

Report of the Portfolio Committee on Transport on its activities undertaken during the 6th Parliament (July 2019 – March 2024)

Key highlights

1. Reflection on committee programme per year and on whether the objectives of such programmes were achieved.

The Portfolio Committee on Transport (“the Committee”) had a set 5-year Strategic Plan that was reviewed annually and with this also annual Operations Plans. These plans were affected and aligned with the key focus areas received from term to term from the House Chairperson: Committees, Oversight & Information and Communications Technology (ICT).

The focus of the Committee, however, remained on processing legislation as well as ensuring oversight over the Department of Transport (“the Department”) through the calling of regular meetings and receipt of presentations by the Department and its entities, as well as occasional oversight visits as the programme allowed.

Where the need arose, urgent meetings and follow-up meetings were called to address issues of serious concern. However, due to constant parliamentary programming changes directly impacting the Committee programme, not all areas that arose over the years were able to be dealt with during this tenure and there was a delay in finalisation of some legislation due to the late tabling thereof by the Department or the shortened Committee Programme.

The term of the 6th Parliament was greatly affected by the global impact following the Covid-19 pandemic and associated lockdown periods and limitations. This affected the work of the Department, and its entities as also limited the possibilities of physical oversight visits with a full complement of Members from March 2020 to March 2021. During this time the Committee was predominantly meeting via online Zoom meetings and where travel was not limited or restricted, small delegations of Members were able to perform physical oversight where needed. During the 2022/23 financial year, the Committee resumed with in person meetings at the Parliament precinct, although the venue availability was limited following the massive fire at Parliament during January 2022.

Other highlights and reflections can be seen below as detailed under paragraph 4 of this Report.

2. Committee’s focus areas during the 6th Parliament

In order to assist the Committee with a focussed framework, it has decided to set itself themes that serve to determine the order of priority in setting its Objectives and work plan for the 6th Parliament term.

The following themes were identified by the Committee:

- Safety of Transport (safe, affordable, reliable, sustainable Transport modes and infrastructure) in RSA – All modes of Transport and transport/road infrastructure
- Consistent Monitoring of Department Performance
- Community Concern Focused work.

The Committee remained focussed on performing its general oversight over the Department and its entities by processing and attending to all matters referred to it, as tabled before the House for consideration and adoption. This included completing 5 Budget Vote Reports including reference to the Strategic Plans and Annual Performance Plans (APPs) of the Department and its entities, 5 Budgetary Review and Recommendation Reports (BRRR) and regularly considering and engaging on the quarterly reports of the Department and submitting a total of 12 Quarterly Expenditure Reports.

The Committee's major function was to pass new laws, to amend existing laws, and to repeal or abolish (cancel) old laws.

The following concerns outstanding from the 4th Parliament were considered during this term:

- The Committee continued to press the Department to find a solution regarding the National Scholar Transport Policy as this matter remains a concern to the Committee and a solution is yet to be found between the Department of Transport and the Department of Basic Education and how this matter can be better managed within the provincial executive spheres;
- The Committee remains concerned regarding the Public Transport Operations Grant and how provincial administrations continue to deal with subsidised bus services through continuous short term contract renewals which conversely affect the financial state of the commuter bus industry and also continues the dominance of this area of operations by larger companies such as PUTCO and Golden Arrow not allowing for new service providers to enter the market through the competitive tender process; and
- The Committee continued to monitor and request progress reports on the Lesotho/RSA Cross-Border challenges. Noting the progress to date made by the Cross-Border Roads Agency (C-BRTA) and the Department, the Committee sadly has to report that this matter remains unresolved and will most likely have to be followed up on again in the 7th Parliament.

The following concerns outstanding from the 5th Parliament were also considered:

- On-going monitoring of the progress made through the Minister's multiyear turnaround strategy of the Department was done through continuous engagements with the Department but specifically during the BRRR process.
- Continued reporting by the Department on the quarterly reports (section 32 reports of the National Treasury) were improved on when compared to the number of reports compiled by the Committee during the 5th Parliament.
- Continued monitoring that the Department and the entities implement the audit improvement plans, have functioning internal audit committees in place, as well as implement consequence management as advised by the Office of the Auditor-General South Africa (AGSA) and recommended by this Committee in all its Budget and BRR reports. The Committee did note that the Department made very minor amendments annually to their plans to deal with the Audit findings over the years and continued to impress upon the Minister that improved plans must be implemented in order to remedy and reduce repeat findings. The Committee also continued to impress upon the Department and its entities that they must build on and improve their respective relationships with the AGSA in order to ensure that matters are resolved prior to the legislated dates to table financial statements and Annual Reports to the Committee in order to prevent drawn out disputes with the AGSA and late tabling of these reports.
- The conducting of regular oversight visits (if possible, also in collaboration with committees that do oversight over the Department's client departments (for example, the Department of Public Works (DPW) and the Extended Public Works Programme)) to gather material evidence on the implementation of projects and value for money from delivery on projects linked to grant transfers. This was impacted heavily by the Covid-19 lockdown restrictions as well as the parliament programme where a number of planned oversight visits had to be postponed or cancelled despite having been planned for these in the annual Operations Plans. This was further impacted by the number of new and revived legislation that was tabled before the Committee and had to be prioritised over physical oversight visits.

- The outstanding legislation affecting the finances of the Department's entities must be prioritised, as well as the finalisation of policies on Scholar Transport and Gauteng Improvement Freeway Project (GFIP). Although the GFIP matter has made some progress in the 2022/23 financial year, there still remain some issues linked to the project and how the Gauteng Government will continue with the GFIP projects beyond the phase 1 e-toll issue. The Scholar Transport matter remains of concern as indicated above under the 4th Parliament issues discussion and given the increase in scholar deaths due to inappropriate transport within the 6th Parliament tenure, government should as a matter of urgency reconsider how this matter is managed within Provincial Administrations.
- Oversight over the implementation of the PRASA Modernisation Project, the Integrated Public Transport Networks (IPTNs) Grant, the Provincial Road Maintenance Grant (PRMG) and other public transport projects implemented nationally via the transfer of funds from the Department. These matters will continue to require Committee attention.
- It was advised that a Five-Year Strategic Plan and annual Operations Plan must be adopted by the Committee serving in the portfolio in the 6th Parliament and this was done along with annual reviews.
- The concerns regarding the Scholar Transport Policy, as well as the Lesotho/RSA cross-border challenges that rolled over from the 4th Parliament must continue to be considered towards achieving a solution – as indicated above, this will have to continue to be engaged upon until a workable solution can be found for both issues.
- All grants, as transferred by the Department, must be monitored and where needed re-assessed in order to ensure that the funds are allocated to the applicable programmes/projects and that they are spent on the allocated programmes/projects in a manner that will deliver value for money and services to the citizens of the Republic. The Committee continued to do this in its engagement with the Department and it is recommended that this continue to be a focus area for the 7th Parliament.
- Specific mention must be given to the required monitoring, implementation and possible re-assessment of the integrated public transport networks (IPTNs) Programme (also referred to as BRT Programme) roll-out and the spending of the Grant linked thereto which was continued with during the 6th Parliament. During the term of the 6th Parliament, there were a number of cities suspended from receiving these funds due to lack of progress in implementation of their respective IPTNs and presentations were received on this during a joint meeting with the Select Committee counterparts. This matter will have to continue to be monitored and physical oversight is a must to verify the information presented and the progress made.
- The Committee serving the portfolio in the 6th Parliament should request a report from the Department regarding the review of entities as emanating from the Presidential Review of Entities. This must be done in order to ensure that the fiscal allocation to the Department and its entities are allocated and utilised in the most optimum manner and to avoid duplications of functions. One example is the concern raised, on numerous occasions, by the Committee regarding the split of rail-based operations between Transnet and PRASA resulting in a need for PRASA to lease infrastructure or contract for services from Transnet. This review will be ongoing in the 7th Parliament, especially with the future possible introduction of the Transport Economic Regulator if the legislation is promulgated as the new entity will absorb a number of the current entities as it moves from phase 1 to the next.
- With reference to outstanding policy and legislation, the Committee serving the portfolio in the 6th Parliament continued requesting that the Department aligns its legislative programme in such a manner as to avoid overloading the Committee towards the last year of the term. The continued delays in processing critical legislation have a direct impact on the operations and financial stability of several entities under the portfolio. This can be done by prioritising legislation that impacts their entities and improving the targets set by the Department in its plans to eliminate delays in progress due to reliance on other factors outside of their control.
- In terms of legislation and policy, of particular importance was that the 6th Parliament process the Civil Aviation Amendment Bill that was tabled in November 2018 and had to be picked up by the 6th Parliament, as well as the long-awaited introduction of the STER Bill which was called the ERT Bill once tabled. Along with the other pieces of legislation that was revived in the 2019/2020 year and the legislation that was referred back by the President to the Committee. During the 6th Parliament, the Committee was able to finalise all legislation that was revived from the 5th Parliament.

At the end of the 5th Parliament Term, it was noted that the Department had set itself the following targets and the 6th Parliament would have to ensure that these targets were monitored:

- In 2019/20, the Department intends to bring the Merchant Shipping Bill to Parliament, as well as TAT Amendment Bill.
- Implementation of the Green Transport Strategy by 2020/21.
- Monitor implementation of ten (10) NATMAP Priority Pilot 2050 Projects.
- Implementation of the National Rail Act by 2020/21.
- Implementation of the Railway Safety Act by 2020/21.
- Draft Bill for Founding Legislations of Road Entities to Parliament by 2020/21.

Of the above listed proposed pieces of legislation, it is important to note that at the end of the 6th Parliament term, the only Bill finalised was the Transport Appeal Tribunal (TAT) Amendment Bill. The Railway Safety Bill [B7-2021] was debated in the NA on 24 October 2023 and was referred to the NCOP for processing. The Merchant Shipping Bill [B12-2023] was tabled 11 May 2023 and due to the limited time available to the Committee to process such a comprehensive piece of legislation, the Bill was not scheduled within the programme of the 6th Parliament and would have to be considered by the 7th Parliament should it be revived.

- In addition, the 6th Parliament was advised to continue the monitoring of the:

- * Implementation of the National Aviation Transformation Strategy;
- * Implementation of the new Taxi Recapitalisation Programme (TRP);
- * Implementation of the PRASA Modernisation Programme;
- * Progress on the White Paper on the National Transport Policy;
- * Progress on the Draft Regional Transport Integration Market Access Strategy;
- * Implementation of the Green Transport Strategy; and
- * Progress on the Road Tariff Determination Framework.

Of the above strategies and programmes, no marked or clear progress was made (partially due to the impact of Covid-19 lockdown measures on the work of the transport portfolio) in the implementation of the strategies or programmes by the Department. These strategies and programmes are still part of the Department's work and targets and will need to be continued to be monitored and engaged on by the Committee in the 7th Parliament.

- It was recommended that in the Agenda of the Committee there be allowance for the adoption of minutes at the beginning of each meeting.

During the 6th Parliament this was achieved at the end of the majority of the meetings where there was a quorum to do so.

- It was recommended that regular management committee meetings must continue as these assist greatly in cases where programme amendments are required. Unfortunately, this target was not met as planned and the annual targets had to change from bi-weekly to monthly and was not achieved during the Covid-19 lockdown period. It will continue to be recommended for the 7th Parliament to improve on the frequency of its management meetings; and

- The full use of proposed meeting dates or proposed oversight visits that are planned for the Committee could improve its performance output greatly as it will assist the new Committee to cover as many projects, modes, programmes or concerns as possible. This proposal continued to be difficult to achieve during the 6th Parliament as it was not always possible for all proposed meeting slots to quorate. The 7th Parliament should continue to endeavour to schedule a second meeting per week due to the volume of work before the Transport Committee. This will ensure that it

can process all issues identified by the Committee along with dealing with the large number of transport entities and the high volume of legislation that is tabled before the Committee.

3. Key areas for future work

A Five-Year Strategic Plan which is reviewed annually along with an annual Operations Plan must be adopted by the Committee serving in the portfolio in the 7th Parliament.

The concerns regarding the Scholar Transport Policy, as well as the Lesotho/RSA cross-border challenges that rolled over from the 4th Parliament must continue to be considered towards achieving a solution.

All grants as transferred by the Department must be monitored and where needed re-assessed in order to ensure that the funds are allocated to the applicable programmes/projects and that they are spent on the allocated programmes/projects in a manner that will deliver value for money and services to the citizens of the Republic.

Specific mention must be given to the required monitoring, implementation and possible re-assessment of the IPTNs Programme (also referred to as the Bus Rapid Transit (BRT) Programme) roll-out and the spending of the Grant linked thereto must be continued with during the 7th Parliament.

The Committee serving the portfolio in the 7th Parliament should request a report from the Department regarding the review of entities as emanating from the Presidential Review of Entities. This must be done in order to ensure that the fiscal allocation to the Department and its entities is allocated and utilised in the most optimum manner and to avoid duplications of functions. One example is the concern raised, on numerous occasions, by the Committee regarding the split of rail-based operations between Transnet and the Passenger Rail Agency of South Africa (PRASA) resulting in a need for PRASA to lease infrastructure or contract for services from Transnet.

With reference to outstanding policy and legislation, the Committee serving the portfolio in the 7th Parliament should continue requesting that the Department aligns its legislative programme in such a manner as to avoid overloading the Committee towards the last year of the term. The continued delays in processing critical legislation have a direct impact on the operations and financial stability of several entities under the portfolio. This can be done by prioritising legislation that impacts their entities and improving the targets set by the Department in its plans to eliminate delays in progress due to reliance on other factors outside of their control.

