

## **ADMINISTRATIVE ADJUDICATION OF ROAD TRAFFIC OFFENCES AMENDMENT BILL - COMMENTS FROM CANCOM SA**

### **BACKGROUND OF CANCOM:**

- The administration and management of AARTO Infringements and related documents on behalf of their clients, including but not limited to: The South African Car Rental Industry, The South African Fleet Industry, The South African Automotive Industry.
- CANCOM have been administering the AARTO Infringement Notices and related documents on behalf of their clients for the last 9 years.

### **Amendment of section 1 of Act of 1998, as amended by section 1 of Act 22 of 1999 and Section 1 of Act 72 of 2002**

1.(d)(b) e-mail messages between the Authority and an addressee in an electronic communication format;

#### **COMMENTS:**

- Who determines which e-mail address is used?
- Does this include the addressee being able to e-mail the Authority any nomination, representation, election to be tried in court etc... as well?

### **Amendment of section 1 of Act of 1998, as amended by section 1 of Act 22 of 1999 and Section 1 of Act 72 of 2002**

1.(d)(c) text messaging by the Authority to the recipient's cellular telephone;

#### **COMMENTS:**

- Who determines which cellular telephone number is used?
- What information will be contained in the text message regarding infringements?
- What will the repercussions be should the nominated person change their cellular telephone number?
- For companies that have thousands of fines issued to them due to the nature of their business, how will a nominated person within that Company manage the hundreds or thousands of text messages that will inundate them?
- How will the recipient of the text messages be able to administer the required action posed by the text message?
- If a text message is an acceptable form of "electronic service" of infringements, will the AARTO 03 become null and void?
- If the AARTO 03 does not become null and void, and they are still issued accordingly and along with text messaging, when will the time lines of AARTO start – when the text is received or the AARTO 03 Infringement notice?

**MEMORANDUM ON THE OBJECTS OF THE ADMINISTRATIVE ADJUDICATION OF ROAD TRAFFIC OFFENCES AMENEDMENT BILL, 2015**

**4. FINANCIAL IMPLICATIONS**

- (b) Large fleet operators will benefit from the efficient service as the drastically reduced costs of submitting nominations will be electronic, thereby introducing efficiencies in their business operations.**

**COMMENTS:**

- Does the above clause include the nominations, representations, elections to be tried in court to be served via electronic means?
- If so, will the AARTO Act be amended accordingly?

CANCOM administers over 50,000 traffic infringements and fines per month and therefore have extensive knowledge regarding the administrative issues experienced on a day-to-day basis by both Industry, and the relevant Government Department. There are many possible solutions which we would be happy to share or consult on should the need arise.

We thank you for the opportunity in allowing us to submit comments.

*Electronically Signed*

**LAUREN OLINSKY**

Managing Director