

# **NATIONAL LAND TRANSPORT ACT 5 OF 2009**

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### **PROPOSED REGULATIONS**

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## **REGULATIONS**

**GNR.877 of 31 August 2009: National Land Transport Regulations on Contracting for Public Transport Services**  
*(Government Gazette No. 32535)*

### **DEPARTMENT OF TRANSPORT**

I, Sibusiso Joel Ndebele, Minister of Transport, hereby make the regulations in the Schedule in terms of section 8 read with section 46 (3) of the National Land Transport Act, 2009 (Act No. 5 of 2009).

**(Signed)**

**S J Ndebele**

**Minister of Transport**

## **SCHEDULE**

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**1. Definitions.**—In these regulations, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act or the Transition Act, has that meaning, and the following words and expressions have the meanings assigned to them:

“**BRT**” means bus rapid transit;

“**IPTN**” means an integrated public transport network;

“**I TP**” means an integrated transport plan;

“**the Act**” means the National Land Transport Act, 2009 (Act No. 5 of 2009); and

“**Transition Act**” means the National Land Transport Transition Act, 2000 (Act No. 22 of 2000).

**2. Negotiated contracts.**—(1) Where a contracting authority has concluded—

- (a) a subsidised service contract, interim contract, current tendered contract or negotiated contract in terms of the Transition Act, such contract shall remain in force until it expires or is terminated, but the contracting authority will not thereby be precluded from concluding negotiated contracts under section 41 of the Act in the same area or on the same routes; and
- (b) a negotiated contract in terms of section 41 of the Act or section 47 (3) of the Transition Act, this will not preclude it from—
  - (i) concluding other such contracts with different operators or on different routes, even if such routes are in the same area; or
  - (ii) providing in such contract for the services to be provided under the contract to be increased or amended in a phased manner during the period of the contract, provided that the total duration of the contract shall not exceed 12 years.

(2) Where there is a subsidised service contract, interim contract, current tendered contract or negotiated contract as contemplated in the Transition Act, or a contract contemplated in section 46 (1) of the Act involving services on BRT routes as part of an IPTN, and such contract has more than three months still to run—

(Editorial Note: Wording as per original *Government Gazette*. It is suggested that the word “subsidised” is intended to be “subsidised”.)

- (a) the municipality establishing the IPTN must enter into negotiations with the relevant provincial department and the operator with a view to involving the operator in the operating agreements for the proposed IPTN; and
- (b) the funds previously allocated for the routes or areas forming part of the services provided in terms of that contract that will be covered by the BRT services must be allocated to the municipality for funding the network contract, subject to the relevant Division of Revenue Act; and
- (c) the province or municipality, as agreed between them and the Department, may conclude a contract in terms of the Act with the existing operator, either by amending the contract or concluding a new contract, or failing agreement with that operator, with another operator or operators, for the remainder of the services, subject to section 11 (2) and (3) of the Act; or
- (d) the contract may be allowed to run its course; or
- (e) the contracting authority may make an offer to the operator in terms of section 46 (1) (c) of the Act.

(3) Sub-regulation (2) shall not prevent the contracting authority from negotiating with the operator as contemplated in that sub-regulation where such a contract has three months or less still to run, or, alternatively the contracting authority may allow the contract to run its course in terms of section 46 (1) (a) of the Act.

(4) Where a municipality is establishing an IPTN contemplated in section 40 or 41 of the Act, it must make reasonable efforts to involve existing scheduled bus and unscheduled minibus taxi operators on the relevant routes in the proposed negotiated contracts, but where the municipality has made an offer in writing, either individually or by notice in the press to such operators and some of the operators have rejected the offer or failed to respond within 21 days, the municipality may conclude—

- (a) one or more negotiated contracts with other operators in terms of section 41 (1) of the Act; or
- (b) subsidised service contracts or commercial service contracts for the services.

(5) Any dispute with regard to the matters contemplated in this regulation must be resolved in terms of the procedures set out in regulations 6 to 9.

(6) The fact that mediation or arbitration is in progress will not prevent or delay a contracting authority from continuing with its activities to rationalize services or to establish IPTNs and conclude contracts with other operators for this purpose, in the interests of improving public transport in the relevant area.

**3. Operating licences and permits in relation to contracts.**—(1) An application for an operating licence based on a contract contemplated in section 56 of the Act—

- (a) must be lodged with the relevant board as required by the Transition Act for an application contemplated in section 40 of the Transition Act;
- (b) shall for procedural purposes be deemed to be a contract contemplated in section 40 of the Transition Act, and that section applies with the necessary changes; and
- (c) need not be published in terms of section 37 of the Transition Act where the relevant service is provided for in the ITP of the contracting authority.

(2) Where a contracting authority has already lodged an application for operating licences for such a contracted service, or for an uncontracted service in terms of the Transition Act, and such service will be provided in terms of a contract as defined in the Act—

- (a) the application shall be regarded as an application in terms of sub-regulation (1), the provisions of which shall apply; and
- (b) it shall not be necessary for the contracting authority to re-submit an additional application in terms of the Act.

(3) Operators who enter into contracts, or who become shareholders or are subsidiaries of companies formed in order to enter into contracts, with contracting authorities in terms of section 41 of the Act must surrender to the appropriate operating licensing board, or once established, to the relevant regulatory entity, for amendment or cancellation, as the case may be, all permits and operating licences held by them that will be replaced by services to be rendered in terms of the new contract.

(4) Where a contracting authority has concluded a contract with an operator as part of an IPTN, and that contract is terminated before its expiry date or that operator is unable or unwilling to operate the contracted services during the period of the contract, the contracting authority shall be deemed to be the holder of the relevant operating licences and may operate the services itself for the period that the firstmentioned operator fails or refuses to operate, or while arrangements are being made to procure another operator, but not for more than 180 days or such longer period as approved by the Minister: provided that this period shall be extended for the duration of any litigation relating to the termination of the contract or the procurement of a new operator.

(5) In a situation contemplated in sub-regulation (4), the contracting authority may, instead of operating the service itself, contract the services to another operator to operate the services for the interim period in which case the new contractor must be issued forthwith with operating licences for the vehicles being used for those services for the period deemed fit by the regulatory entity, but not for more than 180 days or such longer period as approved by the Minister: provided that this period shall be extended for the duration of any litigation relating to the termination of the contract or the procurement of a new operator.

**4. Arrangements for subsidised service contracts.**—Not later than one year before the anticipated expiry of a contract contemplated in section 42 (2) of the Act, the contracting authority must commence arrangements for inviting tenders for subsidised service contracts or commercial service contracts which must, among other things, involve evaluating the services for compliance with the relevant ITP and redesigning them if necessary.

**5. Qualifications of tenderers.**—(1) To qualify as a tenderer for a commercial service contract or a subsidised service contract, an operator and, where appropriate, any person or entity exercising ownership control over an operator, or performing services on behalf of, or in the capacity as agent of, an operator must comply with the following requirements:

- (a) The operator must conduct public transport operations according to business principles with financial ring fencing, or, in the case of a new operator, must have undertaken in writing to do so; and
- (b) must have his, her or its tax affairs in order and be able to furnish a valid tax clearance certificate issued by the South African Revenue Services.

(2) For the purposes of sub-regulation (1) (a), an operator is financially ring fenced if—

- (a) the business of the operator's undertaking is conducted separately from that of another entity or undertaking or any other organisation;
- (b) the operator keeps separate accounting records, in accordance with generally recognised accounting practice and procedures, of its assets, liabilities, income, expenditure, profits and losses;
- (c) the operator's undertaking is financially sustainable in terms of its financial statements; and
- (d) the operator has no unfair advantage as regards access to financial or other support or resources from any organ of state, unless such advantage is part of a scheme which applies generally, approved by the contracting authority, to protect or advance public transport operators disadvantaged by unfair discrimination.

(3) For the duration of a commercial service contract or subsidised service contract, an operator and, where appropriate, any person or entity exercising ownership control over an operator, or performing services on behalf of or in the capacity as agent of, an operator, must—

- (a) keep separate records, in accordance with generally recognised accounting practices and procedures, of his, her or its financial position, performance, flow of funds and change in financial position;
- (b) undergo an annual audit by a person registered in terms of the Auditing Profession Act, 2005 (Act No. 26 of 2005);
- (c) comply with the requirements of sub-regulation (1);
- (d) not enjoy an unfair advantage emanating from an organ of state, but any advantage emanating from a subsidised service contract is not deemed to be an unfair advantage for the purposes of this section.

(4) For the purpose of this regulation—

- (a) “ownership control” means the ability to exercise or to influence substantially the exercise, of any of the financial and operating policies of an operator so as to obtain a benefit from its activities; and
- (b) “unfair advantage” means, but is not limited to—

- (i) the receipt by an operator of any direct or indirect benefit, including funds, resources, donations, grants, consideration or other advantage, whether financial or otherwise, which is not available on the same terms and conditions to all other potential operators;
- (ii) the direct or indirect guarantee or honouring of any of the obligations of the operator, including the arrangement or facilitation of the granting of any such loan;
- (iii) the direct or indirect provision of a loan bearing no interest, or interest at a substantially lower rate than would be available commercially to a similar operator under similar conditions, or a loan in respect of which interest payments are deferred for a period of more than six months, including the arrangement or facilitation of the granting of any such loan;
- (iv) allowing an operator to make use, or failing to prevent an operator from making use, of any public resources, including infrastructure, property, facilities, assets, human resources, systems, expertise or intellectual property, or facilitating such action, which would not be available to another similar operator on the same terms and conditions.

(5) The contracting authority must consider the fitness of the tenderer as an operator in terms of such contracts based, among other things, on the latter's record of convictions for the following offences:

- (a) An offence created by the Act, the National Road Traffic Act or a provincial road traffic act;
- (b) an offence listed in Schedule 1 to the Criminal Procedure Act, 1977 (Act No. 51 of 1977);
- (c) possession of an unlicensed firearm, explosives or a dangerous weapon; and
- (d) any other offence considered relevant by that authority.

**6. Resolving disputes.**—Where a contracting authority and an operator cannot reach agreement under section 46 (1) of the Act, the matter must be referred to mediation under regulation 7 if not urgent, or to arbitration under regulation 8 where the contracting authority has at any time decided that the matter is urgent.

**7. Mediation.**—(1) Either party may start the mediation proceedings by giving the other party not less than seven days' written notice that the matter must proceed to mediation.

(2) The parties must each in writing nominate a mediator for not less than ten years, within 14 days after receipt of the notice to proceed to mediation, and if the parties cannot agree on one mediator within a further seven days, the Association of Law Societies of the Republic of South Africa shall be requested to nominate a mediator within fourteen (14) days after the request.

(3) The Parties must commit themselves in every respect to the speedy finalisation and solution of the mediation proceedings.

(4) Either party may furnish the mediator in advance with written documentation and information and must make the same available to the other party.

(5) The mediator must establish and regulate procedures for the mediation so long as the parties continue to agree to participate in the mediation process.

(6) Mediation is a voluntary process, and may be terminated at any time by a party on written notice to the other.

(7) The mediator must give each party the opportunity to present its case by means of written or oral representations and to submit settlement alternatives, and the mediator must aid the parties in reaching a mutually acceptable agreement.

(8) The mediator must record the settlement reached by the parties, if any, and request them to sign the draft settlement within three days after a settlement has been reached and give a copy thereof to each party.

(9) The Parties must pay the costs of the mediator in equal shares, unless the mediator orders one party to pay a larger share or the full amount.

(10) The signed settlement shall be final and binding on both parties.

(11) The mediator shall not have the power to render a binding decision or award in the dispute other than the order contemplated in sub-regulation (9), nor will he or she be empowered to force any party to settle the dispute.

(12) Any information, documentation and material disclosed or made available to the mediator privately or in caucus will remain confidential and will not be disclosed by the mediator or any party without the prior consent of the party who made available such information, documentation or material.

(13) Mediation will take place on a confidential and “without prejudice” basis, and the parties—

- (a) may never subpoena any person who is a party to or who is involved in the mediation, including the mediator, for the purpose of giving evidence as to what took place during mediation; and
- (b) must ensure that the confidentiality of the mediation process is assured.

(14) Notwithstanding sub-regulations (12) and (13), any person may be called to testify—

- (a) as to the existence or not of a written agreement between the parties concluded during the mediation;
- (b) whether a party had signed such agreement; or
- (c) regarding the cost ruling of the mediator contemplated in sub-regulation (9) or the facts relied upon by the mediator in this regard.

(15) If the parties are unable to reach a settlement within 60 days the mediator must certify this in writing and either party may institute proceedings in the appropriate court for settlement of the dispute or the matter must proceed to arbitration if the contracting authority decides that the matter is urgent, in terms of regulation 8.

**8. Arbitration in urgent matters.**—(1) Where a matter must be referred to arbitration under section 46 (2) of the Act and the contracting authority notifies the operator in writing that the matter is urgent, the matter must proceed to urgent arbitration in terms of this regulation.

(2) Except as otherwise provided in these regulations, the arbitration proceedings shall be conducted in accordance with the arbitration laws of the Republic and in English.

(3) The arbitration proceedings must be conducted on an informal basis, it being the intention that a decision should be reached as expeditiously and inexpensively as possible, but in any event within 30 days of the arbitrator being appointed, subject only to the due observance of the principles of justice.

(4) The parties must each nominate an arbitrator in writing within four days after the operator receives the notification referred to in sub-regulation (1), and if they fail to agree on an arbitrator

within three days thereafter, or a party fails to nominate an arbitrator, the Bar Council of the area in which the contract was executed must be asked by either party to nominate an arbitrator on an urgent basis, who must be a retired judge or an advocate with at least ten years' experience in practice at the bar and will be appointed in writing by the contracting authority.

(5) Within 10 days after the arbitrator is appointed, or within such further period that the arbitrator may approve on good cause shown, each party must submit to the arbitrator a full written statement of his, her or its case which must set out all the evidence, sworn statements, facts, submissions and expert opinion as such party deems necessary to support its contentions in regard to the matters in dispute and simultaneously serve a copy thereof on the other party.

(6) If a party fails to submit a statement of case within the period specified in sub-regulation (5), the arbitrator may proceed to make an award without it.

(7) Within seven days after receipt of the copy of the other party's statement of case, or within such further period that the arbitrator may approve on good cause shown, either party may submit a further supplementary statement to the arbitrator, and must serve a copy thereof on the other party.

(8) If the arbitrator considers that the matter cannot be decided on the papers before him or her, the arbitrator may call for other evidence or for witnesses to testify at a place determined by the arbitrator.

(9) Witnesses must testify in the presence of both parties unless the arbitrator rules differently.

(10) The parties, who may question such witnesses, and the arbitrator may appoint a commissioner to take evidence of any person within or outside the Republic and forward it to the arbitrator as if he or she were a commissioner appointed by the court.

(11) Subject to these regulations, the arbitrator shall have discretion and all powers allowed by law to ensure the just, expeditious, economic and final determination of the dispute, including the matter of costs, and without derogating from the generality of the foregoing, shall also have the power—

- (a) to order any party to cover the cost of an interpreter;
- (b) to determine the time, place and venue of the hearing and the hours during which it will take place;
- (c) to strike out or dismiss a claim or defence on grounds of failure by a party to comply timeously with any ruling or interim award by the arbitrator, or on grounds of delaying conduct by a party which is likely to cause substantial prejudice to the other party;
- (d) to proceed with the arbitration in the absence of or without hearing a party who is in default or fails to appear or to comply with any ruling or interim award of the arbitrator;
- (e) to make any ruling or give any direction necessary or advisable for the just, expeditious, economic and final determination of all disputed matters raised in the statements of case, including the matter of costs;
- (f) to determine the validity of the contract and the value of the unexpired portion thereof, if any;
- (g) to permit the amendment of a party's statement of case (but not affidavits submitted therewith) and require a party to amend its statement of case so that it is not evasive and, on application of a party, to strike out from the other party's statement averments which are vague, scandalous, vexatious or irrelevant;
- (h) to make rulings or give interim awards on matters of onus, admissibility of evidence and procedure, including ones of an interlocutory or interim nature, and rulings or interim awards relating to costs and the implementation of interim or final awards;



- (i) to make such findings of fact and law as may be required for purposes of the proceedings and the award, including an order as to costs, and including an award whereby a party is restrained from any conduct, either on an interim or final basis;
- (j) before making a final award and on the application of a party, to state any question of law arising in the course of the proceedings as a special case for the opinion of senior counsel, which opinion shall be final and binding on the arbitrator and the parties, and not subject to appeal;
- (k) in determining the procedure for the arbitration, and after hearing the parties, to direct—
  - (i) that the dispute must be determined summarily at an informal hearing attended by both parties;
  - (ii) the summary trial of an issue to decide whether any issue or point has no reasonable prospect of success and should be dismissed or struck out, or as to whether an interim award should be made for a sum indisputably due;
  - (iii) that a party should furnish more particulars or details on any issue;
  - (iv) that a party must produce or make available for inspection to the other party and to the arbitrator any document, property or thing under the control of the first party;
  - (v) that there shall be one or more inspections in loco;
  - (vi) that there should be discovery on oath or otherwise of documents and recordings (subject to valid legal objection), either in regard to all relevant matters or in regard to issues determined by the arbitrator;
  - (vii) that parties must provide each other with a list of names of witnesses to be called, with a statement of the substance of their evidence and that, save with the leave of the arbitrator, no witness shall be called in respect of whom such name and summary has not been provided;
  - (viii) that the hearing should proceed on documents (including written submissions), only, without the presentation of other evidence.

(12) The arbitrator must do all in his or her power to make an award within 30 days after he or she was appointed, or as soon as possible thereafter.

(13) Any award made by the arbitrator—

- (a) shall be final and binding on the parties;
- (b) shall be carried into effect forthwith by the parties;
- (c) may be made an order of court by a party only if the other party fails to heed the terms of the award, and
- (d) may include an order directing the unsuccessful party to pay the costs of the arbitrator and the expenditure incurred by the successful party.

(14) Neither party may withdraw from such arbitration once the contracting authority has certified that the matter is urgent under this regulation, and if a party purports to withdraw the arbitrator shall continue to determine the matter as set out in this regulation, whether the party is present or not.

**9. General matters regarding disputes.**—(1) Nothing in these regulations will prevent a party from approaching a court for urgent relief.

(2) Where applicable, the operator must, notwithstanding any dispute, mediation or arbitration, continue to provide the services in accordance with the contract.

**10. Short title and commencement.**—These regulations are called the National Land Transport Regulations on Contracting for Public Transport Services, 2009, and come into operation on the date of their publication in the *Gazette*.

**GNR.1170 of 8 December 2009: National Land Transport Regulations for the 2010 FIFA  
Soccer World Cup  
(Government Gazette No. 32788)**

**as amended by**

<b>Notice</b>	<b>Government Gazette</b>	<b>Date</b>
R.398	33185	14 May 2010

**DEPARTMENT OF TRANSPORT**

I, Sibusiso Joel Ndebele, Minister of Transport, hereby make the regulations in the Schedule in terms of section 61 read with sections 8 and 60 of the National Land Transport Act, 2009 (Act No. 5 of 2009).

**(Signed)**

**S J Ndebele  
Minister of Transport**

**SCHEDULE**

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**1. Definitions.**—In these regulations, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act, has that meaning, and the following words and expressions have the meanings assigned to them—

“**accredited testing station**” means a testing station that has been registered in terms of section 39 of the National Road Traffic Act and approved by the Department for the special testing of vehicles to be used for Event passengers;

“**contracted event service**” means the transporting of passengers to and from Event areas in terms of a contract concluded between a public institution and an operator, appointed by that institution in terms of an operational plan developed by or on behalf of that institution;

“**Event**” means the 2010 FIFA World Cup South Africa which is scheduled for 11 June to 11 July 2010 in the Republic, including all matches and official events relating thereto, and including the periods before and after that World Cup necessary to conduct and finalise the necessary land transport arrangements;

“**event areas**” means stadia, fan parks, transport hubs, park-and-ride or park-and-walk areas, airports, bus stops, railways stations or similar areas connected with the Event;

“**host city**” is the City of Cape Town Metropolitan Municipality, the eThekweni Metropolitan Municipality, the City of Johannesburg Metropolitan Municipality, the City of Tshwane Metropolitan Municipality, the Nelson Mandela Bay Metropolitan Municipality, the Mangaung Local Municipality, the Mbombela Local Municipality, the City of Polokwane Local Municipality and the Rustenburg Local Municipality;

[Definition of “host city” substituted by r. 1 (b) of GNR.398 of 14 May 2010.]

“**National Transport Facilitator**” means the person appointed in terms of regulation 17 (1);

“**PRE**” means a Provincial Regulatory Entity or, if a PRE has not yet been established for the province in question, the operating licensing board of that Province;

“**Provincial Transport Facilitator**” means the person appointed for the province concerned in terms of regulation 17 (2);

“**public institution**” means an organ of state as defined in the Constitution or another official institution or body tasked or recognized by government or the *Fédération Internationale de Football* Association (FIFA) to make transport arrangements for the Event;

“**the Regulations**” in the context of these Regulation is the National Land Transport Regulations for the 2010 FIFA World Cup published under Government Notice No. 1170 of the 8<sup>th</sup> December 2010;

[Definition of “the Regulations” inserted by r. 1 (a) of GNR.398 of 14 May 2010.]

“**RTMC**” means the Road Traffic Management Corporation established by section 3 of the Road Traffic Management Corporation Act, 1999 (Act No. 20 of 1999); and

“**the Act**” means the National Land Transport Act, 2009 (Act No. 5 of 2009).

**2. Operating licences for the Event.**—(1) A holder who requires a temporary operating licence for the Event as contemplated by section 60 (1) (c) of the Act to provide public transport

services for or in connection with the Event, must apply to the PRE of the province where the journey originates despite contrary provisions of the Act.

(2) A person or organization wishing to provide courtesy services for or in connection with the Event where that organization will operate three or more vehicles or operates a minibus, midibus or bus, must likewise apply for a temporary operating licence to such PRE.

(3) Such a temporary operating licence may authorize the holder to operate from anywhere in the Republic to an event area or from an event area to anywhere in the Republic, for purposes connected with the Event, or to carry soccer fans or other persons connected with the Event to or from places of accommodation or entertainment, or on particular routes or in particular areas, as decided by the PRE, and on conditions determined by the PRE.

(4) Despite contrary provisions of the Act or of any term or condition of the relevant operating licence or permit, holders of operating licences or permits contemplated in section 60 (1) (b) of the Act must comply with the by-laws and directions of the host cities as regards ranking, parking and routing and the loading and offloading of passengers, and must comply with the city's operational plans and other directions in that regard, even if such compliance amounts to a deviation from the operations authorized by that operating licence or permit.

**3. Application for temporary operating licences for the Event.**—(1) An application for the granting of a temporary operating licence contemplated in regulation 2 must be lodged for each vehicle by submitting the completed application form shown as Form 1 in the Schedule, together with the information and documents specified in that form and an application fee of R100,00 per vehicle, which fee may be adjusted to encourage operators to apply as early as possible.

(2) Such an application must be submitted on or before 28 February 2010 to ensure timeous processing of the application.

(3) Where an application is received after 28 February 2010 there will be no guarantee that the application will be processed in time, and the PRE may refuse to accept applications after that date in consultation with the National Transport Facilitator.

(4) An application form may be submitted by hand, post or e-mail, and in the case of e-mail must include a scanned version of the required documents.

(5) The PRE must reject an application where the application form is not fully and properly completed, or to which required documents have not been attached, or where the required fee has not been paid, and may require the applicant to submit the original of any document before accepting the application if it suspects the validity or authenticity of the document.

(6) The PRE must notify the following by e-mail or fax of an application received under sub-regulation (1)—

(a) All relevant host cities;

(b) except in the case of a charter service or tourist transport service—

(i) every other planning authority in whose area passengers will be picked up or set down; and

(ii) any other public institution involved in operational planning for the match or Event activity in question, as decided by the PRE,

[Para. (b) substituted by r. 2 (a) of GNR.398 of 14 May 2010.]

(c) . . . . .

[Para. (c) deleted by r. 2 (b) of GNR.398 of 14 May 2010.]

and those institutions must supply any comments or recommendations that they may have to the PRE

by e-mail or fax within the time specified in the notice, which may not be less than seven days.

(7) Where a city, authority, organization or institution fails to respond to such a notice within the specified time, the PRE may proceed to process and decide upon the application without their input.

(8) A notification in terms of sub-regulation (6) must be in accordance with the form shown as Form 2 in the Schedule and contain particulars sufficient to enable the recipient to submit a response based on their planning, if any, for the Event.

(9) It shall not be necessary to publish such an application as contemplated by section 59 of the Act.

**4. Matters to be checked by the host city or other public institution in the case of a contracted event service.**—Before providing the letter or certificate contemplated in regulation 5 (a), the host city or other public institution granting the contract must at least check the following—

- (a) That the operator or a person providing the service is a fit and proper person to transport passengers for the Event based on the applicant's criminal record or any records held by a public institution or association of operators;  
[Para. (a) substituted by r. 3 of GNR.398 of 14 May 2010.]
- (b) that the vehicle is suitable to transport passengers in relation to the Event by virtue of its type, condition, age, the number of kilometers travelled and its service record and, where appropriate in the case of a minibus taxi-type service, has been certified and homologated by the National Regulator for Compulsory Specifications as complying with the requirements for recapitalization;
- (c) that the vehicle has been properly registered and licensed under the National Road Traffic Act;
- (d) that the operator is in possession of a valid tax clearance certificate issued by the South African Revenue Services (SARS); and
- (e) that the drivers to be used by the operator have the necessary professional driving permits and, according to the standards set by the city or other institution, the necessary other qualifications and training as required by the National Road Traffic Act or other laws.

**5. Requirements for obtaining a temporary operating licence for the Event.**—A person applying for such a temporary operating licence must submit the following with the application—

- (a) In the case of a contracted event service, a letter or certificate from the public institution certifying that the operator has been appointed in terms of a contract as contemplated in the definition of a contracted event service; and
- (b) in the case of any other services, proof of the matters listed in paragraphs (c) and (d) of regulation 4 and any other matters specified in Form 1.

**5A. Use of foreign-registered vehicles for the Event.**—(1) An operator who already holds one or more operating licences or permits for vehicles registered in the Republic and who wishes to bring a vehicle into the Republic temporarily to transport passengers within South Africa during the Event, and the vehicle is properly registered and licensed in a prescribed territory as defined in the National Road Traffic Act or in a country that is a signatory to the Convention defined in that Act, may obtain a temporary operating licence for such vehicle for use during the Event.

(2) An operator contemplated in sub-regulation (1) is, despite the fact that the operator does

not hold a permanent operating licence for the vehicle, on application made in terms of the Regulations and on production of a written lease agreement between that operator and the owner of the vehicle, deemed to be the owner of the vehicle for the purposes of section 64 (1) of the Act for the validity period of the temporary operating licence.

[R. 5A inserted by r. 4 of GNR.398 of 14 May 2010.]

**6. Disposing of an application for a temporary operating licence.**—In considering whether to grant or refuse an application for a temporary operating licence in terms of regulation 3, the PRE must consider the following—

- (a) In the case of a contracted event service, that the applicant has submitted the letter or certificate contemplated in regulation 5 (a);
- (b) that the applicant has complied with these regulations;
- (c) any comments or recommendations submitted under regulation 3 (6);
- (d) in the case of a service other than a contracted event service—
  - (i) the matters listed in section 60 (3) of the Act;
  - (ii) the matters listed in paragraphs (a) and (b) of regulation 4;
  - (iii) any applicable operational plan prepared by a public institution;
- (e) any other matter considered relevant by the PRE.

**7. Issuing of a temporary operating licence.**—(1) Where a PRE has granted an application for a temporary operating licence in terms of these regulations, it must notify the applicant by e-mail or fax once the operating licence is ready for uplifting, or by telephone where the applicant does not have access to e-mail or fax facilities.

(2) Where the applicant has not uplifted the operating licence within 14 days of being notified, the PRE must contact the applicant by telephone, e-mail or fax to remind the operator that the operating licence is ready, and must then cancel the licence if it is still not uplifted within seven days after the date of such second notification.

(3) An operating licence must not be issued to the holder or the holder's authorized representative until the latter has produced to the PRE—

- (a) the matters listed in regulation 5;
- (b) a special roadworthy certificate issued under regulation 10; and
- (c) proof or certification of any other matter required by the PRE.

(4) Operating licences must be issued with a special decal or sticker for display on the vehicle in the manner prescribed in regulation 9, which must at least show—

- (a) the name of the holder;
- (b) the number of the temporary operating licence;
- (c) in the case of a service other than a courtesy service, the number of the holder's operating licence or permit;
- (d) the vehicle registration number; and
- (e) the date of expiry of the operating licence.

**8. Particulars to be contained in a temporary operating licence.**—A temporary operating licence must at least contain the following particulars—

- (a) The name and address of the holder;
- (b) the registration number, make, vehicle identification number, type and seating or passenger capacity of the vehicle;
- (c) the number of the temporary operating licence;
- (d) in the case of a service other than a courtesy service, the number of the holder's operating licence or permit;
- (e) the period for which it was granted, which may not be longer than the period of the actual Event, i.e. 11 June to 11 July 2010, but may include 14 days before 11 June or 14 days after 11 July 2010; and
- (f) in the case of a contracted event service—
  - (i) the name of the host city or other public institution; and
  - (ii) the contract or appointment reference number.

**9. Duties of the holder of a temporary operating licence.**—The holder of such a temporary operating licence must—

- (a) comply with the Act, these regulations, other relevant laws and the directions of the PRE, host city, National Transport Facilitator, Provincial Transport Facilitator and authorised officers in providing public transport for the Event;
- (b) keep the original operating licence or a duplicate original in the specified vehicle, and, where the vehicle is temporarily replaced under section 74 of the Act, keep the operating licence and the temporary authorisation issued for the replacing vehicle in that vehicle for the duration of the temporary replacement;
- (c) display and keep affixed on the vehicle the special decal or sticker issued in terms of regulation 7 (4), as well as any other branding, token, decal or sticker required by the host city or PRE, in the manner directed by them;
- (d) produce the operating licence or authorisation on demand by an authorised officer;
- (e) keep the operating licence, any duplicate original thereof and the decal or sticker that relates thereto in such a condition that the letters and figures thereon are clearly legible and, if they are damaged or cease to be clearly legible, apply for a duplicate within two working days by completing the form required by the PRE and submit the damaged or obscured operating licence or token to the PRE for destruction or an affidavit explaining why it cannot be so submitted;
- (f) display on or in the vehicle the other particulars required by the PRE or host city;
- (g) at all times keep the vehicle in a safe, clean and roadworthy condition;
- (h) return an operating licence that has lapsed or has been withdrawn or cancelled to the PRE that issued it within seven days;
- (i) ensure that providing the services for the Event authorised by the operating licence do not prejudice or interfere with the normal public transport services provided by the holder; and
- (j) remove and destroy all tokens, decals or stickers that relate to the operating licence or the Event from the vehicle not later than 24 hours after expiry of the operating licence to which they relate.

**10. Roadworthy certification.**—(1) A vehicle to be used in terms of a temporary operating

licence under these regulations must be issued with a special roadworthy certificate by an accredited testing station or by an examiner contemplated in sub-regulation (3).

(2) Applicants who have applied for such operating licences must submit their vehicles or make them available for examination or testing in the manner, on the dates or within the time directed by the PRE or host city.

(3) In the case of an operator operating a fleet of vehicles, the PRE or host city may arrange, in consultation with that operator, to send an examiner of vehicles contemplated in the National Road Traffic Act to the premises of the operator to examine that operator's vehicles and issue the necessary special roadworthy certificates.

(4) The test or examination for roadworthiness required for the issuing of such a special roadworthy certificate need not entail a full roadworthy test as required for a roadworthy certificate in terms of the National Road Traffic Act, but must be conducted in accordance with written directions issued to testing stations by the Department or the RTMC, which may include, without limiting the generality of the foregoing—

- (a) whether the vehicles operated by the operator are roadworthy and acceptable for the type of services to be operated by the applicant;
- (b) that the operator has an acceptable programme of maintaining and servicing all vehicles operated or to be operated by the applicant;
- (c) that the operator keeps acceptable maintenance and servicing records of such vehicles, which must be made available to such examiners on request; and
- (d) referring the vehicle for a full roadworthy test where the examiner suspects that the vehicle is not roadworthy.

(5) The Department may not grant accreditation to a testing station unless satisfied that it, in the opinion of the Department, is suitable for special testing or examination of vehicles for the Event and is not engaged in any irregular practices.

(6) The Department must keep a list of such accredited testing stations which is published on its Website from time to time and in other ways deemed suitable by the Department.

(7) The Department must monitor such testing stations and summarily cancel the accreditation of a testing station where it becomes aware of any illegal or irregular practices taking place there, and give it notice in writing or electronically of the allegations against it or other reasons for the intention to cancel its accreditation, and allow it not less than 48 hours to respond.

(8) The Department may re-instate the accreditation of such a testing station on the basis of that response.

**11. Notification to public.**—The Department and other public institutions must publicise, in the manner determined by the Department, the fact that—

- (a) vehicles displaying decals or stickers specified in the relevant notice should be used for transportation in connection with the Event where possible, and that other vehicles are used at the risk of the user, and such risks must be described in the relevant publication or notice; and
- (b) claims by passengers on public transport vehicles that are payable by the Road Accident Fund in terms of the Road Accident Fund Act, 1996 (Act No. 56 of 1996) in the case of accidents are limited to specified amounts, and that passengers who require higher limits of cover must make their own arrangements at their own cost to take out insurance for those higher limits.



**12. Cross-border road transport.**—Persons or operators providing cross-border road transport to and from Event areas must be in possession of the permits required by the Cross-Border Act to pick up or set down passengers at event areas, and must comply with regulation 16 (2) in relation to the Event.

**13. Fares.**—(1) All metered taxis providing transport to and from Event areas must display the fares being charged in a prominent place on or in the vehicle, where it is visible to passengers, and in other places or by other methods determined by the PRE.

(2) The Department may set national standards for fares or fare levels for public transport in relation to the Event, and publish them in the *Gazette*.

(3) Relevant operators of public transport services must comply with such conditions, standards or fare levels for the duration of the Event.

(4) All fares must be displayed or quoted to passengers in South African rand.

**14. Law enforcement.**—(1) Where a complaint against a holder or driver is received by a host city or authorized officer, the Department must where appropriate forthwith dispatch one or more inspectors to investigate within 24 hours, and take appropriate action to follow up the matter.

(2) Authorised officers investigating accident scenes at or in the vicinity of event areas during the Event who become aware of possible offences having been committed by operators or their drivers must notify the relevant PRE in writing or by e-mail within 24 hours.

(3) Authorised officers engaged in law enforcement duties during the Event must actively police operators of public transport to ensure that they comply with the Act, the National Road Traffic Act, these regulations and other applicable laws.

(4) The Department must engage with the South African Police Service, municipal police services, the RTMC, the Cross-Border Road Transport Agency, relevant provincial departments and relevant municipalities to reach agreement with them on projects for enforcing the Acts and regulations contemplated in sub-regulation (3) during the Event.

(5) Such law enforcement must include and give due attention to the prevention of on-the-road offences, including, but not limited to, driving under the influence of alcohol or drugs, reckless and negligent driving, operating unroadworthy vehicles, unauthorized operation and failure to regard road traffic signs and signals, without neglecting other offences.

(6) An authorized officer who encounters a vehicle displaying a decal or sticker relating to an expired operating licence contemplated in regulation 9 (j) must forthwith remove it from the vehicle and destroy it.

**15. Offences.**—Any person who contravenes a provision of these regulations is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding three months, or to both such fine and imprisonment.

**16. Status of these regulations.**—(1) The requirements of these regulations are in addition to, and not in substitution of, any other requirements imposed by other legislation or authorities except where specifically indicated.

(2) Despite contrary provisions of the Act or Cross-Border Act or of any term or condition of the relevant operating licence or permit, holders of operating licences or permits contemplated in section 60 (1) (b) of the Act or issued in terms of these regulations or the Cross-Border Act must comply with the by-laws and directions of the host cities as regards ranking, parking and routing and the loading and offloading of passengers, and must comply with the city's operational plans and other

directions in that regard, even if such compliance amounts to a deviation from the operations authorized by that operating licence or permit.

**17. Institutional arrangements.**—(1) The Director-General of the Department must appoint a person as National Transport Facilitator for operating licences for the Event, who must, among other duties assigned by the Director-General—

- (a) Monitor and oversee, and facilitate co-ordination between, the spheres of government and other relevant parties in relation to the licensing of public transport operations for the Event; and
- (b) ensure that relevant timescales are met to enable such transport to function efficiently for the Event.

(2) The head of each provincial department must—

- (a) appoint a person as Provincial Transport Facilitator for operating licences for the Event to assist the National Transport Facilitator and perform similar functions in the provincial sphere;
- (b) appoint a unit of dedicated staff members, systems and equipment to accommodate their duties in terms of these regulations; and
- (c) submit to the Director-General of the Department, by the date and in the format determined by that Director-General, a schedule of the proposed activities of the PRE, including sittings, to comply with these regulations, with time scales.

(3) The National Transport Facilitator may issue directives to PREs and host cities that are not in conflict with the Act or these regulations to ensure the effective implementation of these regulations or to facilitate the procedural and other arrangements for public transport for the Event, and the latter must comply with such directives.

(4) Each host city must supply the relevant PRE with details of its operational plan including, but not limited to—

- (a) details of vehicles to be used in terms of contracted event services; and
- (b) requirements of the city for other public transport services for the Event.

(5) Applications for new operating licences that are Event-related must be made to the PRE of the province where the journey originates.

**18. Short title and commencement.**—(1) These regulations are called the National Land Transport Regulations for the 2010 FIFA Soccer World Cup and come into operation on the date of their publication in the *Gazette*.

(2) The Department may amend the forms shown in the Schedule or the fees payable in terms of these regulations from time to time without having to amend these regulations.

## **SCHEDULE: FORMS**

### **SCHEDULE: FORMS**

FORM 1: Application for temporary operating licence for the Event

FORM 2: Notification by PRE to host cities and other planning authorities and institutions







Cell number

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Code

--	--	--	--	--	--	--	--

### SECTION C

#### PARTICULARS OF A CONTRACT EVENT SERVICE (In the case of a contracted service)

If a contracted event service, certified copy of a letter or certificate from host city or other public institution is to be  
 (Note: Only contracts with National, Provincial, Host Cities or Public Institutions)

Contracted Services

YES

NO

If yes, provide the following:

Contract reference number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Names of parties to the contract

1

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

2

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Addresses of parties to the contract

1


Postal code

2


Postal code

Duration of contract

From

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Y Y Y Y M M

/

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D

to//

DYYYYMMDD

### SECTION D

#### VEHICLE DETAILS

Vehicle 1 details:

Vehicle registration number

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Vehicle identification number (VIN)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Type of vehicle

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Year of manufacture

--	--	--	--



Name of person

Name of legal entity (if applicable)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Signature of designated official of PRE

**FOR OFFICE USE ONLY**

Date Application received

				/			/		
Y	Y	Y	Y		M	M		D	D

Reference number

Amount Paid

Official's name

R																		

Form 1 Page 6

**TEMPORARY OPERATING LICENCE PARTICULARS**

**Operating Licence 1**

Operating Licence number

--	--	--	--	--	--	--	--	--	--

Valid from

				/			/		
Y	Y	Y	Y		M	M		D	D

Valid to

				/			/		
Y	Y	Y	Y		M	M			

**Operating Licence 2**

Operating Licence number

--	--	--	--	--	--	--	--	--	--

Valid from

				/			/		
Y	Y	Y	Y		M	M		D	D

Valid to

				/			/		
Y	Y	Y	Y		M	M			

**Operating Licence 3**

Operating Licence number

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Valid from

				/			/		
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Valid to

				/			/		
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\_\_\_\_\_  
Y Y Y Y M M D D

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Y Y Y Y M M

- \* In the case of more temporary operating licences, provide the same particulars on a separate sheet as an attachment
- \* Limited to the duration of the event or 14 days before or after the Event.

CHECKLIST
Proof of registration and licencing of vehicle.
Valid Tax Clearance Certificate.
In the case of a contracted service a letter or certificate from the public institution certifying the operator has been appointed in terms of a contract.

**Form 2**

Form 2 (One Page)

**(INSERT COAT OF ARMS/LOGO)**

**(INSERT PROVINCE) PROVINCIAL REGULATORY ENTITY**

***FORM OF NOTIFICATION BY PRE TO HOST CITIES AND OTHER PLANNING  
AUTHORITIES OR INSTITUTIONS.***

ADDRESSEE

Host City/Planning Authority/Public Institution

Date:[\*\*\*\*\*]

OL Reference number: [\*\*\*\*\*]

Contact Person: [\*\*\*\*\*]

Tel: [\*\*\*\*\*]

Fax:[\*\*\*\*\*]

Email: [\*\*\*\*\*]

**REQUEST TO HOST CITY/PLANNING AUTHORITY/PUBLIC INSTITUTION FOR  
RECOMMENDATIONS/ COMMENTS: CONCERNING AN APPLICATION FOR A  
TEMPORARY OPERATING LICENCE FOR THE 2010 FIFA SOCCER WORLD CUP**

Dear Sir/Madam

In accordance with the National Land Transport Act, 2009 (Act No. 5 of 2009) the following application has been made for a temporary operating licence for the provision of public transport services, specifically for the 2010 FIFA Soccer World Cup:

[Name of Applicant] has made an application to provide [Interprovincial/Intercity/Intracity] public transport services for the period from [dd/mm/yyyy] until [dd/mm/yyyy].

You are requested to supply your recommendations and comments regarding this application.

The attached application form contains all of the necessary information that will allow for you to make the appropriate recommendations and/or comments.

If no response is received from your institution within the allocated time, then the PRE may proceed to process and decide upon the application without your input.

Please supply your recommendation by no later than [dd/mm/yyyy].

Yours sincerely

[Insert Name]

[Signature]

On behalf of [\*\*\*\*\*] Provincial Regulatory Entity

**GNR.1208 of 17 December 2009: National Land Transport Regulations  
(Government Gazette No. 32821)**

**as amended by**

<b>Notice</b>	<b>Government Gazette</b>	<b>Date</b>
R.399	33185	14 May 2010

**DEPARTMENT OF TRANSPORT**

I, Sibusiso Joel Ndebele, Minister of Transport, hereby make the regulations in the Schedule in terms of section 8 read with other relevant sections of the National Land Transport Act, 2009 (Act No. 5 of 2009).

**(Signed)**  
**S J Ndebele**  
**Minister of Transport**

**SCHEDULE**

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4. Meetings of NPTR
5. Powers of NPTR

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- Forms 4D Application by hirer of vehicle to certify it for use by tourist transport operator in terms of Section 84 (2) of the Act
- Forms 5D Form of written authorisation for the temporary replacement of a vehicle

**1. Definitions.**—In these regulations, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act, has that meaning, and the following words and expressions have the meanings assigned to them—

“**BRT**” means bus rapid transit;

“**decal**” means a decal issued under regulation 21 (8), and includes a distinguishing mark contemplated in the Act;

“**IPTN**” means an integrated public transport network;

“**issue**” in relation to an operating licence means the handing of the operating licence to the holder thereof or the holder’s authorised agent after that licence has been granted and printed;

“**TTP**” means an integrated transport plan;

“**MRE**” means a municipal regulatory entity, i.e. a municipality to which the operating licensing function has been assigned;

“**NPTR**” means the National Public Transport Regulator;

“**OLAS**” means the Operating Licence Administration System maintained by the National Department of Transport in conjunction with the Provinces as required by section 6 (5) of the Act, which replaces the former Land Transport Permit System;

“**PLTF**” means a provincial land transport framework;

“**PRE**” means a Provincial Regulatory Entity;

“**public road**” means a public road as defined in the National Road Traffic Act;

“**scholar transport**” means the dedicated transporting of scholars, students, teachers and lecturers as contemplated in section 72 of the Act and does not include the transporting of such persons as part of a normal public transport service; and

“**the Act**” means the National Land Transport Act, 2009 (Act No. 5 of 2009).

## CHAPTER 1 NATIONAL PUBLIC TRANSPORT REGULATOR

**2. Application to NPTR relating to an operating licence for an interprovincial service.**—(1) An application to the NPTR for the granting, renewal, amendment or transfer of an operating licence for an interprovincial service other than a tourist transport service must be lodged by submitting the completed application form shown in Schedule 1 with the NPTR, together with the information and documents specified in the form and the application fee specified in Schedule 2.

(2) An application form may be submitted by hand either to an NPTR office or any PRE office, or by e-mail, post or fax to the NPTR, and if submitted by e-mail must include a scanned version of the required documents.

(3) The NPTR must issue a receipt to the person lodging the application where it is submitted by hand, or acknowledge receipt by e-mail, post or fax if the application was submitted by one of those methods, on the day of receipt or if received over a weekend or on a public holiday, on the next working day.

(4) The NPTR must reject an application where the application form is not fully and properly completed, or to which required documents have not been attached, or where the required fee has not been paid, and may require the applicant to submit the original of any document before accepting the application, if it suspects the validity or authenticity of the document.

(5) The NPTR must notify the following by e-mail or fax of an application received under sub-regulation (1)—

- (a) The PRE of every province in whose area passengers will be picked up or set down; and
- (b) every planning authority in whose area passengers will be picked up or set down; and those PREs and planning authorities must supply their comments or recommendations to the NPTR by e-mail or fax within the time specified in the notice, which may not be more than 30 days.

(6) Where the planning authority does not have an adequate ITP or is otherwise unable to respond in a meaningful manner, it must still submit a response stating the reasons why it is unable to respond.

(7) Where a PRE or planning authority fails to respond to such a notice within the specified time, the NPTR may proceed to process and decide upon the application without their input.

(8) A notification in terms of sub-regulation (5) must be in accordance with the form shown in Schedule 1 and contain particulars sufficient to enable the PRE or planning authority to submit a response based on relevant transport plans.

(9) The NPTR, PREs and MREs must conclude a written agreement in terms of section 26 of the Act to facilitate the submission of applications and communications between them.

**3. Application to NPTR for conversion of a permit.**—(1) Any holder of a permit authorizing interprovincial services may apply to the NPTR for conversion of that permit to an operating licence, and such application must be lodged by submitting the completed application form shown in Schedule 1, together with the information and documents specified in the form and the application fee specified in Schedule 2.

(2) Where a permit authorizes both interprovincial and intraprovincial services, an application to convert the permit must be made to the NPTR, which may convert the permit and issue the appropriate operating licence, but it must refer the application to relevant planning authorities for confirmation of or comments on the matters contemplated in regulation 14 (1) and (3), and for directions in relation to the allocation of the routes or areas contemplated in regulation 14 (4), based on its ITP.

(3) Regulation 2 (2) to (7) also applies to such an application, with the necessary changes.

**4. Meetings of NPTR.**—(1) The members of the NPTR contemplated in section 20 (2) of the Act must meet often enough to enable the NPTR to consider and process applications concerning operating licences or for accreditation of operators within no more than 60 days of receipt of the application.

(2) The Minister must appoint a chairperson and deputy chairperson of the NPTR from such members.

(3) The chairperson must preside at meetings, or failing the chairperson the deputy-chairperson.

(4) In the absence of the chairperson and deputy-chairperson, the persons present at the meeting must elect one of their number to chair the meeting.

(5) A quorum at those meetings will be 50 percent of the appointed members, and in the case of a deadlock the person presiding will have a deciding vote in addition to his or her normal vote.

(6) An act or decision at such a meeting will not be invalid because a casual vacancy existed in the NPTR at the time or because a member who participated in the act or decision was disqualified at the time from being a member.

(7) The NPTR must keep at its place of business a file for each operator to whom an operating licence has been issued, both electronic and in hard copy, containing a copy of every operating licence issued to that operator and allow any interested person to obtain a copy of such a licence on payment of the fee specified in Schedule 2.

(8) Such an electronic file must contain scanned copies of all relevant documents.

(9) The records contemplated in sub-regulation (7) may be deleted or destroyed five years after an operating licence or permit has lapsed or been cancelled or withdrawn.

**5. Powers of NPTR.—**(1) In dealing with any matter before it the NPTR may—

- (a) allow a person affected by or interested in the matter, or the duly authorised representative of that person, to appear before it and—
  - (i) give evidence or make oral representations relevant to the matter;
  - (ii) call witnesses and present evidence on any question concerning a matter relevant to the proceedings;
  - (iii) question a person who testifies as a witness in those proceedings;
- (b) issue a subpoena on a standard form as shown in Schedule 1 requiring a person to appear before it to give evidence or to produce any book, plan, document or other record, or any article, item or object, in the possession or under the control of the person and have the subpoena handed personally to the person to whom it applies by an authorised officer, who must thereupon report to the NPTR;
- (c) order any person present at the place where the proceedings are conducted, to appear before it to give evidence or to produce any book, plan, document or other record, or any article, item or object, which is in that person's possession;
- (d) question any person appearing as a witness;
- (e) require that any oral evidence be given under oath or affirmation and, for that purpose, administer an oath to or take down an affirmation from any witness; and
- (f) refuse to hear any oral evidence or representations from any person unless the person has been sworn in or made an affirmation as a witness.

(2) The NPTR may, by written notice sent to his, her or its last-recorded address, require any holder to satisfy it within the specified time, that the services authorised by the relevant operating licence or permit are still being provided or being provided sufficiently, or to provide it with other information relating to the operating licence or permit or the services authorised thereby, and the holder must comply with such a notice.

(3) The NPTR may—

- (a) investigate any matter relating to land transport in the Republic, and submit recommendations thereon to the Minister;
- (b) at the request of the Minister, investigate and report on any matter within the scope of the Act; and
- (c) where, based on information that has come to its notice, it suspects that an operator is

acting in a manner that is or will lead to unsafe or undesirable operation of public transport by that operator, or that the operator is habitually transgressing the provisions of the Act or other laws, or the terms and conditions of operating licences or permits held by that operator, cause an inquiry to be held into the affairs and operating practices of that operator, with a view to taking action under section 79 of the Act or recommending appropriate action to a regulatory entity or other body.

## CHAPTER 2 PROVINCIAL REGULATORY ENTITIES

**6. Application to PRE for operating licence.**—(1) An application to a PRE for the granting, renewal, amendment or transfer of an operating licence must be lodged by submitting the completed standard application form shown in Schedule 1, together with the information and documents specified in the form and the application fee specified in Schedule 2.

(2) An application form may be submitted by hand or by e-mail, post or fax to the office of the PRE, and if submitted by e-mail must include a scanned version of the required documents.

(3) The PRE must reject a form that is not fully and properly completed, or to which required documents have not been attached, or where the required fee has not been paid.

(4) The PRE must notify every planning authority in whose area passengers will be picked up or set down by e-mail or fax of an application received under sub-regulation (1), and those planning authorities must supply their comments or recommendations to the PRE by e-mail or fax within the time specified in the notice, which may not be more than 30 days.

(5) Where a planning authority fails to respond to such a notice within the specified time, the PRE may proceed to process and decide upon the application without their input.

(6) A notification in terms of sub-regulation (4) must be in accordance with the standard form shown in Schedule 1 and contain particulars sufficient to enable the planning authority to submit a response based on its ITP.

(7) Where an application was lodged with a PRE after the date of commencement of section 21 (4) of the Act, the applicant may refer the application to the NPTR in terms of that section if the application has not been processed within 60 days of its receipt by the PRE, and such application must be submitted to the NPTR on the form shown in Schedule 1, accompanied by the fee specified in Schedule 2, and the form must include full reasons for submitting the application to the NPTR.