During the 6th Parliament tenure, a trend developed where on numerous occasions there was a clash between the meetings of the Committee and that of the Standing Committee on Public Accounts (SCOPA) requiring Department officials and/or its entities to attend two meetings at the same time. This often created the impression that the Committee or matters before the Committee were regarded as “less important” than those of SCOPA as the Minister, Board Chairpersons and senior management would often attend the SCOPA meetings and send delegated officials to attend the Committee meetings. During the 7th Parliament it is advised that the scheduling of SCOPA meetings with the Transport portfolio should not fall on the scheduled meeting day(s) of the Committee, since the Committee not only has far more limited meeting days than SCOPA but is the primary oversight body for the transport portfolio and should be given the full attention of the Minister, Board Chairpersons and senior management for its meetings.

The Committee had limited opportunities to travel or attend transport specific training opportunities both locally as well as internationally. Of the one international transport course which the Committee was able to attend during its tenure in September 2023, this was limited to five Members and one member of support staff due to financial constraints. The Committee proposed in its report on this training course that during the 7th Parliament, management of Parliament should consider re-implementing the ring-fenced or specific allocation of a budget to each individual committee for purposes of planned oversight as well as study tours or course attendance as this would allow committees to better plan, and do so within their specific allocated budget, for the attendance of transport related courses as well as study tours with, where possible, the full complement of the Committee Members and at least three support staff.

In terms of legislation and policy, of particular importance to the 7th Parliament will be the finalisation of the following possibly to be revived legislation - the Economic Regulation of Transport Bill (from NCOP report); Transport Appeal Tribunal Amendment Bill (from NCOP report); Railway Safety Bill (from NCOP report); Marine Pollution (Prevention of Pollution from Ships) Amendment Bill (from NCOP report); Marine Oil Pollution (Preparedness, Response and Cooperation) Bill (from NCOP report); Merchant Shipping Bill (from the start). The Road Accident Fund, through the Minister, informed the Committee of the imminent possible tabling of an amendment bill to the Road Accident Fund Act, which would seek to deal with a myriad of issues affecting the operations and liquidity of the entity.

The Department had set itself the following targets during the 6th Parliament term, and the following targets will continuously have to be monitored:

- Implementation of the Green Transport Strategy by 2020/21.
- Monitor implementation of ten (10) National Transport Master Plan (NATMAP) Priority Pilot 2050 Projects.
- Implementation of the National Rail Act by 2020/21.
- Implementation of the Railway Safety Act by 2020/21.
- Draft Bill for Founding Legislations of Road Entities to Parliament by 2020/21.

In addition, the 7th Parliament should continue the monitoring of the:

- Implementation of the National Aviation Transformation Strategy;
- Implementation of the new Taxi Recapitalisation Programme (TRP);
- Implementation of the PRASA Modernisation Programme;
- Progress on the White Paper on the National Transport Policy;
- Progress on the Draft Regional Transport Integration Market Access Strategy;
- Implementation of the Green Transport Strategy; and
- Progress on the Road Tariff Determination Framework.

On 8 August 2022, the Department launched programme “Operation Vala Zonke” to arrest the deterioration of roads. The launch was done in Gauteng, with all other provinces simultaneously launching their own roll-out programmes. At the end of July 2023, the SANRAL launched the “Operation Vala Zonke” War Room. The Minister indicated that this programme was launched to ensure that the roads are managed within a framework of national norms and standards to maximise their role in enabling economic activity and access to social amenities. The programme is under the stewardship of the SANRAL, however, the repairs to the reported potholes must be done by the relevant owner of that section of the road, whether it be a national, provincial or municipal road. It requires collaborative engagement between all spheres of government leadership to formalise steps to be taken collectively. It is a labour-intensive programme to fix reported potholes throughout the country. A pothole web application was launched for the public to use to report potholes in their vicinity or along their travel on the country’s roads (through uploading images, details of the problem, real-time location and get updates). The Committee raised concerns regarding the impact of the increase of

potholes on the country's roads, available resources for the repairs of potholes, funds used for the repairs of these reported potholes and urge the 7th Parliament to continue monitoring the roll-out of the "Vala Zonke" programme and how it may be affecting the road maintenance budgets of the relevant role players. This will link up with the concerns and recommendations made linked to the PRMG as well.

The Committee, in its Strategic Plan, proposed and continues to hold the view that where possible, specifically where matters of mutual interest are to be considered, that the 7th Parliament also consider holding joint meetings with other committees to consider these issues. This will greatly assist in resolving those issues outside of the specific ambit of the transport portfolio, but which impact the provision of transport services, such as safety and security concerns, inter-governmental co-operation on transport matters, promotion of road safety in schools, as well as the improvement of safe transportation of scholars, public infrastructure affecting transport such as port or rail operations, etc.

Another area of concern to the Committee, which the 7th Parliament should take note of and continue to monitor, is the increased congestion experienced at land based, air side and maritime border posts. Several instances of land border congestion over peak seasons were experienced and negatively impacted road-based transportation of freight, as well as passengers. Several instances of maritime port congestion were experienced with multiple container vessels waiting to dock which negatively impacted the import and export of goods and commodities and delays were experienced in the processing of incoming passengers air side during peak travel seasons. The solution to these matters cannot merely be addressed from a transport portfolio side and will need improved co-operation with other Departments such as Public Enterprises, Home Affairs, Public Works, Police, Defence and Finance, to list but a few. The work done by the transport entities such as the Airports Company of South Africa (ACSA), Cross-Border Road Transport Agency (C-BRTA), Ports Regulator of South Africa (PRSA), South African Civil Aviation Authority (SACAA), South African Maritime Safety Authority (SAMSA), Road Traffic Infringement Agency (RTIA), Road Traffic Management Corporation (RTMC) and SANRAL in working towards reducing the congestion at South African border posts and ports can only go so far if they are not supported by the work done by the other role players who all have their part to play to ensure the country's border posts and ports operate efficiently.

A number of international aviation inspection reports and audits were done during the tenure of the 6th Parliament, such as the International Civil Aviation Organisation (ICAO) international safety and security audits and assessments, as well as such safety audits by the Federal Aviation Administration (FAA) and the Transportation and Security Administration (TSA). Over and above these international assessments, the SACAA is also required to ensure it does its inspections and audits of airports within the country and to ensure that recommendations from the international reports and audits are implemented. The 7th Parliament is advised to continue monitoring the compliance with these audit and assessment recommendations by SACAA, ACSA and the Air Traffic Navigation Services (ATNS). Along with this, the 7th Parliament is also sensitised of the changes that have come into force through the promulgation of the Civil Aviation Amendment Act (No. 22 of 2021) and the provision for the operational independence of aircraft accident and incident investigation. It is also worth noting that several airport infrastructure improvement projects were delayed due to the impact of Covid-19 lockdowns on the aviation industry, but some of these projects have been revived and should come into effect during the tenure of the 7th Parliament, such as OR Tambo International airport new cargo and passenger terminals and Cape Town International airport enhancements in terminals and runway realignment, and King Shaka International airport will see the construction of a new hotel. The roll-out and progress of these projects should be closely monitored by the 7th Parliament.

Having experienced major challenges during its tenure, as listed below, the Committee would urge the 7th Parliament to seek to strike a healthy balance between the time sensitive work done by the Committee such as the Budget Report and the BRRR, processing legislation, the statutory appointments it may need to play a part in under the Civil Aviation Amendment Act and the Transport Economic Regulator Bill (once enacted), quarterly expenditure reports and other work done by the Committee with the need to also continuously perform physical oversight over the

Department and its entities' projects, facilities and services. It will also be important to allow for instances where unplanned oversight is required to allow the Committee to attend to urgent matters such as the impact of natural disasters on transport infrastructure and services, major vehicle collisions or other urgent matters that may arise from time to time.

4. Key challenges emerging

The term of the 6th Parliament was greatly affected by the global impact following the Covid-19 pandemic and associated lockdown periods and limitations. This affected the work of the Department and its entities as it also limited the possibilities of physical oversight visits with a full complement of Members from March 2020 to March 2021. During this time, the Committee was predominantly meeting via online Zoom meetings and where travel was not limited or restricted, small delegations of Members were able to perform physical oversight where needed. During the 2022/23 financial year, the Committee resumed with in person meetings at the Parliament precinct, although the venue availability was limited following the massive fire at Parliament during January 2022.

Unexpected or unplanned requests for assistance as received from time to time by the Committee from stakeholders or Members of the public that were affected by the work done or lack thereof by the Department or its entities, as well as unplanned referrals for reporting continued to affect the programme of the Committee as it did for the 5th Parliament Committee.

The Department's continued late tabling of legislation led to the Committee Programme being clogged towards the end of the term and legislation had to be prioritised in order to try and process these in time before they lapse with the rising of this term of Parliament. This led to the Committee not being able to perform oversight over specific projects of interest such as the BRT projects or undergo follow-up oversight, as indicated per Committee recommendations in oversight reports. Further to this, the impact of the Parliament Programme on the programme of the Committee and having only 1 meeting slot a week also affected the pace at which legislation was able to be processed.

The Committee was unable to undergo all planned study tours per the Strategic Plan and Annual Performance Plans of the Committee despite plans and applications to do so due to programming challenges and limited budget. The Committee was able to send a small delegation of Members to attend a course on Tender and Contracting in Public Transport in Brussels, Belgium from 26 to 28 September 2023, hosted by the training academy of the UITP (Union Internationale des Transports Publics), also referred to as the International Association of Public Transport. The Committee believes that study tours and proposed "international oversight" to countries linked to PRASA locomotives and the Gibela built new "people's train" (Bazil, France, Spain, China), aviation training provided in collaboration with SACAA (France), are critical and would have assisted greatly in its oversight over the Department and its entities and could have enabled the Committee better to assess progress on the various transport projects with specific emphasis on the PRASA Modernisation Programme and transport contracting. The Committee was of the view that the limited delegation attendance as well as the limitation in support staff for the September 2023 training course adversely affected the other Members who were not able to attend. The Committee was also of the view that the use of a "pooled" budget by management does not allow for the equal and fair distribution of funds for all committees in order to allow an equitable distribution of opportunities to attend training, study tours and oversight as per their adopted Strategic Plans and Annual Performance Plans.

During the tenure of the 5th as well as that of the 6th Parliament, challenges were experienced during provincial public hearings on Bills – the Road Accident Benefit Scheme Bill (RABS) and the Railway Safety Bill (RSB) - with the public education and mobilisation for public participation within the Free State Province. The Committee also indicated that there is a need for the 7th Parliament to consider broader and more extensive

provincial public hearings in more than two cities or towns within each province to broaden the public engagement on Bills that require this additional consultation process of provincial hearings.

5. Recommendations

5.1 The following concerns outstanding from the 4th Parliament must continue to be considered during this term:

- The Committee should continue to press the Department to find a solution regarding the National Scholar Transport Policy as this matter remains a concern to the Committee and a solution is yet to be found between the Department of Transport and the Department of Basic Education and how this matter can be better managed within the provincial executive spheres;
- The Committee should continue to engage the Department regarding the Public Transport Operations Grant and how provincial administrations continue to deal with subsidised bus services through continuous short-term contract renewals which conversely affect the financial state of the commuter bus industry and also continue the dominance of this area of operations by larger companies such as PUTCO and Golden Arrow not allowing for new service providers to enter the market through the competitive tender process; and
- The Committee should continue to monitor and request progress reports on the Lesotho/RSA Cross Border challenges. Noting the progress to date made by the Cross-Border Roads Agency (C-BRTA) and the Department, the Committee sadly has to report that this matter remains unresolved and will most likely have to be followed up on again in the 7th Parliament.

5.2 The following concerns outstanding from the 5th Parliament must continue to be considered during this term:

- On-going monitoring of the progress made through the Minister's multiyear turnaround strategy of the Department were done through continuous engagements with the Department but specifically during the BRRR process.
- Continued reporting by the Department on the quarterly reports (section 32 reports of the National Treasury) were improved on when compared to the number of reports compiled by the Committee during the 5th Parliament.
- Continued monitoring that the Department and the entities implement the audit improvement plans, have functioning internal audit committees in place, as well as implement consequence management as advised by the Office of the Auditor-General South Africa (AGSA) and recommended by this Committee in all its Budget and BRR reports. The Committee did note that the Department made very minor amendments annually to their plans to deal with the Audit findings over the years and continued to impress upon the Minister that improved plans must be implemented in order to remedy and reduce repeat findings.
- The conducting of regular oversight visits (if possible also in collaboration with committees that do oversight over the Department's client departments (for example, the Department of Public Works (DPW) and the Extended Public Works Programme)) to gather material evidence on the implementation of projects and value for money from delivery on projects linked to grant transfers. This was impacted heavily by the Covid-19 lockdown restrictions as well as the parliament programme where several planned oversight visits had to be postponed or cancelled despite having been planned for these in the annual Operations Plans. This was further impacted by the number of new and revived legislation that was tabled before the Committee and had to be prioritised over physical oversight visits.
- The outstanding legislation affecting the finances of the Department's entities must be prioritised, as well as the finalisation of policies on Scholar Transport and the GFIP. Although the GFIP matter has made some progress in the 2022/23 financial year, there still remain some issues linked to the project and how the Gauteng Government will continue with the GFIP projects beyond the phase 1 e-toll issue. The Scholar Transport matter remains of concern as indicated above under the 4th Parliament issues discussion.
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- Specific mention must be given to the required monitoring, implementation and possible re-assessment of the IPTNs Programme (also referred to as BRT Programme) roll-out and the spending of the Grant linked thereto which was continued with during the 6th Parliament. During the term of the 6th Parliament, there were a number of cities suspended from receiving these funds due to lack of progress in implementation of their respective IPTNs and presentations were received on this during a joint meeting with the Select Committee counterparts. This matter will have to continue to be monitored and physical oversight is a must to verify the information presented and the progress made.
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At the end of the 5th Parliament Term, it was noted that the Department had set itself the following targets and the 6th Parliament would have to ensure that these targets were monitored:

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- In addition, the 6th Parliament were advised to continue the monitoring of the:

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- * Implementation of the Green Transport Strategy; and
- * Progress on the Road Tariff Determination Framework.

