

# Roads bill would cut need for legal assistance

CAPE TOWN: Actuaries in the Department of Transport are looking into four aspects of the Road Accident Ben Schemes Bill, which were flagged as problematic at public consultations.

By [Linda Ensor](#) 5 Mar 2015



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This meant that the bill's submission to Parliament would be delayed, MPs heard on Tuesday, 3 March. The bill will introduce a set of defined benefits in a no-fault system of compensation for road accident victims, cutting out the need for legal assistance.

The proposed law is likely to face a mountain of opposition from legal firms, which derive a large slice of their revenue from this type of business.

The bill will also exclude liability of certain persons - who would otherwise be liable under common law - for damages caused by accidents.

The chief director of legal services in the department, Adam Masombuka, told Parliament's portfolio committee on transport that the four areas requiring research were the family support to be offered under the scheme, income support, the funding model and benefit levels.

Once the actuaries have completed their work, sections dealing with formulas and actuarial calculations would be incorporated into the bill. After the bill has been approved by the state's law advisers, it will be sent to the National Economic Development and Labour Council (Nedlac) and, thereafter, to the Cabinet for approval.

The committee was briefed on a number of other bills due to be tabled this year.

The Merchant Shipping Amendment Bill aims to protect the rights of seafarers and their conditions of employment. It has been approved by Nedlac and the Cabinet for tabling in Parliament.

The Administrative Adjudication of Road Traffic Offences Amendment Bill aims to enhance the efficiency and financial stability of road traffic authorities, including the Road Traffic Infringement Authority. The bill will introduce the electronic service of documents such as traffic fines.

"This introduction will reduce substantially the expenditure paid by the authority to the Post Office for issuing registered mail and will further avoid the frustration of the authority during Post Office strikes," Mr Masombuka said.

The bill has been approved by Nedlac but has to be presented to the justice and crime prevention service Cabinet subcommittee. It was at an advanced stage and would be tabled in Parliament before May.

The National Land Transport Amendment Bill deals with the interface between national and provincial governments and municipalities in the establishment of integrated public transport networks.

Several other bills are in the process of being drafted.

The Airports Company Amendment Bill and the Air Traffic and Navigational Services Company Amendment Bill will deal with the composition and functioning of the regulating committee.

The Single Transport Economic Regulation Bill will consolidate the economic regulation of transport within a single framework and policy to establish a transport economic council. "We are currently finalising consultation with internal stakeholders and thereafter the bill will be published for public comments," Mr Masombuka said.

Another bill in the drafting stage is the National Road Traffic Amendment Bill, which will provide for the registration and licensing of vehicle manufacturers, builders, body builders, importers and makers of number plates. It will provide for the registration of driving schools and reduction of the legally permissible blood alcohol concentration level.

*Source: Business Day*

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