



EASTERN CAPE PROVINCIAL LEGISLATURE

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Date: 26 October 2018

Reference: NLT Amendment Bill



NEGOTIATING MANDATE

To: The Chairperson:
Select Committee on Economic Development and Business
Development

Name of Bill: National Land Transport Amendment Bill

Number of Bill: [B7B-2016]

Date of Deliberation: 26 October 2018

1. Vote of the Legislature

The province votes in favour of the Bill and mandates the Eastern Cape delegate to the NCOP to negotiate within the following parameters:

1. Clause 3 of the Bill

- (a) It is proposed that Section 8 (1)(y) be amended to also include the timeframe in terms of which the vehicles and facilities to be made able to accommodate the needs of targeted passengers. It is proposed that section 8(1) (y) be amended as follows

S 8 (1) (y) "*guidelines, desired outcomes and timeframes for vehicles and facilities to accommodate the needs of targeted categories of passengers including the provision of minimum standards required in any aspect of the public transport network to achieve that objective, and requirements for planning authorities to produce universal access plans for all modes of public transport and safety measures to protect pedestrians and users of public transport*"

2. Clause 6 of the Bill

- (a) It is proposed that section 10A.(1) be amended as follows;
 10 A. (1) *"The Minister [and], all MEC's and planning authorities must, in the performance of their functions under this Act take steps to promote accessible transport and non-motorised transport"*

3. Clause 7 of the Bill

- (a) It is proposed that Section 11 (1A) be amended as follows;
 1A (c) *The Minister [may] must, in writing and within a period of [not more than] 60 days of receipt of the application, grant the exemption with or without conditions, or refuse the exemption and provide reasons for such refusal"*
 1A(d) *If any such condition is not complied with, the Minister may after giving the relevant municipality notice of its failure to comply with such condition and an opportunity to remedy such failure, withdraw the exemption concerned or determine new conditions"*
 1 A(e) *The Minister may, from time to time , review any exemption granted or condition determined in terms of this subsection, and if he or she deems it necessary, withdraw such exemption or delete or amend such condition; Provided that the relevant municipality had been given notice or review of the exemption and or condition and given an opportunity to make representations before the review.*

4. Clause 9 of the Bill

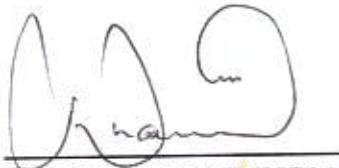
- (a) It is proposed that section 13 be amended as follows '
By the deletion in subsection 1 of the word 'and' at the end of paragraph (f) and the addition of the word 'and' at the end of paragraph (g) and the addition of the following paragraph
- (b) *"(h) government employees employed in terms of the Public Service Act,1994(Act 103 of 1994), the Employment of Educators Act,1998 (Act No 76 of 1998) and the Municipal Systems Act, 2000(Act No 32 of 2000).*

5. Clause 16 of the Bill

- (a) It is proposed that section 24(1) be amended as follows;
 By addition of the following paragraphs after paragraph (b) in section 24 (1);
(c) invite comments and complaints from interested parties, including the general public and take appropriate action in response thereto;
(e) advise the MEC on the treatment of all passengers using public, including targeted categories of passengers

General Comments

- (a) The Eastern Cape is a vastly rural area. The conditions of the roads in some areas make it impossible for minibus taxis to operate. It is proposed that vans must be allowed to operate in those rural areas and be provided with operating licenses.
- (b) The report of the Portfolio Committee attached hereto highlights a number of issues raised by the stakeholders. The issues raised by stakeholders as reflected in the report ought to be given serious consideration by the Department of Transport.



HON T. XHANTI (MPL)

CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON TRANSPORT

26/10/18
DATE