(8) Before taking a decision on such an application, the NPTR must liaise with the PRE and require it to provide its comments and reasons in relation to the applicant's submissions within 30 days.

**7. Application to PRE for conversion of a permit.**—(1) An application to a PRE for conversion of a permit to an operating licence must be lodged by submitting the completed standard application form shown in Schedule 1, together with the information and documents specified in the form and the application fee specified in Schedule 2.

(2) Regulation 6 (2) to (6) also applies to such an application, with the necessary changes.

(3) When such an application is referred to a planning authority, it must provide confirmation of or comments on the matters contemplated in regulation 14 (1) and (3), and for directions in relation to the allocation of the routes or areas contemplated in regulation 14 (4), based on its ITP.

**8. Meetings of PREs.**—(1) The members of PREs contemplated in section 23 (2) of the Act must meet often enough to enable them to process applications within no more than 60 days of receipt



of the application.

(2) The MEC must appoint a chairperson and deputy chairperson of the PRE from such members.

(3) The chairperson must preside at meetings, or failing the chairperson the deputy-chairperson.

(4) In the absence of the chairperson and deputy-chairperson, the persons present at the meeting must elect one of their number to chair the meeting.

(5) A quorum at those meetings will be 50 percent of the appointed members, and in the case of a deadlock the person presiding will have a deciding vote in addition to his or her normal vote.

(6) An act or decision at such a meeting will not be invalid because a casual vacancy existed in the PRE members at the time or because a member who participated in the act or decision was disqualified at the time from being a member.

(7) Each PRE must keep at its place of business a file for each operator to whom an operating licence has been issued, both electronic and in hard copy, containing a copy of every operating licence issued to that operator and allow any interested person to obtain a copy thereof on payment of the fee specified in Schedule 2.

(8) Such an electronic file must contain scanned copies of all relevant documents.

(9) The records contemplated in sub-regulation (7) may be deleted or destroyed five years after an operating licence or permit has lapsed or been cancelled or withdrawn.

(10) Sub-regulations (2) to (6) apply in a province unless the MEC has made a replacing regulation.

**9. Powers of PREs.**—(1) PREs have the powers contemplated in regulation 5 (1) and (2), reading in the necessary changes.

(2) The PRE may investigate any matter relating to land transport in the province and make recommendations thereon to the MEC.

(3) Sub-regulations (1) and (2) apply in a province unless the MEC has made a replacing regulation.

### CHAPTER 3 MUNICIPAL REGULATORY ENTITIES

**10. Application to municipality for operating licence.**—An application to a MRE for the granting, renewal, amendment or transfer of an operating licence must be lodged by submitting the completed standard application form shown in Schedule 1, together with the information and documents specified in the form and the application fee specified in Schedule 2, and regulation 2 (2) to 2 (4) applies with regard to such an application, with the necessary changes.

**11. Application to municipality for conversion of a permit.**—(1) An application to a MRE for conversion of a permit to an operating licence must be lodged by submitting the completed standard application form shown in Schedule 1, together with the information and documents specified in the form and the application fee specified in Schedule 2.

(2) Regulation 2 (2) to (4) also applies to such an application, with the necessary changes.

**12. Meetings of operating licensing divisions of municipalities.**—(1) The members of the

division of a MRE contemplated in section 17 (1) (b) of the Act must meet often enough to enable them to process applications relating to operating licences within no more than 60 days of receipt of the application.

(2) The municipality must appoint a chairperson and deputy chairperson of such division from such members.

(3) The chairperson must preside at meetings, or failing the chairperson the deputy-chairperson.

(4) In the absence of the chairperson and deputy-chairperson, the persons present at the meeting must elect one of their number to chair the meeting.

(5) A quorum at those meetings will be 50 percent of the appointed members, and in the case of a deadlock the person presiding will have a deciding vote in addition to his or her normal vote.

(6) An act or decision at such a meeting will not be invalid because a casual vacancy existed in such division at the time or because a member who participated in the act or decision was disqualified at the time from being a member.

(7) Each such municipality must keep at its place of business a file for each operator to whom an operating licence has been issued, both electronic and in hard copy, containing a copy of every operating licence issued to that operator and allow any interested person to obtain a copy thereof on payment of the fee specified in Schedule 2.

(8) The records contemplated in sub-regulation (7) may be deleted or destroyed five years after an operating licence or permit has lapsed or been cancelled or withdrawn.

**13. Powers of municipal regulatory entities.**—(1) MREs have the powers contemplated in regulation 5 (1) and (2), reading in the necessary changes.

(2) MREs may investigate any matter relating to land transport in their municipal areas and make recommendations thereon to the council of the municipality.

#### CHAPTER 4 OPERATING LICENCES: GENERAL PROVISIONS

**14. Conversion of a permit to an operating licence.**—(1) A permit may be converted to an operating licence only if the services authorized by the permit have been provided continuously for a period of 180 days prior to the date on which the application was lodged, and subject to section 47 (3) of the Act.

(2) Subject to the Act and the other provisions of these regulations, the operating licence issued to replace a permit must confer the same authority as the permit.

(3) Before granting an application for conversion of a permit to an operating licence, a regulatory entity must—

- (a) be satisfied that the services authorized by the permit have been provided for 180 days prior to the date of commencement of the Act, and 180 days prior to the date on which the application was lodged;
- (b) be satisfied by virtue of the applicant's record as an operator that the applicant is still a fit and proper person to provide public transport services;
- (c) be satisfied that the vehicle in question is properly registered and licensed and that a valid roadworthy certificate has been issued for the vehicle as required by the National Road Traffic Act; and

- (d) be satisfied that the relevant planning authority is aware of the application and the services being provided by the operator.

(4) Where a permit for a non-contracted scheduled service or minibus taxi-type service is radius or area based, it must be converted to an operating licence that specifies a detailed description of the route or routes on which the vehicle may be used, by specification of street names, road numbers, beacons or land marks: Provided that—

- (a) in the case of a feeder or distribution service, a collection area may be specified; and  
(b) an area of operation, which may be country-wide, may be authorised for charter services.

(5) Any directions provided by the planning authority based on its ITP as to whether the permit has or has not been in use for 180 days supplied in terms of regulation 3 (2) or 6 (4) shall be binding on the regulatory entity.

(6) Where a permit that is valid for a definite period is converted, the operating licence issued in its place must have the same expiry date as the permit, but that expiry date may not be later than seven years after the date of commencement of the Act.

(7) The NPTR, in consultation with the PREs and MREs, must formulate a strategy for conversion of permits, including dates and programmes for such conversion, which may be in respect of areas or types of permits, or on any other basis, and may include increasing or decreasing application fees or taking other measures to encourage early applications for conversion.

**15. Applications for recapitalization.**—(1) Where the holder of a permit for a minibus taxi-type service operates a vehicle that has not yet been recapitalized in terms of the procedures determined by the Department, the holder may apply to the relevant regulatory entity for conversion of the permit to an operating licence, and the application must be combined with an application to the Department or its agents for recapitalization of the vehicle, and section 49 (2) of the Act applies in such a case.

(2) Where a holder holds an operating licence for a minibus taxi-type service and operates a vehicle that has not yet been recapitalized in terms of such procedures, that holder may apply to the Department for recapitalization, and where section 49 (2) (b) or (c) of the Act is applicable, may at the same time apply to the relevant regulatory entity for an operating licence for the recapitalized vehicle by submitting the completed form shown in Schedule 1 and paying the application fee specified in Schedule 2.

(3) Where routes authorized by the relevant permit are being or to be operated by or on behalf of a contracting authority involving BRT, the operating licence issued on conversion of the permit may not include those routes without the written consent of that authority, provided that that authority has complied with section 41 (2) of the Act and the Regulations on Contracting for Public Transport Services promulgated under Notice R.877 dated 31 August 2009.

**16. Applications for operating licences for contracted services.**—(1) An application for an operating licence for a contracted service must be lodged with the relevant regulatory entity by submitting the completed application form shown in Schedule 1, together with the information and documents specified in the form, which must include a copy of the relevant contract, and the application fee specified in Schedule 2.

(2) The entity must reject a form that is not fully and properly completed, or to which required documents have not been attached, or where the required fee has not been paid.

(3) Where appropriate, that entity may request the contracting authority to supply written confirmation that the contract has been concluded or of any documents or information submitted by

the applicant.

**17. Publication of applications.**—(1) A regulatory entity must give notice of applications received by it in connection with operating licences, at least in the *Gazette*, and, if it so decides, in such other manner as it deems fit to comply with the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), stating at least the following—

- (a) The name and address of the applicant;
- (b) the nature of the application (granting, renewal, amendment, transfer or conversion);
- (c) the type and passenger capacity of the vehicle or vehicles involved; and
- (d) the route or routes or area or areas of operation.

(2) An application need not be so published where it is an application—

- (a) to amend the particulars of the same vehicle specified in the operating licence;
- (b) in respect of a contracted service contemplated in section 56 of the Act;
- (c) for renewal of an operating licence or permit;
- (d) to replace the vehicle specified in an operating licence under section 73 of the Act;
- (e) for conversion of a permit where the permit is already route based, in the case of a minibus taxi-type service or scheduled service; or
- (f) to amend other particulars of an operating licence that are not considered to be material by the entity.

(3) A notice of such applications, including those contemplated in sub-regulation (2), must also be posted on a notice board at the offices of the regulatory entity from the date of receipt of the application until expiry of the period contemplated in sub-regulation (4).

(4) An interested person wishing to submit comments or representations must do so in writing within 21 days of publication of the notice, and the entity must—

- (a) allow a person who submits comments or representations, at their request, to inspect the applicant's application form and supporting documents;
- (b) supply such a person with copies of such form and documents on payment of the fee specified in Schedule 2; and
- (c) allow the applicant to inspect or have copies of such comments and recommendations on payment of the fee specified in Schedule 2.

**18. Offences to be considered by regulatory entities.**—In considering an application for the granting, renewal, amendment or transfer of an operating licence or permit, or for conversion of a permit, a regulatory entity must consider the following offences—

- (a) An offence created by the Act, the National Road Traffic Act or a provincial road traffic act;
- (b) an offence listed in Schedule 1 to the Criminal Procedure Act, 1977 (Act No. 51 of 1977);
- (c) possession of an unlicensed firearm, explosives or a dangerous weapon; and
- (d) any other offence considered relevant by that entity.

**19. Hearings by regulatory entities.**—(1) Where a regulatory entity holds a hearing contemplated in section 59 (3) of the Act, it must allow the applicant and any person who has

properly submitted comments or representations, or their representatives, to appear in person or submit written submissions to state their views.

(2) The entity must give the applicant and any person who has so submitted comments or representations not less than seven days' notice by e-mail, fax or registered post of the hearing, and must with the notice supply the applicant with copies of any comments and representations received.

(3) Where a person is represented by a representative at the hearing, that representative must, on request of the entity, provide written proof of his or her authorization to act as representative.

(4) The entity must convey its decision in writing to the applicant and all persons who submitted comments and representations.

(5) Where a person will require a translator to be present at the hearing to translate the proceedings into an official language other than English, he or she must give written notice to the entity not less than seven days prior to the hearing.

(6) The entity must be satisfied that all persons present at the hearing are able to understand the proceedings.

**20. Temporary operating licences for special events.**—Subject to any regulations made in terms of section 61 of the Act, a person wishing to apply for a temporary operating licence under section 60 of the Act must apply to the regulatory entity to which application must be made for normal operating licences by submitting the completed application form shown in Schedule 1 with the application fee specified in Schedule 2.

**21. Issuing of operating licences.**—(1) Operating licences are issued on the basis of one licence per vehicle, and may authorize the holder to provide more than one type of public transport service, for example a scheduled service plus charter services.

(2) Where a regulatory entity has approved an application for the granting, renewal, amendment or transfer of an operating licence or conversion of a permit, it must notify the applicant by e-mail, fax or registered post once the operating licence is ready for uplifting.

(3) An operating licence may not be uplifted by any person except the applicant, or a representative of the applicant who shows written authorization from the applicant that is acceptable to the regulatory entity that he or she is authorized to uplift it.

(4) Where the operator has not uplifted the operating licence within 30 days of being notified, the regulatory entity must contact the applicant by telephone, e-mail or fax to remind the operator that the operating licence is ready, and must then cancel the licence if it is still not uplifted within 60 days after the date that the operator was first so notified.

(5) The operator may request an extension of time by telephone or other method, once only, to uplift the licence, in which case the entity must allow the operator an additional period not exceeding 30 days to uplift the licence.

(6) An operating licence must not be issued to an operator until the operator has produced to the regulatory entity—

- (a) proof of registration and licensing of the vehicle, with proof that a valid roadworthy certificate has been issued for the vehicle not earlier than a point in time determined by the regulatory entity;
- (b) a valid tax clearance certificate issued by the South African Revenue Services;
- (c) proof of compliance with any other condition imposed by the entity;
- (d) proof or certification of any other matter required by the entity; and

- (e) proof by showing an identity document, passport or other document acceptable to the entity that the person uplifting the licence is the applicant or, in the case of a representative, is that representative, and written proof that the representative is authorized by the applicant to uplift the licence.

(7) In the case of conversion of a permit or renewal, amendment or transfer of an operating licence or permit, the new operating licence must not be issued to the applicant unless the replaced permit or operating licence, together with its attendant decal, have been submitted to the entity.

(8) Operating licences must be issued with a decal for display on the vehicle in the manner prescribed in regulation 27.

**22. Particulars to be contained in an operating licence.**—An operating licence must be in the form shown in Schedule 1 and at least contain the following particulars—

- (a) The name and address of the operator;
- (b) the registration number, make, vehicle identification number, year of manufacture, type and seating or passenger capacity of the vehicle, as well as, in the case of a modified or converted vehicle, the homologation reference number and the eNaTIS model number and, where applicable, the name and address of any person who modified or converted it;
- (c) the type or types of service for which the operating licence has been granted;
- (d) the period for which it has been granted;
- (e) in the case of a contracted service—
  - (i) the type of contract;
  - (ii) the contract reference number;
  - (iii) the names and addresses of the parties to the contract; and
  - (iv) where part of a service in terms of the contract is to be operated by a subcontractor, the name and address of the subcontractor;
- (f) in the case of a scheduled service or minibus taxi-type service, a detailed description of the route or routes on which, or, where applicable, the particular area in which, the vehicle is to be used, by specification of street names, road numbers, beacons or land marks: Provided that in the case of a feeder or distribution service, a collection area may be specified;
- (g) the authorised ranks or terminals and other points for picking up and setting down passengers, where applicable, and whether or not passengers may be loaded at each point;
- (h) in the case of scheduled services where the entity has imposed the use of approved timetables, a reference to those timetables;
- (i) the conditions imposed, if any; and
- (j) all other particulars that may be required by the regulatory entity or by provincial laws or municipal by-laws.

**23. Duties of holder of an operating licence or permit.**—The holder of an operating licence or permit must—

- (a) comply with the terms of the authorisation conferred by the operating licence or permit and the conditions to which it is subject, and, where the service is one provided

for in an ITP, operate the service in accordance with that plan;

- (b) keep the original operating licence or permit or a duplicate original in the specified vehicle, and, where the vehicle is temporarily replaced under section 74 of the Act, keep the operating licence or permit and the temporary authorisation issued for the replacing vehicle in that vehicle for the duration of the temporary replacement, but the entity issuing the operating licence may direct in writing on written application by the applicant that the annexures to an operating licence or permit do not have to be kept in such vehicle where they are too bulky to allow for this, if a summary of those annexures approved by the entity is kept in the vehicle;
- (c) on demand by an authorised officer, produce that operating licence, permit or authorisation;
- (d) keep the operating licence or permit, any duplicate original thereof and the decal that relates thereto in such a condition that the letters and figures thereon are clearly legible and, if they are damaged or cease to be clearly legible, apply for a duplicate within four working days by completing the form shown in Schedule 1 and paying the fee specified in Schedule 2, and must submit the damaged or obscured operating licence, permit or distinguishing mark to the regulatory entity for destruction or an affidavit stating why it cannot be so submitted;
- (e) except in the case of a rented vehicle mentioned in regulation 36(2) cause the operating licence or permit number and the type of service to be painted or displayed on the vehicle in the manner prescribed in regulation 24;
- (f) display on or in that vehicle the other particulars prescribed in any condition imposed by the regulatory entity including, but not limited to, timetables where the entity has imposed the use of approved timetables, which must be displayed in the vehicle in a prominent place so that passengers can refer to them;
- (g) display and keep affixed the decal contemplated in regulation 21(8) on the vehicle with its inscribed face facing the front in a conspicuous place on the inside of the windscreen;
- (h) apply timeously for renewal of the operating licence or permit in terms of regulation 25;
- (i) at all times keep the vehicle in a safe and roadworthy condition and have the vehicle examined for roadworthiness not later than the time allowed therefor by the National Road Traffic Act;
- (j) return an operating licence or permit that has lapsed or has been withdrawn or cancelled, with its attendant decal, to the entity that issued it within seven days;
- (k) inform the relevant regulatory entity in writing of the sale or any other change of ownership in the vehicle to which an operating licence or permit relates within seven days after such sale or change has taken place;
- (l) where the vehicle specified in an operating licence or permit is modified or converted to add one or more new seats—
  - (i) submit the vehicle to a testing station for homologation and issuing of a new roadworthy certificate within seven days; and
  - (ii) apply to the relevant regulatory entity for amendment of the operating licence or permit within 14 days, and supply that entity with the homologation reference number and the eNaTIS model number and the name and address of the person who modified or converted the vehicle; and

- (m) comply with the provisions of the Act and with any other requirements imposed by provincial laws and other legislation.

**24. Particulars to be displayed on vehicles.**—(1) The particulars to be painted or displayed on a vehicle in terms of regulation 23 (e) must comply with the following as a minimum—

- (a) Height of figures and letters: 40mm.
- (b) Width of figures and letters: 20 mm.
- (c) Breadth of stroke of figures and letters: 5 mm.
- (d) Space between consecutive figures and letters: 5 mm.
- (e) Space between words on the same line: 15mm.

(2) Those particulars must be painted or appear on a magnetic or other sticker in a conspicuous place on the vehicle in a colour that shows up clearly against the background.

**25. Application for renewal of operating licence.**—(1) Where an operating licence was issued for more than 30 days and the holder wishes to renew it, the holder must apply not later than 30 days before expiry of the licence for its renewal.

(2) Where application for renewal was properly made under sub-regulation (1) and the regulatory entity has not issued the licence by the expiry date, the operating licence will remain valid until the entity either issues the renewed licence or notifies the applicant that the application has been refused, and the operator must keep in the vehicle the receipt issued by the regulatory entity as proof that such an application has been made.

(3) Subject to the Act, the regulatory entity may not refuse to renew an operating licence unless—

- (a) the applicant, as decided by the entity, is no longer a fit and proper person to provide public transport services for a reason contemplated in section 79 (2) of the Act;
- (b) the applicant has failed to provide proof of registration, licensing or roadworthiness of the vehicle as required by the Act;
- (c) the services authorized by the licence have not been provided for the previous 180 days, unless the holder has provided acceptable reasons for not providing the services;
- (d) a planning authority has directed the entity to refuse the application in terms of section 55 (3) of the Act; or
- (e) there is another reason to do so contemplated by the Act.

(4) No permit may be renewed unless it is first converted to an operating licence in terms of the Act and these regulations, but the holder may apply simultaneously for such conversion and renewal.

(5) Regulatory entities must send a notice of renewal to operators not less than 60 days before their operating licences or permits will expire, advising them to apply for renewal, but failure to do so will not affect the expiry of the licence or permit.

**26. Temporary replacement of vehicle.**—(1) An application for written authorisation to replace a vehicle temporarily in terms of section 74 (1) of the Act must be lodged by submitting the completed application form shown in Schedule 1 to the relevant regulatory entity, together with the information and documents specified in the form and the application fee specified in Schedule 2.

(2) Such authorisation must be in the form shown in Schedule 1.



**27. Decals.**—(1) A decal issued to an operator must be affixed to the lower, inside, left-hand corner of the windscreen of the vehicle to which it relates in such a manner that the print on its face is clearly legible from the outside to a person standing in front of or to the left of the vehicle.

(2) Such a decal must—

- (a) be bar-coded or otherwise made or designed to enable authorised officers to determine summarily by means of e-NaTIS or OLAS whether the vehicle is compliant with the Act and the National Road Traffic Act and is being operated by the relevant operator; and
- (b) show the operating licence number, the name of the operator, the vehicle registration number, the date of expiry of the licence, the base facility or rank, and indicate where passengers may be picked up or set down.

(3) Where such a decal was issued to a holder in terms of the Act, the Transition Act or a previous law, that holder may operate the vehicle for a public transport service on a public road—

- (a) without such a decal; or
- (b) with a decal, or anything purporting to be a decal, which is not applicable to that vehicle; or
- (c) with such a decal which is in any way obscured or has become illegible, unless it has become obscured or illegible temporarily beyond the control of the operator.

**28. Duplicate operating licence or decal.**—Where an operating licence or decal has been lost or has become obscured or illegible, the operator must apply within four working days for a duplicate by completing the form shown in Schedule 1 and must submit the damaged or obscured licence or decal to that entity for destruction, or an affidavit explaining why it cannot be so submitted, with the application fee specified in Schedule 2.

**29. Courtesy services.**—(1) A person providing courtesy services by means of fewer than three motor cars is exempt from the operating licensing requirements of the Act in terms of section 53 (1) (a) of the Act.

(2) Persons operating courtesy services by means of three or more motor cars, or a minibus, midibus or bus, must obtain an operating licence from the relevant regulatory entity contemplated in section 51 of the Act.

(3) All persons providing courtesy services that are exempt in terms of sub-regulation (1), must, before operating courtesy services—

- (a) notify the NPTR in writing that they are providing courtesy services, and supply particulars of the relevant vehicles and services on the form shown in Schedule 1 and pay the registration fee specified in Schedule 2;
- (b) display a decal issued by or on behalf of the NPTR on each vehicle clearly marked “Courtesy service” in the manner contemplated in regulation 23 (g); and
- (c) comply with any directions issued by the NPTR or other regulatory entity.

(4) The NPTR must notify the relevant PREs and planning authorities of such services.

(5) As from a date to be determined by the Minister by notice in the *Gazette*, no person may operate a courtesy service contemplated in sub-regulation (1) without having notified the NPTR in terms of sub-regulation (3) and displaying the decal contemplated in that sub-regulation.

(6) As from a date to be determined by the Minister by notice in the *Gazette*, no person may

operate a courtesy service contemplated in sub-regulation (2) without being in possession of an operating licence.

[Sub-r. (6) inserted by r. 1 of GNR.399 of 14 May 2010.]

## CHAPTER 5 ACCREDITATION OF TOURIST TRANSPORT OPERATORS AND RELATED MATTERS

**30. Application for accreditation.**—(1) An application for accreditation as a tourist transport operator under section 82 of the Act must be lodged by completing the application form shown in Schedule 1 and submitting it to the NPTR with the application fee specified in Schedule 2.

(2) The application form must be fully and properly completed and be accompanied by the documents or proof described in the form and required to be attached, which must include copies of all operating licences and permits issued for vehicles operated by the applicant on the date of application.

(3) The NPTR may require the applicant to submit additional information or documentation.

(4) The applicant must nominate, in the application form, a responsible person as contact person between the NPTR and the operator and must, where such person leaves the employment of the operator, nominate another person as contact person in writing within seven days.

(5) An accredited operator may apply at any time to amend the conditions attached to his, her or its accreditation by completing the application form shown in Schedule 1 and submitting it to the NPTR with the application fee specified in Schedule 2.

**31. Submitting applications to tourism and planning authorities.**—(1) Where the Minister has recognized any tourism authority in terms of section 81 (5) of the Act, this must be made known by notice in the *Gazette*.

(2) On receiving an application for accreditation, the NPTR must refer the application to any relevant authority so recognized, as well as the planning authority in whose area the applicant is based, by submitting a notice to it by e-mail, fax or other method it deems appropriate.

(3) Those authorities must submit their response to the NPTR by any method approved by the NPTR and stated in the notice, within 14 days of receipt of the notice.

(4) If such an authority fails to respond within the time mentioned in sub-regulation (3), the NPTR must proceed to decide the application without that response in terms of section 81 (6) of the Act.

(5) It shall not be necessary to submit an application to a tourism authority that has not been recognised by means of a notice published under sub-regulation (1).

**32. Requirements for accreditation.**—(1) The NPTR must consider the following when deciding whether to grant or refuse an application for accreditation—

- (a) Whether the applicant complies with section 81 (2) of the Act and these regulations, based on the applicant's past record as an operator, *inter alia* as regards safety and compliance with legislation, but without discriminating against operators who are new in the industry;
- (b) whether the vehicles operated by the operator after inspection by suitably qualified officials or agents of the NPTR are roadworthy and acceptable for the type of tourist operations carried on or to be carried on by the applicant;
- (c) after a date to be determined by the Minister and made known by notice in the

*Gazette*, that the applicant or one or more of the applicant's employees have passed the tests or examinations or have attended training courses specified by the NPTR, to ensure that they understand the transport industry, road traffic and transport legislation, and other relevant matters;

- (d) that the applicant has a programme of maintaining and servicing all vehicles operated or to be operated by the applicant, that is acceptable to the NPTR either—
  - (i) by regular servicing by an acceptable garage or service centre in accordance with the specifications of the manufacturer of the vehicle; or
  - (ii) in appropriate cases, by suitably qualified staff of the operator in workshops or other facilities that have been inspected and approved by or on behalf of the NPTR;
- (e) that the operator keeps maintenance and servicing records to the satisfaction of the NPTR, which must be made available to NPTR inspectors on request;
- (f) that the operator has suitably qualified back-up staff and appropriate administrative facilities that, in the opinion of the NPTR, are sufficient to run his or her transport business efficiently;
- (g) that the operator has an acceptable record regarding compliance with road traffic and transport legislation, as well as other applicable legislation;
- (h) that the operator's tax affairs are in order as shown by submission of a valid tax clearance certificate from the South African Revenue Service; and
- (i) any other matter required by the NPTR.

(2) The applicant must describe the livery and signage being displayed or to be displayed on the applicant's vehicles in the application form, and the NPTR may discuss this with the applicant with a view to seeing that the applicant applies livery and signage that is acceptable and tasteful in relation to the image of the tourist industry and any other matter decided by the NPTR.

(3) Where appropriate, the NPTR must inform the operator of steps that must be taken for the operator to qualify for accreditation, and that accreditation will be refused if the steps are not taken within a specified time.

(4) Where, after evaluating the application, it appears to the NPTR that an applicant does not qualify for accreditation the NPTR must furnish the operator with the reasons for non-qualification, and may allow the operator a certain time to rectify the situation or submit outstanding requirements as a condition for later accreditation.

(5) Where the NPTR has taken a final decision to refuse an application for accreditation, the operator may re-apply, but only after a period of 180 days has elapsed from the date of the refusal.

(6) The operator must keep his, her or its vehicles, offices, facilities and records open for inspection by inspectors or authorized agents of the NPTR at all times.

**33. Monitoring of accredited tourist transport operators.**—(1) The NPTR must see that regular technical and operational monitoring of the operations of all accredited tourist transport operators is carried out to ensure compliance with the Act and other applicable legislation, and in particular the matters listed in regulation 32.

(2) The NPTR must be satisfied on an ongoing basis that such operators' vehicles are serviced at the required intervals, by checking of vehicle service records by NPTR inspectors or agents.

(3) Such operators must supply the NPTR on request with vehicle maintenance records or proof of servicing of vehicles at any time.

(4) Where appropriate, for example if a tourist transport operator operates larger vehicles or a large number of vehicles, the operator must have maintenance and repair facilities within the operator's organisation that are satisfactory to the NPTR, staffed with suitably qualified mechanics and support staff.

**34. Application for renewal of accreditation.**—(1) An operator applying for renewal of accreditation under section 81 (8) of the Act must lodge the application by completing the application form shown in Schedule 1 and submitting it to the NPTR with the application fee specified in Schedule 2 not later than 60 days before that date that the operator's accreditation expires.

(2) The provisions of regulation 30 (2) to (4) apply to such an application.

(3) To qualify for renewal of accreditation the operator must comply with regulation 32, the provisions of which apply with the necessary changes.

(4) It shall not be necessary to refer an application for renewal of accreditation to any tourism or planning authority in terms of regulation 31.

(5) In deciding an application for renewal of accreditation, the NPTR must consider the matters listed in regulation 32, either by re-investigating the matters or being satisfied by its agents or inspectors that the operator is complying satisfactorily with all requirements.

**35. Certification of vehicles.**—(1) When accrediting an operator under section 82 (4) of the Act, the NPTR must verify the validity and authenticity of the particulars and documents relating to the operator's vehicles as supplied on the application form for accreditation, and if satisfied that the vehicle or vehicles comply with section 84 (3) of the Act, must certify each vehicle in the manner set out in sub-regulation (5).

(2) An accredited operator may apply for certification of additional vehicles under section 84 of the Act by completing the application form shown in Schedule 1 and submitting it to the NPTR with the application fee specified in Schedule 2, and such an application may be lodged electronically.

(3) The applicant must submit with the application—

- (a) proof of registration and licensing of the vehicle, showing a valid and current roadworthy certificate; and
- (b) any other document or matter required by the NPTR.

(4) On receipt of such an application for certification, an authorised official of the NPTR must verify the validity and authenticity of the documents and matters submitted by checking eNaTIS and by other acceptable means and, if satisfied that the vehicle complies with section 84 (3) of the Act, must certify the vehicle in the manner set out in sub-regulation (5).

(5) On certification of a vehicle, the NPTR must issue to the owner a certificate and token for the vehicle, and the token must be affixed to the lower, inside, left-hand corner of the windscreen of the vehicle in such a manner that the print on its face is clearly legible from the outside to a person standing in front of or to the left of the vehicle.

(6) Such a token must—

- (a) be bar-coded or otherwise made or designed to enable authorised officers to determine summarily by means of e-NaTIS or OLAS whether the vehicle is compliant with the Act and the National Road Traffic Act;
- (b) be colour coded in relation to the class of vehicle; and
- (c) show the operating licence number, the words "tourist transport service" and the vehicle registration number.

(7) No person may operate a vehicle for tourist transport services on a public road—

- (a) without such a token; or
- (b) with a token, or anything purporting to be such a token, which is not applicable to that vehicle; or
- (c) with a token which is in any way obscured or has become illegible, unless it has become obscured or illegible temporarily beyond the control of the operator.

(8) Where such a token has been lost or has become obscured or illegible, the operator must apply within four working days for a duplicate by completing the form shown in Schedule 1 and must submit that form with the damaged or obscured token to the NPTR for destruction, or an affidavit stating why it cannot be submitted, and the fee specified in Schedule 2.

(9) A certificate or token issued in terms of this regulation may be couriered to an operator, but may not be used until the operator has acknowledged receipt in writing to the NPTR by e-mail or fax.

**36. Operating licences for tourist transport operators.**—(1) Where the NPTR has certified a tourist transport vehicle in terms of section 84 of the Act and regulation 35 for an operator that has been accredited in terms of section 81 of the Act, it must issue an operating licence for that vehicle to operate tourist transport, which will replace any permit or operating licence already issued for that vehicle.

(2) Where an entity that owns vehicles and wishes to rent them to tourist transport operators as contemplated in section 84 (2) of the Act and has obtained certification of a vehicle, such vehicle may only be used for tourist transport services by an accredited operator, and the operating licence referred to in section 84 (3) of the Act may only be issued to an accredited operator, and for the period of the hiring.

(3) Before being issued with any operating licence, an accredited operator must submit to the NPTR any permit or operating licence previously issued for the relevant vehicle, which must cancel it within 24 hours of issuing the new operating licence.

(4) Where on accreditation of the applicant the NPTR has imposed a condition under section 81 (4) of the Act that only a certain number of vehicles may be operated or that only vehicles of certain classes may be operated, an operating licence may not be issued in conflict with such a condition.

(5) Such an operating licence must stipulate—

- (a) appropriate conditions imposed by the NPTR, either at the stage of accreditation or at the stage of issuing the operating licence; and
- (b) the area within which the vehicle may be operated, which may be the Republic as a whole.

(6) Such an operating licence may also authorize the operator to undertake charter services, subject to conditions imposed by the NPTR and reflected in the licence.

**37. Cancellation of accreditation.**—(1) Where the NPTR becomes aware that an accredited operator is or has been guilty of conduct contemplated in section 83 (1) (a) to (f) of the Act, it must, as appropriate, engage with the operator to discuss the issue or issues and steps to be taken by the operator to comply.

(2) In addition to the reasons mentioned in section 83 (1) of the Act, the NPTR may cancel the accreditation of a tourist transport operator if the operator fails to comply with the following requirements—

- (a) Failure to comply with a condition imposed by the NPTR at the stage of accreditation of the operator, or a condition stipulated in an operating licence held by the operator;
- (b) use of a token by that operator on a vehicle that has not been certified; or
- (c) where the operator has allowed a person that has not been properly accredited in terms of the Act to use the vehicle for tourist transport services.

**38. Issuing of operating licence for tourist transport vehicle.**—(1) If satisfied that the applicant is accredited and that the vehicle complies with the requirements set out in regulation 32 (1), the competent official of the NPTR must issue the operating licence to the applicant the same day if the application was lodged before 12:00, or on the following day if it was lodged on or after 12:00, subject to sub-regulation (2).

(2) Such an operating licence may not be issued to the operator until conditions imposed by the NPTR have been met, required proof or documents have been submitted, and the operator has submitted the original permit or operating licence previously issued for the vehicle to the NPTR for cancellation under regulation 36 (3).

(3) Such an operating licence may be issued electronically, in which case a printout of the licence must be kept in the vehicle at all times while it is operated for tourist transport services until receipt of the originals.

(4) The NPTR must issue two originals of such an operating licence to the operator, one clearly marked “To be kept in the vehicle” and one clearly marked “File copy” which must be collected by or sent by courier or registered post to the operator.

**39. Call centre.**—(1) The NPTR must establish a call centre where complaints against operators or their drivers, suggestions or other input from interested persons can be received.

(2) Where a complaint against an operator is received, the NPTR must where appropriate forthwith dispatch one or more inspectors to investigate within 48 hours, and take appropriate action to follow up the matter.

(3) Authorised officers investigating accident scenes who become aware of possible offences having been committed by accredited operators or their drivers, must notify the NPTR in writing or by e-mail within 48 hours.

**40. Fees.**—The fees for inspecting information in the register of accredited tourist operators in terms of section 81 (7) of the Act shall be as specified in Schedule 2.

**41. Transitional provisions.**—Where an operator has applied for accreditation in terms of regulation 30, that operator may use any operating licence or permit issued to that operator for the vehicle in question until a new operating licence has been issued under regulation 38 (1) and the permit or operating licence has been cancelled in terms of regulation 38 (2), provided that those licences or permits will lapse if the application for accreditation is refused on the date that such refusal is communicated to the applicant.

## CHAPTER 6

### TRANSPORTING OF SCHOLARS, STUDENTS, TEACHERS AND LECTURERS

**42. Scholar transport.**—(1) An application for an operating licence for scholar transport must, in addition to the other matters required by the Act or these regulations, be accompanied by the following—

- (a) Where applicable a contract between the operator and the school or other educational institution or department or certified copy thereof, or a letter from the principal or authorized administrative officer of the such institution approving the operator and the transport, a copy of which must be kept in each vehicle being used for such a service;
- (b) Certified copies of the professional driving permits of all drivers to be used for the service.

(2) As from a date to be published by the Minister in the *Gazette*, operators of scholar transport must comply with the following and submit proof thereof to the relevant regulatory entity within the time stipulated in the notice—

- (a) submit drivers being employed for the service for eye or medical tests in addition to the tests required for a professional driving permit;
- (b) ensure that such drivers obtain the following qualifications as prescribed or described in that notice—
  - (i) basic first-aid;
  - (ii) defensive driving; or
  - (iii) advanced driving;
- (c) obtain qualifications as prescribed in customer service or basic business management;
- (d) install a tracking system device in the vehicle as prescribed or required by the regulatory authority;
- (e) have vehicles fitted with soft seats.

(3) A notice under sub-regulation (2) may deal with one or more or all of the matters listed in that sub-regulation.

(4) All vehicles used for scholar transport must—

- (a) be marked in the manner prescribed or required by the relevant regulatory entity to indicate that scholars or students are being carried;
- (b) have a first-aid kit in the vehicle at all times that complies with prescribed requirements or those stipulated by the regulatory entity.

(5) Regulatory entities must keep a separate database of scholar transport operators and vehicles.

(6) All drivers engaged in scholar transport must be issued by the regulatory entity with a special identity card with features designed to ensure that it is not possible to be forged, containing at least the following information—

- (a) full names and identity number of the driver;
- (b) name of the operator;
- (c) full, recent colour photograph of the driver; and
- (d) the code indicating the type of vehicle that the driver may drive.

(7) Such identification cards are not transferable, but a duplicate may be issued if the card is lost or stolen.

(8) All schools and other educational institutions must provide areas off of busy public roads where scholars and students may be picked up or set down by motor vehicles.

(Editorial Note: Wording as per original *Government Gazette*.)

(9) Where primary or pre-primary school children are being carried in the course of scholar transport, a teacher or other responsible adult must be in the vehicle at all times to supervise them.

(10) Scholars or students may only be picked up or set down on public roads in areas that are safe for loading, taking into account the fact that the scholars or students may be crossing the road in question.

(11) Where a marked vehicle carrying scholars or students is loading or offloading passengers on a public road, all other vehicles in its vicinity must slow down or stop to ensure the safety of the scholars or students that may be crossing the road.

## CHAPTER 7 GENERAL MATTERS

**43. Submission of integrated transport plans to NPTR and PRE.**—(1) Every planning authority must submit electronic and hard copies of its integrated transport plan after approval thereof to the NPTR and relevant PRE within seven days of such approval, as required by section 36 (6) of the Act.

(2) Planning authorities and regulatory entities must allow operators or prospective operators to examine those plans on payment of the fee specified in Schedule 2.

**44. Stopping of vehicles.**—An authorised officer may cause a vehicle to be stopped in terms of section 89 (1) (a) of the Act in the manner prescribed for the stopping of vehicles by traffic officers in the National Road Traffic Act and its regulations.

**45. Offences.**—A person is guilty of an offence and liable on conviction to a fine or to imprisonment for not more than three months, or to both a fine and imprisonment, who—

- (a) contravenes any provision of these regulations;
- (b) drives a vehicle for scholar transport without a special identity card as required by regulation 42; or
- (c) uses such an identity card that does not apply to him or herself.

**46. Transitional provisions: general.**—(1) The Minister must by notice in the *Gazette* determine a date by which the NPTR has been established and is ready to undertake its functions.

(2) Prior to the date contemplated in sub-regulation (1), the PREs or, if no PRE has yet been established, the operating licensing board of the province in question, must perform the functions of the NPTR in relation to licensing of interprovincial and tourist services, as set out in these regulations and as contemplated in section 93 (3) (a) of the Act.

**47. Transitional provisions: interprovincial services.**—Until the date contemplated in regulation 46 (1), an application for an interprovincial service must be made to the PRE of the province where the journey originates, who must perform the functions of the NPTR in relation to the application.

**48. Transitional provisions: tourist transport services.**—(1) Until the date contemplated in regulation 46 (1) or the date contemplated in section 81 (1) of the Act, whichever is the soonest—

- (a) holders of operating licences or permits authorizing tourist transport services may apply to the PRE of the province that issued the operating licence or permit to amend, renew or transfer it, provided that if the application is granted in the case of a permit



an operating licence must be issued; and

- (b) persons may apply for new operating licences for such services to the PRE of the province where the journey originates.

(2) Applications contemplated in sub-regulation (1) must be dealt with procedurally as if they were applications to the NPTR for interprovincial services.

**49. Forms and fees.**—The Department may amend the forms shown in Schedule 1 or the fees specified in Schedule 2 from time to time without the need to amend these regulations.

**50. Short title and commencement.**—These regulations are called the National Land Transport Regulations, 2009, and come into operation on the date of their publication in the *Gazette*.

### Schedule 1:

#### FORMS

Form 1A:	(NPTR) Application for the granting, renewal, amendment, transfer or conversion of an operating licence or permit
Form 2A:	Application for accreditation or renewal of accreditation by tourist transport operator
Form 3A:	Application for temporary operating licence
Form 4A:	Notification to NPTR by provider of courtesy services who is exempt from obtaining an operating licence
Form 5A:	Application by accredited tourist transport operator for certification of additional vehicles
Form 6A:	Notification from NPTR to Provincial Regulatory Entity or Planning Authority of application concerning an operating licence
Form 7A:	Referral of application to NPTR in terms of section 21 (4) of the Act
Form 8A:	Form of operating licence
Form 1B:	(PRE) Application for the granting, renewal, amendment, transfer or conversion of an operating licence or permit
Form 2B:	Notification to Planning Authority from PRE of application concerning an operating licence
Form 1C:	(MRE) Application for the granting, renewal, amendment, transfer or conversion of an operating licence or permit
Form 1D:	Application for a duplicate operating licence, permit or decal
Form 2D:	Application for authorization for temporary replacement of vehicle
Form 3D:	Subpoena requiring a person to appear before a regulatory entity
Form 4D:	Application by hirer of vehicle to certify it for use by tourist transport operator
Form 5D:	Form of written authorization for temporary replacement of a vehicle

### Schedule 2:

**TABLE OF FEES**

<i>Regulation</i>	<i>Description</i>	<i>Fee</i>
2 (1), 3 (1), 6 (1), 7 (1), 10 (1), 11 (1), 15 (2), 16 (1)	Application for granting, renewal, amendment, transfer or conversion of an operating licence or permit	R300,00
6 (6)	Submission of application to the NPTR in terms of section 21 (4) of the Act	R300,00
17 (4) (b) and (c)	Inspection of documents or requesting copies	R50,00 per request
17 (4) (d)	Providing copies	R0,80 per folio
20	Application for temporary operating licence	R50,00
26	Application for written authorization to replace a vehicle temporarily	R50,00
28, 36 (8)	Application for duplicate operating licence or decal	R300,00
29 (3)	Notification of courtesy service to NPTR	R300,00
30 (1), 35 (1)	Application for accreditation, or renewal of accreditation of a tourist transport operator or for amendment of conditions of accreditation	R1 000,00
35 (2)	Application to certify a vehicle for tourist transport services	R300,00 per vehicle

**Form 1A**

**APPLICATION FOR THE GRANTING, RENEWAL, AMENDMENT, TRANSFER OR CONVERSION OF AN OPERATING LICENCE OR PERMIT FOR INTERPROVINCIAL SERVICES**

FORM 1A

DEPARTMENT OF TRANSPORT

National Public Transport Regulator

NATIONAL LAND TRANSPORT ACT, 2009 (ACT NO. 5 OF 2009)

APPLICATION FOR THE GRANTING, RENEWAL, AMENDMENT, TRANSFER OR CONVERSION OF AN OPERATING LICENCE OR PERMIT FOR INTERPROVINCIAL SERVICES

SECTION A (Compulsory for all application types)

TYPE OF APPLICATION

--

This application is for:

<p>Application type:</p> <p><b>1) New operating licence</b> <input style="width: 40px; height: 20px;" type="checkbox"/></p> <p><b>2) Transfer of an operating licence or permit</b> <input style="width: 40px; height: 20px;" type="checkbox"/></p> <p><b>3) Amendment of an operating licence or permit for:</b></p> <p style="padding-left: 20px;"><i>(a)</i> Additional authority <input style="width: 40px; height: 20px;" type="checkbox"/></p> <p style="padding-left: 20px;"><i>(b)</i> Amendment of route or area <input style="width: 40px; height: 20px;" type="checkbox"/></p> <p style="padding-left: 20px;"><i>(c)</i> Change of particulars <input style="width: 40px; height: 20px;" type="checkbox"/></p> <p style="text-align: center; font-size: small;">(Editorial Note: Numbering as per original <i>Government Gazette</i>.)</p> <p style="padding-left: 20px;"><i>(e)</i> Amendment of timetables, tariffs or other conditions <input style="width: 40px; height: 20px;" type="checkbox"/></p> <p style="padding-left: 20px;"><i>(f)</i> Replace existing vehicle <input style="width: 40px; height: 20px;" type="checkbox"/></p> <p style="padding-left: 20px;"><i>(g)</i> OL for recapitalized vehicle <input style="width: 40px; height: 20px;" type="checkbox"/></p> <p><b>4) Renewal of an operating licence or permit</b> <input style="width: 40px; height: 20px;" type="checkbox"/></p> <p><b>5) Conversion of a permit to an operating licence</b> <input style="width: 40px; height: 20px;" type="checkbox"/></p>	<p>Compulsory sections to be completed by applicant:</p> <p>A, B, C, F, G, H, K, L</p> <p>A, B, C, D, E, F, G, H, K, L</p> <p>A, B, C, D, F, G, H, K, L</p> <p>A, B, C, D, F, G, H, K, L</p> <p>A, B, C, D, F, G, H, K, L</p>
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**SECTION B (Compulsory for all application types)**

**PARTICULARS OF APPLICANT**

<p>Name of company, partnership, corporation or other legal entity, or surname in the case of a sole proprietor</p>	
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<p>First names, if sole proprietor (not more than 3)</p>	
--	--

<p>Type of identification</p> <p>*Attach a certified copy</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>RSA identity document</td><td style="width: 20px; height: 20px;"></td></tr> <tr><td>Passport</td><td></td></tr> <tr><td>Founding statement</td><td></td></tr> <tr><td>Memorandum of Understanding</td><td></td></tr> </table>	RSA identity document		Passport		Founding statement		Memorandum of Understanding		<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>Temporary identity certificate</td><td style="width: 20px; height: 20px;"></td></tr> <tr><td>Foreign identity document</td><td></td></tr> <tr><td>Certificate of incorporation</td><td></td></tr> <tr><td>Partnership Agreement</td><td></td></tr> </table>	Temporary identity certificate		Foreign identity document		Certificate of incorporation		Partnership Agreement	
	RSA identity document																	
	Passport																	
	Founding statement																	
Memorandum of Understanding																		
Temporary identity certificate																		
Foreign identity document																		
Certificate of incorporation																		
Partnership Agreement																		

**SECTION B (Compulsory for all application types)**

**PARTICULARS OF APPLICANT**

Name of company, partnership, corporation or other legal entity, or surname in the case of a sole proprietor

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First names, if sole proprietor (not more than 3)

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Type of identification

RSA identity documentTemporary identity certificate

\*Attach a certified copy

PassportForeign identity document

Founding statementCertificate of incorporation

Memorandum of UnderstandingPartnership Agreement

Identity no. / passport no. / business registration number

--	--	--	--	--

Trade name (if applicable)

--	--	--	--	--

Type of business

--	--	--	--	--

Postal address and code


Street address (if different from postal address) *Domicilium citandi et executandi*


Telephone number(s)

--	--	--	--	--

--	--	--	--	--

Facsimile number (if any)

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E-Mail address (if any)

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Income tax registration number

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[Attach an original Tax Clearance Certificate]

**SECTION C (Compulsory for all application types)**

**PARTICULARS OF PERSON RESPONSIBLE FOR A JURISTIC PERSON**

In the case of a company, partnership, close corporation or other juristic person, particulars of the person responsible to represent it must be given:

Surname

--	--	--	--	--

First names (not more than 3)

--

Identity number

--	--	--	--	--

Type of identification

RSA identity documentPassport

Other (specify)

Telephone number

--	--	--	--	--

Cell number

--	--	--	--	--

Identity no. / passport no. / business registration number

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Trade name (if applicable)

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Type of business

--	--	--	--	--

Postal address and code


Street address (if different from postal address) *Domicilium citandi et executandi*


Telephone number(s)


Facsimile number (if any)

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E-Mail address (if any)

--	--	--	--	--

Income tax registration number

--	--	--	--	--

[Attach an original Tax Clearance Certificate]

**SECTION C (Compulsory for all application types)**

**PARTICULARS OF PERSON RESPONSIBLE FOR A JURISTIC PERSON**

In the case of a company, partnership, close corporation or other juristic person, particulars of the person responsible to represent it must be given:

Surname

--	--	--	--	--	--

First names (not more than 3)

--	--	--	--	--	--

Identity number

--	--	--	--	--	--

Type of identification

RSA identity document	Passport
Other (specify)	

Telephone number

--	--	--	--	--	--

Cell number

--	--	--	--	--

**SECTION D (Compulsory for application types 2, 3, 4 and 5)**

**PARTICULARS OF EXISTING OPERATING LICENCE OR PERMIT (in the case of an application for renewal, amendment, transfer or conversion)**

Operating licence number/permit number									
REGULATORY ENTITY which issued the operating licence/permit									
Date of issue					/				
	Y	Y	Y	Y					MM

Attach a certified copy of operating licence or permit. A permit must first be converted to an operating licence before it may be renewed, amended or transferred. Th

**SECTION E (Compulsory for application type 2)**

**PARTICULARS OF PERSON OR ENTITY TO WHICH THE OPERATING LICENCE IS TO BE TRANSFERRED (in the case of an application for trans**

Name of company, partnership, corporation or other legal entity, or surname in the case of a sole proprietor									
First names, if sole proprietor (not more than 3)									
Type of identification (Attach certified copies)	RSA identity document / Temporary identity certificate Passport / Foreign identity document Founding statement / Certificate of incorporation Founding agreement / Partnership Agreement								
Identity no. / business registration number									
Trade name (if applicable)									
Type of business									
Postal address and code									
Street address (if different from postal address) <i>Domicilium citandi et executandi</i>									
Telephone number(s)									
Facsimile number (if any)									
E-Mail address (if any)									

Income tax registration number

--	--	--	--	--	--	--	--

\*Attach Original Tax Clearance Certificate

\* Include written consent of transferor

**SECTION F (Compulsory for all application types)**

**TYPE OF PUBLIC TRANSPORT SERVICE**

[Tick type of service; it may be necessary to tick more than one]

Type of service

\* Please attach a certified copy of the contract between the operator and school or other educational institution or

<input type="checkbox"/>	Scheduled bus service	<input type="checkbox"/>	Minibus taxi-type service
<input type="checkbox"/>	Staff service	<input type="checkbox"/>	Charter service
<input type="checkbox"/>	Courtesy service	<input type="checkbox"/>	Metered taxi service
<input type="checkbox"/>	* Scholar service	<input type="checkbox"/>	Other service

letter of authorisation from the principal or authorised administrative officer.

\* Attach certified copies of the professional driving permits of all the drivers to be used for this service.

Other type of service (describe)


Number of passengers that will be carried

<input type="text"/>	<input type="text"/>	<input type="text"/>
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In the case of a long-distance service, state why passengers cannot use existing transports services and motivate why the proposed service is necessary (supporting documents may be attached)


In the case of a renewal, amendment, transfer or conversion, have the services been provided continuously for a period of 180 days prior to the date of application?

<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
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If NO, give reasons


\* Any recommendations or documentation in support of this application may be attached.

