Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

PROVINCE OF THE WESTERN CAPE

Provincial Gazette Extraordinary

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CONTENTS

*(*Copies are obtainable at Room M21, Provincial Legislature Building, 7 Wale Street, Cape Town 8001.)*

Provincial Notice

41 Department of Transport and Public Works: Western Cape Toll Roads Act, 1999 (Act 11 of 1999): Levying of Tolls for Chapman's Peak Drive 2

As 'n Nuusblad by die Poskantoor Geregistreer

INHOUD

*(*Afskrifte is verkrygbaar by Kamer M21, Provinsiale Wetgewer-gebou, Waalstraat 7, Kaapstad 8001.)*

Provinsiale Kennisgewing

41 Departement van Vervoer en Openbare Werke: Wes-Kaapse Wet op Tolpaaie, 1999 (Wet 11 van 1999): Heffing van Tolgelde vir Chapmanspiek-Rylaan 6

Ibhaliswe ePosini njengePhephandaba

IZIQULATHO

*(*Ushicilelo oLutsha lufumaneka kwigumbi M21, kwiSakhiwo sePhondo seNdlu yoWiso Mthetho, 7 Wale Street, eKapa 8001.)*

ISaziso sePhondo

41 ISebe leZothutho neMisebenzi yoLuntu: uMthetho i*Western Cape Toll Roads Act, 1999* (uMthetho 11 ka-1999): IMirhumo yeNdlela iChapmans's Peak Drive 10

PROVINCIAL NOTICE

The following Provincial Notice is published for general information.

DR H.C. MALILA,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

DR H.C. MALILA,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

ISAZISO SEPHONDO

Esi saziso silandelayo sipapashelwe ukunika ulwazi ngokubanzi.

GQIR H.C. MALILA,
MLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Street,
eKapa.

PROVINCIAL NOTICE

P.N. 41/2020 **11 June 2020**

DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

WESTERN CAPE TOLL ROADS ACT, 1999 (ACT 11 OF 1999)

LEVYING OF TOLLS FOR CHAPMAN'S PEAK DRIVE

I, Bonginkosi Success Madikizela, Provincial Minister of Transport and Public Works, under sections 3 and 4 of the Western Cape Toll Roads Act, 1999 (Act 11 of 1999), and with effect from 1 July 2020—

(a) levy the tolls specified in Schedule A for the categories of vehicle specified in that Schedule that are driven or used on Chapman's Peak Drive;

(b) provide for the exemption from payment of tolls by certain drivers or users of Chapman's Peak Drive as specified in Schedule B; and

(c) repeal Provincial Notice 71/2019, published in *Provincial Gazette* 8112 dated 14 June 2019.

BS MADIKIZELA

PROVINCIAL MINISTER OF TRANSPORT AND PUBLIC WORKS

DATE: 10 June 2020

SCHEDULE A

LEVYING AND COLLECTION OF TOLLS UNDER SECTION 3

TOLLS AND REBATES

The toll payable for the driving or use of a vehicle in a class of vehicles set out in column 1 read with column 2 of the table in this Schedule is as set out in column 3, 4, 5 or 6 of the table.

1	**2**	**3**	**4**		**5**		**6**	
			Discount Structure for Regular Users		**Discount Structure for Regular Users with Wild Cards**		**Discount Structure for Motorcycle Regular Users**	
Class of Vehicle	Description	Tariff	Discount Tariff	Qualification: Uses per Calendar Month	Discount Tariff	Qualification: Uses per Calendar Month	Discount Tariff	Qualification: Uses per Calendar Month
Class 1 Light Vehicles	Motor Cycles, Motor Tricycles, Motor Quadbikes, Light Motor Vehicles, Minibus and Utility Vehicles		R52,00	1 – 2	R42,00	1 – 2	R34,00	1 – 2
		R52,00	R42,00	3 – 4	R42,00	3 – 4	R28,00	3 – 4
			R32,00	5 – 6	R32,00	5 – 6	R21,00	5 – 6
			R22,00	7 – 10	R22,00	7 – 10	R14,50	7 – 10
			R11,00	11 – 25	R11,00	11 – 25	R7,00	11 – 25
			R20,50	26 plus	R20,50	26 plus	R13,50	26 plus
			Minibus Taxis		R16,00	All journeys		
			Motor Cycles		R34,00	All journeys		
Class 2 2 Axle Heavy Vehicles	Midi-bus, Bus and Heavy Motor Vehicles with two axles	R207,00	N/A	N/A	N/A	N/A		
Class 3 3 & 4 Axle Heavy Vehicles	Bus and Heavy Motor Vehicles with three or four axles	R518,00	N/A	N/A	N/A	N/A		
Class 4 5 & More Axle Heavy Vehicles	Heavy Vehicles with five or more axles and Articulated Vehicles	N/A						

Note (1): All tolls include 15% VAT.

Note (2): Rebates are only applicable to persons who drive or use any of the classes of vehicles, referred to in the table, on the toll road and who have registered with the Concessionaire, and who maintain a minimum balance of R80,00 in their accounts. Rebates are applicable to non-commercial use only.

Note (3): Wild Card rebates are only applicable to persons who drive or use any of the classes of vehicles, referred to in the table, on the toll road and who are in possession of valid Wild Cards as distributed by South African National Parks and CapeNature and who have registered with the Concessionaire. Wild Card holders who have not registered but who present their cards at the toll plaza will not qualify for the Wild Card rebate. Wild Card rebates are applicable to non-commercial use only.

Note (4): Minibus taxis with valid operating licences issued in terms of the National Land Transport Act, 2009 (Act 5 of 2009), are exempt from the provision requiring non-commercial use as contained in Note (2).

Note (5): Classes of vehicles are prescribed in terms of regulation 3 of the Regulations Regarding Provincial Toll Roads made under the Western Cape Toll Roads Act, 1999, published under Provincial Notice 115/2001 in *Provincial Gazette* 5699 dated 20 April 2001.

Note (6): Rebates are granted in terms of section 3(3) and (4) of the Western Cape Toll Roads Act, 1999.

SCHEDULE B

EXEMPTION FROM PAYMENT OF TOLLS UNDER SECTION 4

EXEMPT USERS AND DRIVERS

A person who drives or uses any of the following vehicles on the toll road is exempted from paying toll:

(a) South African Police Service vehicles used in the performance of a duty;

(b) South African National Defence Force vehicles used in the performance of a duty;

(c) Provincial Government of the Western Cape emergency services vehicles and Traffic Police vehicles used in the performance of a duty;

(d) City of Cape Town emergency services vehicles and Traffic Police vehicles, Cape Town Metropolitan Police Department vehicles, and City of Cape Town Auxiliary Law Enforcement Service vehicles used in the performance of a duty;

(e) South African National Parks vehicles used in the performance of a duty;

(f) National Sea Rescue Institute vehicles used in the performance of a duty;

(g) ambulances used for an ambulance service licensed in terms of the Western Cape Ambulance Services Act, 2010 (Act 3 of 2010), used in the performance of ambulance services;

(h) fire-fighting vehicles as defined in section 1 of the National Road Traffic Act, 1996 (Act 93 of 1996), used in the performance of fire-fighting services;

(i) rescue vehicles as defined in section 1 of the National Road Traffic Act, 1996, used in the performance of rescuing services; and

(j) operational and maintenance vehicles used in the performance of operational and maintenance duties on the toll road.

PROVINSIALE KENNISGEWING

P.K. 41/2020 **11 Junie 2020**

DEPARTEMENT VAN VERVOER EN OPENBARE WERKE

WES-KAAPSE WET OP TOLPAAIE, 1999 (WET 11 VAN 1999)

HEFFING VAN TOLGELDE VIR CHAPMANSPIEK-RYLAAN

Ek, Bonginkosi Success Madikizela, Provinsiale Minister van Vervoer en Openbare Werke, kragtens artikels 3 en 4 van die Wes-Kaapse Wet op Tolpaaie, 1999 (Wet 11 van 1999), met ingang van 1 Julie 2020—

(a) hef die tolgelde vermeld in Bylae A vir die kategorieë voertuie vermeld in daardie Bylae wat bestuur of gebruik word op Chapmanspiek-rylaan;

(b) maak voorsiening vir die vrystelling van betaling van tolgelde deur sekere bestuurders of gebruikers van Chapmanspiek-rylaan soos vermeld in Bylae B; en

(c) herroep Provinsiale Kennisgewing 71/2019, gepubliseer in *Provinsiale Koerant* 8112 van 14 Junie 2019.

