Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



### **REPUBLIC OF SOUTH AFRICA**

# **GOVERNMENT GAZETTE**

# **STAATSKOERANT**

### VAN DIE REPUBLIEK VAN SUID-AFRIKA

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CAPE TOWN, 2 MARCH 1983 KAAPSTAD, 2 MAART 1983

[No. 8574

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OFFICE OF THE PRIME MINISTER	KANTOOR VAN DIE EERSTE MINISTER
No. 443. 2 March 1	983 No. 443. 2 Maart 1983
It is hereby notified that the State President assented to the following Act which is hereby publis for general information:—	has hed Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—
No. 8 of 1983: Road Transportation Amendment A 1983.	Act, No. 8 van 1983: Wysigingswet op Padvervoer, 1983.

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#### **GENERAL EXPLANATORY NOTE.**

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Words in bold type in square brackets indicate omissions from existing enactments.

Words underlined with solid line indicate insertions in existing enactments.

## ACT

To amend the Road Transportation Act, 1977, so as to delete a certain expression and further define or replace certain expressions; to amend the provisions relating to the conveyance of persons and goods deemed not to be road tranportation; to extend the general powers of the Minister of Transport Affairs; to amend the provisions relating to the appointment of members of local road transportation boards and to validate certain such appointments; to grant to the chairman of a local road transportation board a casting vote in certain circumstances; to extend the provisions relating to an appeal to the National Transport Commission; to prohibit the grant of a public or private permit in respect of a motor vehicle with regard to which such a permit has already been granted to some other person; to further regulate the replacement of a motor vehicle in respect of which a permit has been granted; to extend the provisions relating to the grant of temporary permits; to provide for the furnishing of a copy of a permit to an interested person; to further define the power of the National Transport Commission or a local road transportation board to withdraw, suspend or vary a permit; to extend the provisions relating to the compensation payable where a railway service is established; to empower the National Transport Commission or a local road transportation board in certain circumstances to require a person applying for a permit or submitting representations to pay a certain amount before the application or representations will be considered; to further regulate the surrender and production of permits, the registration of persons engaged in road transportation and the records to be kept by them; to create certain new offences and increase the penalties for certain offences; to further define the powers of the National Transport Commission or a local road transportation board in the case of a second or subsequent conviction of certain persons; to extend the powers of the State President; and to extend the provisions relating to the entering into of an agreement with the government of any country or territory; and to provide for matters connected therewith.

> (English text signed by the State President.) (Assented to 21 February 1983)

**B**<sup>E</sup> IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 74 of 1977, as amended by section 1 of Act 93 of 1979, 1. Section 1 of the Road Transportation Act, 1977 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution in subsection (1) for the definition 5 of "authorized officer" of the following definition:

section 1 of Act 91 of 1980, section 1 of Act 64 of 1981 and section 1 of Act 78 of 1982. **ROAD TRANSPORTATION AMENDMENT ACT, 1983** 

- "'authorized officer' means an inspector, any member of the South African Police, any member of the South African Railways Police Force in respect of any place whether within or beyond the limits of the railways as defined in section [1(1)] 1 of the 5
  [Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957] South African Transport Services Act, 1981 (Act No. 65 of 1981), or of the harbours as defined in the said section, or any person in the service of a 10 provincial administration or a local authority whose duty it is to inspect motor vehicles or licences for motor vehicles or to control traffic;";
- (b) by the substitution in subsection (1) for paragraph (c) of the definition of "decentralized industry" of the fol- 15 lowing paragraph:
  - "(c) is situated in an area declared to be a decentralized industrial area under any law governing road transportation in any—
    - (i) self-governing territory as defined in section 38 20 of the National States Constitution Act, 1971 (Act No. 21 of 1971): or
    - (Act No. 21 of 1971); or (ii) country the territory of which formerly formed part of the Republic;";

(c) by the deletion in subsection (1) of the definition of 25 "hired motor vehicle";

(d) by the substitution in subsection (1) for paragraph (c) of the definition of "road transportation" of the following paragraph:

"(c) the conveyance of persons on a public road by 30 means of a hired bus [(excluding a hired bus if the hirer is, in terms of the definition of 'owner' in this subsection, its owner)];";

(e) by the substitution for paragraph (l) of subsection (2) of the following paragraph: 35