Of the above strategies and programmes, no marked or clear progress were made in the implementation of the strategies or programmes by the Department. These strategies and programmes are still part of the Department's work and targets and will need to be continued to be monitored and engaged on by the Committee in the 7th Parliament.

- It was recommended that in the Agenda of the Committee there be allowance for the adoption of minutes at the beginning of each meeting. During the 6th Parliament this was achieved at the end of the majority of the meetings where there was a quorum to do so.

- It was recommended that regular management committee meetings must continue as these assist greatly in cases where programme amendments are required. Unfortunately, this target was not met as planned and the annual targets had to change from bi-weekly to monthly and was not achieved during the Covid-19 lockdown period. It will continue to be recommended for the 7th Parliament to improve on the frequency of its management meetings; and

- The full use of proposed meeting dates or proposed oversight visits that are planned for the Committee could improve its performance output greatly as it will assist the new Committee to cover as many projects, modes, programmes or concerns as possible. This proposal continued to be difficult to achieve during the 6th Parliament as it was not always possible for all proposed meeting slots to quorate. The 7th Parliament should continue to endeavour to schedule a second meeting per week due to the volume of work before the Transport Committee. This will ensure that it can process all issues identified by the Committee along with dealing with the large number of transport entities and the high volume of legislation that is tabled before the Committee.

5.3 From the experiences of the 6th Parliament the following recommendations:

- The 7th Parliament should continue to monitor the programme "Operation Vala Zonke" to arrest the deterioration of roads and ensure that the correct budget is applied for the maintenance of national, provincial or municipal roads. The Committee raised concerns regarding the impact of the increase of potholes on the country's roads, available resources for the repairs of potholes, funds used for the repairs of these reported potholes and urge the 7th Parliament to continue monitoring the roll-out of the "Vala Zonke" programme and how it may be affecting the road maintenance budgets of the relevant role players. This will link up with the concerns and recommendations made linked to the PRMG as well.

- The Committee, in its Strategic Plan, proposed and continues to hold the view that where possible, specifically where matters of mutual interest are to be considered, that the 7th Parliament also consider holding joint meetings with other committees to consider these issues. This will greatly assist in resolving those issues outside of the specific ambit of the transport portfolio, but which impact the provision of transport services, such as

safety and security concerns, intergovernmental co-operation on transport matters, promotion of road safety in schools, as well as the improvement of safe transportation of scholars, public infrastructure affecting transport such as port or rail operations, etc.

- The 7th Parliament should take note of and continue to monitor the increased congestion experienced at land based, air side and maritime border posts. The solution to these matters cannot merely be addressed from a transport portfolio side and will need improved co-operation with other Departments such as Public Enterprises, Home Affairs, Public Works, Police, Defence and Finance to list but a few.

- The 7th Parliament should continue to monitor the compliance by the aviation entities with those recommendations made in line with the international aviation inspection reports and audits that were done during the tenure of the 6th Parliament and may emanate from future audits and assessment of this nature. Over and above these international assessments, the SACAA is also required to ensure it does its inspections and audits of airports within the country and to ensure that recommendations from the international reports and audits are implemented. The 7th Parliament is advised to continue monitoring the compliance with these audit and assessment recommendations by SACAA, ACSA and the ATNS. Along with this, the 7th Parliament is also sensitised of the changes that have come into force through the promulgation of the Civil Aviation Amendment Act (No. 22 of 2021) and the provision for the operational independence of aircraft accident and incident investigation. It is also worth noting that several airport infrastructure improvement projects were delayed due to the impact of Covid-19 lockdowns on the aviation industry, but some of these projects have been revived and should come into effect during the tenure of the 7th Parliament, such as OR Tambo International airport new cargo and passenger terminals and Cape Town International airport enhancements in terminals and runway realignment, and King Shaka International airport will see the construction of a new hotel. The roll-out and progress of these projects should be closely monitored by the 7th Parliament.

- The 7th Parliament should seek to achieve a balance between the time sensitive work done by the Committee such as the Budget Report and the BRRR, processing legislation, the statutory appointments it may need to play a part in under the Civil Aviation Amendment Act and the Transport Economic Regulator Bill (once enacted), quarterly expenditure reports and other work done by the Committee with the need to also continuously perform physical oversight over the Department and its entities' projects, facilities and services. It will also be important to allow for instances where unplanned oversight is required to allow the Committee to attend to urgent matters such as the impact of natural disasters on transport infrastructure and services, major vehicle collisions or other urgent matters that may arise from time to time.

- The 7th Parliament should ensure that the relevant office within the institution responsible for the public education and mobilisation for public participation on Bills is suitably capacitated and financed in order to ensure that provincial public hearings are well attended, and sufficient support is given to each Committee. There is also a need for the 7th Parliament to consider broader and more extensive provincial public hearings in more than two cities or towns within each province to broaden the public engagement on Bills that require this additional consultation process of provincial hearings.

1. Introduction

1.1 Department/s and Entities falling within the committee's portfolio

a) Department of Transport

The Constitution of the Republic of South Africa, 1996, identifies the legislative responsibilities of different levels of government with regard to airports, roads, traffic management and public transport. Transport is a function that is legislated and executed at all levels of government. The

implementation of transport functions at the national level takes place through public entities that are overseen by the Department, each with a specific delivery mandate, as specified in legislation establishing these entities.

The Department is therefore responsible for conducting sector research; formulating legislation and policies to set the strategic direction of sub-sectors; assigning responsibilities to public entities and other levels of government; regulating through setting norms and standards; and monitoring implementation.

The Constitution of the Republic of South Africa, 1996, identifies the legislative responsibilities of different tiers of Government pertaining to airports, road traffic management and public transport. In addition, the 1996 White Paper on National Transport Policy defines the different sub-sectors in the transport sector. Broadly, these are the infrastructure and operations of rail, pipelines, roads, airports, harbours and intermodal operations of public transport and freight. The Department is responsible for the legislation and policies for all these sub-sectors.

For the intermodal functions of public transport and freight, the guiding documents are the National Land Transport Act (No. 5 of 2009), the Public Transport Strategy, 2007 and the National Freight Logistics Strategy, 2005. The Department is mandated to conduct sector research and formulate legislation and policy to set the strategic direction of these sub-sectors. Furthermore, it is entrusted with assigning responsibilities to public entities and other tiers of Government. The Department also regulates the transport sector through the setting of norms and standards, as well as the monitoring of their implementation.

Transport is a function that is legislated and executed at the national, provincial and local tiers of Government. The implementation of transport functions at the national sphere takes place through public entities.

In an endeavour to discharge its mandate effectively and efficiently, the Department has organised itself into the following programmes:

- Programme 1: Administration;
- Programme 2: Integrated Transport Planning;
- Programme 3: Rail Transport;
- Programme 4: Road Transport;
- Programme 5: Civil Aviation;
- Programme 6: Maritime Transport; and
- Programme 7: Public Transport.

b) Entities:

Name of Entity	Role of Entity
Airports Company of South Africa (ACSA)	<ul style="list-style-type: none"> ○ The company is regulated in terms of the Airports Company Act (1993) and the Companies Act (1973). ○ To facilitate the movement of air passengers and goods at South Africa's airports.
Passenger Rail Agency of South Africa (PRASA)	<ul style="list-style-type: none"> ○ To ensure that, at the request of the Department of Transport, rail commuter services are provided within, to and from the Republic in the public interest, and provide, in consultation with the Department of Transport, for long haul passenger rail and bus services within, to and from the Republic in terms of the principles set out in section 4 of the National Land Transport Transition Act, 2000 (Act No. 22 of 2000)

Name of Entity	Role of Entity
Road Traffic Infringement Agency/Authority (RTIA) ¹	<ul style="list-style-type: none"> ○ Established by section 3 of the Administrative Adjudication of Road Traffic Offences Act, 1998. ○ Main objects are to: administer procedure to discourage traffic contraventions & support adjudication of infringements ○ enforce penalties imposed against persons contravening road traffic laws ○ provide specialised prosecution support ○ undertake community education and awareness programmes
Road Traffic Management Corporation (RTMC)	<ul style="list-style-type: none"> ○ To co-ordinate strategic planning, regulation, facilitation and law enforcement in respect of road traffic matters by the national, provincial and local spheres of government.
Cross- Border Road Transport Agency (C-BRTA)	<ul style="list-style-type: none"> ○ The mandate is set out in the Cross Border Road Transport Act of 1998 as amended. The functions of the Board are to: <ul style="list-style-type: none"> ○ Advise the Minister on any aspect related to cross-border road transport policy; ○ Undertake road transport law enforcement; ○ Regulate access to the market by the road transport freight and passenger industry in respect of cross-border road transport by issuing permits.
The South African National Roads Agency Limited (SANRAL)	<ul style="list-style-type: none"> ○ SANRAL operates in terms of its founding legislation, The South African National Roads Agency Limited and National Roads Act (Act No. 7,1998). SANRAL's mandate is to finance, improve, manage and maintain the national road network (the "economic arteries" of South Africa).
South African Civil Aviation Authority (SACAA)	<ul style="list-style-type: none"> ○ Its mandate, defined in the South African Civil Aviation Authority Act No. 40 of 1998, is regulating the civil aviation industry to ensure security and safety by complying with International Civil Aviation Organisation (ICAO) and taking into consideration the local context.
Railway Safety Regulator (RSR)	<ul style="list-style-type: none"> ○ The RSR mandate is contained in the National Railway Safety Regulator Act of 2002. The mandate of the RSR includes: <ul style="list-style-type: none"> ○ Overseeing safety in the railway transport industry. ○ Promotion of the use of rail through improved safety performance. ○ Development of regulations and standards as required. ○ Conclusion of co-operative agreements with all organs of state whose activities may impact on railway safety in order to prevent duplication.
Air Traffic Navigation Services (ATNS)	<ul style="list-style-type: none"> ● ATNS is responsible for air traffic control, the provision of vitally important aeronautical information used for all flight planning purposes as well as search and rescue coordination activities and the maintenance of a reliable navigation infrastructure. Its operations also include: <ul style="list-style-type: none"> ○ The supply of aeronautical information services, technical maintenance and aerodrome

¹ The AARTO Amendment Act 4 of 2019 amends the name of the entity from Agency to Authority.

Name of Entity	Role of Entity
	services; <ul style="list-style-type: none"> ○ Alert, search and rescue co-ordination services; ○ Management of the flexible use of airspace through the Central Airspace Unit (CAMU); ○ Support for special events and special requirements such as test flights, demonstration flights, etc.; ○ The implementation and maintenance of a terrestrial-based navigational structure; ○ The training of licensed air traffic controllers and technical staff through the Aviation Training Academy (ATA)
South African Maritime Safety Authority (SAMSA)	<ul style="list-style-type: none"> ○ SAMSA was established on 1 April 1998 in terms of the South African Maritime Safety Authority Act 5 of 1998. ○ The organisation's objective is to lead and champion South Africa's maritime interests as custodians and stewards of maritime policy.
Road Accident Fund (RAF)	<ul style="list-style-type: none"> ○ The Road Accident Fund was established by the Road Accident Fund Act, 1996 (Act No. 56 of 1996) as amended ("RAF Act"). Predecessors. ○ The RAF provides compulsory cover to all users of South African roads, resident or foreigner, against injuries sustained or death arising from accidents involving motor vehicles within the borders of South Africa.
Ports Regulator of South Africa (PRSA)	<ul style="list-style-type: none"> ○ The Ports Regulator of South Africa was established under the provisions of the National Ports Act, 2005. Under this Act, the main functions of the Ports Regulator are to: ○ Exercise economic regulation of the ports system in line with government's strategic objectives; ○ Promote equity of access to ports and to facilities and services provided in ports; ○ Monitor the activities of the National Ports Authority to ensure that it performs its functions in accordance with this Act and to hear complaints and appeals under the Ports Act.

1.2 Functions of committee:

Parliamentary committees are mandated to:

- Monitor the financial and non-financial performance of government departments and their entities to ensure that national objectives are met.
- Process and pass legislation.
- Facilitate public participation in Parliament relating to issues of oversight and legislation.

The prime mandate of the Committee is governed by the Constitution of the Republic of South Africa, 1996 ("the Constitution"), in respect of its legislative and oversight responsibilities as public representatives. It is required to consider legislation referred to it and consider all matters referred to it in terms of the Constitution, the Rules of the National Assembly (NA) or resolutions of the House. It is also required to respond to

matters referred to it by Government within its mandate. In addition, the Committee is entrusted with considering the budgets, Strategic Plans and APPs of the Department and entities that fall within the transport portfolio.

1.3 Method of work of the committee (if committee adopted a particular method of work e.g. SCOPA.)

The majority of the Committee work and oversight was done through calling the Department and its entities to report to the Committee at Parliament. Where possible, the Committee underwent oversight visits to facilities and areas of responsibility of the Department and/or its entities.

The Committee met on a weekly basis, at least once a week according to the schedule of committees. The Committee interacted with briefing documents from the Department, its entities and other invited stakeholders. This was done with the support of the allocated support staff members.

1.4 Purpose of the report

The purpose of this report is to provide an account of the Committee work during the 6th Parliament and to inform the Members of the new Parliament of key outstanding issues pertaining to the oversight and legislative programme of the Department and its entities.

This report provides an overview of the activities the Committee undertook during the 6th Parliament, the outcome of key activities, as well as any challenges that emerged during the period under review and issues that should be considered for follow up during the 7th Parliament. It summarises the key issues for follow-up and concludes with recommendations to strengthen operational and procedural processes to enhance the Committee’s oversight and legislative roles in future.

2. Key statistics

The table below provides an overview of the number of meetings held, legislation and international agreements processed and the number of oversight trips and study tours undertaken by the Committee, as well as any statutory appointments the Committee made, during the 6th Parliament:

Activity	2019/20	2020/21	2021/22	2022/23	2023/24	Total
Meetings held	20 meetings in 2019	39 meetings in 2020	42 meetings in 2021	31 meetings in 2022	32 meetings in 2023 6 meetings in 2024	164
Subcommittee meetings held		9	2			11
Quarterly Expenditure Reports		2 in 2020	3 in 2021	3 in 2022	3 in 2023 1 in 2024	12
Legislation processed.		5 Revived	1 Tabled	2 Tabled	1 Tabled	7 tabled, 5

Activity	2019/20	2020/21	2021/22	2022/23	2023/24	Total
[Economic Regulation of Transport Bill; National Road Traffic Amendment Bill; Transport Appeal Tribunal Amendment Bill; Railway Safety Bill; Marine Pollution (Prevention of Pollution from Ships) Amendment Bill; Resubmitted National Land Transport Amendment Bill; Marine Oil Pollution (Preparedness, Response and Cooperation) Bill; Merchant Shipping Bill; ACSA Amendment Bill; ATNS Amendment Bill; Civil Aviation Amendment Bill; Road Accident Benefit Scheme Bill]		<p>Legislation (NLTA AB – tabled 13 April 2016; revived 28 October 2019; Considered 11 February 2020-26 February 2020; Returned 8 September 2021; Considered 16 November 2021-20 September 2022; NCOP – 15 March 2023-29 November 2023)</p> <p>(ACSA AB – tabled 27 March 2018; revived 29 October 2019; Considered 11 February 2020-18 February 2020; NCOP – 26 August 2020-18 November 2020)</p> <p>(ATNS AB – tabled 4 April 2018; revived 29 October</p>	<p>Legislation (RS B – tabled 19 March 2021; Considered 1 September 2021-19 September 2023; NCOP – 15 November 2023)</p> <p>1 Resubmitted Legislation (NLTA AB)</p>	<p>Legislation (MP AB – tabled 31 January 2022; Considered 6 September 2022-24 February 2023; NCOP – 18 October 2023)</p> <p>(MOP B – tabled 10 March 2022; Considered 1 November 2022-24 October 2023; NCOP for concurrence 14 November 2023)</p>	<p>Legislation (MS B – Tabled 11 May 2023; Considered 28 November 2023)</p>	<p>revived, 1 resubmitted</p> <p>Total Bills Considered = 12</p>

Activity	2019/20	2020/21	2021/22	2022/23	2023/24	Total
		<p>2019; considered 11 February 2020- 18 February 2020; NCOP – 26 August 2020- 18 November 2020)</p> <p>(CA AB – tabled 13 November 2018; revived 29 October 2019; considered 19 November 2019-17 March 2021; NCOP – 25 August 2021- 17 November 2021)</p> <p>(RABS B – tabled 8 June 2017; revived 29 October 2019; considered 18 February 2020- 21 August 2020; rejected 3 September 2020)</p> <p>3 Tabled Legislation (ERT B – tabled 30 January</p>				

Activity	2019/20	2020/21	2021/22	2022/23	2023/24	Total
		<p>2020; Considered 9 June 2020-16 September 2022; NCOP – 8 February 2023- 6 December 2023; PCoT considered NCOP amendments 6 February 2024- 20 February 2024)</p> <p>(NRTA AB – tabled 28 May 2020; Considered 13 October 2020- 16 September 2022; NCOP – 15 March 2023- 29 November 2023; PCoT considered NCOP amendments – 6 and 20 February 2024)</p> <p>(TAT AB – tabled 29 May 2020; Considered – 25 August 2021- 24 February 2023; NCOP –</p>				

Activity	2019/20	2020/21	2021/22	2022/23	2023/24	Total
		18 October 2023)				
Oversight trips undertaken	1	3	0	1	0	5
Study tours undertaken	-	-	-	-	-	0
International agreements processed				2 in 2022 (Bunker and Chicago Convention)	1 in 2023 (Luxembourg)	3
Statutory appointments made	-	-	-	-	-	N/A
Interventions considered	-	-	-	1 (Public Protector sub-com report considered 2022)	1 (sub-com report adopted 2023)	1
Petitions considered	-	-		1		1

3. Stakeholders:

- All Department and its entities stakeholders (incl. aviation, road, maritime, rail and public transport).
- Transport interest groups.
- AGSA.
- National Treasury.
- Department of Public Works and Infrastructure.
- Department of Public Enterprises.
- Department of Trade, Industry and Competition.

4. Briefings and/or public hearings

As transport often has major multi-year infrastructure projects, as well as some programmes or issues that are so complex that they cannot be resolved within a single 5-year term, it is evident that the issues as listed above from the 4th and 5th Parliament, such as the issues of scholar transport, GFIP and PRASA, among others, remained on the radar of the 6th Parliament Committee.

With the inception of the 6th Parliament Portfolio Committee on Transport, Mr MJ Zwane (ANC) was elected Chairperson of the Committee during the meeting of 2 July 2019. The Chairperson said the Committee would have to deal with challenging issues, legacy matters as identified and looked forward to working harmoniously with all Committee Members to address these issues and any other matters that would be brought before the Committee during its tenure. On 23 May 2023, Ms RMM Lesoma (ANC) was elected Chairperson of the Committee for the remainder of the

term. The Chairperson echoed the sentiments of working harmoniously with all Committee Members and the sense of urgency to finalise the legislation before the Committee as well as deal with outstanding matters as the Committee worked towards the end of its tenure.

The Committee has since its first engagements worked towards achieving its oversight role over the Department in order to ensure safe transport and that the lives of the citizens of the Republic of South Africa are positively affected by the provision of transport services. Where these services failed the citizens, the Committee was never hesitant to address these incidents, concerns or even internal departmental or entity-based issues that may impede the provision of transport services. During the 6th Parliament, the Committee had numerous engagements with the Department and its entities as indicated in the reported figures below.

Of gravest concern during the term was the impact that the Covid-19 lockdown restrictions had on all of the transport entities, followed by increased instances of flood damage to transport infrastructure, as well as vandalism, theft and destruction of transport infrastructure. This especially affected PRASA daily operations as well as stalling the Modernisation programme even further; the entity responsible for the public transportation of the majority of the citizens of the country. Another entity that was of particular concern to the Committee was the RAF and the continued difficulty the entity faces due to the multitude of vehicle collision claims, massive legal bill to take matters to court and the backlog in processing payments. The entity has an urgent need to bring legislation to Parliament to remedy the identified issues linked to claims, litigation and the financial health of the entity since the proposed Road Accident Benefit Scheme Bill was not supported by the Committee. In the maritime sphere the Committee was also concerned with SAMSA and the continued failure of the entity and the Minister to finalise the appointment of a Chief Executive Officer (CEO), as well as the increased instances of cyber hacking of the entity. Although a way forward was finally announced regarding the e-tolling project linked to phase 1 of the GFIP in the 2022 Medium-Term Budget Statement, SANRAL was hit with project roll-out delays due to lockdown restrictions, tender disputes, community protest and un-planned repairs and rebuilding of infrastructure due to flood damage. Added to this, SANRAL increased its road network asset register with a number of provincial roads being handed over to the entity – roads which the provinces could no longer maintain with the available budget allocations or limited capacity and resources at their disposal.

PRASA, along with its subsidiaries, remains a concern to the Committee and the 7th Parliament will need to keep a close eye on the implementation of turn-around strategies, returning high-density corridors to full service following their closure during lockdown, as well as the roll-out of the Modernisation Strategy.

From 2 July 2019 up to March 2024, the Committee delivered 5 Budget Vote Reports which included Reports on the Strategic Reports and APPs of the Department and its entities. Other than these reports, the Committee also received presentations from the entities on current and future projects as and when feedback was required. Of specific importance, and due to their multi-year lifespans, are the continued PRASA Modernisation project, as well as major road projects (both tolled and non-tolled) as planned by SANRAL. Entities such as RAF, SANRAL and RTIA are especially concerning as their continued financial viability is closely linked to the amendment and finalisation of legislation (AARTO implementation following the Constitutional Court judgment and a need for amendments to the RAF Act) or a need for clarity or amendment to funding policies (GFIP and the e-toll debate made it clear that a new road infrastructure funding policy is needed). The entities that rely on the regulation and charging of fees from industry players in the transport field have also made proposals for legislative or regulatory amendments that are before the Department and should be closely watched going forward – failure of the implementation of these requests regarding legislation and/or regulations that directly impact them may lead to negative findings on their liquidity. It will also be imperative to monitor the eventual implementation of the provisions of the Economic Regulation of Transport Bill once enacted and the phased roll-out of the provisions leading to the absorption of regulating entities into the Transport Regulator, starting with the Ports Regulator.

From August 2019 up to March 2024, the Committee has deliberated on the various quarterly reports presented by the Department – 12 to date. On 12 September 2023 and November 2023, the Department presented their 1st quarterly report for the 2023/24 financial year. The 2nd and 3rd quarterly reports on expenditure by the Department were presented on 27 February 2024. Should the Department be able to present the 4th quarter report before the consideration of the 2024 BRRR, this would be an outstanding presentation to be considered by the 7th Parliament.

From October 2019 up to November 2023, the Committee has deliberated and reported on the BRRR – 5 reports in total - which considers the Annual Reports of the Department and its entities. It is important to note that at the time of completion of the legacy report, four (4) entities (PRASA, RSR, RTIA and SAMSA) tabled their Annual Report for 2022/23 late and these were considered and captured in a supplementary report that was adopted on 12 March 2024. Due to the late tabling, these were not part of the 2023 BRRR. The Committee has seen an increase in the failure by the Department and its entities to table either Annual Reports or Annual Performance Plans on time.

It is also important for the 7th Parliament to note that during the tenure of the current Committee, several recommendations had been made to the Minister in an attempt to give guidance towards ensuring that negative repeat findings from audit reports are not recurring. Along with these recommendations, there were additional reporting requests that would require report back from the Department and its entities on outstanding matters on a regular quarterly basis. These are contained in the BRRR reports of the Committee as tabled.

Directly related to the implementation of BRRR recommendations, as well as determining progress on the implementation of AGSA recommendations, the Committee had report back meetings on these issues from October 2019 annually with the AGSA, as well as the Department. The next proposed meeting on progress in these matters would have to be considered by the 7th Parliament to have an up-to-date response on recommendations that remain unresolved or unimplemented.

During its tenure, the Committee considered and reported in 3 instances on Conventions, Agreements and Charters, as depicted in the table below. It is important for the 7th Parliament to note that these international documents do have financial implications for the Department and some of its entities that serve as implementers of the terms and/or obligations contained therein. Some of the Conventions will find their way into legislation that will be brought before the Committee, such as the Marine Pollution Prevention Amendment Bill, Marine Oil Pollution Bill and the Merchant Shipping Bill.

In October 2019, the Minister presented to the Committee on progress and plans regarding the filling of vacancies in Boards and on executive level as this relates to the entities. During its deliberations on the 2023 BRRR, the Committee noted with concern that despite some progress, there were still many of these vacancies that had still not been filled and another feedback session on progress in this regard will have to be scheduled. Unfortunately, the Committee within its tenure did not have a part in statutory appointments of Board members or officials in the Department or entities at this point in time. However, since the promulgation of and the provisions of the Civil Aviation Amendment Act 22 of 2021 came into force, the Committee will have a role to play in the appointment of the members of the Aviation Safety Investigation Board and the 7th Parliament should note that at the time of adoption of the legacy report, the Department was in the process of appointing the panel of experts to process a list of nominees to be interviewed by the Committee as soon as it will be able to programme these interviews. Once the Economic Regulation of Transport Bill is promulgated, the Committee will have a role to play for the appointment of the members to the Transport Economic Council as well. The Committee, through its oversight, never hesitated in raising its concerns on these matters and has done so formally in all their Budget Vote Reports, as well as the BRRR reports over the years. A number of interim measures had been put in place by the Minister to, at least, allow for the entities and their Boards to be functional through the use of interim Board appointments. This interim arrangement, however, cannot last and end of terms are soon approaching at the end of the 6th Parliament term and during the first year of the 7th Parliament.

From the start of the 6th Parliament term, despite numerous requests to receive a presentation from the Department on the legislative programme of the Department for the 5- year term as well as for each year, the Committee was never provided with a presentation on this from the Department. The Content Advisor supporting the Committee drew up and provided a list to members (as contained in preparatory notes to members prior to Budget briefings and presented during Committee strategic planning meetings) of the proposed legislation that was planned in the 5-year term pipeline per the Department Strategic Plan 2019-2024 and the revised plans from 2019 onwards. Bills that were tabled before and considered by the Committee are listed below.

- Economic Regulation of Transport Bill (ERT B);
- National Road Traffic Amendment Bill (NRT AB);
- Transport Appeal Tribunal Amendment Bill (TAT AB);
- Railway Safety Bill (RSB);
- Marine Pollution Prevention Amendment Bill (MP AB);
- Resubmitted National Land Transport Amendment Bill (NLT AB);
- Marine Oil Pollution (Preparedness, Response and Cooperation) Bill (MOP B);
- Merchant Shipping Bill (MSB).

Legislation per the Department Strategic Plan and APPs yet to be tabled:

- Ballast Water Management Bill;
- Maritime Development Fund Bill;
- Air Service Bill;
- South African Maritime and Aeronautical Search and Rescue Amendment Bill;
- Air Services Licencing and the International Air Services Amendment Bill; and
- National Rail Bill is mentioned in the APP but not listed in the Strategic Plan (of concern is the target to only submit the Bill to Parliament in 2023/24 and that it is not yet approved by Cabinet).

The following table indicates the legislation revived from the 5th Parliament and tabled in the 6th Parliament as well as legislation tabled during the 6th Parliament term:

Legislation	Tagging	Date of Introduction	Current Status
National Land Transport Amendment Bill [B7-2016]	Sec 76 – Ordinary Bills affecting the provinces	15 April 2016	Presidency.
Economic Regulation of Transport Bill [B1-2020]	Sec 76 – Ordinary Bills affecting the provinces	31 January 2020	With the NCOP
National Road Traffic Amendment Bill [B7-2020]	Sec 76 – Ordinary Bills affecting the provinces	29 May 2020	Presidency.
Transport Appeal Tribunal Amendment Bill [B8-2020]	Sec 76 – Ordinary Bills affecting the provinces	29 May 2020	With the NCOP
Railway Safety Bill [B7-2021]	Sec 76 – Ordinary Bills affecting the provinces	19 March 2021	With the NCOP.

Marine Pollution (Prevention of Pollution from Ships) Amendment Bill [B5-2022]	Sec 76 – Ordinary Bills affecting the provinces	31 January 2022	With the NCOP
Marine Oil Pollution (Preparedness, Response and Cooperation) Bill [B10-2022]	Sec 76 – Ordinary Bills affecting the provinces	10 March 2022	With the NCOP.
Merchant Shipping Bill [B12-2023]	Sec 75 – Ordinary Bill not affecting the provinces	11 May 2023	Presented to the Committee on 28 November 2023. The Committee programme would not be able to accommodate the full processing of the Bill.

The Committee finalised the revived Road Accident Benefit Scheme Bill, ATNS Amendment Bill, the ACSA Amendment Bill and the Civil Aviation Amendment Bill. The table above indicates which Bills will most likely have to be revisited in the 7th Parliament.

Those proposed pieces of legislation that were planned to, but never introduced to Parliament during the 6th Parliament term, are listed above. These will inevitably lead to changes in targets of the Strategic Plan of the Department and those directly impacting the financial stability of the entities would be recommended to be prioritised during the 7th Parliament. The Committee did point out to the Department that it was concerned about the influx of tabled legislation so close to the end of the current parliamentary term and the Department was advised to ensure that its planning improves to allow for the thorough process of consideration, consultation and deliberations in both Houses of Parliament on the legislation tabled before it. It is unfair on the citizens, as well as their parliamentary representatives, to expect the processing of these bills to be rushed due to a failure on the legislative planning by the Department.

The Committee took time to consider issues directly sent to it by members of the public via petitions, such as the Okhahlamba Local Municipality petition regarding the state of roads in their community – referred on 23 September 2021 and reported on by 31 May 2022 following oversight to the roads (D119, D53, R74 (Alternative Road to the N3 Van Reenen Pass), R160, R600, R606, P288, P294, P304 and the P519). Other matters raised were linked to the processing of claims by the RAF, OUTA and other stakeholders' concerns linked to SAMSA and continued engagements with the communities along the R573 Moloto Road regarding the road improvement Project and the lack of the rail project along the Moloto Corridor. The Committee presented oversight reports regarding their visits to various transport entities, Department projects, as well as areas of concern as highlighted by the public regarding road and/or bridge conditions.

In addition to the usual Department quarterly reports, the Committee received reports periodically from the Department on the Moloto Corridor Development Initiative and the IPTN projects. The Committee also received the annual festive period road accident statistics briefings as well as the state of safety on rail operations reports. Most of the Department's entities work towards the reduction of fatalities on South Africa's roads and the Committee ensured that briefings on progress were made and that targets set were aligned with the reduction of these statistics.

The Committee, as indicated above, also continued with a focus on the roll-out and implementation of IPTNs under the Public Transport Network Grant and how the 13 identified cities were rolling out their BRT systems. The Committee, having noted the decision from National Treasury and the Department to reduce this to 10 cities by suspending funds to 3 of the original 13 cities that did not show progress in rolling out their transport networks, held a joint meeting with the relevant Select Committee to receive another round of briefings from the Department to deliver comprehensive presentations on progress, challenges and risks faced by them in the implementation of these projects. The Committee also

conducted oversight visits to several of these cities to view progress on the ground when compared to the target dates for operations. The Committee recommends that continuous follow-ups and visits to the cities should be done by the 7th Parliament, as is noted in the recommendations.

During the 6th Parliament tenure, a trend developed where on numerous occasions there was a clash between the meetings of the Committee and that of SCOPA requiring Department officials and/or its entities to attend two meetings at the same time. This often created the impression that the Committee or matters before the Committee were regarded as “less important” than those of SCOPA as the Minister, Board Chairpersons and senior management would often attend the SCOPA meetings and send delegated officials to attend the Committee meetings. During the 7th Parliament it is advised that the scheduling of SCOPA meetings with the Transport portfolio should not fall on the scheduled meeting day(s) of the Committee, since the Committee not only has far more limited meeting days than SCOPA, but is the primary oversight body for the Transport portfolio and should be given the full attention of the Minister, Board Chairpersons and senior management for its meetings.

5. Legislation

The following pieces of legislation were referred to the Committee and processed during the 6th Parliament:

Year	Name of Legislation	Tagging	Objectives	Completed/Not Completed
2016/17	National Land Transport Amendment Bill [B 7 – 2016]	Section 76	The Bill seeks to amend the National Land Transport Act, 2009, to insert certain definitions and amend others; to provide for non-motorised and accessible transport; to bring the Act up to date with developments since the implementation of the Act; to provide for certain powers of provinces to conclude contracts for public transport services; to expand the powers of the Minister to make regulations and introduce safety measures; to prescribe criteria and requirements for municipalities to enter into contracts for public transport services; to amend other transport-related legislation to bring it into line with the Act; and to clarify or simplify various provisions or solve problems that have arisen since the implementation of the Act; and to provide for matters connected therewith.	27 March 2018
2017	Road Accident Benefit Scheme Bill [B 17-2017 (s75)]	Section 75	The Bill seeks to provide for a social security scheme for the victims of road accidents; to establish the Road Accident Benefit Scheme Administrator to administer and implement the scheme; to provide a set of defined benefits on a no-fault basis to persons for bodily injury or death caused by or arising from road accidents; to exclude liability of certain persons	20 November 2018 – rejected by Committee September 2020.

Year	Name of Legislation	Tagging	Objectives	Completed/Not Completed
			otherwise liable for damages in terms of the common law; and to provide for matters connected therewith.	
2018/19	Airports Company Amendment Bill [B 5 - 2018]	Section 75	The Bill seeks to amend the Airports Company Act, 1993, so as to insert and amend certain definitions; to substitute certain expressions; to provide for the appointment and disqualification of members of the Committee; to provide for the vacation of office of members of the Committee ;to provide for meetings of the Committee; to amend the period for the issuing of a permission; to provide for decisions of the Committee; to provide for the establishment of the Appeal Committee; to provide for appeals against the decisions of the Committee; to provide for the appointment and disqualification of members of the Appeal Committee; to provide for the vacation of office of members of the Appeal Committee; to provide for offences; and to provide for matters connected therewith.	12 March 2019
2018/19	Air Traffic and Navigation Services Company Amendment Bill [B 6 - 2018]	Section 75	The Bill seeks to amend the Air Traffic and Navigation Services Company Act, 1993, so as to insert new definitions; to provide for a subsidiary to perform functions inside and outside of the Republic; to provide for appeals against the decisions of the Regulating Committee; to provide for offences and penalties; to substitute certain expressions, citations and words; and to provide for matters connected therewith	12 March 2019
2018/19	Civil Aviation Amendment Bill [B 44 - 2018] (National Assembly – [(prop s75)])	Proposed s75	The Civil Aviation Amendment Bill, 2018 (“the Bill”) seeks to amend the Act in order to ensure the proper implementation of the legislation in respect of safety, security and the investigation of aircraft incidents and aircraft accidents, in civil aviation.	Referred on 14 November 2018 (Bill did not meet the 30 May 2018 introduction deadline)

Legislation	Tagging	Date of Introduction	Current Status
National Land Transport Amendment Bill [B7-2016]	Sec 76 – Ordinary Bills affecting the provinces	15 April 2016	Presidency.

Economic Regulation of Transport Bill [B1-2020]	Sec 76 – Ordinary Bills affecting the provinces	31 January 2020	With the NCOP
National Road Traffic Amendment Bill [B7-2020]	Sec 76 – Ordinary Bills affecting the provinces	29 May 2020	Presidency.
Transport Appeal Tribunal Amendment Bill [B8-2020]	Sec 76 – Ordinary Bills affecting the provinces	29 May 2020	With the NCOP
Railway Safety Bill [B7-2021]	Sec 76 – Ordinary Bills affecting the provinces	19 March 2021	With the NCOP.
Marine Pollution (Prevention of Pollution from Ships) Amendment Bill [B5-2022]	Sec 76 – Ordinary Bills affecting the provinces	31 January 2022	With the NCOP
Marine Oil Pollution (Preparedness, Response and Cooperation) Bill [B10-2022]	Sec 76 – Ordinary Bills affecting the provinces	10 March 2022	With the NCOP.
Merchant Shipping Bill [B12-2023]	Sec 75 – Ordinary Bill not affecting the provinces	11 May 2023	Presented to the Committee on 28 November 2023. The Committee programme would not be able to accommodate the full processing of the Bill.

a) Challenges emerging

The following challenges emerged during the processing of legislation:

- Technical/operational challenges that may have delayed legislation and/or complicated the processing thereof
 - The Department's late tabling of legislation during the 5th Parliament term directly impacted the Committee programme, as well as the Department's entities, as many of these pieces of legislation had to be revived;
 - The late tabling of complex legislation, such as the Merchant Shipping Bill, during the last year of the term guarantees that the Committee will not be able to finalise deliberations on the Bill and guarantees lapsing of the Bill;
 - Instances where a Bill had to be re-advertised due to proposed amendments received after first round submissions that would expand on the scope of the Bill would cause a delay in processing the Bill;
 - Extensive provincial public hearings on the Railway Safety Bill had to be completed over weekends due to limited time during the week and a full parliament programme that would not allow for this to be done during the week. There was also a lack of mobilisation for the Welkom portion of the hearings, due to internal issues at the Parliament section responsible for public education and mobilisation for public hearings.
- Content-related challenges
 - Many of the Bills are heavily reliant on regulations and/or agreements that are yet to be drafted or published and the full understanding of the impact of the provisions of the Bill could therefore not be determined at the deliberation phases.

b) Issues for follow-up

The 7th Parliament should consider following up on the following concerns that arose:

Firstly, several Bills may very well be returning from the NCOP to the Committee in the 7th Parliament in the C-Bill and D-Bill format for finalisation by the NA.

Of particular importance to the 7th Parliament will be the Merchant Shipping Bill which the Committee did not have time to process in the 6th Parliament and the Railway Safety Bill which will most likely be revived and on which multiple engagements were held and a significant amount of budget was spent during the 6th Parliament.

Going forward, the Department must provide an extensive list of legislation which it intends to process for the upcoming 5-year term to the Committee during the first engagement on its new Strategic Plan for 2024 - 2029, to allow the Committee and Parliament sufficient time to plan for the number of engagements on the Bills in order to complete the legislation without the need to revive Bills.

The phased-in approach linked to the Transport Economic Regulator, whereby entities of the Department will be incorporated into the new entity, starting with the Ports Regulator, must be closely monitored and assessed in order to determine whether the intended financial benefits proposed to be achieved through the Bill are achieved.

Statutory appointment processes involving the Committee, as contained in the Civil Aviation Amendment Act, as well as the Transport Economic Regulator Bill once promulgated, must be monitored and programmed for the 7th Parliament in order to ensure that the appointment processes are not delayed.

All quarterly reports proposed per the 2023 BRRR, as well as outstanding quarterly expenditure reports, will need to be monitored and considered during the 7th Parliament.

