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Komitee van Stedelijke
Vervoerowerhede

Committee of Urban
Transport Authorities

DRAFT UTG 8

**GUIDELINES
FOR THE PREPARATION OF
AN URBAN TRANSPORT PLAN:
FIRST AMENDMENT 1989**

March 1989

URBAN TRANSPORT GUIDELINES

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PREFACE

URBAN TRANSPORT GUIDELINES (UTG) is a series of documents written for practising transportation engineers describing current recommended practice in selected aspects of urban transportation. They are based on South African experience and research and have the full support and approval of the Committee of Urban Transport Authorities.

To confirm their validity in practice, UTGs are circulated in draft form for a two-year period before receiving the final approval of CUTA. During this period, suggestions for improvement may be sent to:

The Secretary
Committee of Urban Transport Authorities
c/o RTT
P O Box 395
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After final approval by CUTA, the revised document will be issued as a full UTG in both official languages.

ABBREVIATIONS

The following abbreviations are used throughout the text of this document:

Act	The Urban Transport Act, 1977
CBD	Central Business District
CMTF	Consolidated Metropolitan Transport Fund
COF	Certificate of Fitness
DOT	Department of Transport
MTA	Metropolitan Transport Area
MTAB	Metropolitan Transport Advisory Board
NITRR	National Institute for Transport and Road Research, CSIR
NRF	National Road Fund
NTC	National Transport Commission
RSC	Regional Services Council
RTQS	Road Transport Quality System
RTT	Division of Roads and Transport Technology, CSIR (Successor to NITRR)
SARB	South African Roads Board (Successor to NTC)
SAT	South African Transport Services
TPRR	Transport Planning Research Reports
UTF	Urban Transport Fund

SYNOPSIS

This document has been prepared for those authorities that are concerned with the preparation of transport plans in terms of the Urban Transport Act.

It provides a general guideline to the whole planning process. It deals with national goals and policies as well as with the underlying principles of the planning process, the transport plan itself and important elements of the plan such as implementation, monitoring and review.

SINOPSIS

Hierdie dokument is voorberei met die oog op daardie owerhede wat gemoeid is met die voorbereiding van vervoerplanne ooreenkomstig die Wet op Stedelike Vervoer.

Dit voorsien die algehele beplanningsprosedures van 'n algemene riglyn. Dit handel oor nasionale doelwitte en beleide asook oor die onderliggende beginsels van die beplanningsproses, die vervoerplan self en belangrike elemente van die plan soos implementering, monitering en oorsig.

KEYWORDS

urban transport plan, transport planning, metropolitan transport area, core city, monitoring programme, implementation programme, land-use and development planning, transport policy.

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THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY

REPORT OF THE
COMMISSIONERS OF THE
UNIVERSITY OF CHICAGO
FOR THE YEAR 1900

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A GENERAL INTRODUCTION

A1 BACKGROUND

Transport planning became a statutory activity in South Africa with the passing of the Urban Transport Act (Act 78 of 1977, hereinafter referred to as the 'Act')⁶. This Act was the outcome of the report of the committee of inquiry into urban transport facilities in the Republic (Driessen Report, 1974)⁹ and the subsequent White Paper of 19754. The Act provides an administrative framework for statutory transport planning in designated metropolitan transport areas and lays responsibilities upon the National Transport Commission (NTC), the provincial administrators and those local authorities designated as 'core cities'.

The Act specifies neither the process of planning nor the content of plans. To assist designated core cities with the preparation of urban transport plans, therefore, the National Institute for Transport and Road Research (NITRR), at the request of the Department of Transport (DOT), produced the TPRR series of reports in 1978². This series was followed in 1980 by the DOT's own document TPC 4/80 'Guidelines and requirements for the preparation of an urban transport plan'⁸. The DOT subsequently asked CUTA to undertake the review and revision of TPC 4/80. As a result CUTA has revised the guidelines for preparation of urban transport plans and this document is the outcome of that work. However, CUTA has requested the DOT to publish a separate document setting out its departmental requirements⁹.

This document is published at a time when new legislation is affecting the organisational structure of transport planning control in South Africa. In particular, the NTC is giving way to a new South African Roads Board. It is expected, therefore, that an updated version of the document may be required in the near future.

A2 PURPOSE OF THE DOCUMENT

The purpose of this document is to provide guidelines for core cities preparing urban transport plans as required by the Act. It also provides guidelines for the development of monitoring programmes. These guidelines are not requirements. The requirements of the DOT are published separately in the DOT's Planning Report PR 1/88⁹.

It must be borne in mind that this document is not intended to remove the need for core cities to liaise and consult with their Province and with the DOT. Such consultation is especially recommended to those core cities that are not experienced in the preparation of urban transport plans.

A3 DEFINITIONS

It is important for the purposes of this document that certain terms which refer to different stages in the planning process should be well understood. These are terms

like 'issue,' 'problem,' 'goal,' 'objective,' 'policy,' and 'strategy'. The following definitions are offered:

Issue - An issue arises in a national, regional or local community when there are conflicting goals and objectives (desires) within the community.

Problem - A problem is an unfulfilled or unattained goal or objective.

Goal - A goal is an idealised end-state of the system or a desired direction for the evolution of the system.

Objective - An objective is a target, the attainment of which will help towards reaching a stated goal.

Policy - A policy is an adopted framework or basis for the action needed to overcome identified problems and achieve stated goals and objectives.

Strategy - A strategy is a plan or programme of action to be taken in terms of a policy. Such action may often take the form of a series of projects.

A4 PURPOSE OF TRANSPORT PLANNING

The purpose of transport planning is to resolve transport issues and problems in accordance with the goals and objectives of the community. It follows that transport planning must inevitably be associated with other branches of community planning, notably land use and development planning.

Community goals and objectives may be specified at national, regional or local community levels. Their attainment depends on the adoption and implementation of appropriate policies and strategies. It is expected that there will be a hierarchy of goals and policies in which the national level takes precedence over the regional and local levels, and so on.

Thus urban transport planning is a technical process of identifying urban problems and issues and taking transport-related steps designed to overcome those problems. The process includes identifying goals and objectives and generating, evaluating and implementing policies, strategies and projects in order to achieve the stated goals and objectives. In the light of the foregoing definitions, issues and problems are the reason for the process of transport planning, goals and objectives are its aims, and policies, strategies and projects are its products.

An essential part of the process is a programme of data collection and analysis related to the issues, problems and objectives. This provides the basis not only for project motivation but also for monitoring and reviewing the effectiveness of strategies and implementation programmes.

B GUIDELINES FOR THE PREPARATION OF AN URBAN TRANSPORT PLAN

B1 NATIONAL GOALS AND POLICIES FOR URBAN TRANSPORT

Ideally, transport policy at the national, regional and local levels should be in harmony with national goals and development policy. The relevant national goals fall into two categories: firstly those of the goals stated in the Republic of South Africa Constitution Act (Act 110 of 1983) which provide a basis for transport policy and, secondly, the transport goals listed in the White Paper on National Transport Policy (1986)⁷.

B1.1 NATIONAL GOALS

The current national goals are stated in the preamble to the Republic of South Africa Constitution Act. The goals that provide direct guidance to transport policy are the following:

- 1 To uphold the independence of the judiciary and the equality of all under the law.
- 2 To further the contentment and the spiritual and material welfare of all.
- 3 To respect and to protect the human dignity, life, liberty and property of all in our midst.
- 4 To respect, to further and to protect the self-determination of population groups.
- 5 To further private initiative and effective competition.

B1.2 TRANSPORT POLICY GOALS

The White Paper on National Transport Policy lists the political and economic developments (policies) that affect transport policy. For these see Appendix 1.

The White Paper also lists sixteen transport goals which, where relevant, should be reflected in the policies, strategies and projects contained in the approved transport plans of the Metropolitan Transport Areas (MTAs). These goals replace those contained in the Driessen Report. For easy reference, the sixteen goals are listed below:

- 1 To provide a safe and reliable transport service to the country.
- 2 To maximise user choice and need satisfaction.
- 3 To further effective and equitable competition. Regulatory constraints which

prevent free competition and which give certain groups unfair privileges over others should not be allowed.

- 4 To provide transport services in an economically efficient way, ie by using the least possible resources.
- 5 To further private initiative.
- 6 To reduce administrative costs and unnecessary government intervention.
- 7 To simplify regulations to enable them to be enforced effectively.
- 8 To promote open financial accountability for the payment of subsidies.
- 9 To assist in the coordination of transport in southern Africa.
- 10 To bring about the independent judicial oversight of transport-related administrative decisions.
- 11 To encourage participation in the economic (transport) system by all population groups.
- 12 To devolve decision-making to the lowest possible level of government.
- 13 To provide employment opportunities for all.
- 14 To encourage small business development.
- 15 To assist regional development.
- 16 To minimise external side-effects, ie negative impacts on the environment.

These policy goals are translated into a series of specific policy recommendations in the White Paper, some of which have a bearing on urban transport. Those that do are summarised in Appendix 2.

B2 PRINCIPLES UNDERLYING THE URBAN TRANSPORT PLANNING PROCESS

The needs of South African society are constantly changing. The following principles provide a framework for transport planning that should be appropriate to any situation.

B2.1 PLANNING AS A CONTINUOUS PROCESS

The process of transport planning should be dynamic and be characterised by the ongoing review and testing of goals, objectives, policies and the effectiveness of implementation programmes in the light of ever-changing conditions and problems. Considering the long-term economic implications of planning decisions, revised transport plans should be produced at regular intervals.

B2.2 A CAREFUL BALANCE BETWEEN LONG-TERM AND SHORT-TERM PLANNING

In order to achieve a balanced programme of low-capital and high-capital projects and to permit both investment in further transport infrastructure and improvements in the efficiency of use of existing infrastructure, transport plans should include both short-term and long-term elements.

B2.3 REALISTIC HANDLING OF FUTURE UNCERTAINTIES

Plans developed for a single future only will be found to be inflexible when other futures eventuate. To avoid such situations, future uncertainty should be provided for in the planning process. This can be done by considering various scenarios. This applies just as much to the uncertainties attached to funding as to other sources of uncertainty. Transport planning studies should therefore account explicitly for uncertainty; moreover, long-term policies or strategies should be less specific than their short-term counterparts and should meet the test of flexibility and robustness.

In order to cope with the funding uncertainties in the short-term the planning procedure should include the concept of identifying needs, planning to satisfy the needs and then modifying the plan according to the funds available.

B2.4 ACHIEVING A SOUND BALANCE BETWEEN THE ELEMENTS OF PLANNING STUDIES

A sound balance between the various activities in transport planning should be sought with a view to concentrating on the principal issues of planning and recognition of the level of precision that is needed in the process. Hence, planning studies should give adequate emphasis both to the generation of goals and objectives and to the development and evaluation of alternative policies and strategies.

B2.5 ENCOURAGING CONSTRUCTIVE PUBLIC PARTICIPATION

To a great extent the intention of urban transport planning is to facilitate the travel needs of people, and the NTC has consistently supported the principle of public participation in the development of transport plans. Moreover, in planning there is a clear need to allocate appropriate levels of responsibility and accountability to all sectors of the community. Planning should therefore not be undertaken solely from a technical standpoint; constructive public participation should be encouraged. This will prevent public opposition towards plans which can easily result in delays and frustrations that are both counter-productive and destructive of the planning effort.

B2.6 INTEGRATION OF TRANSPORT AND LAND USE PLANNING

It is essential that at all levels land use planning and transport planning should be integrated, because the transportation of goods and people is not an end in itself, but a means to achieving wider community objectives.

B2.7 CONSIDERATION OF ALL MODES

Transport planning cannot be regarded as comprehensive unless all transport modes are considered. Due attention should also be given to the needs of freight transport.

B3 THE TRANSPORT PLAN

B3.1 BASIC OUTLINE OF AN URBAN TRANSPORT PLAN

As indicated in A4 above, the planning process essentially involves the identification of issues and problems, the generation of goals and objectives, the adoption and implementation of policies and strategies and the review of the policies, the strategies and the effect of actions taken. That part of the process which occurs before implementation is the plan development phase. The initial outcome of plan development is, of course, the plan itself. Further outcomes are, firstly, implementation of the plan (B4 below), followed by monitoring, review and plan revision (B5 below).

An urban transport plan may be considered to consist of a number of parts which flow naturally from the planning process. The following outline of the content of a plan may be helpful:

- 1 A description of the existing urban situation, including existing goals and objectives, the transportation network, population and employment distribution, land use, trip-making characteristics, transport problems, issues and potentials, environmental constraints and other pertinent information.
- 2 A description of alternative future scenarios taken into account during plan development.
- 3 An outline of the goals and objectives to be aimed at in developing solutions to the transport problems and issues of the area, and an indication of the criteria to be used in assessing the extent to which alternative proposals will meet these objectives and lead to goal achievement.
- 4 A statement of duly adopted policies, each accompanied by a clear statement on how it addresses relevant local goals and objectives and how it relates to national goals and policies.

- 5 A long-term strategy or strategic plan designed to meet the various transport needs of the area in terms of the adopted policies. Motivation for the plan should include an indication of the robustness and flexibility of alternative strategies when each is tested against the chosen scenarios.
- 6 A short-term, five-year plan or strategy derived from the long-term plan. The short-term plan should aim at specific objectives and should include cost estimates and programmes regarding both planning and implementation for each year of the planning period. Each successive short-term plan can be used in turn to generate an annual planning and implementation programme.
- 7 A monitoring programme which measures the effectiveness of the implementation programme in achieving the specified objectives.
- 8 A financial plan which gives estimates and expected sources of revenue and expenditure arising out of the preparation, implementation and operation of the transport plan.

The above outline is amplified by the procedures and requirements stated in PR 1/88⁹.

Each year a transport plan update document is produced which contains minor amendments that do not require the complete revision of one of the major plan documents. This document should be the outcome of monitoring the implementation, together with consequent plan review. The interrelationship between the long-term plan, the short-term plan and the annual updates is clearly illustrated in Figure 1.

B3.2 ILLUSTRATION OF THE RELATIONSHIP BETWEEN THE ELEMENTS OF A TRANSPORT PLAN

In order to illustrate the relationship between the elements of a transport plan, a simple example can be used which builds on the definitions given in A3 above. The following is such an example based on a single hypothetical, but typical, transport problem, one that shows how issues, goals, objectives, policies, strategies, monitoring and review can flow from this single problem. It should be noted, however, that in practice, transport problems are not as simple as that presented in the example and must always be viewed in relation to other relevant issues. These naturally complicate the process beyond what is described below.

1 Problem

CBD streets are congested with low-occupancy vehicles during peak periods. Travel times are long and parking facilities are inadequate. On-street parking adds to the congestion.

2 *Issue*

Conflict of possible goals

- (a) to cater for traffic demand by creating adequate road and parking space;
- (b) to reduce traffic demand to manageable levels.

3 *Goal*

To reduce peak vehicular traffic demand to manageable levels throughout the CBD.

4 *Objectives*

- (a) To halt vehicular traffic growth by 1990; and
- (b) to reduce vehicular traffic demand to 1985 levels by 1995.

5 *Policy*

To promote effective public transport, concentrating initially on the fast growing car-owning suburbs and then promoting it in all areas.

6 *Strategy*

To undertake a number of complementary projects at specified estimated costs:

- (a) Implement radical bus priority schemes by dedicating general road space to buses only.
- (b) Improve bus penetration of target areas at both origin and destination.
- (c) Improve off-peak bus services within the CBD.
- (d) Finance public transport improvements from new CBD levies on low-occupancy vehicles.
- (e) Test responses to the above measures by public involvement campaigns and surveys.

7 *Monitoring*

- (a) Conduct traffic counts on a cordon around the CBD to show the collective effectiveness of projects towards the two stated objectives.
- (b) Monitor public response, costs, travel times, parking demand and retail sales figures in the CBD to obtain indicators of how effectively the problem is being solved.

The kind of strategy or plan outlined above can be developed into a specific implementation programme comprising projects phased over a given planning period. Also it can be seen that each point in the strategy contributes in some way towards achieving the stated goal and objectives.

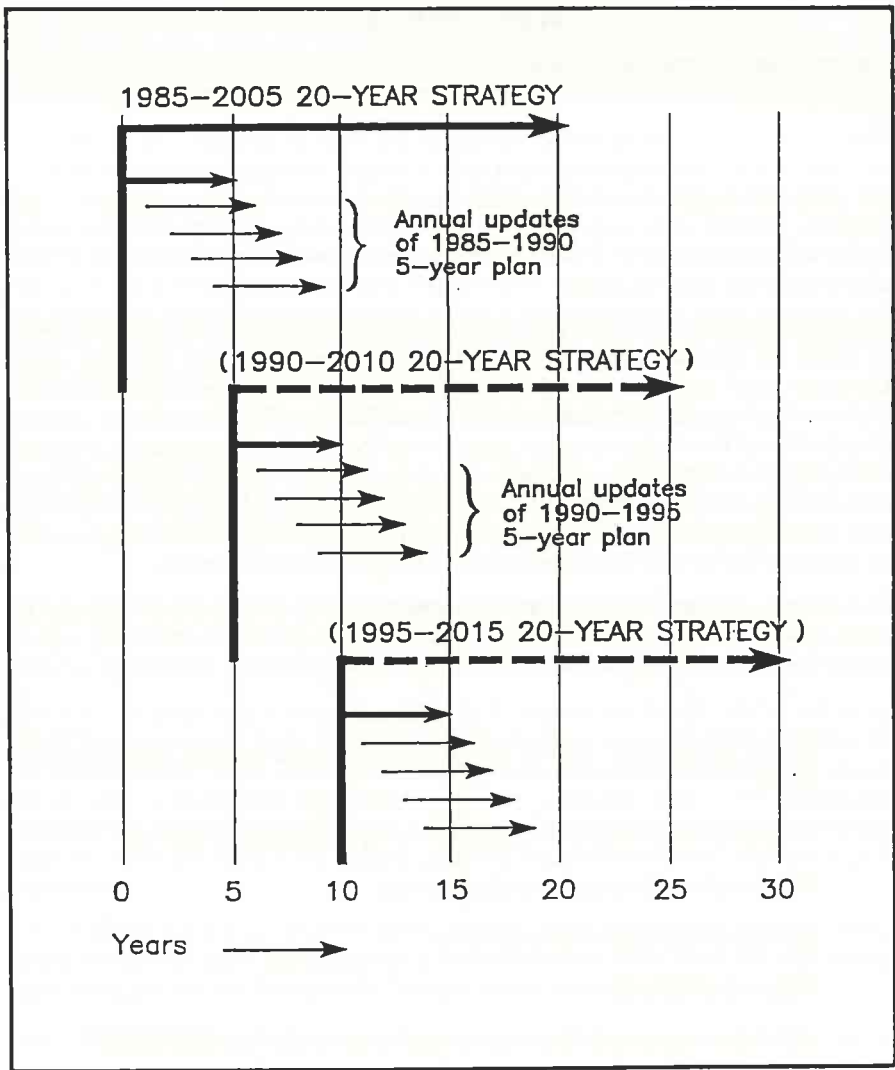


Figure 1
The long and short-term plans as part of a continuous planning process

B4 IMPLEMENTATION PROGRAMME

Implementation is that part of the planning process which is the direct outcome of the plan. It is dealt with here as a separate phase because of its importance.

The implementation programme translates the plan or strategy into action and consists of projects designed to carry out the stated strategy. It flows directly from the plan and therefore can have both long-term and short-term elements. All projects, whether of a long-term or a short-term nature, will figure in the same implementation programme, accompanied by estimates of annual costs, total cost and total period to completion.

For budgeting purposes a five-year implementation programme should be prepared in which the greatest detail is devoted to the current year and the next year. Moreover, each year an updated five-year programme should be prepared as part of the annual update of the transport plan (see B3.1 and Figure 1 above). In the preparation of the implementation programme the goals and objectives to which each project is intended to contribute should be stated. This will ensure a proper back-linkage with the earlier steps in the planning process and will facilitate both the allocation of priorities and the process of monitoring and review. This linkage should be apparent in the way the implementation programme is presented.

In summary, a typical implementation programme could consist of a set of projects to be carried out in terms of the long- and short-term plans but coinciding with a stated five-year planning period that indicates for each project, principally:

- priority assessment, taking into account expected benefits and disadvantages
- description or category of project including a site plan or drawing
- linkage with original goals and objectives
- estimated total implementation cost
- term of implementation
- estimated implementation cost for each year of the five-year period
- any appropriate design standards
- linkage with monitoring programme

This generalised description of the implementation programme is a guide that is qualified by the detailed requirements which are given in PR 1/88^o. It is also amplified, but not superseded, by the CUTA document 'Stages of metropolitan transport projects'.

B5 MONITORING AND REVIEW

Implementation is not only the product of planning activity, it also provides the environment for monitoring the impact of planning and the subsequent review of the plan.

B5.1 MONITORING

'Monitoring' can be defined as the regular gathering and analysis of information on the operational efficiency and effectiveness of and trends in the transport system¹⁰. It is needed in order to supply information about key characteristics of the transport system. Some of these may be described in terms of fairly exact measurements, while others may be indicated only subjectively.

In either case, however, the intention is to find out three things:

- 1 what is going on;
- 2 what constraints or limitations are acting; and
- 3 what scope exists for relaxing the constraints within the existing system.

Monitoring should provide the motivation for initiating, continuing or changing a course of action or for reviewing policies, objectives or goals at both local and national levels.

The national goals and policies described in B1 above set the general direction in which the Government feels the development of urban areas should be heading as regards transport. Since local goals and objectives should be stated in terms of the broad national goals and within the framework of national policy, monitoring the achievement of local objectives and advancement towards local goals should be capable of translation into the measurement of trends towards national goals in a given area.

It is recognised, however, that monitoring programmes need to be developed locally in relation to local goals and objectives and should not be prescribed. Guidelines on monitoring are set out in Appendix 3 below, under the following headings:

- Introduction
- Statistics for urban transport planning and monitoring
- Trends to be monitored
- Means of monitoring
- Frequency of monitoring

In the setting up of monitoring programmes attention should be given to acquiring sufficient information to support the overall process of review.

B5.2 REVIEW

'Review' can be interpreted as meaning the reappraisal of the performance of a system¹⁰. Its purpose is therefore much the same as that of evaluation. The review process addresses the following two objectives:

- 1 To serve as a means of assessing the extent to which the implementation of the transport plan is meeting the stated objectives.
- 2 To facilitate the adaptation of plans in response to the changing needs of the planning environment.

Review therefore involves the interpretation of the data collected in the monitoring programme and the generation of improved or revised measures where effectiveness of the plan is shown to be inadequate.

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NATIONAL POLITICAL AND ECONOMIC POLICIES ENVISAGED BY THE WHITE PAPER ON NATIONAL TRANSPORT POLICY, 1986

The White Paper on National Transport Policy of 1986 lists the political and economic developments (or policies) that affect transport policy. In the political arena, the source of the policy statements is the Republic of South Africa Constitution Act⁵, while the sources of economic policy statements are the Economic Development Programme and the National Physical Development Plan. These are summarised in the Coordinated Regional Development Strategy which resulted from consultation with the private sector at the Carlton and Good Hope Conferences. The most significant national policies are:

POLITICAL DEVELOPMENTS

- 1 Establishing multilateral cooperation in southern Africa, which is particularly significant for the provision of transport services in border metropolitan areas such as Bloemfontein, Durban, East London, Pietermaritzburg and Pretoria.
- 2 Providing for the administration of 'general' and 'own' affairs.
- 3 Devolving all matters to the lowest possible level of government. This is particularly applicable to the execution of 'general' affairs functions.
- 4 Ensuring that transport matters, as a general affairs function, are always executed at the lowest possible level of government, ie local authority or Regional Services Council (RSC).

ECONOMIC DEVELOPMENTS

- 1 Orienting economic development policy towards southern Africa.
- 2 Ensuring private sector participation in the implementation of economic development policies.
- 3 Formulating market-related policies with the minimum of Government intervention.
- 4 Implementing the Government policy of encouraging small business, job creation, deregulation, greater competition and the increased participation of all population groups in the economic system.

One of the main instruments being used to implement national economic development policy is the Competition Board. The following are the most important of its objectives:

- 1 To encourage price competition through the introduction of legislation against price fixing.
- 2 To introduce legislation against market sharing.
- 3 To reduce market control and market entry control.

SPECIFIC POLICIES AFFECTING URBAN TRANSPORT RECOMMENDED IN THE NATIONAL TRANSPORT POLICY STUDY

The National Transport Policy Study did not include a comprehensive investigation of urban transport problems, issues and policies, having concentrated instead on freight transport, passenger transport, organisational matters and the coordination of transport in southern Africa. However, many aspects of these policies have a bearing on urban transport. Those that do are summarised below. Amendments reflecting policy decisions up to February 1988 are also included. Even policies relating to the funding of national and provincial roads are relevant to urban areas because the so-called road user cost recovery method, through the petroleum levy and vehicle licences, does not differentiate between urban and rural users. It should be borne in mind that these policies are often merely recommendations at this stage and that changes may occur when the policies are interpreted in new and revised legislation.

The policies can be classified into administrative, regulatory, financing, investment and pricing categories.

1 ADMINISTRATIVE POLICIES

- A Transport Advisory Council, which has already been instituted, will advise the Minister on all matters (all modes and all levels) regarding transport policy. Legislation for the Council was prepared in 1986 and is incorporated in the Transport Advisory Council Act (Act 58 of 1987).
- A statutory South African Roads Board, which has been created by the South African Roads Board Act (Act 74 of 1988) will control and administer the NRF, the UTF, toll funds and all functions currently administered by the NTC under the National Roads Act and the Urban Transport Act.
- Decision-making regarding passenger transport policy is to be devolved to the lowest possible level of government. (National guidelines will be developed to assist the 'lowest level' eg for the subsidisation of bus services.)
- The DOT is to administer, inter alia, the Urban Transport Act.
- Provincial administrators will continue to carry out executive functions under the Urban Transport Act.
- RSCs will be responsible for decisions regarding passenger transport policy, except where the concern is with interprovincial travel, in which case the Provincial Administrator will be responsible in consultation with the affected authorities. In the interim, the DOT is responsible until RSCs or provincial

administrators assume that function. Where the concern is with international travel, the DOT in consultation with the affected parties is responsible.

- RSCs will be required to formulate a regional transport policy in accordance with national and provincial guidelines.
- MTABs are to be restructured so as to function as technical planning advisory boards on transport matters. They will advise the Provincial Administrator, RSC or local authority, as the case may be.
- Trial area studies (demonstration projects) will be undertaken to enable the DOT to monitor and assess different subsidy allocation methods and/or how uneconomical services could be provided efficiently, eg by tendering.
- The DOT, in consultation with other parties, will develop guidelines, inter alia, on passenger transport service planning and coordination.

2 REGULATORY POLICIES

- Local authorities or RSCs will be responsible for issuing 'operating permits' (ie authorisations to provide a service) to all operators of road passenger transport. The issue of a permit shall not be conditional upon proof of need by the applicant.
- The issue of an operating permit will be conditional only upon the operator's tendering proof of possession of a certificate of fitness (COF) for each vehicle, of employment of drivers with a professional driving permit and proof that adequate passenger insurance cover has been obtained.
- The operating permit should be renewed regularly and cancellation of the permit may occur only if the operator has been convicted of a prescribed serious traffic offence.
- RSC requirements for subsidised services will be incorporated in a contract between the RSC and the operator (not in the operating permit).
- Where bus services require a subsidy, the lowest level of government will place contracts for these services out to tender. This will encourage competition in bidding (not on the road) and the contract will place a responsibility on the operator to provide a satisfactory level of service. Under this procedure the operator may be protected from competition until the contract is terminated.
- Vehicles designed to carry up to fifteen passengers plus a driver are permitted to operate as taxis.
- Economic restrictions should not affect the issue of operating permits for taxis.

- A Road Transport Quality System (RTQS) is to be developed concerning all technical (safety) standards to be incorporated into and implemented through a Road Traffic Act.
- There will be a new Passenger Transport Act which envisages both national guidelines and regulations and also regulations at provincial level.
- Existing passenger transport permit holders not participating in the subsidy system will be permitted to compete freely, their services and prices being determined by free market forces, except on certain protected routes where only taxis will be allowed to compete.
- The freight permit system will be abolished when financial inequities are phased out and the RTQS is implemented. This is planned for July 1989.
- The RTQS will be implemented through the Road Traffic Act to ensure uniformity of safety standards.
- Simpler and more easily enforceable driver, vehicle and operational standards will be incorporated in the Act.
- An enforcement programme will be developed to lead to a more effective system of law enforcement.
- A point penalty system will be introduced at a later stage to monitor convictions, deter unsafe operations and encourage compliance of operators with the Road Traffic Act.
- An information system may be introduced to support law enforcement and the point penalty system.

3 FINANCING POLICIES

- RSCs will be responsible for the financing of transport services in their areas.
- Subsidisation of commuters is to be continued, the amount of subsidy being dependent upon the difference between the economic fare and the socio-economic fare. The latter fare will be established by the appropriate 'lowest level of government'.
- Although RSCs are responsible for the payment of subsidies, it is foreseen that payment from their own sources will not be possible. The need for higher level assistance will be evaluated against norms and standards established by the DOT.
- As an interim measure the present bus subsidy system will be converted into fixed period contracts between current permit holders and the DOT. These contracts should be in operation by 1 October 1988.

- RSCs could take over the interim contracts by negotiation with the DOT and operators. The RSCs should have the option of extending or negotiating the contracts, or of calling for tenders for the provision of services at the end of the interim contract period.
- Passenger transport subsidies applied for by 'lower levels of government' are to be channelled through the relevant provincial budget in Parliament, with the Administrator assuming responsibility for the use of these subsidies.
- RSCs can ask to assume the function of providing public transport services. In such a case, when such RSCs have taken over the interim contracts, their control should include control over subsidies which are paid out of levies raised both by the RSC and from central government funds received on application through the Provincial Administrator.
- Upon transfer or at the end of the period of validity of the interim contract, the RSCs will have to assume responsibility for the subsidies.
- Commuter train services (compensation, level and quality of service) should be negotiated between the South African Transport Services (SAT) and the DOT and be formalised in interim contracts which should be in operation on 1 October 1988. When established, RSCs could take over or renegotiate the contracts and assume responsibility for subsidies.
- SAT internal cross-subsidisation should be minimised.
- SAT should be relieved of the burden of providing uneconomical services, which should be subsidised directly.
- Uneconomical services should be paid for in an open and accountable way by the body requiring the service, which in the case of passenger transport could be the RSCs.
- Local authority roads should continue to be funded in terms of the Urban Transport Act of 1977, where applicable, or by the relevant local authority.
- Road and rail cost recovery must be equitable and all road users must contribute their relative proportion to the provision and maintenance of roads (both national and provincial).

4 INVESTMENT POLICIES

- The cost of providing and maintaining roads (both national and provincial) must be borne by all road users through vehicle licences and a levy on petroleum fuel. The new fees and levies to be calculated by the DOT, in consultation with affected parties, should relate to the cost responsibility of each class of vehicle.

5 PRICING POLICIES

The White Paper accepts (in principle) that certain of the Welgemoed Commission recommendations (relating to subsidised transport services) should be implemented, namely:

- Tariff systems should be simplified and through-ticketing should be encouraged (presumably in the proposed National Guidelines).
- Tariff increases should be done on as wide a basis as possible, and be regular. The reasons for increases should be clearly explained.
- The DOT is to develop guidelines for determining a formula for price adjustments, fare integration and affordable fare and the minimum threshold values.

In the case of unsubsidised passenger transport and freight transport services, the following apply:

- Long distance freight and passenger service permit holders will be permitted to compete freely and market forces will determine the appropriate prices.
- Tariffs and fares for all freight services must be allowed to become aligned to the true cost of providing such services.

GUIDELINES FOR DATA COLLECTION AND MONITORING

1 INTRODUCTION

In B5.1 above, the purpose of monitoring is given as follows:

- 'to find what is going on;
- to find what constraints or limitations are acting, and
- to find what scope exists for relaxing the constraints within the existing system.'

Monitoring should therefore provide the motivation for initiating, continuing or changing a course of action or for changing policies, objectives or goals at both local and national levels.

The national goals and policies set out in B1 above indicate the direction in which the Government feels the development of urban areas should be heading as regards transport. Given that local goals and objectives should be stated in terms of the broad national goals and within the framework of national policy, monitoring the achievement of local objectives and advancement towards local goals should be capable of translation into the measurement of trends towards national goals in any given area.

It is recognised that local monitoring programmes need to be developed locally in relation to local goals and objectives and that procedures should not be prescribed. The Government, however, needs to know the effects of its policies and of its support for programmes proposed by the respective urban areas. (PR 1/88 therefore includes a requirement of the DOT that implementation programmes be motivated in terms of local goals and objectives and be described in terms of national goals and policies⁹. In turn, the monitoring programmes must be similarly established and reported.)

In the development of monitoring programmes, consideration should be given to the use of information gained in previous programmes and from studies undertaken or to be undertaken for other purposes. Consideration should also be given to the Department's needs for global information on urban transport and urban development which may effect future policy making.

2 STATISTICS FOR URBAN TRANSPORT PLANNING AND MONITORING

Statistics are defined as numerical facts systematically collected. The following is a description of statistics which have normally been used in transport planning studies in the urban areas of the West. In southern Africa it is recognised that much of the information listed is difficult to measure with the degree of accuracy that may be achieved in other areas. Nevertheless, most urban transport studies undertaken in South Africa have been based on such information.

The statistics are grouped into six categories for ease of reference:

- 1 People
- 2 Building development
- 3 Vehicles/modes
- 4 Travel
- 5 Networks
- 6 Expenditure.

For each category there are two sets of statistics. Set 1 relates generally to data which can be counted or measured directly. Set 2 relates generally to information that requires more subjective consideration and analysis and usually requires more involved survey procedures, such as personal interviews and questionnaires, in order to provide meaningful results.

2.1 People

Set 1: Distribution by place of residence (population) and by place of work (employment) grouped into districts and zones.

Set 2: Characteristics related to need, ability and desire to travel. Information is usually sought on worker status, scholar status, financial situation, availability of vehicle and driver's licence and availability of public transport.

2.2 Building development

Set 1: Inventory of land use, including number of dwelling units and floor space by function.

Set 2: Occupancy rates by category such as population per dwelling unit and employment per 100 m² of office floor space. Also information on potential development and possible constraints.

2.3 Vehicles/modes

- Set 1: Distribution by overnight garage location grouped into districts and zones. Number of buses and taxis grouped by service areas.
- Set 2: Characteristics by type and availability for use, privately and publicly.

2.4 Travel

- Set 1: Trip generation and attraction rates per person, per employee, per 100m² of floor area etc., by trip purpose grouped into zones.
- Set 2: Trip distribution and modal split based on trip length, time and cost between origin and destination zones and availability of the various modes of transport.

2.5 Networks

- Set 1: Description of roads and public transport in terms of capacities and traffic flows.
- Set 2: Description of roads and public transport in terms of traffic demand compared to capacity, travel times and costs.

2.6 Expenditure

- Set 1: Expenditure on urban transport through the CMTF.
- Set 2: Capital expenditure on urban transport through other sources, eg on railway and national, provincial and local road construction. Operational expenditures on urban transport through other sources, eg on subsidies paid for public transport or the cost of maintaining infrastructure.

3 TRENDS TO BE MONITORED

3.1 People, population, employment and land use

People are basic to transportation, and nearly all change in transportation is related in some way or another to change in the characteristics of people. The density or spatial distribution of people both at home (population) and at work (employment) has significance with regard to the propensity of people to travel and to their choice of mode, as do some other characteristics, such as being employed, unemployed, or at school, with regard to an ability to drive and having sufficient finances or income.

3.2 Vehicles

Vehicle availability and vehicle use are more important transport indicators than simply the number of vehicles. During the past decade there have been dramatic increases in the number of minibuses bought by the private sector and operated as paratransit and taxi services. These services have correspondingly increased the mobility of a great number of people who live in and around the urban centres. Similarly, a private motor car which is driven to and from work and parked all day is somewhat different from a motor car which is used not only for work trips but also for school lift clubs, shopping trips, business trips or social trips during the day. It follows that trends in the use and number of vehicles of different types should reflect the effects of certain transport policies and programmes.

3.3 Travel

The important aspects of urban travel that should be monitored are *changes* in the average number of trips made per person, categorised by trip purpose and mode of travel. The reasons for change or trends can be derived from changes in travel costs, average speeds and average trip lengths. These indicators have to be studied in relation to where the trips are made, to the time of day and the mode of travel.

3.4 Standards of service

Besides vehicle availability and travel costs, referred to above, some measure of the service offered to the public needs monitoring if reasons for changes in trip-making are to be found. For private transport this is usually indicated in the road network description through capacities offered on different roadway types, average travel speeds, levels of congestion during peak hours and the availability of parking. For public transport, standards of service are indicated by items such as coverage areas (say, within 500 m of bus stops or railway stations), schedules, seated and standing capacities, safety and reliability.

3.5 Regional development

Transport goals, objectives and policies usually attempt to influence the pattern of regional development. Such goals should be complementary to regional development goals and objectives, but in some circumstances there may be conflicts. Trends in the development of land should be monitored, particularly changes in housing distribution and densities, employment distribution and commercial activities.

3.6 Expenditure

A picture of all expenditure on urban transport (not just expenditure through the CMTF) should be gained. Trends in capital expenditure and in operational expenditure, categorised by the different modes, should be useful in describing both the costs and benefits of various implementation programmes and the progress made towards the achievement of objectives.

4 MEANS OF MONITORING

4.1 Sample surveys to show trends

Attempts to monitor change by measuring total quantities in successive years have failed where the degree of accuracy of measurement is inappropriate for the amount of change being measured.

However, where base information such as population is accurate only to, say, plus or minus 20 %, it can still be used as a base to monitor change if the indicator is the change or trend rather than the total quantity.

For example the product of population times average trip length (in kilometres) times the average number of trips per person is person kilometres of travel. Neither population nor person kilometres of travel can be economically measured with any accuracy. However, change in average number of trips per person and in average trip lengths can be surveyed by sampling the population. If the sample is statistically sound then the results of the survey can be assumed to be indicative of characteristics of the total population even though the exact size of the population is unknown.

The following indicators of trends in urban transport, can be measured accurately inter alia by interviewing a sample of the population:

- Average number of trips per person by purpose, mode and time of day.
- Average trip length by purpose, mode and time of day.
- Travel costs as a proportion of income.
- Availability of transport - public and private.
- Deficiencies and needs as perceived by the public.

4.2 Counting programmes to show trends

Traffic should be monitored at selected locations, cordons and screenlines. The monitoring should include vehicle classification and vehicle occupancy, as the purpose is to indicate increasing or decreasing demand as well as changes in mode of travel in key or critical areas.

This type of monitoring can be done more frequently than the interview-type survey. Significant changes noted from the counting programmes will provide the motivation for the more in-depth interview-type survey.

4.3 Estimates to indicate magnitude

Population is usually measured at ten-year intervals through the national census. Interim changes in population should be monitored to provide an up-to-date base multiplier which can be used to estimate generalised area-wide magnitudes of various transport indicators.

Annual changes in population can be estimated with sufficient accuracy from records of dwelling unit construction and demolition, water and electricity consumption, births, deaths, immigration, school enrolment, employment and traffic volumes.

5 FREQUENCY OF MONITORING

The need to monitor relates to the expectancy of change. If the expected rate of change is low, then the frequency of monitoring should also be low (spread in time) to enable sufficient change to occur to be significant in terms of potential measurement errors in the monitoring programme. On the other hand, the perceived reliability of a trend improves with an increasing number of observations.

Since monitoring programmes can be quite costly in manpower and money, frequency should be determined in relation to need and not be prescribed.

As a starting point, however, the following guidelines are suggested:

- Interview surveys of a sample of the population should generally coincide with the decennial national census. Intermediate surveys may be warranted under conditions of rapid change, but it is unlikely that an interval of less than 5 years would be required.
- Traffic counting programmes normally operate on an annual basis. However, where little change is expected or generally observed, the frequency may be spread to three- or even five-year intervals.
- Estimates based on information in hand and from local monitoring programmes should be continuously updated and checked to determine any need for more extensive monitoring.

URBAN TRANSPORT ACT, 1977 (ACT NO. 78 OF 1977)

STATUTES OF THE REPUBLIC OF SOUTH AFRICA — MOTOR VEHICLES

URBAN TRANSPORT ACT NO. 78 OF 1977

[ASSENTED TO 7 JUNE, 1977]

[DATE OF COMMENCEMENT: 1 SEPTEMBER, 1977]

(Afrikaans text signed by the State President)

as amended by

Regional Services Councils Act, No. 109 of 1985
[with effect from 31 July, 1985—see title LOCAL GOVERNMENT]

ACT

To promote the planning and provision of adequate urban transport facilities; for that purpose to provide for the establishment of certain transport funds, metropolitan transport areas and metropolitan transport advisory boards and for the preparation and implementation of urban transport plans; and to provide for matters connected therewith.

1. Definitions.—In this Act, unless the context otherwise indicates—

“Administrator” means—

- (a) an Administrator acting on the advice and with the consent of the executive committee of which he is a member;
- (b) for the purposes of sections 11, 12, 13, 14, 15 and 16 in the case where a regional services council is designated as a core city, the regional services council concerned.

[Definition of “Administrator” substituted by s. 17 of Act No. 109 of 1985.]

“approved transport plan” means any transport plan approved by the commission under section 6;

“board” means a Metropolitan Transport Advisory Board appointed in terms of section 12;

“commission” means the National Transport Commission mentioned in section 3 of the Transport (Co-ordination) Act, 1948 (Act No. 44 of 1948);

“core city” means a core city as contemplated in section 4;

“fund” means the Urban Transport Fund established in terms of section 8;

“guide plan committee” means a guide plan committee established under section 6A (1) of the Environment Planning Act, 1967 (Act No. 88 of 1967);

“local authority” means an institution or body contemplated in section 84 (1) (f) of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961), or any other institution or body recognized by the commission as a local authority for the purposes of this Act, in so far as it is so recognized;

“metropolitan transport area” means any area declared as such under section 3;

“Minister” means the Minister of Transport;

“National Institute” means the National Institute for Transport and Road Research of the Council for Scientific and Industrial Research mentioned in section 2 of the Scientific Research Council Act, 1962 (Act No. 32 of 1962);

“officer”, in relation to the commission, means an officer or employee provided in terms of section 12 of the Transport (Co-ordination) Act, 1948 (Act No. 44 of 1948), to assist the commission in the performance of its functions;

“regional services council” means a regional services council established in terms of the Regional Services Councils Act, 1985;

[Definition of “regional services council” inserted by s. 17 of Act No. 109 of 1985.]

“transport fund” means a Consolidated Metropolitan Transport Fund established by section 18.

**WET OP STEDELIKE VERVOER
NO. 78 VAN 1977**

[GOEDGEKEUR OP 7 JUNIE 1977]

[DATUM VAN INVOERING: 1 SEPTEMBER 1977]

(Afrikaanse teks deur die Staatspresident geteken)

soos gewysig by

Wet op Streeksdiensterade, No. 109 van 1985

(met ingang van 31 Julie 1985—sien titel PLAASLIKE BESTUUR.)

WET

Om die beplanning en voorsiening van voldoende stedelike vervoergeriewe te bevorder; om vir dié doel voorsiening te maak vir die instelling van sekere vervoerfondse, metropolitaanse vervoergebiede en metropolitaanse vervoeradvisrade en vir die opstel en uitvoering van stedelike vervoerplanne; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

1. Woordomskrywing.— In hierdie Wet, tensy uit die samehang anders blyk, beteken —
„Administrateur” —

- (a) 'n Administrateur handelende op die advies en met die toestemming van die uitvoerende komitee waarvan hy lid is;
- (b) by die toepassing van artikels 11, 12, 13, 14, 15 en 16 in die geval waar 'n streeksdiensteraad as 'n kernstad aangewys word, die betrokke streeksdiensteraad.

[Omskrywing van „Administrateur” vervang by a. 17 van Wet No. 109 van 1985.]

„beampte”, met betrekking tot die kommissie, 'n beampte of werknemer wat ingevolge artikel 12 van die Wet op die Koördinering van Vervoer, 1948 (Wet No. 44 van 1948), voorsien is om die kommissie met die verrigting van sy werksaamhede by te staan;

„fonds” die Stedelike Vervoerfonds ingevolge artikel 8 ingestel;

„gidsplankomitee” 'n gidsplankomitee kragtens artikel 6A (1) van die Wet op Omgevingsbeplanning, 1967 (Wet No. 88 van 1967) ingestel;

„goedgekeurde vervoerplan” 'n vervoerplan deur die kommissie kragtens artikel 6 goedgekeur;

„kernstad” 'n kernstad bedoel in artikel 4;

„kommissie” die Nasionale Vervoerkommissie vermeld in artikel 3 van die Wet op die Koördinering van Vervoer, 1948 (Wet No. 44 van 1948);

„metropolitaanse vervoergebied” enige gebied kragtens artikel 3 as sodanig verklaar;

„Minister” die Minister van Vervoer;

„Nasionale Instituut” die Nasionale Instituut vir Vervoer- en Padnavorsing van die Wetenskaplike en Nywerheidsnavorsingsraad in artikel 2 van die Wet op die Wetenskaplike Navorsingsraad, 1962 (Wet No. 32 van 1962), vermeld;

„plaaslike bestuur” 'n instelling of liggaam in artikel 84 (1) (f) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961), beoog, of enige ander instelling of liggaam wat deur die kommissie as 'n plaaslike bestuur by die toepassing van hierdie Wet erken word, vir sover dit aldus erken word;

„raad” 'n Metropolitaanse Vervoeradvisraad ingevolge artikel 12 aangestel;

„streeksdiensteraad” 'n streeksdiensteraad ingestel ingevolge die Wet op Streeksdiensterade, 1985;

[Omskrywing van „streeksdiensteraad” ingevoeg by a. 17 van Wet No. 109 van 1985.]

„vervoerfonds” 'n Gekonsolideerde Metropolitaanse Vervoerfonds by artikel 18 ingestel;

2. Administrator in relation to metropolitan transport area where two or more provinces involved.—If any metropolitan transport area consists of portions of two or more provinces, the Administrator of a relevant province who is agreed upon mutually by the Administrators concerned or, failing such agreement, one of the Administrators concerned designated by the Minister, shall be the Administrator in relation to such metropolitan transport area for the purposes of this Act.

3. Establishment of metropolitan transport areas.—(1) The Minister may on the recommendation of the commission, made after consultation with the Administrator or Administrators concerned, by notice in the *Gazette*—

- (a) declare any area consisting of the area or areas under the jurisdiction of one or more local authorities, or any portion thereof and any other adjoining area, to be a metropolitan transport area with effect from such date as may be specified in the notice;
- (b) from time to time include the area or any portion of the area under the jurisdiction of any local authority or any other area, in or exclude any area from, any metropolitan transport area;
- (c) withdraw any notice issued under paragraph (a) or (b).

(2) If by virtue of the provisions of subsection (1) (a) or (b) any metropolitan transport area consists of any area not under the jurisdiction of any local authority, such area shall for the purposes of this Act be deemed to be a portion of the area under the jurisdiction of such local authority as the Administrator concerned may determine and which is included in such metropolitan transport area.

4. Core city.—(1) The Minister shall, after consultation with the Administrator concerned, for every metropolitan transport area in which the areas, or any portion thereof, under the jurisdiction of two or more local authorities have been included, designate one such local authority as the core city.

(2) Where the area, or any portion thereof, under the jurisdiction of only one local authority has been included in a metropolitan transport area, that local authority shall be the core city for such metropolitan transport area.

5. Functions of commission in respect of objects of this Act.—(1) In order to achieve the objects of this Act, the commission shall, subject to the provisions of subsection (2)—

- (a) in any metropolitan transport area regulate and control the formulation and application of an urban transport policy which is in its opinion efficacious;
- (b) determine the functions of any authority concerned in the implementation of such policy;
- (c) ensure that any such authority implements such policy properly in all respects;
- (d) co-ordinate and supervise all matters concerning urban transport in the Republic;
- (e) by itself or in collaboration with or through the National Institute or any other person or authority—
 - (i) ensure that research in connection with urban transport matters is co-ordinated on a national basis;
 - (ii) do research or cause research to be done, or make any other investigation or cause any other investigation to be made, whether in the Republic or elsewhere, in connection with urban transport planning or traffic control or any other matter which in the opinion of the commission will promote the objects of this Act;
 - (iii) make or cause to be made any investigation in connection with transport matters with a view to the declaration of any particular area to be a metropolitan transport area;

2. **Administrateur met betrekking tot metropolitaanse vervoergebied waar twee of meer provinsies betrokke is.**—Indien 'n metropolitaanse vervoergebied dele van twee of meer provinsies behels, is die Administrateur van 'n betrokke provinsie op wie deur die betrokke Administrateurs onderling ooreengekom is of, by ontstentenis van sodanige ooreenkoms, een van die betrokke Administrateurs deur die Minister aangewys, by die toepassing van hierdie Wet die Administrateur met betrekking tot sodanige metropolitaanse vervoergebied.

3. **Instelling van metropolitaanse vervoergebiede.**—(1) Die Minister kan op aanbeveling van die kommissie, gedoen na oorleg met die betrokke Administrateur of Administrateurs, by kennisgewing in die *Staatskoerant*—

- (a) 'n gebied bestaande uit die regsgebied of regsgebiede van een of meer plaaslike besture, of 'n gedeelte daarvan en enige ander aangrensende gebied, met ingang van die datum in die kennisgewing vermeld tot 'n metropolitaanse vervoergebied verklaar;
- (b) van tyd tot tyd die regsgebied of 'n deel van die regsgebied van 'n plaaslike bestuur of enige ander gebied by 'n metropolitaanse vervoergebied insluit of 'n gebied daarvan uitsluit;
- (c) 'n kennisgewing kragtens paragraaf (a) of (b) uitgereik, intrek.

(2) Indien 'n metropolitaanse vervoergebied uit hoofde van die bepalings van subartikel (1) (a) of (b) 'n gebied insluit wat nie die regsgebied van 'n plaaslike bestuur is nie, word sodanige gebied by die toepassing van hierdie Wet geag 'n gedeelte te wees van die regsgebied van die plaaslike bestuur wat die betrokke Administrateur bepaal en wat in die metropolitaanse vervoergebied opgeneem is.

4. **Kernstad.**—(1) Die Minister moet, na oorlegpleging met die betrokke Administrateur, vir elke metropolitaanse vervoergebied waarin die regsgebiede of 'n gedeelte daarvan van twee of meer plaaslike besture opgeneem is, een sodanige plaaslike bestuur as die kernstad aanwys.

(2) Waar die regsgebied of 'n gedeelte daarvan van slegs een plaaslike bestuur in 'n metropolitaanse vervoergebied opgeneem is, is daardie plaaslike bestuur die kernstad vir sodanige metropolitaanse vervoergebied.

5. **Werksaamhede van kommissie ten opsigte van oogmerke van hierdie Wet.**—(1) Ten einde die oogmerke van hierdie Wet te bereik, moet die kommissie behoudens die bepalings van subartikel (2)—

- (a) die formulering en toepassing van 'n stedelike vervoerbeleid wat volgens sy oordeel doelmatig is, in enige metropolitaanse vervoergebied reël en beheer;
- (b) die werksaamhede bepaal van enige instansie betrokke by die uitvoering van sodanige beleid;
- (c) toesien dat so 'n instansie sodanige beleid in alle opsigte behoorlik uitvoer;
- (d) alle sake rakende stedelike vervoer in die Republiek koördineer en toesig daaroor hou;
- (e) self of in samewerking met of deur bemiddeling van die Nasionale Instituut of 'n ander persoon of instansie—
 - (i) toesien dat navorsing in verband met stedelike vervoeraangeleenthede op 'n nasionale grondslag gekoördineer word;
 - (ii) navorsing doen of laat doen of ander ondersoek instel of laat instel, hetsy binne of buite die Republiek, in verband met stedelike vervoerbepalings of verkeerbeheer, of enige ander aangeleentheid wat volgens die oordeel van die kommissie die oogmerke van hierdie Wet sal bevorder;
 - (iii) ondersoek instel of laat instel in verband met vervoeraangeleenthede met die oog op die verklaring van 'n bepaalde gebied tot 'n metropolitaanse vervoergebied;

- (f) consult with interested authorities and local authorities in order to ensure that adequate provision is made for any foreseeable increase or change in urban transport facilities needed, and in relation to any population group;
- (g) perform such other task falling within the objects of this Act as the Minister may impose upon the commission.

(2) The commission shall perform its functions in terms of paragraphs (a), (b), (c) and (d) of subsection (1) only after consultation with the Administrator concerned and with the approval of the Minister.

(3) The commission shall cause records to be kept of the proceedings at every meeting held by it in connection with its functions in terms of this Act.

6. General powers of commission.—(1) In order to perform its functions the commission may—

- (a) subject to the provisions of subsection (7), consider and approve a properly prepared transport plan in relation to any metropolitan transport area which has been submitted to it by any Administrator.
- (b) subject to the provisions of subsection (7), effect such alterations to any such plan as it may consider necessary, and withhold or discontinue the payment of moneys already made available for its implementation, after being so approved, if the commission has reason to believe that the contemplated purpose of such plan will be frustrated by the manner in which it will be implemented, but subject to any obligation the commission may have incurred in any such case;
- (c) purchase, hire or otherwise acquire, or hold, sell, exchange, let or otherwise dispose of or deal with, movable or immovable property for the purposes of this Act, including office accommodation for the commission or its officers for such purposes;
- (d) recommend to the Minister the introduction of legislation regarding any matter connected with urban transport or urban traffic control and which in the opinion of the commission will promote the objects of this Act;
- (e) take out insurance against any risk, loss or damage in connection with the exercise of its powers or the performance of its functions in terms of this Act;
- (f) prescribe the form or manner in which any transport study or plan or application or other matter is to be submitted, prepared or made to it in terms of this Act;
- (g) ensure that public passenger transport has preference in any urban traffic regulative system in any manner it may think fit;
- (h) ensure that persons undertaking public urban transport apply and regularly revise, to the satisfaction of the commission, management practices which in the opinion of the commission are appropriate and efficient;
- (i) with the approval of the Minister, take any other steps which in the opinion of the commission may be necessary to achieve the objects of this Act.

(2) Any approved transport plan shall, in respect of such portion of the metropolitan transport area concerned as may be agreed upon by the commission and the Administrator concerned, specify the ratio of the permissible floor space of any building to the area of the land upon which it has been or is to be erected, as provided by the town planning scheme concerned, and from such ratio there shall be no deviation without prior consultation with the commission.

(3) The Administrator concerned shall ensure that in respect of any building agreed upon by the commission and the Administrator and which is to be erected in any metro-

- (f) oorleg pleeg met belanghebbende instansies en plaaslike besture ten einde toe te sien dat toereikende voorsiening gemaak word vir enige voorsienbare toename of verandering in vereiste stedelike vervoergeriewe, en wel met betrekking tot enige bevolkingsgroep;

- (g) die ander take verrig wat binne die oogmerke van hierdie Wet val en wat die Minister die kommissie opla.

