



KWAZULU-NATAL PROVINCE
KWAZULU-NATAL PROVINSIE
ISIFUNDAZWE SAKWAZULU-NATALI

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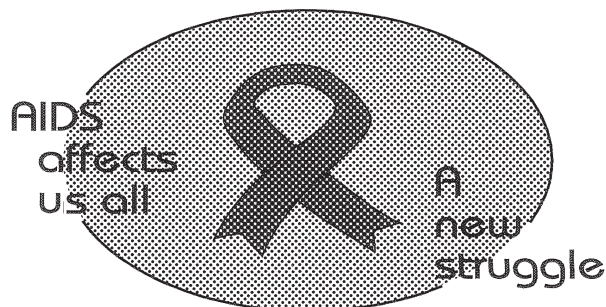
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20 SEPTEMBER 2018
20 SEPTEMBER 2018
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No. 2001

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DEPARTMENT OF HEALTH

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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 105 OF 2018**NOTICE IN TERMS OF SECTION 91 OF THE NATIONAL LAND TRANSPORT ACT, 2009
(ACT NO. 5 OF 2009)**

I, Thomas Mxolisi Kaunda, by virtue of the powers vested in me in terms of Section 91 of the National Land Transport Act No. 5 of 2009 ("The Act") as the Member of the Executive Council for the Province of KwaZulu Natal responsible for Transport, as defined in the Act, hereby give notice of my intention to invoke the provisions of Section 91(2) read with Section 91(1) within Ladysmith and the broader Alfred Duma Municipality.

The situation which presents and gives rise to the present notice is:

1. The need to preserve the safety of the community, operators and their employees.
2. The ongoing instability relating to long distance taxi routes between the Klipriver Taxi Association and the Sizwe-Transport Taxi Association (Ladysmith).
3. The failure of the operators, particularly the leadership of both associations to find an amicable resolution and/or commitment to peaceful and lawful operations of the contested routes.

The above named area has suffered violence and experienced a high mortality rate due to minibus taxi related violence.

Being of the opinion that extraordinary measures are necessary to ensure safe public transportation and to normalise transport services in area referred to in this notice, which area is affected by violence, unrest, conflict or instability, I hereby give notice of my intention to invoke the provisions of Section 91(2) read with Section 91(1) of the Act in the following manner:

1. Declaring the area of Ladysmith and Surrounding Areas within the Alfred Duma Municipality to be an area within which "Extraordinary Measures" will be made in terms of Section 91(2);

2. In terms of Section 91(2), declaring that the long distance routes and operating licences of the minibus taxi operators listed hereunder are temporarily suspended:
 - a. The long distance routes and taxi operations registered to Klipriver Taxi Association and operated by members who hold dual membership between Klipriver and Sizwe-Transport Taxi Association;
3. The proposed suspension shall operate for a period of six months, commencing on the date of it being published in the *Provincial Gazette* and shall remain in force until the parties enter into an agreement to operate the contested routes peacefully.
4. Any interested and/or affected parties may make representations addressed to the Office of the Member of Executive Council in relation to the intended suspension.
5. All representations and/or request for reasons must:
 - a. Be made in writing, by the interested and or affected person(s) or duly authorised representative(s) thereof;
 - b. Clearly state the bases upon which such person(s) claim to be interested and affected;
 - c. Clearly state the grounds upon which they object to the intended suspension;
 - d. Be delivered within seven (7) days from the date of publication of this notice in the gazette to:

Ms Bongiwe Kunene

The Department of Transport, KwaZulu Natal

By hand:

Inkosi Mhlabunzima Maphumulo House

4th Floor Executive Building

172 Burger Street

Pietermaritzburg

3201

or

By email:

Bongiwe.kunene@kzntransport.gov.za

6. Once I have considered all representations submitted, a decision shall be communicated by way of publication in the provincial gazette.

Given under my hand at PMB. on this 19 day of SEPTEMBER 2018



THOMAS MXOLISI KAUNDA

Member of Executive Council of the Province of KwaZulu Natal

Responsible for Transport, Community Safety and Liason

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