE								

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ANNEXURE 3
PRO FORMA STRATEGIC AND BUSINESS PLAN

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NAME OF AUTHORITY

LOGO

**INTEGRATED STRATEGIC PLAN 2007 -- 2010
AND BUSINESS PLAN 2007/08**

DATE:

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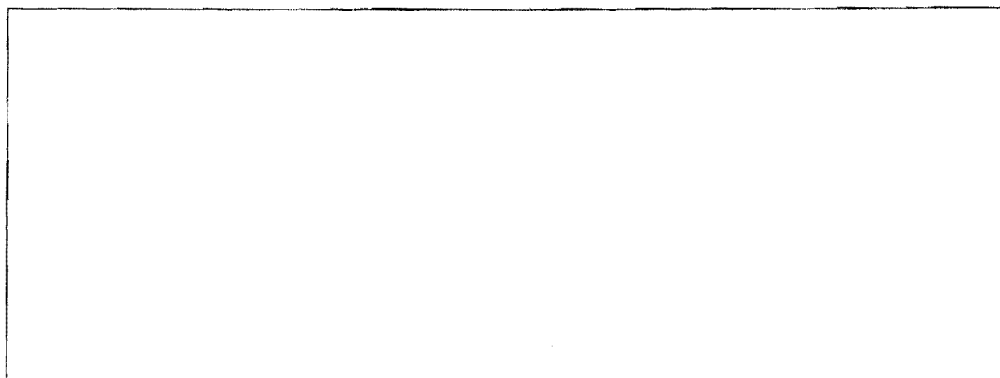
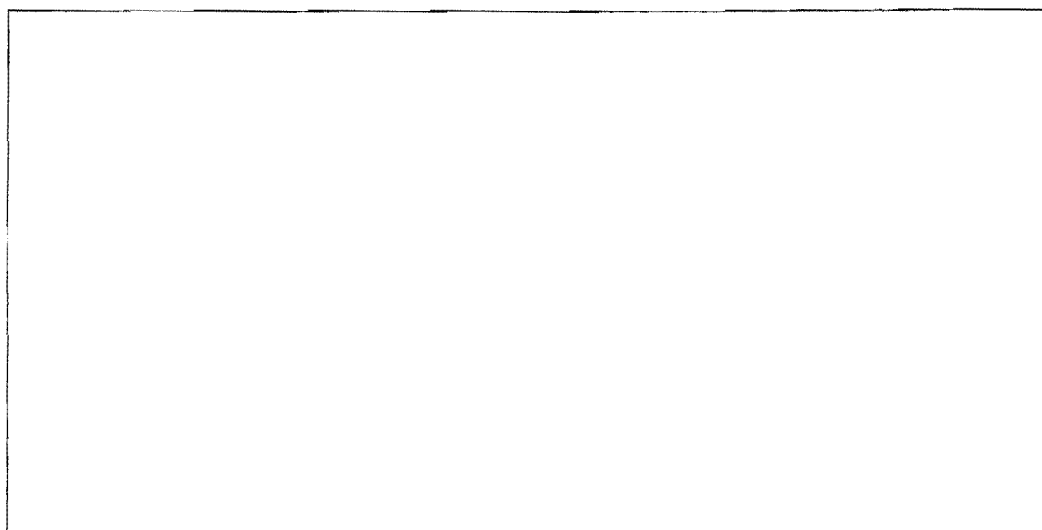
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NAME OF AUTHORITY

STRATEGIC PLAN (2007 – 2010) AND BUSINESS PLAN (2007/08)

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***PART ONE: STRATEGIC PLAN****FRAMEWORK**

