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## GENERAL NOTICE

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### NOTICE 68 OF 2011

#### DEPARTMENT OF TRANSPORT

I, S'busiso Joel Ndebele, Minister of Transport, in terms of section 8(2) of the National Land Transport Act, 2009 (Act No. 5 of 2009), hereby publish for public comments the draft Second Land Transport Regulations under section 8(1) of that Act, in the Schedule.

Interested persons are invited to submit written comments on these draft Second Land Transport Regulations, 2011, to the Director-General, Department of Transport, within 30 days from the date of publication of this notice, to:

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0001

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## **SCHEDULE**

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

#### **SECOND NATIONAL LAND TRANSPORT REGULATIONS**

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##### **Definitions**

1. In these regulations, unless the context indicates otherwise, a word or expression that is defined in the Act or the First Regulations has the same meaning in these regulations, and—

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

“the First Regulations” means the National Land Transport Regulations published under Notice R.1208 of 17 December 2009 as amended by Notice R.399 of 14 May 2010 and as further amended from time to time.

### **Principles for national land transport policy**

2. The following principles apply with regard to the determination, formulation, development and application of land transport policy in the Republic:

- (a) Public transport services—
  - (i) must be planned insofar as possible to strive to provide affordable transport to the public, but subject to budget limitations;
  - (ii) must be designed so as to achieve—
    - (aa) integration of modes;
    - (bb) cost efficiency and service quality;
    - (cc) the optimal allocation and utilisation of available resources; and
    - (dd) market development;
  - (iii) must be designed so as to have—
    - (aa) value to the customer; and
    - (bb) the least harmful impact on the environment;
  - (iv) must be designed so that appropriate modes are selected on the basis of reducing the total time and systems cost of travel, taking into account the needs and views of customers; and
  - (v) must be planned where possible so that subsidies are aimed to assist currently marginalised users and those who have poor access to transport services.
- (b) All role players must strive to achieve an effective land transport system through integrated planning, provision and regulation of infrastructure and services and diligent and effective law enforcement.
- (c) Where possible, optimal access to the public transport system must be promoted to minimise distances that passengers have to walk to reach stations, bus stops, taxi ranks and other points of access to public transport.
- (d) Public transport services, facilities and infrastructure must be so provided and developed as to integrate the different modes of land transport.
- (e) In providing for such integration, bus rapid transit systems must be integrated into the larger public transport system so as to provide an holistic integrated network.
- (f) Safety and effective law enforcement must be promoted and the efforts of all authorities in this regard must be co-ordinated to prevent duplication.

- (g) In planning public transport must be given higher priority than private transport.
- (h) Scarce resources available for land transport must be used optimally.
- (i) Investment in infrastructure and operations must promote economic, financial, technical and environmental sustainability.
- (j) Co-ordination of institutional functions in land transport must be promoted.
- (k) Land transport functions must be integrated with related functions such as land use and economic planning and development.
- (l) Development of corridors, densification and infilling must be promoted.
- (m) The needs of special categories of passengers must be considered and their access to public transport facilities and services must be maximised, within budgetary constraints;
- (n) The participation of all interested and affected parties, including vulnerable and disadvantaged persons, in transport planning must be promoted.
- (o) The electronic land transport information systems of all relevant institutions must be compatible with one another and designed to allow mutual access.
- (p) All spheres of government must promote public transport and the flow of inter-provincial and cross-border road transport.
- (q) The principle of user charging or cost recovery from direct users must be applied wherever appropriate and possible.
- (r) Planning authorities must take active steps to promote the use of public transport through appropriate awareness campaigns.

### **Information systems**

3. (1) The Minister may request an MEC in writing to provide the Minister with the information contemplated in section 6(2) of the Act, and that MEC must provide the requested information within 14 days.

