



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 618

19 December 2016
Desember

No. 40508

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ISSN 1682-5843



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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF TRANSPORT

NO. 1576

19 DECEMBER 2016

THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED**GAUTENG FREEWAY IMPROVEMENT PROJECT, TOLL ROADS: EXEMPTIONS FROM THE PAYMENT OF TOLL**

The South African National Roads Agency SOC Limited (SANRAL) hereby, in terms of section 27(1)(c) of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998) ("the Act") grants exemption from the payment of toll, levied on the following toll roads:

As declared by Government Notices No. 349 to 354 in Government Gazette No. 30912 of 28 March 2008:


- N1 sections 20 and 21
- N3 section 12
- N4 section 1
- N12 sections 18 and 19

As declared by Government Notice No. R.800 in Government Gazette No. 31273 of 28 July 2008:

- R21 sections 1 and 2,

in respect of the motor vehicles described in the Schedule.

These exemptions shall become effective 14 days after this notice was published in the *Government Gazette*.

**Jacobus J. Smit****Acting Chief Executive Officer****South African National Roads Agency SOC Limited**

SCHEDULE**SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND NATIONAL ROADS ACT,
1998 (ACT NO. 7 OF 1998)****GAUTENG FREEWAY IMPROVEMENT PROJECT, TOLL ROADS: EXEMPTION
FROM THE PAYMENT OF TOLL**

Motor vehicles providing public transport services and emergency services, as well as vehicles that are adapted for use by persons with disabilities and vehicles used by qualifying non-government organisations (NGOs) or non-profit organisations (NPOs), as contemplated in paragraphs 1 to 4 below and which comply with the requirements of the Regulations on Exemptions from and Rebates on the Payment of Toll, 2016 ("Exemption and Rebate Regulations") made by the Minister of Transport in connection with such exemptions, will be exempt, when providing the services contemplated in paragraphs 1 to 4 below, from the payment of toll on the following e-roads namely:

(a) As declared by Government Notices No. 349 to 354 in Government Gazette No. 30912 of 28 March 2008:

- N1 sections 20 and 21
- N3 section 12
- N4 section 1
- N12 sections 18 and 19

(b) As declared by Government Notice No. R.800 in Government Gazette No. 31273 of 28 July 2008:

- R21 sections 1 and 2

(collectively "the GFIP toll roads") (the Exemption and Rebate Regulations prescribe the forms to be used, the information to be furnished and procedures to be followed in connection with such exemptions):

1. Vehicles providing the following public transport services and which have been issued with and whose owners are in possession of a valid operating licence or permit issued for the vehicle in question in terms of the National Land Transport Act, 2009 (Act No. 5

of 2009) or recognised by that Act and which are registered with the Agency and have an e-tag issued by the Agency affixed to such vehicle, in accordance with the e-Road Regulations, 2013 and the Exemption and Rebate Regulations as made by the Minister under section 58(1)(dA) and (dC) of the Act, by no later than 1 September 2017:

- (a) A minibus taxi-type service as defined in section 1 of the National Land Transport Act, 2009 (Act No. 5 of 2009) (NLTA) where the service is for commuting, as defined in the NLTA, including for the transportation of scholars and private contract passengers (charter services) and where such transportation, on the GFIP toll roads, is authorised by the same operating licence or permit that authorises the commuter services (the definition reads as follows: “minibus taxi-type service” means an unscheduled public transport service operated on a specific route or routes or, where applicable, within a particular area, by means of a motor car, minibus or midibus”);
 - (b) a contracted service, that is a public transport service provided by means of vehicles operated in terms of a contract with a contracting authority contemplated in section 56 of the NLTA and where such service is provided on roads which include the GFIP toll roads;
 - (c) a scheduled commuter public transport service, that is a regular, daily scheduled public transport service operating according to a time-table, including for the transportation of scholars and private contract passengers (charter services) and where such transportation, on the GFIP toll roads, is authorised by the same operating licence or permit that authorises the commuter services; and
 - (d) a dedicated service for transporting scholars or students on a daily basis contemplated in section 72 of the NLTA for which an operating licence or permit is required in terms of the NLTA and where such service is provided on roads which include the GFIP toll roads.
2. The following emergency vehicles which are registered with the Agency and have an e-tag issued by the Agency affixed to such vehicle, in accordance with the e-Road Regulations and the Exemption and Rebate Regulations mentioned above:

- (a) a vehicle used by a traffic officer, as defined in section 1 of the National Road Traffic Act, 1996 (Act No. 93 of 1996), employed by the Provincial Government of Gauteng or the Road Traffic Management Corporation established by section 3 of the Road Traffic Management Corporation Act, 1999 (Act No. 20 of 1999), while on official duty in its official capacity, and where the vehicle is owned or leased by that Provincial Government or Corporation and is marked as such as an official vehicle;
 - (b) any ambulance that is registered as such in terms of the National Road Traffic Act, 1996 (Act No. 93 of 1996) and is marked as an ambulance;
 - (c) any rescue vehicle or emergency medical response vehicle used only for medical response purposes that is registered as such in terms of the National Road Traffic Act, 1996 (Act No. 93 of 1996) and is marked as a rescue vehicle or emergency medical response vehicle; and
 - (d) a fire-fighting vehicle as defined in section 1 of the National Road Traffic Act, 1996 (Act No. 93 of 1996) or a vehicle used for disaster management as contemplated in the Disaster Management Act, 2002 (Act No. 57 of 2002), or a vehicle used for forensic pathology purposes, while the vehicle is being used on official duty in its capacity as such a vehicle, and where the vehicle is owned or leased by the Provincial Government of Gauteng or the City of Johannesburg Metropolitan Municipality, the City of Tshwane Metropolitan Municipality or the Ekurhuleni Metropolitan Municipality, or Transnet Limited, being the company formed in terms of section 2 of the Legal Succession to the South African Transport Services Act, 1989 (Act No. 9 of 1989) and is marked as such as a fire-fighting vehicle, disaster management vehicle or forensic pathology vehicle, as the case may be.
3. Class A2 vehicles that are adapted for use by persons with disabilities where the owner of the vehicle is registered with the Agency and has an e-tag issued by the Agency affixed to such vehicle, in accordance with the e-Road Regulations and Exemption and Rebate Regulations mentioned above and where the owner of the vehicle qualifies as a person with a permanent physical disability that limits functional mobility according to the following definition, which applies to the exemption in this paragraph 3: "Persons with disabilities means persons who have long term physical impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others".

4. Vehicles used by qualifying non-government organisations (NGOs) or non-profit organisations (NPOs) approved by the South African Revenue Service as a public benefit organisation under section 30 of the Income Tax Act, 1962 (Act No. 58 of 1962), where the NGO or NPO was established for the purposes of health care, which includes persons with disabilities, welfare or humanitarian purposes or education and development, and where the vehicle is owned or used by the NGO or NPO for those purposes and the owner of the vehicle is registered with the Agency and has an e-tag issued by the Agency affixed to such vehicle, in accordance with the e-Road Regulations and Exemption and Rebate Regulations mentioned above.

DEPARTEMENT VAN VERVOER

NO. 1576

19 DESEMBER 2016

DIE SUID-AFRIKAANSE NASIONALE PADAGENTSKAP MSB BEPERK

GAUTENG DEURPAD VERBETERINGSPROJEK, TOLPAAIE: VRYSTELLINGS VAN
DIE BETALING VAN TOL

Die Suid-Afrikaanse Nasionale Padagentskap MSB Beperk verleen hiermee, kragtens artikel 27(1)(c) van die Wet op die Suid-Afrikaanse Nasionale Padagentskap Beperk en op Nasionale Paaie, 1998 (Wet Nr. 7 van 1998) ("die Wet") vrystellings van die betaling van tol wat op die volgende paaie gehef word:

Soos verklaar deur Goewermentskennisgewings Nr. 349 tot 354 in Staatskoerant Nr. 30912 van 28 Maart 2008:

- N1 gedeelte 20 en 21
- N3 gedeelte 12
- N4 gedeelte 1
- N12 gedeeltes 18 en 19

Soos verklaar deur Goewermentskennisgewing Nr. R.800 in Staatskoerant Nr. 31273 van 28 Julie 2008:

- R21 gedeeltes 1 en 2

Met betrekking tot motorvoertuie wat in die Bylae beskryf word.

Hierdie vrystellings sal 14 dae nadat hierdie kennisgewing in die *Staatskoerant* gepubliseer is, van krag wees.