**SECTION G**

**PARTICULARS OF ROUTES  
(Not applicable for Charter Services and Metered Taxis)**

Describe the **FIRST** route in detail:

Departure point

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Destination

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Route description (State street names or road numbers and each point where passengers are picked up or set down, and, where applicable, beacons or land marks for each city, town, village or settlement: vague route descriptions will not be accepted)


Describe the **SECOND** route in detail (Complete for application of additional service)

Departure point

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Destination

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Route description (State street names or road numbers and each point where passengers are picked up or set down, and, where applicable, beacons or land marks for each city, town, village or settlement: vague route descriptions will not be accepted)


[If there are more routes, they must be described on a separate sheet of paper]

In the case of Metered Taxis please describe the area which will be serviced:




--

**SECTION H (Compulsory for all application types)**

**AUTHORISED RANKS AND TERMINALS**

State the authorised ranks and terminals used or to be used


**SECTION I**

**PARTICULARS OF CONTRACT (in case of a contracted service)**

A certified copy of the contract is to be attached. (Note: Only contracts with National, Provincial or local sphere of government)

Type of contract

Commercial service contract

Subsidised service contract

Negotiated contract

Contract reference number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Names of parties to the contract

1

--

2

--

Addresses of parties to the contract

1


2


Name of sub-contractor (if applicable)

--

Address of sub-contractor (if applicable)


Duration of contract

From

--	--	--	--	--	--

--	--

Y

Y

Y

Y

M

M

**SECTION J**

**TIME TABLES (in the case of a scheduled service)**

The applicable (current) time tables are attached as Annexure

Yes
-----

No
----

**SECTION K (Compulsory for all application types)**

**DECLARATION**

I, the undersigned (full name) .....

certify that the information furnished in this application form is true and correct.

I accept that if information supplied in this application is found to be false, the application will be rejected and I may be disqualified from making an application for a

.....

Signature

.....

Date

.....

Name of person

Name of legal entity (if applicable)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

**FORM 1A**

**SECTION L (Compulsory for all application types)**

**VEHICLE DETAILS**

For a new application please indicate the type of vehicle/s that you intend to purchase (if no vehicle is owned at present):

\* Please note that operating licences are granted per vehicle. Therefore, the applicant is required to pay the fee for each vehicle listed in this application. If application made for more than three (3) vehicles please attach a separate page containing the details below.

Type:

No.

Seating capacity:

Number of vehicles to be purchased:

--

Motor car	
Minibus	
Midibus	
Bus	
Other	


**Vehicle 1:**

Vehicle registration number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Vehicle identification number (VIN)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Type of vehicle

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Year of manufacture

--	--	--	--	--



Y Y Y Y M M D D

Signature of designated official of Regulatory Entity

**OPERATING LICENCE PARTICULARS**

**Operating Licence 1**

Operating Licence number

Valid from  /  /  Valid to  /   
Y Y Y Y M M D D Y Y Y Y M M

Captured application details on OLAS  /  /   
Y Y Y Y M M D D

Date submitted to Publications  /  /   
Y Y Y Y M M D D

Date referred to PREs and Planning Authority  /  /   
Y Y Y Y M M D D

**Operating Licence 2**

Operating Licence number

Valid from  /  /  Valid to  /   
Y Y Y Y M M D D Y Y Y Y M M

Captured application details on OLAS  /  /   
Y Y Y Y M M D D

Date submitted to Publications  /  /   
Y Y Y Y M M D D

Date referred to PREs and Planning Authority  /  /   
Y Y Y Y M M D D

**Operating Licence 3**

Operating Licence number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Valid from

Y	Y	Y	Y	M	M	D	D	Y	Y	Y	Y	M	M

Captured application details on OLAS

Y	Y	Y	Y	M	M	D	D

Date submitted to Publications

Y	Y	Y	Y	M	M	D	D

Date referred to PREs and Planning Authority

Y	Y	Y	Y	M	M	D	D

\* In the case of more operating licences, provide the same particulars on a separate sheet as an attachment.

**FOR OFFICE USE ONLY**

Date Application received

Y	Y	Y	Y	M	M	D	D

Captured application details on OLAS

Y	Y	Y	Y	M	M	D	D

Reference number

--	--	--	--	--	--	--	--	--	--

Receipt number

--	--	--	--	--	--	--	--	--	--

Amount Paid

R									
---	--	--	--	--	--	--	--	--	--

Date submitted to Publications

Y	Y	Y	Y	M	M	D	D

Date referred to PREs and Planning Authority

Y	Y	Y	Y	M	M	D	D

Valid from

Y	Y	Y	Y

M	M

D	D

Valid to

Y	Y	Y	Y

M	M

Official's name

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Y	Y	Y	Y

M	M

D	D

FORM 1A 1

<b>CHECKLIST</b>
------------------

A certified copy of one of the following:	RSA Identity Document
	Passport
	Temporary RSA Identity Document
	Foreign Identity Document
	Partnership Agreement
	Board Resolution / Founding agreement
Valid Tax Clearance Certificate.	
Valid vehicle licence and registration	
Written consent of transferor in the case of a transfer and a certified copy of transferor's operating licence or permit.	
Has signed a statement to the effect that he or she or it, will comply with labour laws in respect of drivers and other staff, as well as sectoral determinations of the Department of Labour.	
Letter or document of recommendation in support of the application (if any).	

### Form 2A

## APPLICATION FOR ACCREDITATION AS A TOURIST TRANSPORT OPERATOR

DEPARTMENT OF TRANSPORT

National Public Transport Regulator

NATIONAL LAND TRANSPORT ACT, 2009 (ACT NO. 5 OF 2009)

APPLICATION FOR ACCREDITATION AS A TOURIST TRANSPORT OPE
--

Please tick appropriate box:

Application for accreditation

Application

Application for renewal of accreditation

**SECTION A**

**PARTICULARS OF APPLICANT**

Name of company, partnership, corporation or other legal entity, or surname in the case of a sole proprietor

--	--	--	--	--	--

First names, if sole proprietor (not more than 3)

--	--	--	--	--	--

Type of identification

RSA identity document	Temporary identity certificate
Passport	Foreign identity document
Founding statement	Certificate of incorporation
Memorandum of Understanding	Partnership Agreement

\* (Attach a certified copy)

Identity no. / passport no. / business registration number

--	--	--	--	--	--

Trade name (if applicable)

--	--	--	--	--	--

Type of business

--	--	--	--	--	--

Postal address and code


Street address (if different from postal address) *Domicilium citandi et executandi*


Telephone number(s)

--	--	--	--	--	--

--	--	--	--	--	--

Facsimile number (if any)

--	--	--	--	--	--

E-Mail address (if any)

--	--	--	--	--	--

Income tax registration number

--	--	--	--	--	--

[Attach original Tax Clearance Certificate]

\* Any recommendations or documentation in support of this application may be attached.

**SECTION B**

**PARTICULARS OF THE CONTACT PERSON BETWEEN THE OPERATOR AND THE NPTR**

In the case of a company, partnership, close corporation or other juristic person, particulars of the person responsible to represent it must be given:

Surname 

--	--	--	--	--	--	--	--	--	--	--	--

First names (not more than 3) 

--

Identity number 

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Type of identification 

RSA identity document
Other (specify)

Telephone number 

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Cell number 

--	--	--

--	--	--	--	--	--	--	--	--	--

**SECTION C**

**VEHICLE PARTICULARS**

\* The applicant is to attach copies of all operating licences and permits issued for vehicles operated by the applicant. (Except in case of a new operator).

Type:	No.	Seating capacity:	Number					
Motor car		<table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>						
Minibus		<table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>						
Midibus		<table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>						
Bus		<table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>						
Other		<table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>						

**Vehicle 1:**

Vehicle registration number 

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Vehicle identification number (VIN) 

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Type of vehicle 

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Year of manufacture 

--	--	--	--

Make of Vehicle 

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Number of passengers to be carried 

--	--	--

**Vehicle 2:**

Vehicle registration number 

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Vehicle identification number (VIN) 

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Type of vehicle 

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Year of manufacture 

--	--	--	--



Make of Vehicle


Number of passengers to be carried

--	--	--

**Vehicle 3:**

Vehicle registration number

--	--	--	--	--	--	--	--	--	--	--	--

Vehicle identification number (VIN)

--	--	--	--	--	--	--	--	--	--	--	--

Type of vehicle

--	--	--	--	--	--	--	--	--	--	--	--

Year of manufacture

--	--	--	--

Make of Vehicle

--	--	--	--	--	--	--	--	--	--	--	--

Number of passengers to be carried

--	--	--

**\* Service records to be attached**

**\* In the case of more vehicles provide the same particulars on a separate sheet**

**SECTION D**

**VEHICLE MAINTENANCE**

Is there an appropriate programme put in place for the maintaining and servicing of vehicles operated or to be operated?

YES
-----

NO
----

If yes, describe:


Are vehicles serviced at a garage or service centre in accordance with the specifications of the vehicle manufacturer?

YES
-----

NO
----

\*If yes, provide name and address of garage or service centre:

--	--	--	--	--	--	--	--	--	--	--


Are vehicles serviced at in-house facilities?

YES
-----

NO
----

\_\_\_\_\_

\_\_\_\_\_

\*If yes, provide the address:


\* Please note that all vehicles and in-house facilities will be inspected by an official for approval.

\* Please attach service records of vehicles.

**FOR**

**SECTION E**

**LIVERY AND SIGNAGE**

Description of livery and signage being displayed or to be displayed on vehicle (Attach photo if available)


**SECTION F**

**CHANGE OF CONDITIONS**

In the case of an application to amend conditions of accreditation, describe the conditions to be amended and the reasons thereof:


**SECTION G**

**DECLARATION**

I, the undersigned (full name) .....

certify that the information furnished in this application form is true and correct.

I accept that if information supplied in this application is found to be false, the application will be rejected and I may be disqualified from making an application for i

.....

Signature

.....

Date

.....





Y Y Y Y M M D D

**FORM**

**Operating Licence 3**

**Operating Licence number**

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Date Application received

Y	Y	Y	Y	Y	M	M	D	D

Captured application details on OLAS

Y	Y	Y	Y	Y	M	M	D	D

Reference number

--	--	--	--	--	--	--	--

Amount Paid

R							
---	--	--	--	--	--	--	--

Valid from

Y	Y	Y	Y	Y	M	M	D	D

Valid to

Y	Y	Y	Y	Y	M	M

Official's name

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Y	Y	Y	Y	Y	M	M	D	D

CHECKLIST	
A certified copy of one of the following:	RSA Identity Document
	Passport
	Temporary RSA Identity Document
	Foreign Identity Document
	Partnership Agreement
	Board Resolution/Founding agreement
Valid Tax Clearance Certificate.	
Valid vehicle licence and registration.	
Has signed a statement to the effect that he or she or it, will comply with labour laws in respect of drivers and other staff, as well as sectoral determinations of the Department of Labour.	
Copies of operating licences or permits of vehicles operated (if applicable).	
Letter or document of recommendation in support of the application (if any).	

## Form 3A

### APPLICATION FOR TEMPORARY OPERATING LICENCE (SPECIAL EVENT)

DEPARTMENT OF TRANSPORT  
National Public Transport Regulator  
NATIONAL LAND TRANSPORT ACT, 2009 (ACT NO. 5 OF 2009)

<b>APPLICATION FOR TEMPORARY OPERATING LICENCE (SPECIAL EVENT)</b>
--

Name or description of Special Event	
--------------------------------------	--

Duration of the event	<table style="display: inline-table; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="padding: 0 5px;">/</td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="padding: 0 5px;">/</td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="padding: 0 10px;">to</td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="padding: 0 5px;">/</td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="padding: 0 5px;">/</td> </tr> <tr> <td style="text-align: center; font-size: 8px;">Y</td><td style="text-align: center; font-size: 8px;">Y</td><td style="text-align: center; font-size: 8px;">Y</td><td style="text-align: center; font-size: 8px;">Y</td><td></td><td style="text-align: center; font-size: 8px;">M</td><td style="text-align: center; font-size: 8px;">M</td><td></td><td style="text-align: center; font-size: 8px;">D</td><td style="text-align: center; font-size: 8px;">D</td><td></td><td style="text-align: center; font-size: 8px;">Y</td><td style="text-align: center; font-size: 8px;">Y</td><td style="text-align: center; font-size: 8px;">Y</td><td style="text-align: center; font-size: 8px;">Y</td><td></td><td style="text-align: center; font-size: 8px;">M</td><td style="text-align: center; font-size: 8px;">M</td><td></td> </tr> </table>					/			/			to					/			/	Y	Y	Y	Y		M	M		D	D		Y	Y	Y	Y		M	M	
				/			/			to					/			/																					
Y	Y	Y	Y		M	M		D	D		Y	Y	Y	Y		M	M																						

**SECTION A**

<b>PARTICULARS OF APPLICANT</b>
---------------------------------

Name of company, partnership, corporation or other legal entity, or sole proprietor	
---	--

First names, if sole proprietor (not more than 3)	
---	--

Type of identification	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 60%; padding: 2px;">RSA identity document</td> <td style="border: 1px solid black; width: 5%;"></td> <td style="border: 1px solid black; width: 35%; padding: 2px;">Temporary identity certificate</td> <td style="border: 1px solid black; width: 5%;"></td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">Passport</td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black; padding: 2px;">Foreign identity document</td> <td style="border: 1px solid black;"></td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">Founding statement</td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black; padding: 2px;">Certificate of incorporation</td> <td style="border: 1px solid black;"></td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">Memorandum of Understanding</td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black; padding: 2px;">Partnership Agreement</td> <td style="border: 1px solid black;"></td> </tr> </table>	RSA identity document		Temporary identity certificate		Passport		Foreign identity document		Founding statement		Certificate of incorporation		Memorandum of Understanding		Partnership Agreement	
RSA identity document		Temporary identity certificate															
Passport		Foreign identity document															
Founding statement		Certificate of incorporation															
Memorandum of Understanding		Partnership Agreement															

\* Attach a certified copy

Identity number/Business number	
---------------------------------	--

Trade name (if applicable)	
----------------------------	--

Type of business	
------------------	--

Postal address and code	
-------------------------	--

	Postal code
Street address (if different from postal address) <i>Domicilium citandi et executandi</i>	
	Postal code
Telephone number(s)	Code
Facsimile number (if any)	Code
E-Mail address (if any)	

**FORM**

Number of existing operating licence or permit																	
Date of expiry of OL or permit	<table border="1" style="display: inline-table; border-collapse: collapse;"> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td>Y</td><td>Y</td><td>Y</td><td>Y</td></tr> </table> / <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr><td> </td><td> </td></tr> <tr><td>M</td><td>M</td></tr> </table> / <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr><td> </td><td> </td></tr> <tr><td>D</td><td>D</td></tr> </table>					Y	Y	Y	Y			M	M			D	D
Y	Y	Y	Y														
M	M																
D	D																
Board/regulatory entity that issued operating licence or permit																	

**SECTION B**

**PARTICULARS OF PERSON RESPONSIBLE FOR A JURISTIC PERSON**

In the case of a company, close corporation or other juristic person, particulars of the person responsible to represent it must be given:

Surname					
First names (not more than 3)					
Identity number					
Type of identification	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">RSA identity document</td> <td style="width: 40%;">Passport</td> </tr> <tr> <td colspan="2">Other (specify)</td> </tr> </table>	RSA identity document	Passport	Other (specify)	
RSA identity document	Passport				
Other (specify)					
Telephone number	Code				
Cell number					

**SECTION C**

**PARTICULARS OF ROUTES (if available)**

Describe the FIRST route in detail	
Departure point	
Destination	







Official's name

--	--	--	--	--	--	--	--	--	--	--	--	--	--

**TEMPORARY OPERATING LICENCE PARTICULARS**

**Operating Licence 1**

Valid from

Y	Y	Y	Y

M	M

D	D

Valid to

**Operating Licence 2**

Valid from

Y	Y	Y	Y

M	M

D	D

Valid to

**Operating Licence 3**

Valid from

Y	Y	Y	Y

M	M

D	D

Valid to

\* Limited to the duration of the event.

\* If more than 3, include a separate page as an attachment.

**CHECKLIST**

Proof of registration and licensing of vehicle.

Valid Tax Clearance Certificate.

Valid vehicle licence and registration incorporating proof of roadworthiness

**Form 4A**

**NOTIFICATION FROM COURTESY SERVICE PROVIDERS WHO ARE EXEMPT FROM OBTAINING OPERATING LICENCES (SECTION 53 (1) (a) OF THE ACT)**

FORM 4A

DEPARTMENT OF TRANSPORT

National Public Transport Regulator

NATIONAL LAND TRANSPORT ACT, 2009 (ACT NO. 5 OF 2009)

NOTIFICATION FROM COURTESY SERVICE PROVIDERS WHO ARE EXEMPT FROM OBTAINING OPERATING LICENCES (SECTION 53 (1) OF THE ACT)

SECTION A

**PARTICULARS OF SERVICE PROVIDER**

Name of company, partnership, corporation or other legal entity, or sole proprietor

First names, if sole proprietor (not more than 3)

Postal address and code  Postal code

Street address (if different from postal address)  
*Domicilium citandi et executandi*  Postal code

Telephone number  Code

Facsimile number (if any)  Code

E-Mail address (if any)

**SECTION B**  
**VEHICLE DETAILS**

**Details of first vehicle (Vehicle 1):**

Vehicle registration number

Type of vehicle

Year of manufacture

Make of vehicle

Vehicle seating capacity

Number of kilometers travelled

**Details of second vehicle (Vehicle 2):**

Vehicle registration number

Type of vehicle

Year of manufacture

Make of vehicle





Other (specify) \_\_\_\_\_

Telephone number \_\_\_\_\_ Code \_\_\_\_\_

Cell number \_\_\_\_\_

**SECTION C**

**PARTICULARS OF ADDITIONAL VEHICLES FOR CERTIFICATION**

**Vehicle 1:**

Vehicle registration number \_\_\_\_\_

Vehicle identification number (VIN) \_\_\_\_\_

Type of vehicle \_\_\_\_\_

Year of manufacture \_\_\_\_\_

Make of Vehicle \_\_\_\_\_

Number of passengers to be carried \_\_\_\_\_

**Vehicle 2:**

Vehicle registration number \_\_\_\_\_

Vehicle identification number (VIN) \_\_\_\_\_

Type of vehicle \_\_\_\_\_

Year of manufacture \_\_\_\_\_

Make of Vehicle \_\_\_\_\_

Number of passengers to be carried \_\_\_\_\_

**Vehicle 3:**

Vehicle registration number \_\_\_\_\_

Vehicle identification number (VIN) \_\_\_\_\_

Type of vehicle \_\_\_\_\_

Year of manufacture \_\_\_\_\_

Make of Vehicle \_\_\_\_\_

Number of passengers to be carried \_\_\_\_\_

\* In the case of more vehicles, provide the same particulars on a separate sheet as an attachment.



**LETTER OF REFERRAL ADDRESSED TO RELEVANT PRE/PLANNING AUTHORITY**

**FORM 6A**

**NATIONAL PUBLIC TRANSPORT REGULATOR**

*LETTER OF REFERRAL ADDRESSED TO RELEVANT PRE/PLANNING AUTHORITY*

ADDRESSEE:

- 1. Relevant PREs
- 2. Relevant Planning authorities

Date: [\*\*\*\*\*]  
 OL Ref number: [\*\*\*\*\*]  
 Contact Person: [\*\*\*\*\*]  
 Tel: [\*\*\*\*\*]  
 Fax: [\*\*\*\*\*]  
 Email: [\*\*\*\*\*]

**REQUEST TO PROVINCIAL REGULATORY ENTITY/PLANNING AUTHORITY FOR RECOMMENDATIONS/COMMENTS: CONCERNING AN APPLICATION IN CONNECTION WITH AN OPERATING LICENCE**

Dear Sir/Madam

In accordance with the National Land Transport Act, 2009 (Act No. 5 of 2009) the following application has been made in connection with an operating licence for the provision of public transport services:

[Name of Applicant] has made an application for the [granting/renewal/amendment/transfer/conversion] of an operating licence or permit to provide Interprovincial public transport services.

You are requested to supply your recommendations and comments regarding this application.

The attached application form contains all of the necessary information that will allow for you to make the appropriate recommendations and/or comments.

If no response is received from your institution within the allocated time, then the NPTR may proceed to process and decide upon the application without your input.

Please supply your recommendation by no later than [dd/mm/yyyy].

Yours sincerely

[Insert Name and designation]

[Signature]

On behalf of the National Public Transport Regulator







**SECTION C**

**DECLARATION**

I, the undersigned (full name) .....

certify that the information furnished in this application form is true and correct.

I accept that if information supplied in this application is found to be false, the application will be rejected and I may be disqualified from making an application for a

.....

Signature

.....

Date

.....

Name of person

Name of legal entity (if applicable)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

**Form 8A**

**LICENCE HOLDER PARTICULARS**

**FORM 8A**

**DEPARTMENT OF TRANSPORT  
OPERATING LICENCE**

**DEPARTMENT OF TRANSP  
OPERATING LICENCE**

Issued in terms of and subject to the provisions of the National Land Transport, 2000  
(Act No. 22 of 2000), subject to the particulars and conditions set out below

**LICENCE HOLDER PARTICULARS**

Association Name	_____	Associat
RAS Registration No.	_____	RAS Registr
Operating Licence Number	_____	Operating Licenc
Application Number	_____	Application
ID-number	_____	II
Name	_____	
Address	_____	
	_____	
	_____	

**VEHICLE PARTICULARS**

Vehicle Registration Number	_____	Vehicle Registration Number
VIN Number	_____	VIN Number
Engine Number	_____	Engine Number
Chassis Number	_____	Chassis Number

Make	_____	Make
Passenger capacity	_____	Passenger capacity
Type	_____	Type
Year of Manufacture	_____	Year of Manufacture
Homologation reference number (if applicable)	_____	Homologation reference number (if applicable)
eNatis model number (if applicable)	_____	eNatis model number (if applica

**FORM 8A**

**ANNEXURE 1**

**Issued in conjunction with the following Public Operating Licence Number:**

\_\_\_\_\_

**This Operating Licence authorises and is restricted to the conveyance as set out in the following description (where applicable):**

**The conveyance of:** \_\_\_\_\_

**National Route Code:** \_\_\_\_\_

**Board Route Code:** \_\_\_\_\_

**Origin:** \_\_\_\_\_

**Destination:** \_\_\_\_\_

**Description** \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**National Route Code:** \_\_\_\_\_

**Board Route Code:** \_\_\_\_\_

**Origin:** \_\_\_\_\_

**Destination:** \_\_\_\_\_

**Description** \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**National Route Code:** \_\_\_\_\_

**Board Route Code:** \_\_\_\_\_

**Origin:**

---

**Destination:**

---

**Description**

---

**FORM 8A**

**National Route Code:**

---

**Board Route Code:**

---

**Origin:**

---

**Destination:**

---

**Description**

---

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**National Route Code :**

---

**Board Route Code:**

---

**Origin:**

---

**Destination:**

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**Description**

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**CONTRACTED SERVICE (IF APPLICABLE)**

---

Type of contract:

Contract reference number:

Names and address of parties in the contract:

Name and address of sub-contractor (if applicable):

**AUTHORIZED RANKS AND TERMINALS:**

Authorized ranks and / or terminals and other  
Points for picking up and setting down of  
Passengers

**TIME TABLES (in the case of scheduled services)**

The applicable time tables are attached as annexures

**SERVICE CONDITIONS IMPOSED BY THE BOARD**

This operating Licence is issued subject to  
the following conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of issue of Operating Licence:

\_\_\_\_\_

**Form 1B**

**APPLICATION FOR THE GRANTING, RENEWAL, AMENDMENT, TRANSFER OR  
CONVERSION OF AN OPERATING LICENCE OR PERMIT**

FO:

**\*PROVINCIAL LOGO\***

**\*\*\*\*\*PROVINCIAL REGULATORY ENTITY**

**NATIONAL LAND TRANSPORT ACT, 2009 (ACT NO. 5 OF 2009)**

**APPLICATION FOR THE GRANTING, RENEWAL, AMENDMENT, TRANSFER OR CONVERSION OF AN OPERATING LICENCE OR PE**

**SECTION A (Compulsory for all application types)**

**TYPE OF APPLICATION**

This application is for:

Application type:

1) New operating licence

Compulsory sections to be completed by applicant:

A, B, C, F, G, H, K, L

2) Transfer of an operating licence or permit

A, B, C, D, E, F, G, H, K, L

A, B, C, D, F, G, H, K, L

3) Amendment of an operating licence or permit for:



Facsimile number (if any)

Facsimile number grid

Code

Code grid

E-Mail address (if any)

E-Mail address text box

Income tax registration number

Income tax registration number grid

[Attach an original Tax Clearance Certificate]

SECTION C (Compulsory for all application types)

PARTICULARS OF PERSON RESPONSIBLE FOR A JURISTIC PERSON

In the case of a company, partnership, close corporation or other juristic person, particulars of the person responsible to represent it must be given:

Surname

Surname grid

First names (not more than 3)

First names text box

Identity number

Identity number grid

Type of identification

Type of identification table with options: RSA identity document, Passport, Other (specify)

Telephone number

Telephone number grid

Code

Code grid

Cell number

Cell number grid

SECTION D (Compulsory for all application types 2, 3, 4 and 5)

PARTICULARS OF EXISTING OPERATING LICENCE OR PERMIT (in the case of an application for renewal, amendment, transfer or conversion)

Operating licence number/permit number

Operating licence number/permit number grid

REGULATORY ENTITY which issued the operating licence/permit

REGULATORY ENTITY grid

Date of issue

Date of issue grid (YYYY/MM/DD)

Expiry date

Expiry date grid (YYYY/MM)

Attach a certified copy of operating licence or permit. A permit must first be converted to an operating licence before it may be renewed, amended or transferred. The permit must be handed in upon upliftment of operating licence.

FORM 11

SECTION E (Compulsory for application type 2)

PARTICULARS OF PERSON OR ENTITY TO WHICH THE OPERATING LICENCE IS TO BE TRANSFERRED (in the case of an application for transfer)

Name of company, partnership, corporation or other legal entity, or surname in the case of a sole proprietor

Name of company, partnership, corporation or other legal entity grid





Other type of service (describe)


Number of passengers that will be carried

--	--	--	--

In the case of a long-distance service, state why passengers cannot use existing transports services and motivate why the proposed service is necessary (supporting documents may be attached)


In the case of a renewal, amendment, transfer or conversion, have the services been provided continuously for a period of 180 days prior to the date of application?

YES	NO
-----	----

If NO, give reasons


\* Any recommendations or documentation in support of this application may be attached.

**SECTION G**

**PARTICULARS OF ROUTES**  
**(Not applicable for Charter Services and Metered Taxis)**

Describe the FIRST route in detail:

Departure point

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Destination

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Route description (State street names or road numbers and each point where passengers are picked up or set down, and, where applicable, beacons or land marks for each city, town, village or settlement; vague route descriptions will not be accepted)


Describe the SECOND route in detail (Complete for application of additional service)

Departure point

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Destination

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Route description (State street names or road numbers and each point where passengers are picked up or set down, and, where applicable, beacons or land marks for each city, town, village or settlement: vague route descriptions will not be accepted)


[If there are more routes, they must be described on a separate sheet of paper]

In the case of Metered Taxis please describe the area which will be serviced:


**SECTION H (Compulsory for all application types)**

<b>AUTHORISED RANKS AND TERMINALS</b>
---------------------------------------

State the authorised ranks and terminals used or to be used


**SECTION I**

<b>PARTICULARS OF CONTRACT (in the case of a contracted service)</b>
--



Signature

Date

.....

Name of person

Name of legal entity (if applicable)

Grid for legal entity name

SECTION L (Compulsory for all application types)

VEHICLE DETAILS

For a new application please indicate the type of vehicle/s that you intend to purchase (if no vehicle is owned at present):

\* Please note that operating licences are granted per vehicle. Therefore, the applicant is required to pay the fee for each vehicle listed in this application. If application separate page containing the details below.

Table with columns: Type, No., Seating capacity, Number of vehicles to be

FORM IF

Vehicle 1:

Vehicle registration number

Vehicle identification number (VIN)

Type of vehicle

Year of manufacture

Make of Vehicle

Number of passengers to be carried

Number of kilometers travelled Already purchased? yes no

Vehicle 2:

Vehicle registration number

Vehicle identification number (VIN)

Type of vehicle

Year of manufacture

Make of Vehicle

Number of passengers to be carried

Number of kilometers travelled

Already purchased?

**Vehicle 3:**

Vehicle registration number

Vehicle identification number (VIN)

Type of vehicle

Year of manufacture

Make of Vehicle

Number of passengers to be carried

Already purchased?

**SECTION M – FOR OFFICIAL USE ONLY**

**OTHER CONDITIONS IMPOSED BY THE REGULATORY ENTITY (if applicable)**

This operating licence is issued subject to the following conditions

\*Or attach conditions imposed as a schedule

Date of issue

.....  
Signature of designated official of Regulatory Entity

**FORM 1F**

**OPERATING LICENCE PARTICULARS**

**Operating Licence 1**

Operating Licence number

Valid from

Valid to

Y Y Y Y / M M / D D

Y Y Y Y / M M

Captured application details on OLAS

Four boxes for year (YYYY) / two boxes for month (MM) / two boxes for day (DD)

Date submitted to Publications

Four boxes for year (YYYY) / two boxes for month (MM) / two boxes for day (DD)

Date referred to PREs and Planning Authority

Four boxes for year (YYYY) / two boxes for month (MM) / two boxes for day (DD)

**Operating Licence 2**

Operating Licence number

Eleven empty boxes for licence number

Valid from

Four boxes for year (YYYY) / two boxes for month (MM) / two boxes for day (DD)

Valid to

Four boxes for year (YYYY) / two boxes for month (MM)

Captured application details on OLAS

Four boxes for year (YYYY) / two boxes for month (MM) / two boxes for day (DD)

Date submitted to Publications

Four boxes for year (YYYY) / two boxes for month (MM) / two boxes for day (DD)

Date referred to PREs and Planning Authority

Four boxes for year (YYYY) / two boxes for month (MM) / two boxes for day (DD)

**Operating Licence 3**

Operating Licence number

Eleven empty boxes for licence number

Valid from

Four boxes for year (YYYY) / two boxes for month (MM) / two boxes for day (DD)

Valid to

Four boxes for year (YYYY) / two boxes for month (MM)

Captured application details on OLAS

Four boxes for year (YYYY) / two boxes for month (MM) / two boxes for day (DD)

Date submitted to Publications

Four boxes for year (YYYY) / two boxes for month (MM) / two boxes for day (DD)

Date referred to PREs and Planning Authority

				/			/		
Y	Y	Y	Y		M	M		D	D

\* In the case of more operating licences, provide the same particulars on a separate sheet as an attachment.

**FORM 1E**

**FOR OFFICE USE ONLY**

Date Application received

				/			/		
Y	Y	Y	Y		M	M		D	D

Captured application details on OLAS

				/			/		
Y	Y	Y	Y		M	M		D	D

Reference number

--	--	--	--	--	--	--	--	--	--	--

Receipt number

--	--	--	--	--	--	--	--	--	--	--

Amount Paid

R										
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Date submitted to Publications

				/			/		
Y	Y	Y	Y		M	M		D	D

Date referred to PREs and Planning Authority

				/			/		
Y	Y	Y	Y		M	M		D	D

Valid from

				/			/		
Y	Y	Y	Y		M	M		D	D

Valid to

				/		
Y	Y	Y	Y		M	M

Official's name

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

				/			/		
Y	Y	Y	Y		M	M		D	D

**CHECKLIST**

A certified copy of one of the following:

RSA Identity Document



	Passport
	Temporary RSA Identity Document
	Foreign Identity Document
	Partnership Agreement
	Board Resolution/Founding agreement
Valid Tax Clearance Certificate.	
Valid vehicle licence and registration	
Written consent of transferor in the case of a transfer and a certified copy of transferor's operating licence or permit.	
Has signed a statement to the effect that he or she or it, will comply with labour laws in respect of drivers and other staff, as well as sectoral determinations of the Department of Labour.	
Letter or document of recommendation in support of the application (if any).	

## Form 2B

### LETTER OF REFERRAL ADDRESSED TO RELEVANT PLANNING AUTHORITY

FORM 2B

(INSERT COAT OF ARMS/LOGO)

(INSERT PROVINCE) PROVINCIAL REGULATORY ENTITY

*LETTER OF REFERRAL ADDRESSED TO RELEVANT PLANNING AUTHORITY*

ADDRESSEE

Planning Authority

Date: [\*\*\*\*\*]

OL Reference number: [\*\*\*\*]

Contact Person: [\*\*\*\*\*]

Tel: [\*\*\*\*\*]

Fax: [\*\*\*\*\*]

Email: [\*\*\*\*\*]

**REQUEST TO PLANNING AUTHORITY FOR RECOMMENDATIONS/COMMENTS: CONCERNING AN APPLICATION IN CONNECTION WITH OPERATING LICENCE**

Dear Sir/Madam

In accordance with the National Land Transport Act, 2009 (Act No. 5 of 2009) the following application has been made in connection with an operating licence for the provision of public transport services:

[Name of Applicant] has made an application for the [granting/renewal/amendment/transfer/conversion] of an operating licence or permit in your area.

You are requested to supply your recommendations and comments regarding this application.

The attached application form contains all of the necessary information that will allow for you to make the appropriate recommendations and/or comments.

If no response is received from your institution within the allocated time, then the [Province] Provincial Regulatory Entity may proceed to process and decide upon the application without your input.

Please supply your recommendation by no later than [dd/mm/yyyy].

Yours sincerely

[Insert Name and designation]

[Signature]

On behalf of the [Province] Provincial Regulatory Entity

## Form 1C

### APPLICATION FOR THE GRANTING, RENEWAL, AMENDMENT, TRANSFER OR CONVERSION OF AN OPERATING LICENCE OR PERMIT

FOI

\*MUNICIPAL LOGO\*

\*\*\*\*\*MUNICIPAL REGULATORY ENTITY

NATIONAL LAND TRANSPORT ACT, 2009 (ACT NO. 5 OF 2009)

APPLICATION FOR THE GRANTING, RENEWAL, AMENDMENT, TRANSFER OR CONVERSION OF AN OPERATING LICENCE OR PE

#### SECTION A (Compulsory for all application types)

#### TYPE OF APPLICATION

This application is for:

Application type:		Compulsory sections to be completed by applicant:
1) New operating licence	<input type="checkbox"/>	A, B, C, F, G, H, K, L
2) Transfer of an operating licence or permit	<input type="checkbox"/>	A, B, C, D, E, F, G, H, K, L
3) Amendment of an operating licence or permit for:	<input type="checkbox"/>	A, B, C, D, F, G, H, K, L
(a) Additional authority	<input type="checkbox"/>	
(b) Amendment of route or area	<input type="checkbox"/>	
(c) Change of particulars	<input type="checkbox"/>	
(e) Amendment of timetables, tariffs or other conditions	<input type="checkbox"/>	
(f) Replace existing vehicle	<input type="checkbox"/>	

(Editorial Note: Numbering as per original *Government Gazette*.)



**SECTION C (Compulsory for all application types)**

**PARTICULARS OF PERSON RESPONSIBLE FOR A JURISTIC PERSON**

In the case of a company, partnership, close corporation or other juristic person, particulars of the person responsible to represent it must be given:

Surname

First names (not more than 3)

Identity number

Type of identification 

RSA identity document	Passport
Other (specify)	

Telephone number  Code

Cell number

**SECTION D (Compulsory for application types 2, 3, 4 and 5)**

**PARTICULARS OF EXISTING OPERATING LICENCE OR PERMIT (in the case of an application for renewal, amendment, transfer or conversion)**

Operating licence number/permit number

REGULATORY ENTITY which issued the operating licence/permit

Date of issue  /  /  Expiry date  /  /  
Y Y Y Y M M D D Y Y Y Y M M

*Attach a certified copy of operating licence or permit. A permit must first be converted to an operating licence before it may be renewed, amended or transferred. The permit must be handed in upon upliftment of operating licence.*

**FORM 10**

**SECTION E (Compulsory for application type 2)**

**PARTICULARS OF PERSON OR ENTITY TO WHICH THE OPERATING LICENCE IS TO BE TRANSFERRED (in the case of an application for transfer)**

Name of company, partnership, corporation or other legal entity, or surname in the case of a sole proprietor

First names, if sole proprietor (not more than 3)

Type of identification (attach certified copies) 

RSA identity document	Temporary identity certificate
Passport	Foreign identity document
Founding statement	Certificate of incorporation

Founding agreement		Partnership Agreement	
--------------------	--	-----------------------	--

Identity no. / business registration number

Trade name (if applicable)

Type of business

Postal address and code   
  
 Postal code

Street address (if different from postal address)  
*Domicilium citandi et executandi*   
  
 Postal code

Telephone number(s)  Code

Code

Facsimile number (if any)  Code

E-Mail address (if any)

Income tax registration number

\* Attach original Tax Clearance Certificate

\* Include written consent of transferor

**SECTION F (Compulsory for all application types)**

**TYPE OF PUBLIC TRANSPORT SERVICE**

[Tick type of service: it may be necessary to tick more than one]

Type of service  *Please attach a certified copy of the contract between the operator and school or other educational institution or letter of authorisation from the principal or authorised administrative officer.	<input type="checkbox"/> Scheduled bus service	<input type="checkbox"/> Minibus taxi-type service
	<input type="checkbox"/> Staff service	<input type="checkbox"/> Charter service
	<input type="checkbox"/> Courtesy service	<input type="checkbox"/> Metered taxi service
	<input type="checkbox"/> *Scholar service	<input type="checkbox"/> Other service

\* Attach certified copies of the professional driving permits of all the drivers to be used for this service.

Other type of service (describe)

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Number of passengers that will be carried

--	--	--

In the case of a long-distance service, state why passengers cannot use existing transports services and motivate why the proposed service is necessary (supporting documents may be attached)

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In the case of a renewal, amendment, transfer or conversion, have the services been provided continuously for a period of 180 days prior to the date of application?

YES	NO
-----	----

If NO, give reasons

---

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---

\* Any recommendations or documentation in support of this application may be attached.

**SECTION G**

**PARTICULARS OF ROUTES**  
**(Not applicable for Charter Services and Metered Taxis)**

Describe the FIRST route in detail:

Departure point

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Destination

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Route description (State street names or road numbers and each point where passengers are picked up or set down, and, where applicable, beacons or land marks for each city, town, village or settlement: vague route descriptions will not be accepted)

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Describe the SECOND route in detail (Complete for application of additional service)







**SECTION L (Compulsory for all application types)**

**VEHICLE DETAILS**

For a new application please indicate the type of vehicle/s that you intend to purchase (if no vehicle is owned at present):

\* Please note that operating licences are granted per vehicle. Therefore, the applicant is required to pay the fee for each vehicle listed in this application. If application separate page containing the details below.

Type:	No.	Seating capacity:	Number of vehicles to be
Motor car			
Minibus			
Midibus			
Bus			
Other			

**FORM 1C**

**Vehicle 1:**

Vehicle registration number

Vehicle identification number (VIN)

Type of vehicle

Year of manufacture

Make of Vehicle

Number of passengers to be carried

Number of kilometers travelled  Already purchased?  yes  no

**Vehicle 2:**

Vehicle registration number

Vehicle identification number (VIN)

Type of vehicle

Year of manufacture

Make of Vehicle

Number of passengers to be carried

Number of kilometers travelled  Already purchased?  yes  no

**Vehicle 3:**

Vehicle registration number

Vehicle identification number (VIN)

\_\_\_\_\_

Type of vehicle

\_\_\_\_\_

Year of manufacture

\_\_\_\_

Make of Vehicle

\_\_\_\_\_

Number of passengers to be carried

\_\_\_\_

Already purchased?

yes

no

**SECTION M – FOR OFFICIAL USE ONLY**

**OTHER CONDITIONS IMPOSED BY THE REGULATORY ENTITY (if applicable)**

This operating licence is issued subject to the following conditions

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Or attach conditions imposed as a schedule

\_\_\_\_\_  
\_\_\_\_\_

Date of issue

\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Y Y Y Y M M D D

.....  
Signature of designated official of Regulatory Entity

**FORM 10**

**OPERATING LICENCE PARTICULARS**

**Operating Licence 1**

Operating Licence number

\_\_\_\_\_

Valid from

\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Y Y Y Y M M D D

Valid to

\_\_\_\_ / \_\_\_\_  
Y Y Y Y M M

Captured application details on OLAS

\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Y Y Y Y M M D D

Date submitted to Publications

\_\_\_\_ / \_\_\_\_ / \_\_\_\_

Y Y Y Y M M D D

Date referred to PREs and Planning Authority

/  /   
Y Y Y Y M M D D

**Operating Licence 2**

Operating Licence number

Valid from

/  /  Valid to

/

Captured application details on OLAS

/  /   
Y Y Y Y M M D D

Date submitted to Publications

/  /   
Y Y Y Y M M D D

Date referred to PREs and Planning Authority

/  /   
Y Y Y Y M M D D

**Operating Licence 3**

Operating Licence number

Valid from

/  /  Valid to

/

Captured application details on OLAS

/  /   
Y Y Y Y M M D D

Date submitted to Publications

/  /   
Y Y Y Y M M D D

Date referred to PREs and Planning Authority

/  /   
Y Y Y Y M M D D

\* In the case of more operating licences, provide the same particulars on a separate sheet as an attachment.

**FOR OFFICE USE ONLY**

Date Application received

				/			/		
Y	Y	Y	Y		M	M		D	D

Captured application details on OLAS

				/			/		
Y	Y	Y	Y		M	M		D	D

Reference number

--	--	--	--	--	--	--	--	--	--

Receipt number

--	--	--	--	--	--	--	--	--	--

Amount Paid

R									
---	--	--	--	--	--	--	--	--	--

Date submitted to Publications

				/			/		
Y	Y	Y	Y		M	M		D	D

Date referred to PREs and Planning Authority

				/			/		
Y	Y	Y	Y		M	M		D	D

Valid from

				/			/		
Y	Y	Y	Y		M	M		D	D

Valid to

				/			/		
Y	Y	Y	Y		M	M			

Official's name

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

				/			/		
Y	Y	Y	Y		M	M		D	D

**CHECKLIST**

A certified copy of one of the following:	RSA Identity Document
	Passport
	Temporary RSA Identity Document
	Foreign Identity Document
	Partnership Agreement
	Board Resolution/Founding agreement

- Valid Tax Clearance Certificate.
- Valid vehicle licence and registration.
- Written consent of transferor in the case of a transfer and a certified copy of transferor's operating licence or permit.







SECTION B

TYPE OF PUBLIC TRANSPORT SERVICE

[Tick type of service; it may be necessary to tick more than one]

Type of service	Scheduled bus service		Minibus taxi-type service
	Staff service		Charter service
	Courtesy service		Metered taxi service
			Other service

Other type of service (describe)

Number of passengers that will be carried

SECTION C

VEHICLE DETAILS

**Vehicle to be replaced:**

Vehicle registration number

Type of vehicle

Year of manufacture

Make of Vehicle

Number of passengers to be carried

Vehicle seating capacity

**Replacement Vehicle:**

Vehicle registration number

Type of vehicle

Year of manufacture

Make of vehicle

Number of passengers to be carried

Vehicle seating capacity



**FOR OFFICE USE ONLY**

Date Application received

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Y	Y	Y	Y	M	M	D	D

Reference number

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------

Amount Paid

R	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Official's name

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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**TEMPORARY VEHICLE REPLACEMENT PARTICULARS**

Valid from

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Y	Y	Y	Y	M	M	D	D

Valid to

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Y	Y	Y	Y	M	M	D	D

**CHECKLIST**

Proof of registration and licencing of vehicle to be replaced.	<input type="checkbox"/>
Valid vehicle registration and licence incorporating road worthiness of replacement vehicle.	<input type="checkbox"/>

**Form 3D**

**FORM OF SUBPOENA REQUIRING A PERSON TO APPEAR BEFORE THE NPTR/PRE/MRE**

**DEPARTMENT OF TRANSPORT**  
**NATIONAL PUBLIC TRANSPORT REGULATOR / PROVINCIAL REGULATORY ENTITY / MUNICIPAL REGULATORY ENTITY**  
**NATIONAL LAND TRANSPORT ACT, 2009 (ACT NO. 5 OF 2009)**

**FORM OF SUBPOENA REQUIRING A PERSON TO APPEAR BEFORE THE NPTR/PRE/MRE**

NOTICE

Name

Residential Address

Postal Code

You are hereby requested and directed to appear personally before the NPTR/PRE/MRE at:

---

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to testify and declare what you know with regard to:

---

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---

and to bring the following for submission to the NPTR/PRE/MRE:

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SIGNED AT \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**AUTHORISED OFFICIAL OF THE OFFICE OF THE NPTR/PRE/MRE**

**FOR OFFICE USE ONLY**

I certify that I have served this notice on the above-named person by-

*[\* Delete whichever is not applicable + Tick appropriate one.]*

\* delivering a true copy to him/her personally

\* leaving, as he/she could not conveniently be found, a true copy with apparently a responsible person at his/her-

+ place of business

+ usual place of residence

+ last known place or residence

SIGNED AT \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

and at the same time informing him/her of the nature thereof.

---



Board/Regulatory Entity that issued operating licence or permit

**SECTION B**

**VEHICLE DETAILS**

An application is hereby made to certify the following vehicles in terms of Section 84 of the Act:

**Vehicle 1:**

Vehicle registration number

Vehicle identification number (VIN)

Type of vehicle

Year of manufacture

Make of Vehicle

Number of passengers to be carried

**SECTION C**

**DECLARATION**

I, the undersigned (full name) .....

certify that the information furnished in this form is true and correct.

I accept that if information supplied in this application is found to be false, the application will be rejected and I may be disqualified from making an application for a

.....

.....

Signature

Date

.....

Name of person

Name of legal entity (if applicable)

**FOR OFFICE USE ONLY**

Date Application received

 /  /   
Y Y Y Y M M D D

Reference number

Amount Paid	R											
Official's name												
Certificate number												
Date certificate issued					/			/				
	Y	Y	Y	Y		M	M		D	D		

**CHECKLIST**

A certified copy of one of the following:	RSA Identity Document
	Passport
	Temporary RSA Identity Document
	Foreign Identity Document
	Partnership Agreement
	Board Resolution/Founding agreement
Proof of registration and licencing of vehicles.	

**Form 5D**

**FORM OF WRITTEN AUTHORISATION FOR THE TEMPORARY REPLACEMENT OF A VEHICLE**

FORM 5D

NATIONAL PUBLIC TRANSPORT REGULATOR / PROVINCIAL REGULATORY ENTITY / MUNICIPAL REGULATORY ENTITY  
 NATIONAL LAND TRANSPORT ACT, 2009 (ACT NO. 5 OF 2009)

**FORM OF WRITTEN AUTHORISATION FOR THE TEMPORARY REPLACEMENT OF A VEHICLE**

[Name of Operator] [ID/Registration number] who is the holder of operating licence/permit number [\*\*\*\*\*], is hereby authorised to replace the vehicle with th registration number [\*\*\*\*\*] with the vehicle with the registration number [\*\*\*\*\*] for the period [dd/mm/yyyy] until [dd/mm/yyyy].

[Signature]

Signed by official on behalf of [Regulatory Entity]

[Insert Name and designation]

OFFICIAL STAMP

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**NATIONAL LAND TRANSPORT TRANSITION ACT  
22 OF 2000**

TABLE OF CONTENTS

## **PROPOSED REGULATIONS**

**GN 1423** of 6 October 2006

Draft Minimum Requirements for the Preparation of Integrated Transport Plans (ITP's)  
(*Government Gazette* No. 29264)

**GN 1241** of 7 October 2008

Publication for comments: Electronic Fare Collection Requirements  
(*Government Gazette* No. 31491)

## **REGULATIONS**

**GNR.1329** of 6 December 2000

National land transport Regulations on regulated competition

**GNR.1330** of 6 December 2000

National land transport Regulations on registration

**GNR.1331** of 6 December 2000

Pro Forma founding agreement for transport authorities

**GNR.1004** of 24 July 2002

Provincial land transport frameworks: Regulations relating to planning requirements in terms of the National Land Transport Transition Act, 2000

**GNR.1005** of 24 July 2002

Current public transport records: Planning requirements in terms of the National Land Transport Transition Act, 2000

**GNR.35** of 19 January 2007

Distinguishing marks for mini-bus and midi-bus: Regulations

**GNR.1119** of 30 November 2007

Integrated transport plans: Minimum requirements in terms of the National Land Transport Transition Act  
(*Government Gazette* No. 30506)

**GNR.1120** of 30 November 2007

Regulations in terms of section 29 (1) of the National Land Transport Transition Act  
(*Government Gazette* No. 30506)

## **NOTICES**

**GN 1468** of 27 October 2006

National Land Transport Strategic Framework (NLTSF)

**GNR.298** of 26 February 2003

Rationalisation Plan: Minimum Requirements in terms of the National Land Transport Transition Act, 2000

## **TABLE OF REPEALS**

The following notices have hereby been repealed:

<b>Repealed Notices</b>	<b>As repealed by</b>
<b>GNR.890</b> of 4 September 2006 Distinguishing marks for mini-bus and midi-bus: Regulations	<b>GNR.35</b> of 19 January 2007 Distinguishing marks for mini-bus and midi-bus: Regulations
<p><b>GNR.1090</b> of 1 August 2003 Operating Licence Strategy: Minimum requirements in terms of the Act (<i>Government Gazette</i> No. 25245)</p> <p><b>GNR.1091</b> of 1 August 2003 Rationalisation Plan: Minimum requirements in terms of the Act (<i>Government Gazette</i> No. 25245)</p> <p><b>GNR.1092</b> of 1 August 2003 Integrated Transport Plan: Minimum requirements in terms of the Act (<i>Government Gazette</i> No. 25245)</p> <p><b>GNR.1093</b> of 1 August 2003 Public Transport Plan: Minimum requirements in terms of the Act (<i>Government Gazette</i> No. 25245)</p>	<p><b>GNR.1119</b> of 30 November 2007 Integrated transport plans: Minimum requirements in terms of the National Land Transport Transition Act (<i>Government Gazette</i> No. 30506)</p>

### **PROPOSED REGULATIONS**

**GN 1423 of 6 October 2006: Draft Minimum Requirements for the Preparation of Integrated Transport Plans (ITP's)**  
(*Government Gazette* No. 29264)

**GN 1241 of 7 October 2008: Publication for comments: Electronic Fare Collection Requirements**  
(*Government Gazette* No. 31491)

### **REGULATIONS**

**GNR.1329 of 6 December 2000: National land transport Regulations on regulated competition**

#### **DEPARTMENT OF TRANSPORT**

##### **as amended by**

<b>Notice</b>	<b>Government Gazette</b>	<b>Date</b>
R.544	22376	12 June 2001 (GNR.544 withdrawn by GNR.563 in GG22394 of 15 June 2001)
R.674	22490	19 July 2001



The Minister of Transport has after consultation with the MECs under section 7 of the National Land Transport Transition Act, 2000 (Act No. 22 of 2000), made the Regulations in the Schedule.

## SCHEDULE

### ARRANGEMENT OF REGULATIONS

1. Definitions
2. Requirements for tender and contract documents, and opening and awarding of tenders
3. Negotiated contracts
4. Calculation of cost of negotiated contract
5. Additional requirements or qualifications for public transport operators to qualify as tenderers

**1. Definitions.**—In these regulations, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act bears that meaning and “the Act” means the National Land Transport Transition Act, 2000 (Act No. 22 of 2000).

**2. Requirements for tender and contract documents, and opening and awarding of tenders.**—(1) Tender and contract documents prepared in terms of Pad 10 of the Act must be made available to prospective tenderers not less than 30 days before the relevant closing date for the submission of tenders.