6. Oversight trips undertaken

The following oversight trips were undertaken:

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow- up Issues	Status of Report
19 and 26 June 2020 and 1 July 2020	Oversight to assess the state of readiness of the various modes of transport and their attendant facilities in line	The Committee (through a split-delegation) conducted oversight visits in Gauteng, Western Cape and the Eastern Cape on	PRASA 6.1 That the Department, in conjunction with the Department of Health and the Railway Safety Regulator, develop minimum standards for Covid-19 compliance at all PRASA stations. 6.2 That PRASA be compelled to make platform/public announcements in other languages used in the region of the station, other than English. 6.3 That PRASA be supported by the South African Police			Adopted

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report
	with the implementation of level 3 regulations of the Covid-19 lockdown	19 and 26 June and 1 July to ascertain the state of readiness of the various modes of transport (public, rail, aviation and maritime) and their attendant facilities in line with the implementation of Level-3 regulations. The oversight would also seek to determine whether the information supplied by the Department on their assistance to the public transport modes to prepare for the level 3 operational requirements were accurate as well as whether the enforcement of the regulations in order for operations to continue under level 3 was being done.	<p>Service (SAPS) and/or South African National Defense Force (SANDF) to protect the entity's assets for at least six months whilst the entity finalizes its security plans and procurement processes, and that SAPS be directed to develop minimum safety standards for implementation along the train routes, on trains and at stations.</p> <p>Implementation of the IPTNs and expenditure of the PTNG</p> <p>6.4 That the Department provide the Committee with a report on the roll-out and expenditure of the IPTN programmes funded by the PTNG in the implementing cities, including future expansions.</p> <p>Taxis</p> <p>6.5 That the Department, in conjunction with the Department of Health, develops minimum standards for health and safety at all taxi ranks during and beyond the Covid-19 pandemic.</p> <p>6.6 That the Department provide the Committee with a comprehensive plan, within 30 days of the approval of this report by the National Assembly, to formalize the taxi industry.</p> <p>6.7 That the Department obtain the required information from the relevant provincial departments responsible for transport, and provide the Committee with a report, within 30 days of approval of this report by the National Assembly, on the status of the following: i) number of valid operating licenses issued, ii) number of permits pending conversion, iii) number of pending operating licenses yet to be issued, iv) number of illegally operating taxis, as well as v) a plan to address the shortcomings.</p> <p>6.8 That the Department provide the Committee with a report on the interventions and plans in place for taxi ranks including the provision of PPE to ranks and/or the taxi industry, the expenditure on the PPE and where it was procured.</p> <p>ACSA</p> <p>6.9 That ACSA improve on the airport queues observed and, within 30 days of the approval of this report by the National Assembly, report back to the committee on measures put in place to accommodate elderly passengers.</p>			

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report															
			<p>6.10 That ACSA ensures the use of multiple South African languages for Covid-19 information signs at the airports.</p> <table border="1" data-bbox="730 375 1470 1385"> <thead> <tr> <th data-bbox="730 375 1104 440">Reporting matter</th> <th data-bbox="1104 375 1270 440">Action required</th> <th data-bbox="1270 375 1470 440">Timeframe</th> </tr> </thead> <tbody> <tr> <td data-bbox="730 440 1104 623">The Department, in conjunction with PRASA, provide the Committee with monthly progress reports on PRASA's fencing and security projects.</td> <td data-bbox="1104 440 1270 623">Written report from the Department and PRASA</td> <td data-bbox="1270 440 1470 623">Monthly reports within 30 days of the adoption of this report by the NA</td> </tr> <tr> <td data-bbox="730 623 1104 959">That PRASA provides the Committee with a comprehensive report on the total expenditures on maintenance at Cape Town Train Station for the 2017/18, 2018/19 and 2019/20 financial years, as well as a list of tenants at Cape Town Station, including their lease expiry dates.</td> <td data-bbox="1104 623 1270 959">Written report from PRASA</td> <td data-bbox="1270 623 1470 959">Within 30 days of the adoption of this report by the NA</td> </tr> <tr> <td data-bbox="730 959 1104 1114">That PRASA submits a comprehensive report on the cost of its branded PPE masks and the company it was procured from.</td> <td data-bbox="1104 959 1270 1114">Written report from PRASA</td> <td data-bbox="1270 959 1470 1114">Within 30 days of the adoption of this report by the NA</td> </tr> <tr> <td data-bbox="730 1114 1104 1385">That PRASA submits reports on the following: (i) A report on the total cost of upgrades and improvements at Netreg station from 2015 to 2020,</td> <td data-bbox="1104 1114 1270 1385">Written report from PRASA</td> <td data-bbox="1270 1114 1470 1385">Within 30 days of the adoption of this report by the NA</td> </tr> </tbody> </table>	Reporting matter	Action required	Timeframe	The Department, in conjunction with PRASA, provide the Committee with monthly progress reports on PRASA's fencing and security projects.	Written report from the Department and PRASA	Monthly reports within 30 days of the adoption of this report by the NA	That PRASA provides the Committee with a comprehensive report on the total expenditures on maintenance at Cape Town Train Station for the 2017/18, 2018/19 and 2019/20 financial years, as well as a list of tenants at Cape Town Station, including their lease expiry dates.	Written report from PRASA	Within 30 days of the adoption of this report by the NA	That PRASA submits a comprehensive report on the cost of its branded PPE masks and the company it was procured from.	Written report from PRASA	Within 30 days of the adoption of this report by the NA	That PRASA submits reports on the following: (i) A report on the total cost of upgrades and improvements at Netreg station from 2015 to 2020,	Written report from PRASA	Within 30 days of the adoption of this report by the NA			
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			<p>(ii) the number of security employed at the station and the total cost thereto, when security was withdrawn at the station, on whose instruction and what alternates were put in place.</p> <p>A comprehensive report, with documentary evidence, on when the first shack dwellers were noticed, and the steps taken to remove/relocate the people.</p>					
			That PRASA submit a comprehensive report on the number of full-time PRASA security personnel in the Cape Town, their job descriptions and the total cost to company.	Written report from PRASA	Within 30 days of the adoption of this report by the NA			
13-14	Mangaung	The purpose of the	Given the findings observations that emerged from the					Adopted

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report
November 2020		<p>visit was to gather insight into the progress made to date, in the implementation of the Integrated Public Transport Network (IPTN) in the Mungaung Municipality. The focus was on the Bus Rapid Transit (BRT) infrastructure projects component of the IPTN for the Municipality and its budget allocation versus budget spent to date.</p> <p>As part of the visit, the Committee also visited the Lengau Licensing & Testing Centre (LTC) in the Mungaung Metropolitan Municipality to observe some of the challenges experienced at the centre internally and from the public that have</p>	<p>deliberations and site visits, the Committee recommends, within 30 days from the date of adoption of the report, that:</p> <p>5.1. The National MMM Department of Transport clarify the process of obtaining PDPs by foreign nationals.</p> <p>5.2. The MMM Municipality must submit confirm the number of busses purchased, give a detailed breakdown of the base cost of the busses, the modification features and itemised prices for the bus service coaches. They must also include a list of the exact number of busses purchased, the vehicle registration numbers (number plates) linked to each vehicle as well as provide details on the registration of these vehicles.</p> <p>5.3. The MMM Municipality submit a report on how many women are employed at the infrastructure projects and how many of them are occupying management positions.</p> <p>5.4. The National Department of Transport provide a report clarifying its involvement in the IPTN project implemented by the MMM municipality and the Free State Department of Police, Roads and Transport.</p> <p>5.5. The National Department of Transport must deliver a report to the Committee outlining which phases of this project and routes are in operation and by which dates these became operational or are intended to be operational. This is required because members noted that some phases or routes had not yet been in operation by the dates presented to the Committee at the time of the oversight (such as the pilot project that was due to be implemented in July 2020).</p> <p>5.6. The MMM Municipality submit a comprehensive report on its spending trend/pattern on the IPTN since its inception. This report must clarify how the bus purchases were funded. The report should encompass whether the municipality has had to return unspent funds to the National Department of Transport.</p> <p>5.7. The MMM Municipality provide the Committee with the MoA between itself and the three taxi associations (GBTA, THALSTA and BTA) whose routes stand to be impacted by the implementation of the Municipality's (the city's) IPTN. They must also indicate whether they have sufficient budget required for the</p>			

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		complained of limitations to access services from it.	<p>buy-out of the transport operators from the routes intended to be taken over by the busses.</p> <p>5.8. The Municipality must submit a report on how many times the contractors linked to the project required extensions of construction to the depot and/or road infrastructure.</p> <p>5.9. There was a need, as soon as the Committee programme allows, to schedule a follow up engagement regarding the Mangaung IPTN projects with all relevant officials and senior staff members present, due to the absence of senior leadership from the Municipality such as the MMC and Head of Department, as well as senior staff members from the LTC during the oversight visit. There are also several aspects of the project indicated above that require further clarity during the follow up engagement.</p>			
26-28 November 2020	Gauteng and Mpumalanga	The purpose of the visit was to gather insight into the progress made to date, pertaining to the Moloto Corridor Project with emphasis on the Rail Corridor portion of the project, which comprised of the proposed budget, expenditure to date (by all Provincial Departments, SANRAL and PRASA), proposed project timelines and completion dates as well as outcomes of	<p>5.1 The Department submit a comprehensive written report to the Committee on the matters raised during the oversight visit regarding the Moloto Corridor Project with specific emphasis on the Moloto Rail Corridor by 15 March 2021;</p> <p>5.2 PRASA submit a comprehensive written report to the Committee on the matters raised during the oversight visit regarding the conditions at stations, security concerns (both related to appointments and infrastructure), returning of operations at stations that seized operations during Covid-19 level 5 and which are still not returned to full operation, and progress made in operations since the new Board appointment. This report must be submitted to the Committee within 30 days of adoption of this report.</p>			Adopted.

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow- up Issues	Status of Report
		<p>discussions with the National Treasury on the viability of the Moloto Rail Corridor. The Department of Transport had to also report on how much funding was specifically spent on feasibility studies linked to this project to date and furnish the Committee with an update on a signed Memorandum of Understanding (MoU) with the China Communications Construction Company to build the Moloto Rail Development Corridor.</p> <p>As part of the visit, the Committee paid homage to His Majesty, King Makhosonke II of the Ndebele tribe to determine the views of the</p>				

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		<p>community regarding the project from the point of view of the traditional leadership. The Committee further needed to focus on the Passenger Rail Agency of South Africa's (PRASA) effectiveness to execute its mandate, how the entity's operations had been affected by the national lockdown due to Covid-19 and other pre-existing challenges fuelled by administrative anomalies. Given the status of the entity, the Committee wanted to determine how the newly appointed PRASA Board would implement its turnaround strategy to ensure that the entity reclaims its former</p>				

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report
19-23 April 2022	Mpumalanga, North West and KwaZulu-Natal	<p>glory.</p> <p>Moloto Rail Corridor Development Feedback Meeting: MP, 19 April 2022.</p> <p>Implementation of the Public Transport Network and Provincial Road Maintenance Grant: NW, 20-21 April 2022.</p> <p>Petition from Residents of Okhahlamba Local Municipality: KZN, 22 April 2022.</p> <p>Implementation of the Public Transport Network Grant: Msunduzi Local Municipality, 23 April 2022.</p>	<p>The Minister, through the Department of Transport ensure that the following reports are submitted within 30 days of the adoption of this report:</p> <ul style="list-style-type: none"> • The Department of Transport is required to provide a detailed report to the Committee regarding the renewal of Subsidised Bus Service Contracts under the PTOG in all provinces and municipalities, with specific focus on the continued extension of the PUTCO contracts by the Gauteng Department of Roads and Transport and why there are delays in calling for and issuing new tenders for these contract routes. • The Department of Transport and SANRAL is required to provide a detailed report to the Committee on the Moloto Road Project progress and continue to provide reports on this on a quarterly basis. • The Department of Transport is required to provide a detailed report to the Committee on future plans to revive the Moloto Rail Corridor Project and continue to provide reports on this on a quarterly basis. <p>The Minister, through the Department of Transport, the North-West (NW) Department responsible for transport and the Rustenburg Municipality ensure that:</p> <ul style="list-style-type: none"> • The permanent appointments for the management structure of the Rustenburg BRT project should be finalised in 3 months. If this is not done, the PTNG funding for the project should be stopped. • Busses should be running in 3 months, and if they still are not running in 6 months, then PTNG funding should be stopped. • No new funds should be spent on infrastructure, the interim depot should be used and there is no need for the permanent depot. The Municipality should use what it currently has and run the service to start generating some income. • The Municipality must report within 30 days to indicate exactly how many stops or stations have been completed by the date of the adoption of this report out of the 150 stops indicated in 			Adopted.