BS MADIKIZELA

PROVINSIALE MINISTER VAN VERVOER EN OPENBARE WERKE

DATUM: 10 Junie 2020

BYLAE A

HEFFING EN INVORDERING VAN TOLGELDE KRAGTENS ARTIKEL 3

TOLGELDE EN KORTINGS

Die tolgeld betaalbaar vir die bestuur of gebruik van ’n voertuig in ’n voertuigklas soos uiteengesit in kolom 1, gelees saam met kolom 2, van die tabel in hierdie Bylae is soos uiteengesit in kolomme 3, 4, 5 of 6 van die tabel.

1	2	3	4		5		6	
			Kortingstruktuur vir Gereelde Gebruikers		**Kortingstruktuur vir Gereelde Gebruikers met ’n *Wild*-kaart**		**Kortingstruktuur vir Gereelde Gebruikers met Motorfietse**	
Voertuigklas	Beskrywing	Tarief	Tarief met korting	Kwalifikasie: Gebruik per kalender-maand	Tarief met korting	Kwalifikasie: Gebruik per kalender-maand	Tarief met korting	Kwalifikasie: Gebruik per kalender-maand
Klas 1 Ligte Voertuie	Motorfietse, Driewiel-motorfietse, Vierwielmotor-fietse, Ligte Motorvoertuie, Minibusse en Nutsvoertuie		R52,00	1 – 2	R42,00	1 – 2	R34,00	1 – 2
		R52,00	R42,00	3 – 4	R42,00	3 – 4	R28,00	3 – 4
			R32,00	5 – 6	R32,00	5 – 6	R21,00	5 – 6
			R22,00	7 – 10	R22,00	7 – 10	R14,50	7 – 10
			R11,00	11 – 25	R11,00	11 – 25	R7,00	11 – 25
			R20,50	26 plus	R20,50	26 plus	R13,50	26 plus
			Minibustaxi’s		R16,00	Alle reise		
			Motorfietse		R34,00	Alle reise		
Klas 2 2 Asse Swaarvoertuie	Midi-busse, Busse en Swaarmotor-voertuie met twee asse	R207,00	NVT	NVT	NVT	NVT		
Klas 3 3 & 4 Asse Swaarvoertuie	Busse en Swaar-motorvoertuie met drie of vier asse	R518,00	NVT	NVT	NVT	NVT		
Klas 4 5 & Meer Asse Swaarvoertuie	Swaarvoertuie met vyf of meer asse en Gelede Voertuie	NVT						

Nota (1): Alle tolgelde sluit 15% BTW in.

Nota (2): Kortings is slegs van toepassing op persone wat enige van die voertuigklasse, waarna in die tabel verwys word, bestuur of gebruik op die tolpad en vooraf geregistreer het by die Konsessiehouer en ’n minimum balans van R80,00 in hul rekening handhaaf. Kortings is slegs van toepassing op nie-kommersiële gebruik.

Nota (3): Kortings vir *Wild*-kaarte is net van toepassing op persone wat enige van die voertuigklasse, waarna in die tabel verwys word, bestuur of gebruik op die tolpad en in besit is van geldige *Wild*-kaarte, soos versprei deur Suid-Afrikaanse Nasionale Parke en CapeNature en wat vooraf geregistreer het by die Konsessiehouer. *Wild*-kaarthouers wat nie vooraf geregistreer het nie, maar hul kaarte by die tolhek toon, sal nie kwalifiseer vir die *Wild*-kaartkorting nie. *Wild*-kaartkorting is slegs van toepassing op nie-kommersiële gebruik.