(2) Subject to contrary provisions in provincial legislation, tenders received must be opened in public as soon as practicable, but not later than 30 minutes after the closing time, and the names of the tenderers must be read out and the tender amounts disclosed.

(3) The contract in question must be awarded to the successful tenderer by written notice not later than 90 days after such closing date, unless that period is extended with the written consent of all tenderers or unless the contracting authority has decided not to accept any of the tenders received.

(4) All tender and contract documents must place an obligation on the public transport operator to provide the services in terms of the relevant contract strictly in accordance with the relevant schedules and in an efficient manner, and if the public transport operator fails to comply therewith, penalties will be imposed or, in serious cases, the contract may be terminated.

**3. Negotiated contracts.**—(1) (a) An MEC, transport authority or core city wishing to obtain exemption from the requirements of section 47 (2) of the Act and to enter into a negotiated contract contemplated in section 47 (3) thereof, must submit a written application to the Minister in that regard.

[Sub-reg. (1) substituted by GNR.544 of 2001 (withdrawn by GNR.563 of 2001), by GNR.674 of 2001 and by GNR.323 of 2004.]

(2) The Minister must respond to the application under subregulation (1) and grant or refuse the application within 120 days of receipt of the application.

[Sub-reg. (2) substituted by GNR.544 of 2001 (withdrawn by GNR.563 of 2001), and by GNR.674 of 2001.]

(3) A request under subregulation (1) will be granted only if the conclusion of the relevant contract will not lead to a substantial increase in the services being provided by the relevant parastatal or municipal transport operator as contemplated in section 47 (3) (b) (i) of the Act.

(4) The percentage of the total value of subsidised service contracts in the transport area or province in question referred to in section 47 (3) (b) (ii) of the Act, in any case may not exceed 50 percent, unless the Minister is of the opinion in the specific case that it is necessary to exceed this percentage to achieve the objects of the Act or to promote the principles set out in section 4 (1) thereof, or the other objectives of transport policy.

[Sub-reg. (4) substituted by GNR.544 of 2001 (withdrawn by GNR.563 of 2001), and by GNR.674 of 2001.]

**4. Calculation of cost of negotiated contract.**—(1) The estimated cost of a negotiated contract referred to in section 47 (3) (b) (iii) of the Act must be calculated according to the following formula:

$$x = a - b$$

- x* being the estimated cost of all subsidised services defined in the specifications of the proposed negotiated contract;
- a* being the estimated total expenditure related to the provision of the proposed negotiated contract service; and
- b* being the estimated total revenue from the proposed negotiated contract service.

(2) Where the proposed contract will be operated by a public-private partnership contemplated in regulation 16 of the Treasury Regulations published in terms of section 76 of the Public Finance Management Act, 1999 (Act No. 1 of 1999) in Government Notice No. R. 345 of 9 April 2001, the proposed contracting authority must submit with the business plan contemplated in section 47 (3) (e) of the Act, the feasibility study contemplated in clause 16.4 of such Treasury Regulations and other relevant documentation submitted to the National or Provincial Treasury thereunder.

[Reg. 4 substituted by GNR.544 of 2001 (withdrawn by GNR.563 of 2001), and by GNR.674 of 2001.]

**5. Additional requirements or qualifications for public transport operators to qualify as tenderers.**—(1) On receiving tenders contemplated in section 47 (2) (a) of the Act, the contracting authority must—

- (a) examine the safety record of the operator by consulting other contracting authorities, where relevant, or by using any other available lawful methods;
- (b) examine the record of previous convictions, if any, for relevant offences, which must include at least the following:
  - (i) road transport offences;
  - (ii) road traffic offences;
  - (iii) offences in terms of labour legislation or industry agreements; and
  - (iv) offences related to dishonesty.
- (c) obtain audited financial statements of the tenderers business for at least the three financial years prior to evaluation of the tenders, which must at least show the tenderer's financial position, performance, flow of funds and changes from the tenderer's financial position from year to year;

- (d) visit the depots and other premises, if any, or other facilities proposed to be used by the tenderer if the contract is awarded to that tenderer, to establish their suitability in relation to the performance of the relevant services;
- (e) conduct interviews with the tenderer or representatives of the tenderer to establish the resources, expertise and competence of the tenderer to provide such services, and
- (f) evaluate the cost structure submitted by the tenderer in the tender forms to establish the likely sustainability of the tenderers operations and whether the tenderer is likely to be able to provide the services for the duration of the contract.

(2) The contracting authority must be satisfied, by virtue of the investigations conducted under subregulation (1), as well as other enquiries and evaluation of the tender submitted, that—

- (a) the tenderer is likely to be able to provide the relevant services in an acceptable, efficient and effective manner;
- (b) the tenderer's business undertaking is financially sustainable, and
- (c) the tenderer complies with the other requirements of section 48 of the Act.

**GNR.1330 of 6 December 2000: National land transport Regulations on registration**

DEPARTMENT OF TRANSPORT

The Minister of Transport has, after consultation with the MECs, under section 7 of the National Land Transport Transition Act, 2000 (Act No.22 of 2000), made the Regulations in the Schedule.

**SCHEDULE**

ARRANGEMENT OF REGULATIONS

- |          |  |
|----------|--|
| 1.       | Definitions  |
| 2.       | Information to be derived from provincial transport registers for National Transport Register                          |
| 3.       | Fees payable for information from National Register  |
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| 6.       | Minimum requirements for constitution of association   |
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| Form 1   | Distinguishing mark for provisionally registered operators of interprovincial services (section 59 (2) (b) of the Act) |
| Form 2   | Distinguishing mark for fully registered interprovincial operators (section 59 (2) (a) of the Act)                     |

**1. Definitions.**—In these Regulations, unless the context otherwise indicates any word or expression to which a meaning has been assigned in the Act bears that meaning, and the Act means the National Land Transport Transition Act, 2000 (Act No. 22 of 2000).

**2. Information to be derived from provincial transport registers for National Transport Register.**—(1) For the purposes of section 52 (2) of the Act, each provincial registrar shall maintain a register for recording information in a nationally uniform electronic database formulated by the Department for the National Transport Register.

(2) For the maintenance of the National Transport Register, the following information shall be submitted to the Department by each Registrar within 30 days of a request for such information being made by the Director General:

- (a) The name of each association that has applied for registration in the Province;
- (b) the registration status of each association, the registration number allocated, and the date on which such status was granted, according to the following categories:
  - (i) application still being processed;
  - (ii) provisional registration granted;
  - (iii) full registration converted to provisional registration in terms of section 56 (1) of the Act, and
  - (iv) full registration granted in terms of section 56 (2) (b) of the Act;
- (c) the total number of members per association, who have been registered in terms of section 58 of the Act as provisional members and as full members respectively;
- (d) the total number of vehicles operated by members per association;
- (e) the total number of vehicles operated by members for which no permit or operating licence is held per association;
- (f) the total number of vehicles operated by members in respect of which permits are held, which have not yet been converted in terms of section 32 of the Act;
- (g) the total number of operating licences held by members per association;
- (h) the total number of registered routes, and route networks or permitted area of operation, if applicable, per association, and per category, both intraprovincial and interprovincial;
- (i) a list of registered routes, and route networks or permitted area of operation if applicable, indicating origin, destination and route number allocated by the Provincial Operating Licensing Board, indicating whether they are interprovincial or intraprovincial and the Board which allocated the route number concerned;
- (j) the total number of vehicles per route, and per route network if applicable, operated by provisionally registered and registered members respectively;
- (k) the number of associations which have submitted a constitution confirmed by the Registrar as complying fully with the requirements of section 60 of the Act and provincial laws;
- (l) a list of associations, if any, and their registration numbers whose registration has been cancelled or temporarily suspended, and the dates of such cancellations or suspensions;
- (m) in respect of registered non-members—
  - (i) the number of non-members that have applied for registration in the Province;
  - (ii) the number of non-members according to the following categories:
    - (aa) application still being processed;

- (bb) provisional registration converted to full registration in terms of section 56 (1) of the Act;
- (cc) full registration granted in terms of section 56 (3) of the Act;
- (iii) number of vehicles operated by non-members;
- (iv) the total number of vehicles operated by non-members in respect of which permits are held, which have not yet been converted in terms of section 32 of the Act;
- (v) the total number of operating licences held by non-members;
- (vi) the total number of registered interprovincial and intraprovincial routes, or route networks or permitted area of operation if applicable, operated by non- members;
- (vii) a list of registered routes, route networks or permitted area of operation if applicable, operated by non-members indicating origin, destination and route number allocated by the Provincial Operating Licencing Board, indicating whether they are interprovincial or intraprovincial and indicating the board which allocated the route number concerned;
- (viii) the total number of vehicles operated by provisionally and fully registered non-members per route; and
- (ix) a list of non-members, if any, and their registration numbers, whose registration has been cancelled or temporarily suspended, and the dates of such cancellations or suspensions.

**3. Fees payable for information from National Register.**—(1) Subject to section 6 (7) of the Act, interested persons may obtain information from the National Register on payment of the fee prescribed in terms of section 22 of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000).

(2) All enquiries shall be recorded in a register which shall capture the full names of the interested person, his or her identity number, or registration number in the case of a juristic person, the reason for the enquiry, the date and time of such enquiry, the physical address of the interested person and the receipt number.

**4. Distinguishing marks for vehicles of provisionally registered and registered interprovincial operators.**—(1) The Registrar must issue a distinguishing mark in respect of each vehicle legally operated on interprovincial routes by each member and each non member who is provisionally or fully registered, subject to subregulation (9).

(2) The distinguishing mark in respect of the vehicles of provisionally registered members and non-members shall indicate the following:

- (a) The province of registration;
- (b) that the vehicle is used to operate a provisionally registered interprovincial service;
- (c) the operators provisional registration number;
- (d) the vehicle registration number;
- (e) the origin and destination of the route or each route if the vehicle is permitted to operate on more than one registered route;
- (f) the route number, or numbers where applicable; and
- (g) the date of expiry of the distinguishing mark.

(3) The distinguishing mark referred to in subregulation (2) must conform to the shape and dimensions set out in Form 1 in the Annexure.

(4) The distinguishing mark in respect of the vehicles of registered members and non-members must indicate the following:

- (a) The province of registration;
- (b) that the vehicle is used to operate a registered interprovincial service;
- (c) the operator's registration number;
- (d) the vehicle registration number;
- (e) the origin and destination of the route, or each route if the vehicle is permitted to operate on more than one registered route;
- (f) the route number or numbers where applicable; and
- (g) the date of expiry of the distinguishing mark.

(5) The distinguishing marks referred to in subregulation (4) must conform to the shape and dimensions set out in Form 2 in the Annexure,

(6) The distinguishing marks referred to in subregulations (2) and (4) shall have a white background with black lettering and the colour of the border shall be of a shade of turquoise using colour model values specified by the Department.

(7) The distinguishing mark may not be handed to the holder or a representative of the holder unless a valid identification document is produced and before the distinguishing mark to be replaced is destroyed.

(8) The distinguishing mark must be designed in such a manner that, once affixed onto the vehicle, it cannot be removed without it being destroyed.

(9) The member or non-member to whom a distinguishing mark has been issued must—

- (a) affix the distinguishing mark with its inscribed side facing to the front in a conspicuous place on the inside of the left-hand side of the windscreen of the vehicle to which it relates;
- (b) maintain the mark in such a condition that all letters and figures on it are clearly legible;
- (c) remove the mark from the vehicle concerned immediately after it expires, or immediately after the registration to which it relates has been suspended or cancelled, or within 24 hours of the Registrar issuing an order that it be removed.

(10) (a) Under no circumstances may a distinguishing mark be displayed on a vehicle other than the vehicle for which it was issued.

(b) A member or non-member who displays a distinguishing mark on another vehicle in contravention of paragraph (a) is guilty of an offence and liable on conviction to a fine not exceeding R1000 or to imprisonment not exceeding three months.

(11) In provinces where distinguishing marks for vehicles of provisionally registered and registered operators, including interprovincial operators, have been prescribed in terms of provincial laws, and the particulars referred to in subregulation (2) or (4), are fully reflected on such mark or marks, the Minister in consultation with the MEC of the province concerned may waive the requirements of subregulations (2) to (9).

## **5. Minimum particulars to be contained in registration certificates issued for**

**interprovincial transport.**—(1) (a) The Registrar shall issue a provisional registration certificate for each provisionally registered member and each provisionally registered non-member engaged in interprovincial transport.

(b) The certificate shall reflect at least the following information:

- (i) Province of provisional registration;
- (ii) full name of member or non-member;
- (iii) identity or registration number of member or non-member;
- (iv) the provisional registration number of the member or non-member as allocated by the Registrar;
- (v) the date of issue of the certificate with the Registrars official stamp;
- (vi) the signature of the Registrar.

(2) (a) The Registrar shall issue a registration certificate for each fully registered member and each fully registered non-member engaged in interprovincial transport.

(b) The certificate shall reflect at least the following information:

- (i) Province of registration;
- (ii) full name of member or non-member;
- (iii) identity or registration number of member or non-member;
- (iv) the registration number of the member or non-member as allocated by the Registrar;
- (v) the date of issue of the certificate with the Registrar's official stamp; and
- (vi) the signature of the Registrar.

**6. Minimum requirements for constitution of association.**—For the purposes of section 60 of the Act, the constitution of an association, for the purposes of full registration, must, as a minimum—

- (a) provide for the termination of the membership of any member operating a public transport service without the necessary operating licence, or where applicable, the necessary permit, for each vehicle by means of which the service is operated;
- (b) provide that an application for admission to membership will be refused unless the applicant has subscribed to the Code of Conduct prescribed by the MEC in terms of section 61 of the Act;
- (c) stipulate conduct that constitutes misconduct and gives rise to disciplinary proceedings against offending members, prescribe the disciplinary steps to be taken against the members and the procedures to be followed in that regard, and establish a standing disciplinary committee for that purpose;
- (d) provide for appeals against the findings of the disciplinary committee, and any penalty or sanction imposed by it, or against loss of the benefits of membership or the termination of membership, prescribe a procedure for those appeals and determine the body to which those appeals may be made;
- (e) declare the following matters to constitute misconduct by any member:
  - (i) the breach of the Code of Conduct by any member;
  - (ii) a member's employment of a driver who has not subscribed to the Code of Conduct;
  - (iii) the continued employment by the member of any driver who has repeatedly

breached the Code of Conduct;

- (iv) failure on the part of the association's governing body or any member thereof or office bearer of the association authorised by that body to apply to the Registrar for the registration of a new member, within one month after the admission of the new member to the association;
- (f) provide for a grievance procedure and the establishment of a standing grievance committee;
- (g) provide for the holding of an annual general meeting of the members;
- (h) create procedures whereby ordinary members may call a special general meeting; and
- (i) provide that the Executive Committee convene quarterly general meetings to seek ratification of decisions taken by the Executive Committee since the previous quarterly general meeting or annual general meeting or special general meeting, as the case may be, with the exception of resolutions of the Disciplinary Committee and Grievance Committee implemented by the Executive Committee.

**7. Minimum requirements for Code of Conduct.**—For the purposes of section 61 of the Act, the Code of Conduct must, as a minimum, bind members of a registered association and registered non-members to ensure that they and their drivers—

- (a) treat passengers at all times with dignity, respect and courtesy;
- (b) refrain from operating a vehicle on a route in respect of which no permit or operating licence is held;
- (c) refrain from operating unroadworthy vehicles; and
- (d) refrain from infringing road traffic laws.

**8. Short title.**—These Regulations are called the National Land Transport Regulations on Registration, 2000.

**Annexure:**

Forms

**Form 1**

Distinguishing mark for provisionally registered operators of interprovincial services (section 59 (2) (b) of the Act)



**Form 2**

Distinguishing mark for fully registered interprovincial operators (section 59 (2) (a) of the Act)

**GNR.1331 of 6 December 2000: *Pro Forma* founding agreement for transport authorities**

DEPARTMENT OF TRANSPORT

I, ABDULLAH MOHAMED OMAR, Minister of Transport, hereby under section 10 (15) of the National Land Transport Transition Act, 2000 (Act No. 22 of 2000) publish the *pro forma* founding agreement in the Schedule.

**Schedule**

**MEMORANDUM OF AGREEMENT**

Entered into by and between

The Government of the Republic of South Africa through its Department of Transport, herein represented by its Minister (hereinafter referred to as “the Department”)

AND

The Provincial Government of the Province of ..... through its Department of ..... herein represented by the Member of the Executive Council responsible for public transport (hereinafter referred to as “the Provincial Department”)

AND

The ..... Municipality, herein represented by .....

AND

The ..... Municipality, herein represented by .....

- [Notes: 1. *The Act requires the national Minister to be a party to the agreement if the national Government will be providing funding.*
2. *All relevant municipalities, whether Category A, B or C, will have to be party to the founding agreement (i.e. including substructures, if any).*
3. *The provisions of this pro forma agreement must be adapted to accommodate the agreement between the parties.*
4. *Where sections of Chapter 3 of the Act are referred to, the appropriate sections of applicable provincial legislation, if any, will have to be substituted.]*

## ARRANGEMENT OF REGULATIONS

### Preamble

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  2. Establishment of Transport Authority
  3. Functions of Transport Authority
  4. Governing Body
  5. Chief Executive Officer
  6. Head office and *domicilium*
  7. Transport Executive
  8. Transfer of staff from participating municipalities
  9. Performance management
  10. Finances of Transport Authority
  11. Budget and related matters
  12. Business plan
  13. Annual report
  14. Procurement
  15. Contributions by participating municipalities
  16. Management in general
  17. Asset management
  18. Projects and work in progress to be taken over by Transport Authority
  19. Dissolution of Transport Authority
  20. Mediation
  21. Amendment of agreement
  22. Indulgences and extensions
- Appendix A Detailed duties and responsibilities of Chief Executive Officer (Clause 5.2 (c))
- Appendix B Terms and conditions on which projects and work in progress will be taken over from participating municipalities (Clause 18.2)
- Appendix C Format and structure of business plan (Clause 12.3)

**Preamble.—**

- Whereas the parties wish to establish a transport authority that will take total responsibility for transport functions in the functional transport area concerned, and be responsible for improved transport service delivery by grouping transport functions into a single, well-managed and focussed institutional structure;
- Whereas the ..... municipality has decided to withdraw from its participation in the ..... Metropolitan Transport Area, established in terms of section 3 of the Urban Transport Act, 1977 (Act No. 78 of 1977), and to request the Premier of the Province to redeclare the metropolitan transport area to exclude the transport area, or to disestablish it, so as to give effect to this decision; [*If applicable*]
- Whereas the MEC has consulted with the Members of the Executive Council of the Province responsible for local government and finance, and those Members have supported and consented to the declaration of the transport area and the establishment of the Transport Authority along the lines provided for in this agreement, and
- Whereas the parties have agreed to establish a transport authority for the transport area in terms of Parts 5 and 14 of the Act and wish to record such agreement,

NOW THEREFORE THE PARTIES HEREBY AGREE AS FOLLOWS:

**1. Definitions.**—In this agreement, unless the context clearly indicates otherwise, any word or expression that is used in the Act has the meaning assigned to it by the Act, and—

“**business plan**” means the annual business plan of the Transport Authority prepared in terms of clause 12;

“**CEO**” means the Chief Executive Officer of the Transport Authority appointed in terms of clause 5;

“**MEC**” means the Member of the Executive Council of the ..... Province responsible for public transport;

“**participating municipalities**” means the ..... Municipality and the ..... Municipality; [and others if applicable]

“**Province**” means the Province of ..... as contemplated in section 103 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1998);

“**the Act**” means the National Land Transport Transition Act, 2000 (Act No. 22 of 2000);

“**transport area**” means the transport area for which the Transport Authority has been established, as described in clause 2.2;

“**Transport Authority**” means the ..... Transport Authority established by clause 2;

“**Transport Executive**” means the body of employees responsible for the professional, technical and administrative work of the Transport Authority, as contemplated in clause 7.

**2. Establishment of ..... Transport Authority.**—

2.1 A Transport Authority is hereby established for the transport area, to be known as the ..... Transport Authority.

2.2 The transport area for which the Transport Authority is established shall be the areas of jurisdiction of the participating municipalities as they exist from time to time (in this agreement called “the transport area”).

[Alternatively: “*The transport area for which the Transport Authority is established*”

*shall be as follows:” (point-to-point (cadastral) description).]*

- 2.3 The Transport Authority shall come into existence on ..... , unless the parties agree in writing to postpone this date as a result of possible delays in passing or implementing relevant legislation, or delays in the local government demarcation and restructuring process, or for any other reason.

### **3. Functions of Transport Authority.—**

- 3.1 The Transport Authority will perform the compulsory functions set out in section 10 (13) of the Act, as well as any other compulsory functions that may be assigned to it by provincial legislation.

- 3.2 In addition to the functions mentioned in clause 3.1, the Transport Authority shall be responsible for the following functions contemplated in section 68 of the Act:

3.2.1 . . . . .

*[Note: The parties to the agreement will have to decide which of the voluntary functions contemplated in section 68 of the Act, if any, should be undertaken. For convenience, these functions are listed as follows:*

- “(a) promote security in public transport;*
- (b) encourage and promote the optimal use of the available travel modes so as to enhance the effectiveness of the transport system and reduce travelling time and costs;*
- (c) develop, operate and maintain a land transport information system;*
- (d) market and promote and assume responsibility for publicity associated with the public transport system;*
- (e) provide information to users or potential users of public transport;*
- (f) in the case of subsidised services, determine fare structures and fare levels, and concessionary fares for special categories of passengers (which will include elderly or disabled persons, learners or students), and periodically adjust fares in consultation with stakeholders, if the MEC has entrusted the subsidy function to the transport authority;*
- (g) in the case of unsubsidised public transport services, set minimum fares;*
- (h) make payments to public transport operators operating public transport services in terms of subsidised service contracts and concessionary fare agreements to which it is a party, if the MEC has entrusted this function to the authority;*
- (i) institute and conduct investigations into the financial circumstances and operating practices of—*
  - (i) persons who, at the time, are existing or potential operators of public transport services in relation to or in the transport area; or*
  - (ii) the holders of permissions who, at the time, are operating public transport services in relation to or in that area, and, if the holder is a company belonging to a group of companies, also into those circumstances and practices of any other company in that group of companies;*
- (j) introduce or establish, or assist in or encourage, promote and facilitate the introduction or establishment of integrated ticketing systems and*

*determine or prescribe measures for the regulation and control of revenue-sharing among the operators involved in that system;*

- (k) exercise control over service delivery through—
  - (i) the setting of operational and technical standards, and monitoring compliance therewith; and*
  - (ii) the monitoring of contracts and concessions;**
- (l) develop, implement and monitor a strategy to prevent, minimise or reduce any adverse impacts of the land transport system on the environment;*
- (m) in agreement with relevant participating municipalities—
  - (i) take over functions related to municipal roads;*
  - (ii) apply measures to limit damage to the road system in that part of the transport area.”**

3.3 The Transport Authority may not undertake any functions additional to those set out in clause 3.1 and 3.2, unless this agreement is amended accordingly in accordance with clause 21.

#### **4. Governing Body.—**

4.1 The Governing Body of the Transport Authority shall consist of the following elected councillors of each participating municipality:

.....

*[Note: If more than one municipality is involved, there will have to be representatives from each council (including substructures, if applicable).]*

4.2 The Governing Body must elect a Chairperson and Deputy Chairperson from among its members. The Chairperson must chair meetings of the Governing Body, and the Deputy Chairperson must do so in the absence of the Chairperson.

4.3 Decisions of the Governing Body shall be taken on the basis of one vote per member, with the person presiding at the meeting having a casting vote in addition to his or her deliberative (normal) vote.

4.4 The quorum for meetings of the Governing Body shall be 50% of its members, of whom at least ..... shall be from ..... and ..... from .....

4.5 (a) The Governing Body may establish committees, either as standing committees or for particular tasks and periods.

(b) Committees may consist of members of the Governing Body or one or more of its members and other persons. Committees must be chaired by a member of the Governing Body.

(c) The functions of such committees are to manage, address or advise the Governing Body on particular issues as assigned to the committee by the Governing Body and to report on their findings to the Governing Body for further action.

(d) The working of such committees shall be by consensus, and a quorum shall be 50% of the members appointed. Committees may determine procedure to be followed in undertaking their functions, unless the Governing Body has determined such procedure.

(e) Committee members shall hold office at the pleasure of the Governing Body.

- 4.6 Subject to sections 68, 69 and 73 of the Act, the Governing Body may, in writing, delegate to the CEO or to any member of the Transport Executive, one or more of the following powers or duties:
- (a) To appoint and dismiss staff;
  - (b) to purchase assets or supplies to a maximum value not exceeding R ..... per purchase;
  - (c) .....

**5. Chief Executive Officer.—**

- 5.1 The Governing Body must appoint a Chief Executive Officer (CEO) for the Transport Authority, who shall be employed on a full time basis on terms and conditions, and at remuneration, to be determined by the Governing Body.
- 5.2 The functions of the Chief Executive Officer are—
- (a) to advance the purpose and objects of the Transport Authority as specified in this agreement and in applicable legislation;
  - (b) to manage and direct the Transport Executive in terms of the applicable business plan;
  - (c) to carry out other detailed duties and responsibilities set out in Appendix A on behalf of the Transport Authority;
  - (d) to carry out the lawful instructions of the Governing Body.
- 5.3 The Governing Body must conclude an agreement with the CEO, which must be revised for each financial year, and which provides, among other things, for key performance indicators to measure the success of the CEO in achieving the goals, objectives and targets set by the Governing Body for the year in question.

**6. Head office and *domicilium*.—**

- 6.1 The head office of the Transport Authority shall be situated at .....
- 6.2 The head office shall also serve as the place where—
- (a) the Governing Body meets;
  - (b) all correspondence, documents, notices and court process may be delivered or sent to or served on the Transport Authority (*domicilium citandi et executandi*);
  - (c) the offices of the Transport Executive are situated.

**7. Transport Executive.—**

- 7.1 The CEO must establish a Transport Executive, comprising of professional, technical and administrative personnel, who are employees of the Transport Authority and who are responsible for the performance of its professional, technical and administrative duties.
- 7.2 Staff members of the Transport Executive will be employed by the Transport Authority on terms and conditions applicable to municipalities, unless the Governing Body determines otherwise. In this regard, unless the Governing Body determines otherwise, the manner of and procedures for the appointment of staff shall be determined in accordance with the provisions of the Local Government: Municipal Systems Act, 2000 (Act No. .... of 2000).

*[Alternatively: The Transport Department of one or more of the participating municipalities may act as the Transport Executive. If this route is followed, the agreement will have to be amended accordingly.]*

- 7.3 The functions of the Transport Executive shall be to carry out the functions of the Transport Authority as specified in applicable legislation, this agreement and a separate operating agreement to be concluded between the Governing Body and the CEO.
- 7.4 The Transport Authority must establish and follow employment practices which are fair and equitable.

## **8. Transfer of staff from participating municipalities.—**

- 8.1 Employees of participating municipalities may, with their consent and by agreement between the Transport Authority and such municipalities, be transferred to the service of the Transport Authority on a permanent basis.
- 8.2 The transfer of employees will be subject to the terms and conditions as contemplated in subclause 8.1 and further the following conditions:
  - (a) The salaries or wages, and the allowances (if any) to be paid to employees and service benefits due to them by the Transport Authority, may not be less than those payable or due to them by the participating municipality immediately before the transfer.
  - (b) The employees' respective periods of pensionable service with the participating municipality will be regarded and treated as pensionable service for the purposes of any pension fund or scheme of which they may become members after transfer. If, upon the transfer of those employees' benefits from the municipal pension fund to the first mentioned pension fund or scheme, there is an actuarial deficit in the first mentioned pension fund in respect of those employees' pensions, the deficit must be made up by the Transport Authority or the municipality, or both, as provided for in that agreement.
  - (c) The leave which had been accumulated by each of those employees while in the service of the participating municipality, will be regarded and treated as if it were leave accumulated by such an employee in the service of the Transport Authority, except where the employee has requested the participating municipality in writing to be paid the cash value of the accumulated leave, in which case the municipality must make that payment. Liability for the cost of either arrangement will be as stipulated in that agreement.
- 8.3
  - (a) A participating municipality, at the request of the Transport Authority, may place any person in the service of the municipality at the disposal of the Transport Authority, to render a service with the Transport Authority for a period the municipality considers fit. However, the municipality may do so only with that person's consent.
  - (b) For as long as that person renders a service to the Transport Authority, it must compensate the municipality for the remuneration and allowances paid by the municipality to that person, and for any other moneys spent by the municipality on that person's other service benefits and any other costs to the municipality arising from placing that person at the Transport Authority's disposal.

## **9. Performance management.—**

- 9.1 The CEO must regularly monitor and assess the progress of the Transport Authority and



performance towards achieving its objectives, as set out in applicable legislation, this agreement, the business plan and its transport plans, and must comply in this regard with Chapter 6 of the Local Government: Municipal Systems Act, 2000 (the provisions of which will apply with the necessary changes).

- 9.2 The participating municipalities may require the Transport Authority to submit to independent reviews for its output quality or cost effectiveness at any time, or periodically. In deciding to do so, the municipalities must have regard to—
- (a) the potential for the benefits of the review to exceed its costs, and
  - (b) the audits and statements by the auditors of the Transport Authority.
- 9.3 The participating municipalities may direct the terms of reference for and the persons responsible to conduct the reviews, and how the expenses of the reviews will be covered. Copies of such reviews must be supplied to the participating municipalities and the Transport Authority.

#### **10. Finances of Transport Authority.—**

- 10.1 The Transport Authority must conduct its financial affairs in accordance with sections 13 and 72 of the Act and must use all funds received by it strictly in accordance with section 14 of the Act.
- 10.2 If at any time the CEO becomes aware that the Transport Authority—
- (a) may incur an operating deficit at the close of that financial year; or
  - (b) has a cash flow deficit,
- the CEO must call a meeting of the Governing Body immediately to discuss the matter, and must inform the Minister, the MEC and all of the participating municipalities immediately.
- 10.3 The Governing Body must inform the participating municipalities of the methods it intends to employ to fund such a deficit and supply them with a statement of why the funds estimated in the relevant budget are not adequate.
- 10.4 If the participating municipalities are not satisfied with any financial explanations or information provided by the Transport Authority, they may request written clarification within a stated time. The Transport Authority must respond to such a request within ten days. If a participating municipality is not satisfied as to a particular item, it may direct the Governing Body to employ auditors to review the financial information and the Transport Authority's response, and to report thereon to such municipalities.

#### **11. Budget and related matters.—**

- 11.1 The CEO must ensure that a draft budget for the next financial year is prepared and submitted to the Governing Body by not later than ..... days before the end of the current financial year.
- 11.2 The budget must set out and explain at least—
- (a) the cost of the proposed operations, projects, activities and other objectives of the Transport Authority for the next financial year and the manner in which it is proposed to finance them;
  - (b) a statement of the Transport Authority's estimated income and expenditure for the next financial year;
  - (c) any other information or particulars required by the Act or by the Minister, the

MEC or the Governing Body.

- 11.3 Once changes required by the Governing Body, if any, have been incorporated, the budget must be finalised and approved by the Governing Body by not later than three months before the end of the relevant financial year. The budget must be submitted to the councils of the participating municipalities for approval by the date determined by the MEC under section 72 (2) (a) of the Act.
- 11.4 Where a supplementary budget is proposed in terms of section 72 (2) (a) of the Act, the procedure set out in clause 10.2 must be followed, where applicable, and the necessary steps must be taken immediately to enable the supplementary budget to be implemented.
- 11.5 Where a reserve fund is established in terms of section 72 (2) (c) of the Act, the money in the fund must be invested with a financial institution approved by the Governing Body at the highest possible interest rate, subject to a risk assessment of all available institutions, on the following terms and conditions:  
  
.....  
*[To be completed.]*
- 11.6 The Transport Authority may not raise any loan except in accordance with a written resolution of the Governing Body supported by a majority of all the members of the Governing Body.

**12. Business plan.—**

- 12.1 Every year, not later than ..... days before the end of the current financial year, the CEO must cause to be prepared a business plan for the Transport Authority and submit it to the Governing Body for approval with the annual budget. The business plan must be submitted to the councils of the participating municipalities for approval, together with the budget.
- 12.2 The business plan must set out and explain the Transport Authority’s proposed operations, projects, activities and other objectives for the next financial year, as well as—
  - (a) the planned performance indicators applicable to such operations, projects, activities and other objectives;
  - (b) any other information or particulars required by the Act or by the Minister, the MEC or the Governing Body.
- 12.3 The format and structure of the business plan will be set out in Appendix C.
- 12.4 Before finalising its business plan, the Transport Authority must publish a notice in at least one newspaper circulating in the transport area, stating that the draft business plan is available for inspection at times and at a place mentioned in the notice, and allow interested persons a reasonable opportunity to submit comments or recommendations in relation thereto. The Transport Authority must consider any such comments or recommendations received before finalising the business plan.  
  
*[Note: Alternatively, or in addition, provision could be made for the holding of one or more public meetings to discuss the business plan and proposed priorities and projects.]*
- 12.5 The Transport Authority must keep the participating municipalities informed of all significant changes affecting its functions. Without derogating from the generality of this provision, “significant” in financial terms shall mean five percent or one million rand.
- 12.6 The Transport Authority must supply the participating municipalities with information, advice and assistance related to its functions, as such municipalities may require from

time to time. Requests in this regard must be complied with within ten days.

**13. Annual report.—**

- 13.1 Within three months after the end of each financial year, the Transport Authority must submit a report to the participating municipalities concerning the business, operations, projects, finances, transactions and activities of the Transport Authority during the financial year. The report must also deal with the financial position of the Authority at the end of that year.
- 13.2 The annual report must include at least—
- (a) the audited financial statements of the Transport Authority for the financial year covered by the report;
  - (b) the auditor’s report for that year;
  - (c) a synopsis outlining, in broad terms, the Transport Authority’s business, operations, projects and activities during the year with the necessary background information, explanations or reasons for matters dealt with in the report and—
    - (i) setting out the extent to which the Authority has succeeded in achieving or advancing its various detailed objectives as set out in its business plan and transport plans for that financial year;
    - (ii) containing all relevant information about the Transport Authority’s performance with a view to determining how far the Authority has succeeded in applying its resources efficiently, effectively and economically during the year, as well as a comparison between the planned performance indicators for that financial year as set out in that years business and transport plans, and the actual performance indicators as at the end of that year; and
    - (iii) specifying the amounts of money received by the Transport Authority from the participating municipalities and the manner in which it was made available to it, and, if any amount was made available by such a municipality for any particular purpose, also the purpose in question; and
    - (iv) specifying any liability incurred or commitment undertaken by the participating municipalities (if any) for the Transport Authority’s benefit.

**14. Procurement.—**

- 14.1 The Transport Authority must award contracts for goods and services in accordance with a system which is fair, equitable, transparent, competitive and cost-effective, with due regard to sections 9 and 217 (1) and (2) of the Constitution. In this regard the applicable provisions of the Local Government: Municipal Systems Act, 2000, shall apply, with the necessary changes.
- 14.2 The participating municipalities may give directions to the Transport Authority regarding competitive pricing procedures, after consultation with the Governing Body, subject to clause 14.1.

**15. Contributions by participating municipalities.—**The participating municipalities must contribute funds to the Transport Authority in the following manner/amounts .....  
*[Contributions could be in proportion to population or vehicle ownership, or on some other agreed basis, and could be indicated in a formula. This clause could also provide for initial contributions necessary to set up the Transport Authority, either in money or in kind, etc.]*

**16. Management in general.—**

- 16.1 As a public sector authority committed to deriving maximum value for taxpayers' money, the Transport Authority must apply quality management principles in all aspects of its operations.
- 16.2 The Transport Authority must work in close partnership with all spheres of government and consult fully with communities and other stakeholders affected by its activities. It must respond promptly to and monitor public inquiries.
- 16.3 The Transport Authority must strive to meet the social and economic needs of communities in the transport area in carrying out its objectives.
- 16.4 The Transport Authority must co-operate and liaise with all law enforcement agencies to ensure maximum success in achieving enforcement of applicable laws. These agencies include—
- (a) the South African Police Services;
  - (b) provincial and municipal traffic authorities;
  - (c) provincial road transport inspectors;
  - (d) inspectors appointed by the Cross-Border Road Transport Agency;
  - (e) the South African National Roads Agency Limited.
- 16.5 The Transport Authority must establish structures, such as user forums, for consulting and involving users of the public transport systems in the transport area, and other interested persons, in the activities of the Transport Authority. These structures must also provide a forum for the hearing of complaints regarding service delivery. At least the following structures must be established and be conducted in the following manner:
- ..... *[To be completed.]*

**17. Asset management.—**

- 17.1 The Transport Authority must employ professional practices in managing its assets and in investigation, design and work surveillance thereof. Where necessary, professional expertise must be acquired from external sources, on a competitive basis.
- 17.2 The Transport Authority must strive to—
- (a) preserve assets to optimise their economic life;
  - (b) manage the environmental impacts in the location and management of fixed assets and the provision of services, including the reduction at noise, emissions, runoff and visual impact.
- 17.3 Where the Transport Authority has taken on road functions, it must develop strategies and take steps on a pro-active basis to—
- (a) improve safety on roads and eliminate “black spots”;
  - (b) reduce or eliminate damage to roads and other infrastructure by the overloading of vehicles;
  - (c) reduce road roughness to minimise road user operating costs;
  - (d) limit road closures and traffic delays associated with road works and unexpected events;
  - (e) manage the flow of traffic to minimise delays;

- (f) reduce the incidence of skid resistance as a factor in road accidents;
- (g) provide effective signage;
- (h) improve the utility of motorist services, including rest areas;
- (i) increase traffic capacity;
- (j) achieve greater reliability and reduce road closures;
- (k) reduce accidents through realignments, upgrading intersections, widening roads and providing passing opportunities;
- (l) reduce environmental impacts of roads;
- (m) provide better road user services such as information signs and systems, service areas and rest areas.

17.4 The Transport Authority must keep an asset register that accurately and fully reflects the state of the Authority’s assets at all times, and update such register annually.

17.5 The Transport Authority must limit land acquisition and land holdings to essential requirements for its activities.

**18. Projects and work in progress to be taken over by Transport Authority.—**

18.1 The Transport Authority will take over the following projects/work in progress from the participating municipalities:

- (a) .....
- (b) .....

18.2 The terms and conditions on which such projects/work in progress will be taken over are set out in Appendix B.

**19. Dissolution of Transport Authority.—**The Transport Authority may not be dissolved except in accordance with sections 10 (14) and 71 of the Act.

**20. Mediation.—**

20.1 Where a dispute or difference arises between any of the parties in connection with or arising from this agreement, or one of the parties alleges that another is in breach of that party’s obligations in terms of this agreement, the parties concerned must make every effort to resolve the matter by negotiation. Where the matter cannot be resolved by negotiation, any party may declare a dispute by notifying all of the other parties in writing.

20.2 Where a party gives notice under clause 20.1, the parties must form a mediation committee (hereafter referred as “MC”) within 14 days after receipt of the notice by the relevant party, consisting of—

- (a) the Minister; *[If the Minister is party to the agreement]*
- (b) the MEC;
- (c) one representative from each participating municipality;
- (d) the CEO.

*[Alternatively, the parties could appoint a single person as mediator. If they cannot agree on a mediator one could be appointed by a body such as the Association of Law Societies.]*

- 20.3 The Parties shall commit themselves in every respect to the speedy finalisation and solution of the dispute by the MC.
- 20.4 Any party may furnish the MC in advance with written documentation and information and may make the same available to the other parties.
- 20.5 The MC must establish and regulate procedures for the mediation so long as the parties continue to agree to participate in the mediation process.
- 20.6 The parties acknowledge that mediation is a voluntary process that may be terminated at any time by any party on written notice to the others.
- 20.7 The MC must give each party the opportunity to present its case by means of written or oral representations and to submit settlement alternatives, and the MC must aid the parties in reaching a mutually acceptable agreement.
- 20.8 The MC must record the settlement reached by the parties, if any, and request the parties to sign the draft settlement within 3 (three) days after a settlement has been reached and give a copy thereof to each party.
- 20.9 The parties must pay the costs of the MC, if any, in equal shares, unless the MC orders one party to pay a larger share or the full amount.
- 20.10 The signed settlement shall be final and binding on all of the parties
- 20.11 The MC shall not have the power itself to render a binding decision or award in the dispute, nor will it be empowered to force any party to settle the dispute. *[Note: Alternatively, an arbitration procedure could be provided for, where the committee itself decides the matter, e.g. by majority vote. It could then be called an 'Arbitration Committee': If this route is followed, the clause will have to be amended accordingly.]*
- 20.12 Any information, documentation and material disclosed or made available to the MC privately or in caucus will remain confidential and will not be disclosed by the MC or any party without the prior consent of the party who made it available.
- 20.13 Mediation will take place on a confidential and "without prejudice" basis. The parties undertake that they will never subpoena any person who is a party to or who is involved in the mediation, for the purpose of giving evidence as to what took place during mediation. The parties and the MC shall ensure that the confidentiality of the mediation process is assured.
- 20.14 If the parties are unable to reach a settlement within sixty (60) days, the MC must certify this in writing and any party may institute proceedings in the appropriate court for settlement of the dispute, with due regard, where applicable, to the provisions of Chapter 3 of the Constitution.
- 20.15 The parties must, notwithstanding any dispute, difference or settlement procedure, continue to perform their duties and obligations in accordance with the provisions of the agreement.

## **21. Amendment of agreement.—**

- 21.1 Subject to clause 21.2, no variation of, addition to or consensual cancellation or novation of this agreement, either in its entirety or of any term or condition thereof, shall be of any force and effect unless reduced to writing and signed by the authorised representatives of the parties.
- 21.2 Where the Act or other legislation is amended in a way that affects this agreement, the agreement will be considered as having been amended accordingly: Provided that steps

are taken by the Provincial Department to advise the relevant parties of such amendments.

**22. Indulgences and extensions.**—No indulgence or extension of time granted by a party to this agreement to another party, shall constitute a waiver of any of the first party's rights under this agreement, and that first party shall not be precluded as a consequence of having granted such indulgence from exercising any right against the other which may have arisen in the past or which may arise in the future.

SIGNED at ..... on .....

MINISTER OF TRANSPORT

Witness 1: .....

Witness 2: .....

SIGNED at ..... on .....

MEC for ..... : PROVINCE OF .....

Witness 1: .....

Witness 2: .....

SIGNED at ..... on.....2000.

For ..... MUNICIPALITY

Witness 1: .....

Witness 2: .....  
[FULL NAME]

SIGNED at..... on.....2000.

For ..... MUNICIPALITY

Witness 1: .....

Witness 2: .....  
[FULL NAME]

#### **Appendix A**

Detailed duties and responsibilities of Chief Executive Officer (Clause 5.2 (c))

*[To be completed by parties.]*

#### **Appendix B**

Terms and conditions on which projects and work in progress will be taken over from participating municipalities (Clause 18.2)

*[To be completed by parties.]*

#### **Appendix C**

Format and structure of business plan (Clause 12.3)

*[To be completed by parties.]*

**GNR.1004 of 24 July 2002: Provincial land transport frameworks: Regulations relating to planning requirements in terms of the National Land Transport Transition Act, 2000**

DEPARTMENT OF TRANSPORT

as amended by

Notice  
R.126

Government Gazette  
24267

Date  
24 January 2003

In terms of section 22 (1) of the National Land Transport Transition Act, 2000 (Act No. 22 of 2000), I, Abdulah Mohamed Omar, Minister of Transport, after consultation with the MECs, have made the regulations contained in the Schedule hereunder.

**Abdulah Mohamed Omar**  
**MINISTER OF TRANSPORT**

**SCHEDULE**

ARRANGEMENT OF REGULATIONS

1. Definitions
2. Purpose of regulations
3. Principles for preparing provincial land transport frameworks
4. Date of submission of plan
5. Process for preparation and approval by MEC
6. Process for submission to Minister
7. Minimum contents of provincial land transport frameworks.

**1. Definitions.**—In these regulations, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act has that meaning, and—

“**Act**” or “**the Act**” means the National Land Transport Transition Act, 2000 (Act No. 22 of 2000) as amended by the National Land Transport Transition Amendment Act, 2001 (Act No. 31 of 2001);

“**CPTR**” means a current public transport record;

“**facilities**” means ranks, terminals, stations, holding areas, informal taxi ranks and holding areas and major boarding points in rural areas, for road and rail based public transport;

“**PLTF**” means a provincial land transport framework;

“**route**” means the roads or railway lines that are traversed by a vehicle or train from point of origin to point of final destination or, in the case of road-based transport, where no roads are clearly demarcated, the route followed by the particular vehicle as described with reference to landmarks or beacons;

“**services**” means public transport services

**2. Purpose of regulations.**—(1) The PLTFs prepared by the provincial government must comply with the Requirements set out in these regulations.

(2) In interpreting these regulations the provincial government should be guided by guidelines, which are available from the National Department of Transport.



(3) Where there is a conflict between these regulations and such guidelines, these regulations prevail.

**3. Principles for preparing provincial land transport frameworks.**—(1) In addition to the principles stated in the Act, the following principles apply to the preparation of PLTFs—

- (a) Plans must pay due attention to the development of rural areas;
- (b) non-motorised forms of transport must be taken into account; and
- (c) transport for special categories of passengers must receive specific attention.

(2) The integrated transport planning process must be continuous.

(3) the PLTF must be synchronised with other planning initiatives and must indicate how it is integrated into the provincial transport and land use planning process.

(4) Specific reference must be made to the integrated development planning and land development objective processes, the municipal budgeting process and the spatial planning processes.

**4. Date of submission of plan.**—(1) The initial annual PLTF for the 2002 - 2007 financial years must be prepared, adopted by the MEC and submitted to the Minister by the date determined by the Minister for the province concerned, in consultation with the MEC, under section 19 (4) (a) of the Act, which date must not be later than 31 March 2003.

[Sub-reg. (1) substituted by GNR.126 of 2003.]

(2) After date of submission of the initial PLTFs the Minister must determine the date for the submission of the subsequent PLTFs.

**5. Process for preparation and approval by MEC.**—(1) The province must prepare its PLTF annually for a five-year period in accordance with section 22 (1) of the Act for the financial year in question.

(2) Between the initial PLTF and later ones, the province must refine the accuracy and relevance of information and substantiate estimates.

(3) A PLTF must be prepared in the following two phases, as required by section 22 (2) of the Act—

- (a) The initial annual PLTF for the years (2002 - 2007) which serves to guide land transport in the province; and
- (b) the PLTF for the second and subsequent years that includes summaries of local plans in the province.

(4) The initial PLTF must be amended to reflect the changes.

(5) In the development of a PLTF, the provincial department must consult with planning authorities, other major role players and stakeholders and the MEC, and this process must be reflected in the PLTF.

**6. Process for submission to Minister.**—(1) After the date of publication of these regulations, but not later than the date mentioned in regulation 4 (1), every provincial department must complete its PLTF, consisting of at least the matters set out in regulation 7.

(2) On completion of the PLTF it must be submitted to the Minister in terms of section 22 (4) of the Act, together with a written approval from the MEC.

(3) If the Minister is of the opinion that the PLTF is—

- (a) not a true reflection of the situation relating to commuter rail;
- (b) not prepared correctly or completely according to the Act or these regulations;
- (c) in conflict with national policy or the National Land Transport Strategic Framework, he or she may request the MEC to adjust the plan, and the MEC must comply with such a request immediately.

**7. Minimum contents of provincial land transport frameworks.**—Although the format may be different, the initial PLTF must contain at least the minimum information set out in subregulation (1) below and the PLTF for the next and subsequent years must contain at least the minimum information set out in subregulation (2) below.

The Chapters listed hereunder must include the following:

- (1) Initial PLTF for the 2002 - 2007 five-year period

**Chapter 1: Transport vision, objectives and policy**

- (a) The provincial land transport policy published under section 9 (2) of the Act;
- (b) Where such policy has not yet been published, the provincial white paper on transport policy, or green paper, must be attached as an annexure;
- (c) Where a green paper has not been produced a plan of action indicating time frames for publishing policy under section 9 (2) of the Act;
- (d) A highlighting of actual or potential areas of conflict between national and provincial land transport policy.

**Chapter 2: Status quo of transport in province**

- (a) Maps for orientation purposes, providing the following information—
  - \* Public transport network and facilities of provincial significance;
  - \* National and provincial road and rail networks.
- (b) A statement on any backlogs that exist in the provision of provincial roads;
- (c) A description of intraprovincial and interprovincial long distance services, interprovincial computer services and cross-border services;
- (d) A list of perceived problems and issues relevant to public transport;
- (e) A description of the status quo regarding metered taxi services in the province.

**Chapter 3: Co-ordination measures and structures, liaison and conflict resolution**

- (a) Measures to ensure proper co-ordination between the transport plans of planning authorities as contemplated in section 22 (3) (d) of the Act, and between planning authorities and the province, as contemplated in section 63 (1) (b) thereof, as well as any other similar measures that may exist or be contemplated;
- (b) Details of liaison mechanisms and structures proposed for interprovincial long-distance services as contemplated in section 22 (3) (p) of the Act, as well as interprovincial commuter services, as well as any other liaison mechanisms or structures that may exist or be contemplated.

- (c) A short description of existing and planned liaison structures between the province and planning authorities, working groups and co-ordination committees, if any, and their terms of reference, distinguishing clearly between political (decision making) liaison structures and mechanisms, liaison structures with stakeholders and technical structures.
- (d) Measures to resolve possible conflicts between provincial transport and land use planning as contemplated in section 22 (3) (g) of the Act.

#### **Chapter 4: Integrated development framework**

- (a) A draft or approved spatial development strategy or plan for the province, or, failing such strategy or plan, a progress report towards the development thereof;
- (b) A statement of how the transport strategy will facilitate the integration of social, economic and housing development strategies as well as other relevant development initiatives or strategies;
- (c) A statement of how transport in the province will facilitate economic and spatial development;
- (d) An indication of industrial and residential areas, land reservation for transport infrastructure and priority development areas;
- (e) An indication of the strategic transport network of roads and railways and provincial public transport networks in relation to land use development and the built environment;
- (f) A summary of strategies to implement the integrated framework and objectives promoting land use and transport integration, in keeping with national policies.

#### **Chapter 5: Public transport strategy**

- (a) A description of strategic and high-priority focus areas for public transport;
- (b) A summary of initiatives planned and taken by the province relating to public transport in the province, and initiatives to promote public transport over private transport;
- (c) An identification of deficiencies in the transport system and measures to address them;
- (d) A list of initiatives regarding the transportation of persons with disabilities and other special categories of passengers;
- (e) A list of the following initiatives, if any—
  - \* Corridor development strategies;
  - \* Approach to financial and economic support to public transport, including the allocation of subsidies;
  - \* Modal integration strategy;
  - \* Rail transport strategy, i.e. network and strategies aimed at utilizing the rail system;
  - \* Transport addressing the needs of learners;
  - \* Public transport security; and
  - \* A policy on special categories of vehicles not normally used for public transport, such as adapted light delivery vehicles.
- (f) Copies of agreements regarding interprovincial transport concluded with other provinces.

#### **Chapter 6: Non-motorised transport**

- (a) An indication of how non-motorised transport is provided for in the general road plan of the province;
- (b) A detailed strategy to promote and encourage the use of non-motorised transport.

