

ABRIDGED EXECUTIVE SUMMARY

1) DEFINITIONS

The definitions contained in the regulations seek to clarify and provide an in-depth analysis into the reading of the regulations and code of conduct. The definitions are essential to escape the risk of interpretation disputes on account of vagueness or other uncertainty. The interpretation of each definition can be found in the Regulations which shall form a counterpart to this abridged version and are included but not limited to and are listed as the following:

- (a) 'accounting officer' means the Head of Department;
- (b) 'association' means any group of persons formed primarily in relation to the operation of minibus-taxi type services and:
 - i) which has been formed not for gain;
 - ii) whose object is to promote the interests of its members; and
 - iii) whose funds are to be applied in promoting those interests;
- (c) 'code of conduct' means the code of conduct prescribed for the KwaZulu-Natal province by the MEC in terms of the regulation and Schedule A hereof;
- (d) 'condemned circumstance' means any situation where any driver or operator or any agent of any driver or operator knew or ought reasonably to have known that any condemned outcome would occur or is likely to occur but failed to take reasonable steps to prevent such condemned outcome;
- (e) 'condemned outcome' means loss of human life or injury to any person or intimidation of any person or damage to any property or disruption to the provision of public transport services;
- (f) 'conflict resolution committee' means an ad hoc committee established by the MEC to mediate and arbitrate on conflict matters arising in the public transport sector of the province;
- (g) 'core city' means a municipality designated under section 4 of the Urban Transport Act 1977 (Act 78 of 1977);

- (h) 'Department' means KwaZulu-Natal Provincial Department of transport related matters over which the MEC has executive authority;
- (i) 'Inspector' means an inspector designated under these regulations;
- (j) 'interprovincial transport' means a public transport operating between two or more provinces;
- (k) 'Head of Department' means the head of the Department over which the MEC is executive authority;
- (l) 'member' means, where membership of an association is involved, a member of an association and, where membership of the PRE is involved, a member of the PRE;
- (m) 'non-member' means any person, whether a natural person or a juristic person who is not a member of an association;
- (n) 'NLTTA' means the National Land Transport Transition Act 2000 (Act 22 of 2000);
- (o) 'public disorder' means any act or omission that has or may cause a danger to the general public or any section of the general public;
- (p) 'public transport boycott' means the complete or partial retardation, obstruction or discontinuation of the provision of public transport services by any driver or any operator or any association or any non-member or any other person;
- (q) 'public transport violence' means any act that is, has been or is being committed or caused to be committed or permitted to be committed or threatened to be committed or threatened to be caused to be committed or threatened to be permitted to be committed or is likely to be committed by any driver or operator or association or non-member or any other person with the intention of causing or the effect of a condemned outcome
- (r) 'PRE' means the KwaZulu-Natal Public Transport Regulatory Entity;
- (s) 'registered constitution' means an association's constitution, filed in the head of administration for the PRE's records pursuant to the association's successful application for provisional or full registration;

- (t) 'head of administration of the PRE' means the person appointed as the head of administration of the PRE for KwaZulu-Natal by the MEC in compliance with relevant provincial laws;
- (u) 'the Act' means the National Land Transport Act, 2009 (Act 5 of 2009);

PART 1 – INTRODUCTORY PROVISIONS

2) PURPOSE

The purpose of the regulations is primarily to professionalise the public transport industry through a code of conduct that ensures accountability, to deal with the lacuna created by the new dispensation in respect of associations that exist and are yet to exist, to authorise the development of a best practice aligned governance toolkit for the PRE and to survive legislative provisions which otherwise would create difficulty if not so survived.

3) CODE OF CONDUCT FOR OPERATORS AND DRIVERS OF PUBLIC TRANSPORT VEHICLES

The code of conduct binds all operators and drivers. The fundamental emphasis is placing the passenger and public at large at the centre of the regulatory environment as they are direct stakeholders who are singularly or universally affected by the nature and extent of the experience of the provision of public transport services. This emphasis necessitates the codification of generally accepted standards of behaviour in the industry and consequences for deviation therefrom.

