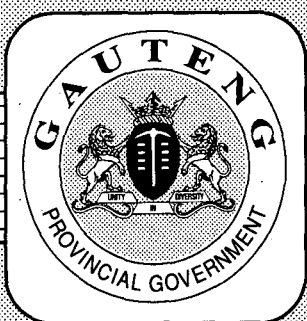


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**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

Selling price • Verkoopprys: **R2,50**
Other countries • Buitelands: **R3,25**

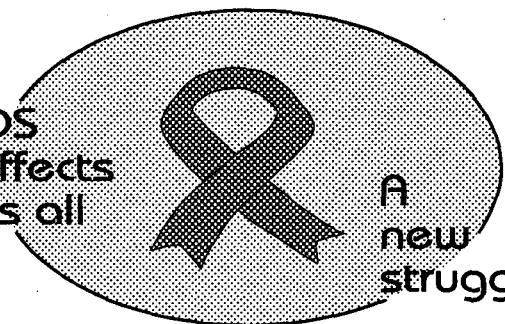
Vol. 8

PRETORIA, 25 MARCH
MAART 2002

No. 78

We all have the power to prevent AIDS

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affects
us all



A
new
struggle

Prevention is the cure

AIDS HELPLINE

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GENERAL NOTICE

NOTICE 807 OF 2002

DEPARTMENT OF PUBLIC TRANSPORT, ROADS AND WORKS

Gauteng Public Passenger Road Transport Act, 2001 (Act No. 7 of 2001)

GAUTENG PUBLIC PASSENGER ROAD TRANSPORT REGULATIONS

Proposed Regulations in terms of the Gauteng Public Passenger Road Transport Act, 2001 (Act No. 7 of 2001), are hereby published for general information and comment in the attached schedule. Any person or organisation wishing to comment on the draft regulations may lodge written comments within 14 days of the date of publication hereof by faxing or posting them, or handing them in, at the following addresses/numbers:

The Office of the Head of Department
Department of Public Transport, Roads and Works, Gauteng
11 th Floor, North Tower
Sage Life Towers
41 Simmonds Street
JOHANNESBURG

Postal address:

The Head of Department: Public Transport, Roads and Works
Private Bag X83
Marshalltown
2107

Fax no. (011) 355 7528

Contact person: Ms Mala Somaru

Tel. no. (011) 355 7002

The draft forms proposed to be used in conjunction with the regulations are available for inspection at the offices of the Gauteng Transport Operating Licence Board, 91 Commissioner Street, Johannesburg (contact person: Mr Kehla Mdluli – tel. No. 011 355- 9234).

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A. DEFINITIONS

Definitions

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

“Framework Act” means the Gauteng Transport Framework Revision Act, 2002 (Act No. of 2002);

“NaTIS” means the National Transport Information System;

“planning authority” means a transport authority, a core city and any other municipality whose jurisdictional area has not been included wholly or partly in a transport area or the metropolitan transport area of such core city, in respect of its jurisdictional area or the parts thereof that have not been so included, as the case may be;

“primary TOLAB” means the TOLAB that received an application for the first time;

“the Act” means the Gauteng Public Passenger Road Transport Act, 2001 (Act No. 7 of 2001);

“TOLAB” means a transport operating licence administrative body.

B. PUBLIC TRANSPORT PLANS

Services to be included in public transport plans

2. Subject to the Framework Act, public transport plans must include at least the following services, as well as others that may be specified in terms of requirements published under the Framework Act or the National Act:

- (a) Metered taxi services;
- (b) minibus taxi-type services;
- (c) bus-type services.

Information to be contained in public transport plans

3. Public transport plans must at least contain the information set out in section 26(2) of the National Act and any requirements or regulations made under section 26(3) of that Act, and in addition—

- (a) enclose agreements reached with neighbouring metropolitan authorities regarding public transport between the areas of those authorities and of the area of the planning authority or describe efforts made to conclude such agreements;
- (b) deal with compliance by the planning authority with any prescriptions and recommendations contained in the provincial land transport framework contemplated in section 22 of the National Act;
- (c) state the progress made towards development of an integrated transport plan for the area.

Public consultation procedures for public transport plans

4. In preparing public transport plans, planning authorities must follow procedures, if any, prescribed under section 5(5)(l) of the National Act, or prescribed under any other section of the National Act specifically for public transport plans, and comply fully with the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).

C. OPERATING LICENCES

Application for conversion from permit to operating licence

5. (1) An application for the conversion of a permit to an operating licence must be lodged with the relevant TOLAB by completing the appropriate form prescribed by the Board (Form 1).

(2) If required by the TOLAB, the application must be accompanied by the original permit, or, where applicable the original permits, subject to sub-regulation (3).

(3) Although a separate operating licence will be issued for each vehicle, the application contemplated in sub-regulation (1) may cover more than one vehicle, but only if the same route, routes, area or areas are applied for in respect of all the vehicles covered in the application.

(4) The following must be submitted with an application contemplated in sub-regulation (1), as well as other information (if any) required by the application form:

- (a) In the case of a natural person, the identity document, temporary identity certificate, passport, foreign identity document or traffic register number certificate of the holder of the permit, or other type of identification acceptable to the Board;
- (b) in the case of a company or close corporation, its certificate of incorporation or a certified copy thereof;
- (c) in the case of another type of juristic person, its constitution or founding agreement or a certified copy thereof;
- (d) the physical address of the applicant or the address of the applicant's main place of business;
- (e) the postal address of the applicant;
- (f) relevant contact numbers, such as the telephone number, facsimile number or E-Mail address of the applicant;
- (g) particulars of convictions of the applicant for offences mentioned in regulation 10 (if any);
- (h) the income tax registration certificate of the applicant or, where applicable, a statement that the applicant is not required to register as a tax payer, and the reasons therefor.
- (i) particulars of other permits or operating licences held by the applicant, if any, namely permit or operating licence number and vehicle or vehicles to which such permit relates, as well as a copy of each such permit or operating licence;
- (j) where applicable the registration certificate of the applicant or a certificate contemplated in section 75(3) of the Act;
- (k) where the service is provided in terms of an interim contract or current tendered contract, the original contract or a copy certified by the contracting authority;
- (l) a statement as to whether or not the services authorised by the permit have been provided on a regular basis for at least 180 days before the date on which application is made for conversion, or an explanation as to why they have not been so provided, except where the permit was issued less than 180 days before the date of application;
- (m) particulars of the vehicle or vehicles operated by the applicant under the

- permit, namely registration number, make, vehicle identification number, year of manufacture, type and seating or passenger capacity;
- (n) a detailed description of the route(s) or network(s) on which, or, where applicable, the particular area in which, the vehicle has been used for the service to which the permit relates for the period of 180 days prior to the date of application, by specifying the relevant street names, road numbers, beacons or land marks for each city, suburb, town, village or settlement, the points of origin and destination and all points where passengers are picked up and set down;
 - (o) the ranks or terminals being used in terms of the permit;
 - (p) in the case of an adapted light delivery vehicle, the following details in terms of section 38(5)(f) of the Act:
 - (i) a description of measures to ensure the safety of passengers, such as securing of seats and methods used to build up and reinforce the area in which passengers are carried or to be carried;
 - (ii) the name and registration number of the manufacturer who manufactured or adapted the vehicle;
 - (iii) any other particulars requested by the Board.
- (5) In the case of a minibus taxi-type service, the application form must also contain a recommendation from the relevant registered association, if applicable.

(6) Where a person wishing to apply for an operating licence approaches an association for recommendations, the association must respond within 14 days.

(7) Information provided in response to each question in the application form must be given fully.

(8) Applications that lack the required information or accompanying documents may be rejected.

(9) On receiving an application contemplated in sub-regulation (1) accompanied by an original permit, identification document, registration certificate or any other original document, the board must make a copy of such permit, document or certificate and hand the original back to the person lodging the application.

(10) On receiving an application for the conversion of a permit to an operating licence that involves a conversion from a radius or area based permit to a route based operating licence, or a conversion to a larger vehicle under section 32(5) or (6) of the National Act, the Board must, as soon as possible but not later than seven days after receiving the application, submit copies of the application to all planning authorities in whose areas the services are being or will be operated for representations or recommendations as required by section 39(1)(b) of the National Act.

(11) Within 30 days of receiving an application contemplated in sub-regulation (8), a planning authority must—

- (a) verify the route details claimed by the applicant;
- (b) in the case of conversion to a larger vehicle under section 32(5) or (6) of the National Act, submit recommendations to the Board on the availability of ranks or terminals or other facilities or spaces for boarding or alighting from, or holding or parking the larger vehicle concerned;
- (c) submit any other recommendations or representations it may have in relation to the application.

(12) Where the planning authority fails to respond to an application submitted to it under sub-regulation (10) within the 30-day period mentioned in sub-

regulation (11), the Board may consider the application without the required input from such authority.

(13) In the process of converting radius or area based permits to route based operating licences, the Board must adhere to route descriptions, identifications, numbers and codes shown in transport plans, if any, in consultation with the relevant planning authorities and the Registrar.

Application for granting, amendment or transfer of operating licence for contracted service

6. (1) An application for the granting, amendment or transfer of an operating licence for a contracted service must be lodged with the Board by completing the appropriate form prescribed by the Board (Form 2) and the original unsubsidised service contract or subsidised service contract concerned or a copy certified by the contracting authority.

(2) The following must be submitted with an application contemplated in sub-regulation (1), if such information does not appear in the relevant contract:

- (a) Written confirmation from the relevant contracting authority that the contract has been concluded.
- (b) the documents or particulars mentioned in paragraphs (a) to (h) of regulation 5(4);
- (c) full particulars of the vehicle operated or to be operated by the applicant under the operating licence, namely vehicle registration number, make, vehicle identification number, year of manufacture, type and seating or passenger capacity, roadworthy certificate number and date of expiry of roadworthy certificate; and
- (d) copies of operating licences or permits already held by the applicant, if any, if requested by the Board.

Application for granting, renewal, amendment or transfer of operating licence for non-contracted service

7. (1) An application for the granting, renewal, amendment or transfer of an operating licence for a non-contracted service must be lodged with the Board by completing the appropriate form prescribed by the Board (Form 3) and be accompanied by the fees prescribed in Annexure A.

(2) The applicant must supply—

- (a) the documents or particulars mentioned in paragraphs (a) to (i) of regulation 5(4);
- (b) the documents or particulars mentioned in paragraphs (c) and (d) of regulation 6(2);
- (c) where applicable the registration certificate of the applicant or a certificate from the Registrar contemplated in section 75(3) of the Act; or a letter from the association contemplated in sub-regulation (3);
- (d) in the case of a staff service where there is a contract between the public transport operator and the employer, the contract or a copy thereof certified as correct by the relevant employer.

(3) Where a registered association has provisionally admitted a new member under section 74(2) of the Act who is not the holder of a permit or operating licence, the applicant must submit a notification in accordance with the appropriate

form prescribed by the Board (Form 16) from that association certifying that the applicant has been admitted to provisional membership.

(4) On receiving a notification contemplated in sub-regulation (3), the Board must liaise with the Registrar to ensure that the registration of the applicant as a member of the association takes place after the operating licence is granted, should the Board decide to grant it.

(5) On receiving an application contemplated in sub-regulation (1) for a service other than a charter service, the Board must, as soon as possible but not later than 14 days after receiving the application, submit copies of the application to all planning authorities in whose areas the services are being or will be operated with a request to make recommendations or representations with regard to the application within the period stated in the notice.

(6) Within the period stated in such notice, which may not be more than 30 days, a planning authority must—

- (a) submit recommendations to the Board on the availability of ranks or terminals or other facilities or spaces for boarding or alighting from, or holding or parking vehicles;
- (b) state whether or not it supports the application in the light of its transport plans;
- (c) state whether or not the public transport requirements for the particular route or routes are adequately served by a then existing public passenger road transport service of a similar nature, standard or quality provided in terms of an unsubsidised service contract or subsidised service contract or in terms of operating licences as shown by its transport plans;
- (d) point out the existence of any by-law, regulation, prohibition, limitation or restriction that is relevant to the transport service that the applicant proposes to operate;
- (e) submit recommendations on the matters set out in section 43(3) of the Act relating to the period for which the operating licence should be issued;
- (f) submit any other recommendations or representations it may have in relation to the application, after having consulted relevant transport forums and liaison committees (if any) in its area.

(7) On receiving an application contemplated in sub-regulation (1) accompanied by an original permit, identification document, registration certificate or any other original document, the board must make a copy of such permit, document or certificate and hand the original back to the person lodging the application.

Offences to be stated on application form

8. Convictions for offences that must be stated on the application form in terms of section 38(7) of the Act, and considered by the Board under section 21(1)(g) thereof are the following:

- (a) Offences created by the Act;
- (b) offences created by the National Road Traffic Act, 1996 (Act No. 93 of 1996) or the Gauteng Provincial Road Traffic Act, 1997 (Act No. 10 of 1997) for which a fine of more than R200 or imprisonment for more than six months was imposed;
- (c) an offence listed in Schedule 1 to the Criminal Procedure Act, 1977 (Act No. 51 of 1977);
- (d) possession of an unlicensed firearm, explosives, or a dangerous weapon;

- (e) a conspiracy, incitement or attempt to commit an offence mentioned above.

Procedure on receipt of application

- 9.** The TOLAB receiving an application must—
- (a) ensure that the application form has been properly completed and that all of the necessary accompanying documentation has been submitted and is valid and acceptable, and that the necessary fees have been paid where applicable;
 - (b) verify information submitted by the applicant by checking it against the register referred to in section 62(b) of the Act;
 - (c) enter details of the application into its data base as specified in regulation 50;
 - (d) where relevant, verify that the person signing the recommendation from the applicant's association is authorized to do so, and
 - (e) refer the application back to the applicant where particulars are incomplete or are inconsistent with such register or NaTIS.

Publication of applications

10. (1) In the case of an application for the granting, renewal, amendment or transfer of an operating licence, the Board must publish the following particulars in respect of the application in the manner prescribed in section 42 of the Act:

- (a) the name of the applicant;
- (b) the place where the applicant conducts business and his, her or its postal address;
- (c) the type of application, i.e. whether it is for granting, renewal, amendment or transfer;
- (d) the type of vehicle and its passenger carrying capacity;
- (e) the detailed route, routes, network or networks on which the relevant transport is being or will be undertaken and the points of origin and destination, all intermediate points where passengers are or will be picked up and set down and ranks and other facilities that are or will be used.

(2) The Board must make available for scrutiny at its offices full particulars concerning the application and of existing permits and operating licences held by the applicant, if any, and of timetables and tariffs, if any, applicable to the transport authorised by such permits or operating licences.

(3) Notices of applications received must be posted on a notice board at the Board's offices as required by section 42(1) of the Act from the date of receipt of the application until expiry of the period allowed for the submission of representations mentioned in regulation 14(1).

Procedure on receipt of applications in respect of intra-metropolitan services

11. (1) Where an application is for the authorization of or for a change of authorization relating to transport that is entirely within the area of a metropolitan authority, the TOLAB must—

- (a) receive the completed application form with accompanying documents and the application fee and take the steps mentioned in regulation 9.
- (b) submit the application to the relevant planning authority or authorities for

- comment and recommendations under regulation 7(5);
- (c) at the same time submit the application to its metropolitan transport forum and, in the case of minibus taxi-type services, to the local taxi liaison committees (LTLCs) in its area for comment and recommendations.
- (2) Such forum and each LTLC must place the application on the agenda of its next meeting, and request members of councils or forums recognised by the MEC to comment on the application at the following meeting, after having consulted such council or forum.
- (3) The forum or LTLC must then supply such comments and recommendations to the relevant TOLAB within 30 days of receipt of the application from the TOLAB.
- (4) A planning authority that is a district municipality receiving an application under sub-regulation (1) must refer the application to each local municipality in its area for comments and recommendations within 14 days, who must respond within 30 days of receipt of the application.
- (5) Where a body fails to provide comments or representations within the required time, the TOLAB and Board may proceed without that body's input.
- (6) The TOLAB must submit the application with all comments and recommendations received to the Board within three days of expiry of all time limits for comments and recommendations, which must place the matter on its roll for hearing so that it may be heard within 30 days of receipt of the application from the TOLAB.

Procedure on receipt of applications in respect of inter-metropolitan services

12. (1) In the case of an authorization for inter-metropolitan services within Gauteng, i.e. where passengers will be picked up or set down in more than one area of a metropolitan authority in Gauteng, the primary TOLAB must take the steps outlined in regulations 9 and 11(1), and sub-regulations 11(2) to (5) shall apply, and in addition refer the application without delay to the TOLAB or TOLABs situated in the other metropolitan areas concerned.

(2) The latter TOLAB or TOLABs must take the steps outlined in regulation 11(1)(b) and (c), and regulation 11(2) to (5) shall apply.

(3) The other TOLABs must then submit recommendations from the relevant bodies in their areas to the primary TOLAB, which must take the steps outlined in regulation 11(6), subject to regulation 11(5).

Procedure on receipt of applications in respect of interprovincial services

13. (1) In the case of an authorization for interprovincial services, where Gauteng is the province where the journey originates, the relevant TOLABs and metropolitan authorities must take the steps outlined in regulations 11 and 12, if applicable.

(2) (a) In addition, when it receives the application, the primary TOLAB must refer the application to the Board for referral to the permit issuing authorities in the other province or provinces where passengers will be picked up or set down for comments and recommendations. This also applies where the service is an intra-metropolitan one in a metropolitan authority that includes part of another province.

(b) The Board must request those other authorities to reply within 60 days.

(3) Where no response is received from the board of another province

within 60 days, the Board must refer the matter to the Transport Appeal Tribunal within 14 days of expiry of that period in terms of section 40(5) of the Act.

(4) Where the Board receives a request for recommendations from the permit issuing authority of another province, it must refer the request to the TOLAB or TOLABs concerned, who must take the steps outlined in regulations 11 and 12, as applicable, and then refer the relevant recommendations to the Board within seven days after completion of these steps to enable it to respond to the request.

Representations from interested persons

14. (1) Where an interested person wishes to submit representations to the Board under section 42(3) of the Act, these must be in writing and be lodged with the Board not later than 21 days after the date on which particulars of the application were published in the *Gazette*.

- (2) Where these representations object to the application, they must—
- (a) set out particulars of the interested person's transport services or interests that are affected by the application; and
 - (b) specify to what extent and in what manner such services or interests are affected by the application.

(3) The Board must send a copy of the representations to the applicant concerned by fax or registered post within two days of receipt thereof.

Operating licences for education services

15. (1) An applicant for an operating licence for an education service contemplated in section 11 of the Act must provide for the following information in addition to the information specified elsewhere in these regulations:

- (a) The name and telephone number of the accountable person in respect of the learners or students concerned;
- (b) particulars of public liability insurance held or to be obtained by the applicant.

(2) In the case where a vehicle is set apart for the use of a school or other educational institution in terms of an agreement, the application must also be accompanied by a copy of the relevant agreement

(3) Within 14 days of receipt of the application, the TOLAB must send a copy of the application to the relevant school or other educational institution for its comments and recommendations, by fax or by hand in terms of section 11(3) of the Act.

(4) Such school or institution must reply within 14 days and, if it fails to do so, the Board may proceed with the matter without its comments or recommendations, but may require an official of the school or institution to appear before it to provide such comments or recommendations orally under section 31(1)(d)(ii) of the Act.

(5) An operating licence contemplated in sub-regulation (1) may be granted in the Board's discretion if it is satisfied that—

- (a) the applicant has submitted full particulars as required by sub-regulation (1); and
- (b) the applicant holds adequate public liability insurance from an insurer that is registered in terms of applicable legislation, and

- (c) the applicant is a fit and proper person to carry the relevant scholars or students.

Operating licences for staff services

16. (1) An application concerning an operating licence for a staff service involving a contract between the public transport operator and the employer, must be accompanied by the relevant contract or a copy thereof.

(2) The Board must submit such an application to all planning authorities in whose areas the services are being or will be operated for recommendations, in accordance with the procedures prescribed in regulation 7(5).

(3) Planning authorities receiving applications under sub-regulation (1) must take note of the applications for the purposes of their transport plans and comply with regulation 7(6)

(4) Operating licences for staff services may not be granted contrary to the provisions of applicable transport plans.

(5) Operating licences for staff services may be granted on an area basis or on the basis of "as and when required", if the planning authority is satisfied that they will not have a significant impact on its transport planning, and provided that they must be scheduled if they involve significant movement of commuters within the area of the planning authority.

Application for amendment of operating licence to replace a specified vehicle

17. (1) An application for the replacement of the vehicle specified in an operating licence with another vehicle of the same passenger capacity or less under section 39(9) of the Act, must be lodged with the Board by completing the appropriate form prescribed by the Board (Form 4) and be accompanied by the fees prescribed in Annexure A.

(2) The applicant must supply his, her or its name and the identification or registration numbers required by the Board, and the matters required by paragraphs (e) to (g) of regulation 5(4).

Issuing of operating licences

18. (1) The Board must issue an operating licence converted, granted, renewed, amended or transferred by it under the Act together with a distinguishing mark, and forward them to the primary TOLAB for collection by or on behalf of the holder.

(2) All operating licences issued must be signed by the chairperson of the Board or a member of the Board designated in writing by the chairperson, as required by section 44(4) of the Act.

(3) An operating licence converted, granted, renewed, amended or transferred in terms of the Act must be issued in the form prescribed by the Board (Form 5), together with a distinguishing mark in the form likewise prescribed (Form 6).

(4) In the case of a conversion, renewal, amendment or transfer, the operating licence may not be handed or sent to the holder before the replaced operating licence or permit has been lodged with the TOLAB and any replaced distinguishing mark has been destroyed.

(5) The Board must notify the Registrar and relevant planning authorities in writing or electronically of all operating licences issued by it, within seven days of issuing them.

Interim operating licences

19. (1) An application for an interim operating licence contemplated in section 38(9) of the Act must be lodged on the appropriate form prescribed by the Board (Form 2) and be accompanied by the fee prescribed in Annexure A.

(2) The application must be accompanied by the relevant contract or a copy certified as correct by the contracting authority.

Special circumstance operating licences

20. An application for a special circumstance operating licence contemplated in section 53 of the Act must be lodged on the appropriate form prescribed by the Board (Form 3) and be accompanied by the fee prescribed in Annexure A.

Roadworthy certificates

21. (1) The original roadworthy certificate mentioned in section 44(2)(a) of the Act relating to the motor vehicle in respect of which the operating licence is granted or a copy certified as correct by the testing station that issued it, must be delivered by hand to the relevant TOLAB not later than 60 days after the applicant was notified of the conversion, granting, amendment, renewal or transfer of the operating licence, and the operating licence may not be handed to the holder until such certificate has been submitted, but the Board may extend the period within which the roadworthy certificate is to be lodged on written application.

(2) The date of issue of the roadworthy certificate submitted under sub-regulation (1) may not be earlier than 180 days from the date that the application relating to the operating licence was granted.

Duplicates of permits, operating licences or distinguishing marks

22. If the holder of a permit, operating licence satisfies the Board by affidavit that the permit or operating licence, or a distinguishing mark issued under the Act, has been lost or destroyed, or produces a permit, operating licence or distinguishing mark that has been so damaged that the letters and figures on it are no longer clearly legible, the Board must on written application by the holder issue a duplicate permit, operating licence or distinguishing mark, clearly endorsed "duplicate".

Ad hoc authorizations

23. (1) *Ad hoc* authorizations must be issued in a series of five authorizations per issue in the form prescribed by the Board (Form 13), which must contain at least the following information:

(a) The reason for the *ad hoc* trip or trips concerned, for example a funeral or sports event;

- (b) the route or routes to be taken, with origin and destination;
- (c) particulars of the permits or operating licences held by the applicant.

(2) *Ad hoc* authorizations must be completed fully in duplicate, or in triplicate in the case of minibus taxi-type services, so that copies may be submitted to the Board and, where applicable, to the association to which the operator belongs, as required by the Act.

(3) Operators may apply for subsequent sets of *ad hoc* authorizations when previous sets are used up, provided that the Board is satisfied that the operator has not abused the previous sets.

(4) A used up set of *ad hoc* authorisations must be returned with the application for a subsequent set.

Distinguishing marks

24. (1) A distinguishing mark must be issued with an operating licence and must be displayed on the vehicle to which such licence relates in terms of section 47(f) of the Act, and be in the form prescribed by the Board (Form 6).

(2) A distinguishing mark to be issued to a registered member or non-member under section 66(2) of the Act must be in the form prescribed by the Registrar (Form 23), and must be displayed on the vehicle to which such licence relates in terms of section 47(f) of the Act.

(3) Distinguishing marks contemplated in the Act must be designed so that, once placed on the vehicle, they cannot be removed without the mark being destroyed.

(4) The holder of an operating licence or permit to whom a distinguishing mark has been issued must—

- (a) affix the distinguishing mark with its inscribed side facing to the front in a conspicuous place on the left-hand side on the inside of the windscreen of the vehicle to which it relates;
- (b) maintain the mark in such a condition that all letters and figures on it are clearly legible, and where the mark is damaged, lost or not clearly legible, apply for a duplicate in the manner prescribed by regulation 22;
- (c) remove the mark from the vehicle concerned immediately after it, or the operating licence or permit to which it relates, has expired, lapsed or been cancelled or withdrawn, or within 24 hours of a demand being made for its removal by an authorised officer under section 99(1) of the Act.

(5) Distinguishing marks for vehicles used for interprovincial transport must be designed in consultation with the National Department of Transport and the other relevant provinces.

(6) Distinguishing marks for vehicles used for intraprovincial transport may not have a form or colour which is likely to cause confusion with marks issued in respect of interprovincial or cross-border road transport.

Information on vehicles to which operating licences relate

25. (1) Particulars required by section 47(d) of the Act to appear on a vehicle to which an operating licence or permit relates, must be painted or displayed, in the manner approved by the Board, on both sides of the vehicle, or, where this is not practically feasible, on another conspicuous place on the vehicle.

(2) Such particulars must be in a colour that shows up clearly against the

background on which they are painted or displayed.

(3) The minimum dimensions of all letters and figures used in the inscription of the particulars required by sub-regulation (1), and the spaces between the letters and figures, must be as follows:

- (a) height of letters and figures: 40 millimetres (mm);
- (b) width of letters and figures: 20mm
- (c) breadth of stroke of figures and letters: 5mm
- (d) space between consecutive figures or letters: 5mm
- (e) space between words on the same line: 15mm.

Information on vehicles used for courtesy services

26. (1) Whenever a courtesy service is provided, the following particulars must be painted or displayed, in the manner approved by the Board, on both sides of the vehicle used to provide the courtesy service, or, where this is not practically feasible, on another conspicuous place on the vehicle:

- (a) the full registered name of the hotel or other organisation providing the courtesy service;
- (b) the full physical business address (not a postal address) of such hotel or organisation.

(2) Sub-regulations 25(2) and (3) apply to the painting or display of such particulars.

Returns of information

27. (1) The Board or a planning authority may direct the holder of a permit or operating licence in terms of section 21(1)(r) of the Act in writing to submit a return in the form determined by the Board, within the time specified by the Board, which may not be less than seven days, in which must be shown—

- (a) the number of passengers conveyed during a previous period specified in the Board's notice in the vehicle to which the permit or operating licence relates;
- (b) the distance in kilometres covered in the process on each route or within each area concerned;
- (c) any other information relating to the relevant services, or, where applicable, to state the fact that no passengers were conveyed during that period.

(2) A holder so requested must comply with the request.

Notice of withdrawal of operating licence or permit

28. A notice to the holder of an operating licence or permit under section 49(3) of the Act must—

- (a) be delivered to the holder of the operating licence or permit to be withdrawn by fax, if the holder has provided the board with a fax number, and also by registered post at the address on record with the Board as the holder's last-known address;
- (b) state the reasons for the proposed withdrawal;
- (c) state a date by which the holder must submit reasons why the operating licence or permit should not be withdrawn, which date may not be less than 21 days after delivery or posting of the notice.

Withdrawal of operating licence or permit in rationalisation of services

29. (1) Where the Board wishes to withdraw an operating licence under section 51 of the Act, it must comply with regulation 28 and in the relevant notice also—

- (a) state whether an alternative service was offered to the holder and the circumstances in which the offer was rejected, and
- (b) allow the holder at least 21 days to submit a claim for compensation.

(2) The holder receiving a notice contemplated in sub-regulation (1) must set out in detail the manner in which the claimed amount is calculated, with reference to the monthly cost of and income from the relevant service, and otherwise substantiate the amount claimed.

Notice of discontinuation of public transport services

30. (1) Subject to sub-regulation (2), the holder of a permit or operating licence may not discontinue the public transport service authorised by it or any part thereof unless that holder notifies the Board at least 30 days before the discontinuation, by a written notice delivered by hand or by registered post, of the intention to discontinue the service.

(2) The Board may authorise such holder in writing to discontinue the service within a shorter period.

(3) Such holder must, not later than 10 days after the service is discontinued, destroy any distinguishing mark relating to the permit or operating licence, and by hand or by registered post—

- (a) return the permit or operating licence to the Board for cancellation where the service is discontinued totally;
- (b) apply to the Board for amendment of the permit or operating licence where the service is discontinued in part.

(4) Where a holder referred to in sub-regulation (1) temporarily suspends a service, the holder must also advise the Board by written notice delivered by hand or by registered post not later than 48 hours after suspension of the service and not later than 48 hours after resumption of the service, giving detailed reasons for the suspension.

D. APPEALS TO GAUTENG PUBLIC PASSENGER APPEAL BOARD

Appeals to Appeal Board

31. (1) An appeal in terms of section 59 of the Act must be in writing and be delivered by hand to the Appeal Board within 14 days after the decision appealed against was taken, and must—

- (a) clearly and fully describe the decision appealed against;
- (b) specify the date of the decision appealed against;
- (c) clearly and fully set out the reasons for and grounds of the appeal, but the appellant may not place before the Appeal Board evidence, statements or other material that was not and should have been placed before the Board or Registrar;

- (d) be accompanied by the fee prescribed in Annexure A.
- (2) If—
- (a) the Appeal Board rejects an appeal, the appellant will forfeit such fee;
- (b) the Appeal Board upholds the Appeal, this amount must be refunded to the appellant;
- (c) the Appeal Board partly upholds an appeal or the appellant withdraws the appeal, the full amount or a part thereof may be refunded to the appellant at the Appeal Board's discretion;
- (d) the Appeal Board sets aside a decision against which the appeal is brought and remits it to the Board in terms of section 59(3)(b)(ii) of the Act, the full amount must be refunded to the appellant.

Powers and duties of Appeal Board

32. (1) The Appeal Board must notify the Board or Registrar, as the case may be, in writing of the appeal and the latter must forward all documents relating to the appeal and written reasons for the decision appealed against to the Board or Registrar within 21 days of receipt of such notification.

(2) The Appeal Board may request the Board or Registrar to collect information on matters arising from the appeal and submit it to the Appeal Board, or to specify reasons for the decision against which the appeal has been brought in greater detail.

(3) The Appeal Board must forward the notice of appeal to other affected persons within 14 days of receiving the notice of appeal.

(4) In considering appeals the Appeal Board must consider all of the information submitted to it by the Board or Registrar, and may in its discretion—

- (a) inspect places or objects relating to the appeal;
- (b) make inquiries or investigations related to the appeal.

(5) The Appeal Board must convey its decision in writing to the appellant and to all parties who are affected by the decision within 14 days after the decision was taken.

Meetings of Appeal Board

33. (1) Meetings of the Appeal Board are held at the times determined by it, unless the MEC stipulates otherwise, subject to sub-regulation (2), and at places designated by the MEC.

(2) Meetings of the Board must be arranged so that any appeal to it in terms of this Act is disposed of within 90 days after receipt of the relevant notice of appeal.

Application to suspend decision of Board or Registrar on appeal

34. (1) An application under section 59(4) of the Act to suspend the operation of a decision of the Board or Registrar must be submitted to the Appeal Board in writing not later than 14 days after the notice of appeal was delivered to the Appeal Board, and must—

- (a) be accompanied by a copy of the notice of appeal;
- (b) clearly and fully set out the reasons why the appellant wishes such decision to be suspended.

(2) If such an application for the suspension of the operation of a decision of the Board or Registrar is granted after an operating licence or registration certificate has been issued in pursuance of that decision, the Appeal Board, Board or Registrar may require the holder of such licence or certificate to submit it by hand to the Board or Registrar, as the case may be, in which case the holder shall be obliged to do so within 48 hours and to destroy any distinguishing mark relating to the operating licence or registration.

D. REGISTRATION

Meetings of Registrar and assessors

35. (1) Meetings of the Registrar and assessors are held at the times determined by the Registrar, unless the MEC stipulates otherwise, subject to sub-regulation (2), and at places designated by the MEC.

(2) Such meetings must be arranged so that relevant matters can be disposed of expeditiously.

Applications for registration by associations and non-members, and annual registration fees

36. (1) Applications for registration of associations and non-members must be made on the appropriate forms prescribed by the Registrar (Forms 14 and 18 respectively), and submitted to the Registrar with the application fee prescribed in Annexure A.

(2) Information provided in response to each question in the application form must be given fully.

(3) Applications that lack required information, or are not accompanied by the required fees, may be rejected.

(4) Annual fees payable by associations and non-members are payable within 30 days of the anniversary dates of initial registration and annually thereafter.

Requirements for registration

37. (1) To be registered an association must have been in existence continuously since 30 June 1997, subject to sub-regulation (2).

(2) The minimum number of members that an association must have to be registered is—

(a) for minibus taxi-type services: 30 members;

(b) for metered taxi services: members;

(c) for bus-type and coach-type services: members.