(2) The information contemplated in sub-regulation (1) may include, but is not limited to, the following:

- (a) the status of the provincial land transport framework (PLTF) and its updates;
- (b) progress with the establishment of integrated public transport networks as required by the Public Transport Strategy and Action Plan, 2007 read with the Act and the Division of Revenue Act for the relevant year;
- (c) progress made in establishing the relevant Provincial Regulatory Entity and whether that entity is up to date in dealing with applications concerning operating licences or whether it is experiencing backlogs and, if so, the reasons for the backlogs;

- (d) progress made with implementing the updated Operating Licence Administrative System as required by section 6(6) of the Act;
- (e) progress made with the assignment of the operating licensing function to any municipalities in its province;
- (f) progress made with the rationalization of services in terms of sections 47, 48 and 49 of the Act, including the conversion of permits to operating licences;
- (g) progress made with the preparation of integrated transport plans by planning authorities in the province and their integration with integrated development plans, including progress with the operating licence strategy component of the plans, especially in areas where integrated transport plans are being or should be established, and progress with the priority projects provided for in those integrated transport plans;
- (h) the state of provincial roads in the province with special reference to provincial road projects or initiatives, including maintenance and the elimination of potholes and other hazards;
- (i) initiatives to integrate modes and to integrate land use and transport planning, if not covered in the provincial land transport framework;
- (j) assistance and capacity building provided to municipalities in the province in terms of section 11(1)(b)(v) and (vi) of the Act; and
- (k) any other matter required by the Minister.

(3) The Operating Licence Administrative System contemplated in section 6(5) of the Act must at least contain an electronic record of the following information:

- (a) In relation to each holder of an operating licence or permit, the following:
  - (i) The name and identity, passport or registration number of the holder;
  - (ii) the holder's physical and postal address, and e-mail address if the holder has one; and
  - (iii) the holder's land-line, cell 'phone and fax numbers, if the holder has them.
- (b) In relation to each operating licence and permit, the following:
  - (i) The operating licence or permit number;
  - (ii) the date of issue and the name of the entity that issued it;
  - (iii) the particulars of the vehicle to which the operating licence or permit relates set out in paragraph (c); and
  - (iv) the area or route in or on which the vehicle must be operated.
- (c) In relation to each vehicle to which an operating licence or permit relates, the following:

- (i) Its registration number, Vehicle Identification (VIN) number and chassis number;
- (ii) the type of vehicle and year of manufacture; and
- (iii) the passenger seating and standing capacity.

(4) The Operating Licence Administrative System as it existed on the date of commencement of the Act must be—

- (a) adapted to implement the processes and procedures contemplated in the Act, and
- (b) used to implement the Act until the process of adapting it in terms of paragraph (a) and of incorporating the Systems contemplated in section 6(6) of the Act are complete.

(5) The information contained in the former Land Transport Permit System and Registration Administration System must—

- (a) be retained only as a reference source;
- (b) where appropriate be migrated to the Operating Licence Administrative System; and
- (c) no longer be used for processing applications relating to operating licences or for issuing permits.

#### **Updating, keeping and providing information**

4. (1) A regulatory entity or planning authority may direct the holder of an operating licence or permit by written notice to provide it with some or all of the following information:

- (a) The route or routes being operated in terms of such licence or permit, and for how long each route has been operated;
- (b) The fares being charged on each route or section of route;
- (c) Time tables or schedules in the case of scheduled services;
- (d) Information being provided to passengers in the case of scheduled services, with copies of time tables or other documentation being provided to passengers;
- (e) Copies of passenger lists contemplated in sub-regulation (4); and
- (f) Average numbers of passengers being carried.

(2) A holder so requested must comply with the request within the time specified in the notice, which may not be less than seven days.

(3) As from a date specified by the Minister by notice in the *Gazette*, the holder of an operating licence or permit authorizing a long-distance service must, before the start of each journey, complete and keep in the vehicle a passenger list in the form prescribed in the Minister's notice, and produce it on demand to an authorized officer.

(4) A holder who fails to comply with sub-regulation (3) commits an offence and is liable on conviction to a fine or to imprisonment for a period not exceeding 30 days.