(1) 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] was issued by the commission [if the carrier concerned satisfies 40 the commission in writing within one month after the date of commencement of the Road Transportation Amendment Act, 1979, that such goods vehicle was used on 1 April 1979 for such conveyance and was on such date of commencement still so used] 45 under this paragraph after the commencement of the Road Transportation Amendment Act, 1979 (Act No. 93 of 1979): Provided that such a public permit shall be carried by the holder thereof on the goods vehicle concerned and produced on de-50 mand to any authorized officer, that it may not be renewed, amended or transferred from one person to another person and that the validity thereof shall expire on 31 December 1983;";

(f) by the substitution for paragraph (IA) of subsection (2) 55 of the following paragraph:

"(IA) the conveyance by any person (except a carrier) who carries on any industry, trade or business, of his own goods in the course of such industry, trade or business or of goods which he has undertaken to maintain, clean, renovate, repair or alter for any other person in the course of such industry, 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;"; 65

**ROAD TRANSPORTATION AMENDMENT ACT, 1983** 

- (g) by the insertion in subsection (2) after paragraph (*lA*) of the following paragraph:
  - "(1B) the conveyance by means of a goods vehicle (except a trailer) of which the gross vehicle mass does not exceed two thousand five hundred kilograms 5 by a carrier of his own spare parts and his own tools required for the repair of his own vehicles, and of his own defective spare parts to a workshop for the repair thereof;";
- (h) by the substitution for paragraph (n) of subsection (2) 10 of the following paragraph:
- "(n) the [daily] conveyance on school days of school children and teachers to or from the school which they attend, as well as the conveyance of school children and teachers for the purpose of sports or 15 recreation or on holiday, sightseeing or educational tours by means of a bus of which such school is the sole owner or which, in terms of an agreement, is set apart for the use of that school;";
- (i) by the insertion in subsection (2) after paragraph (n) of 20 the following paragraph:
  - '(nA) the conveyance by a university, technikon, technical college or teachers' training college (hereinafter referred to as an educational institution) of its own students and staff for educational, cultural 25 or sport purposes by means of a motor-car or a bus of which that educational institution is the owner or by means of a bus which in terms of an agreement is set apart for the use of that educational institution: Provided that in the case of such con- 30 veyance by means of a bus employed in terms of an agreement, a document shall be carried in that bus in which an official of the educational institution concerned who has been authorized thereto, confirms that the passengers on such bus are en- 35 rolled students of, or staff attached to, that educational institution;";
  - (j) by the substitution for paragraph (w) of subsection (2) in the Afrikaans text of the following paragraph:
    - "(w) die vervoer op die by regulasie voorgeskrewe wyse 40 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 45 sodanige motorvoertuig op die by regulasie voorgeskrewe wyse **[van 'n herkenningsteken voorsien]** geïdentifiseer is;";
  - (k) by the substitution for paragraph (y) of subsection (2) of the following paragraph:
    - "(y) the conveyance by a person who carries on any industry or trade or business, in the course of that industry or trade or business, within an area with a radius of 80 kilometres from any place where he actively carries on such industry, trade or business, 55 of his own goods or of goods which he has undertaken to maintain, clean, renovate, repair or alter for any other person in the course of such industry, trade or business from any place within that area to any destination of those goods within that area 60 or to any railway station within that area, by means of a motor vehicle of which such person is the owner, which is registered within the area concerned under the law governing the registration of motor vehicles in force in that area and which is 65 identified in the manner prescribed by regulation,

#### ROAD TRANSPORTATION AMENDMENT ACT, 1983

provided that, in the case where the said person carries on his industry, trade or business at more than one place, the place from where the goods concerned are being conveyed and the said destination or railway station are not situated in any 5 other such area;"; and

(1) by the insertion in subsection (2) after paragraph (z) of the following paragraph:

(zA) the conveyance in the manner and on the conditions prescribed by regulation of exempted 10 goods, to and from the borders of any of the member countries of the Customs Union Agreement or of any of those countries or territories which have entered into an agreement with the Republic with regard to the conveyance of exempted goods by 15 means of a motor vehicle—

- (i) which is registered in one of those countries or territories under the law governing the registration of motor vehicles in force in that country; 20
- (ii) whose owner is domiciled in that country or territory;
- (iii) which is identified in the manner prescribed by regulation,

by any person who is domiciled in that country or 25 territory, or any company registered in that country or territory, and actively carrying on business from a place situated in that country or territory;".