4) GOVERNANCE AND COMPLAINEE STANDARDS AND PROCEDURES FOR THE PROVINCIAL REGULATORY ENTITY

The accounting officer ensures that a handbook or other manual is developed and used by the PRE in order to ensure the effective, efficient and economical conduct of the affairs of the PRE. Persons entrusted with such must undergo training and ensure effective implementation of the regulations. Participants affected by the PRE are identified and familiarised with the material terms in the handbook or any other manual. Unsatisfactory performance against the handbook or other manual will be dealt with accordingly. Assessment will be regularly performed on the impact of performance against the handbook or other manual. Steps will be taken to adapt and enhance the quality of the handbook or other manual to an extent that is reasonably necessary. Or any other steps will be the responsibility of the PRE.

5) RECOGNITION OF ASSOCIATIONS

All associations which existed before and after the term of the NLTTA shall have to adhere to the rules and regulations of the NLTTA. All the associations that were or were not recognised during the NLTTA, will have the same rights and obligations. The head of the administration of the PRE will assume all rights and obligations relating to associations in terms of the NLTTA.

6) IMPACT ASSESSMENT AND CONTINUOUS IMPROVEMENT

The PRE executes a delicate public function in a volatile industry. The MEC, being the political head of the administration housing the PRE, cannot continuously be ambushed and be in a reactive mode as this is a poor commentary on efficient execution. Great care has been taken to place the MEC in a position where the MEC enjoys live acquaintance with the PRE environment and is empowered to make informed decisions and assess the performance of the PRE on an ongoing basis. This delivers value on the level of enhanced performance by the PRE and in ensuring that, at any given point, the MEC engages with industry and stakeholders on the basis of real-time information.

7) OUTREACH

This regulation deals with the statutory requirement of public participation and generally ensuring that all stakeholders are meaningfully engaged. The MEC will publish the regulations within thirty (30) days of the regulations coming into effect; they must be published in English and in isiZulu newspapers resulting in wide-spread circulation throughout the province of KwaZulu-Natal.

8) FUNCTIONS OF THE MEC

This regulation gives practical effect to the statutory imperatives of section 9(2) with regard to execution of functions by the MEC and place the MEC in a position where the imperatives of indication, measurability, ongoing evaluation and consequences management are observed.

PART 2 - HEAD OF ADMINISTRATION FOR THE PRE AND ASSOCIATIONS

9) TRANSFER OF ROLES AND RESPONSIBILITIES

This regulation gives effect to the efficient transfer of PRE responsibilities and lays the foundation for measurability and continuous improvement in terms of regulation 10.

10) FUNCTIONS OF THE HEAD OF ADMINISTRATION FOR THE PRE

His or her functions include receiving, considering and deciding upon applications for the registration of associations and their members or non-members; suspending or cancelling the registration of any association, member or non-member; maintaining a register and keep records and filing written quarterly reports with the MEC to trigger approval or appropriate interventions.

11) REGISTRATION OF ASSOCIATION OR NON-MEMBER IN ONE PROVINCE ONLY

This regulation gives effect to the surviving legislative framework restricting registration to one province.

12) PROVISIONAL REGISTRATION AND FULL REGISTRATION OF ASSOCIATIONS AND NON-MEMBERS REGISTERED UNDER PROVINCIAL LAWS

This regulation deals with the entire value chain for provisional and full registration of associations and non-members in a manner aligned to surviving legislation.

13) DIRECT FULL REGISTRATION OF ASSOCIATIONS

This regulation deals with full registration in a manner aligned to surviving legislation.

14) REGISTRATION OF MEMBERS

This regulation deals with registration of members in a manner aligned to surviving legislation.

15) ISSUING OF CERTIFICATES AND DISTINGUISHING MARKS UPON REGISTRATION OR PROVISIONAL REGISTRATION

This regulation deals with the issue of certificates and distinguishing marks in a manner aligned to surviving legislation.

16) REQUIREMENTS FOR CONSTITUTIONS OF ASSOCIATIONS

This regulation deals with the requirements for constitutions of associations in a manner aligned to surviving legislation.

17) BENEFITS OF REGISTRATION

This regulation deals with the benefits of registration in a manner aligned to surviving legislation.

18) APPOINTMENT OF HEAD OF ADMINISTRATION FOR THE PRE

This regulation deals with the appointment of the head of administration for the PRE in a manner aligned to surviving legislation.

19) DISQUALIFICATION FOR HOLDING HEAD OF ADMINISTRATION FOR THE PRE'S OFFICE

This regulation deals with disqualification of the head of administration in a manner aligned to surviving legislation.

20) RESIGNATION OF HEAD OF ADMINISTRATION FOR THE PRE AND REMOVAL FROM OFFICE

This regulation deals with the resignation and removal from office of the head of administration in a manner aligned to surviving legislation.

