

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO**

**AIR TRAFFIC AND
NAVIGATION SERVICES
COMPANY AMENDMENT BILL**

[B 6—2018]

(As agreed to by the Portfolio Committee on Transport (National Assembly))

[B 6A—2018]

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AMENDMENTS AGREED TO

AIR TRAFFIC AND NAVIGATION SERVICES COMPANY AMENDMENT BILL

[B 6—2018]

CLAUSE 1

1. On page 2, in line 14, to omit “, (Act No. 44 of 1993)”.
2. On page 2, in line 16, to omit “, 1993 (Act No. 44 of 1993)”.
3. On page 2, after line 16, to insert the following definition:

“ ‘Companies Act’ means the Companies Act, 2008 (Act No.71 of 2008);”.
4. On page 2, from line 19, to omit the definition of “company” and to substitute for the following definition:

“ ‘company’ means the Air Traffic and Navigation Services Company, established in terms of section 2;”.
5. On page 2, in line 27, to omit “, 1993 (Act No. 44 of 1993)”.
6. On page 3, in line 7, to omit “and”.
7. On page 3, after line 7, to insert the following paragraph:

“(f) by the substitution for the definition of “Shareholding Minister” of the following definition:
“ ‘Shareholding Minister’ means the Minister [**mentioned**] designated in terms of section [3(3)] 3(4);”.
8. On page 3, in line 8, to omit “(f)” and to substitute for “(g)”.
9. On page 3, in line 11, to omit “, 2008 (Act No.71 of 2008)”.

CLAUSE 2

1. On page 3, in line 16, to omit “**of [public]**” and to substitute for “**and classification of**”.
2. On page 3, in line 20, to omit the second “and”.
3. On page 3, in line 21, to omit “subsections (2), (3), (4), (5) and (6)” and to substitute with “subsection (6);”.
4. On page 3, after line 21, to insert the following new paragraphs (d) and (e):

“(d) by the substitution in subsection (7) for paragraph (c) of the following paragraph:
“(c) The majority of the non-executive directors shall be persons who are not [**officers or**] employees [**as defined in section 1**] in terms of the Public Service Act, [**1984 (Act No. 111 of 1984)**] 1994 (Proclamation 103 of 1994).”

- (e) by the addition, after subsection (7), of the following subsection:

“(8) As from the date of commencement of the Companies Act, the company is classified as a state-owned company listed under Schedule 2 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), subject to the applicable transitional arrangements under section 224 and Schedule 5 of the Companies Act.””.

CLAUSE 3

1. On page 3, in line 47, to omit “and” and to substitute for “or”.
2. On page 3, in line 50, to omit “in section 5”.

CLAUSE 5

1. On page 5, in line 27, to omit “prolixity” and to substitute for “volume”.

CLAUSE 8

1. On page 6, in line 31, to omit “, 11(1) or 11(12)” and to substitute for “or 11(1) or (12)”.

CLAUSE 10

1. On page 7, after line 2, to insert the following new paragraph:

“(c) by the substitution for the expression “Minister of Finance”, wherever it occurs, of the expression “Minister responsible for Finance”.”.
2. On page 7, in line 3, to omit “(c)” and to substitute for “(d)”.
3. On page 7, in line 5, to omit “and”.
4. On page 7, in line 6, to omit “(d)” and to substitute for “(e)”.
5. On page 7, in line 8, to substitute the full stop at the end of paragraph (d) for the expression “; and”.
6. On page 7, after line 8, to add the following new paragraph:

“(f) by the substitution for the expression “State President”, wherever it occurs, of the expression “President”.”.

LONG TITLE

1. On page 2, in line 4 of the long title, to omit the word “Regulating”.

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