Amendment of section 2 of Act 74 of 1977.

Amendment of section 4 of Act 74 of 1977 and validation of certain appointments.

Amendment of section 6 of Act 74 of 1977. 2. Section 2 of the principal Act is hereby amended by the insertion after paragraph (g) of the following paragraph: 30 "(gA) prohibit the conveyance of goods which are loaded on

a goods vehicle in a specified manner from a specified date, notwithstanding anything to the contrary contained in any permit which was issued in terms of this Act: Provided that no prohibition under this paragraph 35

shall come into operation earlier than twenty-one days after the publication of the relevant notice in the Ga-

#### 3. (1) Section 4 of the principal Act is hereby amended—

(a) by the deletion of subsection (3); and

zette;".

(b) by the substitution for subsection (7A) of the following subsection:

40

"(7A) Whenever a member of a board has recused himself in any particular matter, the Minister may [without complying with the provisions of subsection 45 (3)] appoint any person whom he considers suitable, to act with regard to that particular matter in place of such member, and any such appointment shall, in the case of a person who is not in the full-time employment of the State, be subject to such conditions as to re- 50 muneration and otherwise, as the Minister may determine with the concurrence of the Minister of Finance.".

(2) An appointment of a member of a local road transportation board under section 4 of the principal Act or under the cor- 55 responding provisions of an act repealed by that Act, at any time before the commencement of this Act, shall be deemed to have been made in accordance with the requirements which were contained in subsection (3) of the said section or in the said corresponding provisions at the time of the appointment of that mem- 60 ber.

4. Section 6 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) The decision of any two members of a board present at any meeting thereof, shall constitute a decision of such 65 board: Provided thatAmendment of section 8 of Act 74 of 1977, as amended by section 4 of Act 91 of 1980. **ROAD TRANSPORTATION AMENDMENT ACT, 1983** 

- (a) if at any such meeting one or more members co-opted in terms of section 4 (4) participate under that section in any proceedings at that meeting, the decision of the majority of the members of the board present at that meeting, including that or those co-opted member or 5 members, shall constitute the decision of the board in respect of those proceedings; and
- (b) in the event of an equality of votes, whether co-opted members participate in the proceedings or not, the person presiding at the meeting shall have a casting vote in 10 addition to his deliberative vote.".

5. Section 8 of the principal Act is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection:
  - "(1) Save as otherwise provided in this Act, any per- 15 son who—
  - (a) has applied to a board for the grant, renewal, amendment or transfer of any permit;
  - (b) is the holder of any permit issued by a board;
  - (c) in the manner and within the time prescribed by 20 regulation, submitted representations to the board concerned objecting to or supporting any application published under section 14 (1) or any application for the grant, renewal or amendment of a private permit,

and is affected by any act, direction or decision of that board, may, in the manner and within the time prescribed by regulation, [within 21 days] after the said act was performed or the said direction or decision was given by the board concerned, appeal against such act, 30 direction or decision to the commission.";

(b) by the insertion after subsection (1) of the following subsection:

"(1A) Where the board notifies any person of a direction or decision contemplated in subsection (1) by 35 means of a written document, the date of that document shall, for the purpose of subsections (1) and (3), be deemed to be the date on which that direction or decision was given."; and

(c) by the substitution in subsection (3) for the words pre- 40 ceding paragraph (a) of the following words:
 "The chairman of the commission or a member

"The chairman of the commission or a member thereof nominated by the chairman, may in his discretion and without giving prior notice to or hearing any interested party—".

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6. Section 13 of the principal Act is hereby amended by the insertion in subsection (2) after paragraph (bB) of the following paragraphs: "(bC) The commission or a board may refuse to consider an

- application for the grant, renewal, amendment or 50 transfer of a public permit if the application form concerned is not completed in full in the manner prescribed by regulation.
- (bD) The commission or a board shall not consider an application for the grant of a public permit in respect of a 55 motor vehicle with regard to which a private permit or a public permit has already been issued to some person other than the applicant.".

7. Section 14 of the principal Act is hereby amended by the substitution in subsection (1) for subparagraph (iii) of paragraph 60 (b) of the following subparagraph:

(iii) The amendment of such a permit so as to authorize the permanent replacement of a motor vehicle specified in

Amendment of section 13 of Act 74 of 1977, as amended by section 8 of Act 91 of 1980.