(3) The Registrar has a discretion to register an association that does not comply with sub-regulation (1) or (2) at the request of the relevant transport authority, metropolitan authority or metropolitan transport forum, or if the Registrar is satisfied that there is no other association operating on the route or routes in question.

(4) Where an association ceases to have the required applicable membership, the Registrar must re-examine the situation, and must deregister the association unless it can show good cause for not being deregistered.

(5) To be registered, members and non-members must each operate at least one vehicle and be in possession of a valid permit or operating licence

authorising the operations on the route or routes or, in the case of metered taxis, the area, being operated by the vehicle and must also be in possession of a valid roadworthy certificate for each vehicle operated.

(6) To qualify for registration, the association or non-member concerned must have provided all information, documents and fees required by the Act and relevant regulations to the Registrar, who must have verified—

- (a) that the registration number and other vehicle particulars provided on the application form are in accord with records in NaTIS, that the vehicle exists and is registered in the name of the member or non-member concerned and that a valid roadworthy certificate, as required by the Board, has been issued in respect of the vehicle;
- (b) that the particulars of the operator provided on the application form for registration are in accord with records in the Land Transport Permit System and that a valid permit or operating licence is held for the route or area concerned;
- (c) that persons signing on behalf of an association are authorised to do so, by obtaining specimen signature, and
- (d) other determinable information to his or her satisfaction.

(7) Where the verification process outlined in sub-regulation (7) reveals inconsistencies, the Registrar must not register the association, member or non-member until the matter has been cleared up to the satisfaction of the Registrar.

Particulars of new members to be supplied to Registrar and Board

38. (1) Where a registered association has admitted a new member, it must supply to the Registrar the following particulars in terms of section 74(1) of the Act:

- (a) name and identity number or business registration number;
- (b) particulars of permits and operating licences held by the member, if any, namely the number thereof and vehicle or vehicles to which the permit or operating licence relates and a copy of the permit or operating licence;
- (c) particulars of the vehicle or vehicles to be operated by the member, namely vehicle registration number, vehicle identification number, roadworthy certificate number and date of expiry of the roadworthy certificate;
- (d) a statement by the member that he or she is aware of and will abide by the relevant prescribed Code of Conduct.

(2) Where a registered association has provisionally admitted a new member in terms of section 74(2) of the Act, it must supply to the Board the particulars set out in paragraphs (a), (b) and (c) of sub-regulation (1).

Registration certificates

39. Registration certificates issued to associations, members and non-members must be in the appropriate form prescribed by the Registrar (Forms 20, 21 and 22 respectively).

Register of Associations, Members and Non-Members

40. (1) The Registrar must establish and maintain a Register of Associations, Members and Non-Members.

(2) The Register must contain at least the following information regarding registered associations:

- (a) the name of the association;
- (b) postal address;
- (c) physical address;
- (d) telephone number, facsimile number and E-Mail address (if any);
- (e) the date the association was established;
- (f) number of operating members;
- (g) joining fee and annual membership fee per member;
- (h) name of secondary association to which the association is affiliated (if applicable);
- (i) date on which a decision to affiliate was taken;
- (j) in the case of minibus taxi-type services, bus-type services and coach-type services, the detailed route(s) or network(s) on which the relevant transport will be undertaken and the points of origin and destination, all intermediate points where passengers will be picked up and set down;
- (k) in the case of metered taxis, the area within which the transport will be undertaken;
- (l) the ranks and other facilities that will be used;
- (m) particulars of each member, namely—
 - (i) identity number or business registration number, name, postal address and physical address;
 - (ii) particulars of permits and operating licences held by each member, namely the number thereof and vehicle or vehicles to which the permit or operating licence relates and a copy of the permit or operating licence;
 - (iii) particulars of the vehicle or vehicles operated by each member, namely vehicle registration number, vehicle identification number, roadworthy certificate number and date of expiry of the roadworthy certificate;
 - (iv) the particulars mentioned in paragraphs (j), (k) and (l);
- (n) the date of registration of the association;
- (o) a list of the names, identity numbers, addresses and telephone numbers of the members of the executive committee of the association.
- (p) a copy of the constitution and code of conduct of the association if different from the relevant Standard Minimum Constitution;
- (q) an affidavit made by an authorized office bearer of the association stating that all members of the association in respect of whom application for registration is made holds a valid permit or operating licence for each vehicle that he or she operates and that the operations are legally within the authority of the permit or operating licence.

(3) The Register must contain the following information regarding non-members:

- (a) name and identity number or business registration number;
- (b) postal address;
- (c) physical address;
- (d) telephone number and facsimile number (if any);
- (e) particulars of permits and operating licences held by the non-member, namely the number thereof and vehicle or vehicles to which the permit or operating licence relates and a copy of the permit or operating licence;
- (f) particulars of the vehicle or vehicles operated by the non-member, namely

vehicle registration number, vehicle identification number, roadworthy certificate number and date of expiry of the roadworthy certificate;

- (g) the particulars contemplated in paragraphs (j), (k) and (l) of sub-regulation (2);
- (h) a statement by the non-member that he or she is aware of and will abide by the relevant prescribed Code of Conduct for Non-Members.

(4) The Registrar must ensure that information supplied is consistent with information in the Land Transport Permit System and NaTIS.

(5) Interested persons may obtain statistical information from the Registrar's Register on payment of the fee prescribed in Annexure A, subject to the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

Registrar's inquiry into misconduct by registered associations and non-members

41. (1) The Registrar must inquire into complaints, accusations or allegations of misconduct contemplated in section 76(2) of the Act, which may include, but are not limited to—

- (a) route infringements by an association or by a non-member;
- (b) harassment or intimidation of government officials or members of other associations or other non-members or members of the public;
- (c) failure to arrange special general meetings when these are requested by members in the proper manner;
- (d) systematic or frequent operational irregularities, such as operating without permits or operating licences, operating unroadworthy vehicles and infringing road traffic laws;
- (e) failure to comply with the relevant Standard Minimum Constitution or Code of Conduct for Non-Members, as the case may be;

(2) Such complaints, accusations or allegations of misconduct may not include—

- (a) misconduct of individual members, which must be dealt with under the disciplinary procedures of the association's constitution, which must conform to the prescribed Standard Minimum Constitution;
- (b) members' complaints against their own associations, which must be dealt with under the grievance procedures in the association's constitution, which must conform to the prescribed Standard Minimum Constitution;
- (c) violence in the taxi industry.

(3) Before the Registrar institutes an inquiry into misconduct as contemplated in section 76(2) of the Act, he or she must address a written notice by hand or by registered post to the concerned association or non-member in the form prescribed by the Registrar (Form 25), setting out a brief outline of the alleged misconduct or infringement and stating that the association or non-member must submit a written reply to the allegations within not less than 14 days of the date stated in the notice.

(4) Failure to submit a written reply will entitle the Registrar to regard the failure as an admission of the facts set out in the notice.

