



SABS

South African Bureau of Standards

Status Update on the Public Protector's Report No. 37 of 2018-19 – 17th February 2021

A presentation to the Sub- Committee of the Portfolio Committee on Transport on vehicle homologation and the PP's Report

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Our legislative mandate

SABS

The SABS was established by the Standards Act, 1945 (Act 24 of 1945)

The SABS exists as a public entity under the Standards Act, 2008 (Act No.8 of 2008).

The objectives of SABS are as follows:

- Develop, promote and maintain South African National Standards (SANS)
- Promote quality with respect to commodities, products and services
- Render conformity assessment services and matters connected therewith

International Membership



Accreditation of SABS

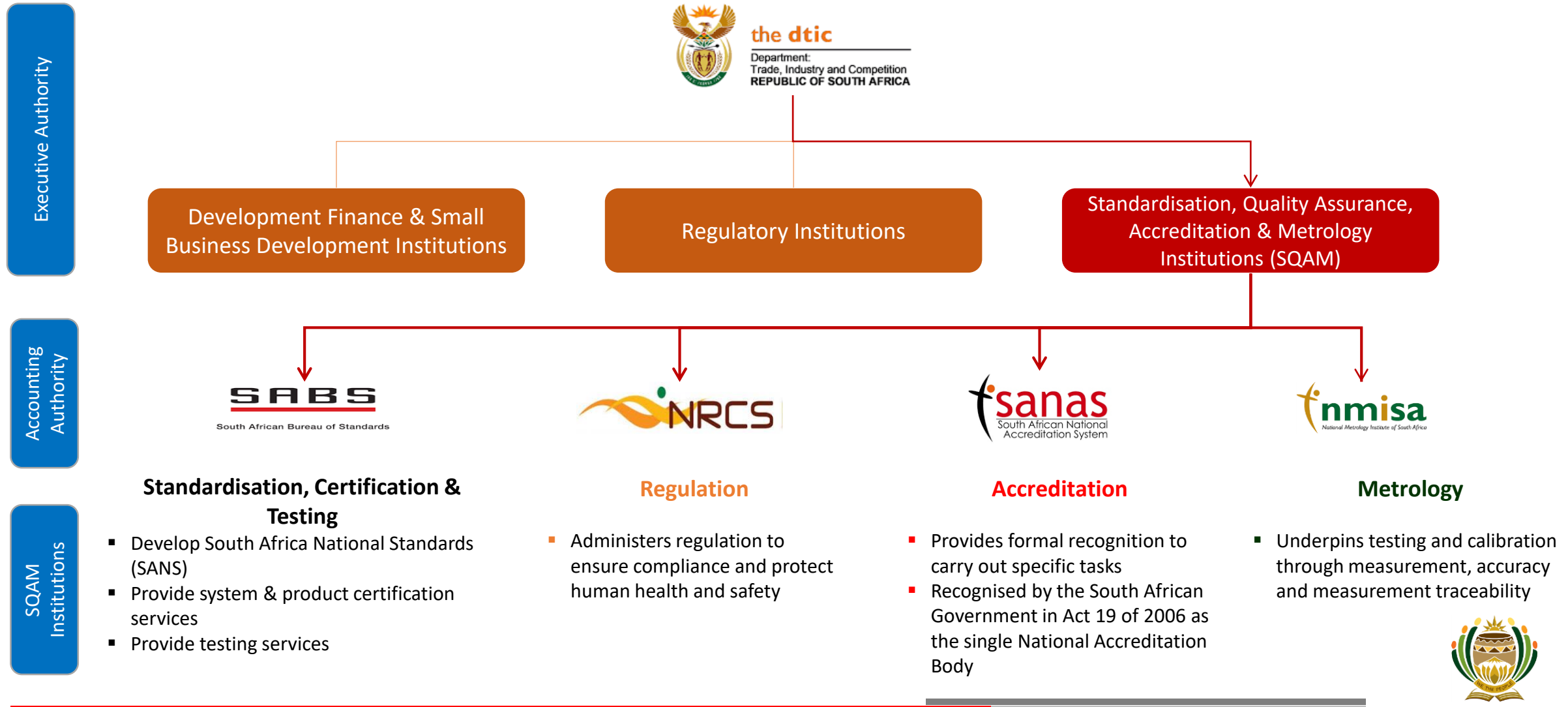


South African National Standards (SANS) are voluntary standards