21) VACATION OF OFFICE

This regulation deals with the vacation of office in a manner aligned to surviving legislation.

22) FUNCTIONS OF THE HEAD OF ADMINISTRATION FOR THE PRE

This regulation deals with the functions of the head of administration for the PRE in a manner aligned to surviving legislation.

23) HEAD OF ADMINISTRATION FOR THE PRE REQUIRED TO DISCLOSE COMMERCIAL AND PECUNIARY INTERESTS

This regulation deals with the disclosure of commercial and pecuniary interest by the head of administration for the PRE in a manner aligned to surviving legislation.

24) HEAD OF ADMINISTRATION FOR THE PRE TO REPORT ANNUALLY

This regulation deals with the annual reports by the head of the administration of the PRE in a manner aligned to surviving legislation.

25) ESTABLISHMENT AND FUNCTIONS OF PANEL OF ASSESSORS

This regulation deals with the establishment and functions of the panel of assessors in a manner aligned to surviving legislation.

26) APPOINTMENT, REMUNERATION AND CONDITIONS OF SERVICE OF ASSESSORS

This regulation deals with appointment, remuneration and conditions of service of assessors in a manner aligned to surviving legislation.

27) MEETINGS OF PANEL OF ASSESSORS

This regulation deals with the meetings of panel of assessors in a manner aligned to surviving legislation.

28) PANEL OF ASSESSORS MAY CO-OPT IN CERTAIN CIRCUMSTANCES

This regulation stipulates that the panel of assessors may co-opt in certain circumstances in a manner aligned to surviving legislation.

29) RESIGNATION AND REMOVAL FROM AND VACATION OF OFFICE BY ASSESSORS

This regulation deals with the resignation and removal from office of assessors in a manner aligned to surviving legislation.

30) DISCLOSURE OF ASSESORS' COMMERCIAL AND PECUNIARY INTERESTS

This regulation deals with the disclosure of assessors' commercial and pecuniary interests in a manner aligned to surviving legislation.

31) PROVISIONAL AND FULL REGISTRATION OF ASSOCIATIONS AND NON-MEMBERS PREVIOUSLY REGISTERED

This regulation deals with the provisional and full registration of associations and non-members previously registered in a manner aligned to surviving legislation.

32) PROVISIONAL REGISTRATION OF ASSOCIATIONS NOT QUALIFYING DIRECTLY FOR FULL REGISTRATION

This regulation deals with the provisional registration of associations which do not qualify directly for full registration in a manner aligned to surviving legislation.

33) DIRECT FULL REGISTRATION OF ASSOCIATIONS

This regulation deals with the direct full registration of associations in a manner aligned to surviving legislation.

34) APPLICATION AND REGISTRATION PROCEDURE

This regulation deals with the application and registration procedure of associations in a manner aligned to surviving legislation.

35) REGISTRATION OR PROVISIONAL REGISTRATION OF MEMBERS

This regulation deals with the registration or provisional registration of members in a manner aligned to surviving legislation.

36) REGISTRATION OF NON-MEMBERS

This regulation deals with the registration of non-members in a manner aligned to surviving legislation.

37) CERTIFICATES OF REGISTRATION AND DISTINGUISHING MARKS

This regulation deals with certificates of registration and distinguishing marks in a manner aligned to surviving legislation.

38) DUTIES OF REGISTERED AND PROVISIONALLY REGISTERED ASSOCIATIONS AND NON-MEMBERS

This regulation deals with the duties of registered and provisionally registered associations and non-members in a manner aligned to surviving legislation.

39) REQUIREMENTS FOR CONSTITUTIONS OF ASSOCIATIONS

This regulation deals with the requirements for constitutions and associations in a manner aligned to surviving legislation.

40) NON-COMPLIANCE WITH REGISTERED CONSTITUTION, THE ACT, REGULATIONS UNDER THE ACT AND BREACH OF SCHEDULE A TO THESE REGULATIONS

This regulation deals with non-compliance in a manner aligned to surviving legislation, and a breach of schedule A to the regulations.

41) CANCELLATION OR TEMPORARY SUSPENSION OF REGISTRATION OR PROVISIONAL REGISTRATION OF ASSOCIATIONS, MEMBERS AND NON-MEMBERS

This regulation deals with cancellation or temporary suspension in a manner aligned to surviving legislation.

