



PROVINCE OF KWAZULU - NATAL - ISIFUNDAZWE SAKWAZULU - NATALI

**DEPARTMENT OF TRANSPORT  
UMNYANGO WEZOKUTHUTHA**

**MEDIA STATEMENT**

**DATE: 28 MARCH 2007**

**HIGH COURT RULES IN FAVOUR OF DEPARTMENT OF TRANSPORT TO STOP SECOND  
HAND IMPORTED VEHICLES FROM OPERATING IN SA**

The Supreme Court of Appeal today dismissed, with the costs of two counsel, an appeal by Clearing Agents, Receivers & Shippers (the appellant) against a decision of the Durban High Court upholding a directive issued by the Director General of the Department of Transport that regulation 84 of The Road Traffic Regulations, which was promulgated by the Minister of Transport in terms of the National Traffic Act 93 of 1996, does not authorize the issue of temporary permits in respect of imported second hand motor vehicles intended to be driven in transit of South African roads, for the purposes of export.

Suffice is to say that we are ecstatic with the outcome, further we believe that in this decision, the courts have upheld our view that the issuing of these permits were contrary to legislation, and should be stopped.

It must be reiterated that we are not stopping “free trade”, and this decision merely protects the interests of our own public, from the dangers associated with these vehicles, which one must remember have been deregistered in the Country of origin. The owners are free to transit the country with their “goods”, they however may not make use of our road system to do so.

Therefore, as of today, the issuing of 21 day and 3 day permits, to the so called “second hand import motor vehicle industry” has been stopped in accordance with the SCA ruling.

As of the 19<sup>th</sup> of April 2007, any “Second hand in transit motor vehicle”, making use of such permit will be subject to impoundment and the operator will face prosecution to the full extent of the law.

Ends

Issued by the Office MEC

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