Amendment of section 14 of Act 74 of 1977, as amended by section 9 of Act 91 of 1980.

Amendment of section 18 of Act 74 of 1977, as amended by section 12 of Act 91 of 1980.

Amendment of section 20 of Act 74 of 1977 as amended by section 13 of Act 91 of 1980.

Amendment of section 21 of Act 74 of 1977.

Substitution of section 22 of Act 74 of 1977.

permits.

permit re-lates.

Substitution of section 23A, as inserted by section 14 of Act 91 of 1980. **ROAD TRANSPORTATION AMENDMENT ACT, 1983** 

that permit, by a motor vehicle of which, in the case of a goods vehicle, the carrying capacity or gross vehicle mass, in the case of a bus, the passenger capacity, and in the case of a motor-car, the seating capacity [differs by not more than 20 per cent from] is equal to or smal-5 ler than or exceeds that of the first-mentioned motor vehicle by not more than 20 per cent,".

8. Section 18 of the principal Act is hereby amended by the addition of the following subsection:

"(6) The commission or a board shall not consider an ap- 10 plication for the grant of a private permit in respect of a motor vehicle with regard to which a private permit or a public permit has already been issued to some person other than the applicant.".

9. Section 20 of the principal Act is hereby amended by the 15 substitution for subsection (5) of the following subsection:

"(5) The powers and duties of the commission or a competent board in terms of this section may, notwithstanding anything to the contrary contained in this Act, in such circumstances, or in respect of such categories of applications 20 for temporary permits, as may be prescribed by regulation, be exercised or performed on its behalf by its chairman or any of its members or officials nominated for that purpose by its chairman.".

10. Section 21 of the principal Act is hereby amended by the 25 substitution for paragraph (d) of subsection (3) of the following paragraph:

"(d) the registration number, make, chassis number, year of

- manufacture, type, [and] seating or passenger capacity.
  - and [or] carrying capacity or gross vehicle mass of the 30 motor vehicle in respect whereof it is issued;".

11. The following section is hereby substituted for section 22 of the principal Act:

22. The commission and each board shall keep at "Records of its place of business a copy of every permit issued by 35 it in terms of this Act and of every amendment made to any such permit, and shall allow any person who is in any way affected by such a permit or amendment, to inspect it and make copies of it free of charge, and may, at the request of such a person, furnish him 40 with a copy of the permit concerned and every amendment thereof upon payment of the fee prescribed by regulation.".

12. The following section is hereby substituted for section 23A of the principal Act:

"Temporary 23A. The commission or a member thereof desigreplacement nated by the chairman of the commission for that of motor vepurpose, or the board which has granted the public hicle to which or private permit concerned or the chairman of that board, may at will grant written permission for any 50 motor vehicle of which the carrying capacity or the gross vehicle mass, in the case of a goods vehicle, the passenger capacity, in the case of a bus, and the seating capacity, in the case of a motor-car, is equal to or smaller than or [of which differs by not] does not ex- 55 ceed by more than 20 per cent [from] that of a motor vehicle to which any public or private permit relates

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Amendment of section 25 of Act 74 of 1977 as amended by section 16 of Act 91 of 1980.

> Insertion of section 26A in Act 74 of 1977.

"Compensation where

railway ser-

vice is estab-

pctition with

bus service.

Amendment of section 30 of Act 74 of 1977 as amended by section 17 of Act 91 of 1980.

**ROAD TRANSPORTATION AMENDMENT ACT, 1983** 

to be used for such fixed period not exceeding 21 days as it or he may determine, by the holder of the permit in question for the road transportation authorized by that permit, in place of the last-mentioned motor vehicle which has become defective or, due to 5 an accident, has been temporarily withdrawn from service, and the first-mentioned motor vehicle shall thereupon, during the period referred to, for purposes of this Act be deemed to be the motor vehicle to which the permit in question relates.". 10

13. Section 25 of the principal Act is hereby amended by the substitution for paragraph (c) of subsection (1) of the following paragraph:

(c) if the commission or that board [deems it necessary with a view to the promotion of economy in the use of 15 petroleum fuel, or for any other reason, of its own accord] for any other reason (including the promotion of economy in the use of petroleum fuel), deems it necessary, of its own accord cancel or vary any condition or requirement of, or add any condition or re- 20 quirement to, or define, redefine, curtail or otherwise amend, the authority contained in any public or private permit granted by it.".

