

REPUBLIC OF SOUTH AFRICA

**THE SOUTH AFRICAN NATIONAL
ROADS AGENCY LIMITED
AND NATIONAL ROADS
AMENDMENT BILL**

*(As introduced in the National Assembly; (proposed section 76); (explanatory
summary of Bill published in Government Gazette No. 40500 of 15 December 2016)
(The English text is the official text of the Bill)*

(MR MSF DE FREITAS, MP)

[B 20—2017]

ISBN 978-1-4850-0389-2

No. of copies printed 800

GENERAL EXPLANATORY NOTE:

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

_____ Words underlined with a solid line indicate insertions in existing enactments.

BILL

To amend The South African National Roads Agency Limited and National Roads Act, 1998, so as to impose a duty on the South African National Roads Agency; to identify an alternative route to every road declared a toll road; to compel the South African National Roads Agency to consult with the Premier of a Province and with the Municipal Council, before declaring a national road a toll road; to provide for a provincial referendum where a reasonable threshold of objections against a toll road were received; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 27 of Act 7 of 1998, as amended by section 3 of Act 3 of 2013

1. Section 27 of The South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998), is hereby amended— 5

(a) by the substitution in subsection (4) for paragraph (b) of the following paragraph:

“(b) the Agency in writing—

(i) has requested the Premier in whose province the road proposed as a toll road is situated, to comment on the proposed declaration and any other matter with regard to the toll road (and particularly, as to the position of the toll plaza) within a specified period (which may not be shorter than 60 days); 10
[and]

(ii) has given every municipality in whose area of jurisdiction that road is situated the same opportunity to so comment; 15

(iii) has submitted the proposal to the provincial legislature in whose province the road proposed as toll road is situated and received a majority vote in favour of the proposed declaration from the members of that provincial legislature; and 20

(iv) has identified an alternative route of comparable distance which must—

(aa) be a tar road;

(bb) be maintained adequately; and

(cc) be suitable for increased usage;”; 25

(b) by the substitution in subsection (4) for paragraph (bA) of the following paragraph: