
GOVERNMENT NOTICE
GOEWERMENTSKENNISGEWING

DEPARTMENT OF TRANSPORT
DEPARTEMENT VAN VERVOER

No. R. 342

6 May 2014

CROSS-BORDER ROAD TRANSPORT ACT, 1998 (ACT 4 OF 1998):
AMENDMENT REGULATIONS, 2014

I, Elizabeth Dipuo Peters, Minister of Transport, hereby make Regulations in the Schedule in terms of section 51 of the Cross-Border Road Transport Act, 1998 (Act No 4 of 1998).

These amended Regulations are published for compliance and general information.



ED Peters
Minister of Transport

SCHEDULE

Definitions

1. In this Schedule, unless the context indicates otherwise, the expression “the Regulations” mean the Cross-Border Road Transport Regulations, published in terms of section 51 under Government Notice No. R464 of 3 April 1998, as amended by Government Notice Nos. R.988 of 13 August 1999, R.682 of 7 July 2000 and R.677 of 2 June 2003.

Amendment of regulation 1 of the Regulations

2. Regulation 1 is hereby amended—

(a) by the insertion of the following definitions after the definition of ‘Act’:

“application fee” means a prescribed fee payable at the time of any application to the Regulatory Committee in connection with a permit and prior to consideration of any application;

“bus” has the same meaning as defined in section 1 of the National Land Transport Act, 2009 (Act No. 5 of 2009);

(b) by the insertion of the following definitions after the definition of ‘Chief Executive Officer’:

“compliance fee” means a prescribed fee payable annually in connection with compliance to section 47(6) of the Act in respect of a cross-border road transport permit valid for a maximum period of five years;

“class 1 vehicle” in relation to cross-border freight transport, means any mechanically propelled vehicle or combination of vehicles which is constructed, adapted or used for the carriage of freight and which does not exceed a maximum gross mass of 20 000 kg;

“class 2 vehicle” in relation to cross-border freight transport, means any mechanically propelled vehicle or combination of vehicles which is constructed, adapted or used for the carriage of freight and which exceeds a maximum gross mass of 20 000 kg;

- (c) by the insertion of the following definitions after the definition of 'Joint Route Management Group':

"midibus" has the same meaning as defined in section 1 of the National Land Transport Act, 2009 (Act No. 5 of 2009);

"minibus" has the same meaning as defined in section 1 of the National Land Transport Act, 2009 (Act No. 5 of 2009);

"permit fee" means a prescribed fee payable prior to the issuing of any permit where any application in connection with any permit has been granted by the Regulatory Committee and includes an annual compliance fee as applicable;

- (d) by the insertion of the following definitions after the definition of 'Route Management Group':

"Schedule 1" means Schedule 1 attached to and part of these Regulations setting out the amount of the prescribed application fee payable in respect of each type of application made to the Regulatory Committee in connection with a permit;

"Schedule 2" means Schedule 2 attached to and part of these Regulations setting out the amount of the prescribed permit fee in respect of each type of permit, size of vehicle, type of transport service, where applicable, and validity of permit granted by the Regulatory Committee in connection with a permit;

"tourist transport service" has the same meaning as defined in section 1 of the National Land Transport Act, 2009 (Act No. 5 of 2009);

Amendment of regulation 5 of the Regulations

3. Regulation 5 of the Regulations is hereby amended—

- (a) by the substitution for subregulation (1) of the following subregulation:

"(1) Where the Regulatory Committee has granted an application for a permit or renewal of a permit and [Upon] upon payment of the prescribed [issuing] permit fee referred to in regulation 7(3) and the furnishing of documentation requested by the Regulatory Committee [,] and proof of payment [and], a permit must be issued, which must be handed to the applicant or to his or her representative, posted to the applicant by registered post or forwarded to the applicant by such means as required by the applicant."

(b) by the substitution for subregulation (2)(a) of the following subregulation:

“(2)(a) If the applicant fails to pay the prescribed [issuing] permit fee contemplated in subregulation (1) within 60 days after having been informed of the decision of the Regulatory Committee that the permit was granted, the authorization to issue the permit expires, subject to paragraph (b).”