Nota (4): Minibustaxi’s met geldige bedryfslisensies wat ingevolge die “National Land Transport Act, 2009” (Wet 5 van 2009), uitgereik is, word vrygestel van die bepaling wat in Nota (2) vervat is wat nie-kommersiële gebruik vereis.

Nota (5): Voertuigklasse word ingevolge regulasie 3 van die Regulasies Insake Provinsiale Tolpaaie voorgeskryf wat onder die Wes-Kaapse Wet op Tolpaaie, 1999, gemaak is en onder Provinsiale Kennisgewing 115/2001 in *Provinsiale Koerant* 5699, van 20 April 2001, gepubliseer is.

Nota (6): Kortings word ingevolge artikel 3(3) en (4) van die Wes-Kaapse Wet op Tolpaaie, 1999, toegestaan.

BYLAE B

VRYSTELLING VAN BETALING VAN TOLGELDE KRAGTENS ARTIKEL 4

VRYGESTELDE GEBRUIKERS OF BESTUURDERS

’n Persoon wat een van die volgende voertuie op die tolpad bestuur of gebruik, word daarvan vrygestel om tolgeld to betaal:

(a) voertuie van die Suid-Afrikaanse Polisiediens wat gebruik word by die uitvoer van ’n plig;

(b) voertuie van die Suid-Afrikaanse Nasionale Weermag wat gebruik word by die uitvoer van ’n plig;

(c) noodvoertuie en verkeerspolisie-voertuie van die Wes-Kaapse Regering wat gebruik word by die uitvoer van ’n plig;

(d) noodvoertuie en verkeerspolisie-voertuie van die Stad Kaapstad, voertuie van die Stad Kaapstad Metropolitaanse Polisiedepartement en voertuie van die Stad Kaapstad se Wetstoepassings Aanvullende Diens, wat gebruik word by die uitvoer van ’n plig;

(e) voertuie van Suid-Afrikaanse Nasionale Parke wat gebruik word by die uitvoer van ’n plig;

(f) voertuie van die Nasionale Seereddingsinstituut wat gebruik word by die uitvoer van ’n plig;

(g) ambulanse wat gebruik word vir ’n ambulansdiens wat ingevolge die Wet op Wes-Kaapse Ambulansdienste, 2010 (Wet 3 van 2010), gelisensieer is, by die uitvoer van ambulansdienste;

(h) brandbestrydingsvoertuie, soos omskryf in artikel 1 van die Nasionale Padverkeerswet, 1996 (Wet 93 van 1996), wat gebruik word by die uitvoer van brandbestrydingsdienste;

(i) reddingsvoertuie, soos omskryf in artikel 1 van die Nasionale Padverkeerswet, 1996, wat gebruik word by die uitvoer van reddingsdienste; en

(j) operasionele en instandhoudingsvoertuie wat gebruik word by die uitvoer van operasionele en instandhoudingsdienste op die tolpad.

ISAZISO SEPHONDO

I.S. 41/2020 **11 kweyeSilimela 2020**

ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU

UMTHETHO I-*WESTERN CAPE TOLL ROADS ACT, 1999*
(UMTHETHO 11 KA-1999)

IMIRHUMO YENDLELA I-CHAPMAN’S PEAK DRIVE

Mna, Bonginkosi Success Madikizela, uMphathiswa wezoThutho neMisebenzi yoLuntu kwiPhondo, phantsi kwecandelo 3 nele-4 lomthetho iWestern Cape Toll Roads Act, 1999 (uMthetho 11 ka-1999), kwaye ukususela kumhla woku-1 kweyeKhala 2020—

(a) ukuhlawula imirhumo yendlela echazwe kwiShedyuli A yeendidi zezithuthi ezichazwe kwiShedyuli eziqhutywa okanye ezisetyenziswa kwiChapman’s Peak Drive;

(b) kubonelela ngoxolelo kwiintlawulo zabaqhubi okanye zabasebenzisi abathile beChapman’s Peak Drive njengoko kuchaziwe kwiShedyuli B; kunye

(c) notshitshiso lweSaziso sePhondo 71/2019 esapapashwa *kwiGazethi yePhondo* 8112 yomhla we-14 kweyeSilimela 2019.

BS MADIKIZELA

UMPHATHISWA WEPHONDO WEZITHUTHO NEMISEBENZI YOLUNTU

UMHLA: 10 kweyeSilimela 2020

ISHEDYULI A

URHAFISO NOKUQOKELELWA KWEMIRHUMO YENDLELA PHANTSI KWECANDELO 3

IINTLAWULELO ZENDLELA NEZAPHULELO

Irhafu ehlawulelwa ukuqhuba okanye ukusebenzisa isithuthi esikudidi lwezithuthi ezibekwe kwikholamu 1 efundwa kunye nekholamu 2 kule theyibhile ikule Shedyuli injengohlobo ebekwe ngalo kwikholamu 3, 4, 5 okanye 6 kule theyibhile.

1	2	3	4		5		6	
			ISicwangciso seSaphulelo saBasebenzisi beSiqhelo		**ISicwangciso seSaphulelo saBasebenzisi beSiqhelo abaneeWild Cards**		**ISicwangciso seSaphulelo saBasebenzisi bezithuthuthu besiqhelo**	
Udidi lwesithuthi	Ingcaciso	Ntlawulo	Isaphulelo seNtlawulo	Ilungelo losetyenziso: Usetyenziso ngenyanga	Isaphulelo seNtlawulo	Ilungelo losetyenziso: Usetyenziso ngenyanga	Isaphulelo seNtlawulo	Ilungelo losetyenziso: Usetyenziso ngenyanga
Udidi 1 IZithuthi eziLula	IZithuthi eziMavili maBini, iZithuthi eziMavili maThathu IZithuthuthu eziMavili maNe, iZithuthi eziLula, iiBhasi eziNcinci neZithuthi zohlobo lweYuthilithi		R52,00	1 – 2	R42,00	1 – 2	R34,00	1 – 2
		R52,00	R42,00	3 – 4	R42,00	3 – 4	R28,00	3 – 4
			R32,00	5 – 6	R32,00	5 – 6	R21,00	5 – 6
			R22,00	7 – 10	R22,00	7 – 10	R14,50	7 – 10
			R11,00	11 – 25	R11,00	11 – 25	R7,00	11 – 25
			R20,50	26 nangaphezulu	R20,50	26 nangaphezulu	R13,50	26 nangaphezulu
			Iiteksi eziziibhasi ezincinci		R16,00	Iihambo zonke		
			Izithuthuthu		R34,00	Iihambo zonke		
Udidi 2 IZithuthi eziNzima ezinee-Asi ezi-2	IBhasi eziPhakathi, iiBhasi neZithuthi eziNzima ezinee-asi ezimbin	R207,00	N/A	N/A	N/A	N/A		
Udidi 3 IZithuthi eziNzima ezinee-Asi ezi-3 nezi-4	IBhasi neZithuthi eziNzima ezinee-asi ezintathu nezine	R518,00	N/A	N/A	N/A	N/A		
Udidi 4 IZithuthi eziNzima ezinee-Asi ezi-5 nanga-phezulu	IZithuthi eziNzima ezinee-asi ezintlanu okanye ngaphezulu neZithuthi eziDityanisiweyo	N/A						

Isolotya (1): Iintlawulelo zonke zineRhafuntengo (iVAT) eyi-15%.

Isolotya (2): Izaphulelo zilungiselelwe kuphela abantu abaqhuba okanye abasebenzisa nokuba loluphi udidi lwesithuthi kwezi zikwitheyibhile, kwindlela erhafelwayo nabasele bebhaliswe kuluhlu lwabanelungelo eligunyaziswe ngurhulumente nabahlala benemali engama-R80,00 kwii-akhawunti zabo. Izaphulelo zikho kuphela kwezo zithuthi zingasetyenziselwa kushishina.

Isolotya (3): Izaphulelo zabaneeWild Cards zilungiselelwe kuphela abantu abaqhuba okanye abasebenzisa isithuthi esikho kulo naluphi na udidi kwezi zidwelisiweyo kule theyibhile, kwindlela erhafelwayo nabanamakhadi abizwa ngokuba ziiWild Cards ezisemthethweni ezikhutshwe yiSouth African National Parks and CapeNature nababhaliswe ngokoMthetho. Abanamakhadi iWild Cards abangabhalisanga kodwa abawavezayo amakhadi abo bakufika kwisikhululo esirhafisa indlela abasayi kusifumana bona isaphulelo seWild Card. Izaphulelo zeeWild Card zikho kwezo zithuthi zingasetyenziselwa kushishina kuphela.

Isolotya (4): Iiteksi eziziibhasi ezincinci ezineelayisensi ezisemthethweni ezisebenzayo ezikhutshwe ngokwemiqathango yomthetho iNational Land Transport Act, 2009 (uMthetho 5 ka-2009) azibandakanyeki zona kubonelelo olufunisa usetyenziselo olungelolushishino olukwiSolotya (2).

Isolotya (5): Iindidi zezithuthi ezikummiselo 3 weMimiselo yeeNdlela zePhondo eziRhafelwayo eyenziwe phantsi koMthetho iWestern Cape Toll Roads Act, 1999, eyapapashwa phantsi kweSaziso sePhondo 115/2001 esapapashwa *kwiGazethi yePhondo* 5699 yangomhla wama-20 kuTshazimpuzi 2001.

Isolotya (6): Izaphulelo zinikezelwa ngokwecandelo 3(3) nelesi-(4) lomthetho iWestern Cape Toll Roads Act, 1999.

ISHEDYULI B

UXOLELO KWIINTLAWULO ZOKUSEBENZISA INDLELA PHANTSI KWECANDELO 4

ABASEBENZISI NABAQHUBI ABAXOLELWEYO

Umntu oqhuba okanye usebenzisa naziphi na izithuthi kwezi zilandelayo kwindlela ehlawulelwayo uyaxolelwa ekuhlawuleleni indlela:

(a) izithuthi zeeNkonzo zamaPolisa aseMzantsi Afrika ezisetyenziselwa ukwenza umsebenzi wazo;

(b) izithuthi zoMkhosi woKhuselo kuZwelonke woMzantsi Afrika ezisetyenziselwa ukwenza umsebenzi wazo;

(c) izithuthi zeenkonzo zongxamiseko nezithuhti zamaPolisa weNdlela woRhulumenete wePhondo leNtshona Koloni ezisetyenziselwa ukwenza umsebenzi wazo;

(d) izithuthi zeenkonzo zongxamiseko zeSixeko saseKapa nezithuhti zamaPolisa weNdlela, izithuthi zeSebe lamaPolisa oMasipala oMbaxa waseKapa, izithuthi zeeNkonzo zoNyanzeliso Mthetho oNcedisa isiXeko saseKapa ezisetyenziselwa ukwenza umsebenzi wazo;

(e) izithuthi zeSouth African National Parks ezisetyenziselwa ukwenza umsebenzi wazo;

(f) Izithuthi ze*National Sea Rescue Institute* ezisetyenziselwa ukwenza umsebenzi wazo;

(g) ii-ambulensi ezisetyenziselwa inkonzo yeambulensi ilayisenisi ngokomthetho iWestern Cape Ambulance Services Act, 2010 (uMthetho 3 ka-2010), ezisetyenziselwa ukwenza umsebenzi wazo;

(h) izithuthi zokucim' umlilo njengoko kuchaziwe kwicandelo 1 lomthetho iNational Road Traffic Act, 1996 (uMthetho 93 ka-1996), ezisetyenziselwa ukwenza umsebenzi wokucim' umlilo;

(i) izithuthi zohlangulo njengoko kuchaziwe kwicandelo 1 lomthe iNational Road Traffic Act, 1996, ezisetyenziselwa ukwenza umsebenzi weenkonzo zohlangulo; kunye

(j) izithuthi zokusebenza nezokulungisa ezisetyenziselwa ukwenza umsebenzi wokusebenza nokulungisa kwindlela ehlawulelwayo.