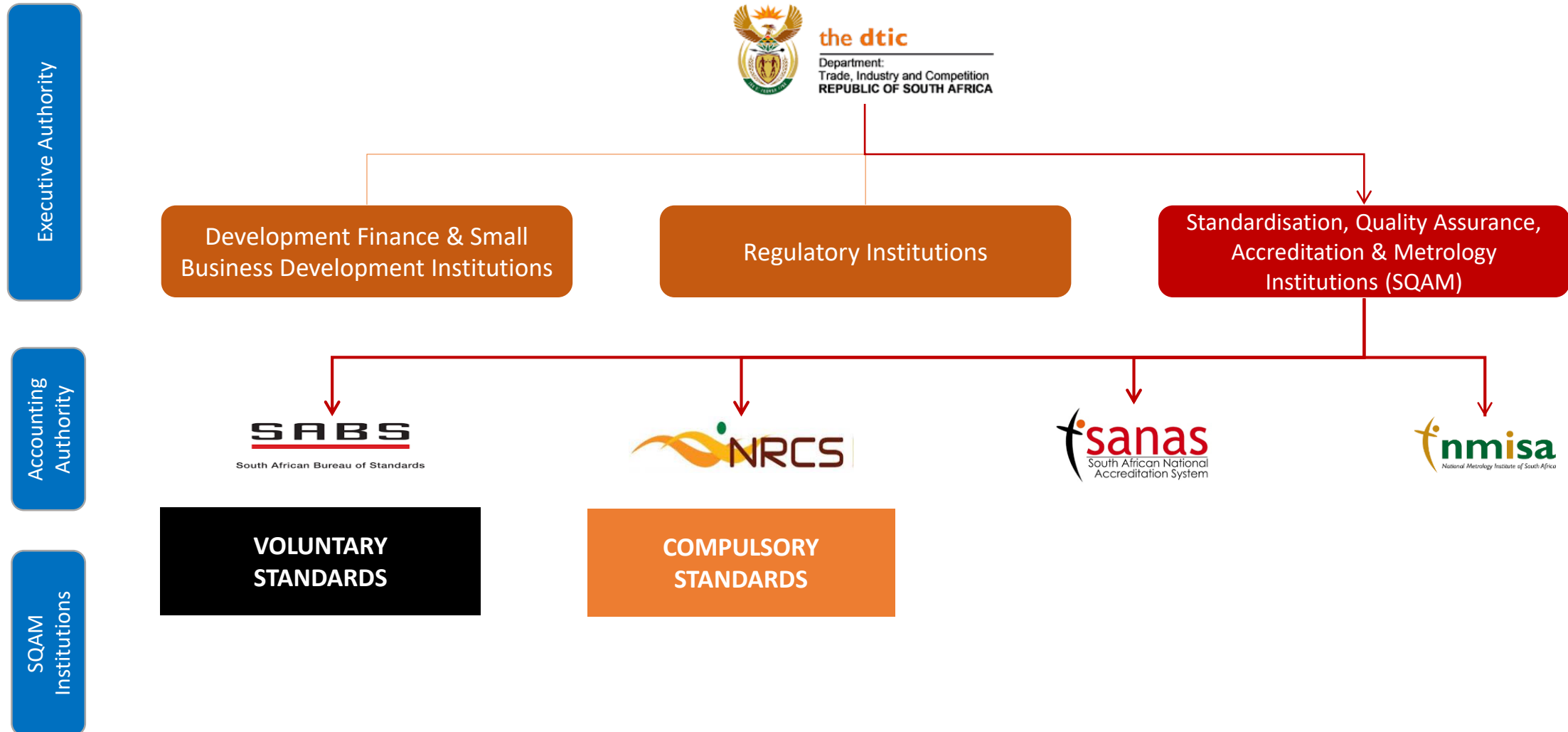
How SABS works alongside NRCS

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Difference between the SABS & NRCS

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How does the SABS work alongside the NRCS:

- The services of the SABS, except for the development, promotion and maintenance of South African National Standards, are commercial in nature and the SABS competes with other commercial entities to render Testing and Certification Services or conformity assessment services.
- In practice, the NRCS relies on independent third-party conformity assessment service providers, such as the SABS or any other accredited facility, to render conformity assessment services. There is not an exclusive relationship between the SABS and the NRCS with regards to the purpose of rendering conformity assessment services.



The retro-fitment process

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The role played by the SABS in the retro-fitment process of illegally converted vehicles following the request by the Department of Transport (DoT):

- The role of the SABS' could only have been limited to offering testing services
- The SABS tested vehicle samples received from SA Taxi Finance, a subsidiary of SA Taxi Development Finance (Pty) Ltd
- This appears to be the extent of the SABS' involvement in the matter



Minimum requirements

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At the time of the tests conducted by SABS regarding these vehicles, what was the minimum requirements for the safety tests and could more or different stringent tests have been requested by the DoT:

- SABS' testing services are underpinned by official South African National Standards (SANS), Compulsory Specifications and Regulations. Tests are conducted as per the customer's request.
- NB: The SABS is not a Regulator. Therefore, it remains the responsibility of the relevant Regulator to ensure that any test report is sufficient or that the tests conducted are sufficient for the approval which is being sought.
- In this case the SABS conducted tests as per the following SANS and Regulations:
 - SANS 1563:2005 {The strength of large passenger vehicles superstructures (roll-over protection)}.
 - SANS 1430:2007 (Anchorages for restraining devices in motor vehicles).
 - 28 Degree Tilt Test, Regulation 262, National Road Traffic Act, No. 93 of 1996.



Conversion of the panel vans

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When did SABS learn that Toyota condemned the conversion of panel vans for use as passenger carriers for use by the Taxi industry:

- The exact date of when the SABS became aware that Toyota condemned the conversions is not clear, however, such condemnation would not have been of any consequence to the SABS for the following reasons:
 - The SABS does not possess any legal authority to regulate the conversion of vehicles
 - The SABS could not exercise any power in relation to the decision to or not to convert vehicles
- The DoT has submitted, as per the Public Protector's report, that the process of retro fitment did not require authorisation by the original manufacturer as the process of modifying a second-hand vehicle was legal in terms of the National Road Traffic Act, No. 93 of 1996 (NRTA) (*Page37, par 5.1.33 and Page42 , par 5.1.49 of the report*)
- Without expressing any opinion on the submission by DoT, the view held by DoT explains why the retro fitment of conversions were done without the approval of Toyota

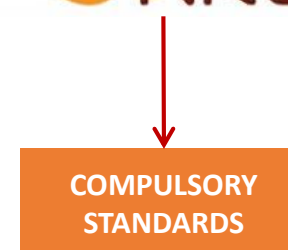


Minimum safety specifications

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List of all vehicle brands, other than Toyota, which SABS, SANA or SATAS were involved in the setting of minimum safety specifications as well as testing of converted vehicles from panel vans to passenger carriers for use in the minibus industry or conversions from panel vans to ambulances:

- The SABS, as per its mandate, develops, promotes and maintains South African National Standards
- The SABS does not set safety specifications for specific brands



Can SABS, SANA or SATAS issue minimum safety specifications for vehicle conversions from panel vans to people carriers and conduct tests on these retrofitted vehicles in instances where the manufacturer itself condemns such conversions:

- The SABS, as per its mandate, develops, promotes and maintains South African National Standards.
- The SABS does not set safety specifications.
- The SABS does not have powers to issue minimum safety specifications for vehicle conversions from panel vans to people carriers.



If statistics on the road accident fatalities show that, despite the safety tests conducted by SABS, SANA or SATAS, these vehicles are statistically more involved in road fatalities, is there a process for SABS, SANA or SATAS to review and revise their minimum safety requirements and recall converted vehicles for retesting:

- The SABS does not have powers to issue minimum safety specifications for vehicle conversions from panel vans to people carriers. The SABS can develop, promote and maintain South African National Standards.
- The SABS is not a Regulator and as such does not have any legal powers to enforce a recall of vehicles.



Indicate what measures were put in place to mitigate the illegal conversion of goods carrying vehicles into passenger carrying ones, or to ensure that such incidents do not take place at all:

- This responsibility does not fall within the powers of the SABS.



Indicate whether SABS have a monitoring mechanism to ensure that this practice does not recur:

- The retro-fitment of vehicles does not fall within the mandate of the SABS, as such the SABS has no power to regulate this practice.





Thank you
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