### **Principles for transport planning**

5. (1) Subject to this regulation, land transport planning must be so carried out as to cover both public and private transport and all the modes of land transport relevant in the area concerned, and must focus on the most effective and economic way of moving from one point to another in the system.

(2) 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, public transport services and non-motorised transport 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 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 to discourage private transport once adequate public transport is available;
- (e) consider the needs of special categories of passengers and insofar as may be possible—
  - (i) meet these needs by the system provided for mainstream public transport; and
  - (ii) enhance accessibility to public transport services and facilities by such passengers;

- (f) maintain and further develop road infrastructure to improve travel by road-based modes of transport, where appropriate, and give due attention to the proper maintenance of such infrastructure;
- (g) promote access to basic facilities and services, such as, among others, schools, clinics, pension pay-points and shops, with due attention to rural areas;
- (h) pay due attention to rural areas, and support and stimulate economic growth and development;
- (i) pay due attention to the role of appropriate non-motorised forms of transport, such as walking, cycling and animal-drawn transport; and
- (j) minimise adverse impacts on the environment.

(3) Transport planning must be viewed as a continuous process by which planning authorities professionally develop and implement integrated public transport services for their areas.

(4) A planning authority must, unless clearly inappropriate or not reasonably practical in the circumstances, in preparing any transport plan, ensure co-ordination and integration within and between land transport modes so as to optimise the accessibility and utilisation of public transport services, facilities and infrastructure.

(5) Holistic planning must be applied so as to obtain the optimal use of infrastructure and services within the system and to achieve optimal utilization and prioritisation of funds.

(6) In fulfilling their obligations under sub-regulation (5) planning authorities must, where applicable, integrate bus rapid transit systems and rail systems into the integrated public transport network by applying network-based planning.

(7) When planning authorities are managing the movement of persons within their areas in terms of section 11(1)(c)(vi) of the Act, they must employ network planning of infrastructure and facilities to ensure that persons can move from one point to another within the area with the minimum of disruption and in the shortest time, and ensure by means of a specific network plan that persons walking or cycling can move from one point to another without their movement being prevented, endangered or hampered, by providing appropriate cycle paths or other facilities to promote such movement.

(8) The MEC must ensure the co-ordination of the planning processes of all planning authorities under the jurisdiction of the province.

(9) Planning authorities must liaise with each other and, where appropriate conclude appropriate agreements to ensure that all plans address—

- (a) public transport services operating across the boundaries of the areas of planning authorities;



- (b) road and rail networks;
- (c) freight movements;
- (d) the needs of special categories of passengers;
- (e) duplication or over-supply of transport facilities and infrastructure in the region; and
- (f) the integration of transport and land use planning within the context of the Development Facilitation Act, 1995 (Act No. 67 of 1995) or any other similar provincial law.

(10) Transport plans and programmes must be synchronized with other planning initiatives and must indicate how they are integrated into relevant integrated development plans, the land development objective processes and the relevant budgeting process.

(11) The preparation of transport plans and programmes must include consultation with interested and affected persons as required for the preparation of integrated development plans by section 29(1)(b) of the Systems Act and other applicable legislation.

#### **Annual reports by MECs**

6. (1) Every MEC must submit the annual report contemplated in section 9(2)(d) of the Act for the financial year in question to the Minister within six months after the end of the relevant financial year, with effect from the 2011/2012 financial year.

(2) The annual report must deal with the state of transport affairs in the province, and at least include the information contemplated in regulation 3(2).

#### **Intermodal planning committees**

7. (1) Without derogating from the generality of section 15(2) of the Act, the intermodal planning committee must provide for holistic integration of—

- (a) rail passenger services in the area with road based public transport services;
- (b) scheduled services, minibus taxi-type services and unscheduled bus services in the area with each other and with other public transport modes; and
- (c) all aspects of the integrated transport plan in complying with regulation 5(5), including freight transport and non-motorised transport.