(c) by the insertion of the following subregulation after subregulation 5(4):

“(5) The holder of a permit valid for a period longer than one year must submit the documentation as required in terms of subsection 47(6) of the Act on or before each annual anniversary date of the first issue of the permit.”

“(6) Where a permit is valid for a period of longer than one year, an annual compliance fee must be paid annually on or before the annual anniversary date of the first issue of the permit.”

Amendment of Regulation 6 of the Regulations

4. Regulation 6 is hereby amended—

(a) by the substitution for the heading of the following heading:

“Permits for replacement of vehicle, duplicate permits and [renewal permits] corrections”

(b) by the substitution for subregulation (2) of the following subregulation:

“(2) A permit for replacement of vehicle must be issued by the Regulatory Committee if subregulation (1) has been complied with and the prescribed [fees] application fee and permit fee referred to in **[regulation 7(2)(e) and 3(g)]** subregulations 7(2) [have] and 7(3) has been paid.”

(c) by the substitution for subregulation (3)(c) of the following subregulation:

“(c) submit and pay to the Regulatory Committee the prescribed application fee referred to in **[regulation 7(2)(f)]** subregulation 7(2) and an affidavit setting forth the reasons why a duplicate permit is required.

(d) by the substitution for subregulation (4) of the following subregulation:

(4) If the applicant has complied with subregulations (3), the Regulatory Committee must upon payment of the prescribed permit fee referred to in regulation 7(3) issue a duplicate permit on which –

- (a) the word “duplicate” is endorsed; and
- (b) the appropriate number of journeys undertaken under the original permit, if applicable, is cancelled.

(e) by the substitution for subregulation (6) of the following subregulation:

(6) The Regulatory Committee may not consider an application for the renewal of a permit granted for a fixed period unless the application, together with the prescribed application fee as referred to in regulation 7(2) and any other documentation requested by the Regulatory Committee, has been received by the Regulatory Committee on or before the date on which that permit expires.

(f) by the insertion of the following subregulation after subregulation (7):

“(8) A permit holder wishing to effect a correction on a permit must –

- (a) Complete the relevant portions of the form provided by the Regulatory Committee;
- (b) Submit the form within 7 days from the date of first issue of the permit; and
- (c) Pay the prescribed fee in terms of Schedule 1 and Schedule 2.

Amendment of regulation 7 of the Regulations

5. Regulation 7 of the Regulations is hereby amended—

(a) by the substitution for subregulation 7(1) with the following subregulation:

“7(1) [The] A prescribed application fee and [the issuing] permit fee [are] is payable in respect of each vehicle and in respect of each country in which the applicant wishes to pick-up or set-down goods or passengers.”

(b) by the substitution for subregulation (2) of the following subregulation:

“(2) An application fee is payable in relation to all applications made to the Regulatory Committee in connection with a permit as prescribed and set out in Schedule 1.”

(c) by the substitution for subregulation (3) of the following sub regulation:

“(3) Where an application for a permit or renewal of a permit, a duplicate permit, correction or replacement is granted by the Regulatory Committee, a permit fee is payable as prescribed and set out in Schedule 2.”

(d) by the insertion of the following subregulations after subregulation (4):

“(5) The amount of an application fee as prescribed in Schedule 1 and a permit fee as prescribed in Schedule 2 will escalate each year on 1 April by an amount that is in line with the year-to-year increase in the official Consumer Price Index and rounded off to the nearest ten South African Rand.

“(6) The Agency must before 1 April of the year in question revise Schedule 1 and Schedule 2 in accordance with subregulation 7(4) and publish any proposed adjustment to a prescribed application fee and permit fee in the Gazette.”

Title and commencement

6. These Regulations are called the Cross-Border Road Transport Act Amendment Regulations, 2014 and shall come into operation on the day of its publication in the Gazette.

