DEPARTMENT OF TRANSPORT

NOTICE 2670 OF 2024

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

SECOND AMENDMENT TO THE NATIONAL LAND TRANSPORT REGULATIONS, 2009

The Minister of Transport, after consultation with the MECs, has made the regulations in the Schedule under sections 8(1)*(a)*, *(w)* and *(cc)*, 54(5) and (6) and 82(1) of the National Land Transport Act, 2009 (Act No. 5 of 2009).

MS S CHIKUNGA, MP

MINISTER OF TRANSPORT

DATE: 2024/06/17

SCHEDULE

GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing Regulations.

________ Words underlined with a solid line indicate insertions in existing Regulations.

Definitions

1. In this Schedule "the Regulations" means the National Land Transport Regulations, 2009 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.

Amendment of regulation 17 of the Regulations

3. Regulation 17 of the Regulations is hereby amended by –

(a) substituting paragraph *(d)* of subregulation (1) with the following:

"*(d)* the route or routes or area or areas of operation <u>for which the applicant has applied as reflected in the application form.</u>

(b) inserting the following subregulation after subregulation (3):

"<u>(3A) The regulatory entity must ensure that details concerning the routes or areas contemplated in subregulation (1)*(d)* are available for inspection by interested persons at the offices of the entity and on the Website used by the entity and supply such details by electronic mail (e-mail) to any person who requests them in writing within seven days of the request</u>."

Amendment of regulation 25 of the Regulations

4. Regulation 25 of the Regulations is hereby amended by substituting subregulation (1) with the following:

"(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, provided that a grace period of 21 days after the date of expiry of the licence will be granted for such application to be made."

Amendment of regulation 26 of the Regulations

5. Regulation 26 of the Regulations is hereby amended by inserting the following subregulation after subregulation (2):

"(3) The authorisation must specify that it is valid for the period determined by the regulatory entity, which date is specified in the authorisation, and which period may not be longer than six months from the date that the authorisation was issued."

Amendment of regulation 27 of the Regulations

6. Regulation 27 of the Regulations is hereby amended by substituting the introductory portion of subregulation (3) thereof with the following:

"(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 not operate the vehicle for a public transport service on a public road–"

Amendment of regulation 30 of the Regulations

7. Regulation 30 of the Regulations is hereby amended by substituting subregulation (1) thereof with the following:

"(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, subject to regulation 34A."

Amendment of regulation 32 of the Regulations

8. Regulation 32 of the Regulations is hereby amended by–

(a) substituting paragraph (a) of subregulation (1) with the following:

"(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 persons **[operators]** who are new to **[in]** the

industry, and with due regard to the need to promote small business and persons previously disadvantaged by unfair discrimination;"

(b) substituting paragraph (d) of subregulation (1) with the following:

"(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 producing records of regular servicing by an acceptable garage or service centre or mechanic; **[in accordance with the specifications of the manufacturer of the vehicle]** or

(ii) in appropriate cases, by **[suitably qualified]** adequately trained or experienced staff of the operators in workshops or other facilities that have been inspected and approved by or on behalf of the NPTR;"

Insertion of regulation 34A of the Regulations

9. The following regulation is hereby inserted in the Regulations after regulation 34:

"**Applications for operating licences for tourist transport services**

34A. (1) A person who–

(a) has not yet been accredited under section 82(4) of the Act; and

(b) has not yet applied for accreditation, and

(b) wishes to operate tourist transport services by means of vehicles for which operating licences have not yet been issued,

must apply simultaneously for accreditation in terms of regulation 30 and for the necessary operating licences in terms of section 54 of the Act by completing form 5AA as shown in Schedule 1 and paying the application fee specified in Schedule 2 and supplying the documents contemplated in regulation 35(3).

(2) An operator who already holds operating licences authorising tourist transport services but has not yet been accredited under section 82(4) of the Act–

(a) may continue to operate such vehicles in terms of such licences, but

(b) must apply for accreditation if he, she or it has not already done so without delay to avoid being barred from operating such services when the Minister determines the date contemplated in section 81(1) of the Act.

(3) An operator contemplated in subregulation (2) who wishes to renew an operating licence contemplated in that subregulation, must apply

simultaneously for renewal of the licence in terms of regulation 25 and for accreditation in terms of regulation 30.

(4) Where the NPTR refuses an application for accreditation, the operator must–

(a) cease to operate tourist transport services forthwith; and

(b) submit any operating licences held by him, her or it which authorise tourist transport services to the NPTR for amendment or cancellation, as the case may be, within 21 days of the date that such accreditation was refused, subject to subregulation (6) and (7).

(5) Where an operating licence authorizes services other than tourist transport services in addition to tourist transport services, the NPTR must carry forward the authorisation for all the relevant services when issuing a new operating licence; provided that the validity period of the new licence must be aligned with the period of validity of the operator's accreditation.

(6) When cancelling an operating licence in terms of subregulation (4)(b) the NPTR must follow the procedure contemplated in section 79(4) of the Act, reading in the necessary changes.

(7) Where an operator contemplated in subregulation (4) has lodged an appeal, or a review application in terms of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), to a competent court or tribunal, as the case may be, against the decision to refuse accreditation, subregulation (4) will not apply unless the appeal or review application is withdrawn or is dismissed by the court or tribunal."

Amendment of regulation 35 of the Regulations

10. Regulation 35 of the Regulations is hereby amended by –

(a) substituting subregulation (1) thereof with the following:

"(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 such vehicle and issue an operating licence for it if proper application has been made for such licence as contemplated in regulation 35A(1) **[in the manner set out in subregulation (5)]**."

(b) substituting subregulation (2) thereof with the following:

"(2) An accredited operator may apply for certification of and issuing of an operating licence for additional vehicles under section 84 of the Act by completing the application form shown as Form 5AA 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."

(c) inserting the following subregulation after subregulation (2) thereof:

"(2A) An accredited operator may not operate a vehicle that has been certified in terms of subregulation (1) or (2), unless an operating licence has been issued for the vehicle in terms of regulation 36."

(d) replacing the introductory portion of subregulation (3) with the following:

"(3) **[The applicant]** An accredited operator applying for an operating licence contemplated in subregulation (2) must submit with the application—"

Amendment of regulation 36 of the Regulations

11. Regulation 36 of the Regulations is hereby amended by –

(a) substituting subregulation (1) with the following:

"(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, such accredited operator must apply for an operating licence for that vehicle to operate tourist transport as contemplated in regulation 35, by completing Form 5AA in Schedule 1 **[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]**.

(b) inserting the following subregulation after subregulation (1):

"(1A) On compliance by the operator with subregulation (1) and regulation 35(1) and (2), the NPTR **[it]** must issue an operating licence for the **[that]** vehicle, which will replace any permit or operating licence already issued for that vehicle."

(c) substituting subregulation (3) with the following:

"(3) When issuing an operating licence to an operator who is accredited in terms of section 81 of the Act, that operator must submit to the NPTR any permit or operating licence previously issued for the relevant vehicle which authorizes services other than tourist transport services, and the NPTR must include such authorisations in the licence issued pursuant to the accreditation, subject to regulation 34A (5)."

Amendment of regulation 38 of the Regulations

12. Regulation 38 of the Regulations is hereby amended by substituting the following for subregulation (1) thereof:

"(1) If satisfied that the applicant is accredited and that the vehicle complies with the requirements set out in these Regulations and **[regulation**

32(1)] section 84(3) of the Act, and after proper application for an operating licence having been made in terms of regulation 34A(1) or 36(1) as the case may be, the NPTR must issue an operating licence to the applicant within 14 days of the application having been made, subject to all granting requirements having been met, and **[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 subregulation (2)."

Amendment of regulation 42 of the Regulations

13. Regulation 42 of the Regulations is hereby amended by:

(a) substituting the following for paragraph *(a)* of subregulation (1) thereof:

"*(a)* Where applicable a contract between the operator and the school or other educational institution or department or a certified copy thereof, or a letter from the principal or authorized administrative officer of **[the]** such institution **[approving]** confirming that the operator **[and]** will provide the transport, a copy of which must be kept in each vehicle being used for such a service;"

(b) substituting the following for the introductory portion of subregulation (4) thereof:

"(4) As from a date to be published by the Minister in the *Gazette*, all vehicles used for scholar transport must–"

(c) by the repeal of subregulations (6) and (7) thereof;

Amendment of regulation 49 of the Regulations

14. The following regulation is hereby substituted for regulation 49 of the Regulations:

"**49.** (1) 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.

(2) The fees specified in Schedule 2 must be increased on 1st of April each year after this subregulation comes into operation, i.e. with effect from the beginning of the relevant financial year, according to any increase reflected in the Consumer Price Index as published from time to time."

Amendment of Schedule 1 of the Regulations

15. Schedule 1 to the Regulations is hereby amended:

(a) by inserting the following in the list of forms after Form 5A:

"Form 5AA Application for Operating Licence for Tourist Transport Services"

(b) by inserting the following form 5AA titled *Application for Operating Licence for Tourist Transport Services* after Form 5A:

transport

Department:
Transport
REPUBLIC OF SOUTH AFRICA

FORM 5AA

DEPARTMENT OF TRANSPORT

National Public Transport Regulator

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

APPLICATION FOR OPERATING LICENCE FOR TOURIST TRANSPORT SERVICES

A. Particulars of applicant

Name of applicant: (Company, close corporation, partnership, trust or other legal entity or full names if a sole proprietor)

……………………………

Type of identification:

RSA identity document		Temporary identify certificate	
Passport		Foreign identity document	
Founding statement		Partnership agreement	
Certificate of incorporation		Letters of authority (trust)	
Other (specify)			

Identity/passport/business registration number: …………………………………

Trade name (if applicable): ……………………………………………………………

Type of business: ……………………………………………………………………………

Postal address and code: ……………………………………………………………….

Street address (if different from postal address) (to be used as *domicilum citandi et executandi*):

……………………………………………………………………………………………

Telephone number(s) and code: ……………………………………………………

E-mail address (if any) : ……………………………………………………………….

Income tax registration number: ………………………………………………….

[Attach original tax clearance certificate or pin]

Accreditation number (if already accredited)………………………………………………..

[Copy of Accreditation Certificate to be attached if applicable]

Contact person (full names, telephone number(s) and e-mail address if applicable):

…………………………………………………………………………………………….

B. Particulars of vehicles for which operating licences are required:

[Certified copies of service records to be supplied]

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 or sheets. **C. Declaration**

[Declaration to be made by the operator or his/her/its authorized representative]

I, the undersigned (full names) …………………………………………………

Certify that the information supplied in this application form is true and correct.

Accept that if any of such information is found to be false, the application will be rejected and I may be disqualified from applying for operating licences in the future and my accreditation may be cancelled in terms of section 83 of the Act.

Signature ……………. Date …………

D. For office use

Details captured in OLAS on (date) ……………….

OLAS reference number ……………..…………..

Amount paid R………….

Full names of official ………………..……………

Signature of official ……………. Date …………

E. Checklist for office use

Application form properly completed	
Copy of accreditation certificate (if applicable)	
Proof of registration and licensing of each vehicle	
Proof of roadworthy certificate for each vehicle	
Copies of service records for each vehicle	

Replacement of Schedule 2 of the Regulations

16. Schedule 2 to the Regulations is hereby replaced by the following:

"SCHEDULE 2: TABLE OF FEES

Regulation	Description	Fee
2(1), 3(1), 6(1), 7(1), 10(1), 11(1), 15(2), 16(1)	Application for new operating licence, or for renewal, amendment, transfer or conversion of an operating licence or permit	R600,00
6(6)	Submission of application to the NPTR in terms of section 21(4) of the Act	R600,00
17(4)(b) and (c)	Inspection of documents or requesting copies	R100,00 per request
17(4)(d)	Providing copies	R2,00 per folio
20	Application for temporary operating licence	R100,00
26	Application for written authorization to replace a vehicle temporarily	R100,00
28, 36(8)	Application for duplicate operating licence or decal	R600,00
29(3)	Notification of courtesy service to NPTR	R600,00
30(1), 35(1)	Application for accreditation, or renewal of accreditation of a tourist transport operator or for amendment of conditions of accreditation	R2 000,00

Short title and commencement

17. These Regulations are called the Second Amendment of the National Land Transport Regulations, 2024.

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UMNYANGO WEZOKUTHUTHA

UMTHETHO KAZWELONKE WEZOKUTHUTHA EZIHAMBA PHANSI, WEZI-2009 (UMTHETHO 5 WEZI-2009)

ISICHIBIYELO SESIBILI SEMITHETHONQUBO KAZWELONKE YEZOKUTHUTHA EZIHAMBA PHANSI, YEZI-2009

UNgqongqoshe Wezokuthutha, ngemva kokubonisana noNgqongqoshe Bezifundazwe, wenze imithethonqubo kwiSheduli ngaphansi kwezigaba esesi-8(1)*(a)*, *(w)* no-*(cc)*, esama-54(5) nesesi-(6) kanye nesama-82(1) zoMthetho kaZwelonke Wezokuthutha Ezihamba Phansi, wezi-2009 (uMthetho 5 wezi-2009).

NKZ. S CHIKUNGA, MP

UNGQONGQOSHE WEZOKUTHUTHA

USUKU: 2024/08/17

ISHEDULI

INCAZELO EF!NGQIWE EJWAYELEKILE:

[ ] Amagama agqamile akubakaki abayisikwele abagqamile amele okukhishiwe kwimithethonqubo esebenzayo.

______ Amagama adwetshelwe ngomugqa ogqamile amele okufakiwe kwimithethonqubo esebenzayo.

Izincazelo

1. kule Sheduli "iMithethonqubo" ichaza iMithethonqubo Kazwelonke Yezokuthutha Ezihamba Phansi, yezi-2009 ekhishwe ngaphansi kweSaziso R.1208 sangomhla ziyi-17 kuZibandlela wezi-2009 njengoba ichitshiyelwe iSaziso R.399 sangomhla ziyi-14 kuNhlaba wezi-2010 futhi njengoba iqhubeka ichitshiyelwa izikhathi ngezikhathi.

Ukuchibiyela umthethonqubo we-17 weMithethonqubo

3. Ngakho-ke uMthethonqubo we-17 weMithethonqubo uchitshiyelwe−

(a) ngokufaka lokhu okulandelayo endaweni yesigatshana *(d)* somtheshwananqubo woku-(1):

"*(d)* umzila noma imizila noma indawo noma izindawo zokusebenza umfakisicelo azifakele isicelo njengoba kuvezwe efomini lesicelo.

(b) ngokufaka lomtheshwananqubo ngemva komtheshwananqubo wesi-(3):

"(3A) Umnyango olawulayo kufanele uqinisekise ukuthi imininingwane emayelana nemizila noma izindawo ezihlongozwe kwisigatshana somtheshwananqubo woku-(1)*(d)* iyatholakala ukuze ihlolwe abantu abanentshisekelo emahhovisi omnyango kanye nakwiSizindalwazi somnyango futhi unikeze leyo mininingwane nge-imeyili kunoma yimuphi umuntu oyicela ngokubhalela umnyango zingakapheli izinsuku eziyisikhombisa zesicelo."

Ukuchibiyela umthethonqubo wama-25 weMithethonqubo

4. Ngakho-ke uMthethonqubo wama-25 weMithethonqubo uchitshiyelwe ngokufaka lokhu okulandelayo endaweni yomtheshwananqubo woku-(1):

"(1) Lapho ilayisense yokuthutha yayikhishelwe izinsuku ezingaphezu kwezingama-30 futhi umnikazi efisa ukuyivuselela, umnikazi kufanele afake isicelo **[kungakapheli izinsuku ezingama-30]** ngaphambi kokuphelelwa yisikhathi sokuvuselelwa kwelayisensi, ingobo nje uma kuzonikezwa isikhathi somusa esiyizinsuku ezingama-21 ngemuva kosuku lokuphela kwesikhathi selayisensi ukuthi isicelo senziwe."

Ukuchibiyela umthethonqubo wama-26 weMithethonqubo

5. Ngakho-ke uMthethonqubo wama-26 weMithethonqubo uchitshiyelwe ngokufaka lomtheshwananqubo olandelayo ngemuva komtheshwananqubo wesi-(2):

"(3) Incwadi yemvume kufanele icacise ukuthi isebenza isikhathi esingunywe umnyango olawulayo, usuku lushiwo encwadini yemvume, futhi isikhathi akumele sibe ngaphezu kwezinyanga eziyisithupha kusukela ngosuku okwakhishwa ngalo incwadi yemvume."

Ukuchibiyela umthethonqubo wama-27 weMithethonqubo

6. Ngakho-ke uMthethonqubo wama-27 weMithethonqubo uchitshiyelwe ngokufaka lokhu okulandelayo endaweni yengxenye yesingeniso somtheshwananqubo wesi-(3):

"(3) Lapho leyo dikheli yanikezwa umnikazi ngokoMthetho, uMthetho woGuquko noma umthetho wangaphambilini ukuthi umnikazi angeke asebenzise imoto ukuthutha umphakathi emgwaqeni womphakathi. –"

Ukuchibiyela umthethonqubo wama-30 weMithethonqubo

7. Ngakho-ke uMthethonqubo wama-30 weMithethonqubo uchitshiyelwe ngokufaka lokhu okulandelayo emtheshwaneninqubo woku-(1):

"(1) Isicelo sokugunyazwa njengomininimoto wezokuthutha izivakashi ngaphansi kwesigaba sama-82 soMthetho kufanele sifakwe ngokugcwalisa ifomu lesicelo elikhonjiswe kwiSheduli 1 bese silithumela kwi-NPTR nemali yesicelo eshiwo kwiSheduli 2, kuncike kumthethonqubo wama-34A."

Ukuchibiyela umthethonqubo wama-32 weMithethonqubo

CONTINUES ON PAGE 130 OF BOOK 2

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8. Ngakho-ke uMthethonqubo wama-32 uchitshiyelwe−

(a) ngokufaka lokhu okulandelayo endaweni yendima (a) yomtheshwananqubo woku-(1):

"(a) Ukuthi umfakisicelo uyahambisana yini nesigaba sama-81(2) soMthetho kanye nale mithethonqubo, ngokubheka irekhodi langaphambilini lomfakisicelo njengomqhubi, phakathi kokunye maqondana nokuphepha kanye nokuhambisana nomthetho, kodwa ngaphandle kokubandlulula abantu **[abaninizimoto]** abasha embonini, futhi ngokubheka isidingo sokuthuthukisa amabhizinisi amancane kanye nabantu ababencishwe amathuba ngaphambilini ngenxa yobandlululo olungenabulungiswa;"

(b) ngokufaka lokhu okulandelayo endaweni yendima (d) yomtheshwananqubo woku-(1):

"(d) ukuthi umfakisicelo unohlelo lokunakekela kanye nelokulungisa zonke izimoto ezisetshenziswayo noma ezizosetshenziswa ngumfakisicelo, olwamukelekile kwi-NPTR−

(i) kungaba ngokukhiqiza amarekhodi okulungiswa kwemoto okuvamile kwegaraji elamukelekile noma isikhungo sekulungisa noma umakhenikha; **[ngokuhambisana neminininingwane yomkhiqizi wemoto]** noma

(ii) ezimeni ezifanele, kungaba ngabasebenzi **[abaqeqeshwe ngokufanele]** abaqeqeshwe ngokwanele noma abanolwazi lwemishini kumashabhu noma ezinye izikhungo ezihloliwe futhi zagunyazwa i-NPTR noma egameni layo;"

Ngokufaka uMthethonqubo wama-34A weMithethonqubo

9. Ngakho-ke umthethonqubo olandelayo ufakwe kwiMithethonqubo ngemuva koMthethonqubo wama-34:

"**Izicelo zamalayisensi okuthutha okuhlinzeka izinsizakalo zokuthutha izivakashi**

34A. (1) Umuntu−

(a) ongakamukelwa ngaphansi kwesigaba sama-84(4) soMthetho; futhi

(b) ongakafaki isicelo sokwamukelwa, futhi

(b) ofisa ukuhlinzeka ngezinsizakalo zokuthutha izivakashi ngezimoto ezingakakhishelwa amalayisensi okuthutha,

Kumele afake izicelo kanye kanye, esokwamukelwa ngaphansi komthethonqubo wama-30 kanye namalayisensi okuthutha/okusebenza anesidingo ngokwesigaba sama-54 soMthetho ngokugcwalisa ifomu 5AA njengoba kukhonjisiwe kwiSheduli 2 futhi akhiphe amaphepha ahlongozwe kumthethonqubo wama-35(3).

(2) Umninimoto osevele enamalayisense okusebenza agunyaza ukuthi ahlinzeke ngezinsizakalo zokuthutha izivakashi kodwa ongakagunyazwa ngaphansi kwesigaba sama-82(4) soMthetho. –

(a) angaqhubeka nokusebenzisa lezo zimoto ngokwalawo malayisensi, kodwa

(b) kufanele afake isicelo sokugunyazwa ngaphandle kokulibala uma engakakwenzi lokho ukuze agweme ukuvinjelwa ekusebenziseni lezo zinsizakalo lapho uNgqongqoshe enquma usuku oluhlongozwe esigabeni sama-81(1) soMthetho.

(3) Umninimoto ohlongozwe kwisigatshana somthethonqubo sesi-(2) ofisa ukuvuselela ilayisense yokuthutha ehlongozwe kuleso sigatshana somthethonqubo, kufanele afake kanyekanye isicelo sokuvuselela ilayisensi ngokomthethonqubo wama-25 kanye nesokugunyazwa ngokomthethonqubo wama-30.

(4) Lapho i-NPTR yenqaba isicelo sokugunyazwa, umninimoto kufanele –

(a) ayeke ngokushesha ukuhlinzeka ngezinsizakalo zokuthutha izivakashi; futhi

(b) athumele noma yimaphi amalayisense okuthutha anawo, agunyaza ukuhlinzeka ngezinsizakalo zokuthutha izivakashi kwi-NPTR ukuze achitshiyelwe noma asulwe, kuye ngokuthi yikuphi, zingakapheli izinsuku ezingama-21 kusukela ngosuku okwanqatshwa ngalo lokho kugunyazwa, kuncike kwisigatshana somthethonqubo sesi-(6) kanye nesesi-(7).

(5) Lapho ilayisense yokuthutha igunyaza ukuhlinzekwa kwezinye izinsizakalo ngaphezu kwezinsizakalo zokuthutha izivakashi, i-NPTR kufanele iqhubekisele phambili ukugunyazwa kwazo zonke izinsizakalo ezifanele lapho ikhipha ilayisense yokuthutha entsha; inqobo nje uma isikhathi sokusebenza kwelayisensi entsha kufanele kuhambisane nesikhathi sokusebenza kokugunyazwa komninimoto.

(6) Lapho kusulwa ilayisense yokuthutha ngokwesigatshana somthethonqubo sesi-(4)(b) i-NPTR kufanele ilandele inqubo ehlongozwe esigabeni sama-79(4) soMthetho, ifunde/yenze izinguquko ezidingekayo.

(7) Lapho umninimoto ohlongozwe esigatshaneni somthethonqubo wesi-(4) efake isikhalo, noma isicelo sokubuyekeza ngokoMthetho Wokukhuthaza Ukuphatha Okunobulungiswa, wezi-2000 (uMthetho 3 wezi-2000), enkantolo enamandla noma enkantolo ekhethekile, kuye ngokuthi yikuphi, ngokumelene nesinqumo sokwenqaba ukugunyazwa, isigatshana somthethonqubo sesi-(4) angeke sisebenze ngaphandle uma isikhalo noma isicelo sokubuyekeza sihoxiswa noma sichithwa yinkantolo ekhethekile."

Ukuchibiyela umthethonqubo wama-35 weMithethonqubo

10. Ngakho-ke uMthethonqubo wama-35 weMithethonqubo uchitshiyelwe–

(a) ngokufaka lokhu okulandelayo endaweni yomtheshwanonqubo woku-(1):

"(1) Lapho igunyaza umninimoto ngaphansi kwesigaba sama-82(4) soMthetho, i-NPTR kufanele iqinisekise ubuqiniso bemininingwane kanye nemibhalo ephathelene nezimoto zomninizimoto njengoba zihlinzekwe efomini lesicelo sokugunyazwa, futhi uma yenelisekile ukuthi imoto noma izimoto ziyahambisana nesigaba sama-84(3) soMthetho, kufanele igunyaze leyo moto futhi ikhiphe ilayisense yokuthutha uma senziwe isicelo esifanele saleyo layisense njengoba kuhlongozwe kumthethonqubo wama-35A(1) **[ngendlela ebekwe esigatshaneni somthethonqubo wesi-(5)]** ."

(b) ngokufaka lokhu okulandelayo esigatshaneni sesi-(2):

"(2) Umninimoto ogunyaziwe angafaka isicelo sokugunyazwa nokukhishwa kwelayisense yokuthutha kwezimoto ezengeziwe ngaphansi kwesigaba sama-84 soMthetho ngokugcwalisa ifomu lesicelo elikhonjiswe njengeFomu 5AA kwiSheduli yoku-1 futhi alithumele kwi-NPTR nemali yesicelo eshiwo kwiSheduli yesi-2, futhi isicelo esinjalo singafakwa ngokwe-inthanethi."

(c) ngokufaka lomtheshwananqubo olandelayo ngemuva komtheshwananqubo wesi-(2):

"(2A) Umninimoto ogunyaziwe angeke aqhube imoto egunyazwe ngokwesigatshana somthethonqubo woku-(1) noma wesi-(2), ngaphandle uma ilayisensi yokuthutha ikhishelwe leyo moto ngokomthethonqubo wama-36."

(d) ngokususa ingxenye yesingeniso somtheshwananqubo wesi-(3) ngalokhu okulandelayo :

"(3) **[Umfakisicelo]** Umninimoto ogunyaziwe ofaka isicelo selayisense yokuthutha ehlongozwe esigatshaneni somthethonqubo wesi-(2) kufanele alethe kanye nesicelo—"

Ukuchibiyela umthethonqubo wama-36 wemithethonqubo

11. Ngakho-ke uMthethonqubo wama-36 weMithethonqubo uchitshiyelwe –

(a) ngokufaka lokhu okulandelayo endaweni yomtheshwananqubo woku-(1):

"(1) Lapho i-NPTR igunyaze imoto yokuthutha izivakashi ngokwesigaba sama-84 soMthetho kanye nomthethonqubo wama-35 womqhubi ogunyazwe ngokwesigaba sama-81 soMthetho, lowo mqhubi ogunyaziwe kufanele afake isicelo selayisense yokuthutha ukuze leyo moto isebenze kwezokuthutha izivakashi njengoba kuhlongozwe kumthethonqubo wama-35, ngokugcwalisa iFomu 5AA kwiSheduli yoku-1 **[kufanele ikhiphe ilayisense yokuthutha ukuze leyo moto ihlinzeke ezokuthutha izivakashi, ezothatha indawo yanoma iyiphi imvume noma ilayisense yokuthutha esivele isikhishelwe leyo moto]**.

(b) ngokufaka lomtheshwananqubo olandelayo ngemuva komtheshwananqubo woku-(1):

"(1A) Uma umninimoto ethobela isigatshana somthethonqubo woku-(1) kanye nomthethonqubo wama-35(1) kanye nesesi-(2), iNPTR kufanele ikhiphe ilayisense yokuthutha yemoto **[yaleyo moto]**, ezothatha indawo yanoma iyiphi imvume noma ilayisense yokuthutha esivele isikhishelwe leyo moto."

(c) ngokufaka lokhu okulandelayo endaweni yomtheshwananqubo wesi-(3):

"(3) Lapho enikeza ilayisense yokuthutha kumninimoto ogunyazwe ngokwesigaba sama-81 soMthetho, lowo mqhubi kufanele athumele kwi-NPTR noma iyiphi imvume noma ilayisense yokuthutha eyayikhishwe ngaphambili yemoto efanele egunyaza izinsizakalo ngaphandle kwezinsizakalo zokuthutha izivakashi, futhi ne-NPTR kufanele ifake lokho kugunyazwa kwilayisensi ekhishwe ngokulandela ukugunyazwa, kuncike kumthethonqubo wama-34A (5)."

Ukuchibiyela umthethonqubo wama-38 weMithethonqubo

12. Ngakho-ke uMthethonqubo wama-38 weMithethonqubo uchitshiyelwe ngokufaka lokhu okulandelayo endaweni yomtheshwananqubo woku-(1):

"(1) I-NPTR uma yanelisekile ukuthi umfakisicelo ugunyaziwe nokuthi imoto iyahambisana nezidingo ezibekwe kule Mithethonqubo kanye **[nomthethonqubo wama-32(1)]** nesigaba sama-84(3) soMthetho, nangemva kokufakwa kwesicelo esifanele selayisensi yokuthutha ngokomthethonqubo wama-34A(1) noma wama-36(1) kuye ngokuthi yikuphi, kumele inike umfakisicelo ilayisense yokuthutha zingakapheli izinsuku eziyi-14 isicelo senziwe, kuncike ekutheni kuhlangatshezenwe nazo zonke izidingo ezifunekayo zokukhishwa kwelayisensi, futhi **[ngalo lolosuku uma isicelo sifakwe ngaphambi kuka-12:00, noma ngakusasa uma sifakwe ngo-12:00 noma ngemva kwawo,]** kuncike esigatshaneni somthethonqubo wesi-(2)."

Ukuchibiyela umthethonqubo wama-42 weMithethonqubo

13. Ngakho-ke uMthethonqubo wama-42 weMithethonqubo uchitshiyelwe:

(a) ngokufaka lokhu okulandelayo endaweni yendima *(a)* yomtheshwananqubo woku-(1):

"*(a)* Lapho kufanele khona isivumelwano phakathi komqhubi nesikole noma esinye isikhungo semfundo noma umnyango noma ikhophi yaso eqinisekisiwe, noma incwadi evela kuthishanhloko noma isikhulu sokuphatha esigunyaziwe saleso sikhungo **[esivuma]** esiqinisekisa ukuthi umininimoto **[kanye]** uzohlinzeka ezokuthutha, ikhophi yaso okufanele igcinwe emotweni ngayinye esetshenziselwa lowo msebenzi;"

(b) ngokufaka lokhu okulandelayo endaweni yengxenye yesingeniso somtheshwananqubo wesi-(4):

"(4) Kusukela osukwini oluzokhishwa uNgqongqoshe kuSomqulu, zonke izimoto ezisetshenziselwa ukuthutha abezemfundo kufanele –"

(c) ngokuchithwa kwemitheshwananqubo yesi(6) neyesi-(7);

Ukuchibiyela uMthethonqubo wama-49 weMithethonqubo

14. Ngakho-ke lo mthethonqubo olandelayo ufakwe endaweni yomthethonqubo wama-49 weMithethonqubo:

"**49.** (1) UMnyango ungachibiyela amafomu akhonjiswe kwiSheduli yoku-1 **[noma izimali ezikhokhwayo ezibalulwe kwiSheduli yesi-2]** ngezikhathi ezithile ngaphandle kwesidingo sokuchibiyela le mithethonqubo.

(2) Izimali ezikhokhwayo ezishiwo kwiSheduli yesi-2 kufanele zinyuswe ngomhla ziyi-1 kuMbasa unyaka ngamunye ngemva kokuba lomtheshwananqubo uqale ukusebenza, okungukuthi, kusukela ekuqaleni konyaka wezimali ofanele, ngokwanoma yikuphi ukwenyuka okubonakala Kwinkomba Yamanani Abathengi njengoba ishicilelwe ngezikhathi ezithile."

Ukuchibiyela iSheduli yoku-1 yeMithethonqubo

15. Ngakho-ke iSheduli yoku-1 yeMithethonqubo ichitshiyelwe:

(a) ngokufaka lokhu okulandelayo ohlwini lwamafomu ngemva kweFomu 5A:

"Ifomu 5AA Isicelo Selayisense Yokuthutha Yezinsizakalo Zokuthutha Izivakashi "

(b) ngokufaka ifomu 5AA elilandelayo, isihloko salo esithi *Isicelo Selayisense Yokuthutha Yezinsizakalo Zokuthutha Izivakashi* ngemuva kweFomu 5A:

transport

Department:
Transport
REPUBLIC OF SOUTH AFRICA

IFOMU 5AA

UMNYANGO WEZOKUTHUTHA

Umlawuli Kazwelonke Wezokuthutha Zompakathi

UMTHETHO WEZOKUTHUTHA EZIHAMBA PHANSI, WEZI-2009 (UMTHETHO 5 WEZI-2009)

ISICELO SELAYISENSI YOKUHLINZEKA NGEZINSIZAKALO ZOKUTHUTHA IZIVAKASHI

A. Imininingwane yomfakisicelo

Igama lomfakisicelo: (Inkampani, ibhizinisi ledlanzana, ubambiswano ebhizinisini, ibhizinisi lezomthetho noma amagama aphelele uma engumninibhizinisi ozimele yedwa)

……………………………

Uhlobo lokuhlonza:

Umazisi waseNingizimu Afrika		Umazisi weskhashana	
Iphasiphothi		Umazisi wangaphandle	
Isitatimende sokusungula		Isivumelwano sobambiswano ebhizinisini	
Isitifiketi sebhizinisi		Izincwadi zegunya	
Okunye (cacisa)			

Umazisi/iphasiphothi/ inombolo yokubhalisa ibhizinisi: …………………………………

Igama lohwebo (uma kusebenza): ………………………………………………………………

Uhlobo lwebhizinisi: …………………………………………………………………………

Ikheli leposi kanye nekhodi: ………………………………………………………………

Ikheli lomgwaqo (uma lingefani neleposi) (lizosetshenziswa njengekheli lendawo yokuhlala):

………………………………………………………………………………………………

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Izinombolo zocingo kanye nekhodi: ……………………………………………………

Ikheli le-imeyili (uma likhona): ……………………………………………………………

Inombolo yokubhalisa yentela yemalingeniso: ……………………………………………………

[namathisela isitifiketi soqobo sobumsulwa kwezentela noma iphini]

Inombolo yokugunyazwa (uma sekugunyaziwe)………………………………………………..…

[Ikhophi Yesitifiketi Sokugunyazwa okufanele sinamathiselwe uma sikhona]

Umuntu okungaxhunyanwa naye (amagama aphelele, izinombolo zocingo kanye nekheli le-imeyili uma likhona):

………………………………………………………………………………………………

B. Imininingwane yezimoto ezidingelwa amalayisense okuthutha:

[Amakhophi aqinisekisiwe amarekhodi ensizakalo ezohlinzekwa]

Imoto 1

Inombolo yokubhaliswa kwemoto: ………………………………..….

Inombolo yokuhlonzwa kwemoto (phecelezi i*VIN*): ……………………………

Uhlobo lwemoto ……………………………..

Unyaka eyakhiqizwa ngayo………………………

Uhlobo lwemoto …………………………..…

Inani labagibeli abazothwalwa ………..

Imoto 2

Inombolo yokubhaliswa kwemoto: …………………………………….

Inombolo yokuhlonzwa kwemoto (phecelezi i*VIN*): ……………………………

Uhlobo lwemoto ……………………..

Unyaka eyakhiqizwa ngayo ………………

Uhlobo lwemoto ……………………

Inani labagibeli abazothwalwa ………..

Imoto 3

Inombolo yokubhaliswa kwemoto: …………………………………….

Inombolo yokuhlonzwa kwemoto (phecelezi i-*VIN*): ……………………………

Uhlobo lwemoto ……………………..

Unyaka eyakhiqizwa ngayo ………………

Uhlobo lwemoto ……………………

Inani labagibeli abazothwalwa …………

[Ezimweni lapho kukhona ezinye izimoto, nikeza imininingwane efanayo ekhasini elihlukile noma emakhasini ahlukene.

C. Isifungo

[Isifungo senziwa umninimoto noma ummeleli wakhe ogunyaziwe]

Mina, osayine ngezansi (amagama aphelele)……………………………………………….

Ngiyaqinisekisa ukuthi imininingwane enikezwe kuleli fomu lesicelo iyiqiniso futhi ilungile.

Ngiyamukela ukuthi uma noma yini yaleyo mininingwane etholakala ingamanga, isicelo sizonqatshwa futhi ngingase ngihoxiswe ekufanelekeni ukufaka isicelo samalayisense okuthutha esikhathini esizayo futhi ukugunyazwa kwami kungase kusulwe ngokwesigaba sama-83 soMthetho.

Isiginesha ……………. Usuku ………….

D. Okwehhovisi

Imininingwane ifakwe kwi-OLAS (usuku) ……………….

Inombolo yereferensi ye-OLAS …………………………….

Imali ekhokhiwe R………….

Amagama aphelele esikhulu …………………………………

Isiginesha yesikhulu ……………. Usuku ………….

E. Uhlu lokudingekayo lwehhovisi

Ifomu lesicelo ligcwaliswe kahle	
Ikhophi yesitifiketi sokugunyazwa (uma kusebenza)	
Ubufakazi bokubhaliswa kanye nelayisensi yemoto ngayinye	
Ubufakazi besitifiketi sokufaneleka ukuba semgwaqweni semoto ngayinye	
Amakhophi amarekhodi okulungiswa kwemoto ngayinye	

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Ukushintshwa kweSheduli yesi-2 yeMithethonqubo

16. Ngakho-ke iSheduli 2 yeMithethonqubo ikhishwe ngalokhu okulandelayo:

"ISHEDULI 2: ITHEBULA LEZIMALI

Umthethonqubo	**Incazelo**	**Imali**
2(1), 3(1), 6(1), 7(1), 10(1), 11(1), 15(2), 16(1)	Isicelo selayisense entsha yokuthutha, noma sokuvuselela, ukuchitshiyelwa, ukudluliswa noma ukuguqulwa kwelayisensi yokuthutha noma imvume	R600,00
6(6)	Ukuhanjiswa kwesicelo kwi-NPTR ngokwesigaba sama-21(4) soMthetho	R600,00
17(4)(b) and (c)	Ukuhlolwa kwemibhalo noma ukucela amakhophi	R100,00 isicelo ngasinye
17(4)(d)	Ukuhlinzeka ngamakhophi	R2,00 ikhophi ngayinye
20	Isicelo selayisensi yokuthutha yesikhashana	R100,00
26	Isicelo sokugunyazwa okubhalwe phansi sokushintshwa kwemoto okwesikhashana	R100,00
28, 36(8)	Isicelo selayisense yokuthutha ephindiwe noma idekhali	R600,00
29(3)	Isaziso sensizakalo yokubonelela kwi-NPTR	R600,00
30(1), 35(1)	Isicelo sokugunyazwa, noma sokuvuselela ukugunyazwa komninimoto wezokuthutha izivakashi noma sokuchitshiyelwa kwemibandela yokugunyazwa	R2 000,00

Isihloko esifushane kanye nokuqaliswa

17. Le Mithethonqubo ibizwa ngokuthi Isichibiyelo Sesibili Semithetho Kazwelonke Yezokuthutha Ezihamba Phansi, yezi-2024.

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