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GOEWERMENSKENNISGEWING.**DEPARTEMENT VAN VERVOER.**

No. R. 45.] [17 Januarie 1964.
 MOTORTRANSPORTREGULASIES, 1964.

Hierby word vir algemene inligting bekendgemaak dat die Minister van Vervoer kragtens artikel *negentien* van die Motortransportwet, 1930 (Wet No. 39 van 1930), soos gewysig, die Motortransportregulasies, 1956, soos afgekondig by Goewermenskennisgewing No. 1110 van 29 Junie 1956, en soos gewysig deur Goewermenskennisgewings No. 1915 van 26 Oktober 1956, No. 545 van 12 April 1947, No. 1509 van 17 Oktober 1958, No. 1586 van 9 Oktober 1959, No. 2009 van 4 Desember 1959, No. 530 van 25 Augustus 1961, No. 1840 van 9 November 1962, No. 370 van 15 Maart 1963, No. 884 van 21 Junie 1963, herroep het en kragtens genoemde artikel, die regulasies in die bygaande Bylae vervat uitgevaardig het.

BYLAE.**INDELING VAN REGULASIES.****HOOFSTUK I.****VOORAFGAAANDE BEPALINGS.**

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GOVERNMENT NOTICE.**DEPARTMENT OF TRANSPORT.**

No. R. 45.] [17 January, 1964.
 MOTOR CARRIER TRANSPORTATION
 REGULATIONS, 1964.

It is hereby notified for general information that the Minister of Transport has, in terms of section *nineteen* of the Motor Carrier Transportation Act, 1930 (Act No. 39 of 1930), as amended, repealed the Motor Carrier Transportation Regulations, 1956, as promulgated by Government Notice No. 1110 of 29 June, 1956, and as amended by Government Notices No. 1915 of 26 October, 1956, No. 545 of 12 April, 1957, No. 1509 of 17 October, 1958, No. 1586 of 9 October, 1959, No. 2009 of 4 December, 1959, No. 530 of 25 August, 1961, No. 1840 of 9 November, 1962, No. 370 of 15 March, 1963, No. 884 of 21 June, 1963, and has, in terms of the said section, made the regulations contained in the Schedule hereto.

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HOOFSTUK I.

VOORAFGAANDE BEPALINGS.

Kort titel.

1. Hierdie regulasies kan aangehaal word as die Motortransportregulasies, 1964.

Woordomskrywing.

2. In hierdie regulasies beteken die uitdrukking „die Wet” die Motortransportwet, 1930 (Wet No. 39 van 1930) en, tensy uit die samehang anders blyk, het enige uitdrukking waaraan daar in die Wet 'n betekenis toegeken is, wanneer dit in hierdie regulasies gebruik word, die aldus toegekende betekenis, en beteken—

- (i) „dubbeldoelsleepwa” 'n sleepwa wat ingerig is vir die vervoer van sowel persone en hulle persoonlike besittings as goedere; (i)
- (ii) „dubbeldoelvoertuig” 'n motorvoertuig wat ingerig is vir die vervoer van sowel persone en hulle persoonlike besittings as goedere; (ii)
- (iii) „goederesleepwa” 'n sleepwa wat slegs vir die vervoer van goedere ingerig is; (iii)
- (iv) „goederevoertuig” 'n motorvoertuig wat slegs vir die vervoer van goedere ingerig is; (iv)
- (v) „huurmotor” 'n motorvoertuig wat uitsluitlik vir die vervoer van hoogstens sewe passasiers (mê inbegrip van die bestuurder) en hulle persoonlike besittings ingerig is maar sluit nie 'n passasiersleepwa in nie; (ix)

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CHAPTER I.

PRELIMINARY.

Short Title.

1. These regulations may be cited as the Motor Carrier Transportation Regulations, 1964.

Definitions.

2. In these regulations the expression “the Act” means the Motor Carrier Transportation Act, 1930 (Act No. 39 of 1930), and unless the context otherwise indicates, any expression used in these regulations to which a meaning has been assigned in the Act, bears the meaning so assigned, and—

- (i) “dual purpose trailer” means a trailer designed for the conveyance both of persons and their personal effects and of goods; (i)
- (ii) “dual purpose vehicle” means a motor vehicle designed for the conveyance of both persons and their personal affects and of goods; (ii)
- (iii) “goods trailer” means a trailer designed for the conveyance of goods only; (iii)
- (iv) “goods vehicle” means a motor vehicle designed for the conveyance of goods only; (iv)
- (v) “licence” means a licence issued by a competent authority to carry on an industry, trade or business; (vi)

- (vi) „lisensie” ’n lisensie uitgereik deur ’n bevoegde gesag om ’n bedryf, handel of besigheid uit te oefen; (v)
- (vii) „oliemaatskappy” ’n maatskappy wat in petrol en olie groothandel dryf; (vi)
- (viii) „passasiersleepwa” ’n sleepwa wat uitsluitlik vir die vervoer van passasiers en hulle persoonlike besittings ingerig is; (vii)
- (ix) „passasiersvoertuig” ’n motorvoertuig wat uitsluitlik vir die vervoer van meer as sewe passasiers (met inbegrip van die bestuurder) en hulle persoonlike besittings ingerig is; (viii)
- (x) „sleepwa” ’n motorvoertuig sonder beweegkrag wat ingerig is om getrek te word of wat getrek word deur ’n trekker of motorvoertuig; (xi)
- (xi) „trekker” ’n motorvoertuig wat uitsluitlik ’n krag-eenheid is en nie vir die vervoer van goedere (behalwe sy eie brandstof en toebehore) of persone (behalwe dié wat hom bestuur of met die bedryf daarvan behulpsaam is) ingerig is of gebruik word nie. (x)

Dokumente, ens., uitgereik en stappe gedoen kragtens die Motortransportregulasies, 1956.

3. Daar word geag dat ’n motortransportsertifikaat, vrystelling, onderskeidingsteken, vrystellingsbewys of dokument wat uitgereik of opgawe wat verstrekk of goedkeuring of magtiging wat verleen of ander stappe wat gedoen is kragtens ’n bepaling van die Motortransportregulasies, 1956, kragtens die ooreenstemmende bepaling van hierdie regulasies uitgereik, verstrekk, verleen of gedoen is.

HOOFSTUK II.

MOTORTRANSPORTSERTIFIKATE.

Hoe aansoek gedoen moet word.

4. (1) Enigiemand wat motortransport wil onderneem of laat onderneem, moet aansoek doen om ’n motortransportsertifikaat op die vorm wat die Raad van tyd tot tyd voorskryf en daardie vorm moet in alle opsigte ingevul word, behalwe waar dit nie moontlik is nie, en ingedien word by die Raad of betrokke plaaslike raad wat kan eis dat verdere inligting verstrekk word bo en behalwe dié wat in die aansoekvorm vervat is.

(2) Wanneer ’n aansoek wat ingevolge subregulasie (1) ingedien word, op die toekenning van ’n roete betrekking het, moet daardie roete volledig op so ’n wyse in die aansoekvorm beskryf word dat daar geen twyfel by die Raad of betrokke plaaslike raad kan ontstaan omtrent die presiese roete wat op die heen- en terugreise gevolg moet word nie.

Publikasie van sekere besonderhede met betrekking tot aansoek om motortransportsertifikaat.

5. (1) Behoudens die bepalings van subregulasie (2), moet die Raad of betrokke plaaslike raad, behalwe in die geval van ’n aansoek om hernuwing van ’n motortransportsertifikaat waar die Raad of betrokke plaaslike raad oortuig is dat daar geen waarskynlikheid van benadeling van ander vervoerfasiliteite bestaan nie of in die geval van ’n aansoek om ’n tydelike motortransportsertifikaat, in een uitgawe van die *Offisiële Koerant* van elke provinsie waarin die voorgestelde motortransport onderneem sal word, die volgende besonderhede publiseer—

- (a) die volle naam van die applikant;
- (b) die aard van die voorgestelde motortransport;
- (c) die plekke waar tussen en die roete of roetes waaroor of die gebied of gebiede waarin die voorgestelde motortransport onderneem sal word; en
- (d) die getal voertuie waarvoor motortransportsertifikate verlang word;

en aan enigiemand wat by die voorgestelde motortransport belang het, insaam verleen van sodanige verdere inligting waarby hy regstreeks betrokke is en wat die applikant in verband met so ’n aansoek verskaf het.

- (vi) “oil company” means a company carrying on wholesale business in petrol and oil; (vii)
- (vii) “passenger trailer” means a trailer designed solely for the conveyance of passengers and their personal effects; (viii)
- (viii) “passenger vehicle” means a motor vehicle designed solely for the conveyance of more than seven passengers (including the driver) and their personal effects; (ix)
- (ix) “taxi” means a motor vehicle designed solely for the conveyance of not more than seven passengers (including the driver) and their personal effects but does not include a passenger trailer; (v)
- (x) “tractor” means a motor vehicle which is solely a power unit and is not designed or used for the conveyance of goods (other than its own fuel and accessories) or persons (other than those operating it or assisting in its operation); (xi)
- (xi) “trailer” means a motor vehicle without a motive unit which is designed to be hauled or is hauled by a tractor or motor vehicle; (x).

Documents, etc., Issued and Actions Taken Under the Motor Carrier Transportation Regulations, 1956.

3. Any motor carrier certificate, exemption, distinguishing mark, proof of exemption or document issued or return made or any approval or authority granted and any other action taken under any provision of the Motor Carrier Transportation Regulations, 1956, shall be deemed to have been issued, made, granted or taken under the corresponding provision of these regulations.

CHAPTER II.

MOTOR CARRIER CERTIFICATES.

Manner in which Application is to be Made.

4. (1) Any person who wishes to carry on motor carrier transportation or to cause such transportation to be carried on shall apply, in such form as may from time to time be prescribed by the Board, for a motor carrier certificate and such form shall be completed in all respects, except where completion is not possible, and submitted to the Board or the local board concerned which may require to be furnished with information supplementary to that contained in the application form.

(2) Whenever an application submitted in terms of sub-regulation (1) relates to the granting of a route, that route shall be fully described in the application form in such a manner as to leave no doubt with the Board or the local board concerned as to the exact route to be followed on the forward and return journeys.

Publication of Certain Particulars in Regard to Application for Motor Carrier Certificate.

5. (1) Subject to the provisions of sub-regulation (2) the Board or the local board concerned shall, except in the case of an application for the renewal of a motor carrier certificate where the Board or the local board concerned is satisfied that no other transportation facilities are likely to be adversely affected or in the case of an application for a temporary motor carrier certificate, publish in one issue of the *Official Gazette* of every province in which the proposed motor carrier transportation is to be carried on, the following particulars—

- (a) the full name of the applicant;
- (b) the nature of the proposed motor carrier transportation;
- (c) the points between and the route or routes on which or the area or areas within which the proposed motor carrier transportation is to be carried on; and
- (d) the number of vehicles for which motor carrier certificates are required,

and shall afford any person interested in the proposed motor carrier transportation, access to such further information as may directly affect him and which may have been furnished by the applicant in connection with such application.

(2) Geen aansoek moet gepubliseer word alvorens die gelde voorgeskryf in subregulasie (1) van regulasie 60 betaal is nie.

(3) Die Raad of betrokke plaaslike raad kan te eniger tyd voor sy finale beslissing in die aansoek die applikant gelas om voor of op 'n sekere datum 'n bedrag geld ingevolge die voorbehoudsbepaling van paragraaf (c) van sub-artikel (1) van artikel vyf van die Wet te deponeer.

Verloë ter ondersteuning of bestryding van aansoek.

6. (1) 'n Belanghebbende persoon kan binne tien dae na publikasie van sekere besonderhede ingevolge subregulasie (1) van regulasie 5, by die Raad of plaaslike raad, na gelang van die geval, skriftelik verloë ter ondersteuning of bestryding van so 'n aansoek indien.

(2) Verloë wat ingevolge subregulasie (1) gemaak word, moet in duplo ingedien word en die Raad of betrokke plaaslike raad moet op aanvraag aan die applikant of enigemand wat by die aansoek belang het, insae van sodanige verloë verleen.

(3) Die Raad of betrokke plaaslike raad kan, na goed-dunke, enigiemand, of hy skriftelike verloë ingedien het of nie, toelaat om voor hom te verskyn en verloë mondeling te maak.

(4) Die Raad of betrokke plaaslike raad kan sy beslissing op aanvraag verskaf aan enigiemand wat verloë ter ondersteuning of bestryding van 'n aansoek ingedien het.

Reëling of ooreenkoms met ander persoon.

7. Elke applikant vir of houer van 'n motortransportsertifikaat moet aan die Raad of plaaslike raad by wie die aansoek ingedien word of wat die sertifikaat uitgereik het, besonderhede voorleë van—

- (a) enige ooreenkoms of reëling, hetsy mondeling of skriftelik, insake motortransport wat hy met 'n ander persoon aangegaan of getref het;
- (b) enige geldelike belang (hetsy as vennoot of aandeelhouer of as gevolg van 'n lening, waarborg of ander geldelike transaksie) wat iemand anders in die besigheid van die applikant of houer het, en as die applikant of houer 'n maatskappy is, besonderhede van 'n reg wat so iemand het om 'n direkteur of bestuurder van die maatskappy te nomineer;
- (c) enige hierbogenoemde belang of reg wat die applikant of houer het in die besigheid van 'n ander persoon wat motortransport onderneem.

Uitreiking van tydelike motortransportsertifikaat wanneer aansoek om hernuwing vertraag is.

8. (1) 'n Aansoek om hernuwing van 'n motortransportsertifikaat wat nie voor of op die vervaldatum daarvan ingedien word nie, moet as 'n nuwe aansoek beskou word, maar die Raad of betrokke plaaslike raad kan 'n tydelike motortransportsertifikaat aan so 'n applikant uitreik en in daardie geval is die gelde voorgeskryf in subregulasie (1) van regulasie 63 betaalbaar.

(2) Indien 'n tydelike motortransportsertifikaat uitgereik ingevolge subregulasie (1) om watter rede ook al verval het, moet die houer daarvan dit dadelik terugstuur, hetsy per hand of per geregistreerde pos, aan die Raad of plaaslike raad, na gelang van die geval, wat dit uitgereik het.

Adresverandering.

9. As die houer van 'n motortransportsertifikaat gedurende die geldigheidsduur daarvan sy adres verander soos vermeld in sy aansoekvorm wat hy ingevolge hierdie regulasies ingedien het of soos ingevolge hiervan aan die Raad of betrokke plaaslike raad bekendgemaak, moet hy binne sewe dae na so 'n verandering van adres, die Raad of plaaslike raad wat die sertifikaat uitgereik het, van sy nuwe adres skriftelik in kennis stel.

(2) No application shall be advertised until the fee prescribed in sub-regulation (1) of regulation 60 is paid.

(3) The Board or the local board concerned may at any time before its final decision on the application direct the applicant to deposit on or before a certain date a sum of money in terms of the proviso to paragraph (c) of sub-section (1) of section five of the Act.

Representations in Support of or in Opposition to Application.

6. (1) Any interested person may within ten days after the publication of certain particulars in terms of sub-regulation (1) of regulation 5, submit to the Board or the local board, as the case may be, representations in writing supporting or opposing such application.

(2) Representations submitted in terms of sub-regulation (1) shall be lodged in duplicate and the Board or the local board concerned shall, on request, afford the applicant or any person interested in the application access to such representations.

(3) The Board or the local board concerned may, in its discretion, permit any person to appear before it and make representations verbally, whether or not he has submitted representations in writing.

(4) The Board or the local board concerned may, on request, notify its decision to any person who has submitted any representations in support of or in opposition to an application.

Arrangement or Agreement with other Person.

7. Every applicant for or holder of a motor carrier certificate shall supply to the Board or the local board to which the application is made or which issued the certificate particulars of—

- (a) any agreement or arrangement, whether verbal or in writing, in regard to motor carrier transportation entered into by him with any other person;
- (b) any financial interest (whether as a partner or shareholder or as a result of any loan, guarantee or other financial transaction) which any other person has in the business of such applicant or holder, and if the applicant or holder is a company, of any right which any such person as aforesaid has to nominate any director or manager of the company;
- (c) any such interest or right, as aforesaid, which the applicant or holder has in the business of any other person engaged in motor carrier transportation.

Issue of Temporary Motor Carrier Certificate in case of Belated Submission of Application for Renewal.

8. (1) An application for the renewal of a motor carrier certificate which is not lodged on or before the date of its expiry, shall be regarded as a new application, but the Board or the local board concerned may issue a temporary motor carrier certificate to such an applicant and in that case the fees prescribed in sub-regulation (1) of regulation 63 shall be payable.

(2) If for any reason a temporary motor carrier certificate, issued in terms of sub-regulation (1), has expired, the holder thereof shall forthwith return it, either by hand or by means of registered post, to the Board or the local board, as the case may be, which issued it.

Change of Address.

9. If during the currency of a motor carrier certificate the holder thereof changes his address as specified in an application form submitted by him in terms of these regulations or as notified in terms hereof to the Board or the local board concerned, he shall, within seven days after such change of address, give written notice of his new address to the Board or the local board, as the case may be, which issued the certificate.

Aanvullende dokumente.

10. Aanvullende dokumente wat addisionele voorwaardes of vereistes, tydtafels of vervoertariëwe bevat en wat in verband met 'n motortransportsertifikaat uitgereik is, hetsy saam met of gedurende die geldigheidsduur van daardie sertifikaat, sal deel van daardie sertifikaat uitmaak.

Hoe aansoek om wysiging van motortransportsertifikaat of aanvullende dokument gedoen moet word.

11. Die houer van 'n motortransportsertifikaat wat dit gewysig wil hê of wat die tydtafel of vervoertarief soos goedgekeur of vasgestel ten opsigte van daardie sertifikaat, wil wysig, kan by die Raad of plaaslike raad, na gelang van die geval, wat daardie sertifikaat uitgereik het, aansoek doen om so 'n wysiging, en moet gelyktydig met die aansoek volledige besonderhede van die redes vir die verlangde wysiging aan die Raad of betrokke plaaslike raad voorlê, en die Raad of betrokke plaaslike raad kan die houer versoek om verdere inligting te verstrek bo en behalwe dié wat in die aansoek vervat is.

Publikasie van besonderhede van wysiging van motortransportsertifikaat of aanvullende dokument.