(2) An intermodal planning committee must consist of the following members:

- (a) an official of the Department where the matters to be considered require representation of the national sphere to promote transition, integration or co-ordination;
- (b) an official of the relevant provincial department—

- (i) until the function of acting as contracting authority for subsidised service contracts, interim contracts, current tendered contracts and negotiated contracts concluded in terms of the Transition Act has been assigned to the municipality in terms of section 11(6) of the Act; or
- (ii) where the matters to be considered require representation of the provincial sphere to promote transition, integration or co-ordination;
- (c) one or more officials of the municipal department responsible for public transport as decided by the municipality;
- (d) one or more officials of the municipal department responsible for land use planning as decided by the municipality;
- (e) one or more officials from the Passenger Rail Agency of South Africa as decided by that Agency, if there are significant passenger rail services in the area;
- (f) one or more representatives of Transnet Limited or other rail operators as decided by the municipality; and
- (g) persons co-opted under sub-regulation (4).

(3) An intermodal planning committee may co-opt one or more representatives of the following as members to address specific issues:

- (a) Operators of road-based public transport services;
- (b) users of public transport; or
- (c) organized business in the area.

(4) A municipal official must chair the intermodal planning committee and the members must elect a deputy chairperson to act when the chairperson is not available.

(5) The intermodal planning committee must meet often enough to achieve the objects of section 15(2) of the Act and this regulation, but not less than quarterly.

(6) The intermodal planning committee must provide input to—

- (a) the development of a service level agreement between the Passenger Rail Agency of South Africa and the municipality with a view to integrating modes and services provided in terms of the municipality's integrated transport plan where there are significant passenger rail services in the area;
- (b) the development of one or more agreements between the provincial department, municipality and operators to establish the integrated public transport networks contemplated by the Act, the Division of Revenue Act, 2009 (Act No. 12 of 2009) and the Division of Revenue Act, 2010 (Act No. 1 of 2010), and to assign the existing bus contracts to the municipality as contemplated by section 11(6) of the Act; and

(c) where appropriate, the assignment of the operating licensing function to the municipality.

(7) The Department may develop guidelines for such a service level agreement, either generally or for one or more municipalities, which may include a *pro forma* agreement and time scales for its finalisation.

(8) Decisions of the intermodal planning committee will not be binding on the municipality or any other person or body unless embodied in a written agreement between the relevant parties.

#### **Land transport advisory boards**

8. (1) A land transport advisory board may consist of some or all of the members listed in regulation 7(3), as decided by the municipality, and may include representatives of—

- (a) bus, minibus taxi, metered taxi and rail operators in the area;
- (b) users of public transport in the area;
- (c) organized business in the area; and
- (d) organized labour in respect of public transport workers in the area,

as well as professional persons or experts in the field of public transport or related fields and any other person or representative decided by the municipality.

(2) A municipal official must chair the land transport advisory board and the members must elect a deputy chairperson to act when the chairperson is not available.

(3) The land transport advisory board must meet often enough to achieve the objects of section 15(2) of the Act, but not less than quarterly.

(4) The municipality must determine procedures for and frequency of meetings, subject to sub-regulation (3).

(5) The land transport advisory board is an advisory body, and final decisions on matters discussed or considered by that board rest with the municipality.

#### **Minimum qualifications of municipal officials contemplated in section 17(2) of the Act**

9. The division contemplated in section 17 of the Act must consist of dedicated officials who collectively at least possess the following knowledge, training or experience:

- (a) a person with significant experience of scheduled bus operations;

- (b) a person with significant experience of minibus taxi-type operations;
- (c) a person with significant training in or experience of transport planning; and
- (d) a person with significant training in or experience of legal matters.

#### **Invitations for applications for operating licences for new services**

10. (1) A planning authority that is a municipality to which the operating licensing function has been assigned (Municipal Regulatory Entity) must, in the process of updating its integrated transport plan in compliance with section 36(1) of the Act, make a formal assessment of that plan at least quarterly to see whether particular routes are adequately supplied.

