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DEPARTEMENT VAN EKONOMIESE SAKE, LANDBOU EN TOERISME TAK: VERVOER

PROVINSIALE KENNISGEWING

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DEPARTEMENT VAN EKONOMIESE SAKE, LANDBOU EN TOERISME

TAK: VERVOER

WET OP PADVERVOER, 1977 (WET 74 VAN 1977):
BUITENGEWONE MAATREËLS REGULASIES: VERKLAARDE GEBIED KHAYELITSHA

Die Provinsiale Minister van Vervoer, Sport en Ontspanning in die Wes-Kaap het kragtens artikel 30B van die Wet op Padvervoer, 1977, en tot die mate dat die Wet aan die provinsie van die Wes-Kaap toegewys is, vir die verklaarde gebied Khayelithsa wat kragtens Provinsiale Kennisgewing 224/2000 in die Buitengewone Provinsiale Koerant no. 5502 van 24 Mei 2000 verklaar is, die buitengewone maatreëls getref wat in die Bylae hieronder uiteengesit is.

Bylae

Regulasies rakende Buitengewone Maatreëls kragtens artikel 30B van die Wet op Padvervoer, 1977 (Wet 74 van 1977).

1. Die regulasies is van toepassing op die verklaarde gebied Khayelitsha wat verklaar is kragtens Provinsiale Kennisgewing 224/2000 wat in die Buitengewone Provinsiale Koerant no. 5502 van 24 Mei 2000 gepubliseer is, en waarvan 'n afskrif bylae ''A'' by hierdie regulasies uitmaak (hierna in hierdie regulasies ''die verklaarde gebied Khayelitsha'' genoem).

2. Die regulasies is van krag vir die tydperk met ingang van middernag, 2 Augustus 2000 tot en met middernag, 3 Augustus 2000.

3. Vir die tydperk wat in regulasie 2 genoem word, word alle roetes en staanplekke in die verklaarde gebied Khayelitsha vir die bedrywighede van minibustaxidienste en enige ander soort padvervoerdiens beoog in paragraaf (a) van die woordomskrywing van ''padvervoer'' in artikel 1 van Wet 74 van 1977, gesluit.

4. Alle permitte wat enige van die dienste magtig waarna in regulasie 3 verwys word, word vir die tydperk waarna in regulasie 2 verwys word, in die verklaarde gebied Khayelitsha opgeskort.

5. Die opskorting van permitte kragtens regulasie 4 is ook van toepassing op alle permitte wat enige van die betrokke dienste magtig binne 'n radius waarvan die middelpunt binne die verklaarde gebied Khayelitsha gesetel is en tot die mate dat daardie radius binne die verklaarde gebied is.

6. 'n Persoon wat langs enige roete of by enige staanplek wat kragtens regulasie 3 gesluit is, of kragtens 'n permit wat kragtens regulasie 4 of 5 opgeskort is, enige van die dienste onderneem waarna in regulasie 3 verwys word, is aan 'n misdryf skuldig en is by skuldigbevinding strafbaar met 'n boete of gevangenisstraf vir 'n tydperk van hoogstens ses maande.

AANHANGSEL "A"

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DEPARTMENT OF ECONOMIC AFFAIRS, AGRICULTURE AND TOURISM

BRANCH: TRANSPORT

ROAD TRANSPORTATION ACT, 1977 (ACT 74 OF 1977):
EXTRAORDINARY MEASURES REGULATIONS: DECLARED AREA OF KHAYELITSHA

The Provincial Minister of Transport, Sport and Recreation in the Western Cape has, in terms of section 30B of the Road Transportation Act, 1977 and in so far as that Act is assigned to the province of the Western Cape, made the extraordinary measures regulations set out in the Schedule below for the declared area of Khayelitsha declared in terms of Provincial Notice 224/2000 in Provincial Gazette Extraordinary No 5502 of 24 May 2000.

Schedule

Extraordinary Measures Regulations in terms of section 30B of the Road Transportation Act, 1977 (Act 74 of 1977).

1. These regulations apply to the declared area of Khayelitsha declared in terms of Provincial Notice 224/2000 published in Provincial Gazette Extraordinary No 5502 of 24 May 2000, a copy of which forms annexure ''A'' to these regulations (hereafter in these regulations referred to as ''the declared area of Khayelitsha'').

2. These regulations apply for the period midnight, 2 August 2000 to midnight, 3 August 2000.

3. For the period referred to in regulation 2 all routes and ranks in the declared area of Khayelitsha are closed for the operation of minibus taxi services and any other form of road transportation service contemplated by paragraph (a) of the definition of ''road transportation'' in section 1 of Act 74 of 1977.

