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**OFFISIELLE KOERANT**  
VAN SUIDWES-AFRIKA.



**OFFICIAL GAZETTE**

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**Goewermentskennisgewing.**

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

J. NESER,

Sekretaris van Suidwes-Afrika.

Kantoor van die Administrateur,  
Windhoek.

No. 1717 (Unie).]

[2 September 1955.

**MOTORTRANSPORTREGULASIES, 1941.**

Hierby word vir algemene inligting bekendgemaak dat die Minister van Vervoer die regulasies, in die bygaande Bylae vervat, kragtens die bepaling van artikel negentien van die Motortransportwet, 1930 (Wet No. 39 van 1930), soos gewysig, uitgevaardig het.

**BYLAE.**

Die Motortransportregulasies, 1941, soos afgekondig by Goewermentskennisgewing No. 1610 van 14 November 1941, en soos van tyd tot tyd gewysig, word soos volg verder gewysig:—

1. Regulasie 1 word hierby gewysig deur subregulasie (2) deur die volgende subregulasie te vervang:—

**WOORDBEPALING.**

(2) In hierdie regulasie beteken die uittekking „die Wet“ die Motortransportwet, 1930 (Wet No. 39 van 1930), en, teny dit die samlocking anders blyk, het enige uitdrukking waaraan daar in die Wet 'n betekenis toegeweek is, wanneer dit in hierdie regulasies gebruik word, die aldus toegeskende betekenis behou:—

- (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) „goedervoertuig“ 'n motorvoertuig wat slegs vir die vervoer van goedere ingerig is; (iv)

The following Government Notice is published for general information.

J. NESER,

Secretary for South West Africa.

Administrator's Office,  
Windhoek.

[2nd September, 1955.

**MOTOR CARRIER TRANSPORTATION REGULATIONS, 1941.**

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, made the regulations contained in the Schedule hereto.

**SCHEDULE.**

The Motor Carrier Transportation Regulations, 1941, as promulgated by Government Notice No. 1610 of 14th November, 1941, and as amended from time to time, are further amended as follows:—

1. Regulation 1 is hereby amended by the substitution for sub-regulation (2) of the following sub-regulation:—

**"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 both of persons and their personal effects 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) „huurmotor” ‘n motorvoertuig wat uitsluitlik vir die vervoer van hoogste 8 passasiers (net inbegrip van die bestuurder) en hulle persoonlike besittings ingerig is, maar uitgesonderd ‘n passasiersleepwa; (x)
- (vi) „licensie” ‘n licensie uitgereik deur ‘n bevoegde gesig 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 8 passasiers (net inbegrip van die bestuurder) en hulle persoonlike besettings ingerig is; (viii)
- (x) „regulasie” ‘n regulasie ingevolge die Wet uitgevaardig; (ix)
- (xi) „sleepwa” ‘n motorvoertuig sonder beweegkrag wat ingerig is om getrek te word of wat getrek word deur ‘n trekker of motorvoertuig; (xii)
- (xii) „trekker” ‘n motorvoertuig wat uitsluitlik ‘n kragteenhed is en nie vir die vervoer van goedere (beluhwe sy eie brandstof en onderdele) of persone (beluhwe dié wat hom bestuur of net die bedryf daarvan behulpzaam is) ingerig is of gebruik word nie. (xi).

#### 2. Regulasie 2 word hierby gewysig—

- (a) deur in subregulasie (2) na die woord „Beluhwe” die woorte „in die geval van ‘n aansoek om die hernuwing van ‘n motortransportersertifikant waar die Raad of betrokke plaaslike raad oortuig is dat geen waarskynlikheid van benadeling van ander vervoerfasilitete bestaan nie” in te voeg, deur ‘n paraagraaf (a) van daardie subregulasie na die woord „die” die woord „volle” in te voeg, deur in die Afrikaanse teks van die eerste voorbehoudbepaling by daardie subregulasie die woord „fooi” deur die woord „geldte” te vervang, deur in daardie voorbehoudbepaling die woord „gedeponeer” deur die woord „betaal” te vervang en deur in die tweede voorbehoudbepaling by daardie subregulasie die woord „verdere” te skrap;
- (b) deur in die Afrikaanse teks van subregulasie (6) die woord „fooi” deur die woord „geldte” te vervang en deur in daardie subregulasie die syfer „(5)” deur die syfer „(4)” te vervang; en
- (c) deur subregulasie (11) te skrap.

#### 3. Regulasie 3 word hierby gewysig—

- (a) deur in paraagraaf (b) van subregulasie (2) al die woorde na die woord „motorvoertuig” waar dit die tweede maal voorkom deur die woord „of” te vervang;
- (b) deur in paraagraaf (c) van subregulasie (2) al die woorde na die woord „is” te skrap; en
- (c) deur in subregulasie (2) na die woord „raad” die woorte „beluhwe as hy oortuig is dat geen waarskynlikheid van benadeling van ander vervoerfasilitete bestaan nie” in te voeg en deur in daardie subregulasie al die woorde na die woorde „van toepassing is” te skrap.

#### 4. Regulasie 4 word hierby gewysig—

- (a) deur subregulasie (1) te skrap;
- (b) deur in subregulasie (2) die woorde „so ‘n oordrag” deur die woorde „die oordrag van ‘n motortransportersertifikant” te vervang;
- (d) deur in die Afrikaanse teks van paraagraaf (a) van subregulasie (3) na die woord „sy” die woord „volle” in te voeg;
- (d) deur subregulasie (5) deur die volgende subregulasie te vervang:

#### „PUBLIKASIE VAN BESONDERHEDE VAN AANSOEK OM OORDRAG.

(5) Die Raad of betrokke plaaslike raad moet behulwe as hy oortuig is dat daar by die oordrag van die betrokke motortransportersertifikant geen waarskynlikheid van benadeling van ander vervoerfasilitete bestaan nie, die volgende besonderhede van die aan-

- (v) ‘licencie’ means a licence issued by a competent authority to carry on an industry, trade or business; (vi)
- (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 8 passengers (including the driver) and their personal effects; (ix)
- (ix) ‘regulation’ means a regulation made under the Act; (x)
- (x) ‘taxi’ means a motor vehicle designed solely for the conveyance of not more than 8 passengers (including the driver) and their personal effects but does not include a passenger trailer; (y)
- (xi) ‘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 operations); (xii)
- (xii) ‘tractor’ means a motor vehicle without a motive unit which is designed to be hauled or is hauled by a tractor or motor vehicle. (xi).

#### 2. Regulation 2 is hereby amended—

- (a) by the insertion in sub-regulation (2) after the word “except” of the words “in the case of an application for the renewal of a motor carrier certificate where the Board of local board concerned is satisfied that no other transportation facilities are likely to be adversely affected or”, by the insertion in paragraph (a) of that sub-regulation after the word “the” of the word “full”, by the substitution in the Afrikaans text of the first proviso to that sub-regulation for the word “fooi” of the word “geldo”, by the substitution in that proviso for the word “deposited” of the word “paid” and by the deletion in the second proviso to that sub-regulation of the word “further” where it occurs for the second time in the said proviso;
- (b) by the substitution in the Afrikaans text of sub-regulation (6) for the word “fooi” of the word “geldte” and by the substitution in that sub-regulation for the number “(5)” of the number “(4)” and
- (c) by the deletion of sub-regulation (11).

#### 3. Regulation 3 is hereby amended—

- (a) by the substitution in paragraph (b) of sub-regulation (2) for all the words after the word “percent” of the word “or”;
- (b) by the deletion in paragraph (c) of sub-regulation (2) of all the words after the word “granted”; and
- (c) by the insertion in sub-regulation (2) after the word “shall” where it occurs for the first time of the words “except if it is satisfied that no other transportation facilities are likely to be adversely affected by the proposed amendment” and by the deletion in that sub-regulation of all the words after the word “apply” where it occurs for the last time.

#### 4. Regulation 4 is hereby amended—

- (a) by the deletion of sub-regulation (1);
- (b) by the substitution in sub-regulation (2) for the words “such transfer” of the words “the transfer of a motor carrier certificate”;
- (c) by the insertion in the Afrikaans text of paragraph (a) of sub-regulation (3) after the word “sy” of the word “volle”;
- (d) by the substitution for sub-regulation (5) of the following sub-regulation:—

#### “PUBLICATION OF PARTICULARS OF APPLICATION OF TRANSFER.

(5) 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

soek om sodanige oordrag in een uitgawe van die *Offisiële Koorant* van elke provinsie waarin motor-transport ingevolge genoemde 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 nie hoofde van gemelde sertifikaat gemagtig is, asook die aantal voertuie wat daarby betrokke is,

en moet aan enige persoon wat by die voorgestelde oordrag belang het, insas verleen in sodanige verdere inligting waarby hy regstreeks betrokke mag wees en wat deur die applikant in verband met so 'n aansoek verskaaf mag gewees het, en die voorheidsbepaling by subregulasie (2) van Regulasie 2 en subregulasie (3) van daardie regulasie is ten opsigte van sodanige aansoek van toepassing;" en

- (e) deur in die opskrif van subregulasie (6) die woord „ONDERSKEIDINGSKAART“ deur die woord „ONDERSKEIDINGSTEKEN“ te vervang en deur in daardie subregulasie die woord „onderskeidingskaart“, waart dit ook al voorkom, deur die woord „onderskeidingssteken“ te vervang.

5. Regulasie 5 word hierby gewysig deur in subregulasie (1) die woorde „of tot 'n publieke pad onder beheer van die Raad“ te skrap.

6. Regulasie 7 word hierby deur die volgende regulasie vervang:—

#### ,REGULASIE 7.

#### ONDERSKEIDINGSTEKEN WAT AAN VOERTUIE GEHEG MOET WORD.

##### *Eerste Uitrekking van Onderskeidingssteken.*

(1) Wanneer die Raad of 'n plauslike raad 'n ander motortransportsertifikaat as 'n tydelike sertifikaat uitreik, moet hy ook 'n onderskeidingssteken ten opsigte van daardie sertifikaat uitreik.

##### *Laterre Uitrekking van Onderskeidingssteken.*

(2) As 'n motortransportsertifikaat vir 'n typerk van meer as een kalenderjaar uitgereik of hervuur was, moet die Raad of betrokke plauslike raad, by betrekking van die betrokke geldte ingevolge paragrafe (a) en (c) van subregulasie (1) van Regulasie 13, 'n onderskeidingssteken uitreik vir die kalenderjaar ten opsigte waarvan die geldte is, moet duidelik op sodanige onderskeidingssteken aangegevoerd word.

##### *Beskrywing van Onderskeidingssteken.*

(3) Die onderskeidingssteken is 'n onderskeidingskaart in die vorm van 'n gelyktydig driehoek en van sodanige kleur en met sodanige besonderhede daarop as wat die Raad van tyd tot tyd mag bepaal en die laaste twee syfers van die kalenderjaar ten opsigte waarvan dit geldig is, moet duidelik op sodanige onderskeidingssteken aangegevoerd word.

##### *Geldigheidsduur van Onderskeidingssteken.*

(4) 'n Onderskeidingssteken bly geldig slegs vir so lank 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.

##### *Hoe Onderskeidingssteken op Motorvoertuig verhou moet word.*

(5) Die persoon aan wie 'n onderskeidingssteken uitgereik word, moet sorg—

- (a) in die geval van 'n ander motorvoertuig as 'n sleepwa, dat die onderskeidingssteken met die beskrewte kant in vore op 'n in die oog lopende plek aan die voorwerk van die voertuig waarop dit betrekking het, geheg word; en
- (b) in die geval van 'n sleepwa, dat die onderskeidingssteken met die beskrewte kant nooit buite op 'n in die oog lopende plek aan die hotkant van die sleepwa waarop dit betrekking het, geheg word,

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 to sub-regulation (2) of Regulation (2) and sub-regulation (3) of that regulation shall apply in respect of such application;" and

- (e) by the substitution in the heading to sub-regulation (6) for the words "IDENTIFICATION CARD" of the words "DISTINGUISHING MARK" and by the substitution in that sub-regulation for the words "identification card" wherever they occur of the words "distinguishing mark".

5. Regulation 5 is hereby amended by the deletion in sub-regulation (1) of the words "or on to a public road under the jurisdiction of the Board".