12. As aansoek gedoen word om—

- (a) 'n wysiging van 'n gebied of van 'n roete in die motortransportsertifikaat vermeld; of
- (b) die permanente vervanging van 'n motorvoertuig in die motortransportsertifikaat vermeld, deur 'n voertuig waarvan die sitplekruimte of draagvermoë meer as twintig persent hoër is as dié van die vervange motorvoertuig; of
- (c) 'n wysiging van die tydtafel of vervoertarief wat by die toekenning van die sertifikaat goedgekeur of vasgestel is,

moet die Raad of betrokke plaaslike raad, behalwe wanneer hy oortuig is dat daar geen waarskynlikheid van benadeling van ander vervoerfasiliteite deur die voorgestelde wysiging bestaan nie, besonderhede in verband met so 'n aansoek publiseer in een uitgawe van die *Offisiële Koerant* van elke provinsie waarin die betrokke roete geleë is, en daarna is die bepalings van regulasies 5 en 6 op so 'n aansoek van toepassing: Met dien verstande dat as so 'n aansoek betrekking het op motortransport in 'n gebied of oor 'n roete wat nie vermeld is in die motortransportsertifikaat wat gewysig moet word nie, die bepalings van regulasies 4 en 7 ook van toepassing is.

Wat gedoen moet word as aansoek om wysiging van motortransportsertifikaat of aanvullende dokument toegestaan word.

13. As die aansoek ingedien ingevolge regulasie 11 toegestaan word, moet die Raad of betrokke plaaslike raad 'n nuwe motortransportsertifikaat, tydtafel of vervoertarief uitreik en moet die applikant, binne sewe dae nadat hy die nuwe motortransportsertifikaat, tydtafel of staat met vervoertariëwe ontvang het, die vervange motortransportsertifikaat, onderskeidingsteken, tydtafel of vervoertarief, hetsy per hand of per geregistreerde pos, terugstuur aan die Raad of plaaslike raad, na gelang van die geval, wat die aansoek toegestaan het.

Aansoek om oordrag van motortransportsertifikaat en besonderhede wat verstrek moet word.

14. (1) Aansoek om oordrag van 'n motortransportsertifikaat moet skriftelik op die vorm wat die Raad van tyd tot tyd voorskryf, by die Raad of betrokke plaaslike raad ingedien word deur die persoon aan wie die motortransportsertifikaat oorgedra moet word.

(2) Iemand wat 'n aansoek om oordrag van 'n motortransportsertifikaat ingevolge subregulasie (1) indien, moet ook skriftelik meld—

- (a) sy volle naam en adres;
- (b) die besonderhede vereis ingevolge regulasie 7;
- (c) die naam van die persoon aan wie die sertifikaat uitgereik is en die nommer daarvan;

Supplementary Documents.

10. Supplementary documents, containing additional conditions or requirements, time-tables or scales of charges, issued in connection with any motor carrier certificate shall, whether issued at the same time as or at any time during the currency of that certificate, form part of that certificate.

Manner in which Application for Amendment to Motor Carrier Certificate or Supplementary Document is to be made.

11. The holder of a motor carrier certificate who desires an amendment thereof, or who desires to amend the time-table or scale or charges accepted or laid down in respect of that certificate may apply to the Board or the local board, as the case may be, which issued that certificate for such amendment and shall, with his application, submit to the Board or the local board concerned full particulars of the reasons for the desired amendment and the Board or the local board concerned may require such holder to submit any information supplementary to that furnished with the application.

Publication of Particulars of Amendment to Motor Carrier Certificate or Supplementary Document.

12. If the application is for—

- (a) an amendment of an area or of a route specified in the motor carrier certificate; or
- (b) the permanent substitution of a motor vehicle specified in the motor carrier certificate by a vehicle of which the seating capacity or carrying capacity exceeds that of the replaced motor vehicle by more than 20 per cent; or
- (c) the amendment of the time-table or the scale of charges accepted or laid down when the certificate was granted,

the Board or the local board concerned shall, except if it is satisfied that no other transportation facilities are likely to be adversely affected by the proposed amendment, publish particulars in regard to such application in one issue of the *Official Gazette* of every province in which the area or route referred to is situated, and thereupon the provisions of regulations 5 and 6 shall apply in respect of such application: Provided that if such application relates to any motor carrier transportation within any area or on any route not specified in the motor carrier certificate, which requires to be amended the provisions of regulations 4 and 7 shall also apply.

Action Necessary if Application for Amendment of Motor Carrier Certificate or Supplementary Document is Granted.

13. If the application submitted in terms of regulation 11 is granted the Board or the local board concerned shall issue a new motor carrier certificate, time-table or scale of charges and the superseded motor carrier certificate, distinguishing mark, time-table or scale of charges shall be returned by the applicant either by hand or by means of registered post to the Board or the local board, as the case may be, which granted the application within seven days after the receipt by such applicant of the new motor carrier certificate, time-table or scale of charges.

Application for Transfer of Motor Carrier Certificate and Particulars to be Furnished.

14. (1) Application for the transfer of a motor carrier certificate shall be made in writing in such form as may from time to time be prescribed by the Board to the Board or the local board concerned by the person to whom such motor carrier certificate is to be transferred.

(2) A person submitting an application in terms of sub-regulation (1) for the transfer of a motor carrier certificate shall, in addition, furnish in writing—

- (a) his full name and address;
- (b) the particulars required in terms of regulation 7;
- (c) the name of the person to whom such certificate was issued and the number thereof;

- (d) volledige besonderhede van enige geldelike of ander teenprestasie wat die applikant aan die houer van die sertifikaat gelewer het of moet lewer; en
- (e) verdere inligting in verband met die aansoek wat die Raad of betrokke plaaslike raad vereis.

Houer van motortransportsertifikaat moet kennis gee van oordrag.

15. Die houer van 'n motortransportsertifikaat moet aan die Raad of betrokke plaaslike raad skriftelik kennis gee van die voorgenome oordrag van daardie sertifikaat en moet die naam van die persoon aan wie hy dié sertifikaat wil oordra en die nommer van daardie sertifikaat verstrek.

Publikasie van besonderhede van aansoek om oordrag.

16. Die Raad of betrokke plaaslike raad moet, behalwe as hy oortuig is dat daar by die oordrag van die betrokke motortransportsertifikaat geen waarskynlikheid van benadeling van ander vervoerfasiliteite bestaan nie, die volgende besonderhede van die aansoek om so 'n oordrag in een uitgawe van die *Offisiële Koerant* van elke provinsie waarin motortransport ingevolge gemelde sertifikaat onderneem word, publiseer—

- (a) die volle naam van die applikant;
- (b) die volle naam van die houer van gemelde sertifikaat; en
- (c) die aard van die motortransport wat uit hoofde van gemelde sertifikaat gemagtig is, asook die aantal voertuie wat daarby betrokke is;

en aan enigiemand wat by die voorgestelde oordrag belang het, insae verleen van sodanige verdere inligting waarby hy regstreeks betrokke is en wat die applikant in verband met so 'n aansoek verskaf het, en die bepalings van sub-regulasies (2) en (3) van regulasie 5 en regulasies 6 en 7 is ten opsigte van so 'n aansoek van toepassing.

Wat gedoen moet word as aansoek om oordrag van motortransportsertifikaat toegestaan word.

17. As die aansoek ingedien ingevolge subregulasie (1) van regulasie 14 toegestaan word, moet die Raad of betrokke plaaslike raad 'n nuwe motortransportsertifikaat aan die applikant uitreik en die houer van die vervange motortransportsertifikaat dadelik in kennis stel dat hy die oordrag waarom aansoek gedoen is, toegestaan het en van genoemde houer vereis om, binne sewe dae na ontvangs van so 'n kennisgewing, die vervange motortransportsertifikaat, onderskeidingsteken en, indien van toepassing, enige aanvullende dokument, hetsy per hand of per geregistreerde pos, terug te stuur.

Intrekking of vervanging van motortransportsertifikaat.

18. (1) Wanneer die Minister ooreenkomstig subartikel (1) van artikel dertien bis van die Wet gelas dat die Raad of 'n lid daarvan 'n openbare ondersoek moet instel, moet kennis van die ondersoek wat ingevolge subartikel (2) van voormelde artikel gegee moet word, geskied in die vorm van 'n konvokasiebevel warin gemeld word—

- (a) die plek van die ondersoek;
- (b) die uur en datum waarop die ondersoek sal begin;
- (c) kortliks, die aard van die ondersoek; en
- (d) as die ondersoek deur 'n lid van die Raad ingestel word, die volle naam van daardie lid.

(2) Afskrifte van die konvokasiebevel in subregulasie (1) genoem, moet in een uitgawe van die *Offisiële Koerant* van die provinsie waarin die betrokke motortransport onderneem word, en in minstens een uitgawe van elkeen van twee dagblaai, die een in Afrikaans en die ander in Engels, wat in voormelde provinsie in omloop is, gepubliseer word en die Raad kan, na goeë dunnke, gelas dat 'n afskrif van so 'n konvokasiebevel gepubliseer word in minstens een uitgawe van 'n nuusblad in 'n Bantoetaal wat in die betrokke provinsie in omloop is.

(3) 'n Afskrif van die konvokasiebevel in subregulasie (1) genoem, moet per geregistreerde pos gestuur word aan die persoon of persone wat direk daarby betrokke is.

- (d) full particulars of any monetary or other consideration paid or to be made by the applicant to the holder of the certificate; and
- (e) any further information concerning the application which the Board or the local board concerned may require.

Holder of Motor Carrier Certificate to Give Notice of Transfer.

15. The holder of a motor carrier certificate shall notify the Board or the local board concerned, in writing, of the intended transfer of that certificate and shall furnish the name of the person to whom he desires to transfer that certificate and the number of that certificate.

Publication of Particulars of Application for Transfer.

16. The Board or the local board concerned shall, except if it is satisfied that no other transportation facilities are likely to be adversely affected by the transfer of the motor carrier certificate concerned, publish the following particulars of the application for such transfer in one issue of the *Official Gazette* of every province in which motor carrier transportation in terms of the said certificate is undertaken:—

- (a) The full name of the applicant;
- (b) the full name of the holder of the said certificate; and
- (c) the nature of the motor carrier transportation authorized by the said certificate and the number of vehicles concerned;

and shall afford any person interested in the proposed transfer access to such further information as may directly affect him and which may have been furnished by the applicant in connection with his application and the provisions of sub-regulations (2) and (3) of regulation 5 and regulations 6 and 7 shall apply in respect of such application.

Action Necessary if Application for Transfer of Motor Carrier Certificate is Granted.

17. If the application submitted in terms of sub-regulation (1) of regulation 14 is granted the Board or the local board concerned shall issue to the applicant a new motor carrier certificate and shall forthwith notify the holder of the superseded motor carrier certificate that it has granted the transfer applied for and require the said holder to return the superseded motor carrier certificate, distinguishing mark and, if applicable, any supplementary document either by hand or by means of registered post within seven days of the receipt of such notification.

Withdrawal or Substitution of Motor Carrier Certificate.

18. (1) Whenever in terms of sub-section (1) of section thirteen bis of the Act the Minister directs that a public enquiry be held by the Board or a member thereof, notice of the enquiry required in terms of sub-section (2) of the said section shall be given in the form of a convening order which shall set forth—

- (a) the venue of the enquiry;
- (b) the hour at which and the date on which the enquiry is to commence;
- (c) briefly, the nature of the enquiry; and
- (d) if the enquiry is to be held by a member of the Board, the name in full of such member.

(2) Copies of the convening order referred to in sub-regulation (1) shall be published in one issue of the *Official Gazette* of the province in which the motor carrier transportation in question is being carried on, and in at least one issue of each of two daily newspapers circulating, one in Afrikaans and the other in English, in the said province and the Board may, in its discretion, direct that a copy of the said convening order be published also in at least one issue of a newspaper circulating in a Bantu language in the said province.

(3) A copy of the convening order referred to in sub-regulation (1) shall be sent by registered post to the person or persons directly affected thereby.

(4) Die datum wat vir die aanvang van die beoogde ondersoek in die konvokasiebevel genoem in subregulasie (1) bepaal word, moet ver genoeg vooruit wees om dit moontlik te maak dat gemelde konvokasiebevel minstens een-en-twintig dae voor die aanvang van die ondersoek, op die wyse voorgeskryf in subregulasies (2) en (3) gepubliseer en gepos word.

Uitreiking van tydelike motortransportsertifikaat.

19. 'n Tydelike motortransportsertifikaat kan, na goeddunke, deur die Raad uitgereik word vir motortransport op enige publieke pad of binne enige gebied en deur 'n plaaslike raad vir motortransport binne die plaaslike transportgebied waarvoor hy benoem is, asook vir motortransport wat strek tot 'n ander plaaslike transportgebied as gemelde motortransport op 'n plek binne die regsgebied van die plaaslike raad begin.

Tydelike motortransportsertifikaat moet nie uitgereik word as bestaande vervoerfasiliteite voldoende is nie.

20. 'n Tydelike motortransportsertifikaat moet nie deur die Raad of 'n plaaslike raad uitgereik word nie as daar redelike fasiliteite bestaan vir die vervoer van persone of goedere ten opsigte van wie of waarvan so 'n sertifikaat verlang word, per spoor of deur middel van 'n motorvoertuig waarvoor 'n motortransportsertifikaat uitgereik is: Met dien verstande dat die Raad of 'n plaaslike raad, ondanks die bestaan van sulke fasiliteite 'n tydelike motortransportsertifikaat vir die vervoer van persone of goedere kan uitreik as hy van mening is dat die uitreiking van 'n tydelike motortransportsertifikaat weens 'n besondere voorval of buitengewone omstandighede in die openbare belang noodsaaklik is.

Geldigheidsduur van tydelike motortransportsertifikaat.

21. Die geldigheidsduur van 'n tydelike motortransportsertifikaat wat ingevolge regulasie 19 of die voorbehoudsbepaling van regulasie 20 deur die Raad of 'n plaaslike raad uitgereik word, mag nie honderd-en-tagtig dae te bowe gaan nie.

Vorm van motortransportsertifikaat.

22. Elke motortransportsertifikaat wat deur die Raad of 'n plaaslike raad toegestaan word, moet uitgereik word op 'n vorm waarin gemeld word—

- (a) die inligting wat ingevolge subartikel (1) van artikel sewe van die Wet vereis word; en
- (b) die voorwaardes of vereistes wat die Raad of 'n plaaslike raad ingevolge die Wet of hierdie regulasies mag opleë en sodanige verdere besonderhede as wat die Raad van tyd tot tyd mag vereis.

Eerste uitreiking van onderskeidingsteken.

23. Wanneer die Raad of 'n plaaslike raad 'n motortransportsertifikaat, uitgesonderd 'n tydelike sertifikaat, uitreik moet hy ook 'n onderskeidingsteken ten opsigte van daardie sertifikaat uitreik.

Latere uitreiking van onderskeidingsteken.

24. As 'n motortransportsertifikaat vir 'n tydperk van meer as een kalenderjaar uitgereik of hernu was, moet die Raad of betrokke plaaslike raad, by betaling van die betrokke gelde ingevolge subregulasie (2) van regulasie 60, 'n onderskeidingsteken uitreik vir die kalenderjaar ten opsigte waarvan die gelde betaal is.

Beskrywing van onderskeidingsteken.

25. Die onderskeidingsteken wat ingevolge regulasie 23 of 24 deur die Raad of 'n plaaslike raad uitgereik word, is 'n onderskeidingskaart in die vorm van 'n gelyksydige driehoek en van die kleur en met die besonderhede daarop wat die Raad van tyd tot tyd bepaal, en die laaste twee syfers van die kalenderjaar ten opsigte waarvan dit geldig is, moet duidelik op die onderskeidingsteken aangetoon word.

Geldigheidsduur van onderskeidingsteken.

26. 'n Onderskeidingsteken bly geldig slegs vir solank as wat die motortransportsertifikaat ten opsigte waarvan dit uitgereik is, geldig bly en is in ieder geval nie meer geldig na die een-en-dertigste dag van Desember van die kalenderjaar ten opsigte waarvan dit uitgereik is nie.

(4) The date set down in the convening order referred to in sub-regulation (1) for the commencement of the enquiry contemplated shall be sufficiently far ahead to admit of the publication and posting of the said convening order in the manner prescribed in sub-regulations (2) and (3) at least twenty-one days before the enquiry is to commence.

Issue of Temporary Motor Carrier Certificate.

19. A temporary motor carrier certificate may be issued by the Board, in its discretion, for motor carrier transportation on any public road or in any area and by a local board for motor carrier transportation in the local transportation area for which it is appointed as well as for motor carrier transportation which extends into another local transportation area, if such motor carrier transportation commences at a point within the area of jurisdiction of such local board.

Temporary Motor Carrier Certificate not to be Granted if Existing Transportation Facilities are Sufficient.

20. A temporary motor carrier certificate shall not be granted by the Board or a local board if reasonable facilities exist for the conveyance of persons or goods in respect whereof such certificate is desired, by railway or by means of a motor vehicle in respect whereof a motor carrier certificate has been issued: Provided that, notwithstanding the existence of such facilities, the Board or a local board may grant a temporary motor carrier certificate for the conveyance of persons or goods if it is of the opinion that, owing to a particular occurrence or to special circumstances, the grant of a temporary motor carrier certificate is necessary in the public interest.

Period of Validity of Temporary Motor Carrier Certificate.

21. The period of validity of a temporary motor carrier certificate granted by the Board or a local board in terms of regulation 19 or the proviso to regulation 20 shall not exceed one hundred and eighty days.

Form of Motor Carrier Certificate.

22. Every motor carrier certificate granted by the Board or a local board shall be issued in a form which shall specify—

- (a) the information required in terms of sub-section (1) of section seven of the Act; and
- (b) such conditions or requirements as the Board or a local board may impose in terms of the Act or these regulations and such further particulars as the Board may from time to time require.

Initial Issue of Distinguishing Mark.

23. The Board or a local board shall, on issuing a motor carrier certificate other than a temporary certificate, also issue a distinguishing mark in respect of that certificate.

Subsequent Issue of Distinguishing Mark.

24. If a motor carrier certificate was granted or renewed for a period in excess of one calendar year the Board or the local board concerned shall, on payment of the relative fee in terms of sub-regulation (2) of regulation 60 issue a distinguishing mark for the calendar year in respect of which the fee was paid.

Description of Distinguishing Mark.