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>their presentation.</p> <ul style="list-style-type: none"> • The Municipality must report within 30 days to indicate exactly what the project status is by the date of the adoption of this report, as well as exactly by when it will start running bus services on these routes presented. <p>The Minister, through the Department of Transport, the NW Department responsible for roads and transport and the Rustenburg Municipality ensure that:</p> <ul style="list-style-type: none"> • The Municipality provide a report within 30 days of adoption of this report to the Committee on the Purchased Fleet of Vehicles which cannot be used due to the legal dispute, as well as a copy of the National Treasury Report regarding the alleged tender irregularities linked to these vehicles. The report should also indicate where the matter is currently and by when it is estimated to be resolved. If it has not already been done, there must be a forensic report done on this particular fleet procurement contract and if it was already done, a copy of the forensic report must be provided to the Committee. • The Municipality should ensure that the Fleet Depot, as well as the DLTC/VTC are properly maintained and resourced and, as a minimum, ensure that the property is cleaned and grass cutting is done. <p>The Minister, through the Department of Transport and the NW Department of Public Works and Roads ensure that:</p> <ul style="list-style-type: none"> • The Department of Transport must improve its oversight over the PRMG expenditure and ensure that regular reports are done to the Committee, as requested in the Budget Report and BRRR annually. • The Department of Transport must provide a report to the Committee within 30 days of adoption of this report on how much of the PRMG is spent on the upgrading of gravel roads, and whether any of this funding is used to upgrade to tar roads. • The province must provide a report to the Committee within 30 days of adoption of this report on which roads it will be 			

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			<p>upgrading from gravel to tar and which roads are to be graded or re-gravelled.</p> <ul style="list-style-type: none"> • The province should match the PRMG and equitable share with its own funding allocation for road maintenance. • The Department of Transport must provide a report to the Committee within 30 days of adoption of this report on what measures were currently in place to prevent vehicle overloading on North West roads, and whether engagements are taking place with the mining industry and its fleet provision services to educate the drivers and operators on the need to prevent overloading of freight vehicles, as well as the fines to be issued for overloading. The province should increase law enforcement to monitor, prevent and issue fines for overloading on roads. Roads are eroded by overloading and will keep damaging any maintenance done on the roads. • The Department of Transport must provide a report to the Committee within 30 days of adoption of this report and on a quarterly basis thereafter on which roads are planned to or in the process of being transferred to SANRAL from the provinces – for all provinces. This report must also indicate the budget implications linked to such road transfers for the Provincial Departments and SANRAL. • The province should have plans in place to escalate the repair of roads that are of economic benefit to the province. • The Department of Transport must work with the province and the municipality to improve co-ordination in the North West relevant to road works, repairs, maintenance, as well as the provision of public transport in the province. <p>The Minister, through the Department of Transport, the KZN Department of Transport and the Msunduzi Municipality must ensure that:</p> <ul style="list-style-type: none"> • The figures presented by the municipality need to be verified and the correct figures must be sent to the Committee within 30 days of adoption of this report. • The municipal management team for the IPTN system 			

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			<p>must be comprised of skilled officials that are dedicated and permanent appointments must be made to eliminate reliance on acting appointments.</p> <ul style="list-style-type: none"> • Focus in the municipality should be on rolling out quality bus services on the infrastructure already in place. • If the Department of Transport and National Treasury reinstated the PTNG grant, it must be phased in with monthly reports to the Committee to monitor progress. 			
22 April 2022	Okhahlamba Municipality and several roads identified in the petition.	The petition was referred to the Committee in the Announcements, Tablings and Committee Reports (ATC) of 23 September 2021. It was signed on 10 September 2021 by residents, the Tourism, Hospitality and Associated Industry Sectors, the Taxi, Transport and Associated Industry Sectors and the Agriculture and Associated Industry Sectors of Okhahlamba Municipality.	<p>6.1 That the Department and the KZN Department of Transport report to the Committee monthly, from the date of adoption of this report by the House, on progress to fix the roads indicated in the petition;</p> <p>6.2 The Department report to the Committee when and which provincial roads are handed over to SANRAL, including, but not limited to, the date of the transfer, the length of road transferred and when projects will start to repair the roads;</p> <p>6.3 The Department and the KZN Department of Transport supply the Committee with information requested during engagements on when the listed roads were constructed, listing the names of the contractors that worked on the roads, if a road had two or more contracts issued – why this was needed and why the first appointed contractor(s) could not finish the project, the budget spent to construct and repair these roads during the past 10 years and the estimated budget to repair these roads;</p> <p>6.4 The Department and the KZN Department of Transport report on all petitions and/or complaints received from communities in the area on these roads for the past 5 years;</p> <p>6.5 The Department must be unapologetic in the manner in which it deals with PRMG grant recipients who clearly do not spend grant funds properly and must provide quarterly reports to the Committee on PRMG oversight specific to the KZN region;</p> <p>6.6 The Department must engage with the relevant authorities to ensure that law enforcement is stationed on the R74 to prevent heavy trucks from using the road in contravention of the road signage currently in place;</p> <p>6.7 The Department must improve the Inter-Governmental</p>			Adopted.

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report
			Relations with the KZN Department of Transport and the Okhahlamba Local Municipality to improve the road conditions of the roads listed in the petition, as well as improve the quality of road construction in the province; 6.8 The Department and all other parties called/invited to attend meetings with the Committee must send the relevant senior officials responsible for the project under discussion to the meeting with the Committee.			

a) Challenges emerging

The following challenges emerged during the oversight visit:

- Technical/operational challenges
 - Due to programming issues, not all oversight trips were undertaken at the most opportune time or at the time that concerns arose.
 - International oversight visits to Brazil and France facilities linked to PRASA projects or employee training were not possible due to budget constraints and parliamentary programme changes.
 - Follow-up trips to sites that were incomplete during the first visit had not been possible and the Committee had to rely on feedback from the Department on progress.
 - Due to other commitments, the unavailability of Members to travel on proposed dates led to delays in solidifying travel dates in order to have a quorate delegation.
 - Covid-19 lockdown measures impacted oversight visits from March to June 2020 and Members were requested to attend oversight visits in the Provinces where they are ordinarily residing in due to limitations on cross-border travel during the lockdown period.
- Content-related challenges
 - Regular feedback on the recommendations from these reports are not always received.
 - During the visit to the Okhahlamba Municipality, no officials from the Municipality and no senior officials from the KZN Department responsible for roads and transport were in attendance and this limited the information available to the Committee to that provided by community members, on-site staff or junior staff members.

b) Issues for follow-up

The 7th Parliament should consider following up on the following concerns that arose:

- When scheduling oversight trips, make provision for a follow-up trip, as well as scheduling a meeting for feedback from the Department and/or entity or interested parties.

- PRASA Modernisation Programme, Integrated Public Transport Network Plans (BRT), PRMG expenditure and the Moloto Corridor projects should see implementable phases during the term of the 7th Parliament and must be monitored closely.
- At the end of its tenure, the 6th Parliament Committee received correspondence from the Okhahlamba petitioners indicating that the road conditions, despite some work on the R74 road by SANRAL, have deteriorated further since the oversight visit. It is recommended that the 7th Parliament Committee schedule a follow-up meeting at its earliest convenience to receive a progress report on these roads from the Department, as well as the provincial and local departments responsible for the maintenance of the roads contained in the oversight report.

7. Study tours undertaken

The Committee attended the course on Tender and Contracting in Public Transport in Brussels, Belgium from 26 to 28 September 2023, hosted by the training academy of the UITP (Union Internationale des Transports Publics), also referred to as the International Association of Public Transport. The Committee was of the view that the limited delegation, as well as the limitation in support staff for the September 2023 training course adversely affected the other members who were not able to attend. The Committee was also of the view that the use of a “pooled” budget by management does not allow for the equal and fair distribution of funds for all committees in order to allow an equitable distribution of opportunities to attend training, study tours and oversight as per their adopted Strategic Plans and Annual Performance Plans. The Committee proposed in its report on this training course that during the 7th Parliament, management of Parliament should consider re-implementing the ring-fenced or specific allocation of a budget to each individual committee for purposes of planned oversight as well as study tours or course attendance as this would allow committees to better plan, and do so within their specific allocated budget, for the attendance of transport related courses, as well as study tours with, where possible, the full complement of the Committee Members and at least three support staff.

8. International Agreements

The following international agreements were processed and reported on:

Date referred	Name of International Agreement	Objective	Status of Report (reported on by Committee)	Date of enforcement
10 March 2022	Protocols relating to the Amendments to Articles 50(a) and 56 of the Convention on International Civil Aviation ("Chicago Convention"), 7 December 1944, (1994).	The Convention was incorporated into the national legislation through Schedule 3 of the Civil Aviation Act, no 13 of 2009. At the 39 th Session of the International Civil Aviation Organisation (ICAO) Assembly held in 2016, the Assembly adopted two Protocols amending Articles 50 (a) and 56 of the Convention.	Report adopted by committee: 31 May 2022.	The convention entered into force on 4 April 1947, ratified in SA on 1 March 1947. The amendments will enter into force once signed and ratified by the required number of states.

Date referred	Name of International Agreement	Objective	Status of Report (reported on by Committee)	Date of enforcement
		Ratification would benefit the country and Africa at large, considering that SA's aspirations of moving from Part II to Part I will be a possibility once the Protocols are ratified by the required number of Contracting States and have come into operation.		
10 December 2021	International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001.	The Convention was adopted to ensure that adequate, prompt, and effective compensation is available to persons who suffer damage caused by spills of oil, when carried as fuel in ships' bunkers. The Convention applies to damage caused on the territory, including the territorial sea, and in exclusive economic zones of States Parties. The bunkers convention provides a free-standing instrument covering pollution damage only.	Report adopted by committee: 1 March 2022	Adoption: 23 March 2001; Entry into force: 21 November 2008
4 September 2022	Luxembourg Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock (23 February 2007)	The Luxembourg Protocol is a Protocol to the Convention on International Interest in Mobile Equipment (Cape Town Convention) of 2001. South Africa is already a Party to the Cape Town Convention as well as the Aircraft Protocol and both the Convention and Aircraft Protocol has been incorporated into South African law through the Convention on International Interests in Mobile Equipment Act, 2007 (Act No. 4 of 2007). Once the	Report adopted by Committee on 17 October 2023	Adoption 23 February 2007; Into force late 2023.

Date referred	Name of International Agreement	Objective	Status of Report (reported on by Committee)	Date of enforcement
		<p>Luxembourg Protocol is ratified by Parliament, this Act will be amended to include the Luxembourg Protocol.</p> <p>The Luxembourg Protocol is a multilateral treaty that established and international, asset-based, financing regime that will enable and reduce the cost of private financing for rail rolling stock, and creates a new world-wide legal framework to recognise and regulate security interests of lenders, lessors and vendors selling under conditional agreements, where each are secured by Rolling Stock.</p>		

a) Challenges emerging

The following challenges emerged during the processing of international agreements:

- None.

b) Issues for follow-up

The 7th Parliament should consider following up on the following concerns that arose:

- The Committee should take into account that the implementation of these agreements/charters and treaties inevitably result in financial cost to the Department and its entities once they are implemented and the Department is in some instances then playing catch-up to cover the membership fees and/or fines emanating from these documents.
- Bills such as the Marine Pollution Prevention Amendment Bill (MP AB) and the Marine Oil Pollution (Preparedness, Response and Cooperation) Bill (MOP B) are essentially carbon copies of Conventions/Protocols being enacted through legislation – the Committee will need to deal with these Bills once revived. The Luxembourg Protocol will also require amendments to the Convention on International Interests in Mobile Equipment Act, 2007 (Act No. 4 of 2007) to come from the Department in the next few years.

9. Statutory appointments

No statutory appointments were processed during the term of the 6th Parliament.

Since the promulgation of and the provisions of the Civil Aviation Amendment Act 22 of 2021 came into force, the Committee will have a role to play in the appointment of the members of the Aviation Safety Investigation Board and the 7th Parliament should note that at the time of adoption of the legacy report, the Department was in the process of appointing the panel of experts to process a list of nominees to be interviewed by the Committee as soon as it will be able to programme these interviews. Once the Economic Regulation of Transport Bill is promulgated, the Committee will have a role to play for the appointment of the members to the Transport Economic Council as well.

10. Interventions

Title	Date referred	Current status
The Public Protector Report No. 37 of 2018-19 on a systemic investigation into allegations of illegal conversion of goods-carrying Toyota Quantum panel vans into passenger-carrying mini-bus taxis to transport members of the public for reward and matters related thereto	The report was referred to the Committee, as well as the Portfolio Committee on Trade and Industry, on 7 May 2019 by the House for consideration and report.	Report was adopted by the Committee on 21 February 2023.

11. Petitions

The following petitions were referred to and considered by the Committee:

Title	Date referred	Current status
Okhahlamba Municipality and several roads identified in the petition.	The petition was referred to the Committee in the Announcements, Tablings and Committee Reports (ATC) of 23 September 2021. It was signed on 10 September 2021 by residents, the Tourism, Hospitality and Associated Industry Sectors, the Taxi, Transport and Associated Industry Sectors and the Agriculture and Associated Industry Sectors of	Report was adopted by the NA on 12 September 2023. The letter dated 21 September 2023 from Speaker to the Minister requested a response within 45 working days from Minister to the recommendations.

Title	Date referred	Current status
	Okhahlamba Municipality.	

a) Challenges emerging

The following challenges were experienced during the processing of the petition:

- Technical/operational challenges
 - Community issues presented or proposed as petitions while not having been filed in accordance with the required Parliament procedure for tabling of petitions make it difficult to process these requests under the same urgency as properly tabled petitions (Matatiele road concerns);
 - Logistical arrangements could have been better as the vehicles travelled in were not adequate for the road terrain the Committee had to inspect;
 - Due to communication difficulties, as the area was (is) not well-served by telecommunication networks, it was not easy to relay information to the petitioning community;
 - Availability of language practitioners would have also assisted; and
 - National Department, Provincial Department and the Local Municipality Senior Staff were not present on the day of the visit to the area.
- Content-related challenges
 - The Departments and Municipality have not submitted a follow-up report on the matter; and
 - The Provincial Department had not delivered a presentation on the road in concern or the work they had done there or the challenges they experienced since Members were on site and the R74 road has not yet been transferred to SANRAL in order to allow the repairs to be done speedily.

b) Issues for follow-up

The 7th Parliament should consider following up on the following concerns that arose:

- The Department and the KZN Department tasked with the maintenance of this road should report back on progress on the recommendations made per the Committee report on this matter. Sections of the R74 road have been transferred to SANRAL by the time the work of the 7th Parliament commences and should be followed up on as well.
- At the end of its tenure, the 6th Parliament Committee received correspondence from the Okhahlamba petitioners indicating that the road conditions, despite some work on the R74 road by SANRAL, have deteriorated further since the oversight visit. It is recommended that the 7th Parliament Committee schedule a follow-up meeting at its earliest convenience to receive a progress report on these roads from the Department, as well as the provincial and local departments responsible for the maintenance of the roads contained in the oversight report.