6. The following regulation is hereby substituted for Regulation 7:—

#### "REGULATION 7.

#### DISTINGUISHING MARK TO BE AFFIXED TO VEHICLE.

##### *Initial Issue of Distinguishing Mark.*

(1) 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.*

(2) If a motor carrier certificate was granted or renewed for a period in excess of one calendar year the Board or local board concerned shall, on payment of the relative fee in terms of paragraphs (a) and (c) of sub-regulation (1) of Regulation 13, issue a distinguishing mark for the calendar year in respect of which the fee was paid.

##### *Description of Distinguishing Mark.*

(3) The distinguishing mark 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.*

(4) 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.

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

(5) The person to whom a distinguishing mark is issued 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.

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

#### *Wigging van Onderskeidingssteken.*

(5) Wanneer 'n motortransportsertifikaat ooreenkomslik hierdie regulasies gewysig of oorgedra is, moet 'n gewysigde onderskeidingssteken wat ooreenkoms met die gewysigde motortransportsertifikaat kosteloos deur die Raad of betrokke plaaslike raad uitgereik word.".

7. Regulasie 8 word hierby gewysig deur in die opskrif die woord „ONDERSKEIDINGSKAARTE“ deur die woord „ONDERSKEIDINGSTEKEN“ te vervang en deur in hierdie regulasie die woord „onderskeidingskaart“, waar dit ook al voorkom, deur die woord „onderskeidingssteken“ te vervang.

8. Regulasie 10 word hierby gewysig deur in sub-regulasie (2) na die woord „passasiervoertuig“ die woorde „of passasierleepwa“ in te voeg.

#### 9. Regulasie 11 word hierby gewysig—

- (a) deur in die Afrikaanse teks van subregulasie (1) die woord „fooi“ deur die woord „geld“ te vervang; deur in daardie subregulasie die woord „gedeponeer“ deur die woord „abtaal“ te vervang; deur 'n daardie subregulasie die woord „verdere“ te skrap en deur in die Engelse teks van daardie subregulasie die woord „proviso's“ deur die woord „proviso“ te vervang;
- (b) deur in subregulasie (4) die uitdrukking „(g)“ te skrap;
- (c) deur na subregulasie (4) die volgende subregulasies in te voeg:—

#### „OORDRAG VAN VRYSTELLING.

(4) *bis.* Die bepalings van subregulasies (2), (3) en (4) van Regulasie 4 en van subregulasie (4) is *mutatis mutandis* van toepassing op 'n aansoek om die oordrag van 'n vrystelling van die houer daarvan aan 'n ander persoon.

#### VORM VAN VRYSTELLING.

(4) *ter.* Eike vrystelling wat deur die Raad of 'n plaaslike raad verleent word, moet uitgereik word op 'n vorm waarin gespesifieer moet word—

- (a) die inligting wat ingevolge subartikel (1) van artikel seve 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 uittekening van die betrokke motorvoertuig beskou sal word indien die registrusieletters en -nummers van die paar handelsplate waarop die vrystelling betrekking het, in sodanige vrystelling vermeld word; en"
- (b) sodanige voorwaarde as wat die Raad of 'n plaaslike raad ingevolge die Wet of hierdie regulasies mag ople in sodanige verdere besonderhede as wat die Raad van tyd tot tyd mag vereis;";
- (d) deur subregulasie (5) deur die volgende subregulasie te vervang:—

#### „GELDIGHEIDSDUUR VAN TYDELIKE VRYSTELLING.

(5) Die geldigheidsduur van 'n tydelike vrystelling mag nie ses maande te boewe gaan nie;";

(c) deur subregulasies (9), (10), (11) en (12) deur die volgende subregulasies te vervang:—

#### „Eerste Uitreiking van Vrystellingsbewyse.

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.

#### *Amendment of Distinguishing Mark.*

(6) Whenever a motor carrier certificate has been amended or transferred in pursuance of these regulations, an amended distinguishing mark, corresponding to the amended motor carrier certificate, shall be issued without charge by the Board or local board concerned.".

7. Regulation 8 is hereby amended by the substitution in the heading thereto for the words "IDENTIFICATION CARDS" of the words "DISTINGUISHING MARKS" and by the substitution in this regulation for the words "identification card" wherever they occur of the words "distinguishing mark".