(2) Die kommissie verrig sy werksaamhede ingevolge paragrawe (a), (b), (c) en (d) van subartikel (1) slegs na oorleg met die betrokke Administrateur en met die goedkeuring van die Minister.

(3) Die kommissie moet aantekening laat hou van die verrigtinge op elke vergadering wat hy in verband met sy werksaamhede ingevolge hierdie Wet hou.

6. Algemene bevoegdheid van kommissie.—(1) Ten einde sy werksaamhede te verrig, kan die kommissie—

- (a) behoudens die bepalings van subartikel (7), 'n behoorlik opgestelde vervoerplan met betrekking tot 'n metropolitaanse vervoergebied wat deur 'n Administrateur aan hom voorgelê is, oorweeg en goedkeur;

- (b) behoudens die bepalings van subartikel (7), die veranderings wat hy aan so 'n plan nodig ag, aanbring en die uitbetaling van geld wat reeds vir die uitvoering daarvan, nadat dit aldus goedgekeur is, beskikbaar gestel is, terughou of staak indien die kommissie rede het om te vermoed dat die beoogde doelwitte van sodanige plan belemmer sal word deur die wyse waarop dit uitgevoer sal word, maar behoudens verpligtings wat die kommissie in so 'n geval opgeloo het;

- (c) roerende of onroerende goed vir die doeleindes van hierdie Wet, met inbegrip van kantoorakkommodasie vir homself of sy beamptes vir sodanige doeleindes, koop, huur of op 'n ander wyse verkry, of sodanige goed hou of dit verkoop, verruil, verhuur of op 'n ander wyse van die hand sit of daarmee op 'n ander wyse handel;

- (d) die invoering van wetgewing betreffende enige aangeleentheid wat verband hou met stedelike vervoer of stedelike verkeerbeheer en wat volgens die oordeel van die kommissie die oogmerke van hierdie Wet sal bevorder, by die Minister aanbeveel;

- (e) versekering aangaan teen 'n risiko, verlies of skade in verband met die uitoefening van sy bevoegdheid of die verrigting van sy werksaamhede ingevolge hierdie Wet;

- (f) die vorm waarin of die wyse waarop enige vervoerstudie of -plan of enige aansoek of ander aangeleentheid aan hom ingevolge hierdie Wet voorgelê, opgestel of gedoen moet word, voorskryf;

- (g) toesien dat openbare passasiersvervoer in enige stedelike verkeersreëlinstelsel voorkeur geniet op enige wyse wat hy goedvind;

- (h) toesien dat persone wat openbare stedelike vervoer onderneem, bestuurspraktyke wat volgens die oordeel van die kommissie geskik en doeltreffend is, ten genoeg van die kommissie toepas en gereeld hersien;

- (i) met die goedkeuring van die Minister enige ander stappe doen wat volgens die oordeel van die kommissie nodig is om die oogmerke van hierdie Wet te bereik.

(2) 'n Goedgekeurde vervoerplan moet ten opsigte van die gedeelte van die betrokke metropolitaanse vervoergebied waarop die kommissie en die betrokke Administrateur ooreenkom, die verhouding van die toelaatbare vloeroppervlakte van enige gebou tot die oppervlakte van die grond waarop dit opgerig is of staan te word, soos bepaal by die betrokke dorpsbeplanningskema, aandui, en van sodanige verhouding mag nie sonder voorgaande oorleg met die kommissie afgewyk word nie.

(3) Die betrokke Administrateur moet toesien dat ten opsigte van enige gebou waarop die kommissie en die Administrateur ooreenkom en wat ingevolge die een of ander

politan transport area in terms of any town planning scheme, such provision is made for the loading and off-loading of goods as is adequate in the opinion of the Administrator and the commission.

(4) Any officer of the commission either generally or specially authorized thereto by it in writing may, subject to the provisions of subsection (5), for the information of the commission at all reasonable times examine or make copies of, or take extracts from, any book, statement or other document which refers or is suspected to refer to any public bus passenger transport service conducted in any metropolitan transport area and in respect of which a grant from the fund is made or has been applied for.

(5) If any officer referred to in subsection (4) is so requested, he shall, before exercising any power conferred upon him by that subsection, exhibit the written authority issued to him in terms of that subsection to any person who will be affected by the exercise of such power.

(6) If any Administrator or local authority fails to exercise or to perform any power or function conferred or imposed on him or it by or in terms of this Act, the Minister may, on the recommendation of the commission and after written notice to that Administrator or local authority, as the case may be, direct the commission to exercise or perform or cause to be exercised or performed such power or function, and the commission may recover from that Administrator or local authority the expenditure in connection therewith.

(7) If the commission and the Administrator concerned fail to agree on any aspect of a decision of the commission under subsection (1) (a) or (b), the commission shall refer such aspect to the Minister whose decision shall be final.

7. **Transport studies, investigations and plans.**—(1) Any Administrator may, after consultation with the commission, conduct or prepare or cause to be conducted or prepared a study, an investigation or a plan in relation to transport in respect of the area or areas under the jurisdiction of one or more specified local authorities with a view to the coming into being of a metropolitan transport area, and such study, investigation or plan shall be referred to the local authority concerned for its comments.

(2) That Administrator shall submit a transport plan so prepared to the commission for consideration and approval in terms of section 6 (1) (a) or (b), with a view to its implementation, if so approved, by the local authority or authorities concerned.

8. **Establishment and administration of Urban Transport Fund.**—(1) The commission shall establish a fund, to be known as the Urban Transport Fund, into which shall be paid—

- (a) the amount of any contribution for which the commission is liable in terms of the provisions of the National Roads Act, 1971 (Act No. 54 of 1971), in relation to the construction of a throughway in the area under the jurisdiction of a local authority in any metropolitan transport area, if such throughway constitutes part of an approved transport plan which has been or will be put into operation in such metropolitan transport area;
- (b) moneys appropriated by Parliament for the fund;
- (c) interest on invested cash balances belonging to the fund;
- (d) any other moneys received by the commission in terms of or for the purposes of this Act.

(2) The commission shall administer the fund and shall defray from it, except in so far as Parliament may in relation to any specified approved transport plan in operation in, or in relation to any local authority of which the area under its jurisdiction has been included in, any metropolitan transport area, provide otherwise, and subject to the provisions of section 12 of the Transport (Co-ordination) Act, 1948 (Act No. 44 of 1948), all

dorsbeplanningskema in 'n metropolitaanse vervoergebied opgerig staan te word, vir die op- en aflaai van goedere die voorsiening gemaak word wat volgens die oordeel van die Administrateur en die kommissie toereikend is.

(4) 'n Beampte van die kommissie wat of in die algemeen of in 'n bepaalde geval deur hom skriftelik daartoe gemagtig is, kan, behoudens die bepaling van subartikel (5), ter inligting van die kommissie te alle redelike tye 'n boek, staat of ander stuk wat wel of vermoedelik betrekking het op 'n buspassasiersvervoerdienst in enige metropolitaanse vervoergebied gedryf en ten opsigte waarvan 'n toekenning uit die fonds gemaak word of om sodanige toekenning aansoek gedoen is, ondersoek of afskrifte daarvan of uittreksels daaruit maak.

(5) Indien 'n beampte bedoel in subartikel (4) aldus versoek word, moet hy voordat hy 'n bevoegdheid uitoefen wat by daardie subartikel aan hom verleen word, die skriftelike magtiging wat ingevolge daardie subartikel aan hom uitgereik is, toon aan iemand wat deur die uitoefening van sodanige bevoegdheid geraak sal word.

(6) Indien 'n Administrateur of plaaslike bestuur volgens die oordeel van die Minister in gebreke bly om enige bevoegdheid of werksaamheid wat by of ingevolge hierdie Wet aan hom verleen of opgedra word, uit te oefen of te verrig, kan die Minister, op aanbeveling van die kommissie en na skriftelike kennisgewing aan daardie Administrateur of plaaslike bestuur, na gelang van die geval, die kommissie gelas om sodanige bevoegdheid of werksaamheid uit te oefen of te verrig of te laat uitoefen of verrig, en die kommissie kan die uitgawe daaraan verbonde op daardie Administrateur of plaaslike bestuur verhaal.

(7) Indien die kommissie en die betrokke Administrateur nie eenstemmig kan bereik nie aangaande enige aspek van 'n besluit van die kommissie kragtens subartikel (1) (a) of (b), moet die kommissie bedoelde aspek na die Minister verwys, wie se beslissing afdoende is.

7. Vervoerstudies, -ondersoeke en -planne.—(1) 'n Administrateur kan na oorleg met die kommissie 'n studie, ondersoek of plan met betrekking tot vervoer instel of opstel of laat instel of opstel ten opsigte van die regsgebied of regsgebiede van een of meer bepaalde plaaslike besture met die oog op die totstandkoming van 'n metropolitaanse vervoergebied, en sodanige studie, ondersoek of plan word na die betrokke plaaslike bestuur vir sy kommentaar verwys.

(2) Dié Administrateur moet 'n aldus opgestelde vervoerplan aan die kommissie vir oewering en goedkeuring ingevolge artikel 6 (1) (a) of (b) voorleë, met die oog op die uitvoering daarvan, indien aldus goedgekeur, deur die betrokke plaaslike bestuur of besture.

8. Instelling van bestuur van Stedelike Vervoerfonds.—(1) Die kommissie stel 'n fonds in wat die Stedelike Vervoerfonds heet en waarin gestort word—

- (a) die bedrag van enige bydrae waartoe die kommissie verplig is ingevolge die bepaling van die Wet op Nasionale Paaie, 1971 (Wet No. 54 van 1971), met betrekking tot die aanleë van 'n deurpad binne die regsgebied van 'n plaaslike bestuur in 'n metropolitaanse vervoergebied, indien sodanige deurpad deel uitmaak van 'n goedgekeurde vervoerplan wat in sodanige metropolitaanse vervoergebied in werking gestel is of sal word;
- (b) geld wat die Parlement vir die fonds bewillig;
- (c) rente op belegde kontantsaldo's wat aan die fonds behoort;
- (d) enige ander geld deur die kommissie ingevolge hierdie Wet of vir die doeleindes daarvan ontvang.

(2) Die kommissie bestuur die fonds en bestry daaruit, behalwe vir sover die Parlement met betrekking tot 'n bepaalde goedgekeurde vervoerplan wat in werking is in, of met betrekking tot 'n plaaslike bestuur wie se regsgebied of van wie se regsgebied 'n deel metgeneem is in, 'n metropolitaanse vervoergebied, ander voorsiening maak, en behoudens die bepaling van artikel 12 van die Wet op die Koördinering van Vervoer, 1948 (Wet No. 44 van 1948), alle uitgawes aangegaan in verband met die uitoefening of verrigting van

expenditure incurred in connection with the exercise or performance of the powers or functions of the commission in terms of this Act or the regulation made thereunder.

(3) There shall be paid from the fund into the State Revenue Fund, at such times as may be determined by the Minister with the concurrence of the Minister of Finance, such amounts as may be so determined as recoverable amounts in respect of salaries or allowances paid to members of the commission in terms of section 5 of the said Transport (Co-ordination) Act, 1948, or in respect of expenditure incurred by the Secretary for Transport in terms of section 12 of the said Act or any other law in connection with the functions of the commission in terms of this Act.

(4) The commission shall annually submit to the Minister for his approval, estimates of expenditure to be defrayed from the fund, and shall make no payment from the fund except in accordance with estimates so approved or with the prior approval of the Minister.

(5) The commission may with the approval of the Minister invest moneys in the fund not immediately required by it.

(6) The commission shall keep proper accounts of all moneys accruing to or paid out of the fund, and such accounts shall be audited by the Auditor-General.

(7) (a) When any Administrator or any local authority collects moneys or pays moneys to the commission on behalf of the fund, the Administrator or local authority, as the case may be, shall in respect thereof submit annually to the commission, for inclusion in its own accounts, statements of account in such form as the Treasury after consultation with the Auditor-General may approve, which have been audited by the auditor of the province concerned or any person who acts as auditor of the local authority in terms of any law, as the case may be, and are supported by such auditor's or person's report and the necessary documentary evidence.

(b) For the purposes of an audit in terms of subsection (6), the Auditor-General shall accept the certificate of a provincial auditor or other person referred to in paragraph (a) of this subsection, and the statements of account and documentary evidence concerned, but the Auditor-General may, if he thinks fit, comment thereon in his report.

9. *Loans to commission.*—(1) The Minister may from time to time, from moneys appropriated by Parliament therefor, grant loans to the commission for the purposes of this Act.

(2) The commission shall from the fund pay the interest on any loan so granted and redeem any loan so granted in such instalments and within such period as the Minister with the concurrence of the Minister of Finance may determine.

10. *Utilization of fund.*—The commission may further in its discretion and on such conditions as it may think fit, from the fund—

(a) on request, make a grant, for the promotion of transport planning, to any Administrator or local authority for defraying a specified part of the cost involved in conducting or preparing a transport study, investigation or plan, provided—

(i) such Administrator or local authority has satisfied the commission that such study, investigation or plan will in general promote transport planning; and

(ii) the commission has first approved such study, investigation or plan and the estimated cost connected with the conducting or preparation thereof;

(b) defray a specified part of the expenditure incurred by the National Institute in connection with urban transport research;

(c) make a grant for the establishment and maintenance of a chair of transport engineering or transport economics, or any other subject directly connected with transport, at a university or other educational institution approved by it;

sy bevoegdhe of werksaamhede ingevolge hierdie Wet of die regulasies daarkragtens uitgevaardig.

