



transport

Department:

Transport

PROVINCE OF KWAZULU-NATAL

P R O S P E R I T Y T H R O U G H M O B I L I T Y .

Provincial
Regulatory
Entity

ABOUT THE PROVINCIAL REGULATORY ENTITY (PRE)

The PRE was established under the provisions of the National Land Transport Act of 2009, Act 05 of 2009. The functions of the PRE as contained in the Act are:

24. (1) Each Provincial Regulatory Entity must—

(a) monitor and oversee public transport in the province;
(b) receive and decide on applications relating to operating licences for intra-provincial transport where no municipality exists to which the operating licence function has been assigned, but excluding applications that must be made to the National Public Transport Regulator in terms of section 21.

(2) As soon as possible after this section comes into operation, the MEC must take steps to disestablish the relevant operating licensing board and to establish the relevant Provincial Regulatory Entity and transfer that board's functions to the Provincial Regulatory Entity.

(3) Any application concerning an operating licence or conversion of a permit to an operating licence that is pending before a provincial operating licensing board on the date that this section comes into operation, must be finalised either by that board before it is disestablished or by the Provincial Regulatory Entity after it is established, in terms of this Act and directions given by the MEC.

Powers of Provincial Regulatory Entities

25. (1) A Provincial Regulatory Entity may, in appropriate cases, make inquiries or hold hearings to enable it to perform its functions set out in section 24.

(2) In dealing with any matter before it a Provincial Regulatory Entity must have the prescribed powers.

PURPOSE OF THE BROCHURE

Please note that this brochure only provides a basic guidance to the public transport operators on work and functions of the Provincial Regulatory Entity (PRE).

For more information we recommend that operators consult the PRE support staff on:

- | | | |
|----|----------------|------------------|
| a. | Head Office | : 033-341 9500 |
| b. | Ladysmith | : 036-638 4425 |
| c. | eMpangeni | : 035- 787 8360 |
| d. | Port Shepstone | : 082 904 5241 |
| e. | Mbazwana | : 035 – 571 0021 |



APPLICATION FOR AN OPERATING LICENCE OR PERMIT

In accordance with Section 54 of the National Land Transport Act (NLTA) 2009, Act 05 of 2009 read with Regulation 6 of the NLTA Regulations, 2009, requires public transport operators to have a valid operating licence when transporting members of the public for a reward.

REQUIREMENT	METERED TAXI	MINIBUS	MIDIBUS	BUS SERVICE
New				
Application form – fully completed and signed by Applicant	Yes	Yes	Yes	Yes
Original certified copy of Identity document of Applicant	Yes	Yes	Yes	Yes
Company registration certificate (in case of a Juristic Person) · Original certified copy of Identity Document of representative · Proxy letter	Yes	Yes	Yes	Yes
Original certified copy of rank permit from municipality or in case of private property an original certified copy of letter from the landlord (not older than 3 months)	Yes	Yes	Yes	No
Detailed route description	Yes	Yes	Yes	Yes
Certified copy of the contract between the applicant and the employer (if applicable)	Yes	Yes	Yes	Yes
Proof of passenger liability insurance	Yes	Yes	Yes	Yes
Original valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes
Letter from association regarding allocation of routes (*If applicable)	*Yes	Yes	Yes	No



Additional Authority				
Application form – fully completed and signed by applicant	Yes	Yes	Yes	Yes
Original certified copy of Identity Document of applicant	Yes	Yes	Yes	Yes
Company registration certificate (in case of a Juristic Person) · Original certified copy of Identity Document of representative · Proxy letter	Yes	Yes	Yes	Yes
Original certified copy of Valid permit / operating licence (OL)	Yes	Yes	Yes	Yes
Original certified copy of Professional Driver's Permit (PrDP)	Yes	Yes	Yes	Yes
Original certified copy of the COR/ COF corresponding with the vehicle registration document	Yes	Yes	Yes	Yes
Detailed route description including pick-up and drop off points	Yes	Yes	Yes	Yes
Proof of passenger liability insurance	Yes	Yes	Yes	Yes
Copies of contracts between operator and employer	Yes	Yes	Yes	Yes
Names and addresses of passengers to be conveyed (if applicable)	Yes	Yes	Yes	Yes
Original valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes

COV				
Application form – fully completed and signed by applicant	Yes	Yes	Yes	Yes
Valid original permit / Operating License (OL)	Yes	Yes	Yes	Yes
Original certified copy of Identity document of Applicant	Yes	Yes	Yes	Yes



