

ADDRESS TO THE MEDIA ON PUBLIC TRANSPORT INTERVENTIONS IN UTHUNGULU DISTRICT DELIVERED BY THE MEC FOR TRANSPORT, COMMUNITY SAFETY AND LIAISON, MR. WILLIES MCHUNU, KWAZULU-NATAL DEPARTMENT OF TRANSPORT'S EMPANGENI REGIONAL OFFICE ON THURSDAY, 3 MARCH 2016,

- The Head of Department of Transport, Sibusiso Gumbi;
- The Management of the Department present;
- Members of the media;
- Ladies and Gentlemen.

Good afternoon.

We thank you for attending this media briefing, which in our view is very critical to the people of uThungulu and indeed, the people of KwaZulu-Natal.

It is crucial because the majority of citizens daily rely on public transport to connect to important amenities such as schools, clinics, work areas, and shopping facilities.

Millions of KwaZulu-Natal citizens travel on subsidised public transport. In addition, approximately 22 000 school learners attending more than 226 schools where distances are above 3 kilometres, also receive free and safe scholar transport. In addition, well more than 9 000 learners enjoy bicycle rides to school, which they have received from this government.

All of these services are either subsidised or offered by the government for free, to largely needy learners in underdeveloped communities, as part of the commitment to make access to education easy. Government provides these services also as part of connecting communities, as we do with our roads and bridges infrastructure rollout, across the entire province. We do provide these services, even as we acknowledge that the infrastructure and services backlog remains too huge to accommodate all citizens in need.

Transformation of the Subsidised Bus Services

I wish to emphasise that our efforts to ensure the transformation of our Subsidised Bus Services are also forging ahead, as I had announced during the last Budget Vote Statement.

As part of this transformation programme, we are ensuring that the public transport services are provided by operators who reflect the demographics of this province. The programme will see 18 out of 23 contracts achieving empowerment objectives, across districts including Uthungulu. More black African operators will participate, with an estimated R246 million expected to transfer to African operators by 2019/ 2020. These, of course, are funded through the Public Transport Operations Grant (PTOG).

The Uthungulu Subsidised Bus Services stand-off

Perhaps one should take this opportunity to share, briefly, of where we come from with the Subsidised Bus Services, specifically in relation to Uthungulu. This is in light of the reporting in the local and the mainstream media on the bus operation in the area of Kweza-KwaMthethwa. At the centre of it has been the two main operators in the area, uThungulu Bus Line and TansAfrica.

UThungulu Bus Line has been operating 40 buses as sub-contractors under TansAfrica since June 2007 until June 2014. Their sub-contracting agreement was then suspended due to a number of challenges and concerns raised by both drivers and the community.

In terms of the agreement between the main operator and sub-contractor; a provision exists that should the sub-contractor default, the main operator must take over the services for a period of three (3) months. This period would then allow the sub-contractor an opportunity to address concerns or challenges in their operation. Once there is proof that concerns had been addressed, the sub-contractor must be re-instated.

Among the challenges which were raised by the community, during the period of uThungulu Bus Line was operation are:

- The condition of buses;
- The disrespect to commuters by the operator;
- Poor communication between the operator and the community; and
- Poor customer service by the operator.

The drivers of uThungulu Bus Line also raised concerns, among them were:

- Late or no payment of wages;
- Non-payment of the employer's portion of the provident fund;
- Concerns pertaining to leave;
- Concerns pertaining to bonuses;
- Disrespect by the employer;
- Poor working conditions;
- The condition of buses; and
- Drivers being forced to pay for any damages caused to the buses.

The matter was then referred to the Head of Department and myself (MEC) by the operator. As a result, the Department sanctioned an investigation between May and July 2015. The investigation found that the termination of uThungulu Bus Line contract was unlawful and further recommended the re-instatement.

The Department then had to embark on the re-instatement process. However, there were conditions that all the above concerns raised by the community and the drivers needed to be addressed.

Over and above these conditions, the company had to provide proof of the following:

- Diesel account;
- Operating licences;
- Fleet of 40 buses plus spare buses;
- Appointment of the operation's General Manager;
- Appointment of the operation's Community Liaison Person; and
- Financial viability of the company.

Subsequent to that, a notice was given to TansAfrica on the 10th of September 2015, informing them to stop operating on the 4th of October 2015, as uThungulu Bus Line was preparing to resume operations on the 5th of October 2015.

A series of meetings were convened with various stakeholders, including councillors, izinduna, and transportation committees to brief them and solicit their support to speed up the process.

Closer to the date of resuming the operation, it emerged that the operator was not ready. When inspectors were sent, it became clear that:

- The buses were less than the number expected;
- The General Manager was not employed; and

- There was outstanding documentation which had not been submitted.

This was despite numerous attempts by the Department to engage the operator, at all times emphasising the need for compliance.

Before the operator could resume operations; drivers and community members staged a strike here in eMpangeni regional office, objecting to the reinstatement of uThungulu Bus Line, which further indicated that there was a serious challenge.

On the 12th of October 2015, the day the operator was supposed to resume, there were still outstanding documents. Both operators, the main contractor and sub-contractor, were operating, which was an untenable situation.

In addition, there were allegations that community members were assaulted by security personnel hired by uThungulu Bus Line. Some community members also objected to uThungulu Bus Line operating.

This was followed by the court cases, operators interdicting one another. On the 5th of December 2015, the Durban High Court interdicted TanAfrica from operating and ordered that uThungulu Bus Line resume operations.

The Department filed an opposing affidavit on the bases that there were still outstanding compliance matters, which needed to be attended to before the operator could resume operations.

The Department has been intervening even in trying to settle the matter between uThungulu Bus Line and its drivers, who have raised a number of allegations, including abuse by the operator.

Informed by this background, we still deemed it necessary to meet with the drivers of uThungulu Bus Line today with a view of hearing their concerns and find solutions.

The efforts we have put as a Department is informed by our conviction that our policy is correct, and that uThungulu Bus Line as an appointed legitimate operator, should resume operations.

We cannot live with this situation for far too long and now it must be resolved so that the people of KwaMthethwa can be transported, without any problems.

If our latest intervention does not yield results, we will have to look at all legal avenues available to address this matter, including cancelling this existing contract and go to an open tender.

In conclusion, as government we also wish to apologise to the people of KwaMthethwa who have been negatively affected by this stand-off.

We remain convinced that African operators must be empowered and stand firm on our policy position to radically transform the economy – however, we cannot overlook compliance and other important issues.

We are now pulling all stops to ensure that this matter is resolved with speed, failing which, we will have no choice but look at what will best serve the interest of the commuters.

Thank you.