(3) Daar word op die tye wat deur die Minister met die instemming van die Minister van Finansies bepaal word, die bedrae uit die fonds in die Staatsinkomstefonds gestort wat aldus bepaal word as verhaalbare bedrae ten opsigte van salarisse of toelae wat ingevolge artikel 5 van gemelde Wet op die Koördinerings van Vervoer, 1948, aan lede van die kommissie betaal is, of ten opsigte van uitgawes wat die Sekretaris van Vervoer ingevolge artikel 12 van daardie Wet of 'n ander wet aangegaan het in verband met die werksaamhede van die kommissie ingevolge hierdie Wet.

(4) Die kommissie moet begrotings van uitgawes wat uit die fonds bestry moet word, jaarliks aan die Minister vir sy goedkeuring voorlê, en maak geen betaling uit die fonds nie behalwe ooreenkomstig 'n aldus goedgekeurde begroting of met die voorafverkreë goedkeuring van die Minister.

(5) Die kommissie kan geld in die fonds wat hy nie onmiddellik nodig het nie, met die goedkeuring van die Minister belê.

(6) Die kommissie moet behoorlik boekhou van alle geld wat die fonds toekom of wat daaruit betaal word, en sodanige boeke word deur die Ouditeur-generaal geouditeer.

(7) (a) Wanneer 'n Administrateur of 'n plaaslike bestuur geld ten behoewe van die fonds vorder of aan die kommissie oorbetaal, moet die Administrateur of plaaslike bestuur, na gelang van die geval, ten opsigte daarvan jaarliks aan die kommissie rekeningstate vir opname in sy eie rekenings voorlê in die vorm deur die Tesourie na oorleg met die Ouditeur-generaal goedgekeur, wat geouditeer is deur die ouditeur van die betrokke provinsie of iemand wat ingevolge 'n wet as ouditeur van die plaaslike bestuur optree, na gelang van die geval, en gestaaf is deur sodanige ouditeur of persoon se verslag en die nodige dokumentêre getuienis.

(b) Vir die doeleindes van 'n audit ingevolge subartikel (6), aanvaar die Ouditeur-generaal die sertifikaat van 'n in paragraaf (a) van hierdie subartikel bedoelde provinsiale ouditeur of ander persoon en die betrokke rekeningstate en dokumentêre getuienis, maar die Ouditeur-generaal kan na goëddunke kommentaar daaroor in sy verslag lewer.

9. Lenings aan kommissie.—(1) Die Minister kan van tyd tot tyd uit geld wat die Parlement daarvoor bewillig, aan die kommissie lenings toeken vir die doeleindes van hierdie Wet.

(2) Die kommissie betaal uit die fonds die rente op 'n aldus toegekende lening, en los uit die fonds 'n aldus toegekende lening in die paaiemente en binne die tydperk af wat die Minister met die instemming van die Minister van Finansies bepaal.

10. Aanwending van fonds.—Die kommissie kan voorts na goëddunke en op die voorwaardes wat hy goedvind uit die fonds—

(a) ter bevordering van vervoerbeplanning op versoek 'n toekenning maak aan 'n Administrateur of plaaslike bestuur ter bestryding van 'n bepaalde deel van die koste verbonde aan die instel of opstel van 'n vervoerstudie, -ondersoek of -plan, mits—

(i) sodanige Administrateur of plaaslike bestuur die kommissie oortuig het dat sodanige studie, ondersoek of plan vervoerbeplanning in die algemeen sal bevorder; en

(ii) die kommissie sodanige studie, ondersoek of plan en die geraamde koste verbonde aan die instel of opstel daarvan, eers goedgekeur het;

(b) 'n bepaalde deel van die uitgawe bestry wat die Nasionale Instituut aangaan in verband met stedelike vervoernavorsing;

(c) 'n toekenning doen vir die instelling en instandhouding van 'n leerstoel vir vervoeringeniërsweese of vervoerekonomie, of 'n ander vak wat met vervoerweese regstreeks in verband staan, aan 'n deur hom goedgekeurde universiteit of ander opvoedkundige inrigting;

- (d) make a grant to any person for training in transport engineering or transport economics or any other matter in relation to transport;
- (e) make a grant for defraying a specified part of the cost of equipment, of land and of establishing road facilities and incidental facilities, in substitution for or for improving public passenger service facilities and required in terms of an approved transport plan, and for the use of land in connection therewith, provided the service concerned is not any suburban railway service referred to in paragraph (f);
- (f) make a grant to any person conducting in any metropolitan transport area a public passenger transport service, provided the service concerned is not subsidized by the State;
- (g) defray a specified part of the expenditure, incurred by any local authority, which is connected with the construction of a road constituting part of an approved transport plan;
- (h) defray a specified part of the cost of additional equipment required by any local authority for regulating and controlling traffic in a metropolitan transport area in terms of an approved transport plan;
- (i) contribute to an extent determined by it towards covering losses sustained in respect of any suburban railway service for the conveyance of specified classes of passengers;
- (j) provide subsidized transport for officers of the commission;
- (k) defray the cost or part of the cost incurred by any officer of the commission in using his private transport, with the prior approval of the commission, for the purposes of his official functions, at such tariff as the Secretary for Transport may from time to time determine in respect of the class of motor vehicle such officer so uses;
- (l) defray the cost or part of the cost of any publication or publicity material or any activity which in the opinion of the commission will promote the objects of this Act;
- (m) make a grant to any Administrator for defraying the cost incurred by any board in connection with the performance of its functions.

11. **Chairman of board or boards.**—If there is in any province one or more metropolitan transport areas, the Administrator concerned shall designate an officer of his administration as chairman of the board or boards concerned.

12. **Appointment of Metropolitan Transport Advisory Boards.**—For any metropolitan transport area the Administrator concerned shall appoint a Metropolitan Transport Advisory Board.

13. **Constitution of a board.**—(1) A board shall consist of—

- (a) the chairman designated in terms of section 11;
- (b) one member nominated by the commission;
- (c) one member nominated by the South African Railways Administration;
- (d) one member nominated by the Secretary for Community Development;
- (e) one member nominated by the Secretary for Plural Relations and Development;
- (f) one member nominated by the Secretary for Planning and the Environment;
- (g) one member nominated by the Postmaster-General;
- (h) two members nominated by and in respect of the core city of the metropolitan transport area concerned, and one member nominated by and in respect of every other local authority of which the area under its jurisdiction or of which any portion of the area under its jurisdiction has been included in such metropolitan transport area;

- (d) 'n toekening doen aan iemand vir opleiding in vervoeringeniërsdiens of vervoerekonomie of enige ander aangeleentheid met betrekking tot vervoer;
- (e) 'n toekening doen ter bestryding van 'n bepaalde deel van die koste van toerusting, van grond en van die totstandbrenging van padgeriewe en verwante geriewe, ter vervanging of verbetering van openbare passasiersdiensgeriewe, en vereis ingevolge 'n goedgekeurde vervoerplan en vir die gebruik van grond in verband daarmee, mits die betrokke diens nie 'n voorstedelike spoorwegdiens in paragraaf (i) bedoel, is nie;
- (f) aan iemand wat in 'n metropolitaanse vervoergebied 'n openbare passasiersvervoerdienis dryf 'n toekening doen, mits die betrokke diens nie deur die Staat gesubsidieer word nie;
- (g) 'n bepaalde deel bestry van die uitgawe deur 'n plaaslike bestuur aangegaan, wat in verband staan met die aanlê van 'n pad wat deel uitmaak van 'n goedgekeurde vervoerplan;
- (h) 'n bepaalde deel van die koste bestry van bykomende toerusting wat 'n plaaslike bestuur vir die reëling en beheer van verkeer in 'n metropolitaanse vervoergebied ingevolge 'n goedgekeurde vervoerplan nodig het;
- (i) in 'n deur hom bepaalde mate bydra tot die dekking van verliese gelyk ten opsigte van enige voorstedelike spoorwegdiens vir die vervoer van bepaalde klasse passasiers;
- (j) gesubsidieerde vervoer verskaf aan beamptes van die kommissie;
- (k) die koste of deel van die koste bestry deur 'n beampte van die kommissie aangegaan by die gebruik van sy privaatvervoer, met die voorafverkreë goedkeuring van die kommissie, vir die doeleindes van sy ampelike werksaamhede, teen die tarief wat die Sekretaris van Vervoer ten opsigte van die klas motorvoertuig wat sodanige beampte aldus gebruik, van tyd tot tyd bepaal;
- (l) die koste of deel van die koste bestry van 'n publikasie of reklamemateriaal of 'n bedrywigheid wat volgens die oordeel van die kommissie die oogmerke van hierdie Wet sal bevorder;
- (m) 'n toekening aan 'n Administrateur doen ter bestryding van die koste deur 'n raad aangegaan in verband met die verrigting van sy werksaamhede.

11. Voorsitter van raad of rade.—Indien daar in 'n provinsie een of meer metropolitaanse vervoergebiede is, moet die betrokke Administrateur 'n beampte in sy administrasie aanwys as voorsitter van die betrokke raad of rade.

12. Aanstelling van Metropolitaanse Vervoeradviesrade.—Vir 'n metropolitaanse vervoergebied moet die betrokke Administrateur 'n Metropolitaanse Vervoeradviesraad aanstel.

13. Samestelling van 'n raad.—(1) 'n Raad bestaan uit—

- (a) die voorsitter ingevolge artikel 11 aangewys;
- (b) een lid benoem deur die kommissie;
- (c) een lid benoem deur die Suid-Afrikaanse Spoorwegadministrasie;
- (d) een lid benoem deur die Sekretaris van Gemeenskapsbou;
- (e) een lid benoem deur die Sekretaris van Plurale Betrekkinge en Ontwikkeling;
- (f) een lid benoem deur die Sekretaris van Beplanning en die Omgewing;
- (g) een lid benoem deur die Posmeester-generaal;
- (h) twee lede benoem deur en ten opsigte van die kernstad van die betrokke metropolitaanse vervoergebied, en een lid benoem deur en ten opsigte van elke ander plaaslike bestuur wie se regsgebied of van wie se regsgebied 'n deel in dié metropolitaanse vervoergebied opgeneem is;

- (j) two members chosen by the Administrator concerned from persons nominated by such bodies as are in the opinion of the Administrator representative of organized commerce;
 - (j) one member chosen by the Administrator concerned from persons nominated jointly by such bodies as are in the opinion of the Administrator representative of organized industry; and
 - (k) one or more members who in the opinion of the Administrator concerned—
 - (i) command special knowledge with regard to urban transport matters; or
 - (ii) should be appointed to the board.
- (2) The Administrator concerned shall designate one member of a board as deputy chairman.
- (3) A member of a board, other than the chairman, shall be appointed for such period (not exceeding two years) and on such conditions as the Administrator concerned may in every particular case determine: Provided that such Administrator may, if in his opinion there exist sufficient reasons therefor, after consultation with the commission terminate the services of any such member at any time before the expiry of his period of office.
- (4) If for any reason a vacancy occurs on a board, the Administrator concerned may in accordance with the provisions of subsections (1) and (3) appoint a person to fill the vacancy.
- (5) A person whose period of office as a member of a board has expired by effluxion of time, shall be eligible for reappointment.
- (6) No act or decision of a board shall be invalid by reason only of the fact that a person who was entitled to receive notice of a meeting of the board did not receive such notice, or by reason only of the fact that a person who was disqualified from being a member of the board, or in whose appointment there was some defect, acted as a member of the board when such act was performed or such decision was taken, whether or not such person's concurrence was necessary for the performance of that act or the taking of that decision.
- (7) (a) At the request of a board, the Administrator concerned may from time to time appoint not more than two additional members to that board for a particular purpose on the ground of their special knowledge of the matter for the purpose of which they are appointed.
- (b) A member so appointed shall hold office until the matter for the purpose of which he was appointed has been disposed of by the board.
14. **Remuneration and allowances of members of a board.**—(1) The remuneration and allowances of the members of a board, save the remuneration of any member who is in the service of the State, as determined by the Administrator concerned after consultation with the commission, shall be paid out of the transport fund concerned.
- (2) A member of a board who is in the service of the State shall not be paid, in respect of services rendered by him, any remuneration in addition to his salary as a person in the service of the State, and such a member who is in the service of the State shall not be paid an allowance in respect of subsistence and travelling expenses at a rate higher than that applicable to him as a person in the service of the State.
- (3) If the Minister, on the recommendation of the commission and after consultation with the Minister of Finance, is of opinion that a member mentioned in subsection (2), other than the chairman, devotes the whole or a substantial portion of his time to his functions as a member of a board, the Minister may, after such consultation, direct the board to refund to the State from the transport fund concerned the remuneration paid to such member as a person in the service of the State, or so much thereof as the Minister may after such consultation determine.

- (i) twee lede deur die betrokke Administrateur gekies uit persone wat deur die liggame wat volgens die oordeel van die Administrateur verteenwoordigend is van die georganiseerde handel, benoem is;
- (j) een lid deur die betrokke Administrateur gekies uit persone wat deur die liggame wat volgens die oordeel van die Administrateur verteenwoordigend is van die georganiseerde nywerheid, gesamentlik benoem is; en
- (k) een of meer lede wat, volgens die oordeel van die betrokke Administrateur—
 - (i) oor besondere kennis met betrekking tot stedelike vervoeraangeleenthede beskik; of
 - (ii) op die raad aangestel behoort te word.

(2) Die betrokke Administrateur wys een lid van 'n raad as adjunk-voorsitter aan.

(3) 'n Lid van 'n raad, uitgesonderd die voorsitter, word aangestel vir die tydperk (maar hoogstens twee jaar) en op die voorwaardes wat die betrokke Administrateur in elke besondere geval bepaal: Met dien verstande dat dié Administrateur, indien daar volgens sy oordeel gegronde redes daarvoor bestaan, na oorleg met die kommissie die dienste van so 'n lid te eniger tyd voor die verstryking van sy ampstermyn kan beëindig.

(4) Indien daar om enige rede 'n vakature in 'n raad ontstaan, kan die betrokke Administrateur ooreenkomstig die bepalinge van subartikels (1) en (3) iemand aanstel om die vakature te vul.