4. All permits authorising any of the services referred to in regulation 3 in the declared area of Khayelitsha are suspended for the period referred to in regulation 2.

5. The suspension of permits in terms of regulation 4 also applies to all permits authorizing any of the services concerned within a radius, the centre point of which is situated within the declared area of Khayelitsha, in so far as the radius is within that declared area.

6. A person who undertakes any of the services referred to in regulation 3 along any route or at any rank closed in terms of that regulation or in terms of a permit suspended in terms of regulation 4 or 5, commits an offence and on conviction is liable to a fine or imprisonment for a period not exceeding six months.

ANNEXURE ''A''

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ISEBE LEMICIMBI YEZOQOQOSHO, ULIMO NOKHENKETHO

ISEBE: UThUTHO

UMTHETHO WEZOTHUTHO EZIMDLELENI OWAYILWA NGO1977 (INQAKU LAMA-74 KUMTHETHO KA1977):
IMIQATHANGO ENAMANYATHELO AQATHA: UMMANDLA OTHWAXWA LUDUSHE WASEKHAYELITSHA

Ngokwecandelo lama-30 ku-B, loMthetho wezoThutho, owayilwa ngo1977, kwanangenxa yokuba la Mthetho umiselwe iPhondo leNtshona-Koloni, uMphathiswa wePhondo leNtshona-Koloni wezoThutho imiDlalo noLonwabo, ugqibe kwelokuba abeke imiqathango enamanyathelo aqatha, nebonakaliswe kule Shedyuli ingezantsi yalo mmandla waseKhayelitsha othatyathwa njengommandla wodushe, ngokwenqaku lama-224/2000 elikwiSaziso sePhondo esikwiGazethi yobuRhulumente eyoNgezelelweyo enguNombolo 5502, yomhla wama-24 kuMeyi 2000.

Ishedyuli

ImiQathango enaManyathelo aQatha ngokwecandelo lama-30 ku-B loMthetho wezoThutho owayilwa ngo1977 (inqaku lama-74 loMthetho ka1977).

1. Le miqathango iya kusebenza kummandla waseKhayelitsha othatyathwa njengowodushe ngokwenqaku lama-224/2000, elikwiSaziso sePhondo esipapashwe kwiGazethi yobuRhulumente eyoNgezelelweyo enguNombolo 5502, yomhla wama-24 kuMeyi 2000, nekopi eyinxalenye yesihlomelo ‘‘A’’ sale miqathango (ngokwale nkcazelo, imiqathango ekuthethwa ngayo iya kuba ibhekiswa ‘‘kummandla waseKhayelitsha othatyathwa njengothwaxwa ludushe’’).

2. Le miqathango iya kusebenza ezinzulwini zobusuku ngomhla wesi-2 kuAgasti 2000 ukuya ezinzulwini zobusuku ngomhla wesi-3 kuAgasti 2000.

3. Ngokwexesha ekubhekiselelwa kummiselo wesi-2, bonke oohola beendlela neerenki ezikulo mmandla wezixholo-xholo waseKhayelitsha, bavaliwe ukuze kungabikho malungu ankonzo zataxi, kwanokuba luluphi na olunye udidi lwenkonzo yeetaxi oluya kusebenza ngeli xesha limiselweyo ngokomhlathi (a) ocacisa ‘‘ngezoThutho eziNdleleni’’ okwicandelo 1 inqaku lama-74 loMthetho owasungulwa ngo-1977.

4. Onke amaphepha-mvume agunyazisa iinkonzo ekubhekiselelwe kuzo kumqathango wesithathu, kulo mmandla waseKhayelitsha uthatyathwa njengowodushe, asamisiwe kangangesithuba esikhankanyiweyo kummmiselo wesibini.

5. Ukurhoxiswa kweempepha-mvume ngokwalo mmiselo wesine, okwabhekisa nakuwo onke amaphepha-mvume agunyazisa naziphi na iinkonzo ezibandakanyekayo kule ndawo ixeliweyo, kanye umbindi othatyathwa njengeyona ndawo ithwaxwa zizixholo-xholo eKhayelitsha, nakuzo zonke ezinye iziphaluka ezi kulo mmandla.

6. Umntu oqhuba nayiphi na inkonzo ekubhekiselelwe kuyo kummiselo wesithathu, nokuba kukowuphi na uhola, okanye nokuba kukweyiphi na irenki evaliweyo ngokommiselo, okanye lakuba lirhoxisiwe iphepha-mvume elikhankanyiweyo kummiselo wesine, okanye kowesihlanu, uya kuba waphula umthetho, nto leyo ke iya kumkhokelela ukuba afumane isohlwayo kungenjalo avalelwe kangangesithuba esingayi kudlula kwiinyanga ezintandathu.

ISIHLOMELO ‘‘A’’