



LIMPOPO LEGISLATURE

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REPORT OF THE PORTFOLIO COMMITTEE ON TRANSPORT AND COMMUNITY SAFETY ON THE TRANSPORT APPEAL TRIBUNAL AMENDMENT BILL BLL [B8B – 2020]

1. INTRODUCTION

The Transport Appeal Tribunal Amendment Bill was referred to the Provincial Legislature by the NCOP's Select Committee on Transport, Public Services and Administration, Public Works and Infrastructure and the Legislature in turn referred it to the Portfolio Committee on Transport and Community Safety for consideration and processing.

2. PROCEDURE FOLLOWED BY THE COMMITTEE

In dealing with the Bill, the Portfolio Committee on Transport and Community Safety was briefed on the principle and provisions of the Bill by the NCOP Permanent Delegate on 14 February 2024. Following this briefing on the Bill, the Portfolio Committee resolved to subject the Bill to a public consultation process involving all key stakeholders with interest in all the five districts of the province.

As a result, public hearings were conducted in all the five (5) districts (i.e. Mopani, Vhembe, Sekhukhune, Capricorn and Waterberg districts) of the province on various dates in February and March 2024 to afford all stakeholders and interested parties an opportunity to present both oral and written submissions.

Additionally, a call was made, in newspapers, radio and during the public hearings to all interested parties to submit their written submissions to the Committee by the 25th March 2024. In responding to this, several written submission were received, although many did not affect the three Bills in their current form.

3. PURPOSE AND BACKGROUND OF BILL

A background to the Bill was provided by the official from the Department beginning with the Transport Appeal Act 39 of 1998 which was passed in 1998 to create Transport Appeal Tribunal (TAT). The TAT deals with appeals relating to the application for operating licenses under National Land Transport Act No.5 of 2009 (NLTA). These appeals are from Acts, Directions or Decisions of the National Public Transport Regulator (NPTR).

The Provincial Regulator Entities (PREs) and Municipal Regulatory Municipal Regulatory Entities (MREs), which is yet to be established. The TAT also deals with appeals relating to cross-border permits under the Cross-Border Road Transport Act No.4 of 1998.

Since its establishment the TAT has encountered several problems and issues which require amendments to the Principal Act. The Principal Act also requires updating in respect of development since 1998. There are also some technical issues that need amendment of the Act.

4. INPUTS AND SUBMISSION BY STAKEHOLDERS

The Committee received both oral and one written submissions on the Bill from various stakeholders both during and after the public hearings. To this end, a written submission is attached hereto. The Committee was

impressed with attendance and participation of all the stakeholders who attended the public hearing.

From the submissions and comments made during the public hearing, there were no links to the Bill. However, the following views were expressed by the public :

- The late response by the Appeal Tribunal is a serious concern more especially to Cross-Border transport which is affecting business badly.
- Establishment of Offices across the country will help the tribunal to resolve appeals on time without delay compared to the current arrangements of national offices visiting provinces.
- Most stakeholders appreciate the presentation however the Taxi Association raises concerns that the bill is silent in their field of operation.
- Stakeholders emphasize that the appointment of a Board by the Minister should be free and fair in terms of advertising it in local newspapers and radio stations than only in Government Gazette.

5. CONCLUSION.

The public hearings were well attended and the Portfolio Committee managed to solicit inputs from stakeholders.

The Committee agrees and endorse the principles and provisions of the Bill, and as such vote in its support.



HON SEONO
CHAIRPERSON: PORTFOLIO COMMITTEE ON
TRANSPORT AND COMMUNITY SAFETY

26.03.24

DATE