SCHEDULE 1: APPLICATION FEES	
TYPE OF APPLICATION	AMOUNT
PART A: WITH RESPECT TO ALL APPLICATIONS FOR ANY CABOTAGE PERMIT	R2 000
PART B: WITH RESPECT TO ALL APPLICATIONS FOR ANY CROSS-BORDER ROAD TRANSPORT PERMIT FOR THE CONVEYANCE OF FREIGHT	R570
PART C: WITH RESPECT TO ALL APPLICATION FOR ANY CROSS-BORDER ROAD TRANSPORT PERMIT FOR THE CONVEYANCE OF PASSENGERS	R160
PART D: WITH RESPECT TO ALL APPLICATIONS FOR ANY CORRECTION OF ANY PERMIT OR AN AMENDMENT OF ANY PERMIT OR ANY DUPLICATE PERMIT OR ANY REPLACEMENT PERMIT	R160

SCHEDULE 2: PERMIT FEES	
TYPE OF PERMIT	AMOUNT
PART A: WITH RESPECT TO ALL CABOTAGE PERMITS	
In relation to a temporary permit valid for 14 days	R2 000
In relation to a permit valid for 3 Months	R6 000
In relation to a permit valid for 12 Months	R18 000
PART B: WITH RESPECT TO A CROSS-BORDER TRANSPORT PERMIT FOR THE CONVEYANCE OF FREIGHT	
(a) With respect to a class 1 vehicle:	
In relation to a temporary permit valid for 14 days	R750
In relation to a permit valid for 3 months	R1 420
In relation to a permit valid for 12 Months	R4 290
In relation to a valid for 5 Years	R6 000
In relation to a permit renewal valid for 12 Months	R4 290
In relation to a permit renewal valid for 5 Years	R6 000
In relation to annual compliance in respect of a permit valid for 5 Years	R1 030
(b) With respect to a class 2 vehicle:	
In relation to a temporary permit valid for 14 days	R1 000
In relation to a permit valid for 3 months	R1 900
In relation to a permit valid for 12 Months	R5 720
In relation to a permit valid for 5 Years	R8 000
In relation to a permit renewal valid for 12 Months	R5 720
In relation to a permit renewal valid for 5 Years	R8 000
In relation to annual compliance in respect of a permit valid for 5 Years	R1 370
PART C: WITH RESPECT TO ALL CROSS-BORDER TRANSPORT PERMITS FOR THE CONVEYANCE OF PASSENGERS:	
(a) With respect to a minibus or midibus	
In relation to a temporary permit valid for a maximum of 14 days	R160
In relation to a permit valid for 3 months	R320
In relation to a permit valid for 12 Months	R1 780
In relation to a permit valid for 5 Years	R4 000
In relation to a permit renewal valid for 12 Months	R1 780
In relation to a permit renewal valid for 5 Years	R4 000
In relation to annual compliance in respect of a permit valid for 5 Years	R600
(b) With respect to a bus	
In relation to a temporary permit valid for a maximum of 14 days	R180
In relation to a permit valid for 3 months	R360
In relation to a permit valid for 12 Months	R2 000
In relation to a permit valid for 5 Years	R4 600
In relation to a permit renewal valid for 12 Months	R2 000
In relation to a permit renewal valid for 5 Years	R4 600
In relation to annual compliance in respect of a permit valid for 5 Years	R690
(c) With respect to a minibus or midibus providing a tourist transport service	
In relation to a temporary permit valid for a maximum of 14 days	R170
In relation to a permit valid for 3 months	R530
In relation to a permit valid for 12 Months	R1 930
In relation to a permit valid for 5 Years	R4 200
In relation to a permit renewal valid for 12 Months	R1 930
In relation to a permit renewal valid for 5 Years	R4 200
In relation to annual compliance in respect of a permit valid for 5 Years	R630
(d) With respect to a bus providing a tourist transport service	
In relation to a temporary permit valid for a maximum of 14 days	R190
In relation to a permit valid for 3 months	R1 830
In relation to a permit valid for 12 Months	R2 070
In relation to permit valid for 5 Years	R4 830
In relation to a permit renewal valid for 12 Months	R2 070

In relation to a permit renewal valid for 5 Years	R4 830
In relation to annual compliance in respect of a permit valid for 5 Years	R724
PART D: WITH RESPECT TO A PERMIT FOR CORRECTION OF ANY PERMIT OR AN AMENDMENT OF A PERMIT OR A DUPLICATE PERMIT OR REPLACEMENT PERMIT	
In relation to correction of permit	R160
In relation to amendment of permit	R660
In relation to duplicate permit	R160
In relation to replacement of permit (vehicle)	R160