14. The following section is hereby inserted in the principal 25 Act after section 26:

26A. (1) A holder of a public permit which authorizes the conveyance of persons between two places or areas may, after the establishment of a railway lished in com- service between the places or areas concerned and if that permit has not been withdrawn or amended 30 under section 26, submit a claim for compensation to the commission for the loss he has suffered or is likely to suffer as a result of the establishment of the railway service.

(2) Such a claim for compensation shall be sub- 35 mitted to the commission not later than 180 days after the establishment of the railway service concerned and shall set out in detail how the amount claimed is made up and shall be substantiated by three separate sworn appraisements.

(3) If the Minister deems it necessary that compensation be paid, he shall, with the concurrence of the Minister of Finance and subject to the provisions of subsection (4), determine that compensation, which shall not include any amount for the loss of possible 45 profits in respect of any period more than twelve months subsequent to the date with effect from which the railway service concerned has been established.

(4) The provisions of subsections (6) and (7) of 50 section 26 shall mutatis mutandis apply with respect to the amount of compensation determined under subsection (3).".

15. Section 30 of the principal Act is hereby amended—

(a) by the insertion in subsection (1) after paragraph (c) of 55 the following paragraph:

"(cA) empowering the commission or a board in any case in which it deems it necessary or expedient, to require that in addition to the fees contemplated in paragraphs (b) and (c) an amount, not exceeding 60 an amount prescribed by regulation, be paid by a person who has applied for a permit or submitted representations objecting to or supporting such an application, before the commission or the board considers such application or representations, and 65

#### **ROAD TRANSPORTATION AMENDMENT ACT, 1983**

prescribing the circumstances in which an amount so paid shall be forfeited or refunded in whole or in part, the amount of such partial refund, and the circumstances in which any amount so paid may in the discretion of the commission or the board be forfeited in whole or be refunded in whole or in part;";

(b) by the substitution for paragraph (h) of subsection (1) of the following paragraph:

- (h) for the surrender or production to the commission 10 or a board, under specified circumstances or at the request of the commission or a board, [empowering the commission or a board to require the surrender to it] of a permit that has expired or lapsed or has been withdrawn or suspended in terms of 15 this Act or of which the provisions do not correspond with the authority as contained in the decision of the commission or the board concerned, or in respect of which the authority has been amended [or the production to it of any permit for 20 its amendment];"; and
- (c) by the substitution for paragraph (j) of subsection (1) of the following paragraph:
  - (j) prescribing records to be kept by any person engaged in road transportation, as well as by any per-25 son or categories of persons contemplated in section 1 (2), and returns and information to be submitted by any such person to the commission or any board or any other person or department of State, and providing for the registration of such a 30 person with the commission, a board or any other person or department of State;".

16. Section 31 of the principal Act is hereby amended—(a) by the substitution for paragraph (d) of subsection (1)

- of the following paragraph: 35 "(d) being the holder of a permit authorizing the conveyance of goods, contravenes any prohibition contained in a notice published in the Gazette under section 2 (f), [or] (g) or (gA); or";
- (b) by the insertion after the said paragraph (d) of the fol- 40 lowing paragraphs:
  - "(e) being the holder of a permit or undertaking conveyance which is excluded in terms of section 1 (2) from the definition of 'road transportation', contravenes any prohibition contained in a proclama- 45 tion contemplated in section 43 (1) (d) or (e); or
  - (f) being the holder of a permit, makes that permit available to any other person to undertake road transportation not authorized under this Act,"; and
- and 50 (c) by the substitution for paragraph (a) of subsection (2) of the following paragraph:
  - "(a) shall not be convicted under paragraph (b) of subsection (1) in respect of any contravention of or failure to comply with a provision, condition or re- 55 quirement of his permit if adherence to or compliance with the provision, condition or requirement in question would have constituted the offence contemplated in paragraph (d) or (e) of that subsection;". 60

17. Section 33 of the principal Act is hereby amended by the addition at the end of paragraph (g) of subsection (1) of the word "or" and by the insertion after the said paragraph of the following paragraphs:

Amendment of section 31 of Act 74 of 1977, as amended by section 18 of Act 91 of 1980.

Amendment of section 33 of Act 74 of 1977.

Substitution of section 35 of

Act 74 of 1977.

"Penalties.

