###### National Assembly

###### Question Number: 1329

**1329. Mr D C Ross (DA) to ask the Minister of Transport:**

Whether the SA National Roads Agency intends to take (a) registered and/or (b) non-registered e-toll users to court for not paying invoices issued; if not, what is the position in this regard; if so, (i) on which statutory ground(s), (ii) which type of user will be taken to court first and (iii) what are the further relevant details in this regard? NW1471E

**REPLY**

As a starting point, I need to state the following to the Honourable Member: SANRAL is in terms of the SANRAL Act, 1998 (Act 7 of 1998) (“the Act”) read together with the Regulations promulgated in terms thereof, empowered to recover outstanding debt from users who traverse the Gauteng Freeway Improvement Project (GFIP) network in Gauteng.

(a)(b) Yes, the recovery is based on a “user pay principle” irrespective of whether the user is registered or non-registered. Such a recovery process will be embarked upon once all the prescribed legal processes have been followed.

1. In terms of section 27(1)(b) of the SANRAL Act, read together with the e-Road Regulations (published by the Minister of Transport on 9 October 2013 in Government Gazette Notice No. R. 793 in terms of sections 58(1)(dA) and (dC) of the SANRAL Act ("the e-Road Regulations")), the owner of a vehicle that passes under a gantry (defined as " a toll plaza where the liability to pay toll is recorded by an electrical or electronic device" in regulation 1 of the e-Road Regulations) on the GFIP toll roads is liable to pay toll to SANRAL
2. Both registered and non-registered be they individuals and companies registered in terms of our Company Laws of the Republic will be taken to court based on the merit of the case.
3. None