#### **Chapter 7: Transport infrastructure strategy**

A list of major planned provincial infrastructure and facility development initiatives, and transport priorities and projects regarding infrastructure, including roads and railway lines.

#### **Chapter 8: Transport authorities**

- (a) A report on the institutional status of transport authorities that exist or are planned in the province, and the progress made in establishing them;
- (b) If no transport authorities exist or are planned, a progress report on how the province proposes to improve transport service delivery in the local sphere of government by grouping transport functions into single, well managed and focussed institutional structures.

#### **Chapter 9: Transportation Management Strategy, including hazardous substances**

Transportation management aspects, including—

- movement of dangerous substances;
- freight transport and overloading control;
- intelligent transport systems measures; and
- incident management.

#### **Chapter 10: Tourism**

- (a) A comprehensive strategy dealing with the transportation needs of tourists;
- (b) Policies and standards for tourist transport services, if any.

#### **Chapter 11: Budget**

- (a) A copy of the detailed components of the budget for the 2002 - 2003 and 2003 - 2004 financial years with regard to land transport, including funding sources for—
  - the preparation of the PLTF and other transport plans in the province, including assistance to transport authorities under section 9 (1) (c) of the Act;
  - subsidies for road and rail public transport;
  - monitoring of public transport contracts;
  - provincial roads and other infrastructure;
  - assistance to special categories of passengers;
  - provision and maintenance of infrastructure and facilities;
  - institutional development;
- (b) the planned five-year budget for—
  - the preparation of the PLTF and other transport plans in the province;
  - subsidies for road and rail public transport;
  - monitoring of public transport contracts;
  - provincial roads and other infrastructure;

- assistance to special categories of passengers;
  - provision and maintenance of infrastructure and facilities;
  - institutional development;
- (c) funding sources, and gaps or shortfalls.

**Chapter 12: Programme for implementation of PLTF**

- (a) A description and programme of the provincially funded short and medium term strategies and action plans to implement the PLTF; and
- (b) a summary in tabular form indicating provincially funded target dates, milestones and development periods.

**Chapter 13: Monitoring**

- (a) A list of key performance indicators (KPIs) in line with national KPIs; and
- (b) the trends of key information provided in chapter 2.

**Chapter 14: Public participation**

A description of public participation procedures undertaken during the formulation of the PLTF.

(2) PLTFs for 2003 - 2008 and subsequent five-year periods

**Chapter 1: Transport vision, objectives and policy**

This chapter must contain the matters listed in subregulation (1), as a minimum.

**Chapter 2: Status quo of transport in the province**

This chapter must contain the matters listed in sub regulation (1), as well as the following as a minimum—

- (a) Integrated maps for orientation purposes, showing the following information—
- \* public transport network and facilities of provincial significance;
  - \* national and provincial road and rail networks; and
  - \* transport nodes of provincial significance, identified after consultation with planning authorities in the municipal sphere;
- (b) A brief assessment of the status quo of transport infrastructure in the province, including public transport facilities, describing the infrastructure, reflecting on its adequacy and a detailed description of its condition;
- (c) A statement on any backlogs that exist in transport infrastructure provision;
- (d) A summary of the CPTRs for the province, consisting of a table analysing key statistics extracted from the CPTRs and other information, including at least—
- \* an estimate of peak-hour and 24-hour modal choice statistics;
  - \* the number of passenger and vehicle movements;
  - \* transport modes of provincial significance, identified after consultation with planning authorities in the municipal sphere;
  - \* information comparing the various regions of the province.

- (e) A discussion of the development of the CPTR data into a comprehensive information system, the approach to the status quo data collection process to be followed during the next year, and the format and data items to be focused upon relevant to municipal transport plans;
- (f) A summary of municipal transport plans in the province that are available in the relevant year.

### **Chapter 3: Co-ordination measures and structures, liaison and conflict resolution**

This chapter must contain the matters listed in subregulation (1), as well as the following as a minimum—

A schedule specifically for co-coordinating the preparation of—

- \* updated CPTR reports;
- \* operating licences strategies and rationalization plans;
- \* public transport plans and integrated transport plans; and
- \* the PLTF itself.

### **Chapter 4: Integrated development framework**

This chapter must contain the matters listed in subregulation (1), as well as the following as a minimum—

- (a) A description and evaluation of land use and economic nodes of provincial significance;
- (b) A broad description of relevant social, demographic and environmental issues that affect transport;
- (c) An integrated map showing the status quo and a short description of—
  - \* spatial development;
  - \* economic development;
  - \* housing development;
  - \* other development initiatives, including master plans and development programs;
- (d) An integrated map illustrating the frameworks for future development, with a short description of—
  - \* spatial development;
  - \* economic development;
  - \* housing development;
- (e) information on each spatial development initiative in the province, with their status quo and urban renewal and rural development nodes where applicable.

### **Chapter 5: Public transport strategy**

This chapter must contain the matter listed in subregulation (1), as well as the following as a minimum—

- (a) A summary of public transport strategies of provincial significance taken from the public transport plans and integrated transport plans, focusing mainly on strategies, actions and projects;
- (b) A list of the following initiatives, if any—
  - \* Rationalisation of subsidized public transport, where applicable;
  - \* Regulation, control and operating licence strategies;

- (c) A summary of operating licence strategies in the province giving details of inter-provincial, long-distance and cross-border transport.

#### **Chapter 6: Non-motorised transport**

This chapter must contain at least the matters listed in subregulation (1).

#### **Chapter 7: Transport Infrastructure strategy**

This chapter must contain the matters listed in subregulation (1), as well as the following as a minimum:

A summary of strategies of municipal planning authorities and major initiatives of provincial significance, highlighting those taken from public transport plans and integrated transport plans where applicable and available.

#### **Chapter 8: Transport authorities**

This chapter must contain at least the matters listed in sub regulation (1).

#### **Chapter 9: Transportation Management Strategy**

This chapter must contain at least the matters listed in sub regulation (1), as well as the following as a minimum:

A travel demand management strategy.

#### **Chapter 10: Tourism**

This chapter must contain at least the matters listed in subregulation (1).

#### **Chapter 11: Budget**

This chapter must contain the matters listed in subregulation (1), except that the detailed components of the budget mentioned in paragraph (a) thereof will be for the current financial year and the following financial year, as well as the following as a minimum—

- (a) A summary of prioritized transport planning and implementation projects and the budgets for each, listing projects from public transport plans and integrated transport plans of provincial significance or to which the province contributes financially;
- (b) A summary of prioritized transport planning and implementation projects and the budgets for each, listing provincial projects, including those of national significance.

#### **Chapter 12: Programme for implementation of the PLTF**

This chapter must contain the matters listed in subregulation (1), as well as the following as a minimum—

- (a) A description and programme of all short and medium term strategies and action plans to implement the PLTF; and
- (b) a summary in tabular form indicating all target dates, milestones and development periods.

#### **Chapter 13: Monitoring**

This chapter must contain the matters listed in subregulation (1) as well as the following as a minimum—

- (a) A report on how and to what extent the key performance indicators set for the province in the National Land Transport Framework have been met;

- (b) A report on how and to what extent the key performance indicators set in the previous year's PLTF have been met.

#### **Chapter 14: Public participation**

This chapter must contain at least the matters listed in subregulation (1).

### **GNR.1005 of 24 July 2002: Current public transport records: Planning requirements in terms of the National Land Transport Transition Act, 2000**

#### DEPARTMENT OF TRANSPORT

#### **as amended by**

<b>Notice</b>	<b>Government Gazette</b>	<b>Date</b>
R.127	24267	24 January 2003

The document titled *Requirements and Format for Preparation of Current Public Transport Records by Core Cities* as published in the *Government Gazette* on 22 May 1998 under General Notice No. 847 of 1998 is hereby amended in terms of section 23 (2) of the National Land Transport Transition Act, 2000 (Act No. 22 of 2000) as agreed to by the MECs by replacing it with the document set out in the Schedule below.

#### **SCHEDULE**

##### ARRANGEMENT OF REGULATIONS

1.	Definitions
2.	Purpose of these requirements
3.	Purpose of current public transport records
4.	Principles for preparing current public transport records
5.	District and local municipalities
6.	Process for preparation and submission to MEC
7.	Date for completion
8.	Current public transport records prepared by core cities in terms of Act 45 of 1998
9.	Minimum contents of current public transport records
Table 1	Listing of all facilities
Table 2	Description of facilities (bus and minibus taxi only)
Table 3	Routes as identified by facility (all day)
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Table 5	Service capacity and capacity utilisation of routes (bus and minibus-taxi only) (specified peak hour)
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Table 9	Passenger waiting times (specified peak hour)
Table 10	Amenities at taxi facilities



Table 11      Dimensions of taxi facilities

**1. Definitions.**—In these Requirements, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act has that meaning, and—

“**Act**” or “**the Act**” means the National Land Transport Transition Act, 2000 (Act No. 22 of 2000) as amended by the National Land Transport Transition Amendment Act, 2001 (Act No. 31 of 2001);

“**CPTR**” means a current public transport record;

“**facilities**” means ranks, terminals, stations, holding areas, informal taxi ranks and holding areas and major boarding points in rural areas, for road and rail based public transport;

“**route**” means the roads or railway lines that are traversed by a vehicle or train from point of origin to point of final destination or, in the case of road-based transport, where no roads are clearly demarcated, the route followed by the particular vehicle as described with reference to landmarks or beacons;

“**services**” means public transport services.

**2. Purpose of these requirements.**—

- 2.1 The purpose of these Requirements is to provide minimum requirements for the preparation of current public transport records for all planning authorities, in addition to the requirements contained in the Act.
- 2.2 Planning authorities must also comply with any additional requirements prescribed by the MEC under section 23 (4) of the Act, and may include information additional to that required in this document.
- 2.3 Although it is not required by these minimum requirements, over time the CPTR should be developed into a more comprehensive public transport information system.
- 2.4 In interpreting these requirements, the planning authority should be guided by guidelines which are available from the National Department of Transport.
- 2.5 Where there is a conflict between these Requirements and such guidelines, these Requirements prevail.

**3. Purpose of current public transport records.**—

- 3.1 The purpose of CPTRs, as outlined in section 23 of the Act, is to provide a record of public transport services, facilities and infrastructure, which will constitute the basis for the development of operating licences strategies, rationalisation plans, public transport plans and integrated transport plans.
- 3.2 In terms of section 18 (1) of the Act, transport plans must form the transport component of the integrated development plans of municipalities.
- 3.3 All activities in collecting information for the CPTR must be guided by the question “for what purpose do we need to know this?”
- 3.4 Subject to the Act, these Requirements and other relevant legislation such as local government legislation, the information collected should not be a wasteful *status quo* of the past, but should rather be defined, directed and focussed by the priorities established in the integrated development planning process and the transport planning process as a

whole.

**4. Principles for preparing current public transport records.**—In addition to the principles stated in section 4 of the Act, the following principles apply to the preparation of CPTRs:

- (a) Rural areas must not be neglected, and plans must pay due attention to the development of rural areas;
- (b) Where the CPTR is used as input to determine demand for and supply of public transport, appropriate, non-motorised forms of transport, such as walking and cycling, should be taken into account;
- (c) Facilities for transport for special categories of passengers should be considered.

**5. District and local municipalities.**—

- 5.1 Each district municipality that is a planning authority is responsible to prepare a CPTR for its entire area, but this will not prevent an agreement that the relevant local municipalities will assist with such preparation, provided that the agreement is permissible in terms of applicable local government legislation.
- 5.2 CPTRs must not be prepared at both district and local level as this will lead to duplication. Thus only one CPTR is required for any particular geographical area.
- 5.3 Where the CPTR for part of the area of a district municipality is prepared by a local municipality in terms of an agreement contemplated in 5.1, it is still the responsibility of the district municipality to ensure that the entire area is covered and to submit the total CPTR to the MEC in terms of section 23 (5) of the Act.

**6. Process for preparation and submission to MEC.**—

- 6.1 As soon as possible after the date of publication of these Requirements, but not later than the date mentioned in 7, every planning authority must complete its CPTR, consisting of at least the matters set out in 9 below.
- 6.2 On completion of the CPTR the planning authority which prepared it must submit it to the MEC in terms of section 23 (5) of the Act and, if it has rail commuter components, also to the Minister under section 28 thereof.
- 6.3 If the Minister is of the opinion that the CPTR is not a true reflection of the situation relating to commuter rail, or that it has not been prepared correctly or completely according to the Act or these Requirements, he or she may request the planning authority to adjust the plan, and the planning authority must comply with such a request forthwith.
- 6.4 Every planning authority must update its CPTR annually in accordance with section 23 (6) of the Act and submit it to the MEC and, if it has rail commuter components, also to the Minister under section 28 thereof.

**7. Date for completion.**—CPTRs must be prepared, adopted and submitted to the Minister and MEC by the date determined by the MEC under section 23 (1) of the Act, which may not be later than 31 March 2003.

[Reg. 7 substituted by GNR.127 of 2003.]

**8. Current public transport records prepared by core cities in terms of Act 45 of 1998.**—

- 8.1 A CPTR prepared and submitted to the MEC under section 3 of the National Land Transport Interim Arrangements Act, 1998 (Act No. 45 of 1998) is deemed to be a CPTR

in terms of section 134 (3) of the Act as inserted by section 11 of the National Land Transport Transition Amendment Act, 2001 (Act No. 31 of 2001), but such a CPTR must be updated and revised so as at least to comply with these Requirements, and be submitted to the MEC and, where applicable, the Minister, by not later than the date mentioned in 7.

- 8.2 CPTRs mentioned in 8.1 must also be adapted to take account of boundary changes that may have occurred in terms of the Local Government: Municipal Demarcation Act, 1998 and related legislation.

## **9. Minimum contents of current public transport records.—**

### **9.1 General format**

Every CPTR must contain at least the following:

#### **(a) Introduction**

The introduction must provide a clear description of the area for which the CPTR is prepared, the identity of the relevant planning authority and the period for which the CPTR is to apply, i.e. the 2002-2003 financial year for the first plan or the subsequent financial year in the case of an update. In the case of a district municipality, it must state whether such municipality or a named local municipality or municipalities have prepared the CPTR.

#### **(b) Process**

A brief description of the process followed in developing the CPTR must be given, including liaison with other persons and bodies, such as the relevant operating licence board (board) and public transport operators and associations, a description of information obtained from the board, the Land Transport Permit System (LTPS) and other bodies, and procedures followed to check it for reliability and accuracy.

#### **(c) The Record**

The actual record of public transport must be reported in this chapter consisting of at least the following two parts:

Part 1: A detailed base map showing all public transport routes and facilities.

Part 2: Other information and output tables in the format prescribed below.

### **9.2 Format of output**

The detailed information of the CPTR must at least be submitted as shown below, in tabular form where applicable. Metered taxi services are not included in these minimum requirements.

#### **9.2.1 Description of facilities**

- 9.2.1.1 This section must list all ranks, terminals, stations, holding areas, informal taxi ranks and holding areas and major boarding points in rural areas, for road and rail based public transport in the area, used for public transport services.
- 9.2.1.2 The location of the facility must be described as a minimum, e.g. corner of X and Y street, or, if so desired, by means of a geographical information system (GIS).
- 9.2.1.3 The following tables must be completed:

**Table 1:**  
Listing of all facilities

<i>No.</i>	<i>Facility Name</i>	<i>Physical location (description)</i>	<i>Mode*</i>	<i>Type of service**</i>	<i>Code if available</i>
1.					
2.					
3.					
4.					
n					
<p>* As regards mode, distinguish between minibus taxi, bus or rail services</p> <p>** As regards type of service, distinguish between commuter, long distance, interprovincial and cross-border services</p>					

**Table 2:**  
Description of facilities (bus and minibus taxi only)

<i>No.</i>	<i>Facility Name</i>	<i>Status*</i>		<i>Type**</i>			<i>On/Off street</i>		<i>Paving</i>		<i>Code if available</i>
		<i>F</i>	<i>I</i>	<i>T</i>	<i>R</i>	<i>H</i>	<i>On</i>	<i>Off</i>	<i>Yes</i>	<i>No</i>	
1.											
2.											
3.											
4.											
n											
<p>* As regards status, F = formal and I = Informal</p> <p>** T = Terminus for buses; R = Rank for minibus taxis and H = Holding area only</p>											

**Table 3:**  
Routes as identified by facility (all day)

No.	Mode	Origin rank/terminus		Destination rank/terminus		Route code if available	Route distance (km)
		Name	Number, or code if available	Name	Number, or code if available		
1.							
2.							
3.							
4.							
n							
* As regards mode, distinguish between minibus taxi, bus or rail services							

## 9.2.2 Route and area descriptions

9.2.2.1 A detailed description must be provided of the route(s) or network(s) on which public transport services are operated, by specifying the relevant street names, road numbers, beacons or land marks for each city, suburb, town, village or settlement, the points of origin and destination and all points where passengers are picked up and set down. The following example is provided:

“Saulsville to Rosslyn: Saulsville terminus, Masopha, L. Ramakgopa, L. Hlahla, R. Mareka, Seeiso, R. Moroe, R. Khosa (Mosalo), L. Kalafong, R. Church, L. Transoranje, Bremer, L. Van der Hoff, R. (M17) Hornsnek Road, R. (R566) Brits Road, R. Ernest Oppenheimer, L. Hendrik van Eck, L. Hardie Muller, L. (R566) Brits Road, R. Piet Rautenbach, R. Kitshoff, R. Jobson to terminus in Sloan Street (near Second Avenue).”

9.2.2.2 Where no street names are demarcated, use must be made of township zone names or numbers and land marks, such as schools, churches, magistrates— offices, filling stations, sports and recreational centres, places of interest or even house numbers. The following example is provided:

“From the terminus in Zone XX, R. past Caltex Station, R. to Tsapo School, R. at Library, past cemetery Zone YY, Secondary School,

L. House No. 1083 Zone ZZ, etc.”

- 9.2.2.3 The tables are not applicable to metered taxi or any other area or radius based services, but where there are permits for services in the area that are radius and area based and have not yet been converted to route-specific operating licences as required by the Act, the routes and/or networks actually being operated must be identified and taken into account.
- 9.2.2.4 Routes and networks used for illegal services must also be included.
- 9.2.2.5 Rail commuter routes must also be included.
- 9.2.2.6 The following tables must be completed:

**Table 4:**  
Route descriptions (all day)

<i>No.</i>	<i>Mode*</i>	<i>Route code if available</i>	<i>Route description</i>
1.			
2.			
3.			
4.			
n			
Notes: * Mode refers to minibus taxi-type service, bus service or rail service and should include information on commuter, long distance, interprovincial and cross-border services			

**9.2.3 Utilisation of routes**

- 9.2.3.1 This section must describe the utilisation of each route in terms of the following:
  - (a) **Frequency:** The number of trips in specified morning or evening peak hour for each type of public transport service;
  - (b) **Service capacity:** The number of seats available in the total number of vehicles;
  - (c) **Utilisation:** The average number of seats occupied in the vehicles.
- 9.2.3.2 The information on route utilisation should as a minimum be confined to critical route sections only.
- 9.2.3.3 The following tables must be completed:

**Table 5:**  
Service capacity and capacity utilisation of routes (bus and minibus-taxi only) (specified peak hour)

<i>No.</i>	<i>Route code if available</i>	<i>Survey location</i>	<i>No. of vehicle trips</i>	<i>Average vehicle capacity</i>	<i>Service capacity</i>	<i>No. of pass.</i>	<i>% utilisation*</i>
1.							
2.							
3.							
4.							
n							
Notes: 1. Survey location is a description of the route section, if only critical sections of the route are surveyed * Rounded to nearest percentage							

**Table 6:**  
Extent of illegal operations (minibus taxi and bus only) (specified peak hour)

<i>No.</i>	<i>Mode</i>	<i>Route code if available</i>	<i>No. of vehicle trips</i>	<i>No. of registration numbers matched by LTPS*</i>	<i>% Illegal**</i>
1.					
2.					
3.					
4.					
n					
Notes: * Cross-check with the National Transport Information System (NaTIS) may be necessary if LTPS (Land Transport Permit System) information is suspect ** Rounded to the nearest percentage					

**Table 7:**  
Service capacity and capacity utilisation of routes (commuter rail) (specified peak hour)

<i>No.</i>	<i>Route code if available</i>	<i>No. of trains*</i>	<i>Train capacity*</i>	<i>Service capacity*</i>	<i>Utilisation</i>	<i>% utilisation***</i>

					<i>No. of pass.*</i>	<i>Observati</i>	
1.							
2.							
3.							
4.							
n							
<p>Notes: * Information from Metrorail/SA Rail Commuter Corporation Limited (SARCC) if available</p> <p>** Where information on passenger numbers is not available from Metrorail/SARCC, indicate observed utilisation as: (o) = overfull, (f) = full, (1/2) = half-full, (1/4) = a quarter full, (e) = empty</p> <p>*** Indicate as follows: more than 100%, 100%, 75% etc.</p>							

#### 9.2.4 Capacity and capacity utilisation of facilities

9.2.4.1 This section must describe the utilisation of each facility in terms of the following:

- (a) **Frequency:** The number of vehicles using the facility in specified morning or evening peak hour for each type of public transport service or off-peak hour for stand-alone holding facilities;
- (b) **Facility capacity:** The number of loading bays available for each type of vehicle;
- (c) **Utilisation:** The average number of bays occupied in the facility.

9.2.4.2 The following tables must be completed:

**Table 8:**

Rank/termini utilisation of loading/holding facilities (specified peak hour or off-peak hour)

<i>No.</i>	<i>Facility</i>			<i>No. of bays</i>	<i>Utilisation</i>		<i>% utilisation</i>
	<i>Name</i>	<i>Code if availab</i>	<i>*Loading/ha</i>		<i>Max. no. of vehicles</i>	<i>Time of maximum utilisation</i>	
1.							
2.							
3.							



4.							
n							
Notes: * Indicate whether facility is a loading, holding or combined facility ** Rounded to the nearest percentage							

## 9.2.5 Information relating to service quality and transport characteristics

9.2.5.1 This section must contain information on passengers for minibus taxi-type and bus services waiting at ranks or termini at the trip origin or at main loading points along the route.

9.2.5.2 Surveys to determine waiting times should generally be done at the same locations as the surveys to determine capacity utilisation.

9.2.5.3 The information on route utilisation should as a minimum be confined to critical route sections only.

9.2.5.4 The following table must be completed:

**Table 9:**  
Passenger waiting times (specified peak hour)

No.	Route code if available	Passenger numbers	Average waiting time*	Fares**		
				Single	Weekly	Monthly
1.						
2.						
3.						
4.						
n						
Notes: * Rounded to the nearest minute ** Calculated as the cost per trip						

## 9.2.6 Additional information regarding facilities

The following additional information regarding facilities is required as a minimum:

(a) **Condition:** The condition of the facility must be described in terms of matters such as paving, lighting, ablution facilities, shelters, etc.

- (b) **Geometric features:** This must include at least the size of the facility in square metres, size of loading bays, minimum clearance under any roof structure, minimum loading bay width, average loading bay length and minimum turning clearance from loading bays.

**Table 10:**  
Amenities at taxi facilities

No.	Facility name	Electricity		Telephone		Office		Ablutions	
		Yes	No	Yes	No	Yes	No	Yes	No
1.									
2.									
3.									
4.									
n									

**Table 11:**  
Dimensions of taxi facilities

No.	Facility name	Min. shelter roof height*	Min. loading bay width**	Ave. loading bay length***	Min. turning clearance from loading bays****
1.					
2.					
3.					
4.					
n					

Notes:

- \* Minimum clearance in metres under any roof structure provided for vehicle shelter. If there is no roof shelter, indicate "N/A"
- \*\* Minimum loading bay width in metres provided for vehicles to stop in order to load or offload passengers
- \*\*\* Average length of all loading bays in metres (including loading and queueing area) on the site

\*\*\*\* Distance in metres to nearest obstacle in the turning path of a turning vehicle into or out of a loading bay

## **GNR.35 of 19 January 2007: Distinguishing marks for mini-bus and midi-bus: Regulations**

### DEPARTMENT OF TRANSPORT

I, Jeffrey Thamsanqa Radebe, Minister of Transport, revokes notice R.890 of 04<sup>th</sup> September 2006 and am replacing it with the following Schedule, in terms of section 7 of the National Land Transport Transition Act, 2000 (Act 22 of 2000).

(Signed)

**J T RADEBE**

**MINISTER OF TRANSPORT**

### **SCHEDULE**

1. In these Regulations, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Act bears that meaning, and “the Act” means the National Land Transport Transition Act, 2000 (Act No. 22 of 2000).

2. Regulation 4 of the regulations is hereby amended by the addition of regulation 4A.

(1) No person shall operate a public passenger vehicle on a public road in terms of an operating license, an M2 mini-bus, M2 midi-bus, and M3 midi-bus manufactured after 4 September 2006 unless—

- (a) The standard colour of the vehicle is white;
- (b) A sticker depicting the South African national flag 200mm deep on the sides below the window level of the vehicle except the front and rear of the vehicle, as described in Schedule A;
  - (i) The imaginary flagpole for the flag is the nose of the vehicle, with the “v” formation and the lines directed towards the rear of the vehicle, as described in Schedule A.
  - (ii) The distinguishing markers shall be produced on distinctive marking material that complies with SABS ECE R104: 1998. (Distinctive marking means additional coloured markings intended to be placed within the contour marking, whose coefficient of retro-reflection is essentially lower than the coefficient of retro-reflective materials of markings and contour markings.)
  - (iii) The office of the Registrar shall in terms of section 59 (2) issue the distinguishing mark.
- (c) A sticker produced from material for distinctive markings according to 2 (b) (ii), 200mm deep and 430mm wide depicting the Provincial Coat of Arms and the route number shall be attached to the front of the vehicle below windscreen level, as described in Schedule A.
  - (i) The Provincial Coat of Arms shall be the Province of origin of service according to the operating license.
  - (ii) The office of the registrar shall issue this distinguishing mark.

- (d) The vehicle registration number shall be painted on the roof of the vehicle 360mm deep across the length of the roof, as described in Schedule A.
- (e) No any other sticker, identification or distinguishing mark other than the ones prescribed in these regulations shall be displayed or affixed on the body of the minibus or midibus operating in terms of an operating licence.

(Editorial Note: Numbering as per original *Government Gazette*.)

2. A member or a non-member who is registered or provisionally registered and operates a minibus or midibus providing transport service in terms of an operating licence issued by a competent authority shall display and keep affixed to the vehicle the distinguishing marks issued in terms of paragraph (iii) of subregulation (i), by the Registrar.

3. The member or non-member to whom a distinguishing mark has been issued must—

- (a) Maintain the body paint and the distinguishing marks in such a condition that all letters and figures on it are clearly legible;
- (b) Remove the mark from the vehicle concerned immediately after it expires, or immediately after the operating licence to which it relates has been suspended or cancelled, or within 24 hours of the Registrar issuing an order that it be removed; and
- (c) Replace the distinguishing every five (5) years in conjunction with the operating licence.

4. Should the body paint, and the distinguishing marks become defaced, illegible or otherwise damaged so as to render it unclear to convey information intended to be conveyed by the distinguishing marks before its expiry, the member or a non-member referred to in paragraph 1 above shall be responsible for replacing the distinguishing mark by application to the Registrar at a fee to be determined by the Registrar.

5. The cost for the issuing of the distinguishing marks by the office of Registrar shall be for the Department of Transport.

6. The distinguishing marks shall be valid for the same period as the operating licence to which it relates.

7. No translucent advertising shall be applied at the rear window of a minibus or midibus operating in terms of an operating licence, unless such material or film comply with the provisions of Regulation 202 (3) of the National Road Traffic Act, 1996 (Act No. 93 of 1996).

8. A member or a non-member referred to in paragraph 1 above who fails to display or keep affixed to the vehicle to which the operating licence relates the distinguishing marks issued by the Registrar, shall be guilty of an offence and, if convicted, liable to a term of imprisonment not exceeding three months or a fine not exceeding R5 000.

9. The distinguishing marks described and graphically depicted in Schedule A are the distinguishing marks to be issued by the Registrar.

## **Schedule A**

Free State Province

Coat of Arms used for demonstration purposes only

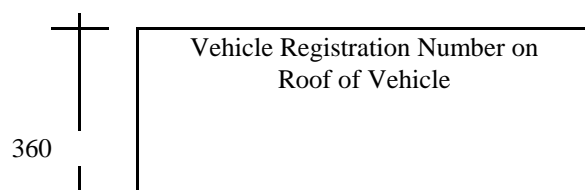
**Figure 1 – Front View of the Vehicle**

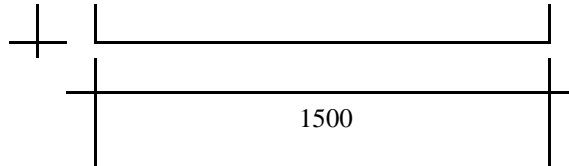
**Figure 2 – Rear View of the vehicle**

**Figure 3 – Side View of the Vehicle**

**Figure 4 – Side View of the vehicle**

**Figure 5 – Design Specification of the Marker on the roof of the Vehicle**





Decal on Roof of the Vehicle
<u>Dimension</u> 360mm X 1500mm
<u>Material Specification</u> Comply with SABS ECE R104: 1998 with 5-year warranty
<u>Ink Specification:</u> Transparent ink, compatible with sheet material, and 5-year warranty.

### Decal Specification

**Table 1 – South African National Flag Colour Specifications to be applied for the decals**

Colour	Pantone	Pantone	CMYK				CKS (SABS)
			cya	mag	yel	black	
	Coated Std	Uncoated Std					
Black	3c 2xc	6u 2xu	00c	00m	00y	100k	2201c/96
Blue	288c	87u	69c	65m	00y	31k	2202c/96
Red	485c	195u 2x	00c	00m	91y	00k	2203c/96
Yellow	1235c	116u	00c	28m	76y	00k	2204c/96
Green	349c	355u	53c	00m	53y	47k	2205c/96
White							

**Figure 6 – Decal for the Rear End of the Vehicle**

**Table 2 – Specification for the Rear end decal**

Rear End Decal
<u>Dimension</u> 1500mm X 200mm
<u>Material Specification</u> Comply with SABS ECE R104: 1998 with 5-year warranty
<u>Ink Specification:</u> Transparent ink, compatible with sheet material, and 5-year warranty.

**Decal Specification**

**Figure 7 – Decal for the Side of the Vehicle (flowing to the right)**

**Table 3 – Specification for the Decal on the side of the Vehicle (flowing to the right)**

Side Decal (flowing to the right)
<u>Dimension</u> 2500mm X 200mm
<u>Material Specification</u> Comply with SABS ECE R104: 1998 with 5-year warranty
<u>Ink Specification:</u> Transparent ink, compatible with sheet material, and 5-year warranty.

**Figure 8 – Decal for the Side of the Vehicle (flowing to the left)**

**Table 4 – Specification for the Decal on the side of the Vehicle (flowing to the left)**



Side Decal (flowing to the left)

Dimension

2500mm X 200mm

Material Specification

Comply with SABS ECE R104: 1998 with 5-year warranty

Ink Specification:

Transparent ink, compatible with sheet material, and 5-year warranty.

**Route Marker Specification**

**Route Marker**

Dimension

430mm X 125mm

Include 5mm bleed – 435mm X 130mm

Material Specification

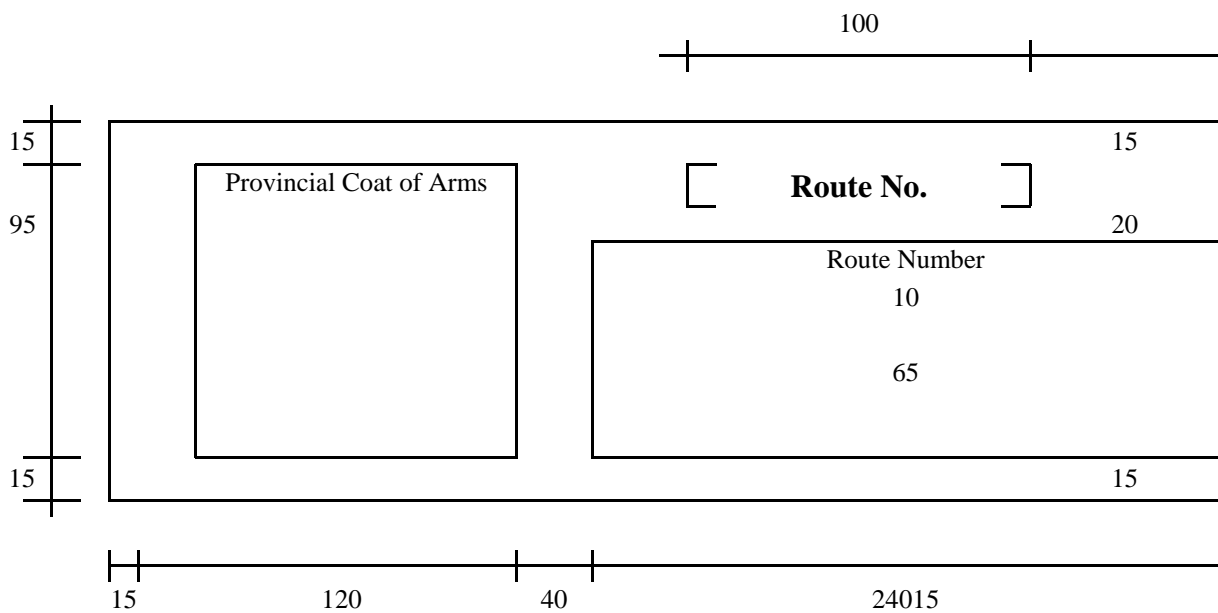
Comply with SABS ECE R104: 1998 with 5-year warranty

Ink Specification:

Transparent ink, compatible with sheet material, and 5-year warranty.

Font Specification

Futura Bold Condens BT



**Figure 9 – Sample Route Marker**  
(Refer to electronic design template for design details)

**GNR.1119 of 30 November 2007: Integrated transport plans: Minimum requirements in terms  
of the National Land Transport Transition Act  
(Government Gazette No. 30506)**

DEPARTMENT OF TRANSPORT

In terms of section 27 (3) of the National Land Transport Transition Act, 2000, (Act No. 22 of 2000), I, Jeff Radebe, Minister of Transport, in consultation with the MECs, have made the requirements in the Schedule.

(Signed)  
Jeff Radebe MP  
MINISTER OF TRANSPORT

**SCHEDULE**

ARRANGEMENT OF REQUIREMENTS

1.	Definitions
2.	Purpose and status of requirements
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Table 1	Planning Responsibilities
4.	Inter-relationship between transport plans and frameworks
5.	Principles for preparing transport plans
6.	Frequency of plan preparation and update
Table 2	Minimum frequency of plan preparation and update
7.	Date for submission of transport plans and programmes
8.	Process for preparation and approval by MEC
9.	Minimum contents
9.1	Comprehensive integrated transport plans (CITPs)
9.2	District integrated transport plans (DITPs)
9.3	Local integrated transport plan (LITP)
9.4	Current public transport records (CPTRs)
Table 3	Contents of a CPTR
Table 4	Listing of all facilities
Table 5	Route descriptions (all day)*
Table 6	Routes as identified by facility

Table 7	Rank/termini utilisation of loading/holding facilities (Specified peak hour or off-peak hour)
Table 8	Service capacity and capacity (specified peak hour) utilisation of routes (Bus and minibus-taxi type)
Table 9	Cordon survey
Table 10	Description of facilities (Bus and minibus-taxi only)
Table 11	Passenger and vehicle waiting times (Specified peak hour)
9.5	Operating Licence Strategies (OLSs)
9.6	Rationalisation Plans (Ratplans)
10.	Replacement of previous requirements

**1. Definitions.**—In these requirements, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act has that meaning, and—

“**Act**” means the National Land Transport Transition Act, 2000 (Act No. 22 of 2000);

“**CITP**” means a comprehensive integrated transport plan;

“**CPTR**” means a current public transport record;

“**DITP**” means a district integrated transport plan;

“**DoT**” means the Department of Transport in the national sphere of government (“Department” as defined in the Act);

“**facilities**” means ranks, terminals, stations, holding areas, informal taxi ranks and holding areas and major boarding points in rural areas, for road and rail based public transport;

“**Guidelines**” means the National Transport Planning Guidelines available from the DoT on request;

“**ITP**” means an integrated transport plan;

“**Integrated Public Transport Network Plan (IPTNP)**” means a plan for an integrated rapid public transport network contemplated in 3.3;

“**Integrated Rapid Public Transport Network (IRPTN)**” means a public transport network as identified by a planning authority with the aim to implement high quality public transport services that are car competitive.

“**LITP**” means a local integrated transport plan;

“**OLS**” means an operating licence strategy;

“**PLTF**” means a provincial land transport framework;

“**Public Transport Action Plan (PTAP)**” means the Public Transport Action Plan approved by cabinet in January 2007 as national policy on public transport and is available from the DoT on request;

“**Ratplan**” means a rationalisation plan:

“**route**” means the roads or railway lines that are traversed by a vehicle or train from point of origin to point of final destination or, in the case of road-based transport where no roads are clearly demarcated, the route followed by the particular vehicle as described with reference to landmarks or

beacons;

“**SARCC**” means the South African Rail Commuter Corporation Limited, including the Metrorail Business Unit transferred from Transnet Limited,

“**services**” means public transport services.

**2. Purpose and status of requirements.**—The integrated transport plans prepared by planning authorities must comply as a minimum with the requirements as set out in this Schedule. Planning authorities are encouraged to do additional planning if they are able to do so, as allowed by their budgets and capacities, in order better to promote the objects of the Act.

Planning authorities must also comply with any additional requirements prescribed by the MEC, and may include information additional to that required by this document.

In interpreting these requirements, the planning authority should be guided by the Guidelines. Where possible, steps outlined in the Guidelines should be taken, and must be taken where specifically required by these requirements. Where there is a conflict between the requirements as set out in this document and the Guidelines, these Requirements shall prevail.

### **3. Responsibility for the preparation of transport plans.—**

#### **3.1 Categorisation of planning authorities**

For the purposes of land transport planning, three types of planning authorities are distinguished. The type of integrated transport plan to be prepared by these planning authorities is as follows:

**Type 1:** Planning Authorities required to prepare a comprehensive integrated transport plan are the 12 cities identified by the DoT as part of its integrated public transport network initiative and who are required to prepare IPTNPs (see 3.3), as well as any other planning authority designated as such by the MEC or Minister.

**The 12 cities are:**

- The City of Cape Town Metropolitan Municipality
- The City of Tshwane Metropolitan Municipality
- The City of Johannesburg Metropolitan Municipality
- The Ekurhuleni Metropolitan Municipality
- The eThekweni Transport Authority
- The Nelson Mandela Bay Metropolitan Municipality
- The Buffalo City Local Municipality
- The Msunduzi Local Municipality
- The Mbombela (Nelspruit) Local Municipality
- The Polokwane Local Municipality
- The Rustenburg Local Municipality
- The Mangaung Local Municipality.

**Type 2:** All district municipalities are to prepare a **District Integrated Transport Plan** (DITP). In the case where a local municipality has prepared a CITP, the CITP must be incorporated as part of the DITP.

**Type 3:** All other local municipalities are to prepare a **Local Integrated Transport Plan** (LITP).

Type 2 and Type 3 planning authorities will be free to prepare CITPs if they so wish,

provided that the costs are justified by the transport situation in the area.

The categorisation of planning authorities into any one of the above three types, subject to these Requirements, will be the responsibility either of the MEC responsible for public transport in each of the provinces or of the Minister, in consultation with each other. Such categorisation must be done in close consultation with all the planning authorities and municipalities in the province. The following criteria must be taken into account in this process:

- Capacity of the particular planning authority to carry out transport planning satisfactorily;
- previous experience with the preparation of transport plans;
- extent of public transport services in the area of the planning authority;
- extent of subsidised services in that area; and
- available budget for the execution of transport infrastructure projects and public transport services; and
- the fact that the local municipality is or may be an “aspirant metro” as contemplated in the *Public Transport Strategy and Action Plan*.

After consulting the relevant municipalities, the MEC may decide in the case of a Type 1 district municipality that it must prepare a CITP for the areas of one or more of its local municipalities and may prepare a DITP for the areas of the remaining ones. A type 1 local municipality may agree to prepare a CITP for all or part of the areas of other local municipalities in the district either at the request of the MEC, the district municipality or of such local municipalities. Any CITP prepared by a Local Municipality for an area smaller than the entire district concerned will be deemed part of the relevant DITP.

The MEC may consider and negotiate assistance to a planning authority in terms of section 9 (1) (c) of the Act to carry out the required planning tasks where insufficient capacity is available. Such assistance could include—

- assistance by the MEC to carry out part, or the whole of the planning to be done by a particular planning authority;
- assistance by a local municipality to a district municipality, to do part, or the whole of the planning to be done by the particular district municipality; and
- assistance by a district municipality to a local municipality, to carry out part, or the whole of the planning to be done by the particular local municipality.

The MEC must document the final agreement on the categorisation of planning authorities in his or her province, and any arrangements for assistance to carry out the required planning tasks. The MEC must publish such agreement in the *Provincial Gazette* by not later than 31 March of any particular year, which must also be included in the provincial land transport framework (PLTF) of the province.

The above agreement must be reviewed annually and should amendments be made to it, the revised agreement must again be published in the *Provincial Gazette* and reflected in the province’s PLTF.

The MEC must ensure the co-ordination of the planning processes of all planning authorities under the jurisdiction of the province and, in doing so, must ensure that all plans address—

- (a) public transport services operating across the boundaries of the areas of planning authorities; and
- (b) rivalry or lack of co-ordination between neighbouring planning authorities that may result in the duplication of planning, or the duplication or over-supply, or

under-supply, of transport services, facilities and infrastructure in the region.

### 3.2 Strategic in Relation to Operational Planning Responsibilities

Comprehensive and District Integrated Transport Plans (CITPs and DITPs) must contain a long term component, which identifies the long term vision and objectives for the transport system in the region, and the strategy for developing the transport system over time to achieve the set objectives.

The long term strategy can, however, only be achieved over time and in an incremental fashion and, therefore, the ITPs must include annual action plans specifying the projects to be implemented. Only projects that are feasible must be included in the annual action plans, and feasibility studies of projects may be required to confirm this.

The need to spend energy and money on the development of the long term component of an ITP is much greater for larger urban areas, compared to smaller district and local municipalities.

The execution of the preliminary and detailed design of projects included in the action plans are not to be part of the ITP, but will logically follow its approval. Such design could relate to both infrastructure and services and would be undertaken by that authority or agency responsible for the execution of the work. For example, in the case of road based public transport contracts it would be the planning authority itself that would design and put out to tender such services. In the case of rail services, the rail operator (e.g. SARCC) would be in the best position to design the rail services in accordance with the service levels specified by the planning authority. In the case of roads, the design function could be undertaken by either the planning authority, or by another department or agency of the municipality concerned.

The responsibilities for planning are also given in Table 1 below:

**Table 1:**  
Planning Responsibilities

<i>Planning Horizon</i>	<i>Task or Activity</i>	<i>Responsible Authority</i>
ITP: Long Term	<ul style="list-style-type: none"> <li>• Vision, objectives</li> <li>• Long Term Strategy               <ul style="list-style-type: none"> <li>– Public transport</li> <li>– Roads</li> <li>– TDM</li> <li>– NMT</li> <li>– Etc</li> </ul> </li> </ul>	Planning Authority

ITP: Short Term	<ul style="list-style-type: none"> <li>• Feasibility studies</li> <li>• Action Plans: <ul style="list-style-type: none"> <li>– Public transport infrastructure</li> <li>– Public transport services</li> <li>– Roads</li> <li>– TDM</li> <li>– NMT</li> <li>– Etc</li> </ul> </li> <li>• Project prioritisation</li> <li>• Financial planning and budgeting</li> </ul>	Planning Authority
Detailed design following ITP approval	<ul style="list-style-type: none"> <li>• Public transport contracts (road based)</li> <li>• Public transport operational planning (road and rail based)</li> <li>• Rail concessions</li> <li>• Design of infrastructure</li> <li>• Design of TDM</li> </ul>	Planning Authority  Public transport operator (road and rail)  DoT or its agent  Planning Authority or municipal agency  Planning Authority or municipal agency

### 3.3 DoT Public Transport Action Plan

The Cabinet approved the national Public Transport Strategy in January 2007. The Strategy has two thrusts: Accelerated Modal Upgrading, and Integrated Rapid Public Transport Networks (IRPTNs). Modal Upgrading focuses on the 3-7 year transitional period with regard to improving the quality of the public transport fleet and its current operations. IRPTNs focus on the 4-20 year period and aim to implement high quality networks of car competitive services. In this regard, the aim is to upgrade both commuter rail services and bus and minibus services to Rapid Rail and Bus Rapid Transit levels of quality respectively, in all major cities.

Following the approval of the Strategy, the DoT developed an Action Plan, with a focus on implementing Phase 1 (2007 – 2010) IRPTNs in 12 cities and 6 districts. The 12 cities are the six metropolitan municipalities and the six local municipalities listed in 3.1 as Type 1 planning authorities.

The Action Plan engagement with the 12 cities by the DoT to date has also aimed to integrate the 2010 legacy components of the Public Transport Infrastructure and Systems Fund (PTIS).

Through the Public Transport Action Plan implementation, the DoT aims to phase in an authority-controlled network of integrated, high quality public transport services that are car competitive. This requires three critical work streams namely:

- (i) A robust network operational plan which also includes integrating the road based and non motorised systems with the rail priority corridors (if relevant),

- (ii) A process of creating the transport authority capacity to manage the network in terms of performance contracts with fare revenues accruing to the authority (road-based system) and managing performance agreements with SARCC for the rail priority corridors in particular,
- (iii) A process of business planning and negotiation to maximally include existing operators and labour (especially minibus sector) in the network (for both road based and Metrorail priority corridors).

For those cities and district municipalities that have become part of this initiative, a different planning approach is required in particular as far as the regulation and control of road based public transport is concerned.

Control over the supply of public transport services on the planned network will increasingly be exercised by the planning authority through the inclusion of operators into performance-based contracts, rather than by means of preparing and enforcing an Operating Licence Strategy as is currently required.

In addition, the need for preparing and maintaining a full Current Public Transport Record (CPTTR) as outlined in 9.4, will also fall away as soon as services are being rendered jointly in terms of a contract where services are provided according to a pre-determined schedule. Information on passenger demand can then be more easily obtained through the monitoring of services that will be an obvious responsibility of the planning authority.

### **3.4 Rail Planning**

The SARCC in support of the DoT, has prepared a Passenger Rail Transport Plan over the past two years. Phase I of this plan was focussed on agreeing the broad strategy to be followed for the upgrading and improvement of the rail transport system in South Africa. Phase II was prepared using a bottom-up approach, where each region of Metrorail prepared a detailed regional rail transport plan, in close consultation with the relevant municipalities. The regional Phase II plans were integrated into a national plan. This Phase II plan was approved by national Cabinet during the first part of December 2006. This plan will be implemented as from 2007.

In order for rail to be truly part of any ITP, it needs to be given the same attention as any other public transport mode in the planning process. The Planning Authority is required to:

- Have a good grasp of current and future passenger demand and passenger service level requirements
- Determine a long term strategy which identifies per corridor (within the larger network), the role of the different modes and the actions required to develop each mode to fulfil its role effectively
- Optimise existing infrastructure and services as far as possible
- Integrate modes, services and routes.

A planning authority in an area with passenger rail services, or which proposes their introduction, should take the lead in developing a regional rail plan for its area which will in essence be a rail service specification and the identification of any required interventions for the rail corridors, in consultation with the SARCC.

Such planning for passenger rail services by the planning authority should subscribe to the National Passenger Rail Plan principles: "Defining the role of rail, categorisation of current and future corridors and priority corridor investment strategies for the short term, medium and long term." The SARCC is the national planning agent and operator for rail



commuter services, managing and updating the National Rail Plan. Until devolved, rail planning should be integrated through co-operative governance planning with SARCC. Rail components of transport plans must be in line with the National Rail Commuter Plan.

In an effort to achieve integrated planning, Rail Plan Committees have been established by the SARCC in each metropolitan area. These Committees are chaired by the metropolitan authority with the planning section of the SARCC providing the guidance and expertise to develop the Rail Plan. These Committees should be replaced by more effective and representative structures as an interim measure pending the consolidation of public transport functions with transport authorities, metropolitan municipalities and larger urban local and/or district municipalities.

The function of these committees would be to facilitate the development and acceptance of a regional rail plan for a particular area, and the negotiation of such a plan with the DoT in order to be taken up in the National Passenger Rail Plan. SARCC will retain responsibility for the operational planning and implementation of the approved rail services.

### **3.5 Preparation of Rationalisation Plans (Ratplan), Operating Licence Strategies (OLS) and Current Public Transport Records (CPTR)**

All Type 1 planning authorities must prepare IPTNPs as discussed in 3.3 above, and will not be required to prepare a full OLS and CPTR covering the total network in addition to the IPTNP.

Instead, these authorities must identify and carry out such planning only for those services or parts of the network which are not covered by the IPTNP provided that the IPTNP must be prepared in such a manner as to be able to guide the relevant board as contemplated in 9.5. CPTR information on infrastructure needs to be fully completed.

A separate rail plan and Ratplan will not be required as the planning for the rail and the road based modes will form part of the IPTNP.

In areas other than those covered by the national Integrated Public Transport Network Projects as discussed in 3.3 above, the planning authority remains responsible for the preparation of a full current public transport record (CPTR) and operating licence strategy (OLS) for such areas, and a Ratplan where there are subsidised services in the area as part of their ITP.

Where a district municipality is responsible to prepare a CPTR, OLS or Ratplan for its entire area, it will not prevent an agreement with any relevant local municipality to assist with such preparation, provided that the agreement is facilitated and approved by the MEC and that it is permissible in terms of applicable local government legislation.

CPTRs, OLSs and Ratplans must not be prepared at both district and local levels as this will lead to duplication. Thus only one CPTR, one OLS and one Ratplan are required for any particular geographical area.

Where the CPTR, OLS or Ratplan for part of the area of a district municipality is prepared by a local municipality in terms of an agreement contemplated above, it is still the responsibility of the district municipality to ensure that the entire area is covered and to include these into its integrated transport plan in the format as required by this document.

A CPTR prepared and submitted to any applicable MEC under section 3 of the National Land Transport Interim Arrangements Act, 1998 (Act 45 of 1998), or a CPTR, OLS or Ratplan prepared in terms of requirements replaced in terms of 10 below, is deemed to be

a CPTR, OLS or Ratplan, as the case may be, in terms of the requirements as set out in this document, provided that such a CPTR, OLS or Ratplan must be updated and revised so as to at least comply with these requirements, including changes to municipal boundaries that may have occurred in terms of the Local Government: Municipal Demarcation Act, 1998, and related legislation.

**4. Inter-relationship between transport plans and frameworks.**—The inter-relationship between the plans is shown diagrammatically in Figure 1.

The National Land Transport Strategic Framework (NLTSF) will provide the policy and over-arching transport strategy for the country. Particular planning initiatives of the DoT will be taken up and reflected in the NLTSF where appropriate and where these have been approved. These will include:

- The National Transport Master Plan
- The National Public Transport Strategy and Action Plan
- The National Rail Plan
- The National Freight Logistics Strategy

Each Province will prepare a Provincial Land Transport Framework (PLTF) for a five-year period in terms of Government Notice R1004 of 24 July 2002 or replacing requirements. The primary objectives of the PLTF are:

- To create a strategic framework for the development of transport from a provincial perspective and
- To co-ordinate the preparation of ITPs within the area.

