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Road Safety Council Act, 1983

Act 10 of 1983

Legislation as at 1 December 1998

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Road Safety Council Act, 1983
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Road Safety Council Act, 1983

Act 10 of 1983

Commenced on 10 October 1979

[This is the version of this document at 1 December 1998.]

An Act to establish the Road Safety Council, to promote road safety, to set up a Road Safety fund and to provide for matters incidental thereto.

1. Short title

This Act may be cited as the Road Safety Council Act, 1983.

2. Interpretation

In this Act, unless the context otherwise requires—

“**Council**” means the Road Safety Council established under [section 3](#);

“**Financial year**” means the period referred to under [section 11](#);

“**Fund**” means the Fund established under [section 10](#);

“**Levy**” means the levy imposed under [section 14](#);

“**Minister**” means the Minister responsible for Public Works, and Transportation.

3. Establishment of the Council

(1) There is hereby established the Road Safety Council which shall consist of—

- (a) the Commissioner of Police;
- (b) the Secretary to the Road Transportation Board;
- (c) ten members appointed by the Minister as follows—
 - (i) the examiner for drivers’ licences;
 - (ii) a person who has special knowledge of road safety on account of training and experience;
 - (iii) two persons who shall represent the interests of Town Councils and town management boards;
 - (iv) six persons appointed by the Minister on the recommendation of such organisations as the Minister may determine.

(2) The Minister shall designate two of the members appointed under paragraph (c) as Chairman and Deputy Chairman.

(3) A member of the Council appointed under [section 3\(1\)\(c\)\(iv\)](#) shall hold office for such period, not exceeding five years and on such terms and conditions as the Minister may determine and shall be eligible for re-appointment.

4. Road safety officer

(1) There shall be a road safety officer of the Council who shall be a public officer.

- (2) The road safety officer shall attend all meetings of the Council and shall participate in the deliberations thereof.

5. Executive Committee of the Council

- (1) There shall be an Executive Committee of the Council which shall consist of—
 - (a) the Chairman of the Council who shall be the Chairman of the Committee;
 - (b) the Deputy Chairman of the Council who shall be the Deputy Chairman of the Committee;
 - (c) the road safety officer appointed under [section 4](#);
 - (d) a person nominated by the Minister on recommendation of the Council from among the members appointed under [section 3\(1\)\(c\)\(iv\)](#).
- (2) The Executive Committee shall have such duties and perform such functions as may, subject to this Act, be assigned to it by the Minister after consultation with the Council and shall carry out the decisions of the Council.
- (3) A member of the Committee shall cease to be a member thereof if he ceases to be a member of the Council.

6. Functions of the Council

The functions of the Council shall be to promote road safety and shall in pursuance thereof—

- (a) execute a comprehensive research programme on road safety;
- (b) at the Minister's instruction inquire into and make recommendations on any matter falling within its functions;
- (c) guide the Government and the public on road safety by organising symposia, lectures or such other gatherings as may be conducive to the promotions of road safety;
- (d) to initiate road safety measures.

7. Powers of the Council

The Council shall in the performance of its duties—

- (a) assign research projects to persons or organisations who in its opinion are best qualified to carry them out;
- (b) consult with other authorities, organisations or persons.

8. Powers of the Minister

The Minister may give directions of a general nature to the Council relating to the performance of its duties and the Council shall comply therewith.

9. Procedure of the Council and the Executive Committee

- (1) The proceedings of the Council and other matters relating thereto shall be governed by the provisions set out in the Schedule hereto.
- (2) The Executive Committee shall make its own rules of procedure.
- (3) The Minister may, by notice in the *Gazette* amend the Schedule.

10. Road Safety Fund

- (1) The Council shall establish and administer a Road Safety Fund into which shall be paid—
 - (a) money received by the Council under [section 14](#);
 - (b) money appropriated by the Government for purposes of the Council;
 - (c) money which may accrue to the Council from any other source.
- (2) The Fund shall be used by the Council in discharging its obligations under this Act.

11. Financial year

The financial year of the Council shall be the period from the 1st April in one year to the 31st March in the following year and in respect of the first accounting period it shall be a period whether shorter or longer than twelve months as the Council may determine.

12. Accounts and audit

- (1) The Council shall open and keep books of account in proper form.
- (2) The Council shall within three months of the end of the financial year, submit a report to the Minister on its activities during that year and containing such other information as the Minister may require.
- (3) The annual report of the Council shall, among other things, include a report on the financial affairs of the Council and there shall be annexed thereto—
 - (a) a balance sheet;
 - (b) a statement of income and expenditure during the year audited by the Auditor-General or by such other auditor as he may designate;
 - (c) a report of the Auditor-General on the accounts.
- (4) The audited accounts and annual reports shall be laid before Parliament by the Minister within a reasonable time after he has received them.

13. Appointment of staff

- (1) There shall be appointed to the Council such officers as may be necessary.
- (2) The Council shall pay such remuneration to the members and its appointed officer who are not public officers as the Minister may determine.

14. Road safety levy

- (1) A road safety levy to be determined by the Minister after consultation with the Council shall be payable on a motor vehicle which is required to be insured in terms of section 3 of the Compulsory Motor Vehicle Insurance Order, No. 47 of 1973.
- (2) The levy shall be payable by the owner of a motor vehicle referred to in subsection (1) to an authorised insurer when payment is made in respect of compulsory third party insurance.
- (3) Any amount received by way of levy in terms of this section, shall be transmitted by the authorised insurer to the Council within thirty days.
- (4) Notwithstanding section 12 of the Compulsory Motor Vehicle Insurance Order, 1973 no insurance token shall be issued to any person who has not paid the levy in terms of this section.

15. Regulations

The Minister may make regulations for carrying out the purposes of this Act

Schedule (Section 8)

Rules of procedure of the Council

1. The Council shall meet at least once every three months.
2. The Chairman of the Council shall convene and preside at all meetings of the Council.
3. In the absence of the Chairman, but subject to the quorum, the Deputy Chairman shall preside and in the absence of both, the Council shall appoint an Acting Chairman from among the members present to preside at a meeting.
4. The quorum for a meeting of the Council shall be six.
5. All decisions of the Council shall be made by a majority of the votes of the members present and in the event of an equality of votes, the Chairman, or in his absence the Deputy Chairman, or in the absence of both, the Acting Chairman, shall have a casting vote in addition to his deliberate vote.
6. Subject to the Act and this Schedule the Council may regulate its own proceedings.