Company registration certificate (in case of a Juristic Person)	Yes	Yes	Yes	No
· Original certified copy of Identity Document of representative				
· Proxy letter				
Original certified copy of rank permit from municipality or in case of private property an original certified copy of letter from the landlord (not older than 3 months)	Yes	Yes	Yes	No
Original valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes
Original certified copy of the COR/ COF corresponding with the vehicle registration document	Yes	Yes	Yes	Yes
Original certified copy of vehicle registration document / logbook	Yes	Yes	Yes	Yes
Original certified copy of Professional Driver's Permit (PrDP)	Yes	Yes	Yes	Yes
Written authorization from the planning authorities regarding their support of the application, with particular emphasis on the potential impact on existing ranking and terminal facilities	Yes	Yes	Yes	Yes
Proof of passenger liability insurance	Yes	Yes	Yes	Yes

Normal Transfer				
Application form – fully completed and signed by applicant & Transferor	Yes	Yes	Yes	Yes
Original certified copy of Identity Document of applicant & Transferor	Yes	Yes	Yes	Yes
Company registration certificate (in case of a Juristic Person)	Yes	Yes	Yes	Yes
· Original certified copy of Identity Document of representative				
· Proxy letter				
Active original permit and a letter from Association on allocation of routes in case of radius permit	Yes	Yes	Yes	No



Transfer agreement signed by both Applicant and Transferor	Yes	Yes	Yes	Yes
Letter of recommendation in support of the application (if any)	Yes	Yes	Yes	Yes
Original valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes
Proof of passenger liability insurance	Yes	Yes	Yes	Yes

Deceased Transfer				
Application form – fully completed and signed by applicant	Yes	Yes	Yes	Yes
Original certified copy of Identity Document of applicant and Deceased	Yes	Yes	Yes	
Company registration certificate (in case of a Juristic Person)	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> Original certified copy of Identity Document of representative Proxy letter 				
Valid / Active original permit / Operating License (OL) and Route Annexure (Annexure 1)	Yes	Yes	Yes	Yes
The following original certified documents:	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> Letter of authority and next of kin affidavit; or 	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> Letter of executorship and a will; or 	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> Final liquidation and distribution account; or 	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> Certified letter of appointment determining the heir 	Yes	Yes	Yes	Yes
Active original permit and a letter from Association on allocation of routes in case of radius permit	Yes	Yes	Yes	No
Certified original copy of death certificate (if applicable)	Yes	Yes	Yes	Yes
Certified original copy of marriage certificate (if applicable)	Yes	Yes	Yes	Yes



Letter of recommendation or an affidavit in support of the application (if any)	Yes	Yes	Yes	Yes
Original valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes

Conversion				
Application form – fully completed and signed by applicant	Yes	Yes	Yes	Yes
Original certified copy of Identity Document of the applicant	Yes	Yes	Yes	Yes
Company registration certificate (in case of a Juristic Person) · Original certified copy of Identity Document of representative · Proxy letter	Yes	Yes	Yes	Yes
Valid / original permit / Route Annexure (Annexure 1) and decal	Yes	Yes	Yes	Yes
Valid copy of COR/COF corresponding with log-book	Yes	Yes	Yes	Yes
Original certified copy of vehicle registration document / logbook	Yes	Yes	Yes	Yes
Original certified copy of Professional Driver's Permit (PrDP)	Yes	Yes	Yes	No
Original certified copy of rank permit from municipality or in case of private property an original certified copy of letter not older than 3 months	Yes	Yes	Yes	Yes
Original valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes
Letter from association allocating routes (if annexure 1 not available)	Yes	Yes	Yes	No

Scholar	-	-	-	-
Application form – fully completed and signed by the applicant	Yes	Yes	Yes	Yes
Original certified copy of Identity Document of the applicant	Yes	Yes	Yes	Yes



Company registration certificate (in case of a Juristic Person)	Yes	Yes	Yes	Yes
· Original certified copy of Identity Document of representative				
· Proxy letter				
Detailed route description indicating pick-up and drop-off points	Yes	Yes	Yes	Yes
Letter from Municipality approving route description	Yes	Yes	Yes	No
Letter from Municipality (Planning Dept.) for permission if operation is from residence.	Yes	Yes	Yes	No
Original valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes
Proof of passenger liability insurance	Yes	Yes	Yes	Yes
Copies of contracts with learning institution, parents & Operator	Yes	Yes	Yes	Yes
Names and addresses of students to be conveyed	Yes	Yes	Yes	Yes
Letter of support from learning institutions	Yes	Yes	Yes	Yes
Scale of charge	Yes	Yes	Yes	Yes