Integrated Transport Plans (ITPs) have to be prepared by all municipalities.

From **Figure 1** it should be noted that ITPs must be submitted to the MEC in terms of section 27 (1) of the Act for notification and approval, and will also be reflected in the provincial land transport framework (PLTF). In the case of LITPs, they will be submitted to the MEC as part of the relevant DITP and not separately. In addition, these transport plans also need to become part of the integrated development plans (IDPs) of the applicable metropolitan, district and local municipalities.

Integrated transport plans to be prepared by the Type 3 planning authorities will thus be included in a summarised format by the district municipalities in their transport plans, and will also serve as input into the IDPs of the applicable local municipality and district municipality.

**5. Principles for preparing transport plans.**—The following principles apply to the preparation of CITPs and, where applicable, to DITPs and LITPs—

Transport plans must be developed so as to—

- (a) enhance the effective functioning of cities, towns and rural areas through integrated planning of transport infrastructure and facilities, transport operations including freight movement, bulk services and public transport services within the context of those integrated development plans and the land development objectives set in terms of section 27 of the Development Facilitation Act, 1995 (Act No. 67 of 1995), or, where applicable, land development objectives of that nature set in terms of replacing legislation or relevant provincial laws;
- (b) direct employment opportunities and activities, mixed land uses and high density residential development into high utilisation public transport corridors interconnected through development nodes within the corridors, and discourage urban sprawl where public transport services are inadequate;
- (c) give priority to infilling and densification along public transport corridors;
- (d) give higher priority to public transport than private transport by ensuring the provision of adequate public transport services and applying travel demand management measures in a manner that provides incentives for sustainable mobility management;
- (e) enhance accessibility to public transport services and facilities, and transport functionality in the case of persons with disabilities;
- (f) maintain and further develop road infrastructure so as to improve travel by all road-based modes of transport where appropriate;
- (g) minimise adverse impacts on the environment; and
- (h) support/stimulate economic growth and development.

**In addition—**

- (i) Plans must pay due attention to the development of rural areas, and transport for special categories of passengers must receive specific attention.
- (ii) Transport plans should acknowledge and, where necessary, plan for the role of appropriate non-motorised forms of transport such as walking and cycling.
- (iii) Transport plans and transport programmes must be synchronised with other planning initiatives and must indicate how they are integrated into the municipal integrated development plans, the land development objective processes and the municipal budgeting process.
- (iv) The preparation of a transport plan or transport programme must include the

consultation and participation of interested and affected parties required for the preparation of integrated development plans in terms of Chapter 4 and section 29 (1) (b) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) or replacing legislation.

**6. Frequency of plan preparation and update.**—The minimum frequency of plan preparation and updating is shown in Table 1.

Note that Table 1 includes reference to the preparation of a CPTR and an OLS. These two planning activities are elements of an integrated transport plan and should therefore be included in the CITP or DITP in a summarised form. The detail is, however, to be documented separately and attached as annexures to the CITP or DITP, to allow for regular updating and review of data, strategies and actions.

**Table 2:**  
Minimum frequency of plan preparation and update

PLAN	FREQUENCY		COMMENTS
	PREPARATION	UPDATE	
1. Comprehensive ITP (CITP) and district ITP (DITP)	Total overhaul every 5 <sup>th</sup> year	Annually, in synchronisation with IDP	Update to focus on action programme and budget Prerogative of PA to do more comprehensive update
2. Local Integrated Transport Plan (LITP)	Annually, in synchronisation with IDP		Focus on the identification of needs and annual programme and budget
3. CPTR (forms part of ITP)	Total overhaul every 5 <sup>th</sup> year	Continuous (if required)	Update to concentrate on gaps and information of poor quality
4. OLS (forms part of ITP)	Total overhaul every 5 <sup>th</sup> year	Continuous (if required)	This should be a live document reflecting any CPTR update or the issuing of OLS by the OLB
5. Ratplan (where required: forms part of ITP)	Total overhaul every 5 <sup>th</sup> year	Continuous (if required)	Update to ensure the objectives of rationalisation are realised

The preparation of a CITP inclusive of an IPTNP (see 3.3 and Chapter 9 for the minimum requirements of an IPTNP) will become mandatory with the next complete overhaul of the CITP.

**7. Date for submission of transport plans and programmes.**—The transport plans and programmes must be prepared by the date determined by the MEC in terms of section 27 (1) of the Act. Until such date is determined the planning authority must prepare and update plans in accordance with Table 2.

After the initial submission of the transport plans and programmes, the MEC must determine the date for the submission of subsequent plans in terms of section 27 (1) of the Act.

The date so determined by the MEC must be published in the *Provincial Gazette* of the province concerned.

**8. Process for preparation and approval by MEC.**—After the date of publication of these requirements, but not later than the date mentioned in 7 above, every planning authority and municipality required to do so in terms of these Requirements, must complete its integrated transport plan consisting of at least the matters set out in 9 below.

On completion of the transport plan, the planning authority responsible for its preparation must submit it to the MEC in terms of section 27 (4) of the Act and, if it has rail commuter components, also to the Minister under section 28.

If the MEC is of the opinion that the transport plan does not comply with any of the issues listed in section 27 (4) (a) to (d) of the Act, he or she may request the planning authority to adjust the plan, and the planning authority must either adjust the plan or negotiate with the MEC to resolve the matter. If the MEC and planning authority cannot agree on the issue, they must resolve the matter in terms of Chapter 4 of the Intergovernmental Relations Framework Act 13 of 2005. If the MEC does not request the planning authority to adjust the plan within 60 days of receiving it, the planning authority may assume that the MEC has approved it.

If the Minister is of the opinion that the transport plan does not deal adequately with the situation relating to commuter rail, or that it has not been prepared correctly or completely according to the Act or these Requirements, he or she may request the planning authority to adjust the plan, and the planning authority must comply with such a request forthwith.

If the Minister is of the opinion that rail aspects have not been adequately accommodated in the transport plan as contemplated in section 28 of the Act, he or she may request the planning authority to adjust the plan, and the planning authority must either adjust the plan or negotiate with the Minister to resolve the matter. If the Minister and planning authority cannot agree on the issue, they must resolve the matter in terms of Chapter 4 of the Intergovernmental Relations Framework Act 13 of 2005. If the Minister does not request the planning authority to adjust the plan within 60 days of receiving it, the planning authority may assume that the Minister has approved it.

**9. Minimum contents.**—In addition to the requirements of the Act, transport plans and transport programmes must contain at least the minimum information as set out below.

**9.1 Comprehensive integrated transport plans (CITPs)**

The CITP must be prepared with due regard to relevant integrated development plans, and land development objectives set in terms of section 27 of the Development Facilitation Act, 1995 (Act No. 67 of 1995), or, where applicable, in terms of replacing laws or a law of the province.

The CITP shall consist of the chapters schematically indicated in Figure 2 and as specified below.

## **EXECUTIVE SUMMARY**

An executive summary must be provided which summarises the *status quo*, transport trends in the area, objectives and proposed interventions and projects. All ITPs must be done in the sequence prescribed in these requirements

### **Chapter 1: Introduction**

The introduction should indicate responsibility for the preparation of the CITP and reference to any agreements and determinations by the MEC in this regard, the status of the plan and the period over which the plan is to be implemented.

The particular institutional and organisational arrangements affecting the functioning of the particular planning authority should be described as well as the liaison and communication mechanisms available to co-ordinate the planning task with other responsibilities of the municipality and those of other stakeholders.

## **Chapter 2: Transport vision and objectives**

The vision statement for transportation in a transport area should be formulated within the framework of the *White Paper on National Transport Policy, 1996* as well as any other approved national and provincial transport policy, and local policy and strategies.

The vision statement should be a single concise statement guiding transport development in the area in terms of both the long and short-term components of the transport plan.

Specific objectives should be formulated, related to the overall vision. Objectives should be acceptable, measurable, understandable and achievable.

## **Chapter 3: Transport Register**

The transport register should cover the full spectrum of data collection necessary for the planning of all types of transport infrastructure and operations.

A distinction must be made between the following types of information:

- (a) Demographic and socio-economic: State population and provide profile of population in terms of income, age, education and car ownership.
- (b) General overview of transportation system demand and supply: Indicate modal split between private, public transport (by mode), and non-motorised transport modes. Where available, quote outcome from home interview surveys indicating levels of dissatisfaction with public transport in the area.
- (c) Description of the regular, daily public transport system: This information is to be a summary of the CPTR as discussed in 9.4. Distinguish between supply and demand information as follows:
  - (i) Supply (regular, daily services including commuter transport and transport for learners):
    - Railway infrastructure by rail corridor:
      - lengths
      - number of stations
      - line capacities (peak hour)
    - Railway services by corridor
      - train frequencies (peak hour)
      - passenger capacities (peak hour)
    - Road based public transport in total and by primary corridor for bus, minibus-taxi, as well as for long-distance services (minibus-taxi and bus):
      - total number of routes
      - fleet size
      - frequencies (trips in peak hour)
      - corridor capacities
    - Road based infrastructure (primary facilities only) for bus and minibus-taxi:
      - location
      - size/capacity
      - total number of facilities
  - (ii) Utilisation (regular, daily services including commuter transport and

transport for learners):

- Rail, bus and minibus-taxi (commuter services) by corridor
    - passenger volumes (peak hour and daily)
    - trends if available
  - Demand in relation to supply by corridor for each mode
- (d) Description of other public transport services: Provide a summary of the location and size of operations where available:
- Metered taxis
  - Accessible transport
  - Non-motorised transport
- (e) Description of institutional and organisational set-up of public transport industry: Provide detail of companies and associations making up the bus, minibus-taxi and metered taxi industries in terms of:
- Name of company/association
  - Fleet composition and sizes under its control
  - Areas or corridors in which services are rendered
- (f) Roads and traffic: This information would typically be obtained from the Pavement Management System (PMS) and traffic counting programme of the planning authority:
- A table providing detail of the major road network in relation to road authority, and giving detail of the length of road by functional class of road.
  - A table showing the condition of major roads in terms of the length of road which is in a very poor, poor, fair, good or very good condition. Also changes in the condition over time.
  - A table showing the level of congestion of the major road system, stating length of road operating at or over capacity in the peak hour. Also changes in the levels of congestion over time.
- (g) Freight transport: Provide a description of routes identified for travel by vehicles transporting abnormal loads and dangerous goods. State measures in place to deal with overloading.
- (h) Financial information: State sources of income and expenditure by the relevant municipal authority on all transport services and infrastructure within its area.

The CPTR must be prepared in terms of the minimum planning requirements for the preparation of CPTRs as contained in 9.4 below. The comprehensive CPTR must be attached as an annexure.

#### **Chapter 4: Spatial development framework**

Integrated development plans (IDPs) encapsulate all aspects of strategic planning. As part of the IDP, a spatial development framework must be developed, which must be integrated with the transport plan for the area. The spatial development framework so developed must be taken up in the integrated transport plan, clearly showing existing and intended transport corridors and nodes, and areas earmarked for mixed land use and densification.

The spatial development framework so included in the CITP will give explicit effect to section 29 (2) of the Act, which empowers the planning authority to manage any change or intensification of land use which deviates from that specified in the spatial



development framework.

### **Chapter 5: Transport needs assessment**

The transport needs assessment must give adequate attention to—

- measures to promote public transport;
- the needs of learners and persons with disabilities;
- non-motorised transport;
- private transport; and
- travel demand estimation.

The transport needs of the community shall be determined and adequately described, based on the following analyses:

- An interpretation of the Transport Register
- public participation and stakeholder feedback; and
- transport demand estimation, determined for example by modelling, surveys or estimations (see the Guidelines in this regard).

### **Chapter 6: Public transport operational strategy**

The focus of the operational strategy should be to integrate the public transport network, services and modes and develop schedules (where relevant) in such a fashion that passengers can move optimally from origin to destination in the area most effectively, in the shortest possible time and with the minimum of fare-paying transactions.

The public transport operational strategy must give adequate attention to—

- the needs of learners;
- the needs of persons with disabilities;
- developing and implementing the integration of public transport services in and between modes;
- fare systems for public transport and the affordability of fares;
- measures to promote public transport over private transport.

Considerations to be taken into account in the development of the public transport operational strategy include, *inter alia*—

- the minimisation and optimum allocation of subsidy based on user needs; and
- the avoidance of land use distortions and longer travel distances.

Where cities and district municipalities are included in the DoT initiative to improve public transport to a level where they are of high quality and are car competitive (see discussion in 3.3), detailed network operational plans are to be developed and submitted to the DoT.

The network operational plan should at least deal with the following:

- a plan for the total new public transport network, i.e. routes, services, frequencies, and mode decisions; and then component plans for the contracted and non-contracted services;
- the vehicle numbers required for the different routes and services;
- the planned sequencing of network implementation, including the conversion of the expired interim and tendered contracts, and the phased replacement of non-contracted services with contracted services;
- fleet plans to guide the recapitalisation process, taking into account the required incorporation of minibus-taxi operators into integrated networks using a variety of

vehicles including articulated buses;

- a regulatory plan dealing with the implementation of gross cost contracts that incorporate existing operators (including minibus taxi operators);
- an infrastructure plan for the progressive implementation of the rapid corridors (to be included in Chapter 7: Transport Infrastructure Strategy);
- an institutional plan to establish the “network authority” to manage and regulate the contracted and non-contracted network and its fare system (to be dealt with in Chapter 10: Other Transport Related Strategies);
- a financial plan for the operational funding of the system (to form part of Chapter 12: Funding Strategy).

In the event of commuter rail services operating within the area of jurisdiction of the planning authority responsible for the CITP, the public transport operational strategy must integrate rail aspects. Note the necessity for any rail planning to subscribe to the principles of the National Passenger Rail Plan, and the importance of joint ownership of the regional Rail Plan by the Planning Authority and SARCC, as discussed in 3.4. In the event of rail services operating across the boundaries of two or more planning authorities, the relevant planning authorities must liaise with each other to ensure proper integration of rail issues into their operational strategies. If they fail to do so the MEC may assign the responsibilities to ensure effective planning.

If the Minister is of the opinion that the public transport operational strategy does not deal adequately with the situation relating to commuter rail, or that it has not been prepared correctly or completely according to the Act or these requirements, he or she may request the planning authority to adjust the plan, and the planning authority must comply with such a request forthwith.

For those municipalities (or parts of municipalities) not included in the DoT’s Public Transport Action Plan initiative (mainly rural municipalities), a comprehensive Operating Licence Strategy (OLS) and Rationalisation Plan (Ratplan) are required.

To enable planning authorities to prepare a reliable OLS, the Board has a duty to maintain the records on the Operating Licences Administration System (OLAS) so that they accurately and reliably reflect the details of all active operating licences pertaining to the area. The routes described in the OLAS should be the same as, or at least relatable to, the routes or route groups described in the planning authority’s OLS.

The OLB will be required to refer any application for Operating Licences to the applicable planning authority within whose area the services being applied for, will operate, or the planning authority which was responsible for the preparation of the OLS for that particular area. Should the service being applied for fall into more than one municipal area then the application should be referred to all the municipalities that will be affected, each reacting to the application in terms of the implications this may have on its area.

The OLS must enable the planning authority to make recommendations and representations to the operating licensing board (“the board”) in respect of applications for operating licences for all types of public transport services (except tourist services and charters). As these recommendations are binding on the board in terms of section 39 (4) of the Act, the OLS must provide the planning authority with a reliable and accurate basis for its decisions.

The OLS is essentially a determination of the required supply of non-contracted public transport. In respect of regular, daily services in the area, it should describe the defined public transport routes or specified groups of routes on which non-contracted services

may operate, and the number of vehicles of each capacity-type that the planning authority will authorise, having taken into account demand. The OLS should also describe the number of operating licences already active on each route or route group (as per the data in the OLAS) and the additional number of operating licences that could be granted on each route where there is an under-supply, or the surplus number of operating licences on each route where there is over-supply.

Apart from the supply and demand assessment, in preparing the OLS the following parameters should also be considered by the planning authority:

- The role of each public transport mode and identification of the preferred road-based mode or modes with regard to its area or particular routes or corridors, including transport into or from the areas of other planning authorities, and interprovincial transport;
- the circumstances in which operating licences authorising the operation of public transport within any part of its area, should be allowed;
- the use of public transport facilities within its area;
- the avoidance of wasteful competition between transport operators;
- the conclusion of commercial service contracts for unsubsidised public transport services; and
- the conditions which should be imposed by the board in respect of operating licences.

The OLS must be prepared in terms of the minimum planning requirements as contained in 9.5 below. A summary of the OLS is to be included in Chapter 6 of the ITP and the comprehensive OLS is to be attached as an annexure.

The public transport operational strategy must also contain a plan for the rationalisation of public transport in the area (Ratplan), with the focus on subsidised services, where there are subsidised services in the area. The strategy should consider both state subsidised as well as municipally subsidised services, and take cognisance of rail services.

The assessment should be carried out with respect to the possible impacts on other services and modes, infrastructure and facilities, as well as user convenience and quality of service.

The Ratplan should essentially set out—

- the proposed plan for the subsidised, contracted, road-based services, including, per contract, the proposed routes and frequencies and fleet requirements per route;
- the changes to be made to the current contracted services in order to implement the proposed plan;
- the estimated impacts and benefits, both positive and negative; and
- an implementation programme and budget.

The rationalisation strategy should take into account—

- the restructuring of services where there is duplication or where the services are not economically or financially feasible;
- the provision of subsidised services in relation to the availability of unsubsidised services as per the operating licence strategy; and
- a broad consideration of special types of services including social services, services for people with disabilities and services for learners.

The MEC must facilitate arrangements regarding the responsibility for the rationalisation

of interprovincial and intra-provincial services.

The development of the public transport operational strategy must have both a short-term focus relating to subsidised interim contracts and current tendered contracts expiring in the near future, and a long-term focus relating to the overall restructuring of the subsidised public transport system as a whole, including rail.

### **Chapter 7: Transport infrastructure strategy**

The transport infrastructure strategy must deal with the development and maintenance of all types of transport infrastructure, including major roads, public transport facilities and rail infrastructure.

The transport infrastructure strategy must include proposals for new and for the improvement of existing public transport facilities and major roads. Only firm schemes on which work will commence within the planning period must be included in the strategy.

The transport infrastructure strategy must include measures aimed at giving priority to public transport where such measures are practical and economically justified.

### **Chapter 8: Travel (transport) demand management**

Appropriate measures aimed at managing transport demand must be identified and analysed. This should include Intelligent Transport Systems (ITS) and Transport System Management (TSM). Measures that prove to be practical and economically and financially feasible must be further developed for implementation. Regard must be had to the definition of “travel demand management” in the Act.

### **Chapter 9: Freight transport strategy**

The planning authority must develop a freight transport strategy covering the transporting of goods to, from and through the area by road, rail or ship. The strategy must identify routes for moving goods so as to promote their seamless movement and, in the case of road freight transport, to avoid conflict with other road traffic.

The freight transport strategy must include a plan for the movement of hazardous substances contemplated in section 2 (1) of the Hazardous Substances Act, 1973 (Act No. 15 of 1973), by road along designated routes, as required by section 27 (5) of the Act in accordance with the strategy or plan in the provincial transport framework contemplated in section 22 (3) (l) of the Act.

In the case of coastal provinces, maritime transport links must be considered where appropriate. In preparing this strategy planning authorities should have regard to the *National Freight Logistics Strategy, 2005* which is available from the DoT.

### **Chapter 10: Other transport-related strategies**

In addition to the above minimum requirements, the planning authority must in addition develop in its CITP strategies relating to the following topics:

- Non-motorised transport; and
- a safety and security strategy as it relates to public transport.

### **Chapter 11: Summary of local integrated transport plans in the case of district municipalities**

In the case of a district municipality this Chapter is a summary of the transport implementation budgets and programmes (including construction and maintenance of their transport infrastructure) over a five-year period, as prepared by the constituent local planning authorities (local municipalities).

## **Chapter 12: Funding strategy and summary of proposals and programmes**

This Chapter must contain the following components:

### **12.1 Summary of proposals**

This chapter must contain a synopsis or summary of proposals and programmes provided for in the plan. Proposals and programmes should be realistic and not be too ambitious, either in financial terms or with regard to the capacity of the authority. Where appropriate, projects should be phased over a realistic period or relegated to a future year or planning cycle.

The proposals and programmes must link with the integrated development plan (IDP) process of the municipality concerned and form the sectoral transport component of the IDP as required by section 18 (1) of the Act.

### **12.2 Funding strategy**

This part of Chapter 12 must deal with sources of income and funding constraints.

The funding strategy must include a financial programme giving expected sources of revenue and estimates of expenditure arising out of the preparation, implementation and operation of the different transport strategies, over the five-year period in which the plan is to be implemented. The focus must be on actions that are possible in the light of secured financial resources.

### **12.3 Prioritisation of projects**

All actions identified in the different strategies must be subject to a process of prioritisation and allocation of funds, which will depend on budgetary constraints.

### **12.4 Budget per project and programme**

The funding strategy must be concluded by the preparation of a budget and programme for a five-year period, of which the first year will be in substantially greater detail than the following four years of this period.

## **Chapter 13: Stakeholder consultation**

The extent of and the results of consultation with all affected parties including operators, commuters and communities must be described.

### **9.2 District integrated transport plans (DITPs)**

The DITP must at least consist of the chapters as schematically indicated in Figure 3 and as specified below:

## **EXECUTIVE SUMMARY**

An executive summary must be provided which summarises the *status quo*, transport trends in the area, objectives and proposed interventions and projects.

### **Chapter 1: Introduction**

The introduction must indicate the responsibility for the preparation of the DITP, the status of the plan and the period over which the plan is to be implemented.

The particular institutional and organisational arrangements affecting the functioning of the particular planning authority must be described as well as the liaison and communication mechanisms available to co-ordinate the planning task with other responsibilities of the municipality or municipalities and those of other stakeholders.

### **Chapter 2: Transport vision and objectives**

The vision statement for transportation in a transport area should be formulated within the framework of the *White Paper on National Transport Policy*, 1996 as well as any other approved national and provincial transport policy, and local policy and strategies.

The vision statement should be a single concise statement guiding transport development in the area in terms of both the long and short-term components of the transport plan.

Specific objectives should be formulated, related to the overall vision. Objectives should be acceptable, measurable, understandable and achievable.

### **Chapter 3: Transport Register**

The following information must be included in the Register:

- (a) Description of the regular, daily public transport system: This information is to be a summary of the CPTR as discussed in 9.4. Distinguish between supply and

demand information as follows:

- (i) Supply (regular, daily services including “commuter” transport and transport for learners)
    - Railway infrastructure by rail corridor:
      - lengths
      - number of stations
      - line capacities (peak hour)
    - Railway services by corridor
      - train frequencies (peak hour)
      - passenger capacities (peak hour)
    - Road based public transport in total and by primary corridor for bus and minibus-taxi, as well as for long-distance services (minibus taxi and bus):
      - total number of routes
      - fleet size
      - frequencies (trips in peak hour)
      - corridor capacities
    - Road based infrastructure (primary facilities only) for bus and minibus taxi:
      - location
      - size/capacity
      - total number of facilities
  - (ii) Utilisation (regular, daily services including “commuter” transport and transport for learners)
    - Rail, bus and minibus taxi (commuter services) by corridor
      - passenger volumes (peak hour and daily)
      - trends if available
    - Utilisation in relation to supply by corridor for each mode
- (b) Description of other public transport services: Provide a summary of the location and size of operations where available:
- Metered taxis
  - Accessible transport
  - Non-motorised transport
- (c) Description of institutional and organisational set-up of public transport industry: Provide detail of companies and associations making up the bus, minibus-taxi and metered taxi industries in terms of—
- Name of company/association
  - Ownership/membership
  - Fleet composition and sizes under its control
  - Areas or corridors in which services are rendered
- (d) Roads and traffic: This information would typically be obtained from the Pavement Management System (PMS) and traffic counting programme of the planning authority:
- A table providing detail of the major road network in relation to road

authority, and giving detail of the length of road by functional class of road.

- A table showing the condition of major roads in terms of the length of road which is in a very poor, poor, fair, good or very good condition. Also changes in the condition over time.
- A table showing the level of congestion of the major road system, stating length of road operating at or over capacity in the peak hour. Also changes in the levels of congestion over time.

(e) Financial information: State sources of income and expenditure by the relevant planning authority on all transport services and infrastructure within its area.

#### **Chapter 4: Operating licence strategy**

Operating licence strategies are to be prepared by all Type 2 planning authorities. The OLS must be prepared in terms of the minimum planning requirements as contained in 9.5.

#### **Chapter 5: Rationalisation plan (if required)**

If required, i.e. if there are subsidised bus services in the area, a bus rationalisation plan must also be prepared as described in 9.1. Rat plans will only be required from those Type 2 planning authorities with subsidised bus contracts operational in their area.

#### **Chapter 6: Transport needs assessment**

This part of the district ITP must in essence be a description of the process that was followed to identify the upgrading and maintenance needs of all roads and public transport facilities for which the planning authority is responsible.

This should include reference to any pavement management system (PMS) which may be employed by the authority, as well as any other surveys or processes of public participation aimed at identifying the needs of the community.

The transport needs assessment should be based on the spatial development framework for the area and must give adequate attention to—

- measures to promote public transport;
- the needs of learners and persons with disabilities;
- non-motorised transport;
- private transport; and
- Travel demand estimation (TDE). Regarding TDE, a more basic approach is acceptable than that required for CITPs (e.g. extrapolation of current trends).

#### **Chapter 7: Summary of local integrated transport plans in the case of district municipalities**

In the case of a district municipality which is a Type 2 planning authority, this Chapter is a summary of the transport implementation budgets and programmes (including construction and maintenance of their transport infrastructure) over a five-year period, as prepared by the constituent Type 3 planning authorities (local municipalities).

#### **Chapter 8: Funding strategy and summary of proposals and programmes**

The different strategies and projects as developed in the previous chapters of the DITP must be listed and subjected to a process of prioritisation. This should include both new infrastructure as well as the maintenance of existing facilities.

A budget and programme for a five-year period must be prepared of all the high priority projects identified in Chapter 7, of which the first year will be in substantially greater



detail than the following four years of this period.

Only projects for which a budget has been allocated during the five-year planning period and for which there is a realistic chance of implementation, are to be included.

This Chapter must be divided into the following parts:

- 8.1 Summary of proposals
- 8.2 Funding strategy (sources of income and funding constraints)
- 8.3 Prioritisation of projects, and
- 8.4 Budget per project and programme.

### **9.3 Local integrated transport plan (LITP)**

The LITP must be prepared on an annual basis by each local municipality and submitted to its district municipality. The LITP must consist of the chapters as schematically indicated in Figure 4 and as specified below:

#### **Chapter 1: Introduction**

The introduction must indicate the responsibility for the preparation of the LITP, the status of the plan and the period over which the plan is to be implemented.

#### **Chapter 2: Transport *status quo***

The transport *status quo* must consist of—

- An inventory of the roads being the responsibility of the local municipality, including their condition; and
- An inventory of public transport facilities being the responsibility of the planning authority, including their condition (this inventory may be taken over from the

CPTR prepared by the district municipality within whose area the local municipality is situated).

### Chapter 3: Transport needs assessment

The process that was followed to identify the upgrading and maintenance needs of all roads and public transport facilities for which the local municipality assumes responsibility, is to be described. The information may be taken from the municipality’s IDP, if available. If not available in the IDP, it should be obtained from stakeholder consultation or other methods.

### Chapter 4: Transport improvement proposals

The different projects identified through the process in Chapter 3 above must be listed and prioritised. Non-motorised transport and private transport should be included.

### Chapter 5: Implementation budget and programme

A budget and programme for a five-year period must be prepared of all the high priority projects identified in Chapter 4, of which the first year will be in substantially greater detail than the following four years. Both new facilities as well as the maintenance of existing facilities must be covered.

Only projects, for which a budget has been allocated during the five-year planning period and for which there is a realistic chance of implementation, are to be included.

## 9.4 Current public transport records (CPTRs)

### 9.4.1 Introduction

The contents of the CPTR can be grouped into three broad categories, namely:

- (i) A description of the facilities and routes along which the public transport services are being provided.
- (ii) An assessment of the capacity utilization of facilities and services by comparing the supply of infrastructure and services with the demand for such.
- (iii) An assessment of the quality of infrastructure and services.

This information needs to be captured for all public transport modes. Table 3 is a more comprehensive tabulation of the contents of a CPTR.

**Table 3:**  
Contents of a CPTR

<i>Category</i>	<i>Mode</i>	<i>Description</i>	<i>Indicator</i>			
			<i>Supply</i>	<i>Demand</i>	<i>Utilization</i>	<i>Quality</i>
<b>Infrastructure</b>	Rail (“regular daily”)	Railway lines by rail corridor	<ul style="list-style-type: none"> <li>• Description of lines</li> <li>• Line capacities.</li> </ul>	<ul style="list-style-type: none"> <li>• Frequency in peak period.</li> </ul>	<ul style="list-style-type: none"> <li>• Line capacity utilisation</li> </ul>	<ul style="list-style-type: none"> <li>• Frequency</li> <li>• Time operated</li> </ul>
	Reference table		5, 6, To be provided by SARCC	To be provided by SARCC	To be provided by SARCC	To be provided by SARCC

	Rail (“regular daily”)	Railway stations	<ul style="list-style-type: none"> <li>Description of stations.</li> </ul>	–	–	<ul style="list-style-type: none"> <li>Inve</li> <li>Con</li> </ul>
	Reference table		4	–	–	To be provid SARC
	Bus (“regular daily”)	Termini	<ul style="list-style-type: none"> <li>Description</li> <li>Capacity at loading platform</li> <li>Allowance for waiting buses.</li> </ul>	<ul style="list-style-type: none"> <li>No. of buses in peak hour.</li> <li>Max. accumulation of vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>Max. accumulation in relation to capacity.</li> </ul>	<ul style="list-style-type: none"> <li>Inve</li> <li>Con</li> </ul>
	Reference table		4, 6, 7	7	7	10
	Minibus-taxi (“regular daily”)	Termini	<ul style="list-style-type: none"> <li>Description</li> <li>Capacity at loading platforms.</li> </ul>	<ul style="list-style-type: none"> <li>No. of MBT in peak hour.</li> <li>Max. accumulation of vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>Max. accumulation in relation to capacity.</li> </ul>	<ul style="list-style-type: none"> <li>Inve</li> <li>Con</li> </ul>
	Reference table		4, 6, 7	7	7	10
	Minibus-taxi (“regular daily”)	Holding area	<ul style="list-style-type: none"> <li>Description</li> <li>Capacity of holding Area.</li> </ul>	<ul style="list-style-type: none"> <li>No. of MBT in peak hour.</li> <li>Max. accumulation of vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>Max. accumulation in relation to capacity.</li> </ul>	<ul style="list-style-type: none"> <li>Inve</li> <li>Con</li> </ul>
	Reference table		4, 6, 7	7	7	10
	Bus (long distance)	Termini	<ul style="list-style-type: none"> <li>Description</li> <li>Capacity at loading platform.</li> </ul>	<ul style="list-style-type: none"> <li>No. of buses in peak hour.</li> <li>Max. accumulation of vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>Max. accumulation in relation to capacity.</li> </ul>	<ul style="list-style-type: none"> <li>Inve</li> <li>Con</li> </ul>
	Reference table		4, 6 7	7	7	10

	Minibus-taxi (long distance)	Termini	<ul style="list-style-type: none"> <li>Description</li> <li>Capacity at loading Platform.</li> </ul>	<ul style="list-style-type: none"> <li>No. of MBT in peak hour.</li> <li>Max. accumulation of vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>Max. accumulation in relation to capacity.</li> </ul>	<ul style="list-style-type: none"> <li>Investment</li> <li>Construction</li> </ul>
	Reference table		4, 6 7	7	7	10
	Modal Integration	Combined facilities	<ul style="list-style-type: none"> <li>Description</li> <li>Capacity at loading Platform by mode</li> <li>Capacity of holding areas.</li> </ul>	<ul style="list-style-type: none"> <li>No. of buses and MBT in peak hour.</li> <li>Max. accumulation of vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>Max. accumulation in relation to capacity.</li> </ul>	<ul style="list-style-type: none"> <li>Investment</li> <li>Construction</li> </ul>
	Reference table		4, 6 7	7	7	10
	Metered taxi	Holding/parking	<ul style="list-style-type: none"> <li>Description</li> <li>Capacity of Holding/parking</li> </ul>	<ul style="list-style-type: none"> <li>Max. accumulation of vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>Max. accumulation in relation to capacity.</li> </ul>	<ul style="list-style-type: none"> <li>Investment</li> <li>Construction</li> </ul>
	Reference table		4, 7	7	7	10
<b>Operations</b>	Rail ("regular daily")	Services by rail corridor	<ul style="list-style-type: none"> <li>No. of trips in peak hour.</li> <li>Train capacity.</li> <li>Total capacity in peak hour.</li> </ul>	<ul style="list-style-type: none"> <li>Passengers in peak hour.</li> </ul>	<ul style="list-style-type: none"> <li>Max. passengers in peak hour in relation to total capacity.</li> </ul>	<ul style="list-style-type: none"> <li>Frequency</li> <li>Time operation</li> <li>Fare</li> </ul>
	Reference table		To be provided by SARCC	To be provided by SARCC	To be provided by SARCC	To be provided by SARCC

	Bus ("regular daily")	Services by route	<ul style="list-style-type: none"> <li>No. of trips in peak hour.</li> <li>Vehicle capacities.</li> <li>Total capacity in peak hour.</li> <li>Route description.</li> </ul>	<ul style="list-style-type: none"> <li>Passengers in peak hour.</li> </ul>	<ul style="list-style-type: none"> <li>Max. passengers in peak hour in relation to total capacity.</li> <li>Vehicle waiting times.</li> </ul>	<ul style="list-style-type: none"> <li>Freq</li> <li>Time oper</li> <li>Fare</li> <li>Pass wait time</li> </ul>
	Reference table		5, 8, 9	5, 8, 9	5, 8, 9	8, 11
	Minibus-taxi ("regular daily")	Services by route	<ul style="list-style-type: none"> <li>No. of trips in peak hour.</li> <li>Vehicle capacities.</li> <li>Total capacity in peak hour.</li> <li>Route description.</li> </ul>	<ul style="list-style-type: none"> <li>Passengers in peak hour.</li> </ul>	<ul style="list-style-type: none"> <li>Max. passengers in peak hour in relation to total capacity.</li> <li>Vehicle waiting times.</li> </ul>	<ul style="list-style-type: none"> <li>Freq</li> <li>Time oper</li> <li>Fare</li> <li>Pass wait time</li> </ul>
	Reference table		5, 8, 9	5, 8, 9	5, 8, 9	8, 11

#### 9.4.2 General format

Every CPTR must contain at least the following:

##### Section 1: Orientation

The orientation must provide a clear description of the area for which the CPTR is prepared, the identity of the relevant planning authority and the period over which the data has been collected. It must also indicate the dates and extent of any updating of the data. In the case of a district municipality, it must state whether such municipality or a named local municipality or municipalities have prepared the CPTR.

##### Section 2: Process

A brief description of the process followed in developing the CPTR must be given, including—

- liaison with other persons and bodies, such as the relevant operating licensing
- board (board) and public transport operators and associations;
- a description of information obtained from the board, the Operating Licence Administration System (OLAS) and other bodies; and
- procedures followed to check it for reliability and accuracy.

The information obtained, including the surveys, must be dated clearly.

### Section 3: The record

The actual record of public transport must be reported in this Section consisting of at least the following two parts:

Part 1: A detailed base map showing all public transport routes and facilities.

Part 2: Other information and output tables in the format prescribed below.

#### 9.4.3 Format of output

The detailed information of the CPTR must at least be submitted as shown below, in tabular form where applicable.

##### 9.4.3.1 Essential tables

The following tables (Tables 4 to 7) must be completed.

###### (a) Description of facilities

- (i) All ranks, terminals, stations, holding areas, informal taxi ranks and holding areas and major boarding points in rural areas, for road and rail based public transport in the area, must be listed.
- (ii) The location of the facility must be described as a minimum, e.g. corner of X and Y street, or, if so desired, by means of a geographical information system (GIS).

**Table 4:**

Listing of all facilities

<i>NO.</i>	<i>FACILITY NAME</i>	<i>PHYSICAL LOCATION (DESCRIPTION)</i>	<i>MODE*</i>	<i>TYPE OF SERVICE**</i>	<i>CODE</i>
1.					
2.					
3.					
4.					
N					
<p>* <i>As regard modes, distinguish between minibus taxi, bus or rail services</i></p> <p>** <i>As regards type of service, distinguish between commuter, long distance, inter-provincial and cross-border services</i></p>					

###### (b) Route and area descriptions

- (i) A detailed description must be provided of the route(s) or network(s) on which public transport services are operated, by specifying the relevant street names, road numbers, beacons or land marks for each

city, suburb, town, village or settlement, the points of origin and destination and all points where passengers, are picked up and set down. The following example is provided:

*“Saulsville to Rosslyn: Saulsville terminus, Masopha, L. Ramakgopa, L Hlahla, R. Mareka, Seeiso, R. Moroe, R. Khosa (Mosalo), L Kalafong, R. Church, L. Transoranje, Bremer, L. Van der Hoff, R. (M17) Hornsnek Road, R. (R566) Brits Road, R. Ernest Oppenheimer, L. Hendrik van Eck, L Hardie Muller, L. (R566) Brits Road, R. Piet Rautenbach; R. Kitshoff, R. Jobson to terminus in Sloan Street (near Second Avenue).”*

- (ii) Where no street names are demarcated, use must be made of township zone names or numbers and land marks, such as schools, churches, magistrates’ offices, filling stations, sports and recreational centres, places of interest or even house numbers. The following example is provided:

*“from the terminus in Zone XX, R. past Caltex Station, R. to Tsapo School; R. at Library, past cemetery Zone W, Secondary School, L. House No. 1083 Zone ZZ, etc.”*

- (iii) The tables are not applicable to metered taxi or any other area or radius based services, but where there are permits for services in the area that are radius and area based and have not yet been converted to route-specific operating licences as required by the Act, the routes and/or networks actually being operated must be identified and taken into account.
- (iv) Routes and networks used for illegal services must also be included.
- (v) Rail commuter routes must also be included.
- (vi) The following tables must be completed:

**Table 5:**  
Route descriptions (all day)\*

<i>NO.</i>	<i>MODE**</i>	<i>ROUTE CODE</i>	<i>ROUTE DESCRIPTION</i>
1.			
2.			
3.			
4.			
N			
* <i>These should be the same as the route descriptions to be contained or already contained in operating licences, and the descriptions in the OLAS should mirror these descriptions.</i>			

\*\* Mode refers to minibus-taxi type service, bus service or rail service and should include information on regular daily ("commuter", scholar etc), long distance, inter-provincial and cross-border services

**Table 6:**  
Routes as identified by facility

NO	MODE*	ORIGIN RANK/ TERMINUS		DESTINATION RANK/TERMINUS		ROUTE CODE	ROUTE DISTANCE (KM)	TRIP TIME (One-way)	TU (C T)
		NAME	CODE	NAME	NUMBER, OR CODE				

\* As regards mode, distinguish between minibus-taxi, bus or rail services

\*\* Trip time in minutes, one direction only

\*\*\* Including the time at the origin rank, trip time outbound, time at the destination rank and trip time of the return trip.

(c) **Capacity and capacity utilisation of facilities**

- (i) The utilisation of each facility must be described in terms of the following:

**Frequency:** The number of vehicles using the facility in specified morning or evening peak hour for each type of public transport service or off-peak hour for stand-alone holding facilities.

**Facility capacity:** The number of loading bays available for each type of vehicle.

**Utilisation:** The average number of bays occupied in the facility.

**Table 7:**  
Rank/termini utilisation of loading/holding facilities (Specified peak hour or off-peak hour)

NO.	FACILITY	NO. OF BAYS	UTILISATION	% UTILIS **



	NAME	CODE IF AVAIL-ABL	LOADING/ HOLDING/ COMBINED*		MAX. NO. OF VEHICLES	TIME OF MAXIMUM UTILISATION	
1.							
2.							
3.							
4.							
N							
* Indicate whether facility is a loading, holding or combined facility							
** Rounded to the nearest percentage							
*** Indicate as follows: more than 100%, 100%, 75%, etc.							

#### Utilisation of routes

- (i) This section must describe the utilisation of each route in terms of the following:

**Frequency:** The number of trips in specified morning or evening peak hour for each type of public transport service.

**Service capacity:** The number of seats and standing spaces available in the total number of vehicles.

**Utilisation:** The average number of seats and standing spaces occupied in the vehicles.

- (ii) The information on route utilisation should as a minimum be confined to critical route sections only.

**Table 8:**

Service capacity and capacity (specified peak hour) utilisation of routes (Bus and minibus-taxi type)

NO.	ROUTE CODE	SURVEY LOCATION*	NO. OF VEHICLE TRIPS	AVERAGE VEHICLE CAPACITY	SERVICE CAPACITY	NO. OF PASS.	% UTILISA **

\* Survey location is a description of the route section, if only critical sections of the route are surveyed.

\*\* Rounded to the nearest percentage

**(d) Cordon Surveys**

- (i) The purpose of this survey is to ensure that all public transport trips are surveyed, in particular those that do not originate from identified public transport ranks.
- (ii) Survey points must be carefully selected in order to capture all trips starting from the selected area.
- (iii) The registration and occupancy of vehicles must be surveyed along major access roads serving the origin side of the trip(s).
- (iv) All vehicles departing from the trip origin must be observed.
- (v) The following table must be completed.

**Table 9:**  
Cordon survey

NO.	TIME*	VEHICLE REGISTRATION NO.	TYPE OF VEHICLE		VEHICLE CAPACITY					ESTIM. NO. OF PASS.
			BUS	MINIBUS	12	16	24	36	70	

\* Time of observation at 15 minute intervals

**Additional Information regarding facilities**

**(e) Service capacity and capacity utilisation of commuter rail (peak hour)**

The SARCC will be required to provide the applicable planning authority with information on commuter rail corridors, line capacities, service capacities and capacity utilisation in accordance with their latest rail census.

**9.4.2.2 Advisable tables**

The following tables (10 to 12) are advisable to obtain a full picture of the *status quo*, if the planning authority has the capacity and resources to complete them:

- (i) The following additional information regarding facilities is advisable as a minimum:

**Condition:** The condition of the facility must be described in terms of matters such as paving, lighting, ablution facilities, shelters, etc.

**Geometric features:** This must include at least the size of the facility in square metres, or the number of loading bays.



N								
* <i>Rounded to the nearest minute</i> ** <i>Calculated as the cost per trip</i> *** <i>Ranking time of buses and taxis</i>								

## 9.5 OPERATING LICENCE STRATEGIES (OLSs)

Where an area has developed an Integrated Public Transport Network Plan (IPTNP) it will be deemed to be an OLS for the area which it covers. Where an area is not covered by the national Integrated Public Transport Network Projects as discussed in 3.3 and 3.5 above, and for the purpose of ensuring that planning authorities' recommendations to the operating licensing board will enable that board, in disposing of applications regarding operating licences, to achieve a balance between public transport supply and utilisation that is both effective and efficient, every planning authority must prepare a plan known as an operating licences strategy, for such an area which must eventually form part of its public transport strategy.

The OLS must enable the planning authority to make recommendations and representations to the operating licensing board ("the board") in respect of applications for operating licences for all types of public transport services (except tourist services and charters). As these recommendations are binding on the board in terms of section 39 (4) of the Act, the OLS must provide the planning authority with a reliable and accurate basis for its decisions.

The OLS is essentially a determination of the required supply of non-contracted public transport. In respect of regular, daily services in the area, it should describe the defined public transport routes or specified groups of routes on which non-contracted services may operate, and the number of vehicles of each capacity-type that the planning authority will authorise, having taken into account demand. The OLS should also describe the number of operating licences already active on each route or route group (as per the data in the OLAS) and the additional number of operating licences that could be granted on each route where there is an under-supply, or the surplus number of operating licences on each route where there is over-supply.

It should also guide the planning authority's recommendations to the board about other non-regular services such as metered taxi or long-distance service applications.

Apart from the supply and demand assessment, an operating licence strategy must also contain and set out the planning authority's policy and strategies in relation to at least:

- (a) the role of each public transport mode and identification of the preferred road-based mode or modes with regard to its area or particular routes or corridors, including transport into or from the areas of other planning authorities, and inter-provincial transport;
- (b) the circumstances in which operating licences authorising the operation of public transport within any part of its area, should be allowed;
- (c) the use of public transport facilities within its area;
- (d) the avoidance of wasteful competition between transport operators;
- (e) the conclusion of commercial service contracts for unsubsidised public transport services; and

(f) the conditions which should be imposed by the board in respect of operating licences.

In preparing OLSs, planning authorities must have regard to the steps set out in the Guidelines.

The OLS is based primarily on the CPTR and, if the data in the CPTR is of poor quality, the OLS will similarly not be of much value.

OLSs should not be prepared in isolation by planning authorities based solely on data collected for the CPTR. Stakeholders, in particular representatives of operators, the Operating Licensing Board, and the Provincial Transport Registrar, and also other passenger representatives where forums exist, should be extensively consulted to ensure that the OLS is robust and reliable as a basis for making recommendations to the board.

The routes described in the OLAS need to be the same as, or at the very least relatable to, the routes or route groups described in the planning authority's CPTR and OLS. If this has not already been accomplished, a process should take place between the planning authority, the board and the Registrar, with input sought from representatives of the operators, to reach agreement on the routes (or defined route groups) around which the OLS will be prepared and for which operating licences will be issued, and their descriptions. These descriptions will be reflected in the CPTR and serve as the descriptions that are attached to operating licences.

To enable planning authorities to prepare a reliable OLS, the board must maintain the records on the Operating Licences Administration System (OLAS) so that they accurately and reliably reflect the details of all active operating licences pertaining to the area. The OLAS should be made available on-line to the planning authorities so that they can extract information about the number of operating licences active on each route, the vehicles and their capacity and the validity period of each operating licence. If the OLAS is not available on-line, the board must provide such information to the planning authority at its request so that the OLS can be prepared.

This process should also be designed to assist the taxi recapitalisation process and joint consideration should be given to the introduction of larger vehicles on a route-by-route basis.

## **GENERAL FORMAT**

The OLS must contain at least the minimum information as set out below:

### **Section 1: Orientation**

This Section must contain a clear description of the area and nature of services under consideration as well as the authority responsible for the preparation of the OLS. The period and dates for the particular OLS must also be indicated.

### **Section 2: Analysis of the public transport system**

A description and analysis of the results of the CPTR for the particular area must be contained in this section, and the base map of the area showing routes and facilities as contained in the CPTR must be included and referred to.

The following must be identified and analysed as a minimum from the CPTR and transport needs assessment:

- The location and use of major transport corridors and major facilities;
- the occurrence of public transport services operating in parallel with each other and competing for the same market; and

- any significant regulatory issues and impediments.

### **Section 3: Policy framework and restructuring proposals and requirements**

A description must be included of relevant policies and principles guiding the disposal of operating licences, including but not limited to roles of modes and preferred modes, parallel-subsidised services and commercial service contracts.

If the planning authority is proposing to restructure the system – the contracted and/or non-contracted services – this should also be discussed, including:

- A broad perspective of the future development of the public transport system in practical terms, including role of the modes and the preferred modes in particular corridors or along specific routes.
- The rationalisation and restructuring of subsidised services, where applicable, taken from the Ratplan.
- The restructuring of unsubsidised services including commercial service contracts.

### **Section 4: Operating licences plan**

The operating licences plan is the heart of the OLS. This plan must set out the proposals in respect of each public transport route for regular, daily services identified in the CPTR.

The proposals, after being subjected to a process of thorough stakeholder consultation, must describe for each route:

- The maximum passenger demand experienced on the route in the peak hour
- the calculated fleet requirements to service that demand (based on passenger demand and the cycle time for the route)
- the existing number of valid operating licences pertaining to that route and the total service capacity they authorize
- the resulting additional capacity required; or a calculation of the resulting over-supply
- a proposal as to the maximum number of operating licences (per vehicle capacity category required) that may be granted on that route, or, in the case of over-supply, a proposal as to what action to take to reduce over-supply (e.g. refuse renewal applications or pay compensation and withdraw permits)
- the passenger facilities associated with each route that may be used by the holders of operating licences for the route
- any particular conditions that should be attached to the operating licences issued in the future in respect of the route (e.g. validity period, type of vehicle, etc.)

The maxima determined for each route will then enable the planning authority to provide the board with recommendations in respect of each application for new operating licences or for renewals or amendments. It can do this only, however, if the OLAS is available to it on-line or if the board provides information about the number of operating licences already active on the route in question at the time of the application that is being considered.

If a planning authority proposes that operating licences are to be awarded authorising operation on a group of routes, in order that operators may rotate between routes, or have flexibility in case of vehicle breakdowns, then the OLS must set out the maxima with respect to such route groups. These route groups need to be specified and agreed with stakeholders prior to the preparation of the OLS, and the OLS then determined accordingly.

Any planned intervention by the authorities in the event of an under-supply or over-supply of services must be described, including estimates of the cost implications of any such actions.

The basis for the payment of compensation where permits or operating licences are to be withdrawn should be given and any proposed withdrawals of operating licences must be dealt with in terms of section 51 of the Act.

An operating licences plan should also be formulated in respect of non-regular or periodic services, if these are relevant in the area, including:

- Long-distance transport – scheduled and unscheduled; and
- metered taxi services.

This needs to be influenced by the CPTR infrastructure and operational findings, additional data collected by the planning authority for this purpose, operator and other stakeholder consultation, as well as any other considerations considered relevant by the planning authority. The operating licence plans in respect of these services need to inform the recommendations to be made by the planning authority to the board in respect of applications for operating licences related to these services. The main regulatory aim in respect of these non-regular services will be to regulate the quality of service, rather than attempting to match supply to demand. As such the plan will outline the conditions to be attached to such operating licences, e.g. in the case of metered taxis the requirement for calibrated, sealed and functioning meters, a certain standard in respect of vehicle quality, the quality of drivers' topographical knowledge, and so on.

#### **Section 5: Law enforcement**

Law enforcement strategies must be described, including institutional arrangements, the interrelationship with traffic law enforcement and the setting of targets and measuring performance.

#### **Section 6: Stakeholder consultation**

The extent of, and the results of participation with the operating licensing board, the provincial transport registrar, adjacent municipalities, operators, passengers and the general public must be described. Proposals with respect to inter-planning authority and interprovincial commuting and long-distance services and facilities must be included.

In particular, a description must be included of the process followed in communications between the board, registrar and the planning authority, as well as a description of the standard documentation used for this communication.

In preparing its work plan for public participation in terms of the Guidelines, the planning authority must bear in mind that the OLS will be binding on the relevant operating licensing board and could affect the rights of existing operators. The public participation process must therefore provide for adequate advertising of the draft plan and allow existing operators an adequate opportunity to make representations or objections where they feel that their rights will be affected. The authority must consider all representations and objections received, and revise the draft OLS if necessary, before finalising it. There must at least be compliance with the provisions of the Promotion of Administrative Justice Act 3 of 2000.

#### **Section 7: Prioritised proposals and implementation programme**

The prioritised proposals and implementation programme resulting from the above analyses and consultation must be documented.