25. The distinguishing mark issued by the Board or a local board in terms of regulation 23 or 24 shall be an identification card in the form of an equilateral triangle and of such colour and containing such particulars as the Board may from time to time determine and the last two figures of the calendar year in respect of which it is valid shall be prominently shown on such distinguishing mark.

Period for which Distinguishing Mark is Valid.

26. A distinguishing mark shall remain valid only while the motor carrier certificate in respect of which it has been issued remains valid and in any event shall not be valid after the thirty-first day of December of the calendar year in respect of which it was issued.

Hoe onderskeidingsteken op motorvoertuig vertoon moet word.

27. Die persoon aan wie 'n onderskeidingsteken ingevolge regulasie 23 of 24 uitgereik word, moet sorg—

- (a) in die geval van 'n ander voertuig as 'n sleepwa, dat die onderskeidingsteken met die beskrywe kant na vore op 'n in die ooglopende plek aan die voorkant van die voertuig waarop dit betrekking het, geheg word; en
- (b) in die geval van 'n sleepwa, dat die onderskeidings-teken met die beskrywe kant na buite op 'n in die ooglopende plek aan die hotkant van die sleepwa waarop dit betrekking het, geheg word;

en dat die onderskeidingsteken op so 'n manier vasgeheg en in so 'n toestand gehou word dat die gedrukte en geskrewe letters en syfers daarop, duidelik leesbaar bly.

Staking van motortransport.

28. Die houer van 'n motortransportsertifikaat, uitgesonderd 'n tydelike motortransportsertifikaat, mag nie die motortransport of 'n gedeelte daarvan wat in daardie sertifikaat gemagtig is, staak nie tensy hy die Raad of plaaslike raad wat daardie sertifikaat uitgereik het, minstens dertig dae voor die staking skriftelik, hetsy per hand of per geregistreerde pos, van sy voorneme om dit te doen, in kennis gestel het: Met dien verstande dat die Raad of betrokke plaaslike raad hom, na goeddunke, kan toelaat om die staking binne 'n korter tydperk teweeg te bring.

Tydelike skorsing van motortransport.

29. (1) As 'n voorval die tydelike skorsing van motortransport gemagtig in 'n motortransportsertifikaat noodsaak, moet die houer van die sertifikaat so gou moontlik (maar nie later nie as agt-en-veertig uur na die skorsing) per telegram, per brief gestuur per hand of per geregistreerde pos, die Raad of plaaslike raad wat die sertifikaat uitgereik het, skriftelik daarvan in kennis stel en van volledige besonderhede in verband met die voorval voorsien: Met dien verstande dat in geval van tydelike skorsing vir langer as veertien dae, die skriftelike toestemming van die Raad of betrokke plaaslike raad vooraf verkry moet word.

(2) As motortransport gemagtig in 'n motortransportsertifikaat tydelik geskors is, moet die houer van die betrokke sertifikaat so gou moontlik, maar nie later nie as agt-en-veertig uur na die hervatting van die tydelik geskorste motortransport, die Raad of betrokke plaaslike raad van die hervatting in kennis stel.

Terugstuur van motortransportsertifikaat, onderskeidings-teken en aanvullende dokumente as motortransport gestaak of motortransportsertifikaat ingetrek of vervang word.

30. In geval van die algehele staking van motortransport gemagtig by 'n motortransportsertifikaat, of die intrekking of vervanging van 'n motortransportsertifikaat ingevolge die Wet of hierdie regulasies, moet die motortransportsertifikaat, onderskeidingsteken en, indien van toepassing, enige aanvullende dokument wat betrekking het op die motortransport wat geheel en al gestaak of ingetrek of vervang is, deur die houer daarvan, hetsy per hand of per geregistreerde pos, aan die Raad of plaaslike raad, na gelang van die geval, wat dit uitgereik het, so gou moontlik maar nie later nie as sewe dae na die datum waarop die staking of intrekking of vervanging in werking getree het, teruggestuur word.

Terugstuur van motortransportsertifikaat en aanvullende dokumente as gelde nie betaal word nie.

31. As 'n motortransportsertifikaat vir 'n tydperk van meer as een kalenderjaar toegestaan of hernu word en die toepaslike gelde ingevolge subregulasie (2) van regulasie 60 nie voor die eerste dag van Januarie van die kalenderjaar ten opsigte waarvan dit verskuldig is, betaal word nie, moet die houer van daardie motortransportsertifikaat dit saam met enige aanvullende dokument wat daarop betrekking het, voor of op die sewende dag van Januarie van gemelde kalenderjaar per hand of per geregistreerde pos terugstuur aan die Raad of plaaslike raad, na gelang van die geval, wat dit uitgereik het.

Manner in which Distinguishing Mark is to be Displayed on Motor Vehicle.

27. The person to whom a distinguishing mark is issued in terms of regulation 23 or 24 shall ensure—

- (a) in the case of a motor vehicle other than a trailer, that the distinguishing mark is affixed, facing forward, in a conspicuous place, to the front part of the vehicle to which it relates; and
- (b) in the case of a trailer, that the distinguishing mark is affixed, facing outward, in a conspicuous place to the near side of the trailer to which it relates;

and that such distinguishing mark is kept so affixed and maintained in such condition as to ensure that the printed and written letters and figures thereon remain clearly legible.

Discontinuation of Motor Carrier Transportation.

28. The holder of a motor carrier certificate other than a temporary motor carrier certificate, shall not discontinue the whole or any part of the motor carrier transportation authorized in that certificate unless he has at least thirty days before effecting such discontinuation notified the Board or the local board which issued that certificate, in writing transmitted either by hand or by means of registered post of his intention to effect such discontinuation: Provided that the Board or the local board concerned may, in its discretion, permit him to effect such discontinuation within a shorter period.

Temporary Suspension of Motor Carrier Transportation.

29. (1) If any occurrence compels the temporary suspension of any motor carrier transportation authorized in any motor carrier certificate, the holder of such certificate shall as soon as possible (but not later than forty-eight hours after such suspension) by telegram, by letter sent by hand or by means of registered post, inform the Board or the local board which issued the certificate of such suspension and furnish it with full particulars of the occurrence: Provided that in the event of any such temporary suspension for a period of more than fourteen days the written consent of the Board or the local board concerned shall first be obtained.

(2) If any motor carrier transportation, authorized in any motor carrier certificate, has been temporarily suspended, the holder of the certificate concerned shall as soon as possible but not later than forty-eight hours after the resumption of such temporarily suspended motor carrier transportation, notify the Board or the local board concerned of such resumption.

Return of Motor Carrier Certificate, Distinguishing Mark and Supplementary Documents if Motor Carrier Transportation is Discontinued or Motor Carrier Certificate is Cancelled or Replaced.

30. In the event of the total discontinuation of motor carrier transportation authorized by a motor carrier certificate or the cancellation or replacement by any motor carrier certificate in terms of the Act or these regulations, the motor carrier certificate, distinguishing mark and, if applicable, any supplementary document which relate to the totally discontinued motor carrier transportation or which have been cancelled or replaced shall be returned by the holder thereof either by hand or by means of registered post to the Board or the local board, as the case may be, which issued it as soon as possible but not later than seven days after the date on which such discontinuation or cancellation or replacement came into operation.

Return of Motor Carrier Certificate and Supplementary Documents if Fee is Unpaid.

31. If a motor carrier certificate is granted or renewed for a period in excess of one calendar year and the relative fee in terms of sub-regulation (2) of regulation 60 is not paid before the first day of January of the calendar year in respect of which payment is due, the holder of that motor carrier certificate shall, on or before the seventh day of January of the said calendar year, return it together with any supplementary document which may relate to it by hand or by means of registered post to the Board or the local board, as the case may be, which issued it.

HOOFSTUK III.

VRYSTELLING VAN VERPLIGTING OM MOTORTRANSPORT-SERTIFIKAAT UIT TE NEEM (ARTIKEL *nege* VAN DIE WET).*Hoe aansoek om vrystelling gedoen moet word.*

32. (1) Enigiemand wat verlang om vrystelling te verkry van die verpligting om 'n motortransportsertifikaat uit te neem, moet daarom aansoek doen op die vorm wat die Raad van tyd tot tyd voorskryf en daardie vorm moet in alle opsigte ingevul word, behalwe waar dit nie moontlik is nie, en ingedien word by die Raad of betrokke plaaslike raad wat kan versoek dat verdere inligting verstrek word bo en behalwe dié wat in die aansoekvorm vervat is.

(2) Geen aansoek ingedien ingevolge subregulasie (1) moet oorweeg word alvorens die gelde voorgeskryf in subregulasie (1) van regulasie 64 betaal is nie.

(3) Die Raad of betrokke plaaslike raad kan te eniger tyd voor sy finale beslissing in die aansoek, die applikant gelas om voor of op 'n sekere datum 'n bedrag geld ingevolge die voorbehoudsbepaling van paragraaf (c) van subartikel (1) van artikel vyf van die Wet te deponeer.

Uitreiking van tydelike vrystelling.

33. 'n Tydelike vrystelling kan, na goeddunke, deur die Raad uitgereik word vir motortransport op enige publieke pad of binne enige gebied en deur 'n plaaslike raad vir motortransport binne die plaaslike transportgebied waarvoor hy benoem is, asook vir motortransport wat strek tot 'n ander plaaslike transportgebied, as gemelde motortransport op 'n plek binne die regsgebied van die betrokke plaaslike raad begin.

Geldigheidsduur van tydelike vrystelling.

34. Die geldigheidsduur van 'n tydelike vrystelling wat ingevolge regulasie 33 deur die Raad of 'n plaaslike raad, na gelang van die geval, uitgereik word, mag nie honderden-tagtig dae te bowe gaan nie.

Vrystelling wat ander vervoerfasiliteite raak.

35. Wanneer die Raad of betrokke plaaslike raad, na gelang van die geval, van oordeel is dat die verlening van 'n vrystelling ooreenkomstig paragrawe (c), (e), (f) of (h) van subartikel (2) van artikel *nege* van die Wet 'n nadelige uitwerking sal hê op spoorwegtransportgeleenthede of vervoerfasiliteite waarvoor 'n motortransportsertifikaat uitgereik is, moet die Raad of betrokke plaaslike raad die Administrasie of die houer van so 'n motortransportsertifikaat geleentheid gee om bewys te lewer dat daar redelike fasiliteite bestaan vir die vervoer van die betrokke persone of goedere, per spoor of deur middel van 'n motorvoertuig waarvoor 'n motortransportsertifikaat uitgereik is.

Oordrag van vrystelling.

36. Die bepalings van regulasies 14, 15, 17 en 35 is *mutatis mutandis* van toepassing op 'n aansoek om oordrag van 'n vrystelling van die houer daarvan aan 'n ander persoon.

Vorm van vrystelling.

37. Elke vrystelling wat deur die Raad of plaaslike raad verleen word, moet uitgereik word op 'n vorm waarin gemeld word—

- (a) die inligting wat ingevolge subartikel (1) van artikel sewe van die Wet vereis word: Met dien verstande dat in die geval van 'n vrystelling uitgereik ten opsigte van motorvoertuie wat deur 'n fabrikant of hersteller van of 'n handelaar in motorvoertuie kragtens 'n algemene handelslisensie of 'n beperkte handelslisensie gebruik word, dit as voldoende uitkenning van die betrokke motorvoertuig beskou sal word indien die registrasieletters en -nommers van die paar handelsplate waarop die vrystelling betrekking het, in die vrystelling vermeld word; en
- (b) die voorwaardes of vereistes wat die Raad of 'n plaaslike raad ingevolge die Wet of hierdie regulasies mag opleë en sodanige verdere besonderhede as wat die Raad van tyd tot tyd mag vereis.

CHAPTER III.

EXEMPTION FROM OBLIGATION TO TAKE OUT MOTOR CARRIER CERTIFICATE (SECTION *nine* OF THE ACT).*Manner in Which Application for Exemption is to be Made.*

32. (1) Any person who wishes to obtain an exemption from the obligation to take out a motor carrier certificate shall apply therefor on such form as may from time to time be prescribed by the Board and such form shall be completed in all respects, except where completion is not possible, and submitted to the Board or the local board concerned which may require to be furnished with information supplementary to that contained in the application form.

(2) No application submitted in terms of sub-regulation (1) shall be considered until the fee prescribed in sub-regulation (1) of regulation 64 is paid.

(3) The Board or the local board concerned may at any time before giving its final decision on the application direct the applicant to deposit on or before a certain date a sum of money in terms of the proviso to paragraph (c) of sub-section (1) of section five of the Act.

Issue of Temporary Exemption.

33. A temporary exemption may be issued by the Board, in its discretion, for motor carrier transportation on any public road or in any area and by a local board for motor carrier transportation in the local transportation area for which it is appointed, as well as for motor carrier transportation which extends into another local transportation area if such motor carrier transportation commences at a point within the area of jurisdiction of such local board.

Period of Validity of Temporary Exemption.

34. The period of validity of a temporary exemption issued in terms of regulation 33 by the Board or a local board, as the case may be, shall not exceed one hundred and eighty days.

Exemption Affecting other Transportation Facilities.

35. When the Board or the local board, as the case may be, is of opinion that the granting of an exemption in terms of paragraphs (c), (e), (f) or (h) of sub-section (2) of section *nine* of the Act will adversely affect any railway transportation facilities or any transportation facilities in respect whereof a motor carrier certificate has been issued, the Board or the local board concerned shall afford the Administration or the holder of the motor carrier certificate concerned an opportunity of proving that reasonable facilities are available for the conveyance of such persons or goods by rail or by means of a motor vehicle in respect whereof a motor carrier certificate has been issued.

Transfer of Exemption.

36. The provisions of regulations 14, 15, 17 and 35 shall *mutatis mutandis* apply to an application for the transfer of an exemption from the holder thereof to another person.

Form of Exemption.

37. Every exemption granted by the Board or a local board shall be issued in a form which shall specify—

- (a) the information required in terms of sub-section (1) of section *seven* of the Act: Provided that in the case of an exemption issued in respect of motor vehicles operated by a manufacturer or repairer of or a dealer in motor vehicles under a general trade licence or a limited trade licence, it shall be deemed to be sufficient identification of the motor vehicle concerned if the registration letters and numbers of the pair of trade plates to which the exemption relates are specified in such exemption; and
- (b) such conditions or requirements as the Board or a local board may impose in terms of the Act or these regulations and such further particulars as the Board may from time to time require.

Aanvullende dokumente.

38. Aanvullende dokumente met bykomende voorwaardes of vereistes wat in verband met 'n vrystelling uitgereik word, hetsy tegelykertyd met of op enige tyd gedurende die geldigheidsduur van daardie vrystelling, sal deel van daardie vrystelling uitmaak.

Wysiging van vrystelling of aanvullende dokument.

39. Wanneer die houer van 'n vrystelling verlang dat daardie vrystelling of 'n aanvullende dokument wat in verband daarmee uitgereik is, gewysig moet word, moet die prosedure uiteengesit in regulasie 32 gevolg word en is die bepalinge van regulasie 13 *mutatis mutandis* van toepassing as die aansoek om 'n wysiging toegestaan word.

Vrystelling moet op voertuig gehou word.

40. (1) 'n Vrystelling uitgereik deur die Raad of 'n plaaslike raad moet op die voertuig waarop dit betrekking het, gehou en op versoek van 'n gemagtigde amptenaar getoon word.

(2) Die houer van die vrystelling moet daarvoor sorg dat die vrystelling in die voertuig waarop dit betrekking het, gehou word en die bestuurder van gemelde voertuig moet dit op versoek van 'n gemagtigde amptenaar vertoon.

Eerste uitreiking van vrystellingsbewys.

41. Wanneer die Raad of 'n plaaslike raad 'n vrystelling, uitgesonderd 'n tydelike vrystelling, uitreik, moet hy ook 'n vrystellingsbewys ten opsigte van daardie vrystelling uitreik.

Latere uitreiking van vrystellingsbewys.

42. As 'n vrystelling, uitgesonderd 'n vrystelling wat vir 'n onbepaalde tyd geldig is, verleen of hernu word vir 'n tydperk van meer as een kalenderjaar, moet die Raad of betrokke plaaslike raad by betaling van die toepaslike gelde ingevolge subregulasies (1) en (3) van regulasie 64 'n vrystellingsbewys uitreik vir die kalenderjaar ten opsigte waarvan die gelde betaal is.

Beskrywing van vrystellingsbewys.

43. Die vrystellingsbewys is—

- (a) in die geval van 'n vrystelling wat vir 'n onbepaalde tydperk geldig is, 'n skyfie van die kleur en met die besonderhede daarop wat die Raad van tyd tot tyd bepaal en waarop die letter „M” duidelik aangetoon word; en
- (b) in die geval van alle ander vrystellings, uitgesonderd 'n vrystelling wat vir 'n onbepaalde tydperk geldig is, of 'n tydelike vrystelling, 'n skyfie van die kleur en met die besonderhede daarop wat die Raad van tyd tot tyd bepaal en waarop die letter „M” asook die laaste twee syfers van die kalenderjaar ten opsigte waarvan dit geldig is, duidelik aangetoon word.

Geldigheidsduur van vrystellingsbewys.

44. (1) 'n Vrystellingsbewys, uitgereik ten opsigte van 'n vrystelling wat vir 'n onbepaalde tydperk geldig is, bly slegs geldig vir solank as wat die vrystelling ten opsigte waarvan dit uitgereik is, geldig bly.

(2) 'n Vrystellingsbewys, uitgesonderd 'n vrystellingsbewys uitgereik ten opsigte van 'n vrystelling wat vir 'n onbepaalde tydperk geldig is, bly slegs geldig vir solank as wat die vrystelling ten opsigte waarvan dit uitgereik is, geldig bly en is in ieder geval nie meer geldig na die een-en-dertigste dag van Desember van die kalenderjaar ten opsigte waarvan dit uitgereik is nie.

Hoe vrystellingsbewys op motorvoertuig vertoon moet word.

45. Die persoon aan wie 'n vrystellingsbewys uitgereik is, moet sorg—

- (a) in die geval van 'n ander motorvoertuig as 'n sleepwa, dat die vrystellingsbewys met die beskrywe kant na vore op 'n in die ooglopende plek aan die voorkant van die voertuig waarop dit betrekking het, geheg word; en

Supplementary Documents.

38. Supplementary documents, containing additional conditions or requirements, issued in connection with any exemption shall, whether issued at the same time as or at any time during the currency of that exemption, form part of that exemption.

