
GENERAL NOTICE

NOTICE 985 OF 2009

DEPARTMENT OF COMMUNICATIONS

NOTICE OF INTRODUCTION OF THE SOUTH AFRICAN POST OFFICE BILL INTO PARLIAMENT

The Department of Communications intends introducing the South African Post Office Bill into Parliament before end of 2009. Written comments on the proposed Bill must be received within 30 days of the date of publication of this notice (i.e. 02 September 2009) at any of the following addresses:

For attention: Project Manager
 Postal Policy Directorate
 Department of Communications;

Post to: Private Bag X860
 Pretoria
 0001

or deliver to: First Floor, Block A3
 iParioli Office Park
 399 Duncan Street
 Hatfield

or fax to: (012) 427 8059

fax 086 6822810

or e-mail to: sapobill@doc.gov.za

Please note that comments received after the closing date may be disregarded

Ms Phindile Dlamini can be reached at tel. (012) 427 8169/ 7017 for any enquiries

The Bill and consultation document can be obtained at the Department's website: www.doc.gov.za or at Government Printers.

REPUBLIC OF SOUTH AFRICA

SOUTH AFRICAN POST OFFICE BILL

(As introduced in the National Assembly as section 75 Bill, explanatory summary of Bill published
Gazette No. of 2009)

(The English text of the Bill is the official text of the Bill)

(Minister of Communications)

[B 01----2009]

BILL

To provide for the repeal of the Post Office Act (No. 44 of 1958) and to provide anew provisions regarding the governance and the structure of the Postal Company, and provide for matters connected therewith.

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

ARRANGEMENT OF SECTIONS

1. Definitions
2. Objects of the Act
3. Ownership of the Postal Company
4. Functions of the Postal Company
5. Government Support
6. Appointment of the Board and control of the Postal Company
7. Disqualification
8. Delegation
9. Removal from office of members of the Board
10. Meetings of the Board
11. Responsibilities of the Board
12. Submission of reports and business plans
13. Board Committees
13. Remuneration of members of Board
15. Advisory committees
16. Appointment of Senior Management
17. Responsibilities of the Senior Management
18. Expenditure by Postal Company

19. Publication and keeping of accounts of the Postal Company
20. Application of public finance management act
21. Inspection of accounts and documents by the Minister
22. Appointment of independent External Auditor
23. Operational Divisions of the Postal Company
24. Power of Minister to make policies and regulations
25. Limitation of liability
26. Offences and Penalties
27. Repeal of laws
28. Short Title and commencement date

Definitions

1. In this Act, unless the context otherwise indicates—

“Authority” means the Independent Communications Authority of South Africa established by section 3 of the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000);

“Board” means the board of director’s postal company as constituted from time to time;

“Companies Act” means the companies act, 1973 (Act No. 16 of 1973);

“Department” means the department of communications;

“Director”- General means the officer occupying the post with that designation on the fixed establishment of the Department;

“Executive member” means executive member of the board;

“Family” means members of the same household related by blood, marriage or adoption, (including but not limited to parents, spouses and children) siblings and descendants of siblings;

“Financial statement” means statements consisting of at least a balance sheet, an income statement, a cash flow statement and other statements that may be prescribed and any notes to these statements;

“Minister” means the Minister charged with the administration of the Department;

“Member” means an executive and non executive member of the board;

“Non Reserved postal services” means non reserved postal services contemplated in schedule 2 of the Postal Services Act, 1998 (Act No. 124 of 1998);

“Non Executive Member” means non-executive member of the Board;

“Postal Company” means the South African Post Office Limited;

“Post Office” includes any house, building, room, vehicle, place or structure where postal articles are received, sorted, delivered, made up or dispatched or which is used for any other purpose in connection with the rendering of any postal, savings, money transfers or other services by the postal company and any pillar box or for the reception of postal articles;

“Prescribed” means prescribed by or under this Act;

“PFMA” means the public Finance Management Act, 999 (Act No. 1 of 1999);

“Reserved postal services” means the reserved postal services contemplated in schedule 1 of the Postal Services Act;