42) EFFECT OF LAPSING OR CANCELLATION OF REGISTRATION ON HOLDING OF PERMIT OR OPERATING LICENSE

This regulation deals with the lapsing or cancellation of registration in a manner aligned to surviving legislation.

43) REGISTRATION OR PROVISIONAL REGISTRATION IS NO BAR TO PROSECUTION FOR UNAUTHORISED OPERATION OF PUBLIC TRANSPORT

This regulation deals with registration or provisional registration being no bar to prosecution in a manner aligned to surviving legislation.

PART 3 - DISPUTE RESOLUTION

44) HANDLING OF COMPLAINTS AND HOLDING OF INQUIRY BY HEAD OF ADMINISTRATION FOR THE PRE

Section 86(n) of the Act allows for the lodging of complaints with the head of administration of the PRE. Such complaints are to be in writing, delivered by hand or sent by registered post and the nature and reasons for such complaint must be clearly set out. A record of such complaints must be kept.

The head of administration will consider the complaint and receive any recommendations considered necessary to deal with the complaint and decide whether an inquiry should be held, or whether the relevant association should deal with it. At least 14 days' written notice should be given to all affected parties to attend such formal inquiry. Details of the inquiry are set out further under regulation 44.

45) FUNCTIONING OF CONFLICT RESOLUTIONN COMMITTEE

Any conflict situations will be dealt with by a conflict resolution committee established by the MEC and consisting of at least three (3) and not more than five (5) independent persons. The chairperson must have at least seven (7) years' experience as an attorney or advocate. When dealing with matters before it, the conflict resolution committee is to be guided by the principles and guidelines of arbitration as envisaged in the Arbitration Act, 1965.

46) APPEALS TO APPEALS TRIBUNAL

All appeals to the Appeals Tribunal are to strictly be in accordance with the Appeals Tribunal Act of 1998 and the rules and procedures prescribed by the appeals tribunal. Decisions and directives made by the appeals tribunal are to be effected by the PRE accordingly without undue delay.

PART 4 REGULATIONS AND ENFORCEMENT

47) IMPOUNDING PROCEDURES

This regulation deals with impounding procedures and the appropriate form to be completed in the course of executing impoundment. It also deals with release from impoundment.

48) CONFISCATION OF DISTINGUISHING MARKS RELATING TO OPERATING LICENSES

This regulation deals with circumstances under which distinguishing marks may be removed and confiscated in the context of the National Road Traffic Act.

49) DOCUMENTATION OF AGREEMENTS BETWEEN ASSOCIATIONS

This regulation essentially provides that, in circumstances where there are multiple associations that render public transport services which are of common origin and/or destination, or operate within a commonly defined geographical area or share ranks or other public facilities, the head of administration for the PRE must document the terms of existing

agreements between the affected associations in a reciprocity agreement. Such agreement is to include details regarding the routes or geographical areas being operated on, the shared routes, ranks or other public facilities and operational arrangements and must be signed by the affected associations.

50) IDENTIFICATION OF AUTHORISED OFFICERS

This regulation deals with the appropriate identification of authorised officers on duty.

51) INSPECTORS

This regulation deals with qualifications of inspectors and the verification powers of such inspectors.

52) MANNER OF STOPPING VEHICLES BY AUTHORISED OFFICER

This regulation gives true expression to the National Road Traffic Act on matters pertaining to the authorised stopping of vehicles.

53) CONDITIONS GOVERNING DISCONTINUATION OF PUBLIC TRANSPORT BY OPERATOR

This regulation essentially provides that a holder of an operating licence intending to discontinue the service to which an operating licence relates must notify the PRE in writing and deliver such notice by hand or registered post at least thirty (30) days before discontinuation.

54) TEMPORARY SUSPENSION OF PUBLIC TRANSPORT SERVICE

This regulation essentially provides that an operator who temporarily suspends a public service must, by way of written notice, notify the PRE. The notice is to contain reasons for suspension.

55) SURRENDER OF OPERATING LICENCES

This regulation essentially provides that a holder of an operating licence whose provisions do not correspond with the authorisation as granted by the PRE or which has lapsed, been withdrawn, cancelled or suspended must surrender the operating licence by hand or registered post to the PRE, within seven (7) days after the date of notice from the PRE, which notice is to be dispatched to the holder by registered post, similarly with the surrender following cancellation or suspension of registration or failure by a non-member to apply for registration.