1. INTRODUCTION
2. INTERNAL CONTEXT OF THE STRATEGIC PLAN
3. EXTERNAL CONTEXT DEFINING / INFLUENCING THE STRATEGIC PLAN
4. REVIEW OF PREVIOUS' YEARS ACHIEVEMENTS WITH STRATEGIC PLAN
5. VISION, MISSION AND VALUES
6. KEY PERFORMANCE AREAS AND STRATEGIC PRIORITIES
7. HUMAN CAPITAL PLAN
8. FINANCIAL PLAN
9. MONITORING, EVALUATION AND REPORTING
10. GENERAL

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***1 INTRODUCTION****2 INTERNAL CONTEXT OF THE STRATEGIC PLAN****2.1 APPROVED ORGANOGRAM****2.2 POST AND STAFF ESTABLISHMENT**

POST CLASSES	SALARY LEVELS	NUMBER APPROVED	NUMBER FILLED	NUMBER VACANT

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GAP/NEEDS/CHALLENGES:

2.3 FINANCE

MAIN ITEM	PREVIOUS YEAR 2006/07	CURRENT YEAR 2007/08	DIFFERENCE YEAR
INCOME:			
TOTAL INCOME			
OPERATING EXPENDITURE (OPEX):			
TOTAL OPEX			
CAPITAL EXPENDITURE (CAPEX):			
TOTAL CAPEX			
TOTAL OPEX + CAPEX			

GAP/NEEDS/CHALLENGES:

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VEHICLE CATEGORIES	NUMBER IN USE

GAP/NEEDS/CHALLENGES:

2.4.2 ROAD TRAFFIC MANAGEMENT EQUIPMENT

EQUIPMENT CATEGORIES	NUMBER IN USE

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GAP/NEEDS/CHALLENGES:

2.5 INTEGRATED PROGRAMMES DEFINING/INFLUENCING THE STRATEGIC PLAN

TABLE OF IMPORTANT PROGRAMMES
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2.6 GOVERNANCE STRUCTURES

ROAD TRAFFIC MANAGEMENT COMMITTEES	BRIEF MANDATE OF EACH COMMITTEE

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***3 EXTERNAL CONTEXT DEFINING / INFLUENCING THE STRATEGIC PLAN****3.1 ROAD SAFETY PROFILE**

YEAR	NUMBER OF FATAL ACCIDENTS	NUMBER OF FATALITIES	NUMBER OF INJURIES	NUMBER OF ACCIDENTS
2000				
2001				
2002				
2003				
2004				
2005				
2006				
2007				
MAXIMUM				
MINIMUM				
AVERAGE				

3.2 REGISTERED VEHICLES PROFILE IN AREA OF JURISDICTION

VEHICLE CATEGORY	NUMBER REGISTERED 2005	NUMBER REGISTERED 2006	NUMBER % DIFFERENCE
Light passenger vehicle <12 people			
Heavy passenger vehicle >12 people			
Light load vehicle <3 500kg			
Heavy load vehicle >3 500kg			
Motorcycles			
Special vehicles			

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Other / unknown			
TOTAL			

3.3 LEGISLATURE CONTEXT

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3.4 POLICY CONTEXT

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3.5 POLITICAL, ECONOMIC AND SOCIAL CONTEXT