Jacobus .J. Smit

Waarneemende Hoof Uitvoerende Beampte

Suid-Afrikaanse Nasionale Padagentskap MSB Beperk

BYLAE

**WET OP DIE SUID-AFRIKAANSE NASIONALE PADAGENTSAP BEPERK EN OP
NASIONALE PAAIE, 1998 (WET Nr. 7 VAN 1998)****GAUTENG DEURPAD VERBETERINGSPROJEK, TOLPAAIE: VRYSTELLINGS VAN
DIE BETALING VAN TOL**

Motorvoertuie wat die openbare vervoerdienste verskaf, asook voertuie wat vir gebruik deur persone met ongeskikthede aangepas is en voertuie wat deur kwalifiserende nie-staatsorganisasies (NSOs) of organisasies sonder winsoogmerk (OSW) beoog in paragrawe 1 tot 4 hieronder, gebruik word, en wat aan die vereistes uiteengesit in die Regulasies oor Vrystelling van en Kortings op die Betaling van Tol, 2016 wat die Minister van Vervoer met betrekking tot sodanige vrystellings gemaak het (Vrystelling- en Kortingregulasies), voldoen, sal vrygestel wees wanneer die dienste beoog in paragrawe 1 tot 4 hieronder verskaf word, van die betaling van tol op die volgende e-paaie, naamlik:

(a) Soos verklaar deur Goewermentskennisgewings Nr. 349 tot 354 in Staatskoerant Nr. 30912 van 28 Maart 2008:

- N1 gedeelte 20 en 21
- N3 gedeelte 12
- N4 gedeelte 1
- N12 gedeeltes 18 en 19

(b) Soos verklaar deur Goewermentskennisgewing Nr. R.800 in Staatskoerant Nr. 31273 van 28 Julie 2008:

- R21 gedeelte 1 en 2

(gesamentlik "die GDVP tol-paaie") (die Vrystelling- en Kortingregulasies skryf voor die vorms wat gebruik moet word, die inligting wat verskaf moet word en die prosedures wat gevolg moet word met betrekking tot sodanige vrystellings):

1. Voertuie wat die volgende openbare vervoerdienste verskaf en waarvoor 'n geldige bedryfslisensie of permit vir die betrokke voertuig uitgereik is en wie se eienaars oor sodanige bedryfslisensie of permit beskik wat ooreenkomstig die Wet op Nasionale

Landvervoer, 2009 (Wet Nr. 5 van 2009) vereis of erken word, en wat by die Agentskap geregistreer is en 'n e-tag het wat deur die Agentskap uitgereik is en by die voertuig aangebring is ooreenkomstig die e-Tag Regulasies, 2013 en die Vrystelling- en Kortingsregulasies wat deur die Minister kragtens artikel 58(1)(dA) en (dC) van die Wet gemaak het, teen nie later as 1 September 2017 nie:

- (a) 'n Minibus taxi-tipe diens soos omskryf in artikel 1 van die Nasionale Landvervoerwet, 2009 (Wet Nr. 5 van 2009) (NLVW) waar die diens vir pendeldoelindes bestem is soos in the NLVW omskryf insluitende die vervoer van skoliere en privaat kontrakpasassiers ("charter services") waar sodanige vervoer deur dieselfde bedryfslisensie of permit wat die pendeldienste magtig, gemagtig is (die woordomskrywing lees as volg: "minibus taxi-tipe diens" beteken 'n ongeskeduleerde openbare vervoerdiens wat op 'n spesifieke roete of roetes bedryf word, of waar van toepassing, binne 'n spesifieke gebied deur middel van 'n motorkar, minibus of midibus");
 - (b) 'n Gekontrakteerde diens, synde 'n diens deur voertuie verskaf wat uit hoofde van 'n kontrak met 'n kontrakterende owerheid beoog in artikel 56 van die NLVW verskaf word;
 - (c) 'n Geskeduleerde openbare pendelvervoerdiens, synde 'n gereelde, daaglikse geskeduleerde openbare vervoerdiens wat ingevolge 'n rooster bedryf word, met insluiting van die vervoer van skoliere en privaat-kontrakpassasiers ("charter services") waar sodanige vervoer deur dieselfde bedryfslisensie of permit wat die pendeldienste magtig, gemagtig is; en
 - (d) 'n Toegewese skolierdiens vir die vervoer van skoliere of studente op 'n daaglikse basis beoog in artikel 72 van die NLVW waarvoor 'n bedryfslisensie of permit uit hoofde van die NLVW benodig word.
2. Die volgende noodvoertuie wat by die Agentskap geregistreer is en 'n e-tag het wat deur die Agentskap uitgereik is en by die voertuig ooreenkomstig die bogemelde e-Pad Regulasies en Vrystelling- en Kortingsregulasies aangebring is:
- (a) 'n voertuig wat deur 'n verkeersbeampte, soos in artikel 1 van die Nasionale Padverkeerswet, 1996 (Wet Nr. 93 van 1996) omskryf, gebruik word, wat in diens is van die Provinsiale Regering van Gauteng of die Padverkeersbestuurskorporasie wat deur artikel 3 van die Wet op die

