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THE PRESIDENCY

No. 276

28 March 2007

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

No. 26 of 2006: National Transport Transition Amendment Act, 2006.

OFISI KAMONGAMELI

Ino. 276

28 March 2007

Esi sisaziso sokuba uMongameli uwankele lo mthetho ulandelayo nonikezelwa kuluntu jikelele kolu xwebhu:—

Ino. 26 ka-2006: uMthetho kaZwelonke Wokuguqulwa kokuGuquka swezoku-Thutha Ezihamba Emhlabeni, 2006.

INOTI ELICHAZA NGOKUBANZI:

- [] Amagama abhalwe ngokugqamile kubakaki abayisikwele akhombisa okukhishiwe emithethweni eshayiwe ekhona.
- Amagama adwetshelwe ngomugqa ophelele akhombisa okufakiwe emithethweni eshayiwe ekhona.

(English text signed by the President.)
(Assented to 25 March 2007.)

UMTHETHO

Ukushintsa uMthetho kaZwelonke wokuGuquka kwezokuThutha 2000, ukuze uchaze okushiwoyo futhi uguqule izincazelo ezithile, ukwelula ulwazi olungahle lubandakanywe esazisweni esiqukethe inqubomgomo kazwelonke yezokuthutha ezihamba emhlabeni; ukulungiselela kabusha ukuqondaniswa kwenqubo yokuhlela yeziphathimandla zesifundazwe kwezokuhlela; ukwehlisa inani lezinhlalo ezidingwa nguMthetho; ukunikeza uNgqongqoshe igunya lokukhomba iziphathimandla zezokuhlela okufanele zihlinzeke ngezinhlelo zezokuthutha ebhodini elifanele lesifundazwe; ukulungiselela kabusha ukulungiselelwa kohlaka lukazwelonke oluyisu kwezokuthutha ezihamba emhlabeni kanye nezinhlaka zezifundazwe eziyisu zezokuthutha ezihamba emhlabeni; ukuchitha amalungiselelo amayelana namarekhodi akhona njengamanje ezokuthuthwa komphakathi; amalayisense okusebenza, izinhlelo zokususa okungadingeki ngenhloso yokwenza izinto zisebenze ngempumelelo kanye nezinhlalo zezokuthuthwa komphakathi; ukuhlinzeka kabusha amalungiselelo ezinhlelo ezihlanganiswe zezokuthutha; ukwelula imikhawulo ethile yesikhathi; ukuhlinzeka kabusha uhlobo lwezinqola ezingahle zisetshenziselwe izinsizakalo zezokuthuthwa komphakathi; ukwelulwa kokwephucwa izimfanelo zokuba namalayisense okusebenza; ukwelula imisebenzi yabanikazi bamalayisense noma izimvume zokusebenza; ukuhlinzeka kabusha ukuguqulwa kwamalayisense okusebenza; ukunikeza uNgqongqoshe igunya lokubeka izilinganiso ngamamitha avalekile enzelwe amatekisi asebenza ngamamitha kanye nokunikeza o-MEC igunya lokuthi babeke izinhlelo zezimali ezikhokhelwa izinsizakalo ezilethwa ngamatekisi asebenzisa amamitha; ukuhlinzeka kabusha ngokuthi indawo yezinqola ezikhonjwe ithathwe ngezinye okwesikhashana; ukuveza okuyizenzo ezingamacala ezintsha; kanye nokufaka izilungiso ezenziwa embhalweni kanye nokuchitha amalungiselelo angasenakusebenza; kanye nokubonelela ngezindaba ezixhumene nalokho.

MAKUMISWE yiPhalamende leRiphabhuliki yaseNingizimu Afrika, njengoba kulandela:—

Ukuguqulwa kwesigaba 1 soMthetho 22 ka-2000

1. Isigaba 1 soMthetho kaZwelonke wokuGuquka kwezokuThutha Ezihamba Emhlabeni (National Land Transport Transition Act), 2000 (ngemuva kwalapha obizwa ngokuthi nguMthetho ophambili, ngalokhu uyaguqulwa— 5

(a) ngokuthi indawo yencazelo ye“bhasi” ithathwe yincazelo elandelayo:

“‘ibhasi’ lisho inqola ehambayo eyenziwe [,] noma [eguqulwe ngokusemthethweni ngumenzi wezinto ngokuthi alandele uMthetho weZinto eziHamba eMgwaqweni (Road Traffic Act), 1989 (UMthetho onguNombolo 29 ka-1989), ukuthi ithwale] eguqulelwe ukuhanjiswa kwabantu abangaphezu kwama-[35] abantu abangama-34, 10

- (b) the substitution for the definition of “contracting authority” of the following definition:
 “**‘contracting authority’** means the Department, any provincial department, transport authority[,], or municipality [or any core city,] bound to a contract or concession agreement concluded with a public transport operator;”;
- (c) the substitution for the definition of “midibus” of the following definition:
 “**‘midibus’** means a motor vehicle designed[, or lawfully adapted by a registered manufacturer in compliance with the Road Traffic Act, 1989 (Act No. 29 of 1989), to carry from 19 to 35 seated] or modified solely or principally for the conveyance of more than 16 but less than 35 persons, [excluding] including the driver and for the purposes of the National Road Traffic Act, 1996 (Act No. 93 of 1996), is a sub-category of a bus;”;
- (d) the substitution for the definition of “minibus” of the following definition:
 “**‘minibus’** means a motor vehicle designed[, or [lawfully adapted by a registered manufacturer in compliance with the Road Traffic Act, 1989 (Act No. 29 of 1989), to carry from nine to 18] modified solely or principally for the conveyance of more than nine but not more than 16 seated persons, [excluding] including the driver;”;
- (e) the substitution for the definition of “motor car” of the following definition:
 “**‘motor car’** means a motor vehicle, other than a motor cycle, motor tricycle or motor quadrucycle as defined in the National Road Traffic Act, [1989 (Act No. 29 of 1989)] 1996 (Act No. 93 of 1996), designed or [lawfully adapted by a registered manufacturer to carry not more than eight] modified solely or principally for the conveyance of not more than nine persons, [excluding] including the driver;”;
- (f) the insertion after the definition of “municipality” of the following definition:
 “**‘municipal public transport service’** means any public transport service that is rendered for a consideration within the area of a planning authority;”;
- (g) the insertion after the definition of “registered” of the following definition:
 “**‘registered builder’** means a builder registered under section 5 of the National Road Traffic Act, 1996 (Act No. 93 of 1996);”;
- (h) the insertion after the definition of “unregistered constitution” of the following definition:
 “**‘registered importer’** means an importer registered under section 5 of the National Road Traffic Act, 1996 (Act No. 93 of 1996);”;
- (i) the substitution for the definition of “registered manufacturer” of the following definition:
 “**‘registered manufacturer’** means a manufacturer[, importer or builder of motor vehicles] registered under section 5 of the National Road Traffic Act, 1996 (Act No. 93 of 1996).”.

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- [kukhishelwa ngaphandle]** kubandakanywa nomshayeli, kuncike kusigaba 31;
- (b) ngokuthi indawo yencazelo “yesiphathimandla esinikeza izivumelwano” ithathwe yincazelo elandelayo: 5
 “**‘isiphathimandla esinikeza izivumelwano’** sisho uMnyango, noma yimuphi umnyango wesifundazwe, isiphathimandla sezokuthutha[,] noma umasipala [noma yiliphi elinye idolobha eliyinkaba,] abophezelwe esivumelwaneni noma esivumelwaneni esinamalungelo athile esenziwe nomuntu ohlinzeka ngezokuhanjiswa komphakathi;”;
- (c) ngokuthi indawo yencazelo ye“midibus” ithathwe yincazelo elandelayo: 10
 “**‘imidibus’** isho inqola ehambayo eyenzelwe [, **noma eguqulwe ngokusemthethweni ngumkhiqizi wezimoto obhalisiwe ngokuthi alandele uMthetho weZinto eZiHamba eMgwaqweni (Road Traffic Act), 1989 (UMthetho OnguNombolo 29 ka-1989), ukuthwala abahlezi abasuka e-19 kuye kuma-35]** noma eguqulelwe kuphela noma ngokubanzi ukuthi ihambise abantu abangaphezu kwe-16 kepha abangaphansi kwama-35, [kukhishelwe ngaphandle] kubandakanya nomshayeli futhi ngokwezinhloso zoMthetho kaZwelonke weZinto eziHamba eMgwaqweni (National Road Traffic Act), 1996 (UMthetho OnguNombolo 93 ka-1996), ingumkhakha ongaphansi kwalowo webhasi;”;
- (d) ngokuthi indawo yencazelo ye“minibus” ithathwe yincazelo elandelayo: 25
 “**‘iminibus’** isho inqola ehambayo eyenzelwe[,] noma **[eguqulwe ngokusemthethweni ngumkhiqizi wezimoto obhalisiwe ngokuthi alandele uMthetho weZinto eziHamba eMgwaqweni (Road Traffic Act), 1989 (UMthetho OnguNombolo 29 ka-1989), ukuthwala ukusuka kwabayisishiyagalolunye kuye kwabayi-18] eguqulelwe kuphela noma ngokubanzi ukuthi ihambise abantu abahlezi abangaphezu kwabayisishiyagalolunye kepha abangangaphezulu kwabayi-16, [kukhishelwe ngaphandle] kubandakanya nomshayeli;**”;
- (e) ngokuthi indawo yencazelo ye“moto” ithathwe yincazelo elandelayo: 30
 “**‘imoto’** isho inqola ehambayo, okungesona isithuthuthu, isithuthuthu esimasondo mathathu noma isithuthuthu esimasondo mane njengoba ichazwe eMthethweni kaZwelonke weZinto eziHamba eMgwaqweni (National Road Traffic Act), [1989 (UMthetho OnguNombolo. 29 ka-1989)] 1996 (UMthetho OnguNombolo 93 ka-1996), eyenzelwe noma **[eguqulwe ngokusemthethweni ngumenzi wezimoto obhalisiwe ukuthwala abangangaphezu kwabayisishiyagalombili]** eguqulelwe kuphela noma ngokubanzi ukuthi ihambise abantu abangangaphezulu kwabayisishiyagalolunye, **[kukhishelwe ngaphandle]** kubandakanya nomshayeli;”;
- (f) ngokufakwa ngemuva kwencazelo ka“masipala” kwencazelo elandelayo: 45
 “**‘izinsizakalo zikamasipala zokuthuthwa komphakathi’** zisho noma iyiphi indlela yokuthuthwa komphakathi eyenzelwa ukuba icatshangelwe ngaphakathi kwendawo yesiphathimandla sezokuhlela;”;
- (g) ngokufakwa ngemuva kwencazelo yo“bhalisiwe” yencazelo elandelayo: 50
 “**‘umakhi obhalisiwe’** kusho umakhi obhalisiwe ngaphansi kwesigaba 5 soMthetho kaZwelonke Wezinto Ezihamba eMgwaqweni (National Road Traffic Act), 1996 (UMthetho OnguNombolo 93 ka-1996);”;
- (h) ngokufakwa ngemuva kwencazelo yo“mthethosisekelo ongabhalisiwanga” kwencazelo elandelayo: 55
 “**‘umngenisizinto ezivela kwamanye amazwe obhalisiwe’** usho umngenisizinto ezivela kwamanye amazwe obhalisiwe ngaphansi kwesigaba 5 soMthetho kaZwelonke weZinto eziHamba eMgwaqweni (National Road Traffic Act), 1996;” (UMthetho OnguNombolo 93 ka-1996);”;
- (i) ngokuthi indawo yencazelo “yomenzi wezimoto obhalisiwe” ithathwe yincazelo elandelayo: 60
 “**‘umenzi wezimoto obhalisiwe’** usho umenzi wezinto[, **umngenisizinto ezivela kwamanye amazwe noma umakhi wezinqola ezihambayo]** obhalisiwe ngaphansi kwesigaba 5 soMthetho kaZwelonke weZinto eziHamba eMgwaqweni (National Road Traffic Act), 1996 (UMthetho OnguNombolo 93 ka-1996).”

Amendment of section 5 of Act 22 of 2000

2. Section 5 of the principal Act is hereby amended by—
- (a) the deletion in subsection (2) of the word “and” at the end of paragraph (b), the addition of the word “and” to paragraph (c) and the addition to that subsection of the following paragraph: 5
 “(d) target dates for the transformation of the land-based public transport sector.”; and
- (b) the substitution in subsection (5)(g) for subparagraph (i) of the following subparagraph: 10
 “(i) may do so only in consultation with the Minister of Education and the Minister of Labour with a view to ensuring that education and training in subjects or training courses relating to land transport, are directed towards complying with the National Qualifications Framework defined in section 1 of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995), and with the Skills Development Act, 1998 (Act No. 97 of 1998).”; 15

Amendment of section 6 of Act 22 of 2000

3. Section 6 of the principal Act is hereby amended by—
- (a) the substitution in subsection (2)(a) for the words preceding subparagraph (i) of the following words: 20
 “Every MEC, every transport authority[, **every core city**] and every municipality must provide the Minister, in the manner and at the times as prescribed by the Minister, with the information so prescribed about their actions or position with regard to matters so prescribed that are relevant to—”; 25
- (b) the substitution for subsection (3) of the following subsection:
 “(3) Despite subsection (2), the Minister may at any time by notice in writing require a particular transport authority[, **core city**] or municipality to provide the Minister with any information about its actions or position with regard to any non-prescribed matter of the nature mentioned in subparagraph (i), (ii) or (iii) of subsection (2) (a).”; 30
- (c) the substitution for subsection (5) of the following subsection:
 “(5) The information required for the purposes of paragraph (a) of subsection (2) may be prescribed only after consultation with the MECs, all transport authorities [**and core cities,**] and organised local government.”; and 35
- (d) the substitution for subsection (8) of the following subsection:
 “(8) Where a province, transport authority[, **core city**] or municipality fails to provide any information in compliance with [**subsections**] subsection (2) or (3), the Minister may withhold any payment to that province, transport authority[, **core city**] or municipality, until it has provided the information.”. 40

Amendment of section 9 of Act 22 of 2000

4. Section 9 of the principal Act is hereby amended by the substitution in subsection (2) for the words preceding paragraph (a) of the following words: 45
 “Every MEC must, by notice in the *Provincial Gazette*, from time to time and after consultation with transport authorities [**and core cities**] in the province and the relevant provincial organisation contemplated in section 2(1)(b) of the Organised Local Government Act, 1997 (Act No. 52 of 1997), publish provincial land transport policy, including, but not limited to—”. 50

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Ukuguqulwa kwesigaba 5 soMthetho 22 ka-2000

2. Isigaba 5 soMthetho ophambili ngalokhu siyaguqulwa—
- (a) ngokuthi kucishwe kusigatshana (2) segama u“kanye” ekugcineni kwesigaba (b), ngokufakwa kwegama u“kanye” esigabeni (c) kanye nokufakwa kuleso sigatshana kwesigaba esilandelayo: 5
- “(d) izinsuku ezihlosiwe zokuguqulwa komkhakha wezokuthuthwa komphakathi owesekelwe ekusetshenzisweni komhlaba”, kanye
- (b) nangokuthi indawo yesigatshana (5)(g) ithathwe yipharagrafana (i) lepharagrafana elilandelayo:
- “(i) angakwenza lokho kuphela ngokubonisana noNgqongqoshe wezeMfundo kanye noNgqongqoshe wezeMisebenzi ngenjongo yokuqinisekisa ukuthi ukufundiswa nokuqeqeshwa ezifundweni noma ezifundweni zokuqeqesha ezihlobene nezokuthutha okwenziwa emhlabeni, ziqondiswe ekulandeleni uHlaka lukaZwelonke lweziFundo (National Qualifications Framework) oluchazwe kusigaba 1 soMthetho weziPhathimandla zaseNingizimu Afrika zeziFundo (South African Qualifications Authority Act, 1995) (UMthetho OnguNombolo 58 ka-1995), kanye noMthetho wokuThuthukiswa kwamaKhono (Skills Development Act), 1998 (UMthetho Ongunombolo 97 ka-1998);”.

Ukuguqulwa kwesigaba 6 soMthetho 22 ka-2000

3. Isigaba 6 soMthetho ophambili ngalokhu siyaguqulwa—
- (a) ngokuthi kufakwe esigatshaneni (2)(a) esikhundleni samagama endulela isigatshana (i) lamagama alandelayo: 25
- “Noma yimuphi u-MEC, noma yisiphi isiphathimandla sezokuthutha[, **noma yiluphi idolobha eliyinkaba**] kanye nanoma yimuphi umasipala kufanele banikeze uNgqongqoshe, ngendlela kanye nangezikhathi ezibekwe nguNgqongqoshe, ulwazi lolo olubekwe kanjalo olumayelana nezenzo zabo noma izikhundla abami kuzo mayelana nezindaba ezibekwe kanjalo ezifanele—”;
- (b) ngokuthi indawo yesigatshana (3) ithathwe yisigatshana esilandelayo: 30
- “(3) Yize kunesigatshana (2), uNgqongqoshe angahle nganoma yisiphi isikhathi ngokusebenzisa isaziso esibhaliwe adinge ukuthi isiphathimandla esithile sezokuthutha [, **idolobha eliyinkaba**] noma umasipala, banikeze uNgqongqoshe noma yiluphi ulwazi ngezenzo zabo noma isikhundla abami kuso mayelana nanoma yiluphi udaba olungabekiwe lohlobo oluphawulwe esigatshaneni (i), (ii) noma (iii) sesigatshana (2)(a).”;
- (c) ngokuthi indawo yesigatshana (5) ithathwe yisigatshana esilandelayo: 40
- “(5) Ulwazi oludingekela izinjongo zepharagrafu (a) yesigatshana (2) lungahle lubekwe kuphela ngemuva kokubonisana no-MEC, zonke iziphathimandla sezokuthutha [**kanye namadolobha ayinkaba,**] kanye nohulumeni wasekhaya ohleliwe”; kanye
- (d) nangokuthi indawo yesigatshana (8) ithathwe yisigatshana esilandelayo: 45
- “(8) Lapho isifundazwe, isiphathimandla sezokuthutha[, **idolobha eliyinkaba**] noma umasipala behluleka ukunikeza noma yiluphi ulwazi ngokulandela [**izigatshana**] isigatshana (2) noma (3), uNgqongqoshe angagodla noma iyiphi inkokhelo eya kuleso sifundazwe, isiphathimandla sezokuthutha[, **idolobha eliyinkaba**] noma umasipala, kuze kube yilapho benikeze ngolwazi lolo.”.

Ukuguqulwa kwesigaba 9 soMthetho 22 ka-2000

4. Isigaba 9 soMthetho ophambili ngalokhu siyaguqulwa ngokuthi indawo yamagama asesigatshaneni (2) ithathwe ngamagama andulela ipharagrafu (a) lamagama alandelayo: 55
- “Noma yimuphi u-MEC kufanele, ngokufaka isaziso kwiGazethi yesiFundazwe, isikhathi nesikhathi nangemuva kokubonisana neziphathimandla sezokuthutha [**namadolobha ayinkaba**] abasesifundazweni kanye nenhlangano efanele yesifundazwe ecatshangwa esigabeni 2(1)(b) soMthetho oHleliwe

Amendment of section 13 of Act 22 of 2000

5. Section 13 of the principal Act is hereby amended by the substitution for subsection (4) of the following subsection:

“(4) A transport authority, in awarding contracts for goods and services, must apply a system which is fair, equitable, transparent, competitive and cost-effective, and which is in accordance with the Preferential Procurement Policy Framework Act, 2000 (Act No. [4] 5 of 2000), and **[relevant provisions of the Local Government Transition Act, 1993 (Act No. 209 of 1993), which will apply with the changes required by the context] any relevant local government laws.**”

Amendment of section 18 of Act 22 of 2000

6. Section 18 of the principal Act is hereby amended by—

(a) the substitution in subsection (1) for paragraphs (a) and (b) of the following paragraphs, respectively:

“(a) where the relevant planning authority is a municipality contemplated in section 20(1)(c), the plans mentioned in **[paragraphs (c) to (g) of subsection (1) of] section 19(1)(g)** must form the transport component of the integrated development plan of the municipality;

(b) where the jurisdictional area of a municipality falls wholly or partly in a transport area **[or MTA]**, the plans mentioned in **[paragraphs (c) to (g) of that subsection] section 19(1)(g)** constitute the transport component of the integrated development plans of such municipality in respect of that part of its jurisdictional areas that falls within the transport area **[or MTA]**.”; and

(b) the substitution for subsection (6) of the following subsection:

“(6) The MEC must ensure the co-ordination of the planning processes of all planning authorities under the jurisdiction of the province **[and, in so doing, must ensure that all plans address—**

(a) **public transport services operating across the boundaries of the areas of planning authorities;**

(b) **road and rail networks;**

(c) **freight movements;**

(d) **the needs of special categories of passengers;**

(e) **rivalry between neighbouring planning authorities that may result in the duplication or over-supply of transport facilities and infrastructure in the region;**

(f) **the integration of transport and land use planning within the context of the Development Facilitation Act, 1995 (Act No. 67 of 1995), or any other similar provincial law.]”.**

Amendment of section 19 of Act 22 of 2000

7. Section 19 of the principal Act is hereby amended by—

(a) the deletion in subsection (1) of paragraphs (c), (d), (e) and (f);

(b) the substitution in subsection (2) for the words preceding paragraph (a) of the following words:

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woHulumeni baseKhaya (Organised Local Government Act), 1997 (UMthetho OnguNombolo 52 ka-1997), ashicilele inqubomgomo yesifundazwe yezokuthutha ezisebenzisa umhlaba, kumbandakanya kepha engacini—”.

Ukuguqulwa kwesigaba 13 soMthetho 22 ka-2000

5. Isigaba 13 soMthetho ophambili ngalokhu siyaguqulwa ngokuthi indawo 5
yesigatshana (4) ithathwe yisigatshana esilandelayo:

“(4) Isiphathimandla sezokuthutha, ekunikezeni izivumelwano ngezimpahla kanye nangezinsizakalo, kufanele sisebenzise uhlelo olungachemi, olulinganayo, olusobala, olunokuncintisana kanye nolongabizi, kanye nolulandela uMthetho woHlaka lweNqubomgomo yokuTholwa kweziNto ngokuBhekela okuThile (Preferential Procurement Policy Framework Act), 2000 (UMthetho OnguNombolo [4] 5 ka-2000), kanye [namalungiselelo afanele oMthetho wokuGuquka koHulumeni baseKhaya (Local Government Transition Act), 1993] (UMthetho OnguNombolo 209 ka-1993), ozosebenza nezinguquko ezidingwa yisimo esikhona] nanoma yimiphi imithetho efanele yohulumeni basekhaya.”. 15

Ukuguqulwa kwesigaba 18 soMthetho 22 ka-2000

6. Isigaba 18 soMthetho ophambili ngalokhu siyaguqulwa—

(a) ngokuthi indawo yesigatshana (1) ithathwe ngamapharagrafu (a) kanye no-
(b) bamapharagrafu alandelayo, ngokuhlukana kwawo:

“(a) lapho isiphathimandla sezokuhlela kungumasipala ocatshangwa 20
esigabeni 20(1)(c), izinhlelo eziphawulwe ku[mapharagrafu (c) kuye ku-(g) esigatshana (1) se-] sigaba 19(1)(g) kufanele zibe yingxenywe yezokuthutha yohlelo lukamasipala oluhlanganisiwe lwezokuthuthukisa oluhlanganisiwe;

(b) ngokuthi lapho indawo umasipala asebenza kuyo ingena 25
ngokuphelele noma ngokwengxenywe yayo endaweni yezokuthutha [noma i-MTA], izinhlelo eziphawulwe [kumapharagrafu (c) kuye ku-(g) aleso sigatshana] kusigaba 19(1)(g) ziyingxenywe yomunxa wezokuthutha wezinhlelo ezihlanganisiwe zezokuthuthukiswa zikamasipala onjengalowo mayelana naleyo ngxenywe yezindawo asebenza kuzo ezingena endaweni yezokuthutha [noma i-MTA].”; kanye

(c) nangokuthi indawo yesigatshana (6) ithathwe yisigatshana esilandelayo:

“(6) U-MEC kufanele aqinisekise ukuqondaniwa kwezinqubo zokuhlela zazo zonke iziphathimandla zokuhlela ezingaphansi 35
kwegunya lesifundazwe [futhi, ekwenzeni njalo, kufanele baqinisekise ukuthi zonke izinhlelo zibhekela—

(a) izinsizakalo zomphakathi kwezokuthutha ezisebenza zivundle imingcele yezindawo zeziphathimandla zezokuhlela;

(b) izinxaxha zomgwaqo nezikajantshi; 40

(c) ukuhamba kwezokuthutha ezenzelwa izizathu zezentengiso;

(d) izidingo zemikhakha ekhethekile yabagibeli;

(e) ukunqakisisana phakathi kweziphathimandla zezokuhlela ezakhelene okungahle kube nomphumela wokuphindaphindwa noma ukulethwa ngokweqile kwezinto ezisetsenziswa kwezokuthutha kanye nezingqalasizinda esifundeni; 45

(f) ukuhlanganiswa kwezokuthutha kanye nokusetshenziswa komhlaba ngaphakathi kwesimo soMthetho wokuQhutshekiswa kweNtuthukho (Development Facilitation Act), 1995 (UMthetho onguNombolo. 67 ka-1995), noma yinoma yimuphi omunye umthetho ofanayo wesifundazwe].”.

Ukuguqulwa kwesigaba 19 soMthetho 22 ka-2000

7. Isigaba 19 soMthetho ophambili ngalokhu siyaguqulwa—

(a) ngokuthi kucishwe esigatshaneni (1) samapharagrafu (c), (d), (e)no-(f);

(b) ngokuthi indawo yesigatshana (2) ithathwe ngamagama andulela ipharagrafu 55
(a) lamagama alandelayo:

“The **[relationship and sequence of transport plans which are illustrated in Figures 1 and 2, are]** responsibility for the preparation of transport plans is as follows:”;

- (c) the deletion in subsection (2) of paragraph (c);
- (d) the substitution in subsection (2) for paragraph (d) of the following paragraph: 5
 “(d) transport authorities and **[core cities, and other]** all municipalities [requested by the MEC,] must prepare an integrated transport plan **[of which the public transport plan forms a component]** dealing with such matters as may be prescribed by the Minister: Provided that the Minister may prescribe different matters for different types or categories of municipalities; 10
- (e) the substitution in subsection (4) for paragraph (b) of the following paragraph:
 “(b) The date for **[each of]** the integrated transport plans mentioned in subsection (1)**[(c) to] (g)** must be linked to the provincial land transport framework and must be as agreed upon by the MECs.”; 15
 and
- (f) the substitution for subsection (7) of the following subsection:
 “(7) The content of the frameworks and plans mentioned in subsection (1)**(b) [to] and (g), respectively,** must be as required by this Act, but the Minister may, in consultation with the relevant MEC or MECs, modify 20
 the requirements for those plans, in the prescribed manner, in relation to rural areas in particular provinces.”.

Amendment of section 20 of Act 22 of 2000

8. Section 20 of the principal Act is hereby amended by—
- (a) the substitution in subsection (1) for the words preceding paragraph (a) of the following words: 25
 “**[Plans]** The integrated transport plans contemplated in [section 19(1)(c) and (d) and, where appropriate, section 19(1)(e), (f) and (g),] section 19(1)**(g)** must be prepared by the following authorities, to be known as planning authorities, subject to subsections (4) and (5), and these plans may be different in respect of rural planning authorities except for those that have subsidised public transport services.”; 30
- (b) the deletion in subsection (1) of paragraph (b);
- (c) the substitution in subsection (1) for paragraph (c) of the following paragraph: 35
 “(c) other municipalities, where their jurisdictional areas have not been included wholly or partly in transport areas **[or MTAs]**, in respect of their jurisdictional areas and, where such areas are partly included in a transport area **[or MTA]**, in respect of that part of such area that is not so included.”; 40
- (b) the substitution for subsection (3) of the following subsection:
 “(3) Every planning authority required to do so in terms of section 19(2)(d) must supply the relevant transport plans to the board and make recommendations to that board about the conversion of permits to operating licences, and about applications for new operating licences, as 45
 required by Part 9.”; and
- (c) the deletion of subsection (6).

Amendment of section 21 of Act 22 of 2000

9. Section 21 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection: 50

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- “[ubudlelwane nokulandelana kwezinhlelo zezokuthutha ezikhonjiswe eMidwebeni 1 no- 2, bu-] isibopho sokulungiselelwa kwezinhlelo zezokuthutha sinjengoba kulandela:”;
- (c) ngokucishwa esigatshaneni (2) kwepharagrafu (c);
- (d) ngokuthi indawo yesigatshana (2) ithathwe yipharagrafu (d)lesigaba 5
esilandelayo:
“(d) iziphathimandla zezokuthutha kanye [namadolobha ayinkaba, kanye nokunye] nabo bonke omasipala [abacelwe ngu-MEC,] kufanele balungise uhlelo oluhlanganisiwe lwezokuthutha [lapho uhlelo lwezokuthutha umphakathi luyingxenywe yalo] oludingida 10
izindaba ezinjengalezo ezingahle zibekwe nguNgqongqoshe: Kube kulungiselelwa ukuthi uNgqongqoshe angahle abeke izindaba ezahlukene ngezinhlobo ezahlukene noma ngemikhakha eyahlukene yomasipala;”
- (e) ngokuthi indawo yesigatshana (4) ithathwe yipharagrafu (b)lesigaba 15
esilandelayo:
“(b) Usuku [lokukodwa ngakunye okwe-] Izinhlelo ezihlanganisiwe zezokuthutha eziphawulwe kusigatshana (1)[(c) kuye ku-] (g) kufanele luxhunye nohlaka lwesifundazwe lwezokuthutha okwenziwa enhlabeni futhi kufanele kuvunyelwane ngalo ngo-MEC.”; kanye 20
- (f) nangokuthi indawo yesigatshana (7) ithathwe yisigatshana esilandelayo:
“(7) Okuqukethwe yizinhlelo nezinhlelo eziphawulwe kusigatshana (1)(b) [kuye ku-] no-(g), ngokuhlukana, kufanele njengoba kudingwa yilo Mthetho, kepha uNgqongqoshe angahle, ngokubonisana no-MEC 25
ofanele noma o-MEC, aguqule izidingo zalezo zinhlelo, ngendlela ebekiwe, ngokuphathelele nezindawo zasemaphandleni ezifundazweni ezithile.”.

Ukuguqulwa kwesigaba 20 soMthetho 22 ka-2000

8. Isigaba 20 soMthetho ophambili ngalokhu siyaguqulwa— 30
- (a) ngokuthi indawo yesigatshana (1) ithathwe ngamagama eparagrafu elandulelayo (a) lamagama alandelayo:
“[Izinhlelo] Izinhlelo ezihlanganisiwe zezokuthutha ezicatshangwa [isigaba 19(1)(c) no-(d) futhi, lapho kufanele khona, isigaba 19(1)(e), (f) no-(g),] kusigaba 19(1)(g) kufanele zilungiswe yiziphathimandla 35
ezilandelayo; ezizokwaziwa njengeziphathimandla zezokuhlela, zencike ezigatshaneni (4) no-(5), futhi lezi zinhlelo zingahle zehluka mayelana neziphathimandla zezokuhlelwa kwasemaphandleni ngaphandle kwalezo ezinezinsizakalo zokuthuthwa komphakathi ezixhasiwe:”;
- (b) ngokucishwa kusigatshana (1) kwesigaba (b); 40
- (c) ngokuthi indawo yesigatshana (1) ithathwe yipharagrafu (c) leparagrafu elilandelayo:
“(c) abanye omasipala, lapho izindawo zabo abasebenza kuzo zingafakwanga ngokuphelele noma ngokwengxenywe yazo ezindaweni zezokuthutha [noma ama-MTAs], ngokuphathelele 45
nezindawo ezinjalo ezingafakwanga ngokunjalo.”;
- (d) ngokuthi indawo yesigatshana (3) ithathwe yisigatshana esilandelayo:
“(3) Noma yisiphi isiphathimandla sezokuthutha ekudindeka sense njalo ngokwesigaba 19(2)(d) kufanele sifake izinhlelo zezokuthutha ezifanele ebhodini futhi sense izincomo kulelo bhodi ngokuguqulelwa 50
kwezimvume zibe ngamalaysense okusebenza, kanye nangezicelo zamalaysense okusebenza amasha, njengoba kudingwa yiNgxenywe 9;.”;
- (e) nangokucishwa kwesigatshana (6).

Ukuguqulwa kwesigaba 21 soMthetho 22 ka-2000

9. Isigaba 21 soMthetho ophambili ngalokhu siyaguqulwa ngokuthi indawo yesigatshana (1) ithathwe yisigatshana esilandelayo:
“(1) (a) UNgqongqoshe kufanele, [njalo ngonyaka,] kungakedluli usuku okumele lubekwe nguNgqongqoshe ngemuva kokubonisana no-MEC nolu-

“(1)(a) The Minister must, [annually,] by a date to be determined by the Minister after consultation with the MECs and published by notice in the *Government Gazette*, prepare a five-year national land transport strategic framework for the country [for a five-year period corresponding with the Department’s financial years, with due regard to subsection (3)]. 5

(b) The Minister must update the national land transport strategic framework every two years.”

Amendment of section 22 of Act 22 of 2000

10. Section 22 of the principal Act is hereby amended by—

(a) the substitution for subsection (1) of the following subsection: 10

“(1)(a) Every MEC must [annually] prepare a five-year provincial land transport framework [for a five-year period] in accordance with the requirements prescribed by the Minister after consultation with all the MECs and must publish it in the *Government Gazette* on a date determined by the Minister. 15

(b) An MEC contemplated in paragraph (a) must, subject to section 21(1)(b), update his or her provincial land transport framework at least once every two years.

(c) When preparing the provincial land transport framework, the MEC must be guided by the national land transport strategic framework.”; and 20

(b) the insertion in subsection (3) after paragraph (g) of the following paragraph: 20
“(gA) set out a strategy for travel demand management in the province;”.

Repeal of sections 23, 24, 25 and 26 of Act 22 of 2000

11. Sections 23, 24, 25 and 26 of the principal Act are hereby repealed. 25

Amendment of section 27 of Act 22 of 2000

12. Section 27 of the principal Act is hereby amended by—

(a) the substitution for subsection (1) of the following subsection:

“(1) Transport authorities[, core cities] and [other] all municipalities [required by the MEC to do so,] must prepare and submit to the MEC 30
[annually] by the date determined by the MEC, integrated transport plans [which comply with subsection (2)] for their respective areas for the five-year period commencing on the first day of that financial year.”;

(b) the deletion of subsection (2);

(c) the substitution for subsections (4) and (5) of the following subsections, 35
 respectively:

“(4) The [plan] integrated transport plans must by the date [so] determined in terms of subsection (1) be submitted to the MEC for approval, which approval must relate only to [the matters mentioned in section 24(4)(b)]— 40

(a) procedures and financial issues that affect the province;

(b) provincial policy and principles regarding transport across the boundaries of the areas of planning authorities;

(c) interprovincial transport; and

(d) any other matter provided for in the relevant provincial laws. 45

(5) A person may not transport hazardous substances contemplated in section 2(1) of the Hazardous Substances Act, 1973 (Act No. 15 of 1973), in the area of a planning authority, except on [a route determined under paragraph (h) of subsection (2), where such a route has been determined and published under section 29(1), and any person who does so is guilty of an offence] a designated route indicated in an integrated transport plan contemplated in section 29(1), that is in accordance with the general strategy or plan contemplated in section 22(3)(l).”; and 50

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khishwe ngesaziso ku*Government Gazette*, alungisele izwe uhlaka oluyisu lwezokuthutha ezihamba emhlabeni lukazwelonke olwenzelwe iminyaka emihlanu [kwenzelwe isikhathi esiyiminyaka emihlanu ehambelana neminyaka yezezimali yoMnyango, kube kunokubhekela okufanele kwesigatshana (3)].

(b) UNgqongqoshe kufanele afake okusha ohlakeni lukazwelonke oluyisu lwezokuthutha njalo eminyakeni emibili.” 5

Ukuguqulwa kwesigaba 22 of Act 22 of 2000

10. Isigaba 22 soMthetho ophambili ngalokhu siyaguqulwa—

(a) ngokuthi indawo yesigatshana (1) ithathwe yisigatshana esilandelayo:

“(1) (a) U-MEC ngamunye kufanele [njalo nonyaka] alungise uhlaka lweminyaka emihlanu lwesifundazwe lwezokuthutha ezihamba emhlabeni [kwenzelwe isikhathi esiyiminyaka emihlanu] ngokulandela izidingo ezibekwe nguNgqongqoshe ngemuva kokubonisana nabo bonke o-MEC futhi kufanele akukhiphe ku*Government Gazette* ngosuku olunqunywe nguNgqongqoshe. 10 15

(b) ngokuthi u-MEC ocatshangwa esigabeni (a) kufanele, ngokwencika kusigaba 21(1)(b), afake okusha ohlakeni lwakhe lwesifundazwe okungenani kanye njalo eminyakeni emibili. 15

(c) ngokuthi lapho elungisa uhlaka lwesifundazwe lwezokuthutha ezihamba emhlabeni, u-MEC kufanele aholwe uhlaka lukazwelonke oluyisu lwezokuthutha okwenziwa emhlabeni.”; kanye 20

(b) nangokufakwa kwesigatshana (3) ngemuva kwepharagrafu (g) lesi gaba elilandelayo:

“(gA) kubekwe isu lokuphathwa kokufuneka kwezokuhamba esifundazweni;” 25

Ukuchithwa kwezigaba 23, 24, 25 no-26 zoMthetho 22 ka-2000

11. Izigaba 23, 24, 25 kanye nesama-26 soMthetho ophambili ngalokhu ziyachithwa.

Ukuguqulwa kwesigaba 27 soMthetho 22 ka-2000

12. Isigaba 27 soMthetho ophambili ngalokhu siyaguqulwa—

(a) ngokuthi indawo yesigatshana (1) ithathwe yisigatshana esilandelayo: 30

“(1) Iziphathimandla zezokuthutha [, amadolobha ayinkaba] kanye [lokunye] nabo bonke omasipala [abadingeka benze njalo ngokucelwa ngu-MEC,] kufanele balungise futhi bafake ku-MEC [njalo ngonyaka] kungakedluli usuku olunqunywe ngu-MEC, izinhlelo ezihlanganisiwe zezokuthutha [ezilandela isigatshana (2)] zezindawo zabo ezifanele [isikhathi esiyiminyaka] emihlanu esiqala ngosuku lokuqala lwalowo nyaka wezezimali.”; 35