(5) The Registrar may also request persons or institutions with a real or direct interest to furnish him or her with written comments or recommendations regarding the allegations within a reasonable period stated in the notice.

(6) On consideration of the complaint in question, the written reply contemplated in sub-regulation (3) and any comments or recommendations received

in terms of sub-regulation (5), the Registrar must decide whether—

- (a) an inquiry should be held; or
- (b) an inquiry is inappropriate in the circumstances; or
- (c) the matter should be referred to some other person or institution, such as the South African Police Services, for further disposal.

(7) The Registrar must notify the MEC, the complainant and the relevant association or non-member of his or her decision, and of the date and venue of the inquiry, if applicable.

(8) If the Registrar proceeds with an inquiry, he or she must give at least 14 days' notice to the executive committee of the association and any member thereof involved in the inquiry or the non-member, as the case may be, and the complainant(s) and other relevant persons, to attend a formal hearing at the time and place stated in the notice.

(9) Interested persons may be represented at the hearing.

(10) The Registrar may for the purpose of an inquiry exercise the powers set out in section 63 of the Act.

(11) Where a person has been notified by the Registrar to attend a hearing and fails to do so, the hearing may proceed in his or her absence.

(12) Decisions taken pursuant to the hearing shall be binding on such a person despite his or her absence, if the Registrar is satisfied that the person received the notice to attend the hearing and that there are not good reasons for the failure to attend.

(13) For the purposes of such a hearing the Registrar and at least two assessors constitute a committee of inquiry.

(14) The Registrar must chair the committee.

(15) The Registrar may co-opt not more than two additional persons whom he or she considers suitable, by virtue of their qualifications or experience, to sit on the committee of inquiry.

(16) During the inquiry the committee of inquiry must—

- (a) give representatives of the executive committee of the association and any affected member thereof or of the non-member, or the non-member him- or herself, a proper opportunity to be heard;
- (b) give the executive committee, any affected member thereof or non-member an opportunity to produce evidence, either in person or in writing, and to call witnesses in this regard, and to correct or contradict allegations made against them with the right to cross-examine accusers or hostile witnesses and to re-examine his, her or its own witnesses, which rights shall also extend to an accuser and his, her or its witnesses;
- (c) listen fairly to both sides and observe the rules of natural justice;
- (d) discharge its duties in an open and impartial manner.

(17) The chairperson of the committee may invite or allow other persons to make representations to the committee, either in person or in writing, and a person whose deposition is in writing may be called by an involved party or by the committee to appear before the committee to give evidence in person, and the failure of such a person to appear will entitle the committee to disregard the written deposition.

(18) The Registrar must cause a record of proceedings before the committee of inquiry to be kept.

(19) A note of the findings of the committee, together with the facts on which its decisions were based, must be made available within 14 days after the

hearing and the findings and facts must be conveyed in writing to—

- (a) the MEC;
- (b) the relevant association or non-member;
- (c) the complainant or complainants;
- (d) where appropriate, the Board and relevant government departments or institutions;
- (e) other involved parties on request;
- (f) the media, where the matter is one of public concern.

(20) Pursuant to the inquiry, the Registrar may—

- (a) impose a fine not exceeding R5000;
- (b) serve a written order of temporary suspension of the relevant certificate of registration for a period not exceeding one year;
- (c) serve a written order withdrawing the relevant certificate of registration.

(21) Where an association is deregistered under any provision of the Act or these regulations, it must surrender to the Registrar all registration certificates issued to it, and its members shall be obliged to surrender all registration certificates issued to them, for cancellation, provided that—

- (a) no deregistration may be effected unless the parties concerned have been given 30 days' notice to show cause to the Registrar why the deregistration should not take place; and
- (b) where the Registrar is satisfied that any shortcoming or default can be rectified, he or she may allow a defaulting party a period not exceeding 30 days to do so and deliver proof thereof.

Standard minimum constitution and codes of conduct

42. (1) The Standard Minimum Constitution and codes of conduct published under Notice 3373 of 1997 in *Provincial Gazette* no. 406 of 5 November 1997 continue to apply as the Minimum Standard Constitution and Code of Conduct for Non-Members contemplated in section 21(3) of the Act for minibus taxi-type services.

(2) In the case of metered taxi services and bus- and coach-type services, the documents mentioned in sub-regulation (1) apply, with the necessary changes, unless the MEC directs otherwise in writing.

F. LAW ENFORCEMENT

Inspectors

43. (1) Every inspector must wear the uniform and display the official proof of identity issued to him or her by the Head of the Department.

(2) An inspector may not act in an official capacity as such unless he or she complies with sub-regulation (1).

(3) The Head of the Department must issue to every inspector a certificate of appointment in the form prescribed by the Head of the Department (Form 7).

(4) Upon being requested, an inspector must show his or her certificate of appointment to every person with whom the inspector deals in an official capacity.

Stopping of vehicles by authorised officers

- 44.** An authorised officer may—
- (a) cause a vehicle to be stopped in terms of section 99(2)(a) of the Act in the manner prescribed for the stopping of vehicles by traffic officers in the National Road Traffic Act, 1996 (Act No. 93 of 1996) and the regulations made thereunder; and
 - (b) enter such vehicle and examine it as well as the documentation authorising the transport in order to establish whether that vehicle is being used for public transport or in order to exercise an authorised power or perform an authorised duty specified in section 99 or elsewhere in the Act.

Dealing with impounded vehicles

45. Where a motor vehicle has been impounded under section 97 of the Act, the authorised officer impounding the vehicle must issue to the driver or other person in possession of the vehicle a receipt in the form prescribed by the Head of the Department (Form 19).

Offences and penalties

- 46.** Any person who—
- (a) fails to supply previous convictions on an application form as required by regulation 8 or falsely states such convictions;
 - (b) applies for a duplicate permit or operating licence under regulation 22 where the original has not been damaged, lost or destroyed;
 - (c) fails to affix, maintain or remove a distinguishing mark when required to do so by regulation 24;
 - (d) fails to submit a return to the Board when required to do so under regulation 27;
 - (e) fails to notify the Board of discontinuation of a service as required by regulation 30;
 - (f) without good reason, refuses or fails to comply with section 94(1)(m) in relation to a notice to appear before the Appeal Board or to produce documents contemplated in regulation 47,
- is guilty of an offence and liable on conviction to a fine or imprisonment not exceeding six months.

G. GENERAL REGULATIONS

Notice requiring person to appear before Board, Registrar or Appeal Board

47. (1) A notice or subpoena given in terms of section 31(1)(d)(ii), 57(1)(b) or 63(1)(b) of the Act must be in the form prescribed by the Head of the Department (Form 11, 12 or 24 respectively), and an authorised officer must personally hand a copy of the notice to the person to whom it applies or, where the person cannot conveniently be found, by leaving a copy of the notice with a person who is apparently a responsible person at the place of business, usual place of residence or the last known place of residence of the person to whom it applies, and the officer must thereafter report to the Board, Registrar or Appeal Board, as the case may be.

(2) A person required in terms of the Act to appear before the Board, Registrar or Appeal Board to give evidence or produce any book, plan or other document or object must be paid the witness fees as are paid to any witness attending or subpoenaed to give evidence in a civil case before a magistrate's court.

Meetings of Board

48. (1) Meetings of the Board will be held at the times determined by it, unless otherwise decided by the MEC, subject to sub-regulation (2), and at places designated by the MEC.

(2) Meetings of the Board must be arranged so that any application to it in terms of this Act is disposed of within 90 days after receipt by the Board.

(3) In order to comply with sub-regulation (2) the Board must strive to ensure by sending reminders that entities to which applications are submitted for comments and recommendations comply with the relevant time *limits*, and proceed without such comments and recommendations where they are not submitted in time despite the reminders.

Transport operating licence administrative bodies

49. (1) The officials contemplated in section 34(1) of the Act must be officials who are trained to receive and process applications relating to operating licences in terms of the Act and these regulations and to keep available for collection operating licences that have been issued by the Board.

(2) At least one such official must be stationed at the offices of each metropolitan authority, at a place which is advertised by appropriate sign boards and direction boards to advertise the fact that such applications may be lodged there.

(3) Such official must ensure that all communications between the Board and the relevant metropolitan authority are delivered by hand to the relevant municipal official.

Entering details of applications in data banks

50. On receipt of an application in terms of the Act the official mentioned in regulation 49(1) must allocate a sequential number to the application and enter at least the following details in the electronic database:

- (a) The name of the applicant;
- (b) physical and postal addresses of the applicant;
- (c) identity or other identification number;
- (d) telephone and fax numbers and E-Mail address, if the applicant has supplied them;
- (e) registration number of the applicant, if applicable;
- (f) contract number, if applicable;
- (g) details of routes being or to be used, in appropriate cases by reference to route numbers or codes allocated by the relevant planning authority;
- (h) particulars of the relevant vehicle as listed in regulation 5(4)(m);
- (i) ranks and other facilities being or to be used, if appropriate by reference to numbers or codes allocated by the planning authority.

Records of operating licences

51. (1) The electronic records to be kept by the Board in terms of section 45 of the Act, must contain the particulars of holders of operating licences and the vehicle specified in each operating licence as set out in relevant portions of regulation 5(4).

(2) Such records must contain, in respect of such particulars—

- (a) a register of holders, including a record of previous convictions for offences listed in regulation 8;
- (b) a register of operating licences by virtue of their numbers;
- (c) a register of permits that have not yet been converted to operating licences;
- (d) a vehicle register;
- (e) a register of routes;
- (f) a register of facilities.

Tendering

52. For the purposes of section 36(1) of the Act, tenders must be dealt with in terms of the Regulations on Regulated Competition made by the National Minister of Transport in Government Notice R.1329 of 6 December 2000, as amended by Government Notice R.674 of 19 July 2001 and as further amended from time to time.

Insurance in respect of tourist services

53. (1) All operators of tourist services must effect and maintain at all times while such services are undertaken, at their own expense, public passenger liability insurance for at least R10m (Ten Million Rand) per any one incident with an insurance company acceptable to the Board and registered in the Republic of South Africa in terms of the Short Term Insurance Act, 1998 (Act No. 53 of 1998) or other applicable legislation.

(2) Proof of such insurance must be submitted to the Board before any operating licence for tourist services is issued and the holder of such licence must advise the Board in writing of any changes thereto within 14 days of such change.

(3) Holders of operating licences for tourist services must provide the Board on written demand with proof of payment of premiums in respect of such insurance and any other particulars relating thereto required by the Board.

Fees

54. (1) The fees to be paid for various activities contemplated in these regulations are set out in Annexure A.

(2) The MEC may increase these fees from time to time after consultation with the Board, Registrar or Appeal Board, as the case may be, by notice in the *Gazette*.

Certain forms may be submitted electronically

55. Form 17 "Notification by Operating Licence Board to Registrar that an appropriate operating licence has been issued to a provisionally admitted member" and Form 19 "Form of certificate issued by Registrar for submission by a non-

member to the Operating Licence Board" may be submitted electronically.

Short title

56. These regulations are called the Gauteng Public Passenger Road Transport Regulations, 2001.

ANNEXURE A

Schedule of Fees

Item	Section of Act	Regulation	Description	Fee
1.	79	2(1)	Conversion of permit to operating licence	No fee
2.	40(1)(b)	3(1)	Application for granting, amendment, renewal or transfer of an operating licence <i>(Note: no fee is payable when application is made for a contracted service under section 39(1) of the Act.)</i>	R 200
3.	38(9)	19(1)	Application fee for interim operating licence	R 50
4.	53	20(1)	Application fee for special circumstance operating licence	R 50
5.	90	5(1)	Amendment of an operating licence to replace the vehicle specified therein	R 100
6.	38(10)		Fee for copy of permit or operating licence	R 20
7.	21(2)		Fee for appeal to Appeal Board	R1 000
8.	42(3)(a)		Fee for inspecting an application	R 20
9.	42(3)(b) and 42(4)		Fee for copies provided to interested person or applicant by Board	R0,30 per folio
10.	52(3)		Fee for issuing a series of ad hoc authorisations	R 50 per authorisation
11.	53(2)		Application fee for special circumstance operating licence	R 50
12.	62(h)		Fee for obtaining information from Registrar's Register	R 50 per item of information
13.		65(1)	Application fee for registration of association	R 1 000
14.		65(1)	Application fee for registration of new member of association	R 200
15.		65(1)	Application fee for registration of non-member	R 200
16.		21(1)(dd)	Annual registration fee for associations	R 1000
17.		21(1)(d)	Annual registration fee for non-members	R 100

IMPORTANT NOTICE

The
Gauteng Provincial Gazette Function
 will be transferred to the
Government Printer in Pretoria
 as from 2nd January 2002

NEW PARTICULARS ARE AS FOLLOWS:

Physical address:

Government Printing Works
 149 Bosman Street
 Pretoria

Postal address:

Private Bag X85
 Pretoria
 0001

New contact persons: Awie van Zyl Tel.: (012) 334-4523
 Mrs H. Wolmarans Tel.: (012) 334-4591

Fax number: (012) 323-8805

E-mail address: awvanzyl@print.pwv.gov.za

Contact persons for subscribers:

Mrs S. M. Milanzi Tel.: (012) 334-4734
 Mrs J. Wehmeyer Tel.: (012) 334-4753
 Fax.: (012) 323-9574

This phase-in period is to commence from **November 2001** (suggest date of advert) and notice comes into operation as from **2 January 2002**.

Subscribers and all other stakeholders are advised to send their advertisements directly to the **Government Printing Works**, two weeks before the 2nd January 2002.

*In future, adverts have to be paid in advance
 before being published in the Gazette.*

HENNIE MALAN

Director: Financial Management
 Office of the Premier (Gauteng)

