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25 April 2025

No. 52569

THE PRESIDENCY

No. 6159

25 April 2025

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

Act No. 41 of 2024: Transport Appeal Tribunal Amendment Act, 2024

DIE PRESIDENSIE

No. 6159

25 April 2025

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 41 van 2024: Wysigingswet op Vervoerappèltribunaal, 2024

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GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- _____ Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President)
(Assented to 15 April 2025)

ACT

To amend the Transport Appeal Tribunal Act, 1998, so as to insert, delete and amend certain definitions; to bring the Act in line with the developments since the enactment of the Act; to provide for certain powers of the Transport Appeal Tribunal; to allow the Minister to extend the term of office of the members of the Tribunal; to empower the Transport Appeal Tribunal to take appropriate steps in cases where its decisions or rulings are not implemented or effected timeously and empower it to investigate delays in the completion of its proceedings; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 39 of 1998, as amended by section 3 of Act 70 of 1998

1. Section 1 of the Transport Appeal Tribunal Act, 1998 (hereinafter referred to as the “principal Act”), is hereby amended—

- (a) by the insertion before the definition of “board” of the following definition:

“ **‘act, direction or decision’** includes—

- | | | |
|-----|--|----|
| (a) | an act, direction or decision contemplated in section 92 of the National Land Transport Act; | |
| (b) | a decision contemplated in section 34(1) of the Cross-Border Road Transport Act; | 10 |
| (c) | a decision to cancel an operating licence in terms of section 78 of the National Land Transport Act; | |
| (d) | a decision to withdraw, suspend or amend an operating licence or permit in terms of section 79 of the National Land Transport Act; | 15 |
| (e) | a decision by the National Public Transport Regulator, as defined in section 1 of the National Land Transport Act, on an application for accreditation made to it under section 81(2) of the National Land Transport Act or renewal of such accreditation in terms of section 81(8) of that Act; and | 20 |

ALGEMENE VERDUIDELIKENDE NOTA:

- [] Woorde in vetdruk in vierkantige hakies dui weglatings uit bestaande verordeninge aan.
- _____ Woorde met 'n volstreep daaronder dui invoegings in bestaande verordeninge aan.

(Engelse teks deur die President geteken)
(Goedgekeur op 15 April 2025)

WET

Tot wysiging van die Wet op die Vervoerappèltribunaal, 1998, ten einde sekere woordskrywings in te voeg, te skrap en te wysig; die Wet in ooreenstemming te bring met die ontwikkelings sedert die inwerkingstelling van die Wet; voorsiening te maak vir sekere bevoegdhede van die Vervoerappèltribunaal; die Minister toe te laat om die ampstermyn van die lede van die Tribunaal te verleng; die Vervoerappèltribunaal te bemagtig om gepaste stappe te doen in gevalle waar sy beslissings of uitsprake nie betyds geïmplementeer of uitgevoer word nie en om die Tribunaal te bemagtig om verdragings in die afhandeling van die Tribunaal se verrigtinge te ondersoek; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

DAAR WORD bepaal deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 39 van 1998, soos gewysig deur artikel 3 van Wet 70 van 1998

1. Artikel 1 van die Wet op die Vervoerappèltribunaal, 1998 (hierna die “Hoofwet” genoem), word hierby gewysig— 5

- (a) deur die volgende omskrywing na die omskrywing van “Direkteur-generaal” in te voeg:

“**‘handeling, opdrag of beslissing’** ook—

- | | | |
|-----|---|----|
| (a) | 'n handeling, opdrag of beslissing in artikel 92 van die ‘National Land Transport Act’ beoog; | 10 |
| (b) | 'n beslissing in artikel 34(1) van die Oorgrenspadvervoerwet beoog; | |
| (c) | 'n beslissing om 'n bedryfslisensie ingevolge artikel 78 van die ‘National Land Transport Act’ in te trek; | 15 |
| (d) | 'n beslissing om 'n bedryfslisensie of permit ingevolge artikel 79 van die ‘National Land Transport Act’ terug te trek, op te skort of te wysig; | |
| (e) | 'n beslissing deur die Nasionale Reguleerder van Openbare Vervoer, soos omskryf in artikel 1 van die ‘National Land Transport Act’, oor 'n aansoek om akkreditasie kragtens artikel 81(2) van die ‘National Land Transport Act’ daarby gedoen of om hernuwing van sodanige akkreditasie ingevolge artikel 81(8) van daardie Wet daarby gedoen; en | 20 |