- Padverkeersbestuurskorporasie, 1999 (Wet Nr. 20 van 1999) ingestel is, terwyl op amptelike diens in sy amptelike hoedanigheid, en waar die voertuig deur sodanige Provinsiale Regering of Korporasie besit of gehuur is, en as sodanige amptelike voertuig gemerk is;
- (b) enige ambulans wat as sodanig in terme van die Nasionale Padverkeerswet, 1996 (Wet Nr. 93 van 1996) geregistreer is en as sodanige ambulans gemerk is;
- (c) enige reddingsvoertuig of nood-mediese reaksievoertuig wat slegs vir mediese reaksiedoeleindes gebruik word en as sulks geregistreer is kragtens die Nasionale Padverkeerswet, 1996 (Wet Nr. 93 van 1996) en as 'n reddingsvoertuig of nood-mediese reaksievoertuig gemerk is; en
- (d) 'n brandbestrydingsvoertuig soos in artikel 1 van die Nasionale Padverkeerswet, 1996 (Wet Nr. 93 van 1996) omskryf, of 'n voertuig wat vir rampbestuur gebruik word soos beoog in die Wet op Rampbestuur, 2002 (Wet Nr. 57 van 2002), of 'n voertuig wat vir forensiese patologiese doeleindes gebruik word, terwyl die voertuig op amptelike diens in sy amptelike hoedanigheid as sodanige voertuig gebruik word, en waar die voertuig besit of gehuur is deur die Provinsiale Regering van Gauteng of die Stad van Johannesburg Metropolitaanse Munisipaliteit, die Stad van Tshwane Metropolitaanse Munisipaliteit of die Ekurhuleni Metropolitaanse Munisipaliteit of Transnet Beperk, synde die maatskappy wat kragtens artikel 2 van die Wet op die Regsopvolging van die Suid-Afrikaanse Vervoerdienste, 1989 (Wet Nr. 9 van 1989) ingestel is, en as sodanige brandbestrydingsvoertuig, rampbestuurvoertuig of forensiese patologiese voertuig gemerk is, soos die geval mag wees.
3. Klas A2 vertuie wat vir gebruik deur persone met ongeskikthede aangepas is waar die eienaar van die voertuig by die Agentskap geregistreer is en 'n e-tag het wat by die voertuig aangebring is ooreenkomstig die bogemelde e-Pad Regulasies en die Vrystelling- en Kortingregulasies en waar die eienaar van die voertuig kwalifiseer as 'n persoon met 'n permanente fisiese ongeskiktheid wat funksionele mobiliteit beperk in ooreenstemming met die volgende omskrywing, wat op die vrystelling in hierdie paragraaf 3 van toepassing is: "Persone wat langtermyn fisiese gebreke het wat, in samewerking met ander gebreke, hulle volle en doeltreffende deelname in die samelewing op 'n gelyke basis met ander persone kan strem".

4. Voertuie wat gebruik word deur kwalifiserende nie-staatsorganisasies (NSOe) of organisasies sonder winsoogmerk (OSWe) wat deur die Suid-Afrikaanse Inkomstediens goedgekeur is as 'n openbare welsynsinstelling kragtens artikel 30 van die Wet op Inkomstebelasting, 1962 (Wet Nr. 58 van 1962), waar die NSO of OSW vir gesondheidsorg doeleindes gestig is, wat insluit persone met ongeskikthede, welsyns- of medemenslikheidsdoeleindes of onderwys en ontwikkeling, en waar die voertuig vir sodanige doeleindes deur die NSO of OSW besit of gebruik word en die eienaar van die voertuig by die Agentskap geregistreer is en 'n e-tag het wat deur die Agentskap uitgereik is en by sodanige voertuig aangebring is in ooreenstemming met die bogemelde e-Pad Regulasies en die Vrstelling- en Kortingregulasies.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065