

cc
7E
10 Carlyn Mansions
Myrtle St
8001 Oranjezicht
7th August 1993

The Traffic Manager
via Town Clerk
City of Cape Town

cc Nat. Negotiating Forum } for info.
cc Minister of Justice }

NON-COMPLIANCE WITH ROAD TRAFFIC ACT
(24th Report)

11/2/2/46

At 11.27 on the morning of 7th August 1993 I reported cars parked on the pavement in Hatfield St, Gardens, CT.

At 11.39 not one but two Traffic Officers arrived and stopped next to a white car parked within yellow lines on the pavement next to CT High School entrance gates. The car drove off and after a few minutes wait, so did the 2 Traffic Officers. Lower down, next to Avenue St, on the pavement, were CA 544294, white Kombi-type van and CY 102680, white BMW and on the pavement on the other side of Avenue St corner was CA 46314 grey Opel, which vehicles the Traffic Officers drove right past without stopping, thereby giving them the official OK to violate RTA Section 101.5 which states, "No person shall drive, pull or push a vehicle upon a sidewalk" and Section 98.1 which states, "No person shall park a vehicle on a public road^a in contravention of any Road Traffic Sign. b) on any place referred to in Section 97. Section 97. f states, "(no parking) alongside or opposite any other vehicle on such roadway where such roadway is less than 9m wide".

Note 1. The 'roadway' on the abovementioned pavement, 'allowed' by the CT Traffic Dept but not by the RTA, is less than 9m wide - the 'allowed' pavement parking was all occupied by parked cars.

Note 2. This is Non-Compliance Report No. 24, repeat, No. 24!

Note 3. This matter of non-compliance with the RTA Reports to the CT Traffic Dept has been going on unresolved since 21/5/1990.

Note 4. The Traffic Manager has confirmed to me in writing 1) that they "sometimes" allow illegal parking. 2) that they must have discretion where the law of the land is concerned.

Note 5. These matters have been brought to the attention of the CT Traffic Manager, Town Clerk, City Ombudsman, Ministry of Local Govt, the CP Administrator and the Minister of Transport, all to no avail whatsoever.

Note 6. It is no use at all my approaching my Parliamentary Representative, who happens to be DP Ken Andrew because he refused to represent me, holding that "I firmly believe in the devolution of power and would therefore not be able to support any Act of Parliament prescribing to local authorities...". In other words HIS and the DP's views take precedence over this citizen's, mine, in a Democratic Party-type of so-called democracy.

Note 7. Since time immemorial man has survived by laws and that is because laws are the only thing which puts order into society; not public pleas, minutes of silence, white ribbons or any other such puerile and ineffective showmanship. All life, all nature is governed by laws; fortunately for man. A society as degraded and unethical as this one NEEDS laws much more than a more civilized one does.

But any law is as effective as it is enforced. There are good laws and there are bad laws but any law is better than no law. For a group of men to lord it over their fellows, they must be effectively putting order into human society. A govt which is not effectively putting order into society is a sham for it has no other reason to exist. Also, by natural law, it will fail. This bottom-of-the-barrel, highly-abettered attitude today of being too scared to tramp on some dignitary's toes, of being "reasonable", of de-as-thou-wilt 'liberalism' is doing society in.

A law is a law. Only Parliament has the authority to set, change or abrogate Parliament's laws. The Traffic Manager or any of the Dept's employees has no authority to ignore or waive the

provisions of the RTA. When they do so they are:

- 1) in contempt of Parliament.
- 2) educating the motoring public to ignore Traffic Laws through demonstrating official emission of duty.
- 3) Guilty of partiality, being indulgent to some while discriminating against others.
- 4) aiding and abetting disorder and lawlessness by being "reasonable" in lieu of law enforcement and subscribing to the principle of DISorganization wherein each section of an 'organization' makes its own independent laws and policies to form an unstable, disorderly mob.
- 5) displaying unfitness and incompetence to hold the vital necessity of a law-enforcement agency, making of it a mockery.

The RTA itself states: Section 142.1 The Minister may authorize any person to carry out any inspection which the Minister deems necessary to ensure that the provisions of this Act ARE BEING COMPLIED WITH.

Section 148. The Act shall bind the State and any person in the service of the State.

Section 149. ANY person who contravenes or fails to comply with any provision of this Act...shall be guilty of an offence.

In these days of widespread corruption, when everything is governed by money instead of by ethics and rationality, the vigorous upholding of laws and the order they bring is absolutely paramount. Those who take a sloppy, indulgent, reasonable or can't-be-bothered attitude to laws and law enforcement (all those I've contacted about it) are overtly or covertly siding with disorder - which has risen to unprecedented heights in SA over the past 2½ years, notice - even the rest of the world has.

It is high time this undesirable state of affairs be terminated and I hereby call on ethical and responsible authorities to do so forthwith.

Yours faithfully

R. Pentecost



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