
GENERAL NOTICE

NOTICE 395 OF 2009

DEPARTMENT OF TRANSPORT

PUBLICATION FOR COMMENTS: NATIONAL LAND TRANSPORT REGULATIONS, 2009

I, Jeffery Thamsanqa Radebe, Minister of Transport, hereby make the Regulations in the Schedule in terms of section 8 of the National Land Transport Act, 2009 (Act No. 5 of 2009).

Interested persons are invited to submit their written comments on the Regulations within 30 days from the date of publication in the Gazette.

Comments should be posted to the Director – General Department of Transport for the attention of Mr. Trevor Mphahlele or Muzi Simelane at:

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DEPARTMENT OF TRANSPORT

No.....

2009NATIONAL LAND TRANSPORT ACT, 2009 (ACT NO. 5 OF 2009)

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Definitions

1. In these regulations, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act, has that meaning, and the following words and expressions have the meanings assigned to them:

“BRT” means bus rapid transit;

“decal” means a decal issued under regulation 21(6), and includes a distinguishing mark contemplated in the Act;

“existing contract” means an interim contract, current tendered contract, subsidised service contract or commercial service contract concluded under the Transition Act, as defined in that Act;

“interim contract” means a contract other than a current tendered contract for the operation of subsidised scheduled services which expires after the date of commencement of the Transition Act, and which is more fully defined in the Transition Act;

IPTN” means an integrated public transport network;

“ITP” means an integrated transport plan;

“NPTR” means the National Public Transport Regulator;

“OLAS” means the Operating Licence Administration System maintained by the National Department of Transport in conjunction with the Provinces, formerly known as the Land Transport Permit System;

“Passenger Rail Agency” means the Passenger Rail Agency of South Africa, formerly known as the South African Rail Commuter Corporation Limited;

“PLTF” means a provincial land transport framework;

“PRE” means a Provincial Regulatory Entity;

“public road” means a public road as defined in the National Road Traffic Act;

“scholar transport” means the dedicated transporting of scholars, students, teachers and lecturers as contemplated in section 72 of the Act and does not include the transporting of such persons by another public transport service in addition to other passengers; and

“the Act” means the National Land Transport Act, 2009 (Act No. of 2009).

Chapter 1

National Public Transport Regulator

Application to NPTR relating to an operating licence for an interprovincial service

2. (1) An application to the NPTR for the granting, renewal, amendment or transfer of an operating licence for an interprovincial service must be lodged by submitting the completed application form required by the NPTR, together with the information and documents specified in the form and the application fee.

(2) An application form may be submitted by e-mail, and if so submitted must include a scanned version of the required documents.

(3) The NPTR must reject an application where the application form is not fully and properly completed, or to which required documents have not been attached, or where the required fee has not been paid, and may require the applicant to submit the original of any document before accepting the application, if it suspects the validity or authenticity of the document.

(4) The NPTR must notify the following by e-mail or fax of an application received under sub-regulation (1):

(a) The PRE of every province in whose area passengers will be picked up or set down; and