(b) ngokucishwa kwesigatshana (2);

(c) ngokuthathwa kwendawo yezigatshana (4) no-(5) yezigatshana ezilandelayo, ngokulandelana kwazo: 40

“(4) [uhlelo] izinhlelo ezihlanganisiwe zezokuthutha kufanele kungakedluli usuku [kanjalo] olubekwe ngokwesigatshana (1) zifakwe ku-MEC ukuze zivunyelwe, ukuvunyelwa lokho okufanele kuphathelane kuphela [nezindaba eziphawulwe kusigaba 24(4)(b)]— 45

(a) izinqubo ezilandelwayo nezingqinamba zezezimali ezithinta isifundazwe;

(b) inqubomgomo nemigomo emayelana nezokuthutha ezivundla imingcele yezindawo zeziphathimandla zezokuhlela;

(c) ezokuthutha eziphakathi kwezifundazwe; kanye

(d) nanoma yiluphi olunye udaba oluhlinzekelwa emithethweni yesifundazwe efanele. 50

(5) Umuntu akanakuhambisa izinto ezinobungozi ezicatshangwe kusigaba 2(1) soMthetho weziNto ezinobuNgozi (Hazardous Substances Act), 1973 (UMthetho OnguNombolo 15 ka-1973), endaweni yesiphathimandla sezokuhlela, ngaphandle [kumzila obekwe ngaphansi kwesigaba (h) sesigatshana (2), lapho umzila onjalo uye wabekwa futhi kwaziswa ngawo ngaphansi kwesigaba 29(1), futhi noma 55

(d) the addition of the following subsection:

“(6) Any person who contravenes or fails to comply with subsection (5) is guilty of an offence.”.

Substitution of section 28 of Act 22 of 2000

13. The following section is hereby substituted for section 28 of the principal Act: 5

“Approval of commuter rail components of transport plans

28. Until the function of commuter rail is devolved from the national to another sphere of government, the transport framework and plans contemplated in section 19(1)(b) [to] and (g), respectively, must be submitted to the Minister for approval of the commuter rail component of such framework and plans, within the prescribed manner and time.”. 10

Amendment of section 29 of Act 22 of 2000

14. Section 29 of the principal Act is hereby amended by—

(a) the substitution for subsection (1) of the following subsection:

“(1) On approval of the national land transport strategic framework, a provincial transport framework[, a public transport plan] or an integrated transport plan, the Minister or planning authority, as the case may be, must publish, in the *Provincial Gazette*, or, in the case of the national land transport strategic framework, in the *Government Gazette*, the prescribed particulars of such plans, which must include particulars of routes [**determined**] designated under section [27(2)(h)] 27(5).”;

(b) the substitution in subsection (2) for paragraph (d) of the following paragraph:

“(d) no action may be taken that would have the result of substantially decreasing the quantity or availability of land transport infrastructure or services, unless the owner of the land on which the infrastructure is situated, or the holder of the relevant operating licence, [**as the case may be,**] has notified the relevant planning authority in writing not less than [30] 90 days before the action is taken.”;

(c) the substitution in subsection (4) for the words preceding paragraph (a) of the following words: 30

“The planning authority must, within [28] 90 days—”; and

(d) the substitution in subsection (5) for paragraph (a) of the following paragraph:

“(a) prior to the expiry of the [28-day] 90-day period referred to in subsection (4); or”.

Amendment of section 31 of Act 22 of 2000

15. Section 31 of the principal Act is hereby amended by—

(a) the substitution for subsection (1) of the following subsection:

“(1) Despite this Act or any other law, from a date to be determined by the Minister by notice in the *Government Gazette*, [**which may not be** 40

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yimuphi umuntu owenza njalo unecala lokwelelesa] komzila obekiwe okhonjiswe ohlelweni oluhlanganisiwe lwezokuthutha olucatshangwe kusigaba 29(1), olandela isu noma uhlelo olubanzi olucatshangwa kusigaba 22(3)(l).”; kanye

- (d) nangokufakwa kwesigatshana esilandelayo: 5
“(6) Noma yimuphi umuntu owephula noma owehluleka ukulandela izigatshana (5) unecala lokwelelesa.”.

Ukushintshwa kwesigaba 28 soMthetho 22 ka-2000

13. Isigaba esilandelayo ngalokhu indawo yaso ithathwa yisigaba 28 soMthetho ophambili: 10

“Ukuvunyelwa kwezingxenywe zokuqokethwe yizinhlelo zezokuthutha zikajantshi wabagibeli

28. Kuze kube yilapho umsebenzi kajantshi wabagibeli usuthu thukiswe usuka waya komunye umkhakha kahulumeni, uhlaka nezihlelo zezokuthutha ezicatshangwa kusigaba 19(1)(b) [kuye ku-] no-(g), ngokwehlukana, kufanele zifakwe kuNgqongqoshe ukuze kuvunyelwe okuqokethwe okuyingxenywe wezikajantshi wabagibeli kohlaka nezinhlelo ezinjalo, kungakapheli indlela nesikhathi ezibekiwe.”. 15

Ukuguqulwa kwesigaba 29 soMthetho 22 ka-2000

14. Isigaba 29 soMthetho ophambili ngalokhu siyaguqulwa— 20

- (a) ngokuthi indawo yesigatshana (1) ithathwe yisigatshana esilandelayo: 25
“(1) Lapho kuvunyelwa uhlaka lukazwelonke oluyisu lwezokuthutha ezihamba emhlabeni, uhlaka lwesifundazwe lwezokuthutha, **uhlelo lwezokuthutha umphakathi]** noma uhlelo oluhlanganisiwe lwezokuthutha, uNgqongqoshe noma isiphathimandla sezokuhlela, ngokwesimo esingahle sibe khona, kufanele akhiphe ku*Provincial Gazette*, noma, esimweni sohlaka lukazwelonke oluyisu lwezokuthutha ezihamba emhlabeni, ku*Government Gazette*, imininingwane ebekiwe yezinhlelo ezinjalo okufanele zibandakanye imininingwane yemizila **[ebekiwe] ekhonjwe ngaphansi kwesigaba [27(2)(h)] 27(5).”; 30**
- (b) ngokuthi indawo ekusigatshana (2) ithathwe yipharagrafu (d) lepharagrafu elilandelayo: 35
“(d) akunasenzo esingahle senziwe esingaba nomphumela wokwehlisa ngokubonakalyo ubungako noma ukutholakala kwezingqalasisinda noma izinsizakalo zezokuthutha ezihamba emhlabeni, ngaphandle kwalapho umnikazi womhlaba okutholakala kuwo izingqalasisinda, noma umnikazi welayisense lokusebenza elifanele, **[njengoba kungahle kube njalo,]** azise khona isiphathimandla esifanele sezokuhlela ngokuthi abhale ezinsukwini ezingaphanzi **[30] kwama-90 ngaphambi kokwenziwa kwesenzo lesa.”; 40**
- (c) ngokuthi indawo ekusigaba (4) ithathwe ngamagama andulela ipharagrafu (a) lamagama alandelayo: 45
“Isiphathimandla sezokuhlela kufanele, kungakapheli izinsuku **[28] ezingama-90”; kanye**
- (d) nangokuthi indawo ekusigatshana (5) ithathwe yipharagrafu (a) Yesigaba esilandelayo: 50
“(a) ngaphambi kokuphela kwethuba lesikhathi esiyizinsuku **[izinsuku ezingama-28]** ezingama-90 okubhekiswe kulo kusigatshana (4); noma”.

Ukuguqulwa kwesigaba 31 soMthetho 22 ka-2000

15. Isigaba 31 soMthetho ophambili ngalokhu siyaguqulwa—

- (a) ngokuthi indawo yesigatshana (1) ithathwe yisigatshana esilandelayo: 55
“(1) Yize lo Mthetho noma yimuphi omunye umthetho, ukusuka osukwini oluzonqunywa nguNgqongqoshe ngokusebenzisa isaziso ku*Government Gazette*, **[olungahle lungabi ngaphambi kwamhla lu-1**

- earlier than 1 October 2004,]** operating licences may only be issued for vehicles designed or lawfully [**adapted**] modified by a registered manufacturer, registered builder or registered importer in compliance with the National Road Traffic Act, [**1989 (Act No. 29 of 1989)**] 1996 (Act No. 93 of 1996), according to acceptable safety standards, to carry[— 5
- (a) **fewer than nine persons, excluding the driver; or**
 (b) **18 persons, excluding the driver; or**
 (c) **35 persons, excluding the driver; or**
 (e) **46 or more persons, excluding the driver,]** such number of 10
 persons as may be determined by the Minister in the said notice, unless the Minister, in consultation with the MECs, provides otherwise for special categories of vehicles by notice in the *Government Gazette*, to cater for exceptional cases in rural areas, or exceptional cases in relation to tourist or courtesy services.”; 15
- (b) the substitution for subsection (3) of the following subsection:
 “(3) (a) [**A midibus**] After a relevant integrated transport plan has been approved and published under section 29(1), a motor vehicle may not be used for the operation of an unscheduled commuter service [**only**] 20
 where [—
 (a)] there are [**no**] existing scheduled services on the same route or on another route in the same corridor, unless the operation of such unscheduled commuter service on those routes is allowed by that transport plan.
 (b) If there are any existing permits or operating licences allowing 25
 such unscheduled commuter services in contravention of the transport plan contemplated in paragraph (a), the board must cancel or amend those permits or licences accordingly[; and
 (b) **relevant transport plans allow for its use.**”;
- (c) the substitution for subsection (5) of the following subsection: 30
 “(5) No standing passengers may be carried in a motor car, minibus or midibus, unless the vehicle is a midibus being used for a scheduled feeder or distribution service and the planning authority concerned has specifically authorised the use of such vehicle for such a service in writing.”; and 35
- (d) the addition of the following subsection:
 “(6) (a) An adapted light delivery vehicle may be used for public passenger road transport services in a particular area if—
 (i) there is no appropriate public transport available in that area; and
 (ii) the services are rendered under such conditions as may be 40
 determined by the MEC concerned.
 (b) For the purposes of this subsection, an “adapted light delivery vehicle” means a light delivery vehicle that has been manufactured or modified by a registered manufacturer, registered builder or registered 45
 importer in compliance with the National Road Traffic Act, 1996 (Act No. 93 of 1996), for the conveyance of persons.”.