(5) Iemand wie se ampstermyn as lid van 'n raad by tydsverloop verstryk het, kan weer aangestel word.

(6) Geen handeling of besluit van 'n raad is ongeldig nie slegs vanweë die feit dat iemand wat daarop geregtig was om kennis van 'n vergadering van die raad te kry, nie sodanige kennis gekry het nie, of slegs vanweë die feit dat iemand wat onbevoeg was om 'n lid van die raad te wees, of in wie se aanstelling daar een of ander gebrek was, as 'n lid van die raad opgetree het toe daardie handeling verrig of daardie besluit geneem is, hetsy so iemand se instemming vir die verrigting van daardie handeling of die neem van daardie besluit nodig was of nie.

(7) (a) Die betrokke Administrateur kan op versoek van 'n raad van tyd tot tyd hoogstens twee bykomende lede vir 'n bepaalde doel op daardie raad aanstel op grond van hul besondere kennis van die aangeleentheid vir die doel waarvoor hulle aangestel word.

(b) 'n Lid aldus aangestel, beklee sy amp totdat die aangeleentheid vir die doel waarvoor hy aangestel is, deur die raad afgehandel is.

14. Besoldiging en toelaes van lede van 'n raad.—(1) Die besoldiging en toelaes van die lede van 'n raad, uitgesonderd die besoldiging van 'n lid wat in diens van die Staat is, soos deur die betrokke Administrateur na oorleg met die kommissie bepaal, word uit die betrokke vervoerfonds betaal.

(2) Aan 'n lid van 'n raad wat in diens van die Staat is, mag daar nie ten opsigte van dienste deur hom verrig, besoldiging betaal word bo en behalwe sy salaris as persoon in diens van die Staat nie, en daar mag ook nie aan so 'n lid wat in diens van die Staat is, 'n toelae ten opsigte van verblyf- en reiskoste betaal word teen 'n hoër skaal as dié wat op hom, as persoon in diens van die Staat, van toepassing is nie.

(3) Indien die Minister op aanbeveling van die kommissie en na oorleg met die Minister van Finansies van oordeel is dat 'n lid in subartikel (2) genoem, behalwe die voorsitter, al sy tyd of 'n aansienlike deel van sy tyd aan sy werksaamhede as 'n lid van 'n raad bestee, kan die Minister, na sodanige oorleg, gelas dat die raad die besoldiging wat aan sodanige lid as iemand in diens van die Staat betaal word, of sovel daarvan as wat die Minister na sodanige oorleg bepaal, aan die Staat uit die betrokke vervoerfonds vergoed.

15. Meetings of a board.—(1) A board shall meet at such times and places as the chairman or, if he is absent, the deputy chairman may determine.

(2) The chairman or, if he is absent, the deputy chairman shall preside at all meetings of a board, and if both the chairman and the deputy chairman are absent from a meeting of a board, the members present shall elect a person from among themselves to preside at such meeting.

(3) The majority of the members of a board shall constitute a quorum for a meeting of the board.

(4) The decision of a majority of the members of a board present at a meeting of the board shall constitute a decision of the board, and in the event of an equality of votes on any matter, the person presiding at the meeting concerned shall have a casting vote in addition to his deliberative vote.

(5) A board shall cause records to be kept of the proceedings at every meeting held by it in connection with its functions in terms of this Act, and the Administrator concerned shall make them available to the commission on request.

16. Functions of a board.—(1) A board shall—

(a) advise an Administrator on matters regarding transport in the metropolitan transport area concerned;

(b) advise an Administrator on the determination or alteration of the limits of the metropolitan transport area concerned;

(c) at the request of an Administrator conduct any study in relation to transport and advise that Administrator on the preparation of a transport plan by the local authorities of which the areas under their jurisdiction or of which any portion of the areas under their jurisdiction have or has been included in the metropolitan transport area concerned;

(d) promote collaboration between such local authorities in order to effect the preparation of an efficacious transport plan;

(e) promote the co-ordination of transport in the metropolitan transport area concerned, including the staggering of working hours;

(f) (i) submit to the Administrator concerned for his approval and make available to the commission its estimates, which shall be prepared on an annual basis;

(ii) make available to the Administrator concerned and the commission the estimates of the local authorities concerned, which shall be prepared on an annual basis and show all revenues and expenditure regarding transport in the metropolitan transport area concerned;

(g) make recommendations to the Administrator concerned concerning the utilization of moneys made available from the fund for the implementation of any transport plan;

(h) submit annual reports with regard to its functions to the Administrator concerned, who shall forward copies thereof to the commission.

(2) A board may appoint committees from among its members to perform on its behalf any of its functions.

(3) All administrative work in connection with the performance of the functions of any board, shall be performed by such persons of his administration and such other persons as may be made available by the Administrator concerned to such board.

17. Functions of a core city.—A core city shall—

(a) in collaboration with the board appointed for its metropolitan transport area and any guide plan committee established in respect of its metropolitan transport area, give guidance in connection with the preparation of any

15. Vergaderings van 'n raad.—(1) 'n Raad vergader op die tye en plekke wat die voorsitter of, indien hy afwesig is, die adjunk-voorsitter bepaal.

(2) By alle vergaderings van 'n raad moet die voorsitter of, indien hy afwesig is, die adjunk-voorsitter voorsit, en indien die voorsitter sowel as die adjunk-voorsitter van 'n vergadering van 'n raad afwesig is, kies die aanwesige lede iemand uit hul midde om op dié vergadering voor te sit.

(3) Die meerderheid van die lede van 'n raad maak 'n kworum vir 'n vergadering van die raad uit.

(4) Die beslissing van 'n meerderheid van die lede van 'n raad wat op 'n vergadering van die raad aanwesig is, maak 'n besluit van die raad uit, en by staking van stemme oor enige aangeleentheid, het die persoon wat op die betrokke vergadering voorsit, benewens sy beraadslagende stem ook 'n beslissende stem.

(5) 'n Raad moet aantekening laat hou van die verrigtinge op elke vergadering wat hy in verband met sy werksaamhede ingevolge hierdie Wet hou, en die betrokke Administrateur moet dit op aanvraag aan die kommissie beskikbaar stel.

16. Werksaamhede van 'n raad.—(1) 'n Raad moet—

- (a) 'n Administrateur van raad dien oor kwessies betreffende vervoer in die betrokke metropolitaanse vervoergebied;
- (b) 'n Administrateur van raad dien oor die vasstelling of verandering van die grense van die betrokke metropolitaanse vervoergebied;
- (c) op versoek van 'n Administrateur enige studie met betrekking tot vervoer instel en daardie Administrateur van raad dien oor die opstel van 'n vervoerplan deur die plaaslike besture wie se regsgebiede of van wie se regsgebiede 'n deel opgeneem is in die betrokke metropolitaanse vervoergebied;
- (d) samewerking tussen sodanige plaaslike besture bevorder ten einde die opstel van 'n doeltreffende vervoerplan te bewerkstellig;
- (e) die koördinering van vervoer in die betrokke metropolitaanse vervoergebied, met inbegrip van die spreiding van werksure, bevorder;
- (f) (i) sy begrotings wat op 'n jaarlikse grondslag opgestel moet word, aan die betrokke Administrateur vir goedkeuring voorlê en aan die kommissie beskikbaar stel;
(ii) die begrotings van die betrokke plaaslike besture, wat op 'n jaarlikse grondslag opgestel moet word en wat alle inkomste en uitgawes betreffende vervoer in die betrokke metropolitaanse vervoergebied moet aantoon, aan die betrokke Administrateur en die kommissie beskikbaar stel;
- (g) aanbevelings aan die betrokke Administrateur doen insake die aanwending van geld wat uit die fonds beskikbaar gestel is vir die uitvoering van enige vervoerplan;
- (h) jaarverslae omtrent sy werksaamhede aan die betrokke Administrateur voorlê, wat afskrifte daarvan aan die kommissie moet stuur.

(2) 'n Raad kan uit sy lede komitees aanstel om namens hom enige van sy werksaamhede te verrig.

(3) Alle administratiewe werk in verband met die verrigting van die werksaamhede van 'n raad, word verrig deur die persone in sy administrasie en die ander persone wat deur die betrokke Administrateur aan die raad beskikbaar gestel word.

17. Werksaamhede van 'n kernstad.—'n Kernstad moet—

- (a) met die samewerking van die raad vir sy metropolitaanse vervoergebied aangestel en enige gidsplankomitee ten opsigte van sy metropolitaanse vervoergebied ingestel, leiding gee in verband met die opstel van enige beoogde

- contemplated transport plan for such area or, if directed thereto by the Administrator concerned, prepare such plan with such assistance or collaboration and on such conditions as may be determined by the Administrator after consultation with the commission;
- (b) implement any applicable approved transport plan in such manner as may be determined by the Administrator concerned after consultation with the commission;
 - (c) give guidance to any other local authority of which the area under its jurisdiction or of which any portion of the area under its jurisdiction has been included in its metropolitan transport area, in connection with the implementation of such part of any approved transport plan as may refer to such area or portion;
 - (d) if there is no such map, prepare a complete map of its metropolitan transport area and make it available to any interested person;
 - (e) conduct such investigation in relation to the various aspects of transport as may from time to time be necessary, or as the Administrator concerned may after consultation with the commission request;
 - (f) revise and bring up to date the applicable approved transport plan;
 - (g) with a view to co-ordination concerning urban transport matters, maintain contact with any other local authority of which the area under its jurisdiction or of which any portion of the area under its jurisdiction has been included in its metropolitan transport area, and with the South African Railways Administration;
 - (h) conduct any investigation in connection with any scheme for amalgamating the revenues and expenditure of and the services rendered by, different transport undertakings in its metropolitan transport area;
 - (i) assist the chairman of the board for its metropolitan transport area in preparing any report or estimate for consideration by that board;
 - (j) administer the transport fund established by section 18 for its metropolitan transport area;
 - (k) do such other work in connection with urban transport in its metropolitan transport area as the Administrator concerned may after consultation with the commission direct it to do.

18. Consolidated Metropolitan Transport Funds.—(1) For every metropolitan transport area there is hereby established a fund to be known as the Consolidated Metropolitan Transport Fund, into which shall be paid—

- (a) all moneys received in terms of sections 21 (2) and 22 (2) (a);
 - (b) moneys granted by the Administrator concerned from a provincial revenue fund;
 - (c) moneys granted by the commission out of the fund;
 - (d) interest on cash balances belonging to the transport fund and invested with the approval of the commission;
 - (e) moneys granted by a local authority of which the area under its jurisdiction or of which any portion of the area under its jurisdiction has been included in the metropolitan transport area, with the approval or at the request of the commission, for the implementation of an applicable approved transport plan;
 - (f) all other moneys which may accrue to the transport fund from any other source.
- (2) The moneys in a transport fund shall be utilized to defray—
- (a) such cost as any local authority of which the area under its jurisdiction or of which any portion of the area under its jurisdiction has been included in the

- vervoerplan vir die gebied of, indien deur die betrokke Administrateur daartoe gelas, sodanige plan opstel met die hulp of samewerking en op die voorwaardes wat deur die Administrateur na oorlegpleging met die kommissie bepaal word;
- (b) 'n toepaslike goedgekeurde vervoerplan op die wyse wat die betrokke Administrateur na oorlegpleging met die kommissie bepaal, uitvoer;
 - (c) leiding gee aan enige ander plaaslike bestuur wie se regsgebied of van wie se regsgebied 'n deel opgeneem is in sy metropolitaanse vervoergebied, in verband met die uitvoering van die deel van 'n goedgekeurde vervoerplan wat op sodanige regsgebied of deel betrekking het;
 - (d) indien dit nie bestaan nie, 'n volledige kaart van sy metropolitaanse vervoergebied opstel en aan enige belanghebbende beskikbaar stel;
 - (e) die ondersoek instel met betrekking tot die verskeie aspekte van vervoer wat van tyd tot tyd nodig mag wees, of wat die betrokke Administrateur na oorleg met die kommissie versoek;
 - (f) die toepaslike goedgekeurde vervoerplan hersien en bywerk;
 - (g) met die oog op koördinasie insake stedelike vervoeraangeleenthede, in voeling bly met enige ander plaaslike bestuur wie se regsgebied of van wie se regsgebied 'n deel opgeneem is in sy metropolitaanse vervoergebied, en met die Suid-Afrikaanse Spoorwegadministrasie;
 - (h) enige ondersoek instel in verband met 'n skema vir die samevoeging van die inkomste en uitgawe van, en die dienste gelewer deur, verskillende vervoerondernemings in sy metropolitaanse vervoergebied;
 - (i) die voorsitter van die raad vir sy metropolitaanse vervoergebied help met die opstel van enige verslag of begroting vir oorweging deur dié raad;
 - (j) die vervoerfonds by artikel 18 vir sy metropolitaanse vervoergebied ingestel, bestuur;
 - (k) die ander werk verrig in verband met stedelike vervoer in sy metropolitaanse vervoergebied wat die betrokke Administrateur na oorleg met die kommissie aan hom opdra.

18. Gekonsolideerde Metropolitaanse Vervoerfondse.—(1) Vir elke metropolitaanse vervoergebied word daar hierby 'n fonds ingestel wat die Gekonsolideerde Metropolitaanse Vervoerfonds heet en waarin gestort word—

- (a) al die geld ingevolge artikels 21 (2) en 22 (2) (a) ontvang;
 - (b) geld deur die betrokke Administrateur uit 'n provinsiale inkomstefonds toegeken;
 - (c) geld deur die kommissie uit die fonds toegeken;
 - (d) rente op kontantsaldo's wat aan die vervoerfonds behoort en met die goedkeuring van die kommissie belê is;
 - (e) geld deur 'n plaaslike bestuur wie se regsgebied of van wie se regsgebied 'n deel opgeneem is in die metropolitaanse vervoergebied, met die goedkeuring of op versoek van die kommissie, toegeken vir die uitvoering van 'n toepaslike goedgekeurde stedelike vervoerplan;
 - (f) enige ander geld wat die vervoerfonds uit enige ander bron toeval.
- (2) Die geld in 'n vervoerfonds word aangewend ter bestryding van—
- (a) die koste wat enige plaaslike bestuur wie se regsgebied of van wie se regsgebied 'n deel opgeneem is in die betrokke metropolitaanse vervoergebied,

metropolitan transport area concerned, may incur in performing its functions in terms of this Act, or such part of such cost as may be determined by the Administrator concerned with the approval of the commission;

- (b) the cost incurred by the Administrator concerned or any local authority in respect of the metropolitan transport area concerned in connection with the preparation of an applicable transport plan or the implementation of an applicable approved transport plan, or such part of such cost as the commission may determine;
- (c) any other expenditure incurred, as requested by the Administrator concerned with the approval of the commission, for the purposes of this Act;
- (d) the cost, as approved by the commission, incurred by the core city concerned in connection with the administration of the transport fund;
- (e) the remuneration and allowances payable in terms of section 14 to the members of the board concerned.

19. Publication of approved transport plans.—(1) The commission shall after approving any transport plan or any alteration thereof, publish such particulars thereof as it may think fit by notice in the *Gazette*.

(2) As from the date of publication of any approved transport plan or any alteration thereof in terms of subsection (1), no person shall, unless authorized thereto by the Administrator concerned after consultation with the commission or authorized or required to do so in terms of any law or applicable town planning scheme, use any land or building which may be affected by such plan or alteration, for any purpose other than that for which it was used on the said date, or erect or make additions or alterations to any building on such land which in any way vary the ratio of the permissible floor space of the building in question to the area of the land on which it has been erected.

(3) Any person who contravenes the provisions of subsection (2) shall be guilty of an offence and on conviction liable to a fine not exceeding one thousand rand or to imprisonment for a period not exceeding twelve months or to both such fine and such imprisonment.

20. Expropriation by local authority.—Notwithstanding the provisions of any other law, any local authority may, subject to the provisions of the Expropriation Act, 1975 (Act No. 63 of 1975), expropriate in a metropolitan transport area any land, including any real right in or over land but excluding State land and any real right in or over State land, necessary for the implementation of any applicable approved transport plan.

21. Levies by local authorities.—(1) Notwithstanding the provisions of any other law, any local authority of which the area under its jurisdiction or of which any portion of the area under its jurisdiction has been included in any metropolitan transport area, may from time to time impose, in accordance with any applicable approved transport plan, levies determined or approved by the Administrator concerned, and which may differ from case to case, on—

- (a) specified classes of motor vehicles entering specified portions of the metropolitan transport area in the area under its jurisdiction at specified times;
- (b) land or buildings, except in so far as they are used or intended for private dwelling purposes and land or buildings of which the State is the owner, in the metropolitan transport area in the area under its jurisdiction;
- (c) the parking of motor vehicles in any buildings or premises in specified portions of the metropolitan transport area in the area under its jurisdiction;
- (d) parking-places for motor vehicles in such portions;
- (e) places where goods are off-loaded from or loaded onto motor vehicles in such portions.

(2) Amounts received by way of levy in terms of—

- (a) subsection (1) (a), (c), (d) and (e), shall once in a month be paid into the transport fund concerned;

- by die verrigting van sy werksaamhede ingevolge hierdie Wet aangaan, of die deel van dié koste deur die betrokke Administrateur met die goedkeuring van die kommissie bepaal;
- (b) die koste deur die betrokke Administrateur of 'n plaaslike bestuur ten opsigte van die betrokke metropolitaanse vervoergebied aangegaan in verband met die opstel van 'n toepaslike vervoerplan of die uitvoering van 'n toepaslike goedgekeurde vervoerplan, of die deel van dié koste wat die kommissie bepaal;
 - (c) enige ander uitgawe aangegaan vir die doeleindes van hierdie Wet, soos deur die betrokke Administrateur met die goedkeuring van die kommissie versoek;
 - (d) die koste, soos deur die kommissie goedgekeur, deur die betrokke kernstad aangegaan in verband met die beheer of bestuur van die vervoerfonds;
 - (e) die besoldiging en toelaes ingevolge artikel 14 aan die lede van die betrokke raad betaalbaar.

19. Publikasie van goedgekeurde vervoerplanne.—(1) Die kommissie moet na goedkeuring van enige vervoerplan of enige verandering daarvan die besonderhede daarvan wat hy goedvind by kennisgewing in die *Staatskoerant* publiseer.

(2) Tensy deur die betrokke Administrateur na ooreleg met die kommissie daartoe gemagtig of ingevolge die een of ander wet of toepaslike dorpsbeplanningskema gemagtig of verplig om dit te doen, mag niemand vanaf die datum van publikasie van 'n goedgekeurde vervoerplan of 'n verandering daarvan ingevolge subartikel (1), enige grond of gebou wat deur daardie plan of verandering geraak mag word, gebruik vir enige ander doel as dié waarvoor dit op gemelde datum gebruik is of 'n gebou op bedoelde grond oprig of byvoegings by of veranderings aan 'n gebou op bedoelde grond wat die verhouding van die toelaatbare vloeroppervlakte van die betrokke gebou tot die oppervlakte van die grond waarop dit opgerig is, enigins verander, aanbring nie.

(3) Iemand wat die bepalinge van subartikel (2) oortree, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens duisend rand of met gevangenisstraf vir 'n tydperk van hoogstens twaalf maande of met sowel sodanige boete as sodanige gevangenisstraf.

20. Onteining deur plaaslike bestuur.—Ondanks die bepalinge van enige ander wet kan 'n plaaslike bestuur in 'n metropolitaanse vervoergebied, behoudens die bepalinge van die Onteieningswet, 1975 (Wet No. 63 van 1975), grond, met inbegrip van 'n saaklike reg in of oor grond maar uitgesonderd Staatsgrond en 'n saaklike reg in of oor Staatsgrond, onteien wat vir die uitvoering van 'n toepaslike goedgekeurde vervoerplan nodig is.

21. Heffings deur plaaslike bestuure.—(1) Ondanks die bepalinge van enige ander wet kan 'n plaaslike bestuur wie se regsgebied of van wie se regsgebied 'n deel opgeneem is in 'n metropolitaanse vervoergebied, ooreenkomstig 'n toepaslike goedgekeurde vervoerplan van tyd tot tyd heffings, deur die betrokke Administrateur bepaal of goedgekeur, en wat van geval tot geval kan verskil, lê op—

- (a) bepaalde klasse motorvoertuie wat bepaalde dele van die metropolitaanse vervoergebied binne sy regsgebied op bepaalde tye binnegaan;
- (b) grond of geboue, behalwe vir sover dit vir private woondoeleindes gebruik word of bestem is en grond of geboue waarvan die Staat die eienaar is, in die metropolitaanse vervoergebied binne sy regsgebied;
- (c) die parkering van motorvoertuie binne geboue of persele binne bepaalde dele van die metropolitaanse vervoergebied binne sy regsgebied;
- (d) parkeerplekke vir motorvoertuie binne sodanige dele;
- (e) plekke waar goedere van of op motorvoertuie binne sodanige dele afgelaai of opgelaai word.

(2) Bedrae by wyse van heffing ingevolge—

- (a) subartikel (1) (a), (c), (d) en (e) ontvang, word een maal per maand in die betrokke vervoerfonds gestort;

(b) subsection (1) (b), shall once in a year be paid into the transport fund concerned.

22. Further powers of local authorities.—(1) Notwithstanding the provisions of any other law, any local authority of which the area under its jurisdiction or of which any portion of the area under its jurisdiction has been included in any metropolitan transport area, may in accordance with any applicable approved transport plan—

- (a) regulate the size, class or number of motor vehicles that may enter any specified portion of the metropolitan transport area in the area under its jurisdiction, and determine the time or times when any class of vehicle may enter any such portion;
- (b) regulate or prohibit the entry of any class of motor vehicle in any such portion during any specified period;
- (c) prohibit the loading or off-loading of goods motor vehicles in any such portion during any specified period or periods, and determine the time or times when such loading or off-loading may take place;
- (d) regulate or prohibit the provision of parking-places for vehicles in any building or premises in any such portion during any specified period.

(2) Any such local authority may, with the approval of the commission, let to any person the unoccupied part of land or of any building in any such portion which has been acquired in any manner for the purposes of any applicable approved transport plan, and shall pay the net proceeds thereof into the transport fund concerned, unless such land (with or without improvements) was acquired or such building was erected by such local authority solely at its own expense.

23. Exercise of powers and performance of duties of local authorities.—Any Administrator may, with the approval of the commission, by himself exercise or perform or cause to be exercised or performed any power or duty conferred or imposed by this Act on any local authority, including a core city, and in that case any moneys payable from the fund or the transport fund concerned to such local authority may be utilized by the said Administrator for the purpose for which they are intended, and that Administrator may recover from such local authority any relevant cost for which it may be liable.

24. Delegation of powers.—(1) The commission may, subject to the approval of the Minister, delegate any power conferred on it by this Act to any member or officer of the commission, any Administrator or the deputy of a core city.

(2) Any Administrator may in writing delegate any power conferred on him by this Act to a core city or any person in the services of his administration.

[Sub-s. (2) substituted by s. 17 of Act No. 109 of 1985.]

25. Regulations.—(1) Any local authority referred to in section 21 (1) or 22 (1) may make regulations with reference to any matter mentioned in section 21 or 22.

(2) Subject to the provisions of subsection (1), the Minister may make regulations for achieving the objects and purposes of this Act.

(3) Any regulations made under this section may prescribe for any contravention thereof or failure to comply therewith penalties not exceeding a fine of five hundred rand or imprisonment for a period of six months.

26. State bound.—Save as by this Act expressly or by implication otherwise provided, the provisions of this Act and the regulations made thereunder shall bind the State except in so far as criminal liability is concerned.

27. Short title and commencement.—This Act shall be called the Urban Transport Act, 1977, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

- (b) subartikel (1) (b) ontvang, word een maal per jaar in die betrokke vervoerfonds gestort.

22. Verdere bevoegdhede van plaaslike besture.—(1) Ondanks die bepalings van enige ander wet kan 'n plaaslike bestuur wie se regsgebied of van wie se regsgebied 'n deel opgeneem is in 'n metropolitaanse vervoergebied, ooreenkomstig 'n toepaslike goedgekeurde vervoerplan—

- (a) die grootte, klas of getal motorvoertuie wat 'n bepaalde deel van die metropolitaanse gebied binne sy regsgebied mag binnegaan, reël en die tyd of tye bepaal wanneer enige klas voertuig sodanige deel wel mag binnegaan;
- (b) die binnegaan van enige klas motorvoertuig binne sodanige deel gedurende 'n bepaalde tydperk reël of verbied;
- (c) die laai of aflaai van goederemotorvoertuie binne sodanige deel gedurende 'n bepaalde tydperk of tydperke verbied, en die tyd of tye bepaal wanneer sodanige laai of aflaai wel mag geskied;
- (d) die verskaffing van parkeerplekke vir voertuie in enige gebou of perseel binne sodanige deel gedurende 'n bepaalde tydperk reël of verbied.

(2) Sodanige plaaslike bestuur kan die onbesette deel van grond of van 'n gebou binne sodanige deel wat vir die doeleindes van 'n toepaslike goedgekeurde vervoerplan op enige wyse verkry is, met die goedkeuring van die kommissie aan enigiemand verhuur, en moet die netto opbrengs daarvan in die betrokke vervoerfonds stort, tensy die grond (met of sonder verbeterings) of die gebou deur die plaaslike bestuur alleenlik op eie onkoste verkry of opgerig is.

23. Uitoefening van bevoegdhede en verrigting van pligte van plaaslike besture.—'n Administrateur kan met die goedkeuring van die kommissie 'n bevoegdheid of plig wat by hierdie Wet aan 'n plaaslike bestuur, met inbegrip van 'n kernstad, verleen of opgelê word, self uitoefen of verrig of laat uitoefen of verrig, in watter geval enige geld uit die fonds of die betrokke vervoerfonds aan sodanige plaaslike bestuur betaalbaar, deur genoemde Administrateur aangewend kan word vir die doel waarvoor dit bestem is, en dié Administrateur enige tersaaklike koste waarvoor sodanige plaaslike bestuur aanspreeklik is, op hom kan verhaal.

24. Delegering van bevoegdhede.—(1) Die kommissie kan, onderworpe aan die goedkeuring van die Minister, enige bevoegdhede wat by hierdie Wet aan hom verleen word, aan 'n lid of beampte van die kommissie, 'n Administrateur of die gemagtigde van 'n kernstad deleger.

(2) 'n Administrateur kan enige bevoegdheid wat by hierdie Wet aan hom verleen word, skriftelik aan 'n kernstad of enigiemand in diens van sy administrasie deleger.

[Sub-a. (2) vervang by a. 17 van Wet No. 109 van 1985.]

25. Regulasies.—(1) 'n Plaaslike bestuur in artikel 21 (1) of 22 (1) bedoel, kan regulasies uitvaardig met betrekking tot enige aangeleentheid in artikel 21 of 22 vermeld.

(2) Behoudens die bepalings van subartikel (1), kan die Minister regulasies uitvaardig ten einde die oogmerke en doeleindes van hierdie Wet te bereik.

(3) Regulasies kragtens hierdie artikel uitgevaardig, kan vir die oortreding daarvan of versuim om daaraan te voldoen strawwe voorskryf wat 'n boete van vyfhonderd rand of gevangenisstraf vir 'n tydperk van ses maande nie oorskry nie.

26. Staat gebind.—Behalwe soos by hierdie Wet uitdruklik of stilswyend anders bepaal, bind die bepalings van hierdie Wet en die regulasies daarkragtens uitgevaardig die Staat behalwe vir sover dit strafregtelike aanspreeklikheid betref.

27. Kort titel en inwerkingtreding.—Hierdie Wet heet die Wet op Stedelike Vervoer, 1977, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.