(2) That municipality must publish a notice at least every six months, and more often if necessary, in at least two official languages, in a newspaper circulating in the relevant area, indicating—

- (a) routes that are adequately supplied and on which it will no longer accept applications for new operating licences for the period stipulated in the notice; and
- (b) routes that are undersupplied, and in which it invites operators to apply by a certain date for new operating licences on those routes and indicating the basis on which those applications will be considered.

#### **Call centres**

11. (1) A municipality that has established an integrated public transport network must, not later than three months after the network commences operation, establish the call centre contemplated in section 18(5) of the Act.

(2) The call centre must be manned at least during office hours by at least one official of the municipality who is qualified to answer questions and provide advice on public transport services.

(3) The Municipality must formulate a guide after consulting operator associations, which will provide for the use of graphics, information signage, timetables, advertising material and vehicle livery for public transport in the area.

(4) The purpose of the guide is to ensure a unified image for the public transport system and promote the use of that system by establishing an attractive and consistent visual identity.

(5) As part of the call centre, the Municipality must operate an information centre, a shopfront information service and a customer call centre that maintains close links with operators and customers to provide accurate and timely information in sufficient quantity to meet customer demand.

## Lift clubs

12. (1) Where an employee owns a vehicle and uses it to convey other employees of the same firm or establishment or of another firm or establishment in the same area to work and back and requires contributions from the other members towards the cost of the conveyance, this will qualify as a lift club despite the fact that other members of the lift club do not take turns to convey their fellow members, provided that—

- (a) the motive for the transport is collective mobility and not profit or reward, and the charges made are confined to the costs of fuel and other running costs of the vehicle;
- (b) written confirmation from the employers concerned showing the name of the owner of the vehicle and its registration number, and the names and identity numbers of the employees being conveyed is kept in the vehicle and shown to an authorized officer on demand; and
- (c) the person who owns the vehicle has notified the relevant Provincial Regulatory Entity, or Municipal Regulatory Entity if there is one, in writing of the existence of the lift club, and keeps in the vehicle a written confirmation of such notification from that entity and shows it on demand to an authorized officer.

(2) Any person who operates a vehicle as part of a lift club, whether the lift club is one contemplated in sub-regulation (1) or not, must keep in the vehicle a written list showing all members of the lift club and their identity numbers, as well as a list of all vehicles used as part of the club and their registration numbers, and such list must be shown to an authorized officer on demand.

(3) A person who operates a lift club without complying with this regulation commits an offence and is liable on conviction to a fine or to imprisonment for a period not exceeding 30 days.

## Adapted light delivery vehicles

13. (1) An operating licence may be granted for an adapted light delivery vehicle to be used for public transport only where—

- (a) the vehicle has been properly adapted and homologated in terms of the National Road Traffic Act and its regulations to carry not more than nine passengers, including the driver, safely in compliance with that Act and those regulations; and
- (b) the roads that will be used are, in the opinion of the regulatory authority, in too bad a condition to be used by other types of vehicles; or
- (c) there is no other appropriate or acceptable public transport on the route or in the area in question and failure to grant the licence may lead to a shortage of public transport on that route or in that area; and
- (d) granting the licence will not be contrary to any provincial laws.

(2) Sub-regulation (1) must also be applied where application is made to convert a permit for a light delivery vehicle to an operating licence, and to applications for renewal, amendment or transfer of an operating licence or permit for such a vehicle.

(3) The regulatory entity must refuse an application contemplated in sub-regulation (2) where appropriate if sub-regulation (1)(a) or (d) is applicable, or if it decides that the application should be refused for the reasons contemplated in sub-regulation(1) (b) or (c).

#### **Interaction between public transport and cross-border road transport**

**14.** (1) In a prosecution in terms of the Act where an operator has picked up or dropped off passengers within two kilometers of an international border post, that operator may prove that he or she has not undertaken cross-border road transport, i.e. that none of the passengers being conveyed intend to cross the border into another state or have crossed such a border as part of the same journey, by producing a duly completed passenger list showing at least the name, identity number and proposed destination within the Republic of each passenger being conveyed.