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- ku-Okthoba 2004,**] amalaysense okusebenza angakhishelwa kuphela izinqola ezenziwe noma ngokusemthethweni [ezishintshiwe] eziguquliwe ngumenzi wezinto obhalisiwe, umakhi obhalisiwe noma umngeniswe wezinto ezivela kwamanye amazwe ngokulandela uMthetho kaZwelonke Wezinto Ezihamba Emgwaqweni (National Road Traffic Act), [1989 (UMthetho OnguNombolo. 29 ka-1989)] 1996 (UMthetho OnguNombolo 93 ka-1996), ngokwezilinganiso ezemukelekayo zokuphepha, ukuthwala[—
- (a) abantu abambalwa kunabayisishiyagalunye, kukhishelwe ngaphandle umshayeli; noma 10
- (b) abantu abayi-18, kukhishelwe ngaphandle umshayeli; noma
- (c) abantu abayi-35, kukhishelwe ngaphandle umshayeli; noma
- (e) abantu abayi-46 noma ngaphezulu, kukhishelwe ngaphandle umshayeli,] inani labantu elinjengalelo elingahle linqunywe nguNgqongqoshe esazisweni okukhulunywa ngaso, ngaphandle kwalapho uNgqongqoshe, ngokubonisana no-MEC, ehlinzeka ngokwehlukile mayelana nemikhakha ekhethekile yezinqola ngokusebenzisa isaziso kuGovernment Gazette, ukubonelela izimo ezingafani nezinye ezindaweni zasemaphandleni. Noma izimo ezingafani nezinye mayelana nezinsizakalo ezenzelwe izivakashi noma ukuphathwa kahle komuntu”; 15
- (b) nangokuthi indawo yesigatshana (3) ithathwe yisigatshana esilandelayo: 20
- “(3) (a) [Imidibus] Ngemuva kokuthi uhlelo olufanele oluhlanganisiwe lwezokuthutha seluvunyelwe futhi lwashicilelwa ngaphansi kwesigaba 29(1), inqola ehambayo ayinakusetshenziselwa ukwenza umsebenzi wezinsizakalo zabagibeli ezingahlelelwanga [kuphela] lapho [— 25
- (a) kukhona [kungekho] izinsizakalo ezikhona ezihlelelwe emzileni ofanayo noma komunye umzila osemgudwini munye, ngaphandle kwalapho ukuhlinzekwa kwezinsizakalo zabagibeli ezingahlelelwanga kuleyo mizila kuvunyelwe yilolo hlelo lwezokuthutha. 30
- (b) Uma ngabe kukhona noma yiziphi izimvume ezikhona noma amalaysense okusebenza avumela izinsizakalo zabagibeli ezingahlelelwanga ezinjalo ezephula uhlelo lwezokuthutha olucatshangwa kupharagrafu (a), ibhodi kufanele lesule noma liguqule lezo zimvume noma amalaysense ngokufanele[; kanye no-(b) izinhlelo zezokuthutha ezifanele zivumela ukusetshenziswa kwawo].”; 35
- (c) ngokuthi kufakwe isigatshana esilandelayo endaweni yisigatshana (5): 40
- “(5) Akunabagibeli abamile abangathwalwa emotweni, kuminibus noma kumidibus, ngaphandle kwalapho inqola leyo iyimidibus esetshenziselwa izinsizakalo ezihleliwe zokuthuthela noma zokwabela endaweni ethile futhi nesiphathimandla sezokuhlela esithintekayo sigunyaze ngokubhekele lokho ukusetshenziswa kwenqola enjalo isetshenziselwa izinsizakalo ezinjalo ngokuthi kubhalwe phansi.”; 45
- (d) nangokuthi kufakwe isigatshana esilandelayo: 50
- “(6) (a) Inqola elula eguquliwe ingasetshenziselwa izinsizakalo zezokuthutha abagibeli emgwaqweni endaweni ethile uma ngabe—
- (i) kungenazinto zokuthutha umphakathi ezifanele kuleyo ndawo; futhi
- (ii) izinsizakalo zihlinzekwa ngaphansi kwezimo ezingahle zinqunywe ngu-MEC othintekayo.
- (b) Mayelana nezinhloso zalesi sigatshana, “inqola eguquliwe elula yokuletha izinto” isho inqola yokuletha izinto eyenziwe noma eguqulwe ngumenzi wezimoto obhalisiwe, umakhi obhalisiwe noma umngeniswe wezinto eziqhamuka kwamanye amazwe ngokulandela uMthetho kaZwelonke Wezinto Ezihamba Emgwaqweni (National Road Traffic Act), 1996 (UMthetho OnguNombolo 93 ka-1996), yokuhanjiswa kwabantu.”. 55
- 60

Amendment of section 38 of Act 22 of 2000

16. Section 38 of the principal Act is hereby amended by the addition of the following paragraph:

“(f) operating or working at a testing station in terms of the National Road Traffic Act, 1996 (Act No. 93 of 1996).”.

5

Amendment of section 43 of Act 22 of 2000

17. Section 43 of the principal Act is hereby amended by the addition of the following paragraph:

“(c) inform the board in writing of the sale or any other change of ownership of the vehicle to which the operating licence or permit relates within seven days after such sale or change has taken place.”.

10

Amendment of section 47 of Act 22 of 2000

18. Section 47 of the principal Act is hereby amended by—

(a) the substitution in subsection (2) for the words preceding paragraph (a) of the following words: 15

“Only a provincial department, a transport authority and a [core city] metropolitan municipality may enter into a subsidised service agreement with a public transport operator, and, subject to subsection (3), only if—”;

20

(b) the substitution in subsection (3) for paragraph (d) of the following paragraph:

“(d) the contract to be negotiated complies with all requirements prescribed under subsection (4)(a), is substantially in the form of the model contract documents contemplated in subsection (4)(b) and has a maximum validity period of [five] seven years.”; and 25

(c) the substitution in subsection (3)(e) for the words preceding subparagraph (i) of the following words:

“the provincial department, transport authority or [core city] metropolitan municipality, as the case may be, prepares a business plan that—”;

(d) the substitution in subsection (4) for paragraph (b) of the following paragraph: 30

“(b) provide model tender and contract documents, and publish them in the Government Gazette, for subsidised service contracts as a requirement for contracting authorities, who may not deviate therefrom—

(i) except in the case of a municipality using its own funds in terms of section 49(4); or 35

(ii) unless this is agreed to by the Minister;”; and

(e) the deletion in subsection (3) of paragraph (f).

Amendment of section 62 of Act 22 of 2000

19. Section 62 of the principal Act is hereby amended by— 40

(a) the substitution for subsection (1) of the following subsection:

“(1) Only registered or provisionally registered associations, members and non-members may receive financial assistance from any organ of state in any sphere of government or from any transport authority [or core city,] for the purposes of establishing or operating a co-operative for minibus taxi operators.”; and 45

Ukuguqulwa kwesigaba 38 soMthetho 22 ka-2000

16. Isigaba 38 soMthetho ophambili ngalokhu siyaguqulwa ngokufakwa kwesigaba esilandelayo:

“(f) ukusebenzisa noma ukusebenza esiteshini sokuhlola ngokoMthetho kaZwelonke Wezinto Ezihamba Emgwaqweni (National Road Traffic Act), 1996 (UMthetho OnguNombolo 93 ka-1996).” 5

Ukuguqulwa kwesigaba 43 soMthetho 22 ka-2000

17. Isigaba 43 soMthetho ophambili ngalokhu siyaguqulwa ngokufakwa kwepharagrafu elilandelayo:

“(c) kwaziswe ibhodi ngokubhala phansi ngokuthengiswa noma nganoma yikuphi ukuguqulwa kobunikazi benqola ilayisense noma imvume yokusebenza ephathelene nako kungakapheli izinsuku eziyisikhombisa ngemuva ukuthengiswa noma ukuguqulwa okunjalo kwenzekile.” 10

Ukuguqulwa kwesigaba 47 soMthetho 22 ka-2000

18. Isigaba 47 soMthetho ophambili ngalokhu siyaguqulwa— 15

(a) ngokuthi endaweni ekusigatshana (2) kufakwe amagama andulela ipharagrafu (a) lamagama alandelayo:

“Ngumnyango wesifundazwe, isiphathimandla sezokuthutha kanye [idolobha eliyinkaba] nomasipala womkhandludolobha kuphela abangenza isivumelwano sezinsizakalo ezixhasiwe kanye nomhlinzeki wezokuthuthwa komphakathi, futhi ngokwencika kusigatshana (3), uma kuphela—”; 20

(b) ngokuthi indawo ekusigatshana (3) ithathwe yipharagrafu (d) yepharagrafu elandelayo:

“(d) isivumelwano okumele kuxoxiswane ngaso silandela zonke izidingo ezibekwe ngaphansi kwesigatshana (4)(a), ikakhulukazi sisesimweni semibhalo engumfuziselo ecatshangwa kusigatshana (4)(b) futhi sinesikhathi esisebenza ngaso okungenakwedlulelwa ngaphezu kwaso seminyaka [emihlanu] eyisikhombisa.”; kanye 25

(c) nangokuthi indawo ekusigatshana (3)(e) ithathwe ngamagama andulela ipharagrafu (i) lamagama alandelayo: 30

“uhulumeni wesifundazwe, isiphathimandla sezokuthutha noma [idolobha eliyinkaba] umasipala ongumkhandludolobha, njengoba kungahle kube kunjalo, ulungisa uhlaka lwebhizinisi—”; 30

(d) ngokuthi indawo ekusigatshana (4) yepharagrafu (b) lepharagrafu elilandelayo: 35

“(b) kunikezwe imibhalo engumfuziselo yezilinganiso zokuthi umsebenzi ozokwenziwa uzodingani neyezivumelwano, futhi iyikhiphe ku*Government Gazette*, kwenzelwe izivumelwano zezinsizakalo ezixhasiwe njengalokho okudingwa yiziphathimandla ezenza izivumelwano, ezingenakuhezuka kuzo— 40

(i) ngaphandle kwesimo salapho umasipala esebenzisa izimali zakhe ngokwesigaba 49(4); noma

(ii) ngaphandle kwalapho lokhu kuvunywe nguNgqongqoshe;” kanye 45

(e) nangokususwa okusesigatshaneni (3) kwepharagrafu (f).

Ukuguqulwa kwesigaba 62 soMthetho 22 ka-2000

19. Isigaba 62 soMthetho ophambili ngalokhu siyaguqulwa—

(a) ngokuthi indawo yesigatshana (1) ithathwe yisigatshana esilandelayo:

“(1) Yizihlangano, amalungu nabangewona amalungu kuphela ababhalisiwe noma ababhalisiwe okwesikhashana kunoma yisiphi isitho sombuso kunoma yimuphi umkhakha kahulumeni noma okuqhamuka kunoma yisiphi isiphathimandla sezokuthutha [noma idolobha eliyinkaba,] okuzosetshenziselwa ukusungula noma ukusebenza ngenhlangano engumfelandawonye yabahlinzeka ngamatekisi angamaminibus.”; kanye 55

(b) the substitution for subsection (3) of the following subsection:

“(3) An organ of state[,] and a transport authority **[and a core city]** may not render financial assistance for any purpose relating to public transport to any operators of minibus taxi-type services who are not registered or provisionally registered members or non-members, or to any associations that are not so registered, except assistance relating to training or instruction.”. 5

Amendment of section 78 of Act 22 of 2000

20. Section 78 of the principal Act is hereby amended by the substitution in subsection (4) for paragraph (b) of the following paragraph: 10

“(b) have the prescribed particulars of each operating licence, which includes, for the purposes of this paragraph, an operating licence as renewed, amended or transferred from time to time, and of its holder and the vehicle to which it relates, entered on **[the Land Transport Permit]** such Information System as may be prescribed by the Minister.”. 15

Substitution of section 90 of Act 22 of 2000

21. The following section is hereby substituted for section 90 of the principal Act:

“Amendment of operating licence: Replacement of specified vehicle

90. (1) Where the holder of an operating licence for the operation of any public transport service wishes to replace the vehicle that is specified in that operating licence for the operation of that public transport service with another vehicle **[with the same passenger capacity,]** the holder must apply for the replacement, in the manner prescribed by the MEC, to a member or official of the board whom the board has authorised in writing to dispose of the matter, provided the nature of the replacing vehicle and the quality and standard of the service are not affected by the replacement. 20 25

(2) The authorised member or official of the board must allow the replacement and issue an amended operating licence to the holder, if **[satisfied that]** the replacing vehicle—

- (a) **[the replacing vehicle]** has the same passenger capacity, or less, **[and is of the same nature]** as the vehicle which it replaces, and **[that]** the quality and standard of the service which is authorised by the operating licence **[will]** is not likely to be affected by the replacement; and 30
- (b) **[the replacing vehicle]** is otherwise suitable for the operation of the public transport service authorised by that operating licence, has a national information system model number allocated to it, has been certified as roadworthy in compliance with road traffic laws and is properly licensed; and 35
- (c) **the applicant for replacement has provided the information necessary to establish the requirements of this section].** 40

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(b) nangokuthi indawo yesigatshana (3) ithathwe yisigatshana esilandelayo:

“(3) Isitho sombuso[,] kanye nesiphathimandla sezokuthutha [nedolobha eliyinkaba] Abanakunikeza usizo lwezezimali oluzosetshenziselwa noma iyiphi injongo emayelana nokuthuthwa komphakathi kunoma yibaphi abahlinzeki bezinsizakalo zohlobo lwamatekisi angamaminibus abangamalungu noma abangewona amalungu angabhaliswanga noma abangabhaliswanga okwesikhashana, noma kunoma yiziphi ezinye izinhlangano ezingabhaliswanga kanjalo, ngaphandle kokusizwa okumayelana nokuqeqeshwa noma ukufundiswa.”.

Ukuguqulwa kwesigaba 78 soMthetho 22 ka-2000

20. Isigaba 78 soMthetho ophambili ngalokhu siyaguqulwa ngokuthi indawo yesigatshana (4) ithathwe yipharagrafu (b) lesigaba esilandelayo:

“(b) kube neminingwane ebekiwe yelayisense lokusebenza ngalinye, ebandakanya, ukubonelela izinhloso zaleli pharagrafu, ilayisense lokusebenza njengelivuselelwe, eliguquliwe noma eledlulisiwe isikhathi nesikhathi, kanye nelomnino kanye nenqola elihambelana nayo, ingeniswe [IMvume YezokuThutha Ezenziwa EMhlabeni] eziNhlelweni Zolwazi ezinjengalezo ezingahle zibekwe nguNgqongqoshe.”.

Ukushitshwa kwesigaba 90 soMthetho 22 ka-2000

21. Isigaba esilandelayo ngalokhu sithatha indawo yesigaba 90 soMthetho ophambili:

“Ukuguqulwa kwelayisense yokusebenza: Ukushintshwa kwenqola echaziwe

90. (1) Lapho umnikazi welayisense yokusebenza yokuthi kusetshenzwe ngenoma yiziphi izinsizakalo zokuthuthwa komphakathi, ofisa ukushintsha inqola echazwe kuleyo layisense yokusebenza yokuthi kusetshenzwe ngaleyo nsizakalo yokuthuthwa komphakathi ngenye inqola [enekhono elifanayo lokuthwala abagibeli,] umnikazi kufanele afake isicelo sokushintshwa, ngendlela ebekwe ngu-MEC, elungwini noma kusiphathimandla sebhodi esigunyazwe yibhodi ngokubhala phansi ukuthi lidingide udaba lolo, inqobo nje uma isimo sokushintshwa kwenqola kanye nesimo esihle nezinga lezinsizakalo zingezokuthinteka ngenxa yokushintshwa lokho.

(2) Ilungu noma isiphathimandla sebhodi esigunyaziwe kufanele sikuvumele ukushintshwa bese sikhapha ilayisense yokusebenza eguquliwe siyinikeze umnikazi, lapho [senelisekile ukuthi] inqola ethatha indawo yenye—

(a) [inqola ethatha indawo yenye] inekhono elifanayo lokuthwala kwabagibeli, noma elingaphansi, [futhi ingeyohlobo olufanayo] nelenqola ethatha indawo yayo, futhi [nokuthi] nesimo esihle kanye nezinga lezinsizakalo ezigunyazwe yilayisense yokusebenza [izo-] ayikhombisi kungahle kuthinteka ngenxa yokuthuthwa kwendawo yayo; futhi

(b) [inqola ethatha indawo yenye] ngokwenye indlela ikulungele ukusetshenziselwa izinsizakalo zokuthuthwa komphakathi okugunyazwe yileyo layisense yokusebenza, inikezwe inombolo kazwelonke yomfuziselo yohlelo lwezokwazisa, iqinisekiswa njengekufanele ukuba semgwaqweni ngokulandela imithetho yezinto ezihamba emgwaqweni futhi inikezwe ilayisense ngendlela eyiyol; futhi

(c) umfakisiselo wokushintshwa unikeze imininingwane edingekayo ukuthola izidingo zalesi sigaba.

(2A) Inombolo kazwelonke yomfuziselo yohlelo lwezokwazisa ecatshangwa esigatshaneni (2) kufanele ixhunye nomakhi obhalisiwe oyakhile noma oququle umzimba wenqola okukhulunywa ngayo.

(2A) The national information system model number contemplated in subsection (2) must be linked to the registered builder who built or modified the body of the vehicle in question.