56) NOTIFICATION OF CHANGE OF CONTACT DETAILS OF HOLDER OF OPERATING LICENCE

This regulation essentially provides that the holder of an operating licence whose contact details change must notify the PRE not later than ten (10) days after such change, by way of written notice delivered by hand, electronic means or by registered post.

57) SUSPENSION OR WITHDRAWAL OF RIGHTS RELATING TO ROUTES

This regulation essentially provides the PRE may suspend or withdraw all or limit any rights, title or interest conferred to any party in respect of the operation or use of, or in relation to, any route. Provided that the PRE determines that such rights, title or interested were not acquired in good faith.

PART 5 – THE PROVINCIAL REGULATORY ENTITY

58) POWERS AND DUTIES OF THE PRE

The objective of this regulation is to outline the powers of the PRE and how it must execute its statutory roles and responsibilities. This regulation provides a concise and uniform procedure for the PRE to follow when dealing with hearings and matters before it. The regulation promotes procedurally fair administrative action as the PRE deals with complaints and hearings and ensures compliance with the provisions of PAJA.

59) ADMINISTRATION OF THE PRE

Regulation 59 seeks to provide administrative support in order to enable efficient and effective management of the PRE and to provide administrative services to the PRE. This regulation aims to enhance the administrative capacity of the PRE in order to have prompt responses to licence applications as well as reducing of backlogs.

60) REPORTING ON ACTIVITIES OF THE PRE

The objective of this regulation is that the HOD and the MEC must be sufficiently informed on operational and management activities of the PRE. The Chairperson must, therefore, submit quarterly reports to the HOD on the activities of the PRE. This regulation will serve as a control mechanism which will ensure that there is smooth running of the PRE and good governance as well as assist in monitoring and evaluation of the PRE operational requirements.

61) ASSIGNMENT OF POWERS AND DUTIES OF THE PRE

The objective of this regulation is to enable the PRE to delegate their powers to a person, official, agent or entity. This assignment is, however, subject to a number of limitations the PRE may impose.

62) GENERAL CONDITIONS RELATING TO OPERATING LICENCES

The general conditions listed under this regulation relates to buses, metered taxis, mini-bus taxis, staff services, midi-bus and scholar transport. The objective of this regulation is to provide terms and conditions relating to the provision of public transport. It will give the PRE powers to monitor the public transport industry more efficiently and effectively by imposing penalties in the event of non-compliance with the licence conditions, NLTA and Regulations. It will also assist to avoid issuing of duplicate licences and provide for better public transport routes management.

63) SPECIAL CONDITIONS

The objective of this regulation is to provide special terms and conditions suited for specific public transport services.

64) EXTRAORDINARY MEASURES

This regulation gives the MEC far reaching powers which, we cautioned, must be called into service in exceptional circumstances with particular regard being had to High Court judgments dealing with similar cases in other jurisdictions.

65) STATUS OF THE SURVIVING REGULATIONS

Regulation 65 serves to revive and incorporate the old regulations which were repealed under the KwaZulu-Natal Public Transport Act Repeal Act. In the event that there are any inconsistencies between the old and new regulations, the provisions of the new regulations shall prevail.

SCHEDULE "A"

CODE OF CONDUCT

1. DEINITIONS AND INTERPRETATION

1.1. Unless otherwise expressly stated, or the context otherwise requires, the words and expressions listed below shall, when used in this Policy, or in any schedules hereto, bear the meanings ascribed to them below and cognate expressions bear corresponding meanings:

- a) "Condemned Circumstances" means any situation where any Driver or Operator or any agent of any Driver or Operator knew or ought reasonably to have known that any Condemned Outcome would occur or is likely to occur but failed to take reasonable steps to prevent such Condemned Outcome;
- b) "Condemned Outcomes" means loss of human life or injury to any person or intimidation of any person or damage to any property or disruption to the provision of public transport services;
- c) "Constitution" means the Constitution of the Republic of South Africa, 1996;
- d) "Driver" means any person that undertakes driving in the public transport industry strictly in accordance with the NLTTA or the NLTA and any person assisting or acting on behalf of or acting through such Driver or collective of Drivers;
- e) "MEC" means the Member of the Executive Council who is responsible for public transport in the Province of KwaZulu-Natal;
- f) "Material Adverse Event" means any event or circumstance directly or indirectly resulting from any act or omission on the part of any Driver or Operator or any agent thereof which has the effect of or is likely to

contravene or undermine or adversely affect any provision of or the implementation of this code of conduct;