12. Obligations conferred on committee by legislation

The Committee performed its oversight duties over the Department and its entities by processing and attending to and reporting on all matters referred to it as tabled before the House for consideration and adoption.

13. Summary of outstanding issues relating to the department/entities that the committee has been grappling with

The following key issues are outstanding from the Committee’s activities during the 6th Parliament:
See issues highlighted under paragraph 4 above, as well as recommendations proposed below.

14. Other matters referred by the Speaker/Chairperson

The following other matters were referred to the Committee and the resultant report was produced:

Date of referral	Expected report date	Content of referral	Status of Report
		-	

c) Challenges emerging

The following challenges emerged during the processing of the referral:

- Technical/operational challenges
 - Due to Parliament Programming changes, instructions to prioritise legislation and despite numerous draft programmes for engagements having been presented and amended, no date could be determined to commence with the inquiry.
- Content-related challenges
 - As no inquiry commenced, there is nothing to report. However, one would have had some trouble obtaining information on this inquiry as several other bodies were simultaneously considering the same issues and allegations.

d) Issues for follow-up

The 7th Parliament should consider following up on the following concerns that arose:

- The Committee may want to take up this inquiry once those processes have been finalised.

15. Recommendations

15.1 On-going monitoring of the progress made through the Minister’s multiyear turnaround strategy of the Department were done through continuous engagements with the Department but specifically during the BRRR process.

15.2 Continued reporting by the Department on the quarterly reports (section 32 reports of the National Treasury) were improved on when compared to the number of reports compiled by the Committee during the 5th Parliament.

15.3 Continued monitoring that the Department and the entities implement the audit improvement plans, have functioning internal audit committees in place, as well as implement consequence management as advised by the Office of the Auditor-General South Africa (AGSA) and recommended by this Committee in all its Budget and BRR reports. The Committee did note that the Department made very minor amendments

annually to their plans to deal with the Audit findings over the years and continued to impress upon the Minister that improved plans must be implemented in order to remedy and reduce repeat findings.

15.4 The conducting of regular oversight visits (if possible, also in collaboration with committees that do oversight over the Department's client departments (for example, the Department of Public Works (DPW) and the Extended Public Works Programme)) to gather material evidence on the implementation of projects and value for money from delivery on projects linked to grant transfers. This was impacted heavily by the Covid-19 lockdown restrictions as well as the parliament program where a number of planned oversight visits had to be postponed or cancelled despite having planned for these in the annual operations plans. This was further impacted by the number of new and revived legislation that was tabled before the committee and had to be prioritised over physical oversight visits.

15.5 The outstanding legislation affecting the finances of the Department's entities must be prioritised, as well as the finalisation of policies on Scholar Transport and GFIP. Although the GFIP matter has made some progress in the 2022/23 financial year, there still remain some issues linked to the project and how the Gauteng Government will continue with the GFIP projects beyond the phase 1 e-toll issue. The Scholar Transport matter remains of concern as indicated above under the 4th Parliament issues discussion.

15.6 Oversight over the implementation of the PRASA Modernisation Project, the IPTNs Grant, the Provincial Road Maintenance Grant (PRMG) and other public transport projects implemented nationally via the transfer of funds from the Department. These matters will continue to require Committee attention.

15.7 It was advised that a Five-Year Strategic Plan and annual Operations Plan must be adopted by the Committee serving in the portfolio in the 6th Parliament and this was done along with annual reviews.

15.8 The concerns regarding the Scholar Transport Policy, as well as the Lesotho/RSA cross-border challenges that rolled over from the 4th Parliament must continue to be considered towards achieving a solution – as indicated above this will have to continue to be engaged upon until a workable solution can be found for both issues. The Scholar Transport matter remains of concern as indicated above under the 4th Parliament issues discussion and given the increase in scholar deaths due to inappropriate transport within the 6th Parliament tenure, government should as a matter of urgency reconsider how this matter is managed within Provincial Administrations;

15.9 All grants as transferred by the Department must be monitored and where needed re-assessed in order to ensure that the funds are allocated to the applicable programmes/projects and that they are spent on the allocated programmes/projects in a manner that will deliver value for money and services to the citizens of the Republic. The Committee continued to do this in its engagement with the Department and it is recommended that this continues to be a focus area for the 7th Parliament.

15.10 Specific mention must be given to the required monitoring, implementation and possible re-assessment of the IPTNs Programme (also referred to as BRT Programme) roll-out and the spending of the Grant linked thereto which was continued with during the 6th Parliament. During the term of the 6th Parliament, there were a number of cities suspended from receiving these funds due to lack of progress in implementation of their respective IPTNs and presentations were received on this during a joint meeting with the Select Committee counterparts. This matter will have to continue to be monitored and physical oversight is a must to verify the information presented and the progress made.

15.11 The Committee serving the portfolio in the 6th Parliament should request a report from the Department regarding the review of entities as emanating from the Presidential Review of Entities. This must be done in order to ensure that the fiscal allocation to the Department and its entities are allocated and utilised in the most optimum manner and to avoid duplications of functions. One example is the concern raised on numerous occasions, by the Committee regarding the split of rail-based operations between Transnet and PRASA resulting in a need for PRASA to lease infrastructure or contract for services from Transnet. This review will be ongoing in the 7th Parliament especially with the future possible introduction of the Transport Economic Regulator if the legislation is passed and promulgated as the new entity will absorb several current entities as it moves from phase 1 to the next.

15.12 With reference to outstanding policy and legislation, the Committee serving the portfolio in the 6th Parliament continued requesting that the Department aligns its legislative programme in such a manner as to avoid overloading the Committee towards the last year of the term. The

continued delays in processing critical legislation have a direct impact on the operations and financial stability of several entities under the portfolio. This can be done by prioritising legislation that impacts their entities and improving the targets set by the Department in its plans to eliminate delays in progress due to reliance on other factors outside of their control.

15.13 In terms of legislation and policy, of particular importance was that the 6th Parliament process the Civil Aviation Amendment Bill that was tabled in November 2018 and had to be picked up by the 6th Parliament, as well as the long-awaited introduction of the STER Bill which was called the ERT Bill once tabled. Along with the other pieces of legislation that was revived in the 2019/2020 financial year and the legislation that was referred back by the President to the Committee. During the 6th Parliament the Committee was able to finalise all legislation that was revived from the 5th Parliament.

15.14 At the end of the 5th Parliament Term, it was noted that the Department had set itself the following targets and the 6th Parliament would have to ensure that these targets were monitored:

- In 2019/20, the Department intends to bring the Merchant Shipping Bill to Parliament, as well as TAT Amendment Bill.
- Implementation of the Green Transport Strategy by 2020/21.
- Monitor implementation of ten (10) NATMAP Priority Pilot 2050 Projects.
- Implementation of the National Rail Act by 2020/21.
- Implementation of the Railway Safety Act by 2020/21.
- Draft Bill for Founding Legislations of Road Entities to Parliament by 2020/21.

Of the above listed proposed legislation, it is important to note that at the end of the 6th Parliament term, the only Bill finalised was the TAT Amendment Bill. The Railway Safety Bill [B7-2021] was debated in the NA on 24 October 2023 and was referred to the NCOP for processing. The Merchant Shipping Bill [B12-2023] was tabled 11 May 2023 and due to the limited time available to the Committee to process such a comprehensive piece of legislation, the Bill was not scheduled within the programme of the 6th Parliament and would have to be considered by the 7th Parliament should it be revived.

15.15 In addition, the 6th Parliament were advised to continue the monitoring of the:

- * Implementation of the National Aviation Transformation Strategy;
- * Implementation of the new TRP;
- * Implementation of the PRASA Modernisation Programme;
- * Progress on the White Paper on the National Transport Policy;
- * Progress on the Draft Regional Transport Integration Market Access Strategy;
- * Implementation of the Green Transport Strategy; and
- * Progress on the Road Tariff Determination Framework.

Of the above strategies and programmes, no marked or clear progress were made in the implementation of the strategies or programmes by the Department. These strategies and programmes are still part of the Department's work and targets and will need to be continued to be monitored and engaged on by the Committee in the 7th Parliament.

15.16 It was recommended that in the Agenda of the Committee there should be allowance for the adoption of minutes at the beginning of each meeting. During the 6th Parliament this was achieved at the end of the majority of the meetings where there was a quorum to do so.

15.17 It was recommended that regular management committee meetings must continue as these assist greatly in cases where programme amendments are required. Unfortunately, this target was not met as planned and the annual targets had to change from bi-weekly to monthly and

was not achieved during the Covid-19 lockdown period. It will continue to be recommended for the 7th Parliament to improve on the frequency of its management meetings.

15.18 The full use of proposed meeting dates or proposed oversight visits that are planned for the Committee could improve its performance output greatly as it will assist the new Committee to cover as many projects, modes, programmes or concerns as possible. This proposal continued to be difficult to achieve during the 6th Parliament as it was not always possible for all proposed meeting slots to quorate. The 7th Parliament should continue to endeavour to schedule a second meeting per week due to the volume of work before the Transport Committee. This will ensure that it can process all issues identified by the Committee along with dealing with the large number of transport entities and the high volume of legislation that is tabled before the Committee.

15.19 During the 6th Parliament tenure, a trend developed where on numerous occasions there was a clash between the meetings of the Committee and that of SCOPA requiring Department officials and/or its entities to attend two meetings at the same time. This often created the impression that the Committee or matters before the Committee were regarded as “less important” than those of SCOPA as the Minister, Board Chairpersons and senior management would often attend the SCOPA meetings and send delegated officials to attend the Committee meetings. During the 7th Parliament it is advised that the scheduling of SCOPA meetings with the transport portfolio should not fall on the scheduled meeting day(s) of the Committee, since the Committee not only has far more limited meeting days than SCOPA, but is the primary oversight body for the transport portfolio and should be given the full attention of the Minister, Board Chairpersons and senior management for its meetings.

15.20 The 7th Parliament should continue to monitor the programme “Operation Vala Zonke” to arrest the deterioration of roads and ensure that the correct budget is applied for the maintenance of national, provincial or municipal roads. The Committee raised concerns regarding the impact of the increase of potholes on the country’s roads, available resources for the repairs of potholes, funds used for the repairs of these reported potholes and urge the 7th Parliament to continue monitoring the roll-out of the Vala Zonke programme and how it may be affecting the road maintenance budgets of the relevant role players. This will link up with the concerns and recommendations made linked to the PRMG as well.

15.21 The Committee in its Strategic Plan proposed and continues to hold the view that where possible, specifically where matters of mutual interest are to be considered, that the 7th Parliament also consider holding joint meetings with other committees to consider these issues. This will greatly assist in resolving those issues outside of the specific ambit of the transport portfolio, but which impact the provision of transport services, such as safety and security concerns, intergovernmental co-operation on transport matters, promotion of road safety in schools as well as the improvement of safe transportation of scholars, public infrastructure affecting transport such as port or rail operations, etc.

15.22 The 7th Parliament should take note of and continue to monitor the increased congestion experienced at land based, air side and maritime border posts. The solution to these matters cannot merely be addressed from a transport portfolio side and will need improved co-operation with other Departments such as Public Enterprises, Home Affairs, Public Works, Police, Defence and Finance to list but a few.

15.23 The 7th Parliament should continue to monitor the compliance by the aviation entities to those recommendations made in line with the international aviation inspection reports and audits that were done during the tenure of the 6th Parliament and may emanate from future audits and assessment of this nature. Over and above these international assessments, the SACAA is also required to ensure it does its inspections and audits of airports within the country and to ensure that recommendations from the international reports and audits are implemented. The 7th Parliament is advised to continue monitoring the compliance to these audit and assessment recommendations by SACAA, ACSA and the ATNS. Along with this, the 7th Parliament is also sensitised of the changes that have come into force through the promulgation of the Civil Aviation Amendment Act 22 of 2021 and the provision for the operational independence of aircraft accident and incident investigation. It is also worth noting that several airport infrastructure improvement projects were delayed due to the impact of Covid-19 lockdowns on the aviation industry, but some of these projects have been revived and should come into effect during the tenure of the 7th Parliament, such as OR Tambo International airport new cargo and passenger terminals and Cape Town International airport enhancements in terminals and runway realignment, and King Shaka International airport will see the construction of a new hotel. The roll-out and progress of these projects should be closely monitored by the 7th Parliament;

15.24 The 7th Parliament should seek to achieve a balance between the time sensitive work done by the Committee such as the Budget Report and the BRRR, processing legislation, the statutory appointments it may need to play a part in under the Civil Aviation Amendment Act and the Transport Economic Regulator Bill (once enacted), quarterly expenditure reports and other work done by the committee with the need to also continuously perform physical oversight over the Department and its entities' projects, facilities and services. It will also be important to allow for instances where unplanned oversight is required to allow the Committee to attend to urgent matters such as the impact of natural disasters on transport infrastructure and services, major vehicle collisions or other urgent matters that may arise from time to time.

15.25 The 7th Parliament should ensure that the relevant office within the institution responsible for the public education and mobilisation for public participation on Bills is suitably capacitated and financed in order to ensure that provincial public hearings are well attended, and sufficient support is given to each Committee. There is also a need for the 7th Parliament to consider broader and more extensive provincial public hearings in more than two cities or towns within each province to broaden the public engagement on Bills that require this additional consultation process of provincial hearings.

16. Committee Strategic Plan

The 2019-2024 Strategic Plan is available along with copies of the revised versions for each year.

17. Master attendance list

See attached.