

National Assembly

Question Number: 1329

1329. Mr D C Ross (DA) to ask the Minister of Transport:

Whether the SA National Roads Agency intends to take (a) registered and/or (b) non-registered e-toll users to court for not paying invoices issued; if not, what is the position in this regard; if so, (i) on which statutory ground(s), (ii) which type of user will be taken to court first and (iii) what are the further relevant details in this regard? NW1471E

REPLY

As a starting point, I need to state the following to the Honourable Member: SANRAL is in terms of the SANRAL Act, 1998 (Act 7 of 1998) ("the Act") read together with the Regulations promulgated in terms thereof, empowered to recover outstanding debt from users who traverse the Gauteng Freeway Improvement Project (GFIP) network in Gauteng.

- (a)(b) Yes, the recovery is based on a "user pay principle" irrespective of whether the user is registered or non-registered. Such a recovery process will be embarked upon once all the prescribed legal processes have been followed.
- (i) In terms of section 27(1)(b) of the SANRAL Act, read together with the e-Road Regulations (published by the Minister of Transport on 9 October 2013 in Government Gazette Notice No. R. 793 in terms of sections 58(1)(dA) and (dC) of the SANRAL Act ("the e-Road Regulations")), the owner of a vehicle that passes under a gantry (defined as " a toll plaza where the liability to pay toll is recorded by an electrical or electronic device" in regulation 1 of the e-Road Regulations) on the GFIP toll roads is liable to pay toll to SANRAL
- (ii) Both registered and non-registered be they individuals and companies registered in terms of our Company Laws of the Republic will be taken to court based on the merit of the case.
- (iii) None