Charter				
Application form – fully completed and signed by applicant	Yes	Yes	Yes	Yes
Original certified copy of Identity Document of the applicant	Yes	Yes	Yes	Yes
Company registration certificate (in case of a Juristic Person)	Yes	Yes	Yes	Yes
· Original certified copy of Identity Document of representative				
· Proxy letter				
Proof of motor vehicle insurance	Yes	Yes	Yes	Yes
Original valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes
Proof of passenger liability insurance	Yes	Yes	Yes	Yes
Proof of holding area for vehicles (i.e. lease or town planning approval)	Yes	Yes	Yes	Yes



Change of Authority				
Application form – fully completed and signed by applicant	Yes	Yes	Yes	Yes
Valid original permit / Operating License (OL)	Yes	Yes	Yes	Yes
Original certified copy of Identity document of Applicant	Yes	Yes	Yes	Yes
Company registration certificate (in case of a Juristic Person) <ul style="list-style-type: none"> Original certified copy of Identity Document of representative Proxy letter 	Yes	Yes	Yes	Yes
Original certified copy of rank permit from municipality or in case of private property an original certified copy of letter from the landlord (not older than 3 months)	Yes	Yes	Yes	Yes
Original valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes
Valid copy of COR/COF corresponding with log-book	Yes	Yes	Yes	Yes
Original certified copy of vehicle registration document / logbook	Yes	Yes	Yes	Yes
Original certified copy of Professional Driver's Permit (PrDP)	Yes	Yes	Yes	Yes
Written authorization from the planning authorities regarding their support of the application, with particular emphasis on the potential impact on existing ranking and terminal facilities	Yes	Yes	Yes	Yes

Duplicate				
Application form – fully completed and signed by applicant	Yes	Yes	Yes	Yes
Original certified copy of Identity Document of the applicant	Yes	Yes	Yes	Yes
Company registration certificate (in case of a Juristic Person) <ul style="list-style-type: none"> Original certified copy of Identity Document of representative Proxy letter 	Yes	Yes	Yes	Yes



Affidavit from SAPS stating reason for application	Yes	Yes	Yes	Yes
Original certified copy of valid registration document / logbook corresponding to the Operating License	Yes	Yes	Yes	Yes
Original certified copy of Professional Driver's Permit (PrDP)	Yes	Yes	Yes	Yes
Original certified copy of rank permit from municipality or in case of private property an original certified copy of letter from the landlord (not older than 3 months)	Yes	Yes	Yes	Yes
Original valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes

Change of Time				
Application form – fully completed and signed by applicant	Yes	Yes	Yes	Yes
Original certified copy of Identity Document of applicant or proxy	Yes	Yes	Yes	Yes
Company registration certificate (in case of a Juristic Person) <ul style="list-style-type: none"> Original certified copy of Identity Document of representative Proxy letter 	Yes	Yes	Yes	Yes
Certified copy of Valid / Active original permit / Operating Licence (OL) and Route Annexure (Annexure 1)	Yes	Yes	Yes	Yes
Original valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes
Letter or document of recommendation in support of the application (if any).	Yes	Yes	Yes	Yes
Proof of consultation with affected stakeholders	Yes	Yes	Yes	Yes
Schedule/ Time table: existing and proposed	Yes	Yes	Yes	Yes
Fare table: existing and proposed	Yes	Yes	Yes	Yes



Renewal				
Application form – fully completed and signed by applicant	Yes	Yes	Yes	Yes
Original certified copy of Identity Document of applicant or proxy	Yes	Yes	Yes	Yes
Company registration certificate (in case of a Juristic Person) · Original certified copy of Identity Document of representative · Proxy letter	Yes	Yes	Yes	Yes
Certified copy of Valid / Active original permit / Operating Licence (OL) and Route Annexure (Annexure 1)	Yes	Yes	Yes	Yes
Valid copy of COR/COF corresponding with log-book	Yes	Yes	Yes	Yes
Original certified copy of vehicle registration document / logbook	Yes	Yes	Yes	Yes
Original certified copy of Professional Driver's Permit (PrDP)	Yes	Yes	Yes	Yes
Original certified copy of rank permit from municipality or in case of private property an original certified copy of letter from the landlord (not older than 3 months)	Yes	Yes	Yes	No
Certified original copy of renewed contract	Yes	Yes	Yes	Yes
Original valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes

Special Event				
Application form – fully completed and signed by applicant	Yes	Yes	Yes	Yes
Original certified copy of Identity Document of applicant	Yes	Yes	Yes	Yes
Company registration certificate (in case of a Juristic Person) · Original certified copy of Identity Document of representative · Proxy letter	Yes	Yes	Yes	Yes



Original certified copy of valid Permit / Operating License	Yes	Yes	Yes	Yes
Letter from people hiring the vehicle including the following:	Yes	Yes	Yes	Yes
· Contact details of hirer	Yes	Yes	Yes	Yes
· Passenger list	Yes	Yes	Yes	Yes
· Departure and return date	Yes	Yes	Yes	Yes
· Destination	Yes	Yes	Yes	Yes
· Any other information	Yes	Yes	Yes	Yes
Original valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes
Original certified copy of Vehicle Registration / logbook	Yes	Yes	Yes	Yes
Proof of passenger liability insurance	Yes	Yes	Yes	Yes
Valid copy of COR/COF corresponding with log-book	Yes	Yes	Yes	Yes

Temporary Replacement				
Application form – fully completed and signed by applicant	Yes	Yes	Yes	Yes
Original certified copy of Identity Document of applicant	Yes	Yes	Yes	Yes
Company registration certificate (in case of a Juristic Person)	Yes	Yes	Yes	Yes
· Original certified copy of Identity Document of representative				
· Proxy letter				
Original certified copy of valid Permit / Operating License	Yes	Yes	Yes	Yes
Original Valid tax clearance certificate/ correspondence from SARS on pin allocation and printed valid copy of the valid tax clearance.	Yes	Yes	Yes	Yes
Valid copy of COR/COF corresponding with logbook	Yes	Yes	Yes	Yes
Original certified copy of Professional Driver's Permit (PrDP)	Yes	Yes	Yes	Yes



Proof of passenger liability insurance.	Yes	Yes	Yes	Yes
Affidavit from Applicant regarding the reason for the Temporary license application	Yes	Yes	Yes	Yes

WHO MUST APPLY FOR AN OPERATING LICENCE?

Any proper person wishing to operate a public transport for reward can apply.

Operators are to ensure that they fully comply with the requirements before lodging an application at the nearest PRE office.

WHERE AND HOW CAN AN OPERATOR LODGE THEIR APPLICATION FOR AN OPERATING LICENCE?

The applications must be lodged at the nearest PRE office and the addresses are listed below:

- a. **Head Office** : 033-341 9500
291 Pietermaritz Street, Pietermaritzburg, 3201
- b. **Ladysmith** : 036-638 4425
Department of Transport: Ladysmith Regional Office
- c. **Mpangeni** : 035- 787 8360
Department of Transport: Mpangeni Regional Office
Mpangeni Rail
- d. **Port Shepstone** : 082 904 5241
RTI Weighbridge, Port Shepstone
(Opposite Ray Nkonyeni Disaster Management Building)
- e. **Mbazwana** : 035 – 571 0021
Umhlabuyalingana Municipality, R22 , Mbazwana.

WHAT ARE THE P.R.E WORKING HOURS?

PRE working hours are between 07:30 to 16:00 Monday to Friday

DO OPERATORS PAY FOR LODGING APPLICATIONS?

Yes, the fees are prescribed in the NLTA Regulations as follows:

All applications are R300 per application except for temporary / special operating licences which cost R50.



WHAT METHOD OF PAYMENT CAN AN OPERATOR USE?

- a. **Head Office** : Cash, direct deposit and Speed point
- b. **Ladysmith** : Payment via EFT (direct deposit) or Speed point
- c. **Mpangeni** : Payment via EFT (direct deposit) or Speed point
- d. **Port Shepstone** : Payment via EFT (direct deposit) or Speed point
- e. **Mbazwana** : Payment via EFT (direct deposit) or Speed point

CAN THE PRE REJECT AN APPLICATION FORM?

Yes, the PRE can reject an application where application form is not fully and properly completed, or required documents have not been attached.

WHAT IS THE TURN-AROUND TIME FOR AN APPLICATION?

The turn-around time for an application is 90 Days from the day the application was received by PRE.

CAN PRE REFUSE AN APPLICATION FOR AN OPERATING LICENCE?

Yes, after applicant has lodged and the PRE has considered an application the application can either be approved or refused based on the information submitted and presented to the adjudication panel.

WHAT OTHER AVENUES ARE AVAILABLE TO THE OPERATOR SHOULD THE APPLICATION BE REFUSED?