Amendment of Exemption or Supplementary Document.

39. When the holder of an exemption desires that exemption, or a supplementary document issued in connection with it, to be amended the procedure set out in regulation 32, shall be followed and the provisions of regulation 13 shall *mutatis mutandis* apply if the application for an amendment is granted.

Exemption to be Carried on Vehicle.

40. (1) Any exemption granted by the Board or a local board shall be carried on the motor vehicle to which it relates, and produced on demand by an authorized officer.

(2) The holder of the exemption shall be responsible for ensuring that the exemption is carried on the vehicle to which it relates and the driver of the said vehicle for its production on demand by an authorized officer.

Initial Issue of Proof of Exemption.

41. The Board or a local board shall on issuing an exemption, other than a temporary exemption, also issue a proof of exemption in respect of that exemption.

Subsequent Issue of Proof of Exemption.

42. If an exemption other than an exemption valid for an indefinite period is granted or renewed for a period in excess of one calendar year the Board or the local board concerned shall, on payment of the relative fee in terms of sub-regulations (1) and (3) of regulation 64 issue a proof of exemption for the calendar year in respect of which the fee was paid.

Description of Proof of Exemption.

43. The proof of exemption shall be—

- (a) in the case of an exemption valid for an indefinite period, a disc of such colour and containing such particulars as the Board may from time to time determine and the letter “M” shall be prominently shown thereon; and
- (b) in the case of all exemptions other than an exemption valid for an indefinite period or a temporary exemption, a disc of such colour and containing such particulars as the Board may from time to time determine and the letter “M” together with the last two figures of the calendar year in respect of which it is valid shall be prominently shown thereon.

Period of Validity of Proof of Exemption.

44. (1) A proof of exemption issued in respect of an exemption valid for an indefinite period shall remain valid only while the exemption in respect of which it was issued remains valid.

(2) A proof of exemption, other than a proof of exemption issued in respect of an exemption valid for an indefinite period, shall remain valid only while the exemption in respect of which it was issued remains valid and in any event shall not be valid after the thirty-first day of December of the calendar year in respect of which it was issued.

Manner in which Proof of Exemption is to be Displayed on Motor Vehicle.

45. The person to whom a proof of exemption is issued shall ensure—

- (a) in the case of a motor vehicle other than a trailer, that the proof of exemption is affixed, facing forward, in a conspicuous place, to the front part of the vehicle to which it relates; and

(b) in die geval van 'n sleepwa, dat die vrystellingsbewys met die beskrywende kant na buite op 'n in die ooglopende plek aan die hotkant van die sleepwa waarop dit betrekking het, geheg word;

en dat die vrystellingsbewys op so 'n manier vasgeheg en in so 'n toestand gehou word dat die gedrukte en geskrewe letters en syfers daarop duidelik leesbaar bly.

Staking van motortransport.

46. Die houer van 'n vrystelling wat vir die vervoer van persone of goedere teen vergoeding uitgereik is uitgesonderd 'n tydelike vrystelling, mag nie die motortransport wat in daardie vrystelling gemagtig word, geheel of gedeeltelik staak nie, tensy hy die Raad of plaaslike raad wat daardie vrystelling uitgereik het, minstens dertig dae voor die tyd, hetsy per hand of per geregistreerde pos, skriftelik van sy voorneme om die vervoer te staak, in kennis gestel het: Met dien verstande dat die Raad of betrokke plaaslike raad, na goeddunke, hom kan vergun om binne 'n korter tyd die vervoer te staak.

Tydelike skorsing van motortransport.

47. (1) As 'n voorval die tydelike skorsing van motortransport wat in 'n vrystelling vir die vervoer van persone of goedere teen vergoeding gemagtig is, noodsaaklik maak, moet die houer van daardie vrystelling so gou moontlik (maar nie later as agt-en-veertig uur na die skorsing nie) die Raad of plaaslike raad wat die vrystelling uitgereik het, per telegram, per brief gestuur per hand of per geregistreerde pos, van daardie skorsing in kennis stel en volle besonderhede van die voorval verstrek: Met dien verstande dat wanneer so 'n tydelike skorsing langer as veertien dae sal duur, die skriftelike toestemming van die Raad of betrokke plaaslike raad vooraf verkry moet word.

(2) As motortransport vir die vervoer van persone of goedere teen vergoeding wat in 'n vrystelling gemagtig is, tydelik geskors is, moet die houer van die betrokke vrystelling die Raad of betrokke plaaslike raad so gou moontlik maar nie later nie as agt-en-veertig uur nadat hy motortransport na so 'n tydelike skorsing hervat het, van die hervatting in kennis stel.

Terugstuur van vrystelling, vrystellingsbewys en aanvullende dokumente as vrystelling ongeldig word of ingetrek of vervang word of as motortransport gestaak word.

48. (1) As 'n vrystelling ongeldig word deurdat die houer daarvan nie langer die eienaar is van of beheer het oor die motorvoertuig wat daarin beskryf word nie of ingetrek of ingevolge die Wet of hierdie regulasies deur 'n ander vrystelling vervang word, moet die vrystelling, vrystellingsbewys en, indien van toepassing, enige aanvullende dokument wat ongeldig geraak het of wat ingetrek of vervang is, so gou moontlik maar nie later nie as sewe dae nadat die ongeldigheid, intrekking of vervanging in werking getree het, deur die houer daarvan, hetsy per hand of per geregistreerde pos, teruggestuur word aan die Raad of plaaslike raad, na gelang van die geval, wat dit uitgereik het.

(2) Wanneer motortransport wat in 'n vrystelling gemagtig is, geheel en al gestaak word, moet die vrystelling, vrystellingsbewys en indien van toepassing, enige aanvullende dokument wat betrekking het op die motortransport wat geheel en al gestaak word, so gou moontlik maar nie later nie as sewe dae nadat die staking in werking getree het, deur die houer daarvan, hetsy per hand of per geregistreerde pos, teruggestuur word aan die Raad of plaaslike raad, na gelang van die geval, wat dit uitgereik het.

Terugstuur van vrystellingsbewys en aanvullende dokumente as gelde nie betaal word nie.

49. As 'n vrystelling, uitgesonderd 'n vrystelling vir 'n onbepaalde tydperk, verleen of hernu word vir 'n tydperk van meer as een kalenderjaar en die toepaslike gelde ingevolge subregulasies (1) en (3) van regulasie 64 nie betaal word voor die eerste dag van Januarie van die kalenderjaar ten opsigte waarvan dit verskuldig is nie,

(b) in the case of a trailer, that the proof of exemption is affixed, facing outward, in a conspicuous place to the near side of the trailer to which it relates;

and that such proof of exemption is kept so affixed and maintained in such condition as to ensure that the printed and written letters and figures thereon remain clearly legible.

Discontinuation of Motor Carrier Transportation.

46. The holder of an exemption issued for the conveyance of persons or goods for reward, other than a temporary exemption, shall not discontinue the whole or any part of the motor carrier transportation authorized in that exemption unless he has at least thirty days before effecting such discontinuation, notified the Board or the local board which issued that exemption, in writing, transmitted either by hand or by means of registered post, of his intention to effect such discontinuation: Provided that the Board or the local board concerned may, in its discretion, permit him to effect such discontinuation within a shorter period.

Temporary Suspension of Motor Carrier Transportation.

47. (1) If any occurrence compels the temporary suspension of any motor carrier transportation authorized in any exemption issued for the conveyance of persons or goods for reward, the holder of such exemption shall, as soon as possible (but not later than forty-eight hours after such suspension) by telegram, by letter sent by hand or by means of registered post inform the Board or the local board which issued the exemption, of such suspension and furnish it with full particulars of the occurrence: Provided that in the event of any such temporary suspension for a period of more than fourteen days the written consent of the Board or the local board concerned shall first be obtained.

(2) If any motor carrier transportation involving the conveyance of persons or goods for reward, authorized in an exemption, has been temporarily suspended, the holder of the exemption concerned shall as soon as possible but not later than forty-eight hours after the resumption of such temporarily suspended motor carrier transportation, notify the Board or the local board concerned of such resumption.

Return of Exemption, Proof of Exemption and Supplementary Documents if Exemption Becomes Invalid or is Cancelled or Replaced or if Motor Carrier Transportation is Discontinued.

48. (1) If an exemption becomes invalid owing to the holder thereof ceasing to own or to have control of the motor vehicle described therein or is cancelled or replaced in terms of the Act or these regulations by another exemption, the exemption, proof of exemption and, if applicable, any supplementary document which have become invalid or which have been cancelled or replaced shall be returned by the holder thereof either by hand or by means of registered post to the Board or the local board, as the case may be, which issued it as soon as possible but not later than seven days after such invalidation, cancellation or replacement has become operative.

(2) In the event of the total discontinuation of motor carrier transportation authorized by an exemption, the exemption, proof of exemption and, if applicable, any supplementary document which relate to the totally discontinued motor carrier transportation shall be returned by the holder thereof either by hand or by means of registered post to the Board or the local board, as the case may be, which issued it as soon as possible but not later than seven days after the date on which such discontinuation came into operation.

Return of Proof of Exemption and Supplementary Documents if Fee is Unpaid.

49. If an exemption other than an exemption granted for an indefinite period is granted or renewed for a period in excess of one calendar year and the relative fee in terms of sub-regulations (1) and (3) of regulation 64 is not paid before the first day of January of the calendar year in respect of which payment is due, the holder of that

moet die houer van daardie vrystelling dit saam met enige aanvullende dokument wat daarop betrekking het, voor of op die sewende dag van Januarie van gemelde kalenderjaar, hetsy per hand of per geregistreerde pos, terugstuur aan die Raad of plaaslike raad, na gelang van die geval, wat dit uitgereik het.

Adresverandering.

50. As die houer van 'n vrystelling gedurende die geldigheidsduurduur daarvan sy adres verander soos vermeld in 'n aansoekvorm wat hy ingevolge hierdie regulasies ingedien het of soos ingevolge hiervan aan die Raad of betrokke plaaslike raad bekendgemaak, moet hy binne sewe dae na so 'n adresverandering die Raad of plaaslike raad, na gelang van die geval, wat die vrystelling uitgereik het, skriftelik van sy nuwe adres in kennis stel.

Gebiede waarin vrystelling verleen moet word ingevolge artikel nege (3) (a) van die Wet.

51. Die volgende is die gebiede waarin die Raad of 'n plaaslike raad, na gelang van die geval, verplig is om ingevolge paragraaf (a) van subartikel (3) van artikel nege van die Wet vrystelling te verleen van die verpligting om 'n motortransportsertifikaat uit te neem:—

- (a) Vir die vervoer van goedere ingevolge subparagraaf (i), (ii) of (iii) van paragraaf (a) van subartikel (3) van artikel nege van die Wet, uitgesonderd goedere vir die vervoer waarvan 'n spesiale gebied in paragraaf (c), (d), (e), (f) of (g) van hierdie regulasie voorgeskryf word: Binne 'n omtrek van dertig myl van die vrystellingshouer se *bona fide* besigheidsplek: Met dien verstande dat in die geval van 'n vrystellingshouer wie se *bona fide* besigheidsplek geleë is in 'n gebied wat hieronder omskryf word, die Raad of betrokke plaaslike raad ook vrystelling moet verleen van die verpligting om 'n motortransportsertifikaat binne daardie gebied uit te neem; en met dien verstande voorts dat waar so 'n vrystelling van die verpligting om 'n motortransportsertifikaat uit te neem, aldus verleen is vir sodanige vervoer binne 'n bepaalde gebied soos hieronder omskryf, die vrystelling nie die houer daarvan die reg gee om motortransport binne 'n ander aldus omskrewe gebied te onderneem nie, behalwe waar en vir sover die omtrek van dertig myl van sy *bona fide* besigheidsplek 'n gedeelte van so 'n ander gebied insluit;

Beskrywing van gebied—

- (i) die landdrostdistrikte Bellville, Kaap, Malmesbury (uitgesonderd die vrederegterswyke Agter Swartland, Honingsberg en Swartwater), Paarl, Simonstad, Somerset-Wes, Stellenbosch, Wellington (uitgesonderd die landdroswyke Bergrivier, Wagenmakersvlei, Groenberg en Hermon) en Wynberg en die gebied geleë tussen die grense van die nasionale pad (Nasionale Roete No. 9) tussen Kaapstad en Worcester vanaf die punt waar dit die grens van die landdrostdistrik Paarl raak tot by die punt waar dit grens van die munisipale gebied van Worcester raak, en die geheel van laasgenoemde gebied;
- (ii) die landdrostdistrikte Camperdown, Durban, Inanda, Laer Tugela, Mapumulo, Ndwedwe, Pinetown en Umlazi en die gebied geleë tussen die grense van die nasionale pad (Nasionale Roete No. 3) tussen Durban en Pietermaritzburg vanaf die punt waar dit die grens van die landdrostdistrik Camperdown raak tot by die punt waar dit die grens van die munisipale gebied van Pietermaritzburg raak, en die geheel van laasgenoemde gebied;
- (iii) die landdrostdistrikte Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Kempton Park, Krugersdorp, Nigel,

exemption shall, on or before the seventh day of January of the said calendar year, return it together with any supplementary document which may relate to it by hand or by means of registered post to the Board or the local board, as the case may be, which issued it.

Change of Address.

50. If during the currency of an exemption the holder thereof changes his address as specified in an application form submitted by him in terms of these regulations or as notified in terms hereof to the Board or the local board concerned, he shall within seven days after such change of address, give written notice of his new address to the Board or the local board, as the case may be, which issued the exemption.

Areas within which Exemption shall be Granted in terms of Section nine (3) (a) of the Act.

51. The following are the areas within which the Board or a local board, as the case may be, shall grant exemption from the obligation to take out a motor carrier certificate in terms of paragraph (a) of sub-section (3) of section nine of the Act:—

- (a) For the conveyance of goods in terms of sub-paragraph (i), (ii) or (iii) of paragraph (a) of sub-section (3) of section nine of the Act other than goods for the conveyance of which a special area is prescribed in paragraph (c), (d), (e), (f) or (g) of this regulation: Within a radius of 30 miles from the exemption holder's *bona fide* place of business: Provided that in the case of an exemption holder whose *bona fide* place of business is situated in any area defined hereunder the Board or the local board concerned shall also grant exemption from the obligation to take out a motor carrier certificate within such area; and provided further that where such exemption from the obligation to take out a motor carrier certificate has been so granted for such conveyance within any particular area defined hereunder, such exemption shall not entitle the holder thereof to carry on motor carrier transportation within any other area so defined, except where and to the extent to which the radius of 30 miles from his *bona fide* place of business includes any portion of such other area;

Description of area—

- (i) the Magisterial Districts of Bellville, Cape, Malmesbury (excluding the justice of the peace wards Agter Swartland, Honingsberg and Swartwater), Paarl, Simonstown, Somerset West, Stellenbosch, Wellington (excluding the magisterial wards Berg River, Wagenmakersvlei, Groenberg and Hermon) and Wynberg and the area lying between the boundaries of the national road (National Route No. 9) between Cape Town and Worcester from the point where it intersects the boundary of the Magisterial District of Paarl to the point where it intersects the boundary of the municipal area of Worcester and the whole of the last-mentioned area;
- (ii) the Magisterial Districts of Camperdown, Durban, Inanda, Lower Tugela, Mapumulo, Ndwedwe, Pinetown and Umlazi and the area lying between the boundaries of the national road (National Route No. 3) between Durban and Pietermaritzburg from the point where it intersects the boundary of the Magisterial District of Camperdown to the point where it intersects the boundary of the municipal area of Pietermaritzburg and the whole of the last-mentioned area;
- (iii) the Magisterial Districts of Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Kempton Park, Krugersdorp,

Oberholzer, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark en Vereeniging en daardie gedeeltes van die landdrosdistrikte Heilbron, Sasolburg en Parys wat binne 'n omtrek van twintig myl vanaf die hoofposkantoor in Vereeniging geleë is asook tussen punte binne voornoemde gebiede en punte binne die munisipale gebied van Fochville;

- (iv) die landdrosdistrikte Klerksdorp en Potchefstroom, uitgesonderd die munisipale gebied van Fochville;
 - (v) die landdrosdistrikte King William's Town, Komgha en Oos-Londen;
 - (vi) die landdrosdistrikte Kirkwood, Port Elizabeth en Uitenhage en daardie gedeelte van die landdrosdistrik Humansdorp wat geleë is binne 'n omtrek van 50 myl van die Nuwe Geregshof, Port Elizabeth;
 - (vii) die landdrosdistrikte Glen Grey, Queenstown en Tarka;
 - (viii) die landdrosdistrikte Bloemfontein en Brandfort;
 - (ix) die landdrosdistrikte Hennenman, Kroonstad, Odendaalsrus, Ventersburg, Virginia en Welkom;
- (b) vir die vervoer van goedere deur een persoon of meer na die een of ander plek om hulle daar te vertoon, deur middel van 'n motorvoertuig wat aan een of meer van gemelde persone of die eienaar van die goedere behoort: Binne die Republiek van Suid-Afrika mits daardie goedere nie verkoop word of te koop aangebied word nie;
- (c) vir die vervoer van 'n nuusblad deur middel van 'n motorvoertuig wat aan die uitgewers daarvan behoort: Binne 'n omtrek van tweehonderd myl van die plek waar die nuusblad gepubliseer word;
- (d) vir die vervoer deur 'n bou-aannemer of vakman regstreeks verbonde aan die oprigting, verandering of vernuwung van geboue, van sy eie steierwerk, bougereedskap en vakmansgereedskap, deur middel van 'n motorvoertuig wat aan hom behoort: Binne 'n omtrek van honderd myl van sy besigheidsplek;
- (e) vir die vervoer deur 'n oliemaatskappy van petrol of ander motorbrandstof in massa deur middel van 'n motorvoertuig wat aan die maatskappy behoort en wat vir die vervoer van petrol of ander motorbrandstof in massa ingerig of bestem is: Binne 'n omtrek van dertig myl van 'n grootmaatdepot van 'n oliemaatskappy wat per spoor van brandstof voorsien word;
- (f) vir die vervoer deur 'n oliemaatskappy van petrol of ander motorbrandstof deur middel van 'n motorvoertuig wat aan die maatskappy behoort en wat nie vir die vervoer van petrol of ander motorbrandstof in massa ingerig of bestem is nie: Binne 'n omtrek van dertig myl van 'n depot van 'n oliemaatskappy wat per spoor van brandstof voorsien word;
- (g) vir die vervoer van steenkool, deur 'n persoon wat in steenkool handel dryf, deur middel van 'n motorvoertuig wat aan hom behoort: Binne 'n omtrek van 10 myl vanaf die besigheidsplek waar hy in steenkool handel dryf;

Met dien verstande dat 'n vrystelling verleen kan word vir die vervoer van goedere binne 'n groter gebied as 'n gebied hierbo omskryf of na 'n plek of plekke buite laasgenoemde gebied as die Raad of betrokke plaaslike raad van mening is dat dit onder die omstandighede onbillik sal wees om te verwag dat die applikant 'n ander soort vervoer moet gebruik.

Nigel, Oberholzer, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark and Vereeniging and those portions of the Magisterial Districts of Heilbron, Sasolburg and Parys within a radius of 20 miles from the main post office in Vereeniging as well as between points within the aforementioned areas and points within the municipal area of Fochville;

- (iv) the Magisterial Districts of Klerksdorp and Potchefstroom excluding the municipal area of Fochville;
 - (v) the Magisterial Districts of East London, King William's Town and Komgha;
 - (vi) the Magisterial Districts of Kirkwood, Port Elizabeth and Uitenhage and that portion of the Magisterial District of Humansdorp situated within a radius of 50 miles from the New Law Courts, Port Elizabeth;
 - (vii) the Magisterial Districts of Glen Grey, Queenstown and Tarka;
 - (viii) the Magisterial Districts of Bloemfontein and Brandfort;
 - (ix) the Magisterial Districts of Hennenman, Kroonstad, Odendaalsrus, Ventersburg, Virginia and Welkom;
- (b) for the conveyance of goods by one or more persons to some place or other to exhibit them, by means of a motor vehicle belonging to one or more of such persons or to the owner of such goods: Within the Republic of South Africa, if such goods are not sold or offered for sale;
- (c) for the conveyance of a newspaper by means of a motor vehicle belonging to the publishers of such newspaper: Within a radius of two hundred miles from the place where such newspaper is published;
- (d) for the conveyance by a building contractor or by a tradesman directly associated with the construction, alteration or renovation of buildings of his own scaffolding, building plant and tools of his trade, by means of a motor vehicle belonging to him: Within a radius of one hundred miles from his place of business;
- (e) for the conveyance by an oil company of petrol or other motor fuel in bulk; by means of a motor vehicle belonging to such company and designed or intended for the conveyance of petrol or other motor fuel in bulk: Within a radius of thirty miles from a bulk depot of an oil company which is supplied with fuel by rail;
- (f) for the conveyance by an oil company of petrol or other motor fuel by means of a motor vehicle belonging to such company and not designed or intended for the conveyance of petrol or other motor fuel in bulk: Within a radius of thirty miles from any depot of an oil company which is supplied with fuel by rail;
- (g) for the conveyance of coal, by a person dealing in coal, by means of a motor vehicle belonging to him: Within a radius of 10 miles from the place of business where he deals in coal;

Provided that an exemption may be granted for the conveyance of goods within a greater area than an area defined above or to a place or places outside the latter area if, in the opinion of the Board or the local board concerned, it would be unreasonable in the circumstances to expect the applicant to use any other form of transport.

Gebied waarin vrystelling verleen moet word ingevolge artikel nege (3) (c) van die Wet.

52. Ondergenoemde is die gebied waarin die Raad of betrokke plaaslike raad, na gelang van die geval, ingevolge paragraaf (c) van subartikel (3) van artikel nege van die Wet vrystelling moet verleen van die verpligting om 'n motortransportsertifikaat vir die vervoer van goedere uit te neem: Binne 'n omtrek van vyftig myl vanaf die plek waar die goedere skoongemaak, gekleur, herstel, verander of andersins behandel moet word of behandel is: Met dien verstande dat 'n vrystelling verleen kan word vir die vervoer van goedere binne 'n groter gebied as die gebied hierbo omskryf of na 'n plek of plekke buite laasgenoemde gebied as die Raad of betrokke plaaslike raad van mening is dat dit onder die omstandighede onbillik sal wees om te verwag dat die applikant enige ander soort vervoer moet gebruik.

HOOFSTUK IV.

APPELLE.

Hoe appèl aangeteken moet word.

53. (1) Enigiemand wat appèl wil aanteken teen 'n handeling, opdrag of beslissing van 'n plaaslike raad kan 'n skriftelike kennisgewing van appèl in tienvoud, hetsy per hand of per geregistreerde pos, rig aan die Sekretaris van Vervoer (Afdeling Padvervoer), Posbus 1077, Pretoria, binne een-en-twintig dae na die betrokke plaaslike raad die handeling verrig of die opdrag of beslissing gegee het, en 'n afskrif van die kennisgewing van appèl moet terselfdertyd deur die appellant, hetsy per hand of per geregistreerde pos, aan daardie plaaslike raad gestuur word.

(2) Die kennisgewing wat ingevolge subregulasie (1) vereis word, moet die geskilpunt ten opsigte waarvan die appèl aangeteken word, die naam van die betrokke plaaslike raad en die redes vir die appèl duidelik uiteensit.

(3) Elke kennisgewing van appèl wat ingevolge subregulasie (1) ingedien word, moet vergesel gaan van die gelde voorgeskryf in subregulasie (1) van regulasie 68: Met dien verstande dat die Raad te eniger tyd voor hy sy finale beslissing in die appèl gee, die appellant kan gelas om voor of op 'n sekere datum 'n bedrag geld te deponeer ingevolge die voorbehoudsbepaling van subartikel (2) van artikel ses van die Wet.

Plaaslike raad moet dokumente voorlê.

54. (1) So gou moontlik na die ontvangs van 'n afskrif van 'n kennisgewing van appèl, moet die sekretaris van die betrokke plaaslike raad alle dokumente wat op die saak betrekking het, aan die Raad stuur, asook die redes (in tienvoud) van die plaaslike raad vir die handeling, opdrag of beslissing wat die geskilpunt van die appèl uitmaak.

(2) Die plaaslike raad moet op versoek aan enigiemand wat deur die geskilpunt geraak word, insae verleen van die stukke bevattende die redes wat hy ingevolge subregulasie (1) verstrek het.

Opskorting van uitwerking van handeling, opdrag of beslissing van plaaslike raad.

55. Wanneer appèl aangeteken word teen 'n handeling, opdrag of beslissing van 'n plaaslike raad, kan die Raad uit eie beweging, of indien deur die appellant daartoe versoek, die uitwerking van so 'n handeling, opdrag of beslissing van die plaaslike raad opskort hangende die beslissing van die Raad in die appèl, en indien die betrokke motortransportsertifikaat of vrystelling of aanvullende dokument reeds ooreenkomstig so 'n handeling, opdrag of beslissing uitgereik is, kan die Raad ook die plaaslike raad opdrag gee om die houder daarvan te gelas om dit onmiddellik per hand of per geregistreerde pos aan die plaaslike raad terug te stuur.

Area within which Exemption shall be Granted in terms of Section nine (3) (c) of the Act.

52. The following is the area within which the Board or a local board, as the case may be, shall grant exemption from the obligation to take out a motor carrier certificate, in terms of paragraph (c) of sub-section (3) of section nine of the Act, for the conveyance of goods: Within a radius of fifty miles from the place where such goods are to be or have been cleaned, dyed, repaired, altered or otherwise dealt with: Provided that an exemption may be granted for the conveyance of goods within a greater area than the area defined above or to a place or places outside the latter area, if, in the opinion of the Board or the local board concerned, it would be unreasonable in the circumstances to expect the applicant to use any other form of transport.

CHAPTER IV.

APPEALS.

Manner in which Appeal is to be Noted.

53. (1) Any person who desires to appeal against any act, direction or decision of a local board may do so by sending either by hand or by means of registered post a written notice of appeal, in tenfold, to the Secretary for Transport (Division of Road Transportation), P.O. Box 1077, Pretoria, within twenty-one days after the said act has been performed or the said direction or decision given by the local board concerned and a copy of the notice of appeal shall at the same time be sent by the appellant, either by hand or by means of registered post, to that local board.

(2) The notice required in terms of sub-regulation (1) shall set forth clearly the issue in respect of which the appeal is made, the name of the local board concerned and the grounds of appeal.

(3) Every notice of appeal submitted in terms of sub-regulation (1) shall be accompanied by the fee prescribed in sub-regulation (1) of regulation 68: Provided that the Board may at any time before giving its final decision in the appeal direct the appellant to deposit on or before a certain date a sum of money in terms of the proviso to sub-section (2) of section six of the Act.

Local Board to Submit Documents.

54. (1) The secretary of the local board concerned shall, as soon as possible after receiving a copy of a notice of appeal, forward to the Board all documents relating to the matter and furnish the reasons (in tenfold) of the local board for the act, direction or decision which forms the issue on appeal.

(2) The local board shall, on request, afford any person affected by the issue access to the reasons furnished by it in terms of sub-regulation (1).

Stay of Effect of Act, Direction or Decision of Local Board.

55. When an appeal is lodged against any act, direction or decision of a local board the Board may of its own motion or if the appellant so requests stay the effect of such act, direction or decision of the local board pending the decision thereon of the Board on appeal and if, pursuant to such act, direction or decision, the relative motor carrier certificate or exemption or supplementary document has already been issued, the Board may also instruct the local board to direct the holder thereof immediately to return it by hand or by means of registered post to the local board.

Uitreiking van motortransportsertifikaat of vrystelling hoewel deur plaaslike raad geweier.

56. Wanneer appèl aangeteken word teen die weiering deur 'n plaaslike raad van 'n motortransportsertifikaat of vrystelling moet die betrokke plaaslike raad, wanneer daartoe gelas deur die Raad, 'n tydelike sertifikaat of vrystelling uitreik vir die tydperk en op die voorwaardes wat die Raad bepaal.

Verhoor van appèl.

57. (1) Die Raad kan met die informasie vervat in die dokumente wat ingevolge regulasie 54 deur die betrokke plaaslike raad en deur die appellant in sy kennisgewing van appèl aan die Raad voorgelê is, 'n beslissing in verband met die appèl gee of kan, na goeddunke, verdere vertoë of inligting, hetsy skriftelike of mondeling, wat deur enigiemand gemaak of verskaf is ten opsigte van 'n aangeleentheid rakende so 'n appèl in verband waarmee die Raad bevoeg is om op te tree, in oorweging neem.

(2) As die Raad besluit om ingevolge subregulasie (1) verdere vertoë aan te hoor kan hy daardie vertoë op enige plek wat hy die geskikste ag, aanhoor.

(3) Die Raad kan in verband met 'n appèl enige plek of voorwerp wat op die appèl betrekking het, besigtig.

(4) Die Raad kan die plaaslike raad teen wie se beslissing geappelleer word, ook opdrag gee om inligting oor 'n saak wat in verband staan met 'n aangeleentheid wat uit die appèl voortspruit, in te win en aan hom voor te lê of om die redes vir die betrokke beslissing meer breedvoerig uiteen te sit.

Bekendmaking van beslissing.

58. Die beslissing van die Raad moet bekend gemaak word aan die appellant en aan enigiemand anders wat volgens die oordeel van die Raad deur daardie beslissing geraak word.

Kondonasie by versuim om aan appèlbepalings te voldoen.

59. Die Raad kan, na goeddunke, enige versuim deur die appellant om te voldoen aan 'n verpligting soos in regulasie 53, 55 of 57 uiteengesit, kondoneer en met die verhoor van die appèl voortgaan op die voorwaardes wat hy bepaal, maar sonder so 'n kondonasie sal versuim om enige van gemelde verpligtings na te kom, die appellant belet om met die appèl aan te gaan.

HOOFSTUK V.

GELDE.

Motortransportsertifikaat.

60. (1) In die geval van 'n aansoek om die eerste uitreiking van 'n motortransportsertifikaat, uitgesonderd 'n tydelike motortransportsertifikaat, is 'n bedrag van twee rand betaalbaar by aansoek ten opsigte van elke voertuig waarop die aansoek betrekking het en as die aansoek toegestaan word, is die toepaslike bedrag voorgeskryf in subregulasie (2) betaalbaar voordat die betrokke motortransportsertifikaat uitgereik word.

(2) Onderstaande gelde is betaalbaar per voertuig per kalenderjaar ten opsigte van motortransportsertifikate, uitgesonderd tydelike motortransportsertifikate, vir—

Rand.

(a) 'n dubbeldoelsleepwa	3
(b) 'n dubbeldoelvoertuig	6
(c) 'n goederesleepwa	3
(d) 'n goederevoertuig	6
(e) 'n passasiersleepwa	4
(f) 'n passasiersvoertuig	8
(g) 'n huurmotor	2
(h) 'n trekker wat uitsluitlik gebruik word om 'n passasiersleepwa te trek	4
(i) 'n trekker wat nie onder paragraaf (h) ingesluit word nie	3

Issue of Motor Carrier Certificate or Exemption Although Refused by Local Board.

56. When an appeal is lodged against the refusal by a local board of any motor carrier certificate or exemption the local board concerned shall, if so instructed by the Board, issue a temporary certificate or exemption for such period and on such conditions as the Board may direct.

Hearing of Appeal.

57. (1) The Board may determine the appeal on the information contained in the documents submitted to it by the local board concerned in terms of regulation 54 and by the appellant in his notice of appeal, or it may, in its discretion, consider further representations made or information submitted by any person, whether verbally or in writing, on any matter with which the Board is competent to deal in connection with such appeal.

(2) If the Board decides in terms of sub-regulation (1) to hear further representations, it may hear any such representations at any place which it considers most suitable.

(3) The Board may in connection with any appeal inspect any locality or object which has a bearing on that appeal.

(4) The Board may also direct the local board whose decision is the subject of the appeal, to obtain and submit to the Board information on any matter relevant to any issue in the appeal, or to amplify its reasons for the decision in question.

Notification of Decision.

58. The decision of the Board shall be notified to the appellant and to any other person who in the opinion of the Board is affected by such decision.

Condonation of Failure to Comply with Appeal Provisions.

59. The Board may in its discretion condone any omission by the appellant to comply with any obligation as set forth in regulation 53, 55 or 57 and proceed with the hearing of the appeal, on such conditions as it may determine but without such condonation, failure to comply with any of the said obligations shall debar the appellant from proceeding with the appeal.

CHAPTER V.

FEES.

Motor Carrier Certificates.

60. (1) In the case of an application for the initial grant of a motor carrier certificate other than a temporary motor carrier certificate a fee of two rand shall be payable on application in respect of each vehicle to which the application relates and if the application is granted the relative fee prescribed in sub-regulation (2) shall be payable prior to the issue of the motor carrier certificate concerned.

(2) The following fees shall be payable per vehicle per calendar year in respect of motor carrier certificates other than temporary motor carrier certificates for—

Rand.

(a) a dual purpose trailer	3
(b) a dual purpose vehicle	6
(c) a goods trailer	3
(d) a goods vehicle	6
(e) a passenger trailer	4
(f) a passenger vehicle	8
(g) a taxi	2
(h) a tractor used solely for the purpose of hauling a passenger trailer	4
(i) a tractor not included under paragraph (h)	3

(3) In die geval van 'n aansoek om hernuwing van 'n motortransportsertifikaat, moet die toepaslike bedrag in subregulasie (2) voorgeskryf, betaal word wanneer om hernuwing aansoek gedoen word.

(4) As 'n motortransportsertifikaat vir 'n tydperk van meer as een kalenderjaar toegestaan of hernu word, moet die toepaslike bedrag in subregulasie (2) voorgeskryf, voor die eerste dag van Januarie van die kalenderjaar ten opsigte waarvan gemelde bedrag verskuldig is, betaal word.

(5) In die geval van 'n aansoek om die eerste uitreiking van 'n motortransportsertifikaat wat in die laaste helfte van 'n kalenderjaar gedoen word, is die gelde wat by aansoek betaalbaar is, dié in subregulasie (1) voorgeskryf, en as die aansoek toegestaan word, is die helfte van die toepaslike bedrag in subregulasie (2) voorgeskryf, betaalbaar voordat die betrokke motortransportsertifikaat uitgereik word: Met dien verstande dat die Raad of 'n plaaslike raad kan vereis dat 'n applikant die volle bedrag voorgeskryf in subregulasie (2) moet betaal as hy tevrede is dat die applikant die motortransport waarom nou aansoek gedoen word, in die eerste helfte van daardie kalenderjaar sonder 'n motortransportsertifikaat deur middel van dieselfde of 'n ander voertuig onderneem het.

(6) As 'n aansoek om hernuwing van 'n motortransportsertifikaat geweier of teruggetrek word voor die uitreiking van die betrokke motortransportsertifikaat, moet die bedrag wat betaal is ten opsigte van iedere voertuig ten opsigte waarvan die aansoek teruggetrek is soos voornoem, terugbetaal word min twee rand vir elke betrokke voertuig, en as die bedrag wat ten opsigte van 'n voertuig betaal is, minder as twee rand is, word geen terugbetaling gedoen nie.

Wysiging van motortransportsertifikaat.

61. (1) Die volgende gelde is betaalbaar ten opsigte van 'n aansoek ingevolge regulasie 11 om die wysiging van 'n motortransportsertifikaat of van 'n tydtafel of vervoertarif wat met so 'n sertifikaat in verband staan—

- (a) vir 'n wysiging met betrekking tot motortransport binne enige gebied of op enige roete wat nie gespesifiseer word in die motortransportsertifikaat wat gewysig moet word nie, die toepaslike bedrag voorgeskryf in subregulasie (2) van regulasie 60, of as die aansoek in die laaste helfte van 'n kalenderjaar gedoen word, die helfte van die toepaslike bedrag wat in daardie subregulasie voorgeskryf word;
- (b) vir 'n wysiging van 'n motortransportsertifikaat wat slegs die besonderhede raak van die voertuig waarop daardie sertifikaat betrekking het, een rand ten opsigte van elke gewysigde sertifikaat;
- (c) vir 'n wysiging van 'n motortransportsertifikaat wat nie onder paragraaf (a) of (b) ressorteer nie, twee rand ten opsigte van iedere voertuig waarop die aansoek betrekking het;
- (d) vir 'n wysiging van 'n tydtafel of vervoertarif wat nie uit 'n wysiging van die motortransportsertifikaat kragtens paragraaf (a) of (b) of (c) voortvloei nie vyftig sent ten opsigte van iedere voertuig waarop die aansoek betrekking het, en indien die besonderhede in verband met die aansoek ingevolge regulasie 12 gepubliseer moet word, is 'n verdere bedrag van een rand en vyftig sent ten opsigte van so 'n aansoek betaalbaar.

(2) As 'n aansoek om die wysiging van 'n motortransportsertifikaat geweier of teruggetrek word, moet die helfte van die gelde wat ten opsigte van daardie aansoek betaal is, terugbetaal word: Met dien verstande dat indien die voorgestelde wysiging ingevolge regulasie 12 gepubliseer is, 'n verdere bedrag van twee rand van die totale bedrag wat betaal is, teruggehou word of, indien die totale bedrag aldus betaal, nie meer as twee rand was nie, een rand teruggehou word.

(3) In the case of an application for the renewal of a motor carrier certificate the relative fee prescribed in sub-regulation (2) shall be payable on application for such renewal.

(4) If a motor carrier certificate is granted or renewed for a period in excess of one calendar year the relative fee prescribed in sub-regulation (2) shall be paid before the first day of January of the calendar year in respect of which the said fee is due.

(5) In the case of an application for the initial grant of a motor carrier certificate made in the latter half of a calendar year the fee payable on application shall be that prescribed in sub-regulation (1) and if the application is granted half of the relative fee prescribed in sub-regulation (2) shall be payable prior to the issue of the motor carrier certificate concerned: Provided that the Board or a local board may require an applicant to pay the full fee prescribed in sub-regulation (2) if it is satisfied that the applicant in the first half of that calendar year carried on the motor carrier transportation, now applied for, by means of the same vehicle or by means of any other vehicle without a motor carrier certificate.

(6) If an application for the renewal of a motor carrier certificate is refused or withdrawn prior to the issue of the relative motor carrier certificate, the sum remitted for each vehicle in respect of which the application has been withdrawn as aforesaid shall be refunded less two rand for each vehicle concerned and if the sum remitted in respect of a vehicle is two rand no refund shall be made.

Amendment to Motor Carrier Certificate.

61. (1) On an application, in terms of regulation 11 for the amendment of a motor carrier certificate or a time-table or scale of charges associated with such certificate the following fees shall be payable:—

- (a) For any amendment relating to any motor carrier transportation within any area or on any route not specified in the motor carrier certificate which requires to be amended, the relative fee prescribed in sub-regulation (2) of regulation 60 or, if the application is made in the latter half of a calendar year, half the relative fee prescribed in that sub-regulation;
- (b) for any amendment to a motor carrier certificate affecting only the particulars of the vehicle to which that certificate relates, one rand in respect of each certificate amended;
- (c) for any amendment to a motor carrier certificate not falling under paragraph (a) or (b), two rand in respect of each vehicle to which the application relates;
- (d) for any amendment to a time-table or scale of charges which is not consequential upon an amendment under paragraph (a) or (b) or (c) to the motor carrier certificate concerned, fifty cents in respect of each vehicle to which the application relates and if the particulars in connection with the application are to be published in terms of regulation 12, a further fee of one rand and fifty cents shall be payable in respect of such application.

(2) If an application for the amendment of a motor carrier certificate is refused or withdrawn half of the fee remitted in respect of that application shall be refunded: Provided that if the proposed amendment was published in terms of regulation 12, a further sum of two rand of the total fee remitted shall be retained or, if the total fee so remitted did not exceed two rand, a sum of one rand shall be retained.

Oordrag van motortransportsertifikaat.

62. (1) 'n Bedrag van twee rand is betaalbaar ten opsigte van 'n aansoek, ingevolge regulasie 14, om oordrag van 'n motortransportsertifikaat ten opsigte van iedere voertuig waarop die aansoek betrekking het.

(2) As 'n aansoek om oordrag van 'n motortransportsertifikaat geweier of teruggetrek word, moet die helfte van die gelde betaal ten opsigte van daardie aansoek, terugbetaal word: Met dien verstande dat indien die voorgestelde oordrag ingevolge regulasie 16 gepubliseer is, 'n verdere bedrag van twee rand teruggehou word, of een rand as die totale bedrag aldus betaal, nie meer as twee rand was nie.

Tydlike motortransportsertifikate.

63. (1) Ten opsigte van 'n aansoek, ingevolge regulasie 19, om 'n tydelike motortransportsertifikaat is die gelde wat betaal moet word—

- (a) een rand indien die sertifikaat vir een dag geldig is; en
- (b) twee rand indien die sertifikaat vir meer as een dag maar hoogstens dertig dae geldig is, en 'n verdere twee rand ten opsigte van elke daaropvolgende tydperk van dertig dae of gedeelte daarvan waarvoor die sertifikaat geldig is;

ten opsigte van iedere voertuig waarop die aansoek betrekking het: Met dien verstande dat die gelde wat ten opsigte van 'n trekker of sleepwa betaalbaar is, die helfte is van die gelde wat in hierdie subregulasie voorgeskryf word.

(2) As 'n aansoek om 'n tydelike motortransportsertifikaat teruggetrek word, moet die gelde wat ten opsigte van daardie aansoek betaal is, terugbetaal word.

Vrystellings.

64. (1) Ondergenoemde gelde is betaalbaar ten opsigte van 'n vrystelling van die verpligting om 'n motortransportsertifikaat uit te neem—

- (a) vir 'n vrystelling wat vir 'n onbepaalde tydperk geldig is, twee rand ten opsigte van iedere voertuig waarop die aansoek betrekking het;
- (b) vir 'n vrystelling wat vir 'n vasgestelde tydperk geldig is, uitgesonderd 'n tydelike vrystelling, vyftig sent per kalenderjaar of gedeelte daarvan ten opsigte van iedere voertuig waarop die aansoek betrekking het;
- (c) vir 'n tydelike vrystelling, vyftig sent ten opsigte van iedere voertuig waarop die aansoek betrekking het;
- (d) vir 'n vrystelling ten opsigte van motorvoertuie wat deur 'n fabrikant of hersteller van of handelaar in motorvoertuie ingevolge 'n algemene handelslisensie of 'n beperkte handelslisensie gebruik word, vyftig sent per kalenderjaar of gedeelte daarvan ten opsigte van iedere paar handelsplate waarop die aansoek betrekking het.

(2) In die geval van 'n aansoek om die toestaan of hernuwing van 'n vrystelling is die toepaslike bedrag in subregulasie (1) voorgeskryf, betaalbaar wanneer om die toestaan of hernuwing van so 'n vrystelling aansoek gedoen word.

(3) As 'n vrystelling, uitgesonderd 'n vrystelling wat vir 'n onbepaalde tydperk geldig is, vir 'n tydperk van meer as een kalenderjaar verleen of hernu word, moet die toepaslike bedrag in subregulasie (1) voorgeskryf, uitgesonderd die bedrag wat ingevolge subregulasie (2) by aansoek betaalbaar is, voor die eerste dag van Januarie van die kalenderjaar ten opsigte waarvan gemelde bedrag verskuldig is, betaal word.

(4) As 'n aansoek om 'n vrystelling, uitgesonderd 'n tydelike vrystelling, geweier of teruggetrek word, moet die bedrag wat ten opsigte van daardie aansoek betaal is, terugbetaal word min 'n bedrag van vyf-en-twintig sent ten opsigte van iedere voertuig waarop die aansoek betrekking het.

(5) As 'n aansoek om 'n tydelike vrystelling teruggetrek word, moet die gelde wat ten opsigte van daardie aansoek betaal is, terugbetaal word.

Transfer of Motor Carrier Certificate.

62. (1) On an application, in terms of regulation 14, for the transfer of a motor carrier certificate, a fee of two rand shall be payable in respect of each vehicle to which the application relates.

(2) If an application for the transfer of a motor carrier certificate is refused or withdrawn half of the fee remitted in respect of that application shall be refunded: Provided that if the proposed transfer was published in terms of regulation 16 a further sum of two rand shall be retained or one rand if the total fee so remitted did not exceed two rand.

Temporary Motor Carrier Certificates.

63. (1) On an application, in terms of regulation 19, for a temporary motor carrier certificate the fees payable shall be—

- (a) one rand if the certificate is valid for one day; and
- (b) two rand if the certificate is valid for more than one day but not more than thirty days and a further two rand in respect of each subsequent period of thirty days or portion thereof for which the certificate is valid;

in respect of each vehicle to which the application relates: Provided that the fees payable in respect of a tractor or trailer shall be half the fees prescribed in this sub-regulation.

(2) If an application for a temporary motor carrier certificate is withdrawn the fees remitted in respect of that application shall be refunded.

Exemptions.

64. (1) The following fees shall be payable in respect of an exemption from the obligation to take out a motor carrier certificate—

- (a) for an exemption valid for an indefinite period, two rand in respect of each vehicle to which the application relates;
- (b) for an exemption valid for a fixed period other than a temporary exemption, fifty cents per calendar year or portion thereof in respect of each vehicle to which the application relates;
- (c) for a temporary exemption, fifty cents in respect of each vehicle to which the application relates;
- (d) for an exemption in respect of motor vehicles operated by a manufacturer or repairer of or a dealer in motor vehicles under a general trade licence or a limited trade licence, fifty cents per calendar year or portion thereof in respect of each pair of trade plates to which the application relates.

(2) In the case of an application for the grant or renewal of an exemption the relative fee prescribed in sub-regulation (1) shall be payable on application for such grant or renewal.

(3) If an exemption, other than an exemption valid for an indefinite period, is granted or renewed for a period in excess of one calendar year the relative fee prescribed in sub-regulation (1), other than the fee payable on application in terms of sub-regulation (2), shall be paid before the first day of January of the calendar year in respect of which the said fee is due.

(4) If an application for an exemption, other than a temporary exemption, is refused or withdrawn the fee remitted in respect of that application shall be refunded less an amount of twenty-five cents in respect of each vehicle to which the application relates.

(5) If an application for a temporary exemption is withdrawn the fee remitted in respect of that application shall be refunded.

Laat betaling van gelde vir tydelike motortransport-sertifikaat of tydelike vrystelling.

65. Ondanks andersluidende bepalings in hierdie regulasies kan die Raad of 'n plaaslike raad 'n aansoek om 'n tydelike motortransportsertifikaat of 'n tydelike vrystelling voor betaling van die toepaslike voorgeskrewe bedrag oorweeg en daaroor besluit indien die aansoek van 'n dringende aard is en dit weens afstand of gebrek aan versendingsfasiliteite nie doenlik is om hierdie gelde saam met die aansoek aan te stuur nie.

Duplikaat-motortransportsertifikaat, -onderskeidingsteken, -vrystelling of -vrystellingsbewys.

66. As 'n persoon aan wie 'n motortransportsertifikaat, onderskeidingsteken, vrystelling of vrystellingsbewys uitgereik is, die Raad of plaaslike raad wat die motortransportsertifikaat, onderskeidingsteken, vrystelling of vrystellingsbewys uitgereik het tevrede stel dat dit verlore geraak het of vernietig of geskend is, moet die Raad of daardie plaaslike raad by aansoek deur so 'n persoon en by betaling van die bedrag van vyf-en-twintig sent, 'n duplikaat-motortransportsertifikaat, -onderskeidingsteken, -vrystelling of -vrystellingsbewys met die woord „duplikaat” duidelik daarop aangebring aan hom uitreik.

Kostelose uitreiking van motortransportsertifikaat of onderskeidingsteken of vrystelling of vrystellingsbewys.

67. Die Raad of 'n plaaslike raad kan 'n motortransportsertifikaat of 'n onderskeidingsteken of 'n vrystelling of 'n vrystellingsbewys of beide so 'n sertifikaat en onderskeidingsteken of vrystelling en vrystellingsbewys kosteloos uitreik—

- (a) ter vervanging van so 'n sertifikaat of onderskeidingsteken of vrystelling of vrystellingsbewys wat gewysig moet word uit hoofde van 'n besluit uit eie beweging deur die Raad geneem ingevolge paragraaf (d) ter van subartikel (1) van artikel vyf van die Wet of deur 'n plaaslike raad ingevolge paragraaf (d) bis van subartikel (1) van artikel ses van die Wet;
- (b) ter vervanging van so 'n sertifikaat of onderskeidingsteken of vrystelling of vrystellingsbewys wat gewysig moet word uit hoofde van 'n wysiging van die Wet of hierdie regulasies;
- (c) ter vervanging van so 'n sertifikaat of onderskeidingsteken of vrystelling of vrystellingsbewys wat gewysig moet word uit hoofde van 'n verandering, ingevolge een of ander in die betrokke provinsie geldende wet op die lisensiëring en registrasie van motorvoertuie van die grense van 'n registrasiedistrik of -gebied of uit hoofde van die toewysing, ingevolge gemelde wet, deur die verantwoordelike gesag van nuwe registrasieletters of -nommers aan 'n registrasiedistrik of -gebied;
- (d) ter vervanging van so 'n sertifikaat of onderskeidingsteken of vrystelling of vrystellingsbewys wat gewysig moet word uit hoofde van 'n fout wat begaan is deur 'n werknemer van die Staat in die loop van sy werk wanneer so 'n sertifikaat of onderskeidingsteken of vrystelling of vrystellingsbewys uitgereik word of wat begaan is deur 'n werknemer van die gesag verantwoordelik vir die lisensiëring en registrasie van motorvoertuie ingevolge een of ander in die betrokke provinsie geldende wet op die lisensiëring of registrasie van motorvoertuie, in die loop van sy werk wanneer hy lisensiëring- of registrasiedokumente wat op die betrokke motorvoertuig betrekking het, uitreik;
- (e) ter vervanging van twee of meer sertifikate of onderskeidingstekens of vrystellings of vrystellingsbewyse wat ten opsigte van dieselfde motorvoertuig uitgereik is, deur een enkele sertifikaat of onderskeidingsteken of vrystelling of vrystellingsbewys.

Appelle.

68. (1) Enigiemand wat teen 'n handeling, opdrag of beslissing van 'n plaaslike raad appèl aanteken, moet saam met sy appèl die bedrag van twintig rand by die Raad deponeer.

Late payment of Fee for Temporary Motor Carrier Certificate or Temporary Exemption.

65. Notwithstanding anything to the contrary contained in these regulations, the Board or a local board may consider and decide upon an application for a temporary motor carrier certificate or a temporary exemption prior to the payment of the relative prescribed fee, if such application is of an urgent nature and it is not feasible owing to distance or lack of transmission facilities to remit those fees with such an application.

Duplicate Motor Carrier Certificate, Distinguishing Mark, Exemption or Proof of Exemption.

66. If a person to whom a motor carrier certificate, distinguishing mark, exemption or proof of exemption has been issued, satisfies the Board or the local board, as the case may be, which issued such motor carrier certificate, distinguishing mark, exemption or proof of exemption, that it has been lost, destroyed or defaced, the Board or such local board shall, on the application of such person and on payment of the sum of twenty-five cents, issue to him a duplicate motor carrier certificate, distinguishing mark, exemption or proof of exemption with the word “duplicate” clearly endorsed thereon.

Issue Without Charge of Motor Carrier Certificate or Distinguishing Mark or Exemption or Proof of Exemption.

67. The Board or a local board may issue, without charge, a motor carrier certificate or a distinguishing mark or an exemption or a proof of exemption or both such certificate and distinguishing mark or exemption and proof of exemption—

- (a) to replace such certificate or distinguishing mark or exemption or proof of exemption which requires to be amended consequent upon a decision, of its own motion, by the Board in terms of paragraph (d) ter of sub-section (1) of section five of the Act or by a local board in terms of paragraph (d) bis of sub-section (1) of section six of the Act;
- (b) to replace such certificate or distinguishing mark or exemption or proof of exemption which requires to be amended consequent upon an amendment of the Act or these regulations;
- (c) to replace such certificate or distinguishing mark or exemption or proof of exemption which requires to be amended consequent upon a change, in terms of the law relating to the licensing and registration of motor vehicles in force in the province concerned, in the boundaries of a registration district or area or consequent upon the assignment, in terms of the said law, by the responsible authority of new registration letters or numbers to a registration district or area;
- (d) to replace such certificate or distinguishing mark or exemption or proof of exemption which requires to be amended consequent upon an error committed by an employee of the State in the course of his employment when issuing such certificate or distinguishing mark or exemption or proof of exemption or committed by an employee of the authority responsible for the licensing and registration of motor vehicles in terms of the law relating to the licensing and registration of motor vehicles in force in the province concerned, in the course of his employment when issuing licensing or registration documents relating to the motor vehicle concerned;
- (e) to replace by a single certificate or distinguishing mark or exemption or proof of exemption, two or more certificates or distinguishing marks or exemptions or proofs of exemption issued in respect of the same motor vehicle.

Appeals.

68. (1) An appellant against any act, direction or decision of a local board shall deposit with his appeal to the Board the sum of twenty rand.

(2) Wanneer die Raad 'n appèl afgehandel het of ingeval die appèl teruggetrek word, kan die Raad, na goeddunke, die bedrag wat ingevolge subregulasie (1) gedeponcer is, of 'n gedeelte daarvan, aan die appellant terugbetaal.

Terugbetaling van gelde in buitengewone omstandighede.

69. Ondanks andersluidende bepalinge in hierdie regulasies kan die Raad onder omstandighede wat na sy oordeel dit regverdig, gelas dat gelde wat betaal is, geheel of ten dele terugbetaal word.

HOOFTUK VI.

ALGEMEEN.

Voorwaardes of vereistes wat in verband met 'n motor-transportertifikaat of vrystelling opgelê of daarin beliggaam kan word.

70. (1) Die Raad of 'n plaaslike raad kan enige of al die volgende voorwaardes of vereistes opelê in verband met, of beliggaam in 'n motortransportertifikaat of vrystelling deur hom uitgereik of verleen—

- (i) wat die houer of sy dienaar belet om op 'n onbillike wyse met bestaande spoorwegdienste of dienste ten opsigte waarvan motortransportertifikate of vrystellings uitgereik is, mee te ding;
- (ii) wat die houer of sy dienaar belet om, nadat hy 'n passasier verkry het of nadat hy vir 'n rit gehuur is, te probeer om ander passasiers te kry of op te laai vir dieselfde rit of 'n gedeelte daarvan of vir die retoerrit of 'n gedeelte daarvan;
- (iii) wat die houer belet om enigiemand anders toe te laat om motortransport uit hoofde van 'n sertifikaat of vrystelling wat aan daardie houer uitgereik is, te onderneem;
- (iv) wat die houer of sy dienaar belet om passasiers te vervoer van die gebied wat deur die Raad of 'n plaaslike raad vir sy gewone bedrywighede vasgestel en gemagtig is, na 'n plek buite daardie gebied of omgekeerd, of tussen plekke buite daardie gebied as die voorgenome passasiers nie die diens spesiaal voor die aanvang van die onderhawige rit gehuur het nie en as hy of sy dienaar nie voor die aanvang van die rit 'n inskrywing in duplo met deurslagpapier gemaak het in 'n boek wat vir dié doel in die voertuig waarop die sertifikaat of vrystelling betrekking het, gehou word en wat so na moontlik al die nodige besonderhede soos volg aangee nie:—

Naam en adres van houer van sertifikaat of vrystelling.....

No. van sertifikaat of vrystelling.....

Registrasie No. van voertuig.....

Datum en tyd van ontvangs van bestelling.....

Datum en tyd van aanvang van rit.....

Plekke waartussen reis onderneem sal word:—

Van.....

Na.....

Oor.....

Naam en adres van huurder.....

Reisgeld betaal.....

Volgnommer van inskrywing.....

Handtekening van houer of ander persoon wat gemagtig is om namens hom te teken.

Datum.....

(2) After the Board has disposed of an appeal or if the appeal is withdrawn the sum deposited in terms of sub-regulation (1) or any part thereof may, in the discretion of the Board, be refunded to the appellant.

Refund of Fee in Special Circumstances.

69. Notwithstanding anything to the contrary contained in these regulations the Board may, in circumstances deemed by it to warrant such a course, direct that any fee paid be refunded in whole or in part.

CHAPTER VI.

GENERAL.

Conditions or Requirements which may be Imposed in Connection with or Included in Any Motor Carrier Certificate or Exemption.

70. (1) The Board or a local board may impose in connection with, or include in, any motor carrier certificate or exemption issued by it, any or all of the following conditions or requirements—

- (i) prohibiting the holder or his servant from competing unfairly with existing rail services or services in respect of which motor carrier certificates or exemptions have been issued;
- (ii) prohibiting the holder or his servant, after having obtained a fare or after having been chartered for a journey, from seeking to obtain or pick up other passengers for the same journey or any portion thereof or for the return journey or any portion thereof;
- (iii) prohibiting the holder from permitting any other person to carry on motor carrier transportation under the authority of a certificate or exemption issued to such holder;
- (iv) prohibiting the holder or his servant from conveying passengers from the area fixed and authorized by the Board or a local board for his normal operations to a point outside such area or *vice versa* or between points outside such area if the intending passengers have not specially chartered the service before the commencement of the journey in question and if he or his servant has not before the commencement of the journey made a duplicate entry by carbon process in a book kept for the purpose in the vehicle to which the certificate or exemption relates, giving as nearly as possible all the particulars required in the following form:—

Name and address of certificate or exemption holder.....

No. of certificate or exemption.....

Registration No. of vehicle.....

Date and time of receipt of order.....

Date and time of commencement of journey...

Points between which journey is to be made:—

From.....

To.....

Via.....

Name and address of charterer.....

Fare paid.....

Serial number of entry.....

Signature of holder or other person authorized to sign for him.

Date.....

- (v) wat bepaal dat die Raad of betrokke plaaslike raad die vervoer genoem in paragraaf (iv) van hierdie subregulasie te eniger tyd kan beperk, as die betrokke ritte na sy mening te dikwels onderneem word;
- (vi) wat die houer of sy dienaar belet om passasiers of goedere, of albei, vir vervoer te werf of om toe te laat dat passasiers of goedere, of albei, namens hom vir vervoer gewerf word;
- (vii) wat die houer of sy dienaar belet om passasiers of goedere op of af te laai op 'n bepaalde plek of plekke of binne 'n bepaalde afstand van enige genoemde plek of plekke of oor 'n bepaalde roete of gedeelte daarvan of om 'n deurgaande diens tussen bepaalde plekke te onderneem;
- (viii) wat die houer of sy dienaar belet om 'n rit te begin of van 'n bepaalde plek te vertrek binne 'n bepaalde tydperk voor of na 'n bepaalde tyd of voor of na 'n voertuig van 'n ander bestaande vervoerdiens van 'n bepaalde plek vertrek;
- (ix) wat die houer of sy dienaar belet om meer as 'n bepaalde aantal passasiers of meer as 'n bepaalde aantal artikels of gewig goedere of artikels of goedere van 'n bepaalde soort terselfdertyd te vervoer;
- (x) wat die houer of sy dienaar belet om motortransport te onderneem, behalwe op sekere bepaalde, dae gedurende die week of gedurende 'n maand of meer dikwels as 'n bepaalde aantal kere per maand of per week of per dag of behalwe gedurende 'n bepaalde tydperk of seisoen;
- (xi) wat die kwaliteit, hoeveelheid, grootte, soort, aard of gewig van die goedere of die aantal artikels wat vervoer moet word, bepaal, asook die persoon of persone of klas of klasse van persone aan wie aflewering daarvan kan geskied of ten behoeve van wie alleen die diens onderneem kan word;
- (xii) wat die tydperk waarin die passasiers terugbring moet word na die plek vanwaar hulle oorspronklik vervoer is, bepaal;
- (xiii) wat belet dat enige van die goedere wat vervoer word, verkoop of andersins van die hand gesit word, of wat die doel of doeleindes waarvoor alleen die goedere gebruik kan word, bepaal;
- (xiv) wat die plek of plekke waarheen alleen die goedere of 'n gedeelte daarvan vervoer kan word, bepaal;
- (xv) wat die tipe of soort voertuig wat gebruik kan word, bepaal;
- (xvi) wat die metode van verpakking van goedere of die soort houer wat gebruik moet word, bepaal;
- (xvii) wat die houer of sy dienaar belet om goedere van een gebied of distrik na 'n ander gebied of distrik te vervoer, hoewel hy miskien geregtig is om dit te onderneem as dit nie vir hierdie verbod was nie;
- (xviii) wat bepaal dat 'n sekere artikel of klas artikel of klasse artikels vervoer en van die hand gesit kan word mits 'n soortgelyke artikel of klas artikel of klasse artikels daarna per spoor of deur middel van 'n diens waarvoor 'n motortransportsertifikaat of vrystelling uitgereik is, na 'n bepaalde plek vervoer word;
- (xix) wat bepaal dat voor of na enige uur gedurende die dag of nag geen goedere afgelewer of afgelaai kan word nie, of in die algemeen of aan 'n bepaalde persoon of persone of op 'n bepaalde plek of plekke;
- (xx) wat die doel waarvoor 'n persoon of persone van 'n besondere klas, soort of ras alleen vervoer kan word, bepaal;
- (xxi) wat van die houer vereis om die vervoertarief wat deur die Raad of betrokke plaaslike raad aanvaar of vasgestel is, te publiseer of duidelik en leesbaar in of op die betrokke voertuig te vertoon;
- (v) specifying that the Board or the local board concerned may at any time restrict the conveyance referred to in paragraph (iv) of this sub-regulation if in its opinion the journeys in question are being undertaken too frequently;
- (vi) prohibiting the holder or his servant from touting, or from allowing any person to tout on his behalf, for the conveyance of passengers or goods or both;
- (vii) prohibiting the holder or his servant from picking up or setting down passengers or goods at any specified point or points or within any specified distance from any said point or points or along any specified route or part thereof or from running a through service between specified points;
- (viii) prohibiting the holder or his servant from commencing any trip or from leaving any specified point within any specified period before or after any specified time or before or after any vehicle of any other existing transport service leaves any specified point;
- (ix) prohibiting the holder or his servant from conveying more than a specified number of passengers or more than a specified number of articles or weight of goods or of articles or goods of any specified kind at one and the same time;
- (x) prohibiting the holder or his servant from carrying on transportation except on certain specified days in the week or in a month or more often than on a specified number of times per month or per week or per day or except during any specified time or season;
- (xi) specifying the quality, quantity, size, kind, nature or weight of the goods, or number of the articles, to be carried and the person or persons or class or classes of persons to whom delivery thereof may be made or on whose behalf alone the service may be carried on;
- (xii) specifying the time within which passengers must be returned to the place from which they were originally conveyed;
- (xiii) prohibiting the sale or other disposal of any of the goods carried or specifying the purpose or purposes for which alone such goods may be used;
- (xiv) specifying the place or places to which alone the goods or some of them may be conveyed;
- (xv) specifying the type or class of vehicle to be employed;
- (xvi) specifying the method in which any goods are to be packed, or the kind of container to be used;
- (xvii) prohibiting the holder or his servant from conveying any goods from one area or district to any other area or district which conveyance he might, but for this prohibition be entitled to undertake;
- (xviii) specifying that a certain article or a class or classes of articles may be conveyed and disposed of, provided that a similar article or a class of articles is or classes of articles are thereupon conveyed by rail or by means of a service operated in terms of a motor carrier certificate or exemption, to some specified point;
- (xix) specifying any hour during the day or the night before or after which no goods may be delivered or off-loaded either in general or to any specified person or persons or at any specified place or places;
- (xx) specifying the object with which any person or persons of any particular class, kind or race may alone be transported;
- (xxi) requiring the holder to publish or exhibit conspicuously and legibly in or on the vehicle concerned the scale of charges accepted or laid down by the Board or the local board concerned;

- (xxii) wat belet dat passasiers of goedere direk of indirek van een motorvoertuig na 'n ander oorgelaai word vir vervoer deur laasgenoemde motorvoertuig na hulle bestemming sodat dit dan 'n deurgaande reis uitmaak, tensy sulke voertuie ingevolge motortransportsertifikate of vrystellings as skakels in 'n goedgekeurde toevoerdienst gebruik word en wat bepaal dat elke motorvoertuig wat in verband met die vervoer van passasiers of goedere oorlaaidienste verrig, behalwe as skakels in 'n goedgekeurde toevoerdienst, beskou moet word asof hulle die hele betrokke reis onderneem het;
- (xxiii) wat belet dat enige aanduiding van die aard van die motortransport waarvoor 'n motorvoertuig gebruik word, op daardie motorvoertuig waarop die sertifikaat of vrystelling betrekking het, vertoon word;
- (xxiv) wat belet dat 'n motorvoertuig of 'n motorvoertuig wat kragtens die Wet of hierdie regulasies in die plek daarvan gestel is, bestuur word deur 'n persoon onder die ouderdom van een-en-twintig jaar of iemand wat aan 'n liggaamsgebrek of ander ongeskiktheid ly wat, na die mening van die Raad of betrokke plaaslike raad, vir hom 'n ernstige belemmering is by die behoorlike bestuur en beheer van so 'n voertuig;
- (xxv) wat belet dat sonder toestemming van die Raad of plaaslike raad wat die betrokke motortransportsertifikaat of vrystelling uitgereik het, die bou van 'n motorvoertuig of sy uitrusting, behalwe by wyse van vervanging van onderdele verander word;
- (xxvi) wat die houer verplig om aan elke persoon wat reisgeld betaal en wat in of op 'n passasiersvoertuig, passasiersleepwa, dubbeldoelvoertuig of dubbeldoelsleepwa reis, 'n kaartjie uit te reik waarop aangetoon word die reisgeld betaal deur die persoon aan wie die kaartjie uitgereik is, vermeld word en wat verder vereis dat so 'n kaartjie aan elke passasier uitgereik moet word so gou moontlik nadat die passasier op die betrokke motorvoertuig geklim het en onmiddellik nadat die passasier die bedrag van die reisgeld wat vir die kaartjie betaalbaar is, aangebied het;
- (xxvii) wat die houer in belang van die openbare gesondheid verplig om 'n motorvoertuig wat hy ingevolge 'n motortransportsertifikaat of vrystelling vir die vervoer van persone teen vergoeding gebruik, skoon te maak en te ontsmet op 'n wyse en tyd soos voorgeskryf in 'n skriftelike kennisgewing aan gemelde houer gerig deur die Raad of betrokke plaaslike raad.

(2) Een afskrif van die inskrywing wat ingevolge paragraaf (iv) van subregulasie (1) gemaak word, moet deur die bestuurder van die voertuig wat die reis aflê, saamgeneem word en die houer van die betrokke motortransportsertifikaat of vrystelling moet die oorspronklike van daardie inskrywing binne vier-en-twintig uur na voltooiing van die reis of, met die toestemming van die Raad of betrokke plaaslike raad, op 'n later datum, aan die Raad of plaaslike raad wat daardie motortransportsertifikaat of vrystelling uitgereik het, pos.

(3) Die boek genoem in paragraaf (iv) van subregulasie (1) moet deur die houer vir 'n tydperk van twaalf maande na die datum van die laaste inskrywing daarin, gehou en vir inspeksie deur 'n gemagtigde persoon beskikbaar gehou word.

Hoe sekere inligting aangaande houer van motortransportsertifikaat of vrystelling op motorvoertuig vertoon moet word.

71. Gegewens wat op 'n motorvoertuig waarop 'n motortransportsertifikaat of vrystelling betrekking het, moet verskyn ooreenkomstig 'n vereiste wat ingevolge paragraaf (h) van subartikel (1) van artikel sewe van die Wet in gemelde sertifikaat of vrystelling beliggaam is, moet op die linker-

- (xxii) prohibiting the direct or indirect transshipment of passengers or goods from one motor vehicle to another for conveyance by the latter motor vehicle to their destination in such a manner as to amount to a through journey, unless such vehicles operate in terms of motor carrier certificates or exemptions as links in an approved feeder service, and providing that each motor vehicle engaged in the conveyance of passengers or goods by way of transshipment, other than as links in an approved feeder service, shall be regarded as having undertaken the whole journey involved;
- (xxiii) prohibiting the display on the motor vehicle to which the certificate or exemption relates of any indication of the nature of the motor carrier transportation for which such motor vehicle is used;
- (xxiv) prohibiting the driving of a motor vehicle, or a motor vehicle substituted therefor in terms of the Act or these regulations, by any person who is under twenty-one years of age or who is suffering from physical defect or other disability which may, in the opinion of the Board or the local board concerned, seriously hamper him in properly driving and controlling such vehicle;
- (xxv) prohibiting the structural alteration of a motor vehicle or its equipment, other than by way of replacement of parts, without the consent of the Board or the local board which issued the relative motor carrier certificate or exemption;
- (xxvi) requiring the holder to issue a ticket to each fare-paying person travelling in or on any passenger vehicle, passenger trailer, dual purpose vehicle or dual purpose trailer, requiring the disclosure on each such ticket of the amount of the fare paid by the person to whom the ticket is issued and requiring further that such a ticket be issued to each passenger as soon as possible after that passenger boards the motor vehicle concerned and immediately that passenger has tendered the amount of the fare payable for such ticket;
- (xxvii) requiring the holder to cleanse and disinfect, in the interests of public health, any motor vehicle used in the conveyance of persons for reward, in terms of a motor carrier certificate or an exemption, in such manner and within such time as may be specified in a written notice addressed to the said holder by the Board or the local board concerned.

(2) One copy of the entry made in terms of paragraph (iv) of sub-regulation (1) shall be carried by the driver of the vehicle doing the journey and the holder of the relative motor carrier certificate or exemption shall post the original of such entry to the Board or the local board, which granted that motor carrier certificate or exemption, within twenty-four hours after the completion of the journey or, with the permission of the Board or the local board concerned, at a later date.

(3) The book referred to in paragraph (iv) of sub-regulation (1) shall be kept by the holder and held available for inspection by an authorized officer, for a period of twelve months after the date of the last entry therein.

Manner of Displaying on Motor Vehicle Certain Information Concerning Holder of Motor Carrier Certificate or Exemption.

71. Any information which a motor vehicle, to which a motor carrier certificate or exemption relates, has to bear in terms of a requirement included, in terms of paragraph (h) of sub-section (1) of section seven of the Act, in the said certificate or exemption shall be painted on the near side of the said vehicle in a colour which shall contrast clearly

kant van gemelde voertuig geverf word in 'n kleur wat duidelik afsteek teen die agtergrond waarop dit geverf is en die mate van alle letters en syfers wat by die verf van daardie gegewens gebruik word en hulle rangskikking moet soos volg wees:—

- (a) Hoogte van syfers en letters: tussen 3 duim en $3\frac{1}{4}$ duim.
- (b) Wydte van syfers en letters (uitgesonderd syfer „1"): $1\frac{1}{8}$ duim.
- (c) Breedte van streep van syfers en letters: tussen $\frac{3}{8}$ duim en $\frac{9}{16}$ duim.
- (d) Afstand tussen opeenvolgende syfers of letters: tussen $\frac{3}{8}$ duim en $\frac{1}{2}$ duim.
- (e) Afstand tussen woorde in dieselfde lyn: minstens 1 duim.

Ongelukke.

72. Die houer van 'n motortransportsertifikaat of vrystelling waarin die vervoer van persone of goedere teen vergoeding gemagtig word, moet so gou moontlik maar nie later as sewe dae na 'n ongeluk plaasgevind het waarby die motorvoertuig waarop gemelde sertifikaat of vrystelling betrekking het, enigins betrokke was en wat die dood of liggaamlike besering van 'n persoon of skade aan eiendom veroorsaak het, skriftelik verslag doen aan die Raad of plaaslike raad, na gelang van die geval, wat gemelde sertifikaat of vrystelling uitgereik het, met vermelding van die datum, plek en besonderhede van die ongeluk of ander gebeurtenis, die naam van enige persoon daardeur gedood of beseer, die aard en omvang van skade aan eiendom as gevolg daarvan en die naam van die eienaar van daardie eiendom.

Rekords wat gehou moet word.

73. (1) Die houer van 'n motortransportsertifikaat of 'n vrystelling waarin die vervoer van passasiers of goedere teen vergoeding gemagtig word, moet op die voertuig waarop so 'n sertifikaat of vrystelling betrekking het, in die vorm van 'n geleibrief of logboek, 'n noukeurige rekord hou of deur sy dienaar laat hou van alle passasiers en goedere wat op elke rit van daardie voertuig vervoer word, met vermelding van onderstaande besonderhede:—

- (a) *Passasiers.*—Aantal passasiers (gegewens ten opsigte van elke gebied en roete of elke gebied of roete wat in gemelde sertifikaat of vrystelling bepaal word, moet afsonderlik gehou word);
- (b) *Goedere.*—
 - (i) Plekke waartussen en gebied of gebiede waarin goedere vervoer word;
 - (ii) name van versenders en ontvangers;
 - (iii) aantal pakkette en kort beskrywing van goedere; en
 - (iv) die gewig van elke besending: Met dien verstande dat waar dit nie moontlik is om die juiste gewig van elke besending goedere te gee nie, 'n skatting van die gewig voldoende sal wees.

(2) Die geleibrief of logboek in subregulasie (1) genoem, moet ingevul word—

- (a) in die geval van passasiers deur die bestuurder van die betrokke voertuig of, as 'n kondukteur op daardie voertuig op diens is, deur daardie kondukteur, na afloop van elke heen- en terugreis;
- (b) in die geval van goedere, deur die houer van die betrokke sertifikaat of vrystelling of sy dienaar by ontvangs deur gemelde houer of sy dienaar van daardie goedere.

(3) Die geleibrief of logboek in subregulasie (1) genoem, moet deur die bestuurder van die voertuig waarop dit betrekking het of, as 'n kondukteur op daardie voertuig op diens is, deur daardie kondukteur gehou word, en moet op versoek van 'n gemagtigde amptenaar vir insae beskikbaar wees.

(4) Elke geleibrief of logboek wat ooreenkomstig die bepalings van hierdie regulasies ingevul word, moet deur die houer van die betrokke sertifikaat of vrystelling gehou word op so 'n wyse dat dit gereedlik beskikbaar sal wees

with the background upon which it is painted and the dimensions of all letters and figures used in painting such information and their arrangement shall be as follows:—

- (a) Height of figures and letters: Between 3 inches and $3\frac{1}{4}$ inches.
- (b) Width of figures and letters (figure "1" excepted): $1\frac{1}{8}$ inches.
- (c) Width of stroke in figures and letters: Between $\frac{3}{8}$ inch and $\frac{9}{16}$ inch.
- (d) Space between adjoining figures or letters: Between $\frac{3}{8}$ inch and $\frac{1}{2}$ inch.
- (e) Space between words where set out in the same line: At least 1 inch.

Accidents.

72. The holder of a motor carrier certificate or exemption authorizing the conveyance of persons or goods for reward shall, as soon as possible but not later than seven days after the occurrence of any accident resulting in the death of, or bodily injury to, any person or damage to property, in any way involving the motor vehicle to which the said certificate or exemption relates, report in writing to the Board or to the local board as the case may be, which issued the said certificate or exemption, setting forth the date, place and details of the accident or other occurrence, the name of any person killed or injured thereby, the nature and extent of any damage to property resulting therefrom and the name of the owner of any such property.

Records to be Kept.

73. (1) The holder of a motor carrier certificate or an exemption authorizing the conveyance of passengers or goods for reward, shall keep or cause his servant to keep on the motor vehicle to which such certificate or exemption relates an accurate record, in way-bill or log-book form, of all passengers and goods conveyed on each trip of that vehicle, showing the following particulars:—

- (a) *Passengers.*—Number of passengers (information in respect of each area and route or each area or route specified in the said certificate or exemption to be kept separate);
- (b) *Goods.*—
 - (i) Points between which and area or areas within which goods are conveyed;
 - (ii) names of consignors and consignees;
 - (iii) number of packages and brief description of goods; and
 - (iv) the weight of each consignment: Provided that where it is not possible to give the accurate weight of each consignment of goods an estimate of such weight will suffice.

(2) The way-bill or log-book referred to in sub-regulation (1) shall be written up—

- (a) in the case of passengers, by the driver of the vehicle concerned or, if a conductor is employed on that vehicle, by that conductor, on completion of each forward and each return trip;
- (b) in the case of goods, by the holder of the certificate or exemption in question or his servant on receipt by the said holder or his servant of such goods.

(3) The way-bill or log-book referred to in sub-regulation (1) shall be kept by the driver of the vehicle to which it relates or, if a conductor is employed on that vehicle, by that conductor, and shall be available for inspection on demand by an authorized officer.

(4) Each way-bill or log-book completed in accordance with the provisions of this regulation shall be retained by the holder of the certificate or exemption in question in such manner that it shall be readily available for inspection

vir insae deur 'n gemagtigde amptenaar op enige tyd binne 'n tydperk van twaalf maande vanaf die datum waarop so 'n geleibrief of logboek ingevul is.

(5) Die Raad of die plaaslike raad, na gelang van die geval, wat die sertifikaat of vrystelling in subregulasie (1) genoem, uitgereik het, kan, na goedvinde, die houer daarvan, hetsy geheel of gedeeltelik, vrystel van enige of al die bepalings van subregulasies (1), (2), (3) en (4) en kan van genoemde houer daarna vereis om rekords te hou op die wyse wat hy besluit.

(6) Die Raad of die plaaslike raad, na gelang van die geval, wat 'n vrystelling, uitgesonderd 'n vrystelling in subregulasie (1) genoem, uitgereik het, kan, na goedvinde, van die houer daarvan vereis om, hetsy geheel of gedeeltelik, enige of al die bepalings van hierdie regulasie na te kom.

Maandelikse opgawes wat ingedien moet word.

74. (1) Indien aldus deur die Raad of betrokke plaaslike raad gelas, moet die houer van 'n motortransportsertifikaat of 'n vrystelling binne tien dae na afloop van elke kalendermaand aan die Raad of plaaslike raad, na gelang van die geval, wat die sertifikaat of vrystelling uitgereik het, 'n opgawe verstrek volgens 'n vorm soos van tyd tot tyd deur die Raad voorgeskryf, waarin minstens die volgende aangetoon word—

- (a) in die geval van passasiers, die aantal passasiers wat gedurende die voorafgaande kalendermaand in daardie voertuig vervoer is en die mylafstand wat daarby binne elke gebied en/of oor elke roete wat in die sertifikaat of vrystelling vermeld word, afgelê is (stedelike en plattelandse gebiede moet afsonderlik aangetoon word); en
- (b) in die geval van goedere, die totale gewig in ponde van goedere wat gedurende die voorafgaande kalendermaand in daardie voertuig vervoer is en die mylafstand wat daarby binne elke gebied en/of oor elke roete wat in die sertifikaat of vrystelling vermeld word, afgelê is (stedelike en plattelandse gebiede moet afsonderlik aangetoon word): Met dien verstande dat as dit nie moontlik is om die totale gewig presies op te gee nie, 'n skatting van die totale gewig voldoende sal wees.

(2) As die houer van 'n motortransportsertifikaat of 'n vrystelling waarby die vervoer van persone of goedere teen vergoeding gemagtig word, geen persone of goedere gedurende 'n kalendermaand ingevolge die magtiging by so 'n sertifikaat of vrystelling verleen, vervoer het nie, moet hy die Raad of plaaslike raad, na gelang van die geval, wat die sertifikaat of vrystelling uitgereik het, binne tien dae na afloop van daardie kalendermaand dienooreenkomstig in kennis stel.

(3) Die Raad of plaaslike raad, na gelang van die geval, wat die sertifikaat of vrystelling genoem in subregulasie (1) uitgereik het, kan, na goeddunke, die houer daarvan of geheel of gedeeltelik van enige of al die bepalings van hierdie regulasie vrystel en kan van gemelde houer vereis om inligting op die wyse wat hy besluit, te verstrek.

Pligte en bevoegdhede van gemagtigde amptenare.

75. (1) Benewens die pligte en bevoegdhede wat in die Wet en elders in hierdie regulasies vermeld word, kan 'n gemagtigde amptenaar—

- (a) 'n motorvoertuig wat na redelike vermoede vir motortransport gebruik word, laat stilhou en goedere wat daarop vervoer word, ondersoek ten einde vas te stel of daardie voertuig vir motortransport gebruik word;
- (b) eis dat die bestuurder van so 'n voertuig sy naam en adres en dié van die eienaar van die voertuig, asook besonderhede van die besigheid in verband waarmee die voertuig gebruik word, verstrek;
- (c) eis dat die bestuurder of ander persoon in beheer van so 'n voertuig, daar en dan enige dokumente of ander rekords in of op die voertuig of in sy besit wat enigins betrekking het op die goedere

by an authorized officer at any time within a period of twelve months as from the date on which such way-bill or log-book was completed.

(5) The Board or the local board, as the case may be, which issued the certificate or exemption referred to in sub-regulation (1) may, in its discretion, exempt the holder thereof either wholly or in part from any or all of the provisions of sub-regulations (1), (2), (3) and (4) and it may thereupon require the said holder to keep such records in such form as it may decide.

(6) The Board or the local board, as the case may be, which issued an exemption, other than an exemption referred to in sub-regulation (1), may, in its discretion require the holder thereof to comply either wholly or in part with any or all of the provisions of this regulation.

Monthly Returns to be Rendered.

74. (1) If directed to do so by the Board or the local board concerned the holder of a motor carrier certificate or an exemption shall, within ten days after the end of each calendar month, transmit to the Board or the local board, as the case may be, which issued such certificate or exemption a return, in such form as may from time to time be prescribed by the Board, showing at least—

- (a) in the case of passengers, the number of passengers conveyed and the mileage covered in such conveyance within each area (urban and rural areas to be shown separately), and/or over each route specified in such certificate or exemption during the preceding calendar month; and
- (b) in the case of goods, the total weight of goods, in lb., conveyed, and the mileage covered in such conveyance, within each area (urban and rural areas to be shown separately) and/or over each route specified in such certificate or exemption, during the preceding calendar month: Provided that where it is not possible to give the total weight accurately an estimate of such total weight will suffice.

(2) If the holder of a motor carrier certificate or an exemption authorizing the conveyance of persons or goods for reward did not convey any persons or goods during a calendar month under the authority granted by such certificate or exemption he shall, within ten days after the end of that calendar month, accordingly inform the Board or the local board, as the case may be, which issued such certificate or exemption.

(3) The Board or the local board, as the case may be, which issued the certificate or exemption referred to in sub-regulation (1) may, in its discretion, exempt the holder thereof either wholly or in part from any or all of the provisions of this regulation and it may thereupon require the said holder to furnish such information in such form as it may decide.

Duties and powers of Authorized Officers.

75. (1) In addition to the duties and powers specified in the Act and elsewhere in these regulations, an authorized officer may—

- (a) stop any motor vehicle reasonably suspected of being used for motor carrier transportation and examine any goods being conveyed thereon, for the purpose of ascertaining whether such vehicle is being used for motor carrier transportation;
- (b) require the driver of any such vehicle to furnish his name and address, the name and address of the owner of the vehicle and particulars of the business in connection with which the vehicle is being used;
- (c) require the driver or other person in charge of any such vehicle to produce forthwith for inspection any documents or other records in or on such vehicle or in his possession relating in any way to the goods or persons being conveyed on such

of persone wat op die voertuig vervoer word, vir ondersoek toon of verduidelik waarom hy 'n dokument of rekord wat hy verplig is om op die voertuig te hou, nie kan toon nie;

- (d) eis dat 'n persoon op 'n voertuig wat, na vermoed word, vir motortransport gebruik word of, na vermoed word, onlangs op so 'n voertuig gewees het, sy volle naam en adres verstrek en verklaar of hy vergoeding betaal het of moet betaal vir sy vervoer op gemelde voertuig;
- (e) eis dat die bestuurder van of ander persoon op so 'n voertuig die naam en adres verstrek van die versender en die ontvanger, asook die name van die plekke waartussen goedere op daardie voertuig vervoer moet word;
- (f) eis dat die rekords wat ingevolge regulasie 73 gehou moet word, deur die bestuurder van so 'n voertuig of deur die kondukteur, waar 'n kondukteur in diens is, vir ondersoek getoon word;
- (g) enige persele op enige redelike tyd binnegaan ten einde 'n ondersoek binne die omvang van sy pligte as gemagtigde amptenaar in te stel;
- (h) eis dat die bestuurder of ander persoon in beheer van so 'n voertuig enige dokumente uitgereik deur die Raad, 'n plaaslike raad of 'n plaaslike bestuur, ten opsigte van 'n motorvoertuig wat vir motortransport gebruik of vermoedelik gebruik word, wat volgens wet op die voertuig waarop hulle betrekking het, gehou moet word, toon of verduidelik waarom hy 'n dokument of rekord wat hy verplig is om op die voertuig te hou, nie kan toon nie;
- (i) eis dat die bestuurder of enige persoon in beheer van 'n motorvoertuig wat vir motortransport gebruik word en so gebrekkig is dat dit 'n moontlike gevaar vir persone en eiendom is, daar en dan die bestaande motortransportsertifikaat of vrystelling, asook die onderskeidingssteken of vrystellingsbewys wat op die voertuig betrekking het, oorhandig en dat hy sy bedrywighede staak tot tyd en wyl die gebrek herstel is.

(2) Elke gemagtigde amptenaar aangestel deur die Raad as 'n padvervoersinspekteur moet die ampsteken dra wat die Sekretaris van Vervoer aan hom uitreik.

(3) Die vertoon van 'n aanstellingsbrief van 'n padvervoersinspekteur waarin te kenne gegee word dat die brief deur die Sekretaris van Vervoer uitgereik is, dien as voldoende bewys van so 'n aanstelling totdat die teendeel bewys word, en so 'n padvervoersinspekteur moet sy aanstellingsbrief toon indien verlang deur enige persoon in beheer van 'n motorvoertuig met wie hy ampshalwe onderhandel.

Misdrywe en strafbepalings.

76. Enigiemand wat—

- (a) die bepalinge van regulasie 7 of subregulasie (2) van regulasie 8 of regulasie 13 of subregulasie (2) van regulasie 14 of regulasie 27, 28, 29, 30, 31, 40, 45, 46, 47, 48, 49 of 50 of subregulasie (4) van regulasie 60 of subregulasie (3) van regulasie 64 of subregulasie (2) of (3) van regulasie 70 of regulasie 72 of subregulasie (1), (2), (3) of (4) van regulasie 73 of subregulasie (1) of (2) van regulasie 74 oortree of versuim om daaraan te voldoen;
- (b) versuim om te voldoen aan 'n vereiste kragtens regulasie 17 of subregulasie (5) of (6) van regulasie 73 of subregulasie (3) van regulasie 74;
- (c) versuim om te voldoen aan 'n opdrag kragtens regulasie 55;
- (d) 'n voorwaarde of vereiste wat opgelê is in verband met, of wat beliggaam is in 'n motortransportsertifikaat of vrystelling ooreenkomstig subregulasie (1) van regulasie 70, oortree of versuim om daaraan te voldoen.

vehicle or to explain his inability to produce any document or record which it is his duty to have on such vehicle;

- (d) require any person who is on any vehicle suspected of carrying on motor carrier transportation or who is suspected of having been on such vehicle recently, to give his full name and address and to state whether or not any remuneration has been or is to be given by him for being conveyed on the said vehicle;
- (e) require the driver of or other person in any such vehicle to furnish the name and address of the consignor and consignee and the names of the points between which any goods on such vehicle are to be conveyed;
- (f) require that the records which are to be kept in terms of regulation 73 be produced by the driver of such vehicle or by the conductor, where there is a conductor, for inspection;
- (g) enter any premises at any reasonable time for the purpose of any investigation within the scope of his duties as an authorized officer;
- (h) require the driver or person in charge of any such vehicle to produce forthwith any documents issued by the Board, a local board or local authority, in respect of a vehicle engaged in motor carrier transportation or suspected to be engaged in motor carrier transportation which are by law required to be carried upon the vehicle to which they refer, or to explain his inability to produce any document or record which it is his duty to have on the vehicle;
- (i) require the driver or any person in charge of any motor vehicle engaged in motor carrier transportation which is so defective as to be likely to be a danger to persons or property to surrender forthwith the current motor carrier certificate or exemption together with the distinguishing mark or proof of exemption relating to the vehicle, and direct him to cease operations until such time as the defect shall have been remedied.

(2) Every authorized officer appointed by the Board as a road transportation inspector shall wear the badge of office issued to him by the Secretary for Transport.

(3) The production of a letter of appointment as a road transportation inspector purporting to be issued by the Secretary for Transport shall, until the contrary is proved, be sufficient evidence of such appointment, and such road transportation inspector shall produce his letter of appointment, if so required by any person in charge of a motor vehicle with whom he is dealing officially.

Offences and Penalties.

76. Any person who—

- (a) contravenes or fails to comply with any provision of regulation 7 or sub-regulation (2) of regulation 8 or regulation 13 or sub-regulation (2) of regulation 14 or regulation 27, 28, 29, 30, 31, 40, 45, 46, 47, 48, 49 or 50 or sub-regulation (4) of regulation 60 or sub-regulation (3) of regulation 64 or sub-regulation (2) or (3) of regulation 70 or regulation 72 or sub-regulation (1), (2), (3) or (4) of regulation 73 or sub-regulation (1) or (2) of regulation 74;
- (b) fails to comply with a requirement under regulation 17 or sub-regulation (5) or (6) of regulation 73 or sub-regulation (3) of regulation 74;
- (c) fails to comply with a direction under regulation 55;
- (d) contravenes or fails to comply with any condition or requirement imposed in connection with or included in any motor carrier certificate or exemption in terms of sub-regulation (1) of regulation 70;

(e) versuim om dadelik te voldoen aan 'n versoek wat kragtens subregulasie (1) van regulasie 75 gedoen word of wat 'n gemagtigde amptenaar op enige wyse dwarsboom of hinder by die uitoefening van enigeen van die pligte of bevoegdhede ingevolge die Wet of hierdie regulasies aan hom verleen, of wat versuim om te voldoen aan 'n redelike vereiste of opdrag wat deur so 'n gemagtigde amptenaar gestel of gegee word ten einde die bevoegdhede of die pligte soos voornoem, uit te oefen of uit te voer,

is skuldig aan 'n misdryf en by skuldigbevinding straffbaar met die strawwe wat in artikel *agtien* van die Wet genoem word.

(e) fails to comply forthwith with any demand made under sub-regulation (1) of regulation 75 or who in any way obstructs or interferes with an authorized officer in the exercise of any of the duties or powers conferred upon him by the Act or these regulations, or who fails to comply with any reasonable requirement or direction given by such authorized officer for the purposes of the exercise of the powers or performance of the duties aforesaid,

shall be guilty of an offence and shall, on conviction, be liable to the penalties mentioned in section *eighteen* of the Act.

INHOUD.

No.	BLADSY
Departement van Vervoer. GOEWERMENTSKENNISGEWING.	
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Wette van die Republiek van Suid-Afrika, 1962

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