(3) Where a subcontractor operates any part of the public transport service to which an operating licence relates, on behalf of the holder of the operating licence, the subcontractor may rely on the provisions of this section to replace any vehicle of which the latter is the registered owner and which is specified in that operating licence, in all respects as if the subcontractor were the holder of that operating licence. 5

(4) For the purposes of this section 'national information system' means the national information system contemplated in section 6(1)." 10

Amendment of section 91 of Act 22 of 2000

22. Section 91 of the principal Act is hereby amended by the addition of the following subsections:

"(3) The Minister must set standards for sealed meters for metered taxis in accordance with standards set by the South African Bureau of Standards in terms of the Standards Act, 1993 (Act No. 29 of 1993). 15

(4) The MEC, in consultation with the board, may determine a fare structure for metered taxi services and the MEC must publish such fare structure in the Provincial Gazette." 20

Amendment of section 94 of Act 22 of 2000

23. Section 94 of the principal Act is hereby amended by the substitution in subsection (3) for paragraph (b) of the following paragraph:

"(b) The replacing vehicle must be suitable for the operation of that public transport service and, except in so far as this section provides otherwise, must comply in all other respects with the requirements and conditions that apply and are in force in terms of this Act and the National Road Traffic Act, 1996 (Act No. 93 of 1996), with regard to the vehicle so specified in the operating licence." 25

Amendment of section 115 of Act 22 of 2000

24. Section 115 of the principal Act is hereby amended by- 30

(a) the substitution in subsection (1) for paragraph (h) of the following paragraph:
"(h) if requested thereto by any organ of state[,] or transport authority [or core city] which has rendered financial assistance to the association or its members for a particular purpose, supply the requested information as to the application of the funds received from that source."; and 35

(b) the substitution in subsection (2) for paragraph (b) of the following paragraph:
"(b) if requested thereto by any organ of state[,] or transport authority [or core city] which has rendered financial assistance to the non-member for a particular purpose, supply the requested information as to the application of the funds received from that source." 40

Amendment of section 122 of Act 22 of 2000

25. Section 122 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection: 45

"(1) In addition to the measures provided for in this Act with regard to law enforcement, the MECs, transport authorities and municipalities[, including municipalities in their capacity as core cities of their MTAs,] must take active steps to develop systems to improve land transport law enforcement in their respective jurisdictions." 50

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(3) Lapho omunye umuntu onikezwe isivumelwano ngomunye esebenza nganoma iyiphi ingxenye yezinsizakalo zezokuthuthwa komphakathi ezihambelana nelayisense yokusebenza, egameni lomnikazi welayisense yokusebenza, umuntu onikezwe isivumelwano ngomunye angethembela emalungiselelweni alesi sigaba okushintsha noma iyiphi inqola umnikazi lo oshiwo ekugcineni engumniniyo obhalisiwe futhi nechazwe kuleyo layisense yokusebenza ngazo zonke izindlela kube sengathi umuntu waleyo layisense yokusebenza. 5

(4) Ukwenzela izinjongo zalesi sigaba 'uhlelo lukazwelonke lwezokwazisa' lusho uhlelo lukazwelonke lwezokwaziswa olucatshangwa esigabeni 6(1)." 10

Ukuguqulwa kwesigaba 91 soMthetho ka-22 ka-2000

22. Isigaba 91 soMthetho ophambili ngalokhu siyaguqulwa ngokufakwa kwezigatshana ezilandelayo:

“(3) UNgqongqoshe kufanele abeke izilinganiso zamamitha avaliwke zamatekisi asebenza ngamamitha ngokulandela izilinganiso ezibekwe yiSouth African Bureau of Standards ngokoMthetho weziLinganiso (Standards Act), 1993 (UMthetho OnguNombolo. 29 ka-1993). 15

(4) U-MEC, ngokubonisana nebhodi, angahle anqume ukuma kwemali ekhokhwayo ngezinsizakalo zamatekisi asebenza ngamamitha futhi u-MEC kufanele akhiphe ukuma kwemali ekhokhwayo okunjalo kuProvincial Gazette." 20

Ukuguqulwa kwesigaba 94 soMthetho 22 ka-2000

23. Isigaba 94 soMthetho ophambili ngalokhu siyaguqulwa ngokuthi indawo ekusigatshana 3 ithathwe yipharagrafu (b) lepharagrafu elilandelayo:

“(b) Inqola ethatha indawo yenye kufanele ikulungele ukuhlinzekwa kwalezo zinsizakalo zezokuthuthwa komphakathi futhi, ngaphandle kwalapho lesi sigaba silungiselela ngenye indlela, kufanele ilandele ngazo zonke izindlela izidingo nezimiso ezisetshenziswayo neziphokwayo ngokwalo Mthetho kanye nangokoMthetho Wezinto Ezihamba Emgwaqweni (National Road Traffic Act), 1996 (UMthetho OnguNombolo 93 ka-1996), mayelana nenqola echazwe kanjalo elayisensini lokusebenza.” 30

Ukuguqulwa kwesigaba 115 soMthetho 22 ka-2000

24. Isigaba 115 soMthetho ophambili ngalokhu siyaguqulwa—

(a) ngokuthi indawo ekusigatshana (1) ithathwe yipharagrafu (h) lepharagrafu elilandelayo: 35

“(h) uma icelwe ukwenza lokho yinoma yisiphi isimo sombuso[,] noma isiphathimandla sezokuthutha [noma idolobha eliyinkaba] abanikeze ukusizwa ngezezimali enhlanganweni noma kumalungu ayo bekwenzela injongo ethile, balethe imininingwane eceliwe mayelana nesicelo sezimali ezemukelwe ziqhamuka kulowo mthombo.”; kanye 40

(b) nangokuthi indawo ekusigatshana (2) ithathwe yipharagrafu (b) lepharagrafu elilandelayo:

“(b) uma icelwe ukwenza lokho yinoma yisiphi isimo sombuso[,] noma isiphathimandla sezokuthutha [noma idolobha eliyinkaba] abanikeze ukusizwa ngezezimali kongelona ilungu bekwenzela injongo ethile, balethe imininingwane eceliwe mayelana nesicelo sezimali ezemukelwe ziqhamuka kulowo mthombo.” 45

Ukuguqulwa kwesigaba 122 soMthetho 22 ka-2000

25. Isigaba 122 soMthetho ophambili ngalokhu siyaguqulwa ngokuthi indawo yesigatshana (1) sesigatshana esilandelayo: 50

“(1) Ngaphezu kwezinyathelo ezihlinzekelwe kulo Mthetho mayelana nokulandelwa komthetho, o-MEC, iziphathimandla zezokuthutha nomasipala, kubandakanya nomasipala ezikhundleni zabo njengamadolobha ayinkaba yama-MTA abo,] kufanele bathathe izinyathelo ezenziwayo zokuthuthukisa

Amendment of section 127 of Act 22 of 2000

26. Section 127 of the principal Act is hereby amended by the addition to subsection (1) of the following paragraphs:

- “(r) if the person operates an adapted light delivery vehicle in contravention of section 31(6); 5
 (s) if, being a metered taxi operator, the person contravenes or fails to comply with a fare structure contemplated in section 91(4).”.

Amendment of section 134 of Act 22 of 2000, as amended by section 11 of Act 31 of 2001

27. Section 134 of the principal Act is hereby amended by— 10

- (a) the substitution in subsection (2) for paragraph (a) of the following paragraph: 15
 “(a) Wherever this Act requires regard to be had to any transport plan, a board, contracting authority, transport authority[, core city] or municipality may proceed with the relevant matter, with the approval of the relevant MEC in consultation with the Minister, despite the fact that the relevant transport plan has not been prepared or has not been submitted for required approvals, or has not been published under section 29 (1).”; and
 (b) the substitution in subsection (2) for paragraph (c) of the following paragraph: 20
 “(c) The board, contracting authority, transport authority[, core city] or municipality must, however, have regard to any available transport planning or other matter which is relevant.”.

Repeal of Figures 1 and 2 in Act 22 of 2000

28. The principal Act is hereby amended by the repeal of Figures 1 and 2.

Short title

29. This Act is called the National Land Transport Transition Amendment Act, 2006. 25

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izinhlelo zokwenza ngcono ukuthi kulandelwe umthetho wezokuthutha ezindaweni zabo abasebenza kuzo ngokulandelana kwazo.”.

Ukuguqulwa kwesigaba 127 soMthetho 22 ka-2000

26. Isigaba 127 soMthetho ophambili ngalokhu siyaguqulwa ngokuthi kufakwe kusigatshana (1) amapharagrafu alandelayo: 5

“(r) uma umuntu esebenza ngenqola elula yokuletha izinto eguquliwe ngokwephula isigaba 31(6);

(s) uma, lapho engosebenza ngetekisi elisebenzisa imitha, umuntu ephula noma ehluleka ukulandela ukuma kwemali ebekiwe okucatshangwa kusigaba 91(4).”. 10

Ukuguqulwa kwesigaba 134 soMthetho 22 ka-2000, njengoba siguqulwe yisigaba 11 soMthetho 31 ka-2001

27. Isigaba 134 soMthetho ophambili ngalokhu siyaguqulwa—

(a) ngokuthi indawo ekusigatshana (2) ithathwe yipharagrafu (a)lepharagrafu elilandelayo: 15

“(a) Njalo lapho lo Mthetho udinga ukuthi kunakwe noma yiluphi uhlelo lwezokuthutha, ibhodi, isiphathimandla esinikeza izivumelwano, isiphathimandla sezokuthutha[, **idolobha eliyinkaba**] noma umasipala bangaqhubeka nodaba olufanele, ngemvume ka-MEC ngokubonisana noNgqongqoshe, yize kunephuzu lokuthi uhlelo olufanele lwezokuthutha alulungiswanga noma alufakwanga ukuze luthole ukuvunyelwa okudingekayo ngaphansi kwesigaba 29(1).”; kanye 20

(b) nokuthi indawo ekusigatshana (2) ithathwe yipharagrafu (c) lepharagrafu elilandelayo: 25

“(c) Ibhodi, isiphathimandla esinikeza isivumelwano, isiphathimandla sezokuthutha[, **idolobha eliyinkaba**] noma umasipala kufanele, kodwa-ke, babheke noma yikuphi uhlelelwa kwezokuthutha noma olunye udaba okutholakalyo okufanele.”.

Ukuchithwa kweMidwebo 1 no- 2 eMthethweni 22 ka-2000 30

28. UMthetho ophambili uyaguqulwa ngalokhu ngokuchithwa kweMidwebo 1 no- 2.

Isihloko esifushane

29. Lo Mthetho ubizwa ngokuthi nguMthetho kaZwelonke Wokuguqulwa kokuGuquka kwezokuThutha Ezihamba Emhlabeni (National Land Transport Transition Amendment Act), 2006. 35