



**PUBLIC TRANSPORT, ROADS AND WORKS PORTFOLIO COMMITTEE  
NEGOTIATING MANDATE  
ON THE**

**NATIONAL RAILWAY SAFETY REGULATOR AMENDMENT BILL [B32B-2008]  
(Section 76)**

**23 September 2008**

**1. INTRODUCTION**

The Chairperson of the Public Transport Roads and Works Committee, Mr Mbongani Radebe, tables the Committee's Negotiating Mandate on the National Railway Safety Regulator Amendment Bill [B32B-2008], a Section 76 Bill, as follows:

**2. PROCESS FOLLOWED**

The Speaker formally referred the National Railway Safety Regulator Amendment Bill [B32B-2008], Section 76 Bill to the Portfolio Committee on Public Transport, Roads and Works, in terms of the Gauteng Provincial Legislature Standing Rule 232 (1) for consideration and reporting on the 25<sup>th</sup> August 2008.

The Permanent Delegate, Honourable Mr Madala Mzi, assisted by Mr John Motsatsing, a representative from the Railway Regulator, briefed the Committee on the intentions of the Bill on Friday, 12 September 2008.

The Committee held a public hearing on Friday, 19 September 2008. The Railway Safety Regulator briefed the Committee and members of the public on the detail and principle of the Bill.

The Gauteng Legislature's Legal Unit briefed the Committee on the Legalities of the Bill. On Tuesday, 23 September 2008. On the same day the Committee considered and adopted the Negotiating Mandate.

**3. INTERACTION WITH STAKEHOLDERS**

A Public Hearing was conducted by the Committee on 19 September 2008 in the Auditorium Gauteng Provincial Legislature and 60 people attended. The various stakeholders attended who attended and participated in the public hearing include: Gauteng National Taxi association (GNTA), Gauteng Taxi Council (GATACC), South African Bus Operators Association (SABOA), Southern Africa Tourism Association (SATSA), South African Transport Solutions and representatives from the local, district and metro municipalities were also present in the hearing. The Bill was well received by the public and the majority of the views expressed were in support of the Bill.

**4. PRINCIPLE AND DETAIL OF THE BILL**

The Bill seeks to "Amend the National Railway Safety Regulator Act 2002 (Act No 16 of 2002) ("the Act"). The Act established the Railway Safety Regulator (RSR) which provides safe railway systems and operations. The Act has been in operation since 20 September 2002 and in the process of implementing it certain amendments to the Act have become necessary".

**5. FINANCIAL IMPLICATIONS AND SOCIO ECONOMIC IMPACT ASSESSMENT OF THE BILL**

The Socio economic Impact of the Bill will be the improved transportation of goods and passengers, by the implementation of enhanced railway regulations. The Bill also creates a platform for economic growth by introducing stricter measures in the transportation of goods and materials. The Bill makes provision for the Regulator to charge for training fees, processing and administering of permits and to charge penalties for non compliance by operators thereby increasing its revenue. The Bill does not have any financial implications for the Province.

**6. VIEWS FROM THE GAUTENG DEPARTMENT OF PUBLIC TRANSPORT, ROADS AND WORKS**

The Transport Department supports the principle and the detail on the National Railway Safety Regulator Amendment Bill [B32B-2008].

**7. NEGOTIATING POSITION ADOPTED BY THE COMMITTEE**

The Public Transport Roads and Works Portfolio Committee supports the principle and detail of the Railway Safety Regulator Amendment Bill [B32B-2008]



**Mr Mpongeni Radebe**

**Chairperson: Public Transport, Roads and Works Portfolio Committee**



**PUBLIC TRANSPORT, ROADS AND WORKS PORTFOLIO COMMITTEE**  
**NEGOTIATING MANDATE**  
**ON THE**  
**NATIONAL ROAD TRAFFIC AMENDMENT BILL [B39B-2008]**  
**(Section 76)**

**23 September 2008**

**1. INTRODUCTION**

The Chairperson of the Public Transport Roads and Works Committee, Mr Mbongeni Radebe tables the Committee's Negotiating Mandate on the National Road Traffic Amendment Bill [B39B-2008] a Section 76 Bill, as follows:

**2. PROCESS FOLLOWED**

The Speaker formally referred the National Road Traffic Amendment Bill [B39B-2008] Section 76 Bill to the Portfolio Committee on Public Transport, Roads and Works, in terms of the Gauteng Provincial Legislature Standing Rule 232 (1) for consideration and reporting on the 25<sup>th</sup> August 2008.

On Friday, 12 September 2008, the Committee was briefed on the intentions of the Bill by the Permanent Delegate Honourable Mr Madala Mzi from the National Council of Provinces on the intentions of the Bill. He was assisted by Mr John Motsotling a representative from the National Department of Transport.

On Friday, 19 September 2008, the Committee held a public Hearing where the National Department of transport briefed the Committee and members of the public on the detail and principle of the Bill.

On Tuesday 23 September 2008 the Gauteng Legislature's Legal Unit briefed the Committee on the Legalities of the Bill. On the same day the Committee considered and adopted the Negotiating Mandate.

**3. INTERACTION WITH STAKEHOLDERS**

A Public Hearing was conducted by the Committee on 19 September 2008 in the Auditorium, Gauteng Provincial Legislature and 60 people attended. The various stakeholders attended who attended and participated in the public hearing include Gauteng National Taxi association (GNTA); Gauteng Taxi Council (GATACO); South African Bus Operators Association (SABOA); Southern Africa Tourism Association (SATSA); South African Transport Solutions and representatives from the Local, District and Metro municipalities were also present in the hearing. The Bill was well received by the public and the majority of the views expressed were in support of the Bill.

**4. PRINCIPLE AND DETAIL OF THE BILL**

The Bill proposes to

- Give effect in the short term to some of the principal strategies contained in the Road to Safety Strategy 2001-2005
- The Bill implements the strategic interventions highlighted in the Road to Safety Strategy.
- Furthermore, it deals with the fraudulent activities within the issuance of driving licenses and roadworthy certificates and with curbing the incidences of criminal activities by or in relation to motor vehicles or their operation on public roads
- The Bill amends certain definitions and also provides some new definitions

**5. FINANCIAL IMPLICATIONS AND SOCIO ECONOMIC ASSESMENT OF THE BILL**

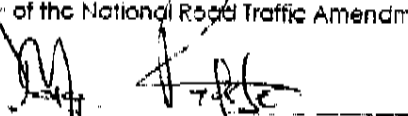
The most significant socio economic component of the Bill is the enhancement of safety measures on the roads. This will be achieved by curbing fraudulent activities related to the issuing of drivers licences to non competent drivers and roadworthy certificates for un roadworthy motor vehicles. The Bill has no financial implications for the Province.

**6. VIEWS FROM THE GAUTENG DEPARTMENT OF PUBLIC TRANSPORT, ROADS AND WORKS**

The Transport Department supports the principle and the detail on the National Road Traffic Amendment Bill (B39B-2008)

**7. NEGOTIATING POSITION ADOPTED BY THE COMMITTEE**

The Public Transport/Roads and Works Portfolio Committee supports the principle and detail of the National Road Traffic Amendment Bill (B39B-2008)



**Mr Mhongenani Radebe**

**Chairperson, Public Transport, Roads and Works Portfolio Committee**