

Statutory Instrument No. 137 of 1975

ROAD TRAFFIC ACT, 1972
(43 of 1972)

ROAD SAFETY COMMITTEE REGULATIONS, 1975

(Published on the 15th of November, 1975)

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IN EXERCISE of the powers conferred by sections 127 and 128 of the Road Traffic Act, 1972, the Minister of Works and Communications hereby makes the following Regulations –

PART I – Preliminary

Citation and commencement

1. These Regulations may be cited as the Road Safety Committee Regulations, 1975, and shall come into operation on such date as the Minister may, by notice published in the Gazette, appoint.

Interpretation

2. In these Regulations, unless the context otherwise requires, –
“Committee” means the Road Safety Committee established under Part II of these Regulations;
“Fund” means the National Road Safety Fund established under Part III of these Regulations;
“Ministry” means the Ministry of Works and Communications.

PART II – Road Safety Committee

- 3.** (1) There is hereby established a Road Safety Committee. Road Safety Committee
(2) The Committee shall consist of the Chairman, the Vice-Chairman and 9 other members as follows –
- (a) the Chairman shall be the Permanent Secretary, Ministry of Works and Communications, or his representative;
 - (b) the Vice-Chairman shall be the Chief Road Engineer, Ministry of Works and Communications;
 - (c) the other members shall be –
 - (i) The Permanent Secretary, Ministry of Finance and Development Planning, or his representative;
 - (ii) the Permanent Secretary, Ministry of Education, or his representative;
 - (iii) the Attorney-General's representative;
 - (iv) the Commissioner of Police or his representative;
 - (v) a representative of the insurance companies offering third party insurance in Botswana;
 - (vi) a representative of the Road Safety Association of Botswana;
 - (vii) a representative of the service clubs;
 - (viii) a representative of the Chamber of Commerce; and
 - (ix) the Transport Secretary, Ministry of Works and Communications.
- 4.** The Ministry shall designate an officer to act as secretary of the Committee who shall exercise the powers and perform the duties conferred or imposed upon him by the Committee, and provide other personnel and facilities required in the work of the Committee. Secretary of Committee
- 5.** (1) The object of the Committee shall be the promotion of road safety in Botswana. Object and functions
(2) The Committee shall –
- (a) follow closely road safety research in order to take appropriate action to promote road safety.
 - (b) undertake the collection of information in connexion with road safety and the making available thereof to authorities and persons concerned and the public generally;
 - (c) give guidance regarding road safety by means of the organizing of conferences, seminars and lectures, and by means of mass communication media and in any other manner deemed fit by the Committee;
 - (d) consult with authorities and persons concerned in a road safety system in order to assist the Ministry in the co-ordination and activation of the combating of road accidents;
 - (e) at the request of the Ministry, enquire into and report and make recommendations on any matter falling within the objects of these Regulations;
 - (f) perform such other tasks falling within the objects of these Regulations as the Ministry may impose upon the Committee; and
 - (g) make recommendation to the Ministry on the carrying out of a resolution passed by the Committee but to which no effect is given or for some legal reason no effect can be given.

Powers of Committee	<p>6. In order to achieve its object and to perform its functions the Committee may –</p> <ul style="list-style-type: none"> (a) finance programmes promoting road safety; (b) produce or acquire publicity materials, including films, for its own use, or to be used by others to promote road safety; (c) disseminate information in connexion with road safety by means of the press and radio; (d) produce publications to promote road safety and pay rewards for matter inserted therein; (e) obtain the services of advertising institutions for the promotion of road safety; (f) assist authorities in the arrangements to train learner drivers; (g) assist in providing training facilities for motor vehicle drivers; (h) give guidance to associations or bodies of persons having objects similar to those of the Committee; (i) organize and finance conferences, seminars and lectures to promote road safety; and (j) with the approval of the Ministry, take any other steps which may be necessary to achieve its objects.
Meetings	<p>7. (1) The Committee shall meet at such times and places as the Chairman or, if he is absent, the Vice-Chairman may determine but not less than 4 times per year.</p> <p>(2) The Chairman or, if he is absent, the Vice-Chairman shall preside at all meetings of the Committee, and, if both the Chairman and the Vice-Chairman are absent from a meeting, the members present shall elect a person from among themselves to preside at such meeting.</p> <p>(3) The decision of a majority of the members of the Committee present at a meeting of the Committee shall constitute a decision of the Committee and, in the event of an equality of votes on any matter, the person presiding at the meeting in question shall have a casting vote in addition to his deliberative vote.</p> <p>(4) 5 members of the Committee shall form a quorum.</p>
Powers of Chairman	<p>8. During periods between the meetings of the Committee, and subject to such directions as the Committee may give from time to time, the Chairman shall perform all the functions and exercise all the powers of the Committee, but shall not have the power, save insofar as the Committee may otherwise direct, to set aside or vary a decision of the Committee.</p>
Validity of acts and decisions of Committee	<p>9. No act or decision of the Committee shall be invalid by reason only of the fact that a person who was entitled to receive notice of a meeting of the Committee failed to receive it and was absent when such act was performed or such decision was taken, whether or not such concurrence was necessary for the performance of such act or the taking of such decision.</p>
Remuneration and allowances of members	<p>10. Every member of the Committee, other than a government officer, shall be paid from the public revenue an amount of R6 per meeting, and his travel expenses shall be covered according to the rules applied to government officers.</p>

PART III – National Road Safety Fund

11. A special fund, to be known as the National Road Safety Fund, is hereby established. Establishment of Fund

12. The purpose of the Fund is to receive and safeguard monies made available to it or earned by it which are to be utilized to meet financial obligations of the Committee. Purpose of Fund

13. There shall be paid into the Fund – Receipts into Fund

- (a) such monies as may be appropriated from time to time by Parliament for the purposes of the Fund;
- (b) contributions to the Committee to be used for its purposes; and
- (c) R1 per annum per motor vehicle, as prescribed in the principal Act.

14. (1) A levy of R1 per annum shall be payable on every motor vehicle, as prescribed in the principal Act. Levy on motor vehicles

(2) The levy shall be collected in connexion with the licensing of vehicles in Botswana and at the border posts when vehicles which have been licensed outside Botswana enter Botswana.

15. (1) The Permanent Secretary of the Ministry for the time being responsible for finance (hereinafter referred to as “the accounting officer”) shall be the public officer responsible for the administration of the Fund. Administration of Fund

(2) In the exercise of any power conferred on him under these Regulations, the accounting officer may exercise such power personally or through any other public officer authorized by him in writing.

16. Monies of the Fund not immediately required for the purposes of section 12 shall, as far as possible, be invested by the accounting officer on behalf of the Fund in such investments and on such terms – Investment of monies of Fund

(a) as shall contribute to the achievement of the objectives of the National Development Plan, as approved from time to time by resolution of the National Assembly; and

(b) as the President, on the advice of the Minister for the time being responsible for finance, shall direct:

Provided that such investments or terms shall not in any way prejudice the achievements of the purposes of the Fund.

17. The accounting officer may from time to time deposit, or renew deposits of, monies of the Fund which are not invested in accordance with section 16, in the Joint Consolidated Fund administered by the Crown Agents, or in such financial institutions as are approved by the Minister for the time being responsible for finance. Deposits of monies not otherwise invested

18. The accounting officer may, in accordance with the directions of the Minister for the time being responsible for finance, realize investments of monies of the Fund. Realization of investments

19. There shall be paid from the Fund such amounts as may be approved by the Committee. Payments from Fund

MADE this 4th day of November, 1975.

L.D. LEKALAKE,
Permanent Secretary,
Ministry of Works and Communications