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4 REVIEW OF PREVIOUS YEARS' ACHIEVEMENTS WITH STRATEGIC PLAN

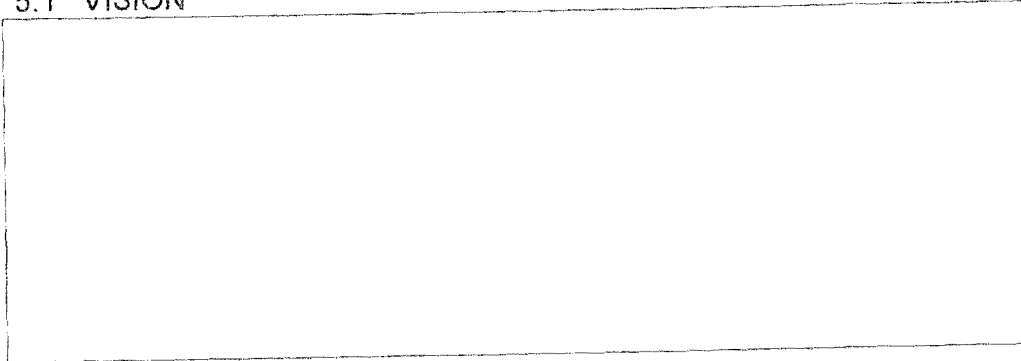
KEY PERFORMANCE AREA	KEY PRIORITIES	ACHIEVEMENTS	REMAINING CHALLENGES

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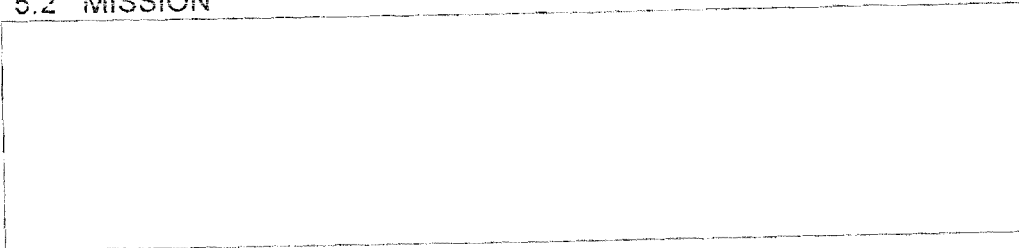
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5 VISION, MISSION AND VALUES

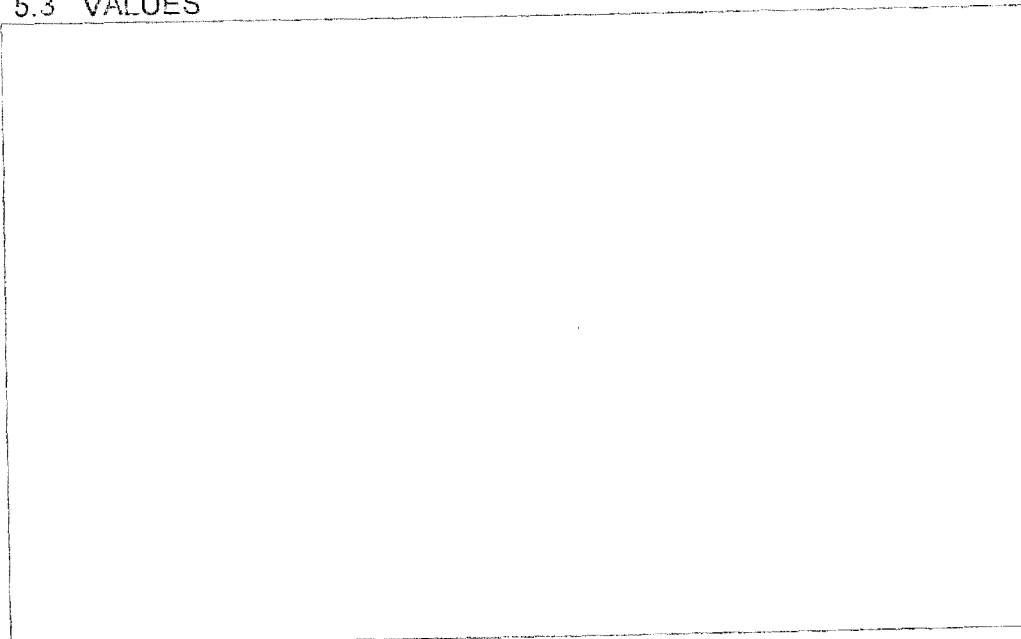
5.1 VISION



5.2 MISSION



5.3 VALUES



*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***6 KEY PERFORMANCE AREAS AND STRATEGIC PRIORITIES**

KEY PERFORMANCE AREAS	KEY PRIORITIES		TIME FRAME	
		2007/08	2008/09	2009/10