(2) Where the regulatory committee defined in section 1 of the Cross-Border Act receives an application for a permit in terms of that Act which will involve the use of ranks or terminals within the Republic, that committee must notify all planning authorities in whose areas the ranks or terminals are situated of the application by e-mail or fax.

(3) Those planning authorities must supply their comments or recommendations in relation to the use of such ranks or terminals to the regulatory committee within the time specified in the notice, which may not be more than 30 days, and the regulatory committee must consider any such comments or recommendations before taking a decision in relation to the application.

(4) Where the planning authority does not have an adequate integrated transport plan or is otherwise unable to respond to such a notice in a meaningful manner, it must still submit a response stating the reasons why it is unable to provide comments or recommendations.

(5) Where the planning authority fails to respond to such a notice within the specified time, or does not provide any comments or recommendations for any reason, the regulatory committee may proceed to process and decide upon the application without its input.

#### **Inspectors**

**15.** (1) An inspector contemplated in section 86 of the Act must be in possession of a certificate of appointment in the form shown in Schedule 1.

(2) The proof of identity contemplated in section 86(2) of the Act must be in the form shown in Schedule 2.

### Extraordinary measures in declared areas

16. The notice contemplated in section 91(2) of the Act must be published in at least two official languages in the relevant *Provincial Gazette* and in a newspaper circulating in the area where the proposed extraordinary measures will be taken.

### Rationalisation of permits: scheduled services

17. (1) Where a permit authorizes scheduled services provided for in a negotiated contract, subsidized service contract or commercial service contract concluded after the date of commencement of these regulations in the service area of the contract, the permit holder must submit the permits for all vehicles operating in that service area to the contracting authority as required by section 48(1) of the Act not later than 21 days before the start of the services provided for in the contract, to enable the contracting authority to request the relevant regulatory entity to take the steps required by that section.

(2) Where a permit authorises scheduled services provided for in a contract contemplated in sub-regulation (1) concluded before the date of commencement of these regulations, or provided for in a subsidized service contract, negotiated contract, commercial service contract, current tendered contract or interim contract in terms of the Transition Act, and such contract is still in operation, the permit holder must on or before 31 March 2012 submit the permits for all vehicles operating in the service area of the contract to the contracting authority as required by section 48(1) of the Act to enable the contracting authority to request the relevant regulatory entity to take the steps required by that section.

(3) Where permits contemplated in sub-regulations (1) or (2) are not submitted to the contracting authority within the time specified in those sub-regulations, the permit will lapse in terms of section 48(1) of the Act.

(4) The contracting authority receiving such permits in terms of sub-regulations (1) or (2) must submit the permits to the relevant regulatory entity within seven days of receipt of the permits with a written request for it to take the steps contemplated in section 48(1)(a) and (b) of the Act.

(5) Where some of the services contemplated in sub-regulations (1) or (2) take place in municipal areas other than those of the contracting authority, the regulatory entity must consult with the planning authorities of those areas by notifying them by e-mail or fax and requesting their comments or recommendations within the time specified in the notice, which may not be less than 30 days, and the planning authority must submit its comments or recommendations within 14 days of receipt of the request.

(6) Where the contracting authority is a district municipality, the regulatory entity must consult the local municipalities in the district in the manner contemplated in sub-regulation (4), and the provisions of that sub-regulation apply with the necessary changes.

(7) Where a planning authority or local municipality fails to respond to a notice contemplated in sub-regulation (4) or (5), as the case may be, within the specified time, the regulatory entity may proceed to process and decide upon the application without their input.

#### **Procedure for the conversion of permits**

**18. (1) Whereas—**

- (a) all unconverted permits will lapse on 8 December 2016 in terms of section 47(1) of the Act; and
- (b) regulatory entities require time to process applications for conversion before that date,

all holders of permits authorizing minibus taxi-type services and other unscheduled and non-contracted services who wish to convert those permits to operating licences, must apply for conversion of those permits in accordance with the procedure set out in regulations 3, 7 or 11 of the First Regulations, whichever is applicable, on or before 8 June 2014.

(2) Such a holder who has failed for whatever reason to apply for conversion before that date may still apply for conversion after that date, but where an application is received after 8 June 2014 there will be no guarantee that the application will be processed before the permit lapses on 8 December 2016.

(3) Where a permit lapses in terms of section 47 of the Act, the holder of the permit must submit a new application for an operating licence if that holder intends to continue to operate the services authorized by the permit after the date of lapsing of the permit.

(4) By not later than 8 March 2014 the National Public Transport Regulator, in collaboration with all provincial regulatory entities and municipal regulatory entities, must—

- (a) using the Operating Licence Administrative System and any other information at their disposal, compile a list of operators who hold permits and who have not yet applied for conversion; and
- (b) send a notification to those holders by registered post in the format set out in Schedule 3.

(5) The National Public Transport Regulator, provincial regulatory entities and municipal regulatory entities must—

- (a) engage with representatives of the relevant industries and arrange publicity campaigns well before 8 June 2014 to ensure that permit holders are aware of



the provisions of the Act and these regulations regarding conversion of permits to operating licences and the consequences of late applications for conversion; and

- (b) inform authorized officers that permits lapse after 8 December 2016 and that they must confiscate permits that have not been converted to operating licences by that date and impound the vehicles specified in those permits if they are used for public transport services after that date in terms of those permits.

#### **Short title and commencement**

**20.** These regulations are called the Second National Land Transport Regulations, 2010 and come into operation on the date of their publication in the *Gazette*.

#### **Schedule 1: Form of certificate of appointment of inspector**

Official Logo

#### **PROVINCIAL DEPARTMENT/MUNICIPALITY**

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

It is hereby certified that

..... [full names]

Has been appointed as an inspector in terms of section 86 of the National Land Transport Act, 2009 (Act No. 5 of 2009).

Infrastructure number: .....

Signed at ..... on ..... 20.....

MEC/Municipal Manager .....

Date .....

Issue number .....

Official seal: .....

#### **Schedule 2: Proof of identity of inspector**

<b>PROOF OF APPOINTMENT OF INSPECTOR</b>
<b>PROVINCE/MUNICIPALITY</b>
No. ....
Type of identification: .....
Identity number: .....
Grade: .....
Date of issue: .....

**Schedule 3: Notice to permit holders in terms of regulation 18(4)**

<b>Official Logo</b>
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**DEPARTMENT OF TRANSPORT****National Public Transport Regulator**

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

<b>NOTICE TO PERMIT HOLDERS IN TERMS OF REGULATION 18(4)</b>
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**By registered post**

To: Mr/Ms .....

Address: .....

Dear Sir/Madam

According to our records/information at our disposal you are the holder of permit no. .... for motor vehicle registration number ..... authorizing the following services: ..... [brief description of services]

Please take notice that in terms of section 47 of the National Land Transport Act, 2009 (Act No. 5 of 2009), the abovementioned permit will lapse on 8 December 2016, unless you apply to the relevant regulatory entity to convert it to an operating licence. It will be in your interest to apply as soon as possible, because if you apply after 8 June 2014,

there will be no guarantee that the application, will be processed before the permit lapses.

Please apply as soon as possible for conversion of the permit, and take note of the following:

- (i) The permit will lapse on 8 December 2016 if it has not been converted to an operating licence by that date.
- (ii) You must apply to convert the permit to an operating licence if you intend to operate the services authorized by the permit after that date.
- (iii) If you apply after 8 June 2014 there will be no guarantee that your application will be processed in time and you may have to submit an application for a new operating licence if you intend to continue to operate the services.

Signed on behalf of the National Public Transport Regulator .....

Full names and designation: .....

Official stamp