8. Regulation 10 is hereby amended by the insertion in sub-regulation (2) after the word "vehicle" where it occurs for the second time of the words "or passenger trailer".

#### 9. Regulation 11 is hereby amended—

(a) by the substitution in the Afrikaans text of sub-regulation (1) for the word "fooi" of the word "geld", by the substitution in that sub-regulation for the word "deposited" of the word "paid", by the deletion in that sub-regulation of the word "further" where it occurs for the last time and by the substitution in the English text of that sub-regulation for the word "proviso's" of the word "proviso";

(b) by the deletion in sub-regulation (4) of the expression "(g)";

(c) by the insertion after sub-regulation (4) of the following sub-regulations:—

#### “TRANSFER OF EXEMPTION.

(4) *bis.* The provisions of sub-regulations (2), (3) and (4) of Regulation 4 and of sub-regulation (4) shall *mutatis mutandis* apply to an application for the transfer of an exemption from the holder thereof to another person.

#### FORM OF EXEMPTION.

(4) *ter.* 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 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;";

(d) by the substitution for sub-regulation (5) of the following sub-regulation:—

#### “PERIOD OF VALIDITY OF TEMPORARY EXEMPTION.

(5) The period of validity of a temporary exemption shall not exceed six months;";

(c) by the substitution for sub-regulations (9), (10), (11) and (12) of the following sub-regulations:—

#### “Initial Issue of Proof of Exemption.

(9) Wanneer die Raad of 'n plaaslike raad 'n ander vrystelling as 'n tydlike vrystelling uitreik, moet hy ook 'n vrystellingsbewys ten opsigte van daardie vrystelling uitreik.

#### *Laterale Uitreiking van Vrystellingsbewys.*

(10) As 'n vrystelling, behalwe 'n vrystelling wat vir 'n onbepaalde tydperk geldig is, verleen of herno word vir 'n tydperk van meer as een kalenderjaar, moet die Raad of betrokke plaaslike raad, by betaling van die toepaslike geldie ingevolge paragrafe (a) en (c) van subregulasie (5) van Regulasie 13, 'n vrystellingsbewys uitreik vir die kalenderjaar ten opsigte waarvan die geldie betaal is.

#### *Beskrywing van Vrystellingsbewys.*

(11) Die vrystellingsbewys is—

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

#### *Geldigheidsduur van Vrystellingsbewys.*

(12) (a) 'n Vrystellingsbewys uitgereik ten opsigte van 'n vrystelling wat vir 'n onbepaalde tydperk geldig is, bly slegs geldig vir soolang as wat die vrystelling ten opsigte waarvan dit uitgereik is, geldig bly en is in ieder gevval nie meer geldig nie die een-entigste dag van Desember van die kalenderjaar ten opsigte waarvan dit uitgereik is nie.

#### *Hoe Vrystellingsbewys op Motorvoertuie vertoon moet word.*

(12) *bis.* Die persoon aan wie 'n vrystellingsbewys uitgereik is, moet sorg—

- (a) in die gevval van 'n ander motorvoertuig as 'n sleepwa, dat die vrystellingsbewys met die beskrewe kant na vore op 'n in die oog lopende plek aan die voorcant van die voertuig waarop dit betrekking het, geheg word;
- (b) in die gevval van 'n sleepwa, dat die vrystellingsbewys met die beskrewe kant na buite op 'n in die oog lopende plek aan die botkant van die sleepwa waarop dit betrekking het, geheg word,

en dat sodanige onderskeidstekens op so 'n manier vasgeleg is en so 'n toestand gehou word dat die gedrukte en geskrewe letters en syfers daarop duidelik leesbaar bly.

#### *Wygising van Vrystellingsbewys.*

(12) *ter.* Wanneer 'n vrystelling ooreenkomsdig hierdie regulasies gewysig of oorgedra is, moet 'n gewysigde vrystellingsbewys wat ooreenkoms met die gewysigde vrystelling kosteloos deur die Raad of betrokke plaaslike raad uitgereik word;";

- (f) deur in subregulasie (13) paragraaf (b) te skrap;
- (g) deur aan die end van die opskrif van subregulasie (15) die uitdrukking "INGEVOLGE ARTIKEL 9 (3) (a) VAN DIE WET" by te voeg;
- (h) deur paragraaf (a) van subregulasie (15) deur die volgende paragraaf te vervang:—

(9) 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.*

(10) If an exemption other than a exemption valid for an indefinite period is granted or renewed for a period in excess of one calendar year the Board or local board concerned shall, on payment of the relative fee in terms of paragraphs (a) and (c) of sub-regulation (5) of Regulation 13, issue a proof of exemption for the calendar year in respect of which the fee was paid.

#### *Description of Proof of Exemption.*

(11) 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.*

(12) (a) 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.

- (b) 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.

*Mauwe: in which Proof of Exemption is to be Displayed on Motor Vehicles.*

(12) *bis.* 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 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 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.

#### *Amendment of Proof of Exemption.*

(12) *ter.* Whenever an exemption has been amended or transferred in pursuance of these regulations, an amended proof of exemption, corresponding to the amended exemption shall be issued without charge by the Board or local board concerned;";

- (f) by the deletion in sub-regulation (13) of paragraph (b);
- (g) by the addition at the end of the heading to sub-regulation (15) of the expression "IN TERMS OF SECTION 9 (3) (a) OF THE ACT";
- (h) by the substitution for paragraph (a) of sub-regulation (15) of the following paragraph:—

(a) Vir die vervoer van goedere ooreenkomsdig sub-paragraaf (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), (f) of (g) van hierdie subregulasie voorgeskryf word: Binne 'n omtrek van dertig myl van die vrystellingshouer se bona fide besighedsplek: Met dien verstande dat in die geval van 'n vrystellingshouer wie se bona fide besighedsplek geleë is in enige gebied wat hieronder omskryf word, die Rand of betrokke plaaslike raad ook vrystelling moet verleem van die verpligting om 'n motortransport-sertifikat binne sodanige gebied uit te neem; en met dien verstande voorts dat waar sodanige vrystelling van die verpligting om 'n motortransport-sertifikat uit te neem aldus verleem is vir sodanige vervoer binne enige bepaalde gebied soos hieronder omskryf, sodanige vrystelling nie die houer daarvan die reg gee om motortransport binne enige ander aldus omskrewen gebied te onderneem nie, behalwe waar en vir soveel die omtrek van dertig myl van sy bona fide besighedsplek enige gedeelte van sodanige gebied insluit.

**No. van Gebied.** **Beskrywing van Gebied.**

- (i) Die magistratsdistrikte Bellville, Kaap, Malmesbury (uitgesonder die vrederegterswyke Agter Swartland, Honingsberg en Swartwater), Paarl, Simonstad, Somerset-West, Stellenbosch, Wellington (uitgesonder die magistratswyke Bergvlier, 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 magistratsdistrik Paarl raak tot by die punt waar dit die grens van die munisipale gebied van Worcester raak en die geheel van laasgenoemde gebied.
- (ii) Die magistratsdistrikte Camperdown, Durban, Inanda, Laer Tugela, Mapumulo, Ndudwe, Pinctown 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 magistratsdistrik 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 magistratsdistrikte Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Krugersdorp, Nigel, Oberholzer, Pretoria, Randfontein, Roodepoort, Springs en Vereeniging en daardie gedeeltes van die magistratsdistrikte Heilbron en Parys wat binne 'n omtrek van twintig myl vanaf die hoofposkantoor in Vereeniging geleë is.
- (iv) Die magistratsdistrikte Klerksdorp en Potchefstroom.
- (v) Die magistratsdistrikte King William's Town, Koma en Oos-Londen.
- (vi) Die magistratsdistrikte Port Elizabeth en Uitenhage en die gebied geleë tussen die grense van die nasionale pad (Nasionale Roete No. 2) tussen Port Elizabeth en Humansdorp vanaf die punt waar dit die grens van die magistratsdistrik Port Elizabeth raak tot by die punt waar dit die grens van die munisipale gebied van Humansdorp raak en die geheel van laasgenoemde gebied.
- (vii) Die magistratsdistrikte Glen Grey, Queenstown en Tarka.
- (viii) Die magistratsdistrikte Bloemfontein en Brandfort.
- (ix) Die magistratsdistrikte Kroonstad, Ondendaalsrus, Ventersburg en Welkom."

"(a) For the conveyance of goods in terms of sub-paragraph (i), (ii) or (iii) of paragraph (a) of subsection (3) of section nine of the Act other than as prescribed in paragraph (c), (d), (f) or (g) of this sub-regulation: Within a radius of thirty miles from the exemption'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 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 thirty miles from his bona fide place of business includes any portion of such other area.

**No. of 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 lastmentioned area.
- (ii) The magisterial districts of Camperdown, Durban, Inanda, Lower Tugela, Mapumulo, Ndudwe, Pinctown 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 lastmentioned area.
- (iii) The magisterial districts of Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Krugersdorp, Nigel, Oberholzer, Pretoria, Randfontein, Roodepoort, Springs and Vereeniging and those portions of the magisterial districts of Heilbron and Parys within a radius of twenty miles from the main post office in Vereeniging.
- (iv) The magisterial districts of Klerksdorp and Potchefstroom.
- (v) The magisterial districts of East London, King William's Town and Koma.
- (vi) The magisterial districts of Port Elizabeth and Uitenhage and the area lying between the boundaries of the national road (National Route No. 2) between Port Elizabeth and Humansdorp from the point where it intersects the boundary of the magisterial district of Port Elizabeth to the point where it intersects the boundary of the municipal area of Humansdorp and the whole of the lastmentioned area.
- (vii) The magisterial districts of Glen Grey, Queenstown and Tarka.
- (viii) The magisterial districts of Bloemfontein and Brandfort.
- (ix) The magisterial districts of Kroonstad, Ondendaalsrus, Ventersburg and Welkom."

- (i) deur in subregulasie (15) paraaf (c) te skrap;  
 (j) deur in paraaf (g) van subregulasie (15) die woorde „so 'n maatskappy“ deur die woorde „'n oliemaatskappy“ te vervang;  
 (k) deur aan die end van subregulasie (15) die volgende voorbehoudbepaling by te voeg:—

„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 laasgevoude gebied indien dit na die mening van die Raad of betrokke plaaslike raad onder die omstandighede onbillik sal wees om te verwag dat die applikant enige ander soort vervoer moet gebruik.“; en

- (l) deur aan die end van die regulasie die volgende subregulasie by te voeg:—

**GEBIED WAARIN VRYSTELLING VERLEEN MOET WORD INGEVOLGE ARTIKEL 9 (3) (c) VAN DIE WET.**

(16) Onde:genoemde is die gebied waarin die Raad of betrokke plaaslike raad, na gelang van die geval, ingevolge paraaf (c) van subartikel (3) van artikel nege van die Wet vrystelling moet verleent vir die verpligting om 'n motortransportsertifikat vir die vervoer van goedere uit te neem: Binne 'n omtrek van eenhonderd en vyftig myl vanaf die plek waar sodanige goedere skoonemaak, gelebur, 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 laasgevoude gebied indien dit na die mening van die Raad of betrokke plaaslike raad onder die omstandighede onbillik sal wees om te verwag dat die applikant enige ander soort vervoer moet gebruik.“.

#### 10. Regulasie 12 word hierby gewysig—

- (a) deur in subregulasie (1) die woorde „viervoud“ deur die woorde „tienvoud“ te vervang; deur in daardie subregulasie die woorde „veertien“ deur die woorde „een-en-twintig“ te vervang; deur in die Afrikaanse teks van daardie subregulasie die woorde „fooi“ deur die woorde „gelde“ te vervang en deur in daardie subregulasie die woorde „verdere“ te skrap; en

- (b) deur in subregulasie (2) die woorde „viervoud“ deur die woorde „tienvoud“ te vervang.

#### 11. Regulasie 13 word hierby deur die volgende regulasie vervang:—

#### „REGULASIE 13.

##### GELDE WAT BETAALBAAR IS. MOTORTRANSPORTSERTIFIKATE.

- (1) (a) Onderstaande geldie is betaalbaar per voertuig per kalenderjaar ten opsigte van motortransportsertifikate vir—  
 (i) 'n dubbeeldoelsleepwa . . . £1 10 0  
 (ii) 'n dubbeeldoelvoertuig . . . £3 0 0  
 (iii) 'n goederesleepwa . . . £1 10 0  
 (iv) 'n goederevoