

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

NOTICE 2877 OF 2024

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

The Portfolio Committee on Transport hereby publishes the *Draft Economic Regulation of Transport Amendment Bill, 2024* and the Memorandum on the Objects of the Bill for public comment.

Members of the public are invited to submit written comment on the Bill by 22 January 2025. Public hearings will be scheduled for February 2025 for stakeholders who, in addition to the written comments, indicate interest in making a verbal presentation to the Committee. Should you require the Memorandum on the Objects of the Bill in any of the official languages, please contact the Committee Secretary (see details below).

All correspondence should be addressed to Mr SD Selamolela, Chairperson: PC on Transport and marked for the attention of Ms V Carelse, the Committee Secretary.

Kindly direct all enquiries and written submissions to the Committee Secretary, Ms V Carelse.

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REPUBLIC OF SOUTH AFRICA

ECONOMIC REGULATION OF TRANSPORT AMENDMENT BILL

(As introduced in the National Assembly (proposed section 75); Bill and prior notice of its introduction published in Government Gazette No. of)

(The English text is the official text of the Bill)

(Portfolio Committee on Transport)

BILL

To amend the Economic Regulation of Transport Act, 2024, so as to correct erroneous references in Schedule 1 to the Act; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows: —

Amendment of Schedule 1 to Act 6 of 2024

1. Schedule 1 to the Economic Regulation of Transport Act, 2024 (Act No. 6 of 2024) (hereinafter referred to as the “principal Act”), is hereby amended by the substitution for the year “2020” of the year “2024” wherever the year “2020” appears as part of the citation of the principal Act.

Short title

2. This Act is called the Economic Regulation of Transport Amendment Act, 2024.

MEMORANDUM ON THE OBJECTS OF THE ECONOMIC REGULATION OF TRANSPORT AMENDMENT BILL, 2024

1. INTRODUCTION

The Economic Regulation of Transport Act, 2024 (Act No. 6 of 2024) (hereinafter referred to as “the principal Act”), which was assented to by the President on 6 June 2024, is erroneously cited in Schedule 1 to that Act as the Economic Regulation of Transport Act, 2020.

Given that the principal Act has been assented to and forms part of the statute book, the only way in which the error can be corrected is through a legislative amendment to the Act.

2. OBJECTS OF THE BILL

The purpose of the Economic Regulation of Transport Amendment Bill, 2024, is to correct the error in Schedule 1 to the principal Act in order to eliminate any possible interpretation challenges that can lead to courts having to be called upon to determine the correct interpretation.

3. CONTENTS OF THE BILL

- 3.1 Clause 1 of the Bill seeks to amend Schedule 1 of the principal Act by stating that the reference of the year “2020” in the citation of the principal Act, wherever it appears in that Schedule, must be amended to read the year “2024”.
- 3.2 Clause 2 of the Bill contains the short title of the Bill.

4. ORGANISATIONAL AND PERSONNEL IMPLICATIONS

None

5. FINANCIAL IMPLICATIONS FOR THE STATE

None

6. DEPARTMENTS, BODIES OR PERSONS CONSULTED

The following stakeholders were consulted—

- The Department of Transport.

7. PARLIAMENTARY PROCEDURE

7.1 The Committee proposes that the Bill must be dealt with in accordance with the procedure established by section 75 of the Constitution of the Republic of South Africa, 1996, since it does not contain any provisions to which the procedures set out in section 74 or 76 of the Constitution apply.

7.2 The Committee is of the opinion that it is not necessary to refer this Bill to the National House of Traditional and Khoisan Leaders in terms of section 39(1)(a) of the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019), since it does not contain provisions pertaining to customary law or customs of traditional and Khoi-San communities.