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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF TRANSPORT

NOTICE 3873 OF 2026

Western Cape Government

Western Cape Provincial Regulatory Entity
Mark Skriker
Chairperson
Mark.Skriker@westerncape.gov.za | Tel: 021 483 0258

WESTERN CAPE PROVINCIAL REGULATORY ENTITY

NOTICE OF INTENTION TO REVIEW AND AMEND CONDITIONS IMPOSED ON OPERATING LICENCES IN TERMS OF SECTION 57(5) OF THE NATIONAL LAND TRANSPORT ACT (NO.5 OF 2009)(AS AMENDED).

1. The Western Cape Provincial Regulatory Entity ("PRE") was established in terms of section 23 of the National Land Transport Act (Act no.5 of 2009) and has a number of statutory functions:
    - To monitor and oversee public transport in the province;
    - To receive and decide on applications relating to operating licences for intra-provincial public transport services. The PRE is also currently performing the functions of the National Public Transport Regulator ("NPTR") in terms of regulations 46 and 47 of the National Land Transport Regulations (2009)(as amended) insofar as interprovincial transport services are concerned;
    - Obtain and keep up to date the prescribed information on the particulars of associations operating in the province, their members, vehicles and routes as well as information on non-members;
    - To invite comments and complaints from interested parties, including the general public, and take appropriate action in response thereto; and
    - Advise the MEC on the treatment of all passengers using public transport, including targeted categories of passengers.

2. In performing these statutory duties, the PRE exercises independent discretion. An entity granting an application for an operating licence as well as the renewal, amendment or transfer thereof may do so subject to any conditions determined by it, that are not inconsistent with the Act or with relevant provincial laws or transport plans and must do so where such conditions have been stipulated by the planning authority based on its Integrated Transport Plan.

3. While it is the sole purview of the PRE to impose conditions, the PRE wants to encourage, promote and facilitate public and stakeholder consultation and participation in this process given the importance of these service conditions to ensure a safe and dignified environment for passengers and other road users.

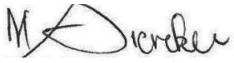
4. The operating licence conditions are reviewed and ameliorated by the PRE at regular intervals to promote safety in public transport. The last comprehensive review was done

by the PRE during October/November 2023 and resulted in a generic set of operating licence conditions as well as standard municipal conditions being developed and imposed on all operating licences.

5. It is common cause that most operating licences issued by the Western Cape PRE confers authority to provide both local and long-distance services. This effectively means that the authorised services cut across municipal and provincial boundaries. Consequently, the conditions imposed on such licences will be used by various municipal and provincial law enforcement agencies.

6. The conditions imposed on operating licences should be explicit/unambiguous, relatively straightforward to interpret and allow for the rational exercise of discretion by authorised officers. Moreover, there should be a consolidated/uniform view within government on the intention of these conditions.

7. The objective of the review process is to analyse the practicality and enforceability of each condition, to develop conditions that can respond to the changing environment/dynamics within the public transport environment and most importantly to improve safety within this environment.



MARK SKRIKER

CHAIRPERSON – WESTERN CAPE PROVINCIAL REGULATORY ENTITY

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