

South Africa

Disaster Management Act, 2002

Directions on taxi relief fund towards the impact of COVID-19 in the taxi industry, 2021

Government Notice 1567 of 2021

Legislation as at 2 March 2022

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Directions on taxi relief fund towards the impact of COVID-19 in the taxi industry, 2021
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Disaster Management Act, 2002

Directions on taxi relief fund towards the impact of COVID-19 in the taxi industry, 2021

Government Notice 1567 of 2021

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[Amended by Directions on taxi relief fund towards the impact of COVID-19 in the taxi industry, 2021: Amendment (Government Notice 1811 of 2022) on 2 March 2022]

I, Fikile Mbalula, MP, Minister of Transport, hereby in terms of regulation 4(7) of the Regulations made under section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002), hereby issue a directive set out in the Schedule hereto on the taxi relief fund towards the impact of COVID-19 in the taxi industry.

F. A. Mbalula, MP

Minister of Transport

Whereas, the transport sector, across the world, experienced massive ridership drops due to the spread of the novel coronavirus (Covid-19). This followed stringent measures imposed by many countries in an attempt to mitigate and curb the spread of the virus. Some of these measures included restrictions in the movement of people through lockdowns as well as encouragement for people to work from home.

Whereas, in South Africa, the taxi industry bore the brunt of these measures. Initially, taxis were allowed to carry only 50% of their licensed vehicle capacity and this was later increased to 70% when the lockdown restrictions were eased. The industry also had to contend with increased cost of procuring cleaning materials for vehicles and sanitisers for passengers. The net effect of all these to the industry has been a declining revenue base and an increase in costs, which left many operators struggling to stay financially afloat.

Whereas, in response, the Department secured once off *ex gratia* relief funds to the value of R1 135 billion to assist operators towards the impact of COVID-19 in the taxi industry. The relief fund of an amount of R 5000.00 per qualifying operator is not intended to compensate for loss of income.

Whereas, the Department solicited the services of the National Empowerment Fund as the vendor and Implementation Agency to administer the relief scheme to the industry primarily due to their experience and capacity in dealing with such systems but also to authenticate the registration of these operators as business entities.

1. Definitions

In these directions, any other word or expression bears the meaning assigned to it in the Disaster Management Act, the Act or in the Regulations, and, unless the context otherwise indicates—

"**Disaster Management Act**" means the Disaster Management Act, 2002 (Act No. 57 of 2002);

"**Taxi operator**" means a person who is the holder of operating license to ferry passenger for reward by either a motorcar, minibus and midibus;

"**the Act**" means the National Land Transport Act, 2009 (Act No. 5 of 2009); and

"the Regulations" means the Regulations issued in terms of section 27(2) of the Disaster Management Act, published under Government Notice No. 480, in *Government Gazette* No. 43258 of 29 April 2020, and amended by Government Notices Nos R608 of May 2020, R714 of 25 June 2020, R763 of 12 July 2020, R846 of 31 July 2020, R891 of 17 August 2020, No. 999 of 18 September 2020, No. 1011 of 20 September 2020, No. 1053 of 1 October 2020, No. 1104 of 21 October 2020, No. 1199 of 11 November 2020, No. 1290 of 3 December 2020, No. 1346 of 15 December 2020, No 1370 of 17 December 2020, No. 1421 of 24 December 2020; No. 1423 of 29 December 2020, No. 1424 of 29 December 2020; No. 1453 of 29 December 2020; No. 1370 of 11 January 2021; No. 6 of 1 February 2021; No.92 of 13 February 2021 and No. 93 of 13 February 2021, No R. 152 of 28 February 2021, No R. 284 of 30 March 2021, No 376 of 22 April 2021, no R. 477 of 30 May 2021, No R. 530 of 15 June 2021 and No. R. 532 of 17 June 2021,- No. R. 565 of 27 June 2021, No. R. 567 of 29 June 2021, No. R. 610 of 11 July 2021, No. R. 614 of 14 July 2021, No. R.651 of 25 July 2021, No R. 669 of 30 July 2021, No R. 869 of 12 September 2021, No 953 of 26 September 2021 and No. R. 960 of 30 September 2021.

2. Authority

- (1) Section 26(2)(b) of the Disaster Management Act provides that a national disaster, once declared, must be managed in accordance with existing legislation, as well as contingency arrangements as amplified by disaster management regulations or directions issued in terms of section 27(2) of the Disaster Management Act.
- (2) These Directions are issued pursuant to the provisions of section 27(2) of the Disaster Management Act and specifically in terms of regulations 4(7) of the Regulations, to provide for the taxi relief fund to mitigate the impact of COVID-19 in the taxi industry.

3. Purpose of Directions

The purpose of the Directions is to provide for the taxi relief fund.

4. Application of Directions

These Directions are applicable to the qualifying taxi operators.

5. Qualification for the taxi relief fund

- (1) The taxi operator to qualify for the taxi relief fund must be:
 - (a) A South African citizen or permanent resident in the Republic;
 - (b) In possession of a valid Operating License or receipt as proof of application for renewal of an operating license at the commencement of the National lock down.
 - (c) must be registered with the South African Revenue Services for income tax.at the commencement of the declaration of the national state of disaster, published by Government Notice No. 313 of 15 March 2020.

6. Cut-off date for dispensation

- (1) The cut-off of date for the submission of application for the taxi relief fund is 11 March 2022.
[subdirection (1) substituted by section 2 of [Government Notice 1811 of 2022](#)]
- (2) All payments for qualifying applications must be completed by 31 March 2022.

7. The National Empowerment Fund

- (1) The National Empowerment Fund shall be the Implementation Agency to administer the payment system of the relief fund to the taxi industry and e-hailing operators.

- (2) The Department of Transport shall issue guidelines for the application of the taxi relief fund in their website.
- (3) The National Empowerment Fund shall issue guidelines for the application of the taxi relief fund in their website.

8. Withdrawal of the Directions

Directions published under Government Notice. 44381 on 31 March 2021 is hereby withdrawn.

9. Short title and commencement

These Directions are called the Directions on taxi relief fund towards the impact of COVID-19 in the taxi industry, 2021, and comes into effect on the date of publication thereof in the *Government Gazette*.