The operator may lodge an appeal with the Transport Appeals Tribunal on the following address:

Secretariat

Transport Appeal Tribunal (TAT)

Department of Transport

Pretoria

Physical Address

No. 159 Forum Building

cnr. Bosman and Struben

Pretoria Central

Pretoria

0001

Tel: 012 309 3065 / 3861 / 3975



Cell: 081 467 5948 (Mr. J. Teffo) / 082 394 8553 (Adv. Z.M. Matebese)

Fax no. 086 226 6208

E-mail : Tribunal@dot.gov.za

WHEN MUST AN OPERATOR RENEW THEIR OPERATING LICENCE?

An operator must apply for renewal of an operating licence not later than 60 days before the

expiry date of the operating licence.

HICH DOCUMENTS MUST AN OPERATOR FURNISH BEFORE BEING ISSUED WITH THE OPERATING LICENCE?

Upliftment requirements are outlined in Section 62 of the NLTA 5 OF 2009 as follows:

- a valid tax clearance certificate from the South African Revenue Service certifying that his, her or its tax affairs are in order
- a current roadworthy certificate, which was issued for the vehicle not earlier than the prescribed point in time, or a duly certified copy of such a certificate, as well as proof that the vehicle is properly licensed and has a national information system model number allocated to it;
- in the case of renewal, transfer or amendment, has returned the previous licence issued for the same service to the entity issuing it;
- proof of insurance cover as prescribed;
- any other proof, information or document as prescribed or required by the PRE.

CAN THE PRE CANCEL AN OPERATING LICENCE?

The PRE may cancel an operating licence in terms of section 79 of the NLTA 5 of 2009.

WHAT IS THE TURN-AROUND TIME OF UPLIFTMENT THE OPERATING LICENCE?

30 days of being notified, failing to uplift within the 30 days prescribed without extension the operating licence will be cancelled.

IS IT ALLOWED FOR AN OPERATOR TO REQUEST EXTENSION OF TIME IF OPERATING LICENCE IS NOT YET UPLIFTED?

Operator may request extension of time not exceeding 30 days to uplift the licence in writing to the adjudication panel.

CAN THE PRE CANCEL THE OPERATING LICENCE?

The PRE must cancel the operating licence if it is still not uplifted within 60 days after the date that the operator was first notified.

WHAT IS THE DURATION OF AN OPERATING LICENCE?



The operating licence is granted for fixed period determined by the PRE and not exceeding FIVE (5) Years.

WHERE CAN AN OPERATOR COLLECT AN OPERATING LICENCE?

The operating licence can be collected at the PRE offices with relevant valid upliftment documents.

WHAT HAPPENS WHEN THE OPERATOR DOES NOT RECEIVE AN OPERATING LICENCE AFTER A REASONABLE PERIOD OF LODGING AN APPLICATION?

The PRE will inform the applicant as to why there are delays in finalising the application or the applicant can contact the PRE offices at the number provided in this brochure.



PROVINCIAL REGULATORY ENTITY MANAGEMENT CONTACT DETAILS:

Chief Director: Provincial Regulatory Entity

Mr SJ Lunga
033-341 9514
082 805 1347
Sifundiswa.lunga@kzntransport.gov.za
Busisiwe.zungu@kzntransport.gov.za

Director: Regulation and Support

Mrs NP Majola
033-341 9514
082 900 4739
Nonhlanhla.hlophe@kzntransport.gov.za
Busisiwe.zungu@kzntransport.gov.za

(A)Director: Public Transport Monitoring and Compliance

Mr SH Ntuli
033-341 9521
082 8061036
Sibusiso.ntuli@kzntransport.gov.za
Jeralda.isaacs@kzntransport.gov.za

For enquiries, complaints and compliments please contact:

Director: Regulation and Support

Mrs NP Majola
033-341 9514
082 900 4739
Nonhlanhla.hlophe@kzntransport.gov.za
Busisiwe.zungu@kzntransport.gov.za

Deputy Director: Institutional Support

Mrs T Nzimande: 0796992099
Thobekile.nzimande@kzntransport.gov.za

Land Assessment unit:

Mr Z Mabaso: 082 805 4126
Mrs F Sikhakhane: 082 805 4126
Mr S Mdluli: 082 727 8443
Mr B Hlengwa: 082 727 3935



For public transport conflict information:

(A)Director: Public Transport Monitoring and Compliance (PTMC)

Mr SH Ntuli

033-341 9521

082 8061036

Sibusiso.ntuli@kzntransport.gov.za

Jeralda.isaacs@kzntransport.gov.za

Deputy Directors within PTMC:

Mr B Stieger: 0828051366

Miss N Nxumalo: 0828051371

Mr S Nhleko: 0828011647