Amendment of section 36 of

Act 74 of 1977

#### **ROAD TRANSPORTATION AMENDMENT ACT, 1983**

- (h) with intent to deceive, prepares any document for use in connection with road transportation containing an incorrect description of the goods concerned, knowing that description to be incorrect; or
- (i) obtains a public permit or a private permit from the 5 commission or a board knowing that a public permit or private permit has already been issued to some other person in respect of the vehicle concerned,".

18. The following section is hereby substituted for section 35 of the principal Act:

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35. Any person convicted of an offence under this Act for which no other penalty is expressly provided, shall be liable to a fine not exceeding [one thousand rand] R10 000 or to imprisonment for a period not exceeding [twelve months] two years or to both such 15 fine and such imprisonment.".

19. Section 36 of the principal Act is hereby amended—
(a) by the substitution in subsection (1) for the words preceding the proviso of the following words:

"The court convicting any person of an offence 20 under this Act involving the undertaking of unauthorized road transportation or of an offence under section 31 (1) (e) may, and shall on a third and each subsequent conviction of such an offence, declare the motor vehicle used in such transportation and any goods conveyed thereon without authority, or the convicted person's rights in such motor vehicle or goods, to be forfeited to the State:"; and

(b) by the substitution for subsection (2) of the following 30 subsection:

"(2) Section [50H (4)] <u>35 (4)</u> of the Criminal Procedure Act, [1955 (Act No. 56 of 1955)] <u>1977 (Act No.</u>

51 of 1977), shall *mutatis mutandis* apply with reference to any forfeiture under subsection (1) of this section.". 35

Amendment of section 37 of Act 74 of 1977. 20. Section 37 of the principal Act is hereby amended by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

"[If any person who was convicted on two or more occasions] On a second or subsequent conviction of a person 40 of an offence involving the undertaking of unauthorized road transportation (whether under section 31 (1) or under the corresponding provisions of a law repealed by section 47) [is convicted of such an offence committed within three years after the date of the last previous conviction] the commission or a board may, and a board, if so directed by the commission, shall—".

Amendment of section 38 of Act 74 of 1977. 21. Section 38 of the principal Act is hereby amended by the addition to subsection (1) of the following paragraph:

(e) if it is proved that any person undertook road transpor-50 tation in contravention of the provisions of section 31 (1) in that he conveyed goods of which the conveyance was not authorized by a permit, or otherwise than in accordance with the provisions of a permit, it shall be presumed that such person knew what the goods con-55 cerned were, unless it is proved that in spite of proper care taken by him he could not have known.".

Amendment of section 43 of Act 74 of 1977. ROAD TRANSPORTATION AMENDMENT ACT, 1983

22. Section 43 of the principal Act is hereby amended by the addition to subsection (1) of the following paragraphs:

(c) notwithstanding anything to the contrary contained in this Act, prohibit the commission and any competent board from considering any application for a permit for 5 the conveyance of persons, goods or a category of goods to or from a specified place or area or between specified places or areas as specified in the proclamation;

(d) notwithstanding anything to the contrary contained in 10 this Act or the permit concerned, prohibit any holder of a permit to convey persons, goods or a category of goods to or from a specified place or area or between specified places or areas as specified in the proclamation;

 (e) nothwithstanding anything to the contrary contained in this Act, prohibit the conveyance to or from a specified place or area or between specified places or areas of goods which or persons who are in terms of section 1 (2) excluded from the definition of 'road transpor- 20 <u>tation</u>'.".

23. Section 44 of the principal Act is hereby amended by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

"The Minister may enter into an agreement with the gov- 25 ernment of any country or territory [bordering on the Republic] with reference to—".

24. (1) The principal Act is hereby amended by the substitution for the expression "Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957)", 30 the words "Railways Administration" and the words "Secretary for Transport", wherever they occur, of the expression "South African Transport Services Act, 1981 (Act No. 65 of 1981)", the words "South African Transport Services" and the words "Director-General: Transport", respectively. 35

(2) For the purposes of the principal Act any reference to the Railways Administration in any law, deed or other document shall from 1 October 1981 be construed as a reference to the South African Transport Services referred to in section 2 of the South African Transport Services Act, 1981. 40

25. This Act shall be called the Road Transportation Amendment Act, 1983, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

Amendment of section 44 of Act 74 of 1977.

Substitution of certain expressions and references.

Short title and commencement.