



Government Gazette

REPUBLIC OF SOUTH AFRICA

Vol. 452 Pretoria 26 February 2003 **No. 24959**



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

GOVERNMENT NOTICE

DEPARTMENT OF TRANSPORT

No. 298

26 February 2003

NATIONAL LAND TRANSPORT TRANSITION ACT, 2000 (ACT NO. 22 OF 2000)

RATIONALISATION PLAN: MINIMUM REQUIREMENTS IN TERMS OF THE NATIONAL LAND TRANSPORT TRANSITION ACT, 2000.

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**MINIMUM REQUIREMENTS FOR PREPARATION OF RATIONALISATION PLANS****Arrangement of Requirements**

1. Definitions
2. Purpose of requirements
3. Principles for preparing rationalisation plans
4. Date for completion
5. Process for completion and approval by MEC
6. Process for submission to Minister
7. Minimum contents of rationalisation plans

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;

Purpose of Requirements

2. (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.

District and Local Municipalities

3. (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.

Principles for preparing rationalisation plans

4. (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).

Date for submission of plan

5. (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 MEC in terms of Section 25(5) of the Act.

Process for preparation and approval by MEC

6. (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 RATPLAN 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.

Minimum contents of rationalisation plans

7. 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.

Other requirements

8. 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.