- g) "Operator" means any person carrying out the business of a public transport service in terms of a valid operating license or a valid permit in terms of the NLTA or NLTTA and any person assisting or acting on behalf of or acting through such Operator or collective of Operators;
- h) "PRE" means the Provincial Regulatory Entity established in terms of section 23 of the Act;
- i) "The Act" means the National Land Transport Act 5 of 2009;
- j) "code of conduct" means this code of conduct in terms of the regulations to which this code of conduct constitutes Schedule A;
- k) "Unrest" means a state of unlawful or illegal disturbance in the provision of public transport.

2. AND 3 INTRODUCTION AND PURPOSE

In terms of the NLTTA, an MEC may make regulations regarding a code of conduct for drivers or operators. The code seeks to professionalise and improve the public transport industry. Following this code of conduct would lead to the improvement of public transport related activities and will ensure that they are conducted in an appropriate manner and that they affirm the central role of the user of public transport and the public as key stakeholders.

This will ensure acceptable behavioural standards and improve stakeholder participation in the public transport industry. This code of conduct constitutes material terms and conditions on which drivers and operators are permitted to operate.

4. RELATIONSHIP WITH THE PRE

The PRE grants permission relating to participation in the public transport industry such permission constitutes personal rights and obligations. The central theme is that, the provision of public transport being a constitutionally ordained imperative vesting with government, these granted permits are essentially assisting government in executing a public function and must, as somewhat an extension of government, conduct themselves with a particular degree of priority. A detour from general standards of priority will attract consequences fitting any particular detour.

5. RELATIONSHIP WITH THE PASSENGER

The passenger is placed at the centre of the provision of public transport services. After all, the passenger is the customer and the long standing tradition is that the customer is [royalty]. Essentially, it is drivers and operators, who are servants of their masters, as it is in any master-servant relationship, have to serve at the pleasure of their masters. It is in this context that drivers and operators are enjoined to:

- a) consider general interests, circumstances and concerns of the passengers;
- b) act in a dignified, unbiased and impartial manner;
- c) provide a safe and cost effective experience;
- d) understand that passengers are customers who ultimately have a vital say in how government and its agencies regulate the public transport industry and who directly contribute to the financial well-being of the operators and drivers; and
- e) have special regard for passengers with special needs, the elderly and children.

6. RELATIONSHIP AMONG DRIVERS AND OPERATORS

Essentially, all drivers and operators, in carrying out activities and conducting business, must at all times make the passengers a priority, conduct themselves in a cordial manner and hold one another responsible for ensuring appropriate behaviour.

7. PERFORMANCE OF DUTIES

Essentially, all drivers and operators, in carrying out activities and conducting business, must at all times:

- a) aim to achieve the purposes and general standards of the code of conduct;
- b) take steps to avoid condemned circumstance or condemned outcomes or material adverse event;
- c) fulfil their duties in a professional and competent manner;
- d) not engage in any unlawful activities;
- e) Not engage in situations that will result in a conflict of interest;
- f) Take steps to better understand the business environment and the available opportunities in the public transport industry; and
- g) undergo regular training which will advance drivers and operators in the public transport industry.

8. PERSONAL CONDUCT AND PRIVATE INTEREST

All drivers and operators in carrying out activities and conducting business must at all times during their duties behave in line with the code of conduct and in such a way that will improve the reputation of the public transport industry.

9. GENERALLY ACCEPTABLE STANDARDS OF CONDUCT

This paragraph contains a non-exhaustive and catch-all list of generally acceptable standards beyond any doubt, deviation from which attracts consequences befitting a particular deviation.

BREACH AND DISCIPLINARY PROCEDURE

17. DISCIPLINARY PROCEDURE

This paragraph sets out the disciplinary procedure; minimum evidentiary standards; mechanisms for equality of arms; fair hearing assurance mechanisms and a series of penalties that visit findings of guilt. This is an ordinary procedure and a case will need to be made out for it to be aborted in a quest to invoke extraordinary measures foreshadowed in paragraph 64. We underscore this cautionary.

End note!:

This abridged version is to be viewed as such and no more and the reader is specifically invited to read the draft pack emailed on the 23rd of December 2015 as the latter is the primary instrument that is to be submitted to the value chain leading to enactment.