- (f) any other act, direction, decision or omission by a regulatory entity or the Regulatory Committee made in the process of implementing the National Land Transport Act or Cross-Border Road Transport Act;”;
- (b) by the deletion of the definition of “board”; 5
- (c) by the insertion after the definition of “board” of the following definition:
“ ‘Cross-Border Road Transport Act’ means the Cross-Border Road Transport Act, 1998 (Act No. 4 of 1998);”;
- (d) by the deletion of the definition of “intraprovincial transport”; 10
- (e) by the insertion after the definition of “Minister” of the following definition:
“ ‘National Land Transport Act’ means the National Land Transport Act, 2009 (Act No. 5 of 2009);”;
- (f) by the deletion of the definition of “national land transport legislation”; 15
- (g) by the substitution for the definition of “Regulatory Committee” of the following definition:
“ ‘Regulatory Committee’ means the Regulatory Committee referred to in section 13 of the Cross-Border Road Transport Act[, 1998];”; and
- (h) by the insertion after the definition of “Regulatory Committee” of the following definition:
“ ‘regulatory entity’ means a regulatory entity as defined in section 1 of the National Land Transport Act;”. 20

Amendment of section 4 of Act 39 of 1998, as amended by section 18 of Act 42 of 2007

2. Section 4 of the principal Act is hereby amended by the substitution in subsection (2) for paragraph (a) of the following paragraph: 25
- “(a) appoint fit and proper persons as members of the Tribunal on the grounds of their knowledge of, or experience in, **[financial,]** economic, commercial, legal, public transport or other matters relating to the functions of the Tribunal; and”.

Amendment of section 7 of Act 39 of 1998 30

3. Section 7 of the principal Act is hereby amended by the addition of the following subsection:
- “(4) Despite subsection (3), the Minister may, upon expiry of the term of office of a member of the Tribunal, extend the term of office of that member for a period not exceeding 12 consecutive months.” 35

Amendment of section 9 of Act 39 of 1998

4. Section 9 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection: 40
- “(1) The Tribunal will sit on such days and the duration and at such a place as the Director-General may determine after consultation with the chairperson of the Tribunal.”.

Substitution of section 11 of Act 39 of 1998, as amended by section 5 of Act 70 of 1998

5. The following section is hereby substituted for section 11 of the principal Act:

“Fees in respect of Appeals 45

11. The Tribunal may not deal with any appeal noted under **[national land transport legislation,]** the National Land Transport Act, **[or]** under the Cross-Border Road Transport Act, **[1998,]** or any relevant transport legislation unless any such appeal is accompanied by the fees referred to in section 17(1)(a).” 50

- (f) enige ander handeling, opdrag, beslissing of weglating deur 'n reëlinsentiteit of die Reëlingskomitee wat geskied tydens die inwerkingstelling van die 'National Land Transport Act' of Oorgrenspadvervoerwet;";
- (b) deur die omskrywing van "intraprovisiale vervoer" te skrap; 5
- (c) deur die omskrywing van "nasionale landvervoerwetgewing" te skrap;
- (d) deur die volgende omskrywings na die omskrywing van "Minister" in te voeg:
- " 'National Land Transport Act' die 'National Land Transport Act, 2009' (Wet No. 5 van 2009);
- 'Oorgrenspadvervoerwet' die Wet op Oorgrenspadvervoer, 1998 (Wet No. 4 van 1998);
- 'reëlinsentiteit' 'n 'regulatory entity' soos in artikel 1 van die 'National Land Transport Act' omskryf;"; 10
- (e) deur die omskrywing van "raad" te skrap; en 15
- (f) deur die omskrywing van "Reëlingskomitee" deur die volgende omskrywing te vervang:
- " 'Reëlingskomitee' die Reëlingskomitee in artikel 13 van die Oorgrenspadvervoerwet[, 1998,] bedoel;".

