
GENERAL NOTICE

NOTICE 364 OF 2012

DEPARTMENT OF PUBLIC WORKS, ROADS AND TRANSPORT.

DECLARATION OF EXTRA-ORDINARY EMERGENCY MEASURES TO CURB ACTS OF VIOLENCE, UNREST, ACTS OF INTIMIDATION OR INSTABILITY IN THE TAXI INDUSTRY IN THE AREAS OF DR RUTH SEGOMOTSI MOMPATI DISTRICT MUNICIPALITY (TAUNG AND VRYBURG LOCAL MUNICIPALITIES) IN TERMS OF SECTION 91 OF THE NATIONAL LAND TRANSPORT ACT, ACT NO. 5 OF 2009.

In terms of Section 91 of the National Land Transport Act of 2009, I Raymond Elisha, Member of the Executive Council for Department of Public Works, Roads and Transport in the North West Province, hereby intend to declare Extra-Ordinary Measures in the areas of Dr Ruth Segomotsi Mompoti District Municipality (Vryburg and Taung Local Municipalities to which the provision of the said Section 91 shall apply to regulate, manage and control Minibus/Midi taxi type services in the following Routes and Taxi ranks:- From Vryburg Taxi Rank to Taung taxi rank , from Taung taxi rank to Vryburg taxi rank, Route leading to Vryburg from Mafikeng vice versa, Route leading from Delarayville to Vryburg vice versa, Route leading from Ganyesa to Vryburg vice versa, Route leading from Schweize-reneke to Vryburg vice versa.

Notice is hereby given that as a result of the under mentioned efforts to resolve taxi violence and conflict in the affected areas, the following steps were undertaken.

1. At the initial stages, the Taxi council reported to the department and indicated that a series of meetings were held with the affected parties in an effort to resolve their operational problems further that in all the meetings held, there had not been any successful resolution of the problem.

2. On the 23rd December 2011, a meeting of all stake holders was convened in Schweize-reneke and present was the representatives from both Taxi Associations, representatives from Conflict Management of The Department of Public Works Roads and Transport, representatives of the Provincial and Municipal Traffic law Enforcement, Members of the Taxi council and representatives from SAPS also attended. The purpose of this meeting was to determine the root cause and to find a solution to the problems.
3. As an outcome, an interim operating arrangement was suggested and accepted by both parties to try for a period of at least (2) two months.
4. Before the expiry of the two months arrangement, a series of violent situations were reported by the police and the situation still continue to date.
5. In the process, affected municipalities also raised concerns about the rate of taxi violence and conflict as reported from time to time in their area of authority, and that this is also affecting the stability of their areas and the safe movement of passengers including other members of the community.
6. The latest intervention by the Law Enforcement Agencies was on the 1st March 2012 to make a follow up on the parties compliance with the previous operational arrangement and it was realized that Taung people continued to block Vryburg Operators at Dryharts and continued to spark conflict and violence.

Whereby the following measures shall apply:

Any person;

1. Found operating in those areas without a valid license shall have the vehicle impounded and only be released upon payment of a fine of R5 000.00 and production of a valid operating license.
2. Operating public transport contrary to the terms and conditions of operating license(s) shall have his/her vehicle impounded and only be released upon payment of a fine of R5 000.00.
3. Allowing another person to use one's operating license for a vehicle not specified on it shall be impounded and released upon payment of a fine of R5 000.00
4. All members of taxi associations must ensure that they acquire operating licenses to operate in the affected areas within the period as prescribed in the Regulations.
5. Operations in and out of Vryburg Taxi Rank to Taung Taxi rank will be monitored in accordance with the Municipal by-laws of Vryburg.
6. Operations in and out of Taung Taxi Rank to Vryburg taxi rank will be monitored in accordance with the Municipal by-laws Taung.
7. Operations from and into both Taxi Ranks and along the route to/from both Ranks (Taung and Vryburg) will be strictly monitored by the Law Enforcement Agencies in accordance with the Municipal by-laws and these Regulations.

8. That all operating parties/associations or its affected members shall operate according to a "First-come- first serve operating system" in both ranks, and this shall be strictly complied with and accordingly enforced, otherwise any transgressor thereto shall be penalized with a R5000.00 fine.
9. All legal operators from both associations who are legally entitled to operate the affected routes, are required to submit their operating licenses for verification to the offices of the Provincial Regulatory Entity in Vryburg within 3(three) days of the publication of this Notice.
10. Other than Law Enforcements Agencies shall have the right to stop any driver with a legal operating license from all routes covered by this notice and/or off-load any passengers from a taxi of any driver possessing a legal operating license, otherwise such person shall be in contravention of this notice.
11. The system passenger loading between Vryburg Taxi Rank and Taung Taxi Rank shall be on a "first-come-first-serve" basis for the period of the subsistence of this notice/regulations.
12. Monitoring of operations and enforcement of these measures within both Taxi Ranks shall be the direct responsibility of their respective Municipalities.

Comments and/or objections in the form of representations shall be allowed/invited within 3(three) days from date of Publication of this Notice.

All comments and or objections shall be sent to :-

The Acting Director legal services

Department of Public Works Roads and Transport

c/o Mr T J Ntuane

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Regulations prescribing these measures shall become effective 3 (three) days after the closing date of this Notification until 31st December 2012 or unless withdrawn by the responsible Member of Executive Council.



RAYMOND ELISHA (MR)

MEC FOR PUBLIC WORKS ROADS AND TRANSPORT

NORTH WEST PROVINCE