#### **Section 8: Financial implications**

The financial implications of the prioritised proposals and implementation programme referred to in Section 7 must be documented, including a detailed budget and funding sources.

## **9.6 RATIONALISATION PLANS (Ratplans)**

Where an Integrated Public Transport Network Plan (IPTNP) exists it shall be deemed a Ratplan provided all subsidised services are included in the IPTNP for the area which it covers. Where an area is not covered by the national Integrated Public Transport Network Projects as discussed in 3.3 and 3.5 above, and where it is proposed that a public transport service being operated in terms of a subsidy be continued after expiry of the basis in terms of which it is currently operated, in terms of a subsidised service contract or concession, every planning authority in whose area the service is operated must prepare a rationalisation plan for such an area. This plan must eventually become part of its public transport strategy, before the services to be operated in terms of the subsidised service contract is put out to public tendering, with a view to:

- (a) rationalising subsidised services within and between modes;
- (b) determining where and to what extent subsidies should be paid;
- (c) rationalising subsidised services across the borders of planning authorities and in relation to interprovincial transport;
- (d) minimising the level of subsidy;
- (e) minimising competition between subsidised services;
- (f) structuring subsidised service contracts or concessions in such a way as to attract sufficient competitive bidding by qualifying tenderers;
- (g) ensuring that routes and route networks are utilised optimally so as to meet passenger needs effectively and efficiently; and
- (h) facilitating the future development of an integrated public transport system.

### **The rationalisation plan must contain at least the following:**

- (a) The proposed plan for the subsidised, contracted, road-based services for the area, including per contract, the proposed routes and frequencies and fleet requirements per route.
- (b) The required changes to the current contracted services (routes, network, frequency, fleet requirements, etc.) in order to implement the proposed plan.
- (c) The policy proposed for the structuring of contracts or concessions for competitive tendering.
- (d) A statement setting out the potential impact of the rationalisation on the various transport modes.
- (e) An indication of the estimated impacts, both positive and negative, improvements to be effected for the benefit of passengers, and subsidy implications.
- (f) An indication of the obstacles foreseen with regard to the implementation of the plan, and the strategies proposed to overcome them; and
- (g) An implementation programme and budget.

### **GENERAL FORMAT**

The Ratplan must contain at least the minimum information as set out below.



## **Chapter 1: Introduction**

This chapter must contain a description of the area and nature of services under consideration, and the period and dates of the plan.

## **Chapter 2: Assessment of existing subsidised services**

Based on the CPTR and OLS and information available from the Subsidy Information System (SUMS), an assessment must be undertaken to identify the services, routes and trips to be targeted for rationalisation. Appropriate criteria, such as duplication or competition between subsidised services (for the same market), under-and over-utilisation of available capacity, efficient and cost effectiveness, appropriate modes (from the OLS), user convenience and benefits, land use development and international benchmarks should be applied.

## **Chapter 3: Policy framework**

A policy framework for the rationalisation process should be developed, based on the policies in the *White Paper on National Transport Policy, 1996*, provincial policy and the PLTF, and local policies, particularly relating to the packaging of subsidised service contracts, rail concessions and contract terms, labour agreements, subsidy policy, levels of service, land use development, modal integration and special categories of passengers.

## **Chapter 4: Rationalisation, restructuring and evaluation**

Based on the assessment of existing subsidised services and the policy framework, rationalisation and restructuring proposals must be developed and evaluated, resulting in a preferred set of proposals. Assessments must be carried out with respect to the possible impacts on other services and modes, infrastructure and facilities as well as user convenience and quality of service.

Proposals regarding inter-planning authority and interprovincial and long distance commuting services and facilities must be included.

The estimated impacts and benefits, both positive and negative, must be quantified and documented, as well as subsidy implications.

A broad perspective of the future development of the public transport system must be provided in practical terms, including the roles of the modes and the preferred modes in particular corridors or along specific routes.

## **Chapter 5: Stakeholder consultation**

The extent of, and the results of participation with, the operating licensing board, registrar, adjacent planning authorities, operators, commuters and the general public must be described.

## **Chapter 6: Prioritised proposals and implementation programme**

The prioritised proposals and implementation programme resulting from the above analyses and consultation must be documented.

## **Chapter 7: Financial implications**

The financial implications of the prioritised proposals and implementation programme referred to in Chapter 6 must be documented, particularly with respect to subsidies, but also including a detailed budget and funding sources.

## **Other requirements for Ratplans**

The Ratplan must, as a minimum, take into account the following additional considerations:

- (a) rationalising subsidised services within and between modes;
- (b) determining where and to what extent subsidies should be paid;
- (c) rationalising subsidised services across borders of planning authorities and in relation to interprovincial transport;
- (d) minimizing the level of subsidy;
- (e) minimizing competition between subsidised services;
- (f) structuring subsidised service contracts or concessions in such a way as to attract sufficient competitive bidding by qualifying tenderers;
- (g) ensuring that routes and route networks are utilized optimally so as to meet passenger needs effectively and efficiently;
- (h) facilitating the future development of an integrated public transport system; and
- (i) avoiding land use distortions and longer travel distances.

**10. Replacement of previous requirements.**—The document titled Current Public Transport Record: Minimum requirements in terms of the National Land Transport Transition Act, 2000 as published in the *Government Gazette* on 24 July 2003 under General Notice No 1085 of 2000, the document titled Operating Licence Strategy: Minimum requirements in terms of the National Land Transport Transition Act, 2000 as published in the *Government Gazette* on 1 August 2003 under General Notice No 1090 of 2003, the document titled Integrated Transport Plan: Minimum requirements in terms of the National Land Transport Transition Act, as published in the *Government Gazette* on 1 August 2003 under General Notice No 1092, the document titled Public Transport Plans: Minimum requirements in terms of the National Land Transport Transition Act as published in the *Government Gazette* on 1 August 2003 under General Notice No 1093 and the document titled Rationalisation Plan: Minimum requirements in terms of the National Land Transport Transition Act, as published on 1 August 2003 under General Notice No. 1091, are hereby replaced by this Schedule in terms of 27 (3) of the National Land Transport Transition Act, 2000 (Act 22 of 2000), as agreed to in consultation with the MECs.

**GNR.1120 of 30 November 2007: Regulations in terms of section 29 (1) of the National Land Transport Transition Act  
(Government Gazette No. 30506)**

DEPARTMENT OF TRANSPORT

In terms of section 29 (1) of the National Land Transport Transition Act, 2000, (Act No. 22 of 2000), I, Jeff Radebe, Minister of Transport, have made the regulations in the Schedule.

(Signed)

Jeff Radebe MP

**MINISTER OF TRANSPORT**

**SCHEDULE**

**1. Definitions.**—In these regulations, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act bears that meaning, and “the Act” means the National Land Transport Transition Act, 2000, (Act No. 22 of 2000).

**2. Particulars of transport plans to be published.**—(1) On approval of the national land transport strategic framework (NLTSF), the Minister must publish the following particulars in the

*Government Gazette:*

- (a) A statement that the NLTSF has been approved and is available for inspection during office hours at a specified place and that copies may be obtained, either free of charge or at a price specified in the notice;
- (b) a brief statement of the purpose and objectives of the NLTSF;
- (c) where the NLTSF has been published in the *Government Gazette*, a reference to the *Gazette* concerned.

(2) On approval of a provincial land transport framework, the MEC must publish the following particulars in the *Provincial Gazette*:

- (a) A statement that the plan has been approved and is available for inspection during office hours at a specified place and that copies may be obtained, either free of charge or at a price specified in the notice;
- (b) a brief statement of the purpose and objectives of the plan; and
- (c) a reference to the *Government Gazette* in which that plan was published in terms of section 22 (1) (a) of the Act.

(3) On approval of an integrated transport plan, the planning authority must publish the following particulars in the *Provincial Gazette*:

- (a) A statement that the plan has been approved and is available for inspection during office hours at a specified place and that copies may be obtained, either free of charge or at a price specified in the notice;
- (b) a brief statement of the purpose and objectives of the plan; and
- (c) a summary of projects and programmes provided for in the plan.

**3. Short title and commencement.**—These regulations are called the National Land Transport Regulations on Publication of Transport Plans, 2007 and come into operation on the date of their publication in the *Government Gazette*.

## NOTICES

### **GN 1468 of 27 October 2006: National Land Transport Strategic Framework (NLTSF)**

#### DEPARTMENT OF TRANSPORT

In terms of section 29 (1) of the National Land Transport Transition Act, 2000 (Act No. 22 of 2000), I, Jeff Radebe, Minister of Transport, after consultation with the MECs, hereby publish the National Land Transport Strategic Framework (NLTSF) contained in the schedule hereunder; to guide land transport planning country wide.

(Signed)

**Jeff Radebe**

**MINISTER OF TRANSPORT**

Date: 05/10/06

**DEPARTMENT OF TRANSPORT**

## **National Land Transport Strategic Framework**

**2006-2011**

### **EXECUTIVE SUMMARY**

This National Land Transport Strategic Framework (NLTSF) is a legal requirement in terms of Section 21 of the National Land Transport Transition Act (No. 22 of 2000) (NLTTA). It embodies the overarching, national five-year (2006 to 2011) land transport strategy, which gives guidance on transport planning and land transport delivery by national government, provinces and municipalities for this five-year period.

This NLTSF has been based to a large extent on the requirements of Section 21 of the NLTTA. However, certain additional issues have been included which were considered essential to provide a more rounded framework, namely public transport, rural transport and safety.

The contextual framework within which this NLTSF has been prepared is transport-related legislation and its associated policy. Strategies within 15 separate functional areas have been described in terms of outputs, and actions to achieve those outputs have also been included.

The functional areas that are covered include the following:

- Public transport
- Land-use restructuring
- Roads
- Cross-border road transport
- Freight transport
- Inter-provincial transport
- Rural transport
- Traffic safety and enforcement
- Transport for persons with disabilities
- Non-motorised transport
- Transport and the environment
- Tourism and transport
- Transport and the 2010 World Cup
- Intermodalism and integration of transport planning
- Conflict-resolution mechanisms.

The framework also addresses implementation mechanisms and measures for monitoring the implementation of the NLTSF by means of key performance indicators.

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## 1. INTRODUCTION

This National Land Transport Strategic Framework (NLTSF) is a legal requirement in terms of Section 21 of the National Land Transport Transition Act (No. 22 of 2000) (NLTTA). It embodies the overarching, national five-year (2006 to 2011) land transport strategy, which gives guidance on transport planning and land transport delivery by national government, the nine provinces and the 284 new municipalities for this five-year period.

In each of the four intermediate years (2007 to 2010), this NLTSF will be updated to some extent, and in 2011, a completely new five-year NLTSF will be published. This five-year “rolling planning” concept will also apply to the provincial and municipal spheres of government.

Land transport service delivery is undergoing a huge change from a historically distorted, supply-driven system to a demand- or needs-driven system that caters for the basic needs of its users. The strategies for addressing these needs are set out in this NLTSF, as well as in the various transport plans in the provincial and municipal spheres. For the first time, there will be transport plans linking together all three spheres of government, each with specific constitutional competencies with respect to land transport. These will help to ensure that land transport service delivery is co-ordinated and more effective.

This NLTSF has been based to a large extent on the requirements of Section 21 of the NLTTA. However, certain additional issues have been included which were considered essential to provide a more rounded framework, namely public transport, rural transport and safety.

The contextual framework within which this NLTSF has been prepared is transport-related legislation and its associated policy. Strategies within 15 separate functional areas have been described in terms of outputs, and actions to achieve those outputs have also been included.

Policies relating to land transport (in terms of Section 21(3) (a) of the NLTTA) have been included within each of these 15 separate functional areas. These land transport policies are broadly in line with the policies in the 1996 White Paper on National Transport Policy.

This NLTSF has been prepared from the collective input of 15 functional task teams, informal input by agencies, workshops with provincial and local officials, as well as land transport industry stakeholders.

**Department of Transport**

**July 2006**

## 2. LAND TRANSPORT POLICY

The National Land Transport Transition Act (NLTTA) states in Section 21 (3) that the National Land Transport Strategic Framework (NLTSF) “must set out national policy with respect to land transport”. It is thus within this context that the following policy has been formulated.

The 1996 White Paper on National Transport Policy is therefore still valid, except that more detail has been provided relating to the specific issues covered in the NLTSF.

It is important to note that the policies stated below have been organised so as to correspond generally with the functional areas of the NLTSF, as they appear in Section 3. In addition, since much of public transport runs on roads, it is important to integrate land transport policy with

policies and strategies relating to the provision of roads.

## **2.1 Priority for Public Transport and Greater Promotion of Non-Motorised Transport**

For the purposes of land transport planning and the provision of land transport infrastructure and facilities, public transport must be given higher priority than private transport. This will entail the implementation of effective Travel Demand Management (TDM) measures to promote more efficient private car usage and to free up resources for public transport upgrading and promotion.

All spheres of government must promote public transport and the efficient flow of inter-provincial transport and cross-border road transport.

Land transport planning and provision must pay greater attention to promoting the safe and efficient use of non-motorised transport modes such as walking and cycling.

## **2.2 Transport Planning**

The basis of the new policy is a change from a supply-driven to a demand-driven land transport system. For this reason, transport planning integrating all three spheres of government, as provided for in the National Land Transport Transition Act (NLTTA), must be the lever for change from a supply- to a demand- or needs-driven transport system, formulated in terms of these transport plans.

More specifically, transport plans must be developed so as to:

- enhance the effective functioning of cities, towns and rural areas through the integrated planning of transport infrastructure and facilities, transport operations (including freight movement), bulk services and public transport services. This should be done within the context of integrated development plans and the land development objectives set in terms of the Development Facilitation Act, or, where applicable, land development objectives of that nature set in terms of relevant provincial laws;
- direct employment opportunities and activities, mixed land uses and high-density residential development into high-utilisation public transport corridors, interconnected through development nodes within the corridors;
- discourage urban sprawl which tends to undermine effective public transport services;
- give priority to infilling and densification along public transport corridors;
- give higher priority to public transport than private transport by ensuring that adequate public transport services are provided and by applying travel demand management (TDM) measures to promote more efficient use of private transport;
- enhance access to public transport services and facilities, and enhance transport functionality in the case of persons with disabilities.

Transport plans must also give guidance with respect to routes for the transport of hazardous goods.

Local transport plans will address the integration of rail services within the overall transport system and these plans will inform the national-level institutions responsible for rail service provision. As such there will be close co-operation and information-sharing between the local planning authorities and the authorities responsible for rail services.

## **2.3 Taxi Mode**

The formalisation of taxi associations and their members, and the conversion of permits to route-based operating licences must be vigorously pursued. Fleet recapitalisation will

be implemented progressively between 2006 and 2012.

Taxi operators must be encouraged (and assisted) to qualify as contractors so as to participate in subsidised service contracts which will be opened to all road-based public transport operators, subject to the requirements of local transport plans.

#### **2.4 Bus Mode**

Provincial and municipal bus operators must be corporatised and all subsidised services must be provided in terms of tendered contracts that will be open to all road-based public transport operators, subject to the specifications of local transport plans. Some parastatal and municipal bus services will achieve tendered contract status via the bridging mechanism of negotiated service contracts.

#### **2.5 Rail Mode**

In addition to the appointment of a Rail Safety Regulator, a strategic rail capability will be developed in the national sphere of government.

Performance regulation will be introduced in the national sphere of government, and devolvement, ownership and the involvement of the private sector in operations will be clarified. Furthermore, there will be an ongoing programme to progressively effect the recapitalisation of commuter rail rolling stock and related infrastructure in Priority Rail Corridors as identified in the National Rail Plan.

Local transport plans will inform the national-level institutions responsible for rail service provision. As such there will be close co-operation and information-sharing between the local planning authorities and the authorities responsible for rail services in developing the Regional Rail Plans that will form part of the National Rail Plan.

#### **2.6 Institutional Structures**

The co-ordination of institutional responsibilities relating to land transport must be promoted.

The effective implementation of the Transport Appeal Tribunal (TAT) must be ensured and the efficient operation of the nine provincial operating licensing boards, the nine provincial transport registrars, provincial appeal bodies (where appropriate) and municipal transport authorities (where appropriate) must be supported.

#### **2.7 Land-Use Restructuring**

Land transport functions must be integrated with related functions such as land use and economic planning and development, through, among others, the development of corridors, densification and infilling, and transport planning must guide land use and development planning, and vice versa.

Corridor densification and infilling, which promotes public transport, reduces the need to travel and better satisfies users' needs, will be promoted across all three spheres of government by means of the statutory transport plans in the NLTTA.

#### **2.8 Roads**

A revised and prioritised strategic countrywide road network will be identified and it will be managed by appropriate institutions in the national, provincial and municipal spheres of government.

This countrywide road network will be needs-based, and it must support development priorities. The network may include some toll roads where they are financially viable and where they can contribute substantially to the funding of sections of the network.

#### **2.9 Cross-Border Road Transport**



The delivery of cross-border regulatory and administrative services will continue to be managed by the Cross-Border Road Transport Agency (CBRTA).

For passengers, cross-border permits must be based on users' needs, and for freight, stricter road-based safety regulation must be instituted.

### **2.10 Freight Transport**

A more balanced sharing of freight transport between road, rail and pipeline modes will be promoted and will be based on economic and efficiency grounds that incorporate the total costs of each mode to the economy, in line with the *National Freight Logistics Strategy*.

Government will strive to ensure enhanced quality and safety in the road and rail freight environment, and increased participation by previously disadvantaged freight operators will be encouraged.

### **2.11 Inter-Provincial Land Transport**

As inter-provincial land transport is a national competency, the national sphere of government will develop a high-level inter-provincial long-distance land transport strategy. The provincial operating licensing boards will use this strategy as a basis for deciding on applications for such services.

Inter-provincial commuting will, however, remain within the domain of municipal planning authorities (with appropriate co-ordination of this planning by provincial authorities, and the DoT where required), and such services must be included in municipal transport plans.

### **2.12 Rural Transport**

Rural access planning and decision-support systems will be implemented in the 13 priority rural Integrated Sustainable Rural Development Strategy (ISRDS) nodes, which will specifically:

- promote co-ordinated nodal and linkage development;
- establish nodal and linkage development as an integrated development plan sub-process;
- transform multi-purpose and allied projects into co-ordinated nodal and linkage development initiatives;
- establish rural transport and development programmes;
- transform access road programmes into wider rural transport infrastructure programmes;
- create special interventions and support programmes; and
- develop adequate rural transport funding, governance and delivery capacity, and business support.

### **2.13 Safety**

Safety, and in particular effective law enforcement, must be promoted as vital factors in land transport management and regulatory systems, and the efforts in this regard of all competent authorities and functionaries must be co-ordinated to prevent duplication and to enhance effectiveness.

Land transport safety and law enforcement will be harmonised with road traffic safety and law enforcement. This may involve amending the RTMC and AARTO Acts to

accommodate land transport law enforcement.

Public transport operations will be made safer by means of, amongst others, improved driving standards, improved vehicle safety and improved infrastructure safety.

#### **2.14 Transport for Persons with Disabilities**

The needs of special categories of passengers must be considered in planning and providing public transport infrastructure, facilities and services, and these needs should be met as far as may be possible by the system providing for mainstream public transport.

The participation of all interested and affected parties, including vulnerable and disadvantaged persons, in transport planning must be promoted. To this end, such people must be given the opportunity to develop the understanding, skills and capacity necessary to achieve equitable and effective participation.

#### **2.15 Non-Motorised Transport**

Non-motorised transport must be promoted as an important aspect of transport and improving mobility for people in rural and remote areas. Non-motorised transport must also be promoted so as to assist in interventions to address congestion in urban areas. Therefore, provision of Non-motorised transport infrastructure, bicycles and donkey carts will be undertaken coupled with promotion of safety issues.

#### **2.16 Transport and the Environment**

Land transport must be so designed as to have the least harmful impact on the environment. Air pollution from vehicle exhaust emissions and visual pollution by means of outdoor advertising will receive particular attention. Travel demand management measures will be implemented to limit the number of vehicles on the road.

#### **2.17 Transport and Tourism**

Land transport planning, infrastructure and operations must take cognisance of, and be supportive of, tourism strategies in the interests of development.

#### **2.18 Intermodalism and Integration of Transport Planning**

Public transport services, facilities and infrastructure must be so designed, provided and developed as to promote intermodalism and the integration of the different modes of land transport.

All role-players must strive to achieve an effective land transport system through integrated planning, provision and regulation of infrastructure and services, and through diligent and effective law enforcement.

#### **2.19 Conflict-Resolution Mechanisms**

The possible need for conflict resolution with respect to land use and transport planning will be pre-empted by means of national inter-departmental communication links, e.g. with the Departments of Provincial and Local Government, Land Affairs and Housing, as well as communication links across the three spheres of government.

In addition, existing provincial/municipal communication structures for land use and transport planning will be strengthened.

#### **2.20 Key Performance Indicators**

Separate key performance indicators (KPIs) will be published for policy implementation (initially relating to public transport, land transport safety and rural accessibility) and the implementation of the National Land Transport Strategic Framework (NLTsf).

## 2.21 Funding

Public transport services must be designed to provide affordable transport to the public and also to achieve cost-efficiency and service quality, the optimal allocation and utilisation of available resources, and market development.

Appropriate modes must be selected and planned for on the basis of where they will have the greatest impact on reducing the total systems cost of travel. An appropriate assessment of the reaction of present and expected transport users to such changes will be an essential input to making such planning decisions.

Services should be planned, where possible, so that subsidies will achieve the aim of assisting currently marginalised users and those who have poor access to social and economic activity.

Scarce resources available for the provision of land transport must be used optimally and investment in infrastructure and operations must promote economic, financial, technical and environmental sustainability.

The principle of user charging or recovering costs from direct users must be applied wherever appropriate and possible, in that such users should pay for all or most of the costs related to the service or activity in question.

A sustainable and long-term strategy for land transport funding should be developed.

## 3. GENERAL STRATEGIES ON LAND TRANSPORT

### 3.1 Public Transport

Public transport, per se, is not one of the specified content items of the NLTSF in terms of Section 21 (3) of the National Land Transport Transition Act, as the Act itself covers most of the public transport arena. Nevertheless, it was considered to be of vital importance to define clearly the strategies and actions applicable to public transport during the next five years. For simplicity, public transport as referred to here means bus, minibus-taxi, metered taxi and rail modes.

The ten strategic outputs in the public transport sphere have been grouped into general outputs and mode-specific outputs.

The general outputs cover giving priority to public transport, transport planning, transport authorities, operating licensing boards, public transport safety, public transport infrastructure and information systems.

The mode-specific outputs cover formalisation, regulation and recapitalisation of the taxi industry, road-based passenger transport service contracts, rail regulation and institutional arrangements, and passenger rail recapitalisation and reform.

Please note that both the NLTTA and this NLTSF emphasise that land transport planning needs to give priority to promoting public transport. Furthermore, this NLTSF also requires that more attention be given to promoting appropriate non-motorised transport modes. The majority of South Africans have access only to public and non-motorised transport. They are thus excluded from using private transport. In this context, transport planning needs to promote a more efficient and sustainable balance between the provision and use of public, private and non-motorised transport modes.

To achieve the strategic outputs summarised above, the following specific actions relating to each output are proposed:

#### 3.1.1 *Public transport will be promoted over private transport.*

- All land transport activities across all three spheres of government must be

assessed in terms of whether they will, in reality, achieve the aim of giving public transport priority over private transport. This goal of public transport priority over private transport serves as the overall guideline for land transport planning and provision over the next five years. This prioritising of public transport over private transport in the context of limited resources means that greater travel demand management measures are required to control the growth of private transport and to free up resources for investment in public transport upgrading.

- Improved levels of service, comfort, affordability, safety and sustainability will be striven for in public transport services, so as to make them a preferred option for current users and also to enhance their attractiveness as an alternative for private vehicle users.

### ***3.1.2 Transport plans will be developed in all three spheres of government***

- Transport planning guidelines and regulations will be gazetted and communicated to all stakeholders.
- A strategic review of transport planning processes countrywide will be undertaken to determine bottlenecks, successes and the way forward.
- The legal requirements for the transport planning process will be streamlined and differentiated according to the conditions of the planning authority i.e. rural versus urban and big versus small municipalities.
- Transport plans will be prepared incrementally in the municipal sphere of government.
- Transport planning training will be developed and implemented according to the needs borne out of the planning process.
- The feasibility of establishing a technical support mechanism for planning authorities requiring it will be investigated.
- Integrated Transport Plans (ITPs) of the 2010 World Cup venue host cities must accelerate transport improvements that have been identified as both relevant to the 2010 World Cup needs and mobility needs beyond 2010.
- The DoT and DPLG shall ensure that the alignment of the Spatial Development Frameworks in Integrated Development Plans and ITPs is realised.
- Pilot projects will be implemented to demonstrate planning processes, and transport planning requirements and guidelines will be refined and updated accordingly.
- Commuter rail services will be included in transport plans and these plans will inform the institutions responsible for the provision of these service.
- The Regional Rail Plans being developed as part of the National Rail Plan need to be fully aligned and integrated with municipal ITPs in the passenger rail regions.
- Planning authorities need to determine the 'right role for rail' in relation to other modes of transport, and plan for all modes to play the roles to which they are best suited so that they can perform at their optimum.
- Planning authorities need to plan public transport networks in terms of their ITPs in such a way that duplication of subsidised rail and road-based public

transport services is avoided.

- The Regional Rail Plans need to be aligned also with provincial spatial development frameworks and with provincial land transport frameworks, and with the economic development strategies (strategic corridors and nodes) of the province.

### **3.1.3 *Transport authorities will be promoted in selected municipalities.***

- Municipalities in which improved transport service delivery can be achieved by grouping transport functions into a single, well-managed and focused institutional structure will be encouraged to become transport authorities.
- Technical support will be provided for transport authority feasibility and restructuring activities.
- Financial assistance will be provided for pilot transport authority feasibility investigations.

### **3.1.4 *The nine provincial operating licensing boards and Transport Appeal Tribunal will provide efficient and effective regulatory services.***

- Better resources in terms of personnel and systems will be facilitated.
- The conversion of permits to operating licences will be completed.
- The moratorium on the issuing of new operating licences (where applicable) will be relaxed in a planned manner, after the conversion processes have been completed.
- The Transport Appeal Tribunal (TAT) and provincial appeal bodies, where applicable, will be established.

### **3.1.5 *Public transport services will become safer for passengers.***

- Public transport law enforcement will be improved and will be implemented in the most appropriate sphere.
- More effective transport law enforcement, as opposed to traffic law enforcement, will be promoted through amendments to the Road Traffic Management Corporation (RTMC) and Administrative Adjudication of Road Traffic Offences (AARTO) Acts.
- The Rail Safety Regulator and RTMC will enforce and improve levels of rail- and road-based public transport safety respectively.
- Measures will be introduced to regulate the transport of passengers, in special circumstances, by vehicles other than those designed for public transport.
- Security against crime will be improved, in particular through liaison with the South African Police Services (SAPS) and the Department of Safety and Security during the process of setting up a SAPS section focusing on transportation security.
- The current minibus-taxi fleet will be replaced, by 2012, with midibuses and minibuses that are purpose-built to safely transport the public.
- Safety-related regulations about the new vehicle specifications will be enforced. "Midibuses" will be vehicles designed to carry either 17 to 23, or 24 to 34 seated persons including the driver. "Minibuses" will be vehicles

designed to carry 11 to 16 persons including the driver.

- Projects designed to increase the levels of safety and security on the Priority Rail Corridors will be identified as part of the National Rail Plan. These projects will address station precincts as well as security on trains.
- The number of special rail police deployed by SAPS to patrol the railway system will be increased.

**3.1.6 *Selected public transport infrastructure will be upgraded.***

- Selected public transport facilities will be upgraded in conjunction with the implementation of minibus-taxi recapitalisation, tendered road-based passenger transport contracts and upgraded rail rolling stock.
- Facilities that give priority to public transport on existing roads will be promoted (e.g. bus ways, taxi lanes).
- The management and maintenance of public transport infrastructure will be improved.
- Planning and design guidelines to accommodate new vehicle sizes will be prepared.
- The 2010 World Cup venue host cities and transport public entities will accelerate the pace of implementation of public transport infrastructure that will support both their 2010 transport plans and the mobility needs of their areas.
- These initiatives will be funded through the Public Transport Infrastructure and Systems Fund (PTIF) as well as other funding sources.

**3.1.7 *Appropriate information systems will be introduced.***

- A national land transport information system will be developed which will incorporate the upgrading of existing operational systems, as well as the development of new information systems, such as a National Transport Register.

**3.1.8 *TAXI: The industry will be formalised and regulated, and the minibus-taxi fleet will be recapitalised.***

- The DoT will facilitate the fast-tracking of operating licence strategies to aid the completion of the conversion processes.
- The registration of taxi associations and their members (formalisation) will be completed.
- Route-based operating licences will be issued to all operators.
- The DoT will facilitate the process of formalising and regulating metered taxis as well. The process will not necessarily be on exactly the same basis as for minibus- taxis.
- The recapitalisation of the minibus-taxi fleet will be completed by 2012, supported by the following actions:
  - The process of converting taxi permits to route- and vehicle-specific operating licences (OLs) will be completed.
  - The new vehicle standards (contained in the national Road Traffic Regulations, 2000 as amended) for midibuses and minibuses used for

public transport will be enforced.

- Certain standards for recapitalised vehicles that are required by the regulations will be developed by the South African Bureau of Standards (SABS).
  - The NLTTA will be amended to make provision for amendments that have been made to the recapitalisation process.
  - A fully-functioning Scrapping Administration Agency will be established to receive vehicles for scrapping and to pay out scrapping allowances to operators.
  - The scrapping process will be sequenced according to the age of the vehicles.
  - The process will ensure that all scrapped vehicles are legal.
  - The process will ensure that all vehicles submitted for scrapping have a valid OL, and that the OL is transferred to the new vehicle purchased, or that the OL is cancelled (if the operator exits the industry).
  - The Road Traffic Management Corporation (RTMC) will develop a public transport law enforcement strategy to support the success of recapitalisation. Public transport and traffic laws will be enforced, and action will be taken against operators of unroadworthy public transport vehicles and operators of vehicles operating without OLs or in contravention of the conditions of the OLs.
  - The effect of the reduction of public transport supply as a result of operators choosing to exit the industry will be monitored.
  - A partnership will be developed between government and taxi industry structures to effectively regulate the taxi industry and resolve conflicts.
  - The objectives and procedures involved in taxi recapitalisation will be communicated clearly to the industry.
  - Existing infrastructure will be upgraded and new infrastructure designed in such a way that facilities can accommodate the new vehicles.
  - A strategy for the economic empowerment of the taxi industry will be developed.
- The DoT will co-ordinate the issuing of clear guidelines to assist the relevant authorities to regulate the transportation of learners, sedan taxis, private hires and tourist transport.

**3.1.9 *BUS/TAXI: All subsidised road-based passenger transport services will be provided in terms of tendered or negotiated contracts.***

- Model tender and contract documents will be gazetted.
- All expired interim and tendered bus contracts will be replaced with new tendered or negotiated contracts.
- Although not currently compulsory, every effort will be made to have road-based passenger transport contracts designed in terms of transport plans.
- Bus permits will be converted to route-based, vehicle-specific operating licences (OLs).

- Government-owned provincial and municipal bus operators will be corporatised.
- Efforts will be made to accommodate transport for learners where there are road-based passenger transport contracts.
- Greater efforts will be made to promote access by SMMEs to subsidised service contracts.

**3.1.10 *RAIL INSTITUTIONAL FRAMEWORK: Effective performance regulation will be introduced, and ownership and competition issues as they affect the three spheres of government will be clarified.***

- The draft rail policy will be finalised.
- A strategic rail oversight function will be developed in the national sphere of government.
- The institutional framework for rail across all three spheres of government will be clarified.
- The possibility of involving the private sector in operations will be explored.

**3.1.11 *PASSENGER RAIL REFORM: There will be re-investment of a significant scale in the passenger rail sector***

- Rail transport infrastructure and service levels have deteriorated to levels that threaten the future existence of this strategic national asset. There are high levels of user dissatisfaction with deteriorating service levels as well as operational safety concerns. The National Passenger Rail Plan for the rail passenger business will be completed, and significant implementation will occur over the next five years to address this situation. The following actions will be required:
- The rail strategy will focus all available resources on identified Priority Passenger Rail Corridors.
- Infrastructure standards and service levels offered on these key corridors will be very substantially upgraded.
- The focused corridor investment strategy will address rolling stock, security and station environments. Infrastructure condition, especially signalling, will be enhanced.
- Short extensions/links with additional stations on the existing corridor will be considered, in order to increase the passenger density on the existing network over the short- to medium-term. (The rail strategy will not aim for the full recovery of the rail system; nor will it limit the rail system by closing all but the most efficient economic lines)
- DoT/SARCC will consult in detail with operational management and regional and local government representatives in each network region to identify priority and non- priority corridors. This will also identify some existing rail corridors that might be more appropriately served by other modes, and corridors currently dominated by other modes but which might be more appropriate as rail corridors. This will result in the development of detailed Regional Rail Plans. These will contain a short-, medium- and long-term action plan for the upgrade and turnaround of the rail commuter



system in each metropolitan area. A Business Plan to implement agreed route upgrade priorities will then be prepared for each region. The regional plans will then be consolidated into a National Rail Passenger Plan.

- Short-term actions to stabilise the rail passenger business will be implemented to achieve the following:
  - Rail investment will be concentrated primarily on those corridors where it has been demonstrated in the Railplan that rail is the most appropriate mode of transport.
  - The delivery of rolling stock maintenance and refurbishment will be greatly accelerated, as well as telecommunications maintenance and upgrading.
  - The corridor prioritisation strategy will be translated into investment and operational budget implications.
  - A rail network classification system will be developed that will provide guidance with regard to the service level specification as well as the maintenance and capital expenditure framework for the Priority Corridors.
  - Investment projects designed to increase the levels of safety and security on the Priority Corridors especially will be identified very early. This applies to station precincts as well as on trains.
  - Together with the safety and security plan, appropriate fare recovery measures to reduce the level of fare evasion will be identified and implemented on the Priority Corridors.
- A medium-term and a long-term plan will be developed to focus on infrastructure development, firstly on priority corridors, and if successful, further expansion of the rail network where demand can be proven.
- The socio-economic impact of all proposals will be carefully examined, especially in situations where service level reductions may be proposed. The objective must be to ensure that no community is left without access to some form of public transport.
- Rail forms a key component of 2010 World Cup mobility, particularly as it relates to efficient stadia access and egress, as well as long-distance mobility between major match venues (for which significantly higher volume and quality of service than currently provided will be required). As such, the Railplan and 2010 planning will be closely co-ordinated.

## **3.2 Urban Land-Use Restructuring**

Greater public and government awareness of transport's land-use requirements will be promoted, and effective, co-ordinated land-use and transport interventions will be initiated to counter unsustainable urban sprawl and unacceptably long travel distances.

### ***3.2.1 The transport sector in government will promote the development of an urban land-use restructuring programme as part of the Urban Renewal Strategy.***

- A clear and unambiguous document setting out requirements in support of urban corridor development and densification/infilling will be developed and published.

- The transport sector in government will support and make inputs to the Urban Renewal Strategy by means of a three-pronged urban restructuring initiative aimed at (a) urban corridor development, (b) densification and infilling, and (c) rationalisation of transport and housing strategies.
- A phased, inter-governmental programme for rationalising and co-ordinating the subsidisation of urban transport and housing will be developed.

**3.2.2 *Public awareness in government will be raised concerning the need for fundamental urban restructuring.***

- Public awareness material will be developed to quantify and graphically illustrate the unsustainable consequences of increasing dependence on private vehicles, urban sprawl and continuing marginalisation of the urban poor.

**3.2.3 *The capacity to develop and implement co-ordinated IDPs and transport plans will be strengthened.***

- The Department of Provincial and Local Government (DPLG), the Department of Land Affairs (DLA), the Department of Housing (DoH) and the Department of Transport (DoT) will co-operate with respect to capacity-building by, inter alia, strengthening the system of Planning and Implementation Management Support Service (PIMSS) centres.
- Changes in land use that will have a negative impact on transport will be regulated in terms of the NLTTA, Section 29.
- Support will be provided for implementing corridor development and densification strategies and other aspects of IDPs that are effectively aligned with municipal transport plans.

**3.3 Roads**

The road network is the basis for by far the largest proportion of land transport, including public transport, and more than 70 per cent of all freight and passenger movements take place on roads. An inadequate or inappropriate road network, or one that is not well maintained, can considerably increase the cost of moving people and goods.

The DoT has already started an investigation into a roads development plan, which aims to identify constraints in the delivery of roads and to propose more effective road delivery mechanisms. The plan is being developed in consultation with all spheres of government and will include recommendations on the appropriate road network, institutional structures, funding mechanisms and information systems.

For this reason, insofar as roads are concerned:

**3.3.1 *The delivery of the road network will be made more efficient.***

- The establishment of new or the deployment of existing appropriate transport entities that can provide, amongst others, more efficient and effective delivery and maintenance of roads in the provincial and local spheres will be promoted.
- Appropriate information systems and funding mechanisms will be developed to support these transport entities in the delivery and maintenance of roads.
- The development of the network will, where possible, include the

development of SMMEs and the enhancement of skills and capacity.

- Design standards will be refined to achieve the optimum balance between cost and utility.
- Modern “operations technology”, such as travel demand management (TDM) and intelligent transportation systems (ITS), will be incorporated to increase capacity.

### **3.3.2 *A strategic countrywide road network will be identified.***

- In consultation with all three spheres of government, and with a view to providing effective mobility and access as a contribution to the development of South Africa, a strategic countrywide road network will be identified.
- The network will be based on:
  - a logical analysis of transport needs,
  - social and economic development imperatives,
  - the linkage between the primary sea, air and dry ports and public transport nodes,
  - support of spatial development initiatives, tourism needs, commuter travel and freight movements,
  - an integrated plan so as to avoid the unnecessary duplication of infrastructure, and
  - an integrated and co-ordinated network within the Southern African Development Community (SADC) region.
- The network may include toll roads where they are financially and socially viable and where tolls can contribute significantly to funding these roads

## **3.4 Cross-Border Road Transport**

Cross-border road traffic (between South Africa and neighbouring states) is facilitated, regulated and enforced by the Cross-Border Road Transport Agency (CBRTA) under the Cross-Border Road Transport Act (No. 4 of 1998). Passenger and freight operators apply to the CBRTA for permits, and their applications are adjudicated by the CBRTA Regulatory Committee in the context of the SADC Protocol. The CBRTA also facilitates cross-border transport by liaising with neighbouring countries and by promoting corridor-working groups. Other authorities and organisations - including the SA Police Services, Customs and Immigration Authorities, and shipping agents - play major roles relating to movement through border posts, but the DoT and CBRTA facilitate, co-ordinate and expedite such movement.

### **3.4.1 *An equitable needs-driven basis will be established to assist the CBRTA Regulatory Committee in making decisions on the allocation of cross-border permits in the context of the SADC Protocol.***

- An improved cross-border passenger demand and supply strategy, based on the corridors, will be developed.
- Based on the above strategy, the quota system (consisting of bilateral agreements between countries regarding the number of permits that will be awarded by each country) will be renegotiated to better represent the demand for passenger movement between the respective countries.
- Relaxation of the third-country operation rule (which prohibits operators

registered in one country from transporting freight between a second and a third country) will be negotiated, for implementation in the medium term.

- The removal of restrictions on freight cabotage within the SADC region will be negotiated.
- The SADC Protocol relating to the recovery of infrastructure costs will be assessed for possible implementation.

**3.4.2 *Improved levels of service to passengers and freight at border posts will be prompted.***

- Better co-ordination between the issuing of cross-border and provincial permits will be encouraged to prevent the need for passengers to walk across border posts.
- The DoT and/or its agencies will promote better cross-border transport through effective liaison on the needs of the transport sector with regard to the operation of border posts.
- The seamless movement of goods across border posts will be promoted through the integration of freight transport infrastructure and the introduction of relevant freight technologies.

### **3.5 Freight Transport**

Because of the importance of efficient freight movement to the development of the country, through increasing South Africa's global competitiveness as well as through minimising the cost of internal movement of goods, it is essential that a decisive freight transport strategy be implemented. To this end, the *National Freight Logistics Strategy* was developed, and was published in September 2005. This strategy will align freight transport logistics with economic and industrial development strategies, and it will also align port development and operations with freight flow demand patterns and ocean freight trends, with the aim of increasing efficiency and lowering costs. At the same time, the strategy will be directed towards reducing inland freight costs through the lower system costs that should result from increased efficiency and reliability and from lower transit times, thus offering the customer viable modal choices between road and rail. Refer to Section 3.4 for more detail on the promotion of freight transport across national borders.

**3.5.1 *A strong, diverse, efficient and competitive freight transport Industry, within the limits of sustainable transport infrastructure, will be promoted.***

- A comprehensive land freight transport information system, which will include existing freight flow movements, will be developed and maintained to assist with freight planning and decision support.
- The development of freight corridors and the integration of freight modes will be promoted.
- The environmental impact of road freight transport will be managed, in particular by focusing on the recovery of externalities, the management of the movements of heavy vehicles, and the enforcement of regulations pertaining to dangerous goods.

**3.5.2 *Improved conditions of employment and participation within the freight industry will be promoted.***

- Co-ordination between the Department of Labour (DoL), industry and

organised labour to improve the conditions of employment will be promoted, in particular working hours.

- Training and skills development programmes will be initiated to assist new entries into the market, with a special focus on promoting SMMEs and BEE firms through owner-driver operations on viable routes. These programmes will include HIV/AIDS awareness and education activities.
- A formal consultative forum between government, stakeholders and users will be established to promote co-ordination and participation.
- Measures to support the development of rural freight transport services will be developed as part of the broader Rural Transport and Development Programme.

**3.5.3 *An appropriate shift of freight from road to rail will be promoted.***

- The sustainability of current road Gross Vehicle Mass (GVM) limits will be investigated and recommendations for changes, if appropriate, will be implemented after a consultative process.
- Strategies will be developed in support of more realistic cost-recovery mechanisms in the road freight system.
- Improved service levels for customers using rail freight will be promoted through the effective management of rail freight systems.
- More efficient law enforcement with regard to overloading and prosecution of offenders will be carried out as part of the implementation of the Road to Safety 2001 - 2005.

**3.6 Inter-Provincial Land Transport**

Long-distance operators wishing to operate across provincial borders must apply for an operating licence to the Provincial Operating Licensing Board (POLB) in the province in which they are registered. Before deciding on the application, the POLB refers the application for comment to the relevant municipalities and other province(s) along the proposed route.

Likewise, inter-provincial commuter operators are required to apply for operating licences. The POLB normally invites comments on the application from the relevant municipalities, and from the other province(s) traversed.

In both instances above, inadequate information is at present available on supply and demand in order for the POLB to make an informed decision.

**3.6.1 *A high-level, long-distance inter-provincial land transport strategy will be prepared which will assist Provincial Operating Licensing Boards (POLBs) in disposing of applications for inter-provincial services.***

- The national sphere of government will develop a high-level, long-distance inter-provincial land transport strategy, based on supply and demand, covering the main inter-provincial corridors and routes in order to inform the POLBs.

**3.6.2 *For inter-provincial commuting, the Provincial Operating Licensing Boards (POLBs) Will be informed by municipal transport plans.***

- In disposing of operating licences for inter-provincial commuting, the POLBs will be guided by municipal transport plans, which will be co-ordinated jointly by the provinces and national government.

### **3.7 Rural Transport and Development**

Communities in rural South Africa are often isolated, inaccessible and immobile, all of which contribute to poverty and a lack of opportunities. As a result, mobility and accessibility are purchased at a high social and economic cost. The inadequacies of the rural transport sector have had the effect of limiting the participation of developing communities in the formal economic sector. Given the national government's stated commitment to uplifting the material conditions of rural communities, the need to improve transport efficiency and sustainability by way of policy and institutional reform, as well as to identify and prioritise measures to streamline the planning, design and appraisal of transport investments within the ambit of the Integrated Sustainable Rural Development Strategy (ISRDS), cannot be over-emphasised. In light of the above, the Rural Transport Strategy will be further refined to highlight the strategy priorities. The DoT's initial strategic outputs are described below.

#### ***3.7.1 The 13 nodes identified in the Integrated Sustainable Rural Development Strategy (ISRDS) will be provided with improved transport infrastructure and services.***

- Rural transport interventions will be co-ordinated with and will incorporate the objectives of the ISRDS. The transport sector components of the IDPs of rural municipalities will be integrated with the ISRDS.
- A guideline linking rural road provision, in particular intermediate road infrastructure, and transport planning processes will be developed. This will aim to strengthen the integration of rural road provision, transport plans and IDPs.
- The development of rural access roads, associated with key nodes and linkages, will be improved. The initial implementation will target at least three of the 13 nodes. It is envisaged that a further roll-out will take place that will go beyond the 13 nodes.
- Special rural transport initiatives focusing on intermediate means of transport using appropriate technology for both passenger and freight services (involving pick-ups, buses, light delivery vehicles, etc.) will be piloted in at least three of the 13 nodes.
- Infrastructure for non-motorised transport, including improved paths and tracks, as well as bicycle supply depots, will be provided in each of the 13 nodes. Suspension bridges will also be considered where appropriate.
- Animal-drawn carts and other low-technology transport solutions will be promoted, with the aim of improving the mobility of vulnerable groups.

#### ***3.7.2 Capacity building will be implemented and tools will be provided for rural transport planning, implementation and auditing.***

- The DoT will disseminate requirements, guidelines and planning-support tools for rural transport planning.
- Capacity-building for integrated rural access planning will be implemented among the municipalities and professionals responsible for service delivery.
- SMMEs in the rural transport sector, particularly new entrants from previously disadvantaged communities, will be nurtured.
- A rural transport development programme will be introduced as a support

mechanism for the rural transport strategy.

- Various labour-intensive methods will be promoted as part of the rural transport development programme to facilitate job creation and poverty reduction.

### **3.8 Traffic Safety and Enforcement**

Various new structures, strategies and action plans within the road traffic environment have a direct bearing on the safe operation of the public (and freight) transport industry and these have been incorporated into the strategic framework. These include the Road to Safety 2001 - 2005, the Road Traffic Management Corporation Act (RTMC) and the Administrative Adjudication of Road Traffic Offences Act (AARTO). (These documents are available on the DoT website: ([www.transport.gov.za](http://www.transport.gov.za)) Public transport (and freight) vehicles from neighbouring countries and further away enter South Africa daily and it must be ensured that these drivers and vehicles comply with the minimum driver and vehicle fitness criteria as stated. The SADC Protocol on Transport, Communications and Meteorology should be used to harmonise these aspects.

With regard to traffic safety and enforcement, the strategy is encompassed mainly in the Road to Safety 2001 - 2005, but an improvement in transport law enforcement is also envisaged. The Road to Safety is a comprehensive five-year strategy with the strategic objective of reducing collisions, deaths and injuries on South African roads by 5 per cent year-on-year until 2005 and by at least 10 per cent year-on-year until 2009. The Road to Safety forms an integral part of the NLTSF with regard to safety and enforcement.

#### **3.8.1 *Traffic safety and enforcement will improve through the implementation of the “Road to Safety 2001 - 2005”***

The key focal areas of the Road to Safety are:

- Enforcement and law compliance
- Operator, vehicle and driver fitness
- Infrastructure, management and information systems
- Communication, public education and participation.
- Refer to the DoT website: ([www.transport.gov.za](http://www.transport.gov.za)) for more details on the Road to Safety.

#### **3.8.2 *Transport law enforcement, to complement traffic law enforcement, will be improved.***

- More effective transport law enforcement will be facilitated by expanding the scope of the Road Traffic Management Corporation (RTMC) and Administrative Adjudication of Road Traffic Offences (AARTO) Acts after the establishment of the RTMC.
- A preparatory process will be started to allow the municipal and national police forces to carry out proper transport law enforcement.

### **3.9 Transport for Persons with Disabilities**

It is government policy to promote the inclusion of people with disabilities into the mainstream activities of society. Legislation requires government to take “reasonable” steps to accommodate the needs of persons with disabilities. In terms of transport, this should be achieved firstly by improving the user-friendliness of public transport for all users, and secondly by incrementally implementing the accessibility features specifically required to serve people with disabilities.

In order to achieve the above strategic outputs, the following specific actions relating to each output are proposed:

**3.9.1 *Ongoing consultation will take place with the disability sector.***

- The DoT will continue working closely with the Office on the Status of Disabled Persons in the Office of the President to facilitate ongoing consultation with key national disability organisations.
- Local authorities will be encouraged to identify user groups representing persons with disabilities in order to consult with them on an ongoing basis through the ITP process.

**3.9.2 *Implementing authorities will be empowered to improve accessibility across all modes through the Integrated Transport Planning process.***

- The DoT will update draft TPG13 (“Guidelines for Transport of the Disabled”) to provide more technical guidance on implementation.
- The SABS will finalise uniform standards for accessible vehicles.

**3.9.3 *“Reasonable accommodation” of persons with disabilities will be initiated by prioritising high-impact, lower-cost actions.***

- Each metropolitan municipality will be encouraged to designate two “strategic accessible corridors” with high trip densities in which they should aim to achieve a reasonable level of door-to-door wheelchair accessibility.
- The ITPs of metropolitan municipalities should specify how improvements in pedestrian infrastructure, public transport facilities and vehicles will be co-ordinated in these corridors to achieve “reasonable accommodation”.
- Mode-specific actions:
  - BUS: All new buses in subsidised contracts will comply with the recommended standards for general accessibility (including step height, grab rails, signage, driver training, etc.), initially excluding wheelchair accessibility. Where wheelchair-accessible buses are included in bus contracts, they will preferably be deployed first in “strategic accessible corridors” to allow for the co-ordination of infrastructure upgrades.
  - TAXI: All new taxis will have basic accessibility features (low steps, grab rails, signage, driver training, etc.) as part of the taxi recapitalisation programme. In addition, the DoT will strive for wheelchair accessibility to be included in the recapitalisation programme.
  - RAIL: The SARCC/Intersite will continue to upgrade the accessibility of rail stations and rail carriages, through their upgrading programme, with particular focus on “strategic accessible corridors”.

**3.9.4 *Pilot projects will be launched in rural areas to test solutions and develop a rural accessibility strategy.***

- The DoT will develop and test appropriate accessibility solutions for users with special needs as part of the rural transport interventions in the ISRDS nodes. The DoT will incorporate the findings into an accessibility strategy for rural areas, as part of the rural transport and development strategy.

**3.10 Non-Motorised Transport**

Walking is a major mode of transport in general, and the dominant mode of travel in



rural areas. For journeys to work, walking is the main mode of travel for 23% of South Africans (and for 53% of commuters in rural areas). The majority of scholars and students - 76% - walk to their educational institutions. (in rural areas an even higher percentage - 91 % - do so.) Walking - and cycling, which is far less common - are not lower-income, second best options. They are the preferred modes in the world's liveable communities and cities. The challenge is to make walking and cycling the preferred modes in South Africa for their appropriate distances. They are the least expensive modes and therefore most accessible for the majority of commuters, as well as the most attractive from an environmental perspective.

To enable and support walking and cycling, planning authorities need to build, expand and maintain continuous networks of formal walkways (sidewalks, off-road paths, safe crossings, pedestrian bridges etc) and dedicated cycleways along lines of high demand. A major objective of providing dedicated infrastructure is to protect walkers and cyclists from conflict with motorised modes, a leading cause of road traffic fatalities.

Non-motorised transport (NMT) is a pleasant, realistic choice only when security is addressed, when contiguous infrastructure is provided, and when amenities such as rest points, water, toilets, lighting, trees and landscaping and refuse facilities are planned, designed and built along pedestrian and cycle ways. When quality NMT infrastructure and amenities are provided, as they are with other modes, this mode competes on the world stage.

Quality pedestrian ways are also the most cost-effective way to link existing but non-adjacent public transport facilities, and to link communities to public transport facilities.

### ***3.10.1 Non-motorised transport infrastructure will be planned, built, expanded and maintained***

- Planning authorities will ensure that, over time, contiguous networks of NMT infrastructure are designed and built, where they are absent, along lines of high demand.
- To achieve this, transport plans should assess the status quo and the needs for NMT infrastructure and plan for its design, implementation and maintenance. Planning for NMT needs will consider NMT both as a main mode, and as a feeder mode linking communities to public transport facilities.
- In rural areas, off-road footpaths, trails and tracks need to be included in the scope of planned rural transport infrastructure.
- In rural areas, animal-drawn carts and other intermediate means of transport will also be supported in transport plans where appropriate.

### ***3.10.2 Walking and cycling will be promoted as the preferred modes in South Africa for their appropriate distances.***

- Walking and cycling will be actively promoted by government, in conjunction with the expanded provision of NMT infrastructure, as the preferred modes of transport over the appropriate distance ranges for these modes.
- Where people are walking excessively long distances on their routine journeys, transport plans will assess the scope for measures to support cycling, particularly for scholars. Both infrastructural measures and supporting services such as bicycle repair services, will be considered.
- Successful demonstration projects promoting NMT will be rolled out to

other areas.

### **3.11 Transport and the Environment**

The overriding aims of the strategy are to create a sustainable land transport system in South Africa and to ensure that the country is in line with international environmental initiatives aimed at both local air pollution and global climate change through the following three key strategies:

#### ***3.11.1 Air pollution will be minimised through the reduction of vehicle exhaust emissions and the promotion of clean land transport modes and practices.***

- Transport plans should strive to implement travel demand management (TDM) measures which are aimed at reducing single-occupant private car usage, especially for commuting trips.
- Transport plans will promote the usage of public passenger transport modes such as rail, bus and taxi as well as non-motorised modes such as walking and cycling.
- Government will promote the use of more efficient vehicle technologies and fuels.
- Government will promote the reduction of emissions to improve air quality by, amongst others, reviewing current environmental standards and promoting effective roadworthiness testing.

#### ***3.11.2 Outdoor advertising will be regulated across all spheres of government on a consistent basis.***

- The transport sector in government will commit itself to implementing uniform standards with regard to the regulation of outdoor advertising.

#### ***3.11.3 Transport and environmental functions will be co-ordinated in all spheres to bridge the transport-environment divide.***

- The DoT will promote the departmental Environmental Implementation Plan (EIP) and will create awareness of the environmental responsibilities of the transport sector (for example through Environmental Impact Assessments - EIAs). This will be done in close collaboration with the DEAT.

### **3.12 Tourism and Transport**

The overriding aim of the strategy to support tourism is the positioning of the South African land transport system so that it can best serve the transport needs of the domestic and international segments of the country's tourist industry.

The general strategy for Tourism is made up of two components:

#### ***3.12.1 Land transport service levels for domestic and international tourists will be improved and maintained.***

- Transport plans should address tourist transport requirements. Key elements are land transport infrastructure which serves major tourist hubs and interchanges (airports, central stations), major corridor services and infrastructure to support major tourist trip attractors.
- Transport plans should explicitly address tourist transport market segments based on research. Initially, transport plans should strive to promote lower-cost tourist transport interventions such as service information and

assistance, signage, improved safety and performance standards of niche tourist transporters, and co-ordination between land transport and other modes, primarily air transport.

### **3.12.2 *Tourism and transport functions will be co-ordinated.***

- Tourism and transport functions will be co-ordinated between the DoT and the Department of Environmental Affairs and Tourism to guide the improvement of transport services to tourist market segments.

## **3.13 Transport and the 2010 World Cup**

Quality transportation management will be the critical, “invisible” success factor to the 2010 FIFA World Cup™. It will be ensured that the World Cup will quietly showcase appropriate sustainable mobility solutions that will serve the majority of South Africans at the venue cities both during and after the 2010 event.

The excitement and focus of the 2010 events will be used to catalyse a lasting legacy for public transport in South Africa. The essential aspect of the legacy vision is to accelerate the implementation of transport improvements that meet the dual objectives of supporting the success of the 2010 World Cup events, and enhancing South Africa’s mobility and transport efficiency.

To meet the overlapping requirements of the 2010 World Cup and the mobility needs of urban South Africans, key upgrades and improvements to local transportation networks will be identified, planned and implemented. 2010 World Cup venue host cities and transport public entities will accelerate implementation of their primarily existing transport improvement plans for public transport, non-motorised transport (NMT) and transportation management.

The accelerated transportation plans and projects will establish the basics of safe, reliable, affordable and appropriate transport systems. From this people-oriented foundation, later stages of an expanded public transport network will be implemented. To achieve this outcome, the following specific actions are outlined.

### **3.13.1 *The DoT will contribute to the transportation success of the 2010 World Cup and catalyse a lasting legacy for public transport***

- The DoT will provide co-ordination and support through the following actions:
  - Administer and manage the Public Transport Infrastructure and Systems Fund (PTIF), a dedicated source of capital funding set aside by National Treasury for transport infrastructure and systems projects to be implemented by municipalities, provinces and public entities.
  - Work with the National Treasury, venue host cities, development co-operation donors and private sector partners to identify additional 2010 transport finance opportunities for improvements that are not within the ambit of the PTIF, for example for key road infrastructure upgrades, enforcement, security and operations.
  - Act as a co-ordination focal point and information exchange, and provide support to the Technical Committee reporting to the 2010 Inter Ministerial Committee.
  - Monitor and evaluate PTIF projects both in terms of their quality, as well as their progress in spending and labour-intensive construction.
  - Provide technical support to cities, provinces and transportation public

entities.

- Monitor implementation and assist in the removal of critical barriers.
  - Provide updated and detailed travel demand profile projections for the 2010 World Cup events.
  - Fast track development of Intelligent Transportation System (ITS) standards and protocols for nation-wide use.
  - Co-ordinate the meeting of FIFA community travel requirements.
  - Co-ordinate the operational plans being prepared by venue host cities and transport public entities.
- The DoT will take responsibility for the following sub-sectoral actions:
    - Establish a 2010 Aviation Co-ordination Framework.
    - Engage the taxi sector in the development of operational plans for 2010, so as to make the most of the incentives offered by 2010 for those operators willing to modernise and formalise their activities.
    - Ensure proper enforcement and policing of transport practices, permits and situations across all sub-sectors, such as incident management.
    - Co-ordinate rail re-investment with 2010 World Cup requirements.
    - Analyse the demand for increased freight movements for the tournament period, identify solutions to manage the demand and work with freight and logistics role players to achieve a lasting legacy for economic growth.
  - The DoT will take responsibility for the following specific initiatives and communications actions:
    - Define, co-ordinate and fast-track appropriate ITS solutions that maximise the capacity of transport infrastructure, services and enforcement activities. The priorities will be integrated ticketing, law enforcement and travel demand management (TDM) measures, particularly incident management and congestion management.
    - Investigate the design of spectator access to and egress from stadia by NMT and public transport exclusively and secure funding for implementation and publicity.
    - Collaborate with other major event host venues to learn from international best practice and share and consolidate experience.
    - Communicate the coming fundamental scale and nature of changes to the transport system to a wide range of stakeholders and the general public through a multi-year, multi-media public awareness campaign as to the new mobility opportunities and requirements that await them for 2010.
    - Address the urban bias in the 2010 World Cup-related transportation improvements by examining potential solutions to address transport's role in poverty alleviation, particularly by creating greater mobility between rural and urban areas.

### **3.13.2 *Key upgrades and Improvements to focal transportation networks will be identified, planned and implemented***

- The venue host cities and transport public entities will accelerate the pace of

implementation of concrete mobility improvements in terms of:

- Public transport infrastructure, vehicles, services and management;
  - NMT infrastructure and amenities;
  - TDM measures; and
  - Airport-City transport links
- The venue host cities and transport public entities will plan, co-fund and implement the 2010 World Cup-related infrastructure and systems projects for which they secure dedicated grant funding from the PTIF.

### **3.13.3 2010 world Cup Operational Plans will be prepared, tested and fine-tuned**

- The venue host cities and transport public entities will:
  - Define specialised 2010 World Cup services for both the FIFA community and the event spectators.
  - Prepare World Cup Period Transportation Operational Plans by the end of 2008. These will describe in detail the integrated management plans for transportation for the duration of the 2010 World Cup, explaining how all resources and services will be managed, and integrating cross-cutting requirements from e.g. SAPS, National Intelligence Agency, and DEAT.
  - Plan for the integration of public transport tickets and match tickets, where host cities have committed to this.
  - Test, pilot and fine-tune these operational plans during 2009.

## **3.14 Integration of Transport Planning**

The National Land Transport Transition Act, the Development Facilitation Act, and the three municipal acts require that transport and land-use planning be integrated, and that planning be integrated between the authorities in one sphere, and between spheres. This is intended to be achieved through Integrated Development Plans (IDPs) and Integrated Transport Plans (ITPs). In practice, however, despite many years of effort, achieving integration has proved to be an intractable problem, with many authorities planning and implementing independently of one another. Mechanisms and structures are needed to facilitate and ensure such integration.

### **3.14.1 The integration of transport planning across all three spheres of government will be promoted.**

- A National Transport Masterplan (2005-2050), with a fifty-year planning horizon and dealing with land, air and maritime transport, will be developed by DoT in conjunction with provinces and municipalities.
- It will provide a framework to guide decision-making, to prioritise investment needs and to plan and implement projects in the transport sector from a long-term nation-wide perspective.
- It will be developed in the framework of co-operative governance, and provide a broad perspective to assist co-ordinated planning and implementation between the three spheres of government.
- It will focus on nodes and corridors of national importance, and set out a plan for the future land use and transportation system that will be able to effectively and efficiently meet forecast future transport demand and

support economic growth.

- Future demand will be assessed based on forecast changes in population, land use and economic activity over the next fifty years.
- The Masterplan will correlate investment in the transport sector with socio-economic objectives.
- It will also set out the institutional arrangements required to prevent duplication of government effort.
- A national transport databank will be developed as part of the Masterplan project for monitoring, analysis and forward planning. It will include an Agenda for Action for the period 2005-2020.
- The land transport component of the National Transport Masterplan and this NLTSF in the national sphere, together with guidelines and requirements documents for transport plans in the provincial and municipal spheres, will assist with the integration of transport planning and in promoting the implementation of the NLTSF across all three spheres of government.

**3.14.2 *Transport planning communication and liaison, across all three spheres of government will be facilitated.***

- Regular communication and liaison by means of transport planning “lekgotlas” will be implemented for land transport politicians and officials to facilitate the integration of transport planning between the three spheres of government.
- Provincial/municipal structures, such as those existing in a number of provinces for political and technical communication and liaison, will be promoted for use in the integration of transport planning.

**3.15 Conflict-Resolution Mechanisms**

As in the previous section on the integration of transport planning, current legislation provides mechanisms for resolving planning or implementation conflicts between authorities in one sphere or between spheres. Here too, past experience has been unsatisfactory, and many conflicts have not been resolved. Structures that will facilitate communication among planners and thereby minimise conflicts, and well-defined procedures for dealing with any conflicts that do arise, are required.

**3.15.1 *Possible conflicts between land-use and transport planning will be minimised through national intergovernmental liaison.***

- Regular communication and liaison will be established between relevant departments, including the Departments of Transport, Provincial and Local Government, Land Affairs and Housing to forestall possible conflicts between land-use and transport planning. Provinces will be encouraged to engage in similar liaison between the provincial departments involved in land-use and transport planning.

**3.15.2 *Possible land transport conflicts between provinces and municipalities Should be minimised through provincial/municipal liaison structures.***

- Provincial/municipal structures, such as those existing in a number of provinces for political and technical communication and liaison, will be promoted in order to forestall possible land transport conflicts.

#### 4. NATIONAL KEY PERFORMANCE INDICATORS

The Department of Transport (DoT) will use key performance indicators (KPIs) to help monitor progress in the implementation of key policies for land transport in the national, provincial and local spheres.

The DoT is in the process of finalising a Performance Indicator Framework. This covers all modes of transport, and includes macro- and micro-level indicators. For each indicator, it identifies the source of the information for measuring it, the unit of measure and the frequency of reporting required.

Two types of KPIs are identified in this NLTSF:

- *Customer-based indicators*, which measure the performance of the land transport system from the customer’s point of view; and
- *NLTSF-based indicators*, which measure the progress of the National and Provincial Departments of Transport and local authorities in implementing the strategies contained in the NLTSF.

This NLTSF identifies eight customer-based and seven NLTSF-based indicators, concentrating on the priority areas of:

- promotion of public transport usage,
- promotion of access to public transport, and
- traffic safety,

in line with the priorities as set out in this framework. The list of KPIs will be modified and expanded in future NLTSFs, to cover other areas of policy-directed action. The Performance Indicator Framework, once completed, will also be examined to assess whether additional KPIs need to be included in the NLTSF.

Future NLTSFs will publish performance results for the preceding years to show how historical trends and recent achievements have been integrated into new strategies. Future NLTSFs may also include targets to be met on specific KPIs.

Each Provincial Department of Transport will be required to report on the national KPIs for its province (where appropriate), as stated in the Provincial Land Transport Framework (PLTF), and to submit such a report to the Minister by the date determined by the Minister.

Tables 4.1 and 4.2 set out the customer-based KPIs and NLTSF-based KPIs respectively. The tables also set out definitions in order to ensure uniformity in the measurement of KPIs from year to year and locale to locale.

**Table 4.1:**  
Customer-based Key Performance Indicators

<i>Key policy area</i>	<i>Customer-based KPI</i>	<i>Definitions</i>	<i>Minimum units to be reported on</i>	<i>Data source(s)</i>
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Promotion of public transport usage	1. Average travel time to work, for all public transport commuters.	<p><u>1.1 Travel time to work:</u> Total one-way door-to-door time from the time of leaving the home until arrival at the regular work location. This includes time taken for intermediate stops along the way to work, and excludes those working at home. In surveys, travel time should be recorded for the “regular” daily trip to work.</p> <p><u>1.2 Public transport:</u> Bus, minibus-taxi, rail and other transport for reward as defined in NLTTA.</p>	9 Provinces and Nationally	National Household Travel Survey (NHTS)
	2. % of motorised transport users using public transport to work.	<p><u>2.1 Motorised transport users:</u> People using motorised public or private transport modes at any stage during the trip to work, during the morning peak period. Morning peak period should be defined for each area, or a uniform 5:30 to 8:30 period can be applied.</p> <p>2.2 Public transport: see 1.2.</p>	9 Provinces and Nationally	National Household Travel Survey (NHTS)
	3. Average age of subsidised bus, mini/midibus and commuter rail coach fleet.	<p><u>3.1 Age:</u> Time since date of manufacture (rebuilt and rehabilitated vehicles deemed 3 and 8 years old respectively).</p> <p><u>3.2 Subsidised bus:</u> Bus services receiving operating subsidies from national or provincial government.</p> <p><u>3.3 Rail coach fleet:</u> Coaches regularly used for commuter rail operations.</p>	9 Provinces and Nationally	National Land Transport Information System Department of Transport



Promotion of access to public transport	4. % of rural people living within 2 km of access to regular public transport services.	<p><u>4.1 Rural:</u> Residents of magisterial districts outside metropolitan areas, metro fringes, and major towns as defined by the NDoT's Rural Typology Study.</p> <p><u>4.2 Access:</u> Public transport station or stop is within a 30-minute walk or 2 km of the residence (self-reported).</p> <p><u>4.3 Regular:</u> Operating with a frequency of at least once per week.</p> <p><u>4.4 Public transport:</u> see 1.2.</p>	9 Provinces and Nationally	National Household Travel Survey (NHTS)
	5. % of households spending more than 10% of disposable income on public transport.	<p><u>5.1 Household:</u> A person or group of people living together for at least 4 nights per week, who eat together and share resources.</p> <p><u>5.2 Disposable income:</u> Monthly take-home income per household after deductions.</p>	9 Provinces and Nationally	National Household Travel Survey (NHTS)

		<p><u>5.3 Monthly spending on public transport:</u> Household's total monthly expenditure on public transport, excluding money spent on holiday travel.</p>		
Traffic safety	6. Number of road traffic fatalities per vehicle type.	<p><u>6.1 Road traffic fatalities:</u> Road users (including drivers and passengers of motorised modes and pedal cycles) dying within 6 days of being involved in a road traffic accident.</p> <p><u>6.2 Vehicle type:</u> Disaggregated for users of car, bus, minibus, light delivery, heavy vehicle, pedal cycles, and other vehicles.</p>	9 Provinces and Nationally	National Traffic Information System (NaTIS)
	7. Number of road traffic pedestrian fatalities.	<p><u>7.1 Pedestrian fatalities:</u> Pedestrians dying within 6 days of being involved in a road traffic accident.</p>	9 Provinces and Nationally	National Traffic Information System (NaTIS)
	8. Number of road traffic fatalities per 100 million vehicle km per vehicle type.	<p><u>8.1 Fatalities:</u> see 6.1.</p> <p><u>8.2 Vehicle kilometres:</u> Annual vehicle kilometres travelled.</p>	Nationally	National Traffic Information System (NaTIS)

		8.3 <u>Vehicle type</u> : Disaggregated for users of car, bus, minibus, light delivery, and heavy vehicles.		
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**Table 4.2:**  
NLTSF-based Key Performance Indicators

<i>Key strategy area</i>	<i>NLTSF-based KPI</i>	<i>Definitions</i>	<i>Minimum units to be reported on</i>	<i>Data source(s)</i>
Public transport: Taxi recapitalisa	9. % of minibus-taxi fleet recapitalised	<p><u>9.1 Minibus-taxi fleet</u>: Formalised <u>Minibus</u>-taxis used for public transport services and registered with provincial taxi registrars.</p> <p><u>9.2 Recapitalised</u>: Conforming to the vehicle size definitions contained in the NLTTA and the vehicle standards for midibuses and minibuses used for public transport as <u>contained</u> in the national Road Traffic Regulations, 2000 as amended.</p>	9 Provinces and Nationally	National Land Transport Information System (NLTIS) Scrapping Administration Agency (SAA)

Public transport: Bus restructuring	10. % of subsidised bus services operating in terms of tendered or negotiated contracts.	<p><u>10.1 Subsidised bus services:</u> Bus services receiving operating subsidies from national or <u>provincial</u> government.</p> <p><u>10.2 Tendered or negotiated contracts:</u> As defined by NLTTA.</p>	9 Provinces and Nationally	National Traffic Information System (NaTIS) Department of Transport
Land-use restructuring	11. Amount of non-residential floor space and number of housing units developed in corridor and densification projects in Metropolitan Municipality	<p><u>11.1 Non-residential floor space:</u> Floor space zoned for non-residential purposes.</p> <p><u>11.2 Number of housing units:</u> Number of household units zoned for residential use.</p>	4 Provinces and Nationally	Metropolitan Municipality

		<p><u>11.3 Developed:</u> Constructed during the year in question.</p> <p><u>11.4 Densification/infilling projects:</u> Developments within transport corridors and nodes as <u>identified</u> in Integrated Transport Plans of Metropolitan Municipalities, or as specified by the NDoT.</p>		
Freight transport	12. % of land freight tonnage (road + rail) transported by rail.	<p><u>12.1 Land freight tonnage:</u> Total tons of freight transported for road and rail, including all commodities. Note: this excludes own transport</p>	Nationally	Centre for Scientific and Industrial Research (CSIR)
	13. Average % of overloaded trucks on provincial and national roads.	<p><u>13.1 Overloaded trucks:</u> Heavy vehicles exceeding permissible axle loads, as measured for an unbiased sample at Weigh-in-Motion (WIM) facilities.</p> <p><u>13.2 Average %:</u> Average % for all WIM sites, weighted by the traffic volume per site.</p>	9 Provinces and Nationally	Centre for Scientific and Industrial Research (CSIR)

Rural transport	14. Amount of transport expenditure by government in 13 priority rural nodes, for infrastructure and for operations.	<p><u>14.1 Transport expenditure by government:</u> Including <u>infrastructure</u> (construction, upgrading, <u>maintenance</u>) and operations, by all 3 spheres of government.</p> <p><u>14.2 Priority rural nodes:</u> Priority districts identified by the Integrated Sustainable Rural Development Strategy.</p>	9 Provinces and Nationally	Integrated Sustainable Rural Development Programme (ISRDP)  Department of Provincial and Local Government
Funding	15. % of funding needs for implementing NLTSF strategies that have been sourced from government budgets (all spheres).	<u>15.1 Funding needs:</u> Funding needs for implementing the NLTSF strategies for the next 5 years that have been quantified in line with the NLTSF funding strategy.	Nationally	Department of Transport  Provincial Department of Transport

		15.2 Funding sourced: The <u>proportion</u> of the amount under 15.1 that has been allocated from national, provincial and local government budgets, for the year in question.		Local government
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## 5. IMPLEMENTATION OF THE NLTSF

### 5.1 Implementation based on plans

The DoT is committed to the implementation and funding of the strategies and actions set out in this framework and will direct national transport budgets, business plans, research and programmes to support it. However, the NLTSF is only one plan in a set of plans required to do proper land transport planning and implementation in terms of the NLTTA. The NLTSF in itself is only a framework and will require additional support from the provincial and municipal transport plans in order to be fully implemented.

### 5.2 Programming and responsibilities of the NLTSF

Although this is a national framework, a co-operative governance approach is critical for its implementation and success. Table 5.1 indicates the main implementation sphere (N = national, P = provincial and M = municipal) with respect to rolling out the particular actions. Consultation may, however, involve other spheres of government, stakeholders or users.

**Table 5.1:**  
Implementing spheres for NLTSF strategies and actions

<i>Area and strategy</i>	<i>Actions</i>	<i>N</i>	<i>P</i>	<i>M</i>
	<b>Public transport</b>			
Public transport will be promoted over private transport.	All land transport activities across all three spheres of government must be assessed in terms of whether they will, in reality, achieve the aim of giving public transport priority over private transport.	vv	v	v
	Improved levels of service, comfort, affordability, safety and sustainability will be striven for in public transport services.	vv	v	v
Transport plans will be developed in all three spheres of government.	Documents relating to planning requirements will be finalised and regulations will be gazetted.	v		
	Pilot projects will be implemented to demonstrate planning processes and to refine the requirements.	v		
	Training in transport planning will be implemented.	v		

	Transport plans will be prepared incrementally in the municipal sphere of government.			v
	Commuter rail services will become statutory parts of transport plans.	vv	v	v
	The Regional Rail Plans need to be aligned with ITPs in municipalities with rail	v		v
	The Regional Rail Plans needs to be aligned with provincial spatial and transport frameworks, and with the economic development of the province.	v	vv	
Transport authorities will be promoted in selected municipalities.	Selected municipalities will be encouraged to become transport authorities.	v		
	Technical support will be provided for transport authority feasibility and restructuring activities.	v		
	Financial assistance will be provided for pilot transport authority feasibility investigations.	v		
The nine provincial operating licensing boards will provide efficient and effective regulatory services.	Better resources in terms of personnel and systems will be facilitated.	v	vv	
	The special legalisation and “be legal” processes, and the conversion of permits to operating licences, will be completed.		v	
	The moratorium on the issuing of new operating licences will be relaxed in a planned manner.		v	
	The Transport Appeal Tribunal (TAT) and provincial appeal bodies, where applicable, will be established.	v	v	
Public transport services will become safer for passengers.	Public transport law enforcement will be improved.	vv	v	v
	More effective transport law enforcement, as opposed to traffic law enforcement, will be promoted.	v		
	The Rail Safety Regulator and RTMC will enforce and improve levels of rail- and road-based public transport safety respectively.	v		



	Measures will be introduced to regulate the transport of passengers by vehicles other than those designed for public transport.	vv	v	
	Security against crime will be improved, in particular through liaison with the SAPS and the Department of Safety and Security.	v		
Selected public transport infrastructure will be upgraded.	Selected public transport infrastructure will be upgraded.	vv	v	v
	Facilities that give priority to public transport on existing roads will be promoted.	vv	v	v
	The management and maintenance of public transport infrastructure will be improved.	vv	v	v
	Planning and design guidelines to accommodate new vehicle sizes will be prepared.	v		
Appropriate information systems will be introduced.	A national land transport information system will be developed.	v		
TAXI: The industry will be formalised and regulated, and the minibus-taxi fleet will be recapitalised.	The DoT will facilitate the fast-tracking of operating licence strategies to aid the completion of the special legislation and conversion processes.	vv	v	v
	The registration of taxi associations and their members (formalisation) will be completed.		v	
	Route-based operating licences will be issued to all operators.		v	
	The DoT will facilitate the formalisation and regulation of metered taxis.	vv	v	v
	The recapitalisation of the minibus-taxi fleet will be completed by 2012	vv	v	v
	Conversion of taxi permits to route- and vehicle-specific OLs will be completed.	v	vv	v
	The new vehicle standards (contained in the national Road Traffic Regulations, 2000 as amended) for midibuses and minibuses used for public transport will be enforced.	v	v	v
	A partnership will be developed between government and taxi industry structures to effectively regulate the taxi industry and resolve conflicts.	v		
	A strategy for the economic empowerment of the taxi industry will be developed.	v		

BUS/TAXI: All subsidised road-based passenger transport services will be provided in terms of tendered or negotiated contracts.	The DoT will co-ordinate the issuing of clear guidelines to assist the relevant authorities in dealing with learner transport, sedan taxis, private hires and tourist transport	vv	v	
	Model contract documents will be gazetted.	v		
	All expired interim and tendered bus contracts will be replaced with new tendered or negotiated contracts.	v	vv	v
	Bus permits will be converted to route-based, vehicle-specific operating licences (OLs).	v	vv	v
	Although not currently compulsory, every effort will be made to have road-based passenger transport contracts designed in terms of transport plans.	v	vv	v
	Government-owned provincial and municipal bus operators will be corporatised.		v	v
	Efforts will be made to accommodate transport for learners where there are road-based passenger transport contracts.	v	vv	
	Greater efforts will be made to promote SMME access to subsidised service contracts.	v	vv	
RAIL: Effective performance regulation will be introduced, and ownership and competition issues as they affect the three spheres of government will be clarified.	The draft rail policy will be finalised.	v		
	A strategic rail oversight function will be developed in the national sphere of government.	v		
	The size and scope of the commuter rail network will be defined.	vv	v	v
	The institutional framework for rail across all three spheres of government will be clarified.	vv	v	v
	The possibility of involving the private sector in operations will be explored.	v		

The National Passenger Rail Plan will be completed, and significant implementation will occur over the next five years	All resources available will be invested mainly in rolling stock, security improvements, stations and signalling in the identified Priority Passenger Rail Corridors,	vv		
	DoT/SARCC with local government will identify the priority and non-priority rail corridors and develop detailed Regional Rail Plans for the upgrade and turnaround of the rail commuter system in each metropolitan area. The regional plans will be consolidated into a National Rail Passenger Plan.	vv	v	v
	Short-term actions to stabilise the rail passenger business will be implemented in the Priority Rail Corridors including accelerating rolling stock refurbishment and upgrading telecommunications, and identifying projects to increase safety and security at stations and on trains	vv	v	v
	Fare recovery measures to reduce the level of fare evasion will be identified and implemented on the Priority Corridors.	vv	v	v
	A rail network classification system will be developed that will provide guidance in regard to the service level specification as well as the maintenance and capital expenditure framework for the Priority Corridors.	vv	v	v
	A medium-term and a long-term plan will be developed to focus on infrastructure development, firstly on priority corridors, and if successful, further expansion of the rail network where demand can be proven.	vv	v	v
<b>Urban Land-Use Restructuring</b>				
The transport sector in government will promote the development of an urban land-use restructuring programme as part of the Urban Renewal Strategy.	A document setting out requirements in support of urban corridor development and densification/infilling will be developed and published.	v		
	The transport sector in government will support and make inputs to the Urban Renewal Strategy.	vv	v	v

	A phased, inter-governmental programme for rationalising and co-ordinating the subsidisation of urban transport and housing will be developed.	v		
Public awareness in government will be raised concerning the need for fundamental urban restructuring.	Public awareness material will be developed.	v		
The capacity to develop and implement co-ordinated IDPs and transport plans will be strengthened.	The DPLG, the DLA, the DOH and the DoT will co-operate with respect to capacity-building.	v		
	Changes in land use that will have a negative impact on transport will be regulated in terms of the NLTTA, Section 29.	v	v	vv
	Support will be provided for implementing corridor development and densification strategies.	v		
<b>Roads</b>				
The delivery of the road network will be made more efficient.	The establishment of new or deployment of existing appropriate transport entities will be promoted.	vv	v	v
	Appropriate information systems and funding mechanisms will be developed to support these transport entities.	vv	v	v
	The development of the network will include the development of SMMEs and the enhancement of skills and capacity.	vv	v	v
	Design standards will be refined to achieve the optimum balance between cost and utility.	vv	v	v
	Modern “operations technology” will be incorporated to increase capacity.	v	v	vv
A strategic country- wide road network will be identified.	In consultation with all three spheres of government, a strategic countrywide road network will be identified.	vv	v	v
	The network may include toll roads where they are financially viable and where tolls can contribute significantly to funding these roads.	v		
<b>Cross-Border Road Transport</b>				

An equitable needs- driven basis will be established to assist the CBRTA Regulatory Committee in making decisions on the allocation of cross-border permits in the context of the SADC Protocol.	An improved cross-border passenger demand-and-supply strategy, based on the corridors, will be developed.	v		
	Based on the above strategy, the quota system will be renegotiated.	v		
	Relaxation of the third-country operation rule will be negotiated, for implementation in the medium term.	v		
	The removal of restrictions on freight cabotage within the SADC region will be negotiated.	v		
	The SADC Protocol relating to infrastructure cost recovery will be assessed for possible implementation.	v		
Improved levels of service to passengers and freight at border posts will be promoted.	Better co-ordination between the issuing of cross-border and provincial permits will be encouraged.	vv	v	
	The DoT's facilitation and co-ordination role in the operation of border posts will be strengthened.	v		
	The seamless movement of goods across border posts will be promoted.	v		
<b>Freight Transport</b>				
A strong, diverse, efficient and competitive transport industry, within the limits of sustainable transport infrastructure, will be promoted.	A comprehensive land freight transport information system will be developed and maintained to assist with freight planning and decision-support.	v		
	The development of freight corridors and the integration of freight modes will be promoted.	vv	v	v

	The environmental impact of road freight transport will be managed.	vv	v	v
Improved conditions of employment and participation within the freight industry will be promoted.	Co-ordination between the Department of Labour (DoL), industry and organised labour to improve the conditions of employment will be promoted.	v		
	Training and skills development programmes will be initiated to assist new entries into the market.	v		
	A formal consultative forum will be established to promote co-ordination and participation.	v		
	Measures to support the development of rural freight transport services will be developed.	v		
An appropriate shift of freight from road to rail will be promoted.	The sustainability of current road GVM limits will be investigated and recommendations for changes will be implemented.	v		
	Strategies will be developed in support of more realistic cost-recovery mechanisms in the road freight system.	v		
	Improved service levels for customers using rail freight will be promoted through the effective management of rail freight systems.	v		
	More efficient law enforcement of overloading and prosecution of offenders will be carried out as part of the implementation of the "Road to Safety 2001 - 2005".	vv	v	v
<b>Inter-Provincial Land Transport</b>				
A high-level, long-distance inter-provincial land transport strategy will be prepared.	The national sphere of government will develop a high-level, long-distance inter-provincial land transport strategy.	vv	v	v
For inter-provincial commuting, the Provincial Operating Licensing Boards (POLBs) will be informed by municipal transport plans.	In disposing of operating licences for inter-provincial commuting, the POLBs will be guided by municipal transport plans.	v	v	vv
<b>Rural Transport and Development</b>				

The 13 nodes identified in the Integrated Sustainable Rural Development Strategy (ISRDS) will be provided with improved transport infrastructure and services.	Rural transport interventions will be co-ordinated and will incorporate the objectives of the ISRDS.	vv	v	v
	A guideline linking rural road and transport planning processes will be developed.	v		
	The development of rural access roads will be improved.	vv	v	v
	Special rural transport initiatives focusing on intermediate means of transport will be piloted in at least three of the 13 nodes.	vv	v	v
	Infrastructure for non-motorised transport will be provided in each of the 13 nodes.	vv	v	v
	Animal-drawn carts and other low-technology transport solutions will be promoted.	vv	v	v
Capacity-building will be implemented and tools will be provided for rural transport planning, implementation and auditing.	The DoT will disseminate requirements, guidelines and planning support tools for rural transport planning.	vv		
	Capacity-building for integrated rural access planning will be implemented among the municipalities and consultants responsible for service delivery.	v		
	SMMEs in the rural transport sector, particularly new entrants from previously disadvantaged communities, will be nurtured.	vv	v	v
	A rural transport development programme will be introduced as a support mechanism for the rural transport strategy.	v		
	Various labour-intensive methods will be promoted as part of the rural transport development programme.	v		
<b>Traffic Safety and Enforcement</b>				

Traffic safety and enforcement will improve through the implementation of the “Road to Safety 2001 - 2005”	The implementation and monitoring of the “Road to Safety 2001 - 2005” will continue.	vv	v	v
Transport law enforcement, as opposed to traffic law enforcement, will be improved.	More effective transport law enforcement will be facilitated by expanding the scope of the RTMC and AARTO acts.	v		
	Preparatory process will be put in place to allow municipal and national police forces to do proper transport law enforcement.	vv	v	v
<b>Transport for Persons with Disabilities</b>				
On-going consultation will take place with the disability sector.	The DoT will continue working closely with the Office on the Status of Disabled Persons to facilitate on-going consultation with key national disability organisations.	v		
	Local authorities will be encouraged to identify user groups representing persons with disabilities.	v		vv
Implementing authorities will be empowered to improve accessibility across all modes through the Integrated Transport Planning process.	The DoT will update draft TPG13 guidelines to provide more technical guidance for implementation.	v		
	The SABS will finalise uniform standards for accessible vehicles.	v		
“Reasonable accommodation” of persons with disabilities will be initiated by prioritising high-impact, lower-cost actions.	Each metropolitan municipality will be encouraged to designate two “strategic accessible corridors” in which they should aim to achieve a reasonable level of door-to-door wheelchair accessibility.	v	v	vv
	The ITPs of metropolitan municipalities should specify how improvements in infrastructure and vehicles will be co-ordinated in these corridors.			v
	BUS: All new buses in subsidised contracts will comply with the recommended standards for general accessibility.	v	vv	



	TAXI: All new taxis will have basic accessibility features as part of the taxi recapitalisation programme.	v		
	RAIL: The SARCC/Intersite will continue to upgrade the accessibility of rail stations and rail carriages.	v		
Pilot projects will be launched in rural areas to test solutions and develop a rural accessibility strategy.	The DoT will develop and test appropriate accessibility solutions as part of the rural transport interventions in the ISRDS nodes.	vv		v
	The DoT will incorporate the findings into an accessibility strategy for rural areas, as part of the rural transport and development strategy.	v		
	<b>Non-Motorised Transport (NMT)</b>			
NMT infrastructure will be planned, built, expanded and maintained	Planning authorities will ensure that, over time, contiguous networks of NMT infrastructure are designed and built, where they are absent, along lines of high demand.			vv
	Transport plans should assess the status quo and the needs for NMT infrastructure and plan for its design, implementation and maintenance.			vv
	In rural areas, off-road footpaths, trails and tracks need to be included in the scope of planned rural transport infrastructure.			vv
	In rural areas, animal-drawn carts and other intermediate means of transport will also be supported in transport plans where appropriate.			vv
Walking and cycling will be promoted as the preferred modes for their appropriate distances	Walking and cycling will be actively promoted in conjunction with the expanded provision of NMT infrastructure, as the preferred mode of transport over the appropriate distance ranges for these modes.	vv	vv	vv
	Where people are walking excessively long distances on their routine journeys, transport plans will assess the scope for measures to support cycling, particularly for scholars. Both infrastructural measures and supporting services such as bicycle repair services, will be considered.			vv
	Successful demonstration projects promoting NMT will be rolled out to other areas.	vv	v	v
	<b>Transport and the Environment</b>			

Air pollution will be minimised through the reduction of vehicle exhaust emissions and the promotion of clean land transport modes and practices.	Transport plans should strive to implement TDM.	v	v	vv
	Transport plans will promote the usage of public passenger transport modes such as rail, bus and taxi.	v	v	vv
	Government will promote the use of more efficient vehicle technologies and fuels.	v		
	Government will promote the reduction of emissions to improve air quality by, amongst others, reviewing current environmental standards and through promoting effective roadworthiness testing.	vv		v
Outdoor advertising will be regulated across all spheres of government on a consistent basis.	The transport sector in government will commit itself to the implementation of uniform standards with regards to the regulation of outdoor advertising.	vv	v	v
Transport and environmental functions will be co-ordinated in all spheres to bridge the transport-environment divide.	The NDoT will promote the departmental EIP and will create awareness of the environmental responsibilities of the transport sector.	v		
<b>Tourism and Transport</b>				
Land transport service levels for domestic and international tourists will be improved and maintained.	Transport plans should address tourist transport requirements.	v	v	vv
	Transport plans should explicitly address tourist transport market segments based on research.	v	v	vv
Tourism and transport functions will be co-ordinated.	Tourism and transport functions will be co-ordinated between the NDoT and the DEAT to guide the improvement of transport services to tourist market segments.	v		
<b>Transport and the 2010 World Cup</b>				

The DoT will contribute to the transportation success of the 2010 World Cup and catalyse a lasting legacy for public transport	The DoT will contribute to the transportation success of the 2010 World Cup and catalyse a lasting legacy for public transport through co-ordination and support activities, specific sub-sector activities and specific initiatives and communication activities	vv	v	v
Key upgrades and improvements to local transportation networks will be identified, planned and implemented	The venue host cities and transport public entities will accelerate the pace of implementation of concrete mobility improvements in terms of public transport infrastructure, vehicles, services and management; NMT infrastructure and amenities; TDM measures; and Airport-City transport links	v	v	vv
	The venue host cities and transport public entities will plan, co-fund and implement the 2010 World Cup-related infrastructure and systems projects for which they secure dedicated grant funding from the PTIF.	v	v	vv
2010 World Cup Operational Plans will be prepared, tested and fine-tuned	The venue host cities and transport public entities will define specialised 2010 World Cup services, prepare World Cup Period Transportation Operational Plans and test, pilot and fine-tune these operational plans.	v	v	vv
<b>Integration of Transport Planning</b>				
The integration of transport planning across all three spheres of government will be promoted.	A National Transport Masterplan (2005- 2050), with a fifty-year planning horizon and dealing with land, air and maritime transport, will be developed by DoT in conjunction with provinces and municipalities.	vv	v	v
	The land transport component of the Masterplan and this NLTSP in the national sphere will assist with the integration of transport planning and the promotion of the implementation of the NLTSP across all three spheres of government.	vv	v	v
Transport planning communication and liaison across all three spheres of government will be facilitated.	Regular communication and liaison by means of transport planning “lekgotlas” will be implemented.	vv	v	v
	Provincial/municipal structures will be promoted for use in the integration of transport planning.	v	vv	v
<b>Conflict-Resolution Mechanisms</b>				

Possible conflicts between land-use and transport planning will be minimised through national inter-governmental liaison.	Regular communication and liaison will be established between relevant departments to forestall possible conflicts between land-use and transport planning.	vv	v	v
	Provinces will be encouraged to engage in similar liaison between the provincial departments involved in land-use and transport planning.	v	vv	
Possible land transport conflicts between provinces and municipalities should be minimised through provincial/municipal liaison structures.	Provincial/municipal structures will be promoted in order to forestall possible land transport conflicts.	v	vv	v

**Notes:**

1. The different spheres of governments are indicated as follows: N = national, P = provincial and M = municipal.
2. The “vv” mark indicates which sphere has the lead co-ordinating and monitoring role in the cases where more than one government sphere is involved.

**5.3 Funding of the NLTsf**

The DoT is committed to the detailed programming of the strategies and actions of the NLTsf as part of its budgeting and planning processes as required by the Public Finance Management Act. The DoT is further committed to the funding of the nationally driven components of the NLTsf through its existing budgets and through leveraging additional sources from Treasury.

Furthermore, the DoT is committed to working closely with other spheres of government and the Treasury to ensure that adequate resources are available for the effective implementation of the mandate that this NLTsf places upon the transport sector in all spheres of government.

The DoT will review the funding requirements of the NLTsf on an annual basis.

In cases where funding is allocated via the DoT to provinces, municipalities and transport authorities, conditions for the use of the funds can be set by the DoT in accordance with the requirements of the National Land Transport Transition Act 22 of 2000 as follows:

Funds allocated for provincial- and local-level NLTsf components will be made available to provinces, municipalities or transport authorities as set out in section 15 (1) (b) of the NLTTA.

- Funds made available through the DoT to provinces, municipalities or transport authorities under section 15 (1) (b):
- which are explicitly earmarked for a specific purpose will not be used for another

purpose (in terms of section 15 (3) (a) of the NLTTA) – this will be monitored by the DoT.

- subject to specified conditions will not be used contrary to those conditions (in terms of section 15 (3) (b) of the NLTTA) – this will also be monitored by the DoT.
- Provinces, municipalities or transport authorities receiving funds for NLTSF implementation will therefore account for those funds to the Minister, and DoT, in line with the requirements of section 15 (3) of the NLTTA.

The following guidelines can assist planning authorities with the funding of transport plans:

- Authorities at national and provincial level, as well as municipalities and transport authorities, should link programmes arising from their transport plans to their budget planning.
- New and/or additional programmes and outputs arising from the transport plans for a given financial year should be justified with specific outputs and costs.
- Where additional funds are required, authorities should explore options for public-private partnerships (PPPs) so that implementation of the transport plans is not delayed.

#### LIST OF ABBREVIATIONS

AARTO.....	Administrative Adjudication of Road Traffic Offences Act
BEE.....	Black Economic Empowerment
CBRTA.....	Cross-Border Road Transport Agency
DEAT.....	Department of Environmental Affairs and Tourism
DLA.....	Department of Land Affairs
DoL.....	Department of Labour
DoT.....	Department of Transport
DPLG.....	Department of Provincial and Local Government
EIP.....	Environmental Implementation Plan
IDP.....	Integrated Development Plan
ISRDS.....	Integrated Sustainable Rural Development Strategy
ITP.....	Integrated Transport Plan
ITS.....	Intelligent Transportation Systems
KPI.....	Key Performance Indicator
MEC.....	Member of the Executive Council
MTEF.....	Medium-Term Expenditure Framework
NaTIS.....	National Traffic Information System
NLTSF.....	National Land Transport Strategic Framework
NLTTA.....	National Land Transport Transition Act, 2000
NMT.....	Non-Motorised Transport
OL.....	Operating licence
PLTSF.....	Provincial Land Transport Strategic Framework
POLB.....	Provincial Operating Licensing Board
PTIF.....	Public Transport Infrastructure and Systems Fund
RTMC.....	Road Traffic Management Corporation Act

SABS.....	South African Bureau of Standards
SADC.....	Southern African Development Community
SAPS.....	South African Police Services
SARCC.....	South African Rail Commuter Corporation
SMMEs.....	Small, medium and micro enterprises
TAT.....	Transport Appeal Tribunal
TDM.....	Travel Demand Management

**GNR.298 of 26 February 2003: Rationalisation Plan: Minimum Requirements in terms of the National Land Transport Transition Act, 2000**

DEPARTMENT OF TRANSPORT

In terms of section 25 (3) of the National Land Transport Transition Act, 2000 (Act No. 22 of 2000), I, Abdulah Mohamed Omar, Minister of Transport, in consultation with the relevant MECs, have made the requirements contained in the Schedule.

**Abdulah Mohamed Omar**  
**MINISTER OF TRANSPORT**

**SCHEDULE**

ARRANGEMENT OF REGULATIONS

1. Definitions
2. Purpose of Requirements
3. District and Local Municipalities
4. Principles for preparing rationalisation plans
5. Date of submission of plan
6. Process for preparation and approval by MEC
7. Minimum contents of rationalisation plans
8. Other Requirements.

**1. Definitions.**—In these requirements, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act has that meaning, and—

“**Act**” means the National Land Transport Transition Act, 2000 (Act No. 22 of 2000) as amended by the National Land Transport Transition Amendment Act, 2001 (Act No. 31 of 2001);

“**facilities**” means ranks, terminals, stations, holding areas, informal taxi ranks and holding areas and major boarding points in rural areas, for road and rail based public transport;

“**CPTR**” means a current public transport record;

“**OLS**” means an operating licence strategy;

“**RATPLAN**” means a rationalisation plan;

“**PLTF**” means a provincial land transport framework;

“**route**” means the roads or railway lines that are traversed by a vehicle or train from point of origin to point of final destination or, in the case of road-based transport, where no roads are clearly demarcated, the route followed by the particular vehicle as described with reference to landmarks or beacons;

“**services**” means public transport services;

**2. Purpose of Requirements.**—(1) The RATPLAN prepared by municipalities must comply with the requirements set out in these requirements.

(2) In interpreting these requirements municipalities should refer to the RATPLAN guideline, which is available from the National Department of Transport.

(3) Where there is a conflict between these requirements and the guideline, these requirements prevail.

**3. District and Local Municipalities.**—(1) Each district municipality that has subsidised public transport services is responsible to prepare a RATPLAN for its entire area, but this will not prevent an agreement that the relevant local municipalities will assist with such preparation, provided that the agreement is permissible in terms of applicable local government legislation.

(2) RATPLANS must not be prepared at both district and local level as this will lead to duplication. Thus only one RATPLAN is required for any particular geographical area.

(3) Where the RATPLAN for part of the area of a district municipality is prepared by a local municipality in terms of an agreement contemplated in (1), it is still the responsibility of the district municipality to ensure that the entire area is covered and to submit the total RATPLAN to the MEC in terms of section 25 (4) of the Act, and to the Minister in terms of section 28 of the Act.

**4. Principles for preparing rationalisation plans.**—(1) In addition to the principles stated in the Act, the following principles apply to the preparation of RATPLANS—

(a) plans must pay due attention to the development of rural areas; and

(b) transport for special categories of passengers must receive specific attention.

(2) The development of the RATPLAN should have both a short-term focus relating to subsidised interim contracts and current tendered contracts expiring in the near future, and a long-term focus relating to the overall restructuring of the subsidised public transport system as a whole, including rail.

(3) The development of the RATPLAN must take cognisance of the fact that rail is currently a national competency until devolved in terms of section 28 of the Act, and that in terms of Section 10 (13) (f) of the Act subsidised bus services is a provincial competency until Transport Authorities are formed.

(4) The RATPLAN must be synchronised with other planning initiatives and it must indicate how it is integrated into the municipal integrated development plan, the land development objective processes and the municipal budgeting process.

(5) The preparation of the RATPLAN must include the consultation and participation of interested and affected parties required for the preparation of integrated Development Plans in terms of chapter 4 and section 29 (1) (b) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

**5. Date of submission of plan.**—(1) The RATPLAN must be prepared within four months of the completion of the planning authority’s current public transport record, or by a date determined by

the MEC in terms of section 25 (5).

(2) In the absence of a PTP, a planning authority that has subsidised public transport services must update its RATPLAN at least once a year and within four months of completing its CPTR or by date determined by the MEG in terms of Section 25 (5) of the Act.

**6. Process for preparation an approval by MEC.**—(1) After the date of publication of these requirements, but not later than the date mentioned in regulation 5 (1), every planning authority that has subsidised public transport services, or that envisages the introduction of subsidised public transport services, must complete its RATPLAN, consisting of at least the matters set out in requirement 7.

(2) On completion of the RATPLAN, the planning authority which prepared it must submit it to the MEC in terms of section 25 (4) of the Act and, if it has rail commuter components, also to the Minister in terms of Section 28 thereof.

(3) If the Minister is of the opinion that the RATFLAN does not deal adequately with the situation relating to commuter rail, or that it has not been prepared correctly or completely according to the Act or these Requirements, he or she may request the planning authority to adjust the plan, and the planning authority must comply with such a request within 30 days.

**7. Minimum contents of rationalisation plans.**—The RATPLAN must contain at least the minimum information as set out below.

### **Chapter 1: Introduction**

This chapter must contain a clear description of the area and nature of services under consideration as well as the authority responsible for the preparation of the RATPLAN. The period and dates for the particular RATPLAN must also be indicated.

### **Chapter 2: Assessment of existing subsidised services**

Based upon the CPTR and OLS as well as information available from the bus subsidy information system (SUMS), an assessment should be undertaken to identify the services, routes and trips to be targeted for rationalisation. Appropriate criteria such as duplication and or competition between subsidised services (for the same market), under-and over-utilisation of available capacity, efficiency and cost effectiveness, appropriate modes (from the OLS), user convenience and benefits, land use development and international benchmarks may be applied.

### **Chapter 3: Policy framework**

A policy framework for the rationalisation process should be developed based upon policies in the White Paper on, National Transport Policy, Provincial Policy and the PLTF, particularly relating to the packaging of subsidised service contracts, rail concessions and contract terms, labour agreements, subsidy policy, levels of service, land use development, modal integration and special categories of passengers.

### **Chapter 4: Rationalisation, restructuring and evaluation**

Based upon the assessment of existing subsidised services, and the policy framework, rationalisation and restructuring proposals should be developed and evaluated, resulting in a preferred set of proposals. Assessments should be carried out with respect to the possible impacts on other services and modes, infrastructure and facilities as well as user convenience and quality of service. Proposals with respect to inter-planning authority and interprovincial commuting and long-distance services and facilities must be included.

The estimated impacts and benefits, both positive and negative, should be quantified and documented,



as well as the subsidy implications.

#### **Chapter 5: Stakeholder consultation**

The extent of, and the results of participation with the operating licencing board, adjacent planning authorities, operators, commuters and the general public must be described.

#### **Chapter 6: Prioritised proposals and implementation programme**

The prioritised proposals and implementation programme resulting from the above analyses and consultation must be documented.

#### **Chapter 7: Financial implications**

The financial implications of the prioritised proposals and implementation programme referred to in chapter 6 must be documented, particularly with respect to subsidies, but also including a detailed budget and funding sources.

**8. Other Requirements.**—The RATPLAN should, as a minimum, take into account the following additional considerations as stipulated in Section 25 (1) of the Act, namely the following:

- (a) rationalising subsidized services within and between modes;
  - (b) determining where and to what extent subsidies should be paid;
  - (c) rationalizing subsidized services across borders of planning authorities and in relation to interprovincial transport;
  - (d) minimizing the level of subsidy;
  - (e) minimizing competition between subsidized services;
  - (f) structuring subsidized service contracts or concessions in such a way as to attract sufficient competitive bidding by qualifying tenderers;
  - (g) ensuring that routes and route networks are utilized optimally so as to meet passenger needs effectively and efficiently; and
  - (h) facilitating the future development of an integrated public transport system;
  - (i) The avoidance of land use distortions and longer travel distances.
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