Wysiging van artikel 4 van Wet 39 van 1998, soos gewysig deur artikel 18 van Wet 42 van 2007 20

2. Artikel 4 van die Hoofwet word hierby gewysig deur in subartikel (2) paragraaf (a) deur die volgende paragraaf te vervang:

- "(a) geskikte en gepaste persone as lede van die Tribunaal aanstel op grond van hul kennis van, of ondervinding in, [finansiële,] ekonomiese, handels-, regs-, 25 openbare vervoer- of ander aangeleenthede wat op die werksaamhede van die Tribunaal betrekking het; en".

Wysiging van artikel 7 van Wet 39 van 1998

3. Artikel 7 van die Hoofwet word hierby gewysig deur die volgende subartikel by te voeg: 30

- "(4) Ondanks subartikel (3), kan die Minister, by die verstryking van die ampstermyn van 'n lid van die Tribunaal, die ampstermyn van daardie lid met 'n tydperk van hoogstens 12 agtereenvolgende maande verleng."

Wysiging van artikel 9 van Wet 39 van 1998

4. Artikel 9 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang: 35

- "(1) Die Tribunaal sal sit op die dae en gedurende die ure en op die plek wat die Direkteur-generaal na oorleg met die voorsitter van die Tribunaal bepaal."

Vervanging van artikel 11 van Wet 39 van 1998, soos gewysig deur artikel 5 van Wet 70 van 1998 40

5. Artikel 11 van die Hoofwet word hierby deur die volgende artikel vervang:

"Gelde ten opsigte van appèlle

11. Die Tribunaal mag nie met 'n appèl handel nie wat kragtens [nasionale landvervoerwetgewing, of] die 'National Land Transport Act', kragtens die Oorgrenspadvervoerwet, [1998,] of enige tersaaklike vervoer- 45 wetgewing aangeteken word, tensy so 'n appèl vergesel gaan van die gelde in artikel 17(1)(a) bedoel."

Amendment of section 12 of Act 39 of 1998, as amended by section 6 of Act 70 of 1998

6. Section 12 of the principal Act is hereby amended—

- (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words: 5
 “Subject to **[the provisions of]** this Act, the Tribunal must consider an appeal noted with the Tribunal in accordance with the **[provisions of national land transport legislation or]** National Land Transport Act, the Cross-Border Road Transport Act, **[1998]** or any relevant transport legislation, as the case may be, whereupon the Tribunal may—”; 10
- (b) by the substitution in subsection (1) for paragraph (a) of the following paragraph:
 “(a) **[reject]** dismiss the appeal and confirm the act, direction or decision appealed against; or”; 15
- (c) by the substitution in subsection (1)(b) for subparagraphs (i) and (ii) of the following subparagraphs, respectively: 15
 “(i) substitute therefor any other act, direction or decision which the **[board]** regulatory entity or the Regulatory Committee, as the case may be, could have performed or given; or
 (ii) refer the matter which gave rise to the appeal to the **[board]** regulatory entity or the Regulatory Committee, as the case may be, for reconsideration; or”; 20
- (d) by the substitution for subsections (2) and (3) of the following subsections, respectively: 25
 “(2) No decision taken by the Tribunal under this section may be inconsistent with **[national land transport legislation or]** the National Land Transport Act, the Cross-Border Road Transport Act, **[1998,]** or any relevant transport legislation, as the case may be. 25
 (3) Any act, direction or decision of the Tribunal under subsection (1)(b)(i) or (c) will, except for the purposes of subsection (1), be deemed to be an act, direction or decision of the **[board]** regulatory entity or Regulatory Committee, as the case may be, against whose act, direction or decision the appeal was brought.”; 30
- (e) by the substitution in subsection (4) for paragraph (a) of the following paragraph: 35
 “(a) within the prescribed period cause the parties involved in the appeal to be notified in writing of the decision of the Tribunal, including any time limits specified by the Tribunal for the implementation of such decision;”; and 35
- (f) by the addition of the following subsections: 40
 “(5) Where a regulatory entity or the Regulatory Committee fails to implement or give effect to a decision or ruling of the Tribunal within the time specified by the Tribunal, or within a time considered by the Tribunal to be reasonable, the Tribunal may issue a directive to the regulatory entity or Regulatory Committee, as the case may be, in the prescribed manner, describing the extent of its failure to comply with its obligations and stating the steps required to meet those obligations, and the regulatory entity or Regulatory Committee, as the case may be, must comply with such directive within the time specified by the Tribunal in the directive. 45
 (6) Where the Tribunal issues a directive under subsection (5), it must notify the Director-General and request the Director-General to notify— 50
 (a) the Minister, in the case where the directive is issued to the Regulatory Committee or to the National Public Transport Regulator as defined in section 1 of the National Land Transport Act; 55
 (b) the relevant member of the Executive Council, in the case where the directive is issued to a Provincial Regulatory Entity as defined in section 1 of the National Land Transport Act; or 55

Wysiging van artikel 12 van Wet 39 van 1998, soos gewysig deur artikel 6 van Wet 70 van 1998

6. Artikel 12 van die Hoofwet word hierby gewysig—

- (a) deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang: 5
 “Behoudens **[die bepaling van]** hierdie Wet moet die Tribunaal ’n appèl oorweeg wat ooreenkomstig die **[bepaling van nasionale landvervoerwetgewing, of]** ‘National Land Transport Act’, die Oorgrenspadvervoerwet, **[1998,]** of enige tersaaklike vervoerwetgewing, na gelang van die geval, by die Tribunaal aangeteken word, en”;
- (b) deur in die Engelse teks in subartikel (1) paragraaf (a) deur die volgende paragraaf te vervang: 10
 “(a) **[reject]** dismiss the appeal and confirm the act, direction or decision appealed against; or”;
- (c) deur in subartikel (1)(b) subparagraawe (i) en (ii) onderskeidelik deur die volgende paragraawe te vervang: 15
 “(i) dit vervang deur ’n ander handeling, opdrag of beslissing wat die **[raad]** reëlinsentiteit of die Reëlingskomitee, na gelang van die geval, kon verrig of gegee het; of
 (ii) die aangeleentheid wat aanleiding tot die appèl gegee het, na die **[raad]** reëlinsentiteit of die Reëlingskomitee, na gelang van die geval, terugverwys vir heroorweging; of”;
- (d) deur subartikels (2) en (3) onderskeidelik deur die volgende subartikels te vervang: 25
 “(2) Geen besluit kragtens hierdie artikel deur die Tribunaal geneem, mag met **[nasionale landvervoerwetgewing of]** die ‘National Land Transport Act’, die Oorgrenspadvervoerwet, **[1998,]** of enige tersaaklike vervoerwetgewing, na gelang van die geval, onbestaanbaar wees nie.
 (3) ’n Handeling, opdrag of beslissing van die Tribunaal kragtens subartikel (1)(b)(i) of (c) word, behalwe by die toepassing van subartikel (1), geag ’n handeling, opdrag of beslissing van die **[raad]** reëlinsentiteit of Reëlingskomitee, na gelang van die geval, te wees teen wie se handeling, opdrag of beslissing daar geappelleer is.”;
- (e) deur in subartikel (4) paragraaf (a) deur die volgende paragraaf te vervang: 30
 “(a) binne die voorgeskrewe tydperk die partye wat by die appèl betrokke is, skriftelik van die **[besluit]** beslissing van die Tribunaal in kennis laat stel, met inbegrip van enige tydsbeperkings deur die Tribunaal gespesifiseer vir die inwerkingstelling van sodanige beslissing;”;
- (f) deur die volgende subartikels by te voeg: 35
 “(5) Waar ’n reëlinsentiteit of die Reëlingskomitee versuim om die beslissing of uitspraak van die Tribunaal binne die tyd deur die Tribunaal gespesifiseer, of binne ’n tyd deur die Tribunaal redelik geag, in werking te stel of daaraan gevolg te gee, kan die Tribunaal op die voorgeskrewe wyse ’n opdrag aan die reëlinsentiteit of Reëlingskomitee, na gelang van die geval, uitreik waarin die omvang van die versuim om aan verpligtinge te voldoen, beskryf word en die stappe wat nodig is om aan daardie verpligtinge te voldoen, gestel word, en die reëlinsentiteit of Reëlingskomitee, na gelang van die geval, moet in die tyd deur die Tribunaal in die opdrag gespesifiseer, aan die opdrag voldoen. 40
 (6) Waar die Tribunaal ’n opdrag kragtens subartikel (5) uitreik, moet die Tribunaal die Direkteur-generaal in kennis stel en versoek dat die Direkteur-generaal—
 (a) die Minister, waar die opdrag aan die Reëlingskomitee of aan die Nasionale Reguleerder vir Openbare, Vervoer, soos omskryf in artikel 1 van die ‘National Land Transport Act’, uitgereik word; 55
 (b) die tersaaklike lid van die Uitvoerende Raad, waar die opdrag aan ’n provinsiale reëlinsentiteit soos omskryf in artikel 1 van die ‘National Land Transport Act’, uitgereik word; of 60

- (c) the municipal council of the relevant municipality, in the case where the directive is issued to a municipality to which an operating licence function has been assigned, of the issuing of the directive and request the Director-General, Minister, member of the Executive Council or municipal council, as the case may be, to assist in ensuring compliance with the directive.”. 5

Amendment of section 13 of Act 39 of 1998, as amended by section 7 of Act 70 of 1998

7. Section 13 of the principal Act is hereby amended by the substitution for paragraphs (a) and (b) of the following paragraphs, respectively: 10

- “(a) grant an application for condonation of the late filing of an appeal against the act, direction or decision of the [board] regulatory entity or the Regulatory Committee, as the case may be, provided the appeal is noted in the prescribed manner and within the prescribed period, or refuse such an application; or 15
- (b) grant or refuse an application to suspend the operation of any act, direction or decision appealed against, provided that such act, direction or decision is automatically suspended if the appeal was lodged within a period of 30 days after the date on which such act, direction or decision was communicated to the appellant, except where the respondent makes an application to oppose the automatic suspension immediately after such decision or ruling is made 20 by the chairperson of the Tribunal.”.

Amendment of section 14 of Act 39 of 1998, as amended by section 8 of Act 70 of 1998

8. Section 14 of the principal Act is hereby amended—

- (a) by the substitution in subsection (4) for paragraph (a) of the following paragraph: 25

“(a) Where, in terms of [national land transport legislation] the National Land Transport Act or the Cross-Border Road Transport Act, [1998,] it would have been permissible for the [board] regulatory entity or the Regulatory Committee, as the case may be, to take any person’s road transport law enforcement profile or previous traffic or transport-related contraventions into consideration, the Tribunal may compel any such person to give self-incriminating evidence, but the person presiding at the appeal must direct that such evidence will be given *in camera* and that it will not be made public, in any manner whatsoever, except by order of a competent court for the purposes of review or appeal.”; and 35

- (b) by the addition of the following subsections:

“(5) The Tribunal must investigate any unreasonable delay caused by a person in the completion of its proceedings or any frivolous, vexatious or irrelevant actions on the part of any person in the course of its proceedings which appear to the Tribunal to be unreasonable and which delays or actions could cause substantial prejudice to the State, the appellant or any other interested party, and must consider the following factors in deciding whether a delay is unreasonable: 40

- (a) The duration of the delay; 45
- (b) the reasons advanced for the delay;
- (c) whether any person can be held responsible for the delay;
- (d) the effect of the delay on the personal or financial circumstances of the State, the appellant or any other interested party; and
- (e) any other factor which, in the opinion of the Tribunal, must be taken into account. 50

- (c) die munisipale raad van die tersaaklike munisipaliteit, waar die opdrag aan 'n munisipaliteit waaraan 'n bedryfslisensiefunksie toegewys is, uitgereik word, in kennis stel van die uitreiking van die opdrag en versoek dat die Direkteur-generaal, Minister, lid van die Uitvoerende Raad of munisipale raad, na gelang van die geval, bystand lewer om te verseker dat aan die opdrag voldoen word.”. 5

Wysiging van artikel 13 van Wet 39 van 1998, soos gewysig deur artikel 7 van Wet 70 van 1998

7. Artikel 13 van die Hoofwet word hierby gewysig deur paragrawe (a) en (b) onderskeidelik deur die volgende paragrawe te vervang: 10

- “(a) 'n aansoek om kondonasië van die laat indiening van 'n appèl teen die handeling, opdrag of beslissing van die [raad] reëlingsentiteit of die Reëlingskomitee, na gelang van die geval, toestaan mits die appèl op die voorgeskrewe wyse en binne die voorgeskrewe tydperk aangeteken word, of 15
weier; of
- (b) 'n aansoek om die opskorting van die werking van 'n handeling, opdrag of beslissing waarteen geappelleer word, toestaan of weier, met dien verstande dat sodanige handeling, opdrag of beslissing outomaties opgeskort word as die appèl aangeteken is binne 'n tydperk van 30 dae na die datum waarop daardie handeling, opdrag of beslissing aan die appellant gekommunikeer is, behalwe waar die respondent onmiddellik nadat sodanige beslissing of uitspraak deur die voorsitter van die Tribunaal gemaak is, aansoek doen om die outomatiese opskorting teen te staan.”. 20

Wysiging van artikel 14 van Wet 39 van 1998, soos gewysig deur artikel 8 van Wet 70 van 1998 25

8. Artikel 14 van die Hoofwet word hierby gewysig—

- (a) deur in subartikel (4) paragraaf (a) deur die volgende paragraaf te vervang: 30
“(a) Waar, ingevolge [nasionale landvervoerwetgewing] die ‘National Land Transport Act’, of die Oorgrenspadvervoerwet, [1998,] dit vir die [raad] reëlingsentiteit of die Reëlingskomitee, na gelang van die geval, geoorloof sou wees om 'n persoon se wetstoepingsprofiel van padvervoer of vorige verkeers- of vervoerverwante oortredings in aanmerking te neem, kan die Tribunaal so 'n persoon verplig om self-inkriminerende getuienis af te lê, maar die persoon wat by die appèl voorsit, moet gelas dat sodanige getuienis *in camera* afgelê word en dat dit nie op enige wyse hoegenaamd openbaar gemaak word nie, behalwe op bevel van 'n bevoegde hof of vir die doeleindes van hersiening of appèl.”; en 35
- (b) deur die volgende subartikels by te voeg: 40
“(5) Die Tribunaal moet enige onredelike vertraging wat 'n persoon in die afhandeling van die Tribunaal se verrigtinge veroorsaak of enige beuselagtige, ergerlike of irrelevante handeling deur enige persoon in die loop van die Tribunaal se verrigtinge, wat vir die Tribunaal blyk onredelik te wees en welke vertraging of handeling wesenlike benadeling vir die Staat, die appellant of enige ander belanghebbende party kan meebring, ondersoek en moet die volgende faktore in ag neem wanneer beslis word of 'n vertraging onredelik is: 45
- (a) Die duur van die vertraging; 50
(b) die redes wat vir die vertraging gegee is;
(c) hetsy enige persoon vir die vertraging verantwoordelik gehou kan word;
(d) die uitwerking van die vertraging op die persoonlike of finansiële omstandighede van die Staat, die appellant of enige ander belanghebbende party; en 55
(e) enige ander faktor wat, na mening van die Tribunaal, in ag geneem moet word.

(6) If the Tribunal finds that the completion of its proceedings is being delayed unreasonably, or that any action is frivolous, vexatious or irrelevant, it may issue any order that it considers necessary to eliminate the delay or action concerned and any prejudice resulting from it or to prevent further delay or prejudice, including an order—

- (a) refusing further postponement of the proceedings; or
- (b) granting a postponement subject to such conditions as it may determine.”.

5

Amendment of section 16 of Act 39 of 1998, as amended by section 9 of Act 70 of 1998

10

9. Section 16 of the principal Act is hereby amended by substitution for subsection (1) of the following subsection:

“(1) The Director-General must, after consultation with the chairperson of the Tribunal, designate such officers in the Department of Transport as may be necessary to perform administrative and secretarial work or investigations required by the Tribunal.”.

15

Amendment of section 17 of Act 39 of 1998, as amended by section 10 of Act 70 of 1998

10. Section 17 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph (b) of the following paragraph:

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“(b) as to the information to be provided by the **[board]** regulatory entity or the Regulatory Committee to the Tribunal or an applicant in connection with any appeal, and the manner in which and the time within which such information must be provided;”.

Amendment of section 18 of Act 39 of 1998, as amended by section 11 of Act 70 of 1998

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11. Section 18 of the principal Act is hereby amended—

- (a) by the substitution in subsection (1) for paragraph (a) of the following paragraph:

“(a) any matter corresponding to that in respect of which the **[Board]** board as defined in section 1 of the National Land Transport Transition Act, 2000 (Act No. 22 of 2000), is authorised by law to perform or give any act, direction or decision;”;

30

- (b) by the substitution in subsection (3) for paragraph (a) of the following paragraph:

“(a) subsection (1)(a) will come into operation on the date on which **[national land transport legislation]** the National Land Transport Transition Act, 2000, comes into operation, subject to the National Land Transport Act; and”.

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Amendment of long title of Act 39 of 1998, as substituted by section 12 of Act 70 of 1998

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12. The following long title is hereby substituted for the long title of the principal Act:

“To provide for the establishment of the Transport Appeal Tribunal to consider and to decide appeals noted in terms of [national land transport legislation and in terms of] the National Land Transport Act, 2009, the Cross-Border Road Transport Act, 1998, or any relevant transport legislation; and for matters connected therewith.”.

45

Short title and commencement

13. This Act is called the Transport Appeal Tribunal Amendment Act, 2024, and comes into operation on a date fixed by the President by proclamation in the *Gazette*.

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- (6) Indien die Tribunaal bevind dat die afhandeling van die Tribunaal se verrigtinge onredelik vertraag word, of dat enige handeling beuselagtig, ergerlik of irrelevant is, kan die Tribunaal 'n bevel uitreik wat die Tribunaal nodig ag ten einde die betrokke vertraging of handeling en enige benadeling as gevolg daarvan, uit te skakel of om verdere vertraging of benadeling te voorkom, met inbegrip van 'n bevel— 5
- (a) wat verdere uitstel van die verrigtinge weier; of
- (b) wat uitstel toestaan, onderworpe aan sodanige voorwaardes wat die Tribunaal kan bepaal.”. 10

Wysiging van artikel 16 van Wet 39 van 1998, soos gewysig deur artikel 9 van Wet 70 van 1998

9. Artikel 16 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

- “(1) Die Direkteur-generaal wys, na oorlegpleging met die voorsitter van die Tribunaal, die beampptes in die Departement van Vervoer aan wat nodig mag wees om die administratiewe en sekretariële werk of ondersoeke wat deur die Tribunaal vereis word, te verrig.”. 15

Wysiging van artikel 17 van Wet 39 van 1998, soos gewysig deur artikel 10 van Wet 70 van 1998

10. Artikel 17 van die Hoofwet word hierby gewysig deur in subartikel (1) paragraaf (b) deur die volgende paragraaf te vervang:

- “(b) betreffende die inligting wat deur die [raad] reëlinsentiteit of die Reëlinskomitee aan die Tribunaal of 'n appellant in verband met 'n appèl verstrek moet word, en die wyse waarop en die tydperk waarbinne sodanige inligting verstrek moet word;” 25

Wysiging van artikel 18 van Wet 39 van 1998, soos gewysig deur artikel 11 van Wet 70 van 1998

11. Artikel 18 van die Hoofwet word hierby gewysig—

- (a) deur in subartikel (1) paragraaf (a) deur die volgende paragraaf te vervang: 30
- “(a) enige aangeleentheid wat ooreenstem met dié ten opsigte waarvan die [Raad] raad soos omskryf in artikel 1 van die ‘National Land Transport Transition Act’, 2000 (Wet No. 22 van 2000), by wet gemagtig word om 'n handeling, opdrag of beslissing te verrig;” en
- (b) deur in subartikel (3) paragraaf (a) deur die volgende paragraaf te vervang: 35
- “(a) subartikel (1)(a) tree in werking op die datum waarop [nasionale landvervoerwetgewing] die ‘National Land Transport Transition Act’, 2000, in werking tree, behoudens die ‘National Land Transport Act’; en”.

Wysiging van lang titel van Wet 39 van 1998, soos vervang deur artikel 12 van Wet 70 van 1998

12. Die lang titel van die Hoofwet word hierby deur die volgende lang titel vervang:

- “Om voorsiening te maak vir die instelling van die Vervoerappèltribunaal om appèlle te oorweeg en te beslis wat ingevolge [nasionale landvervoerwetgewing en ingevolge] die ‘National Land Transport Act, 2009’, die Wet op Oorgrenspadvervoer, 1998, of enige tersaaklike vervoerwetgewing aangeteken is; en vir aangeleenthede wat daarmee in verband staan.”. 45

Kort titel en inwerkingtreding

13. Hierdie Wet heet die Wysigingswet op die Vervoerappèltribunaal, 2024, en tree in werking op 'n datum deur die President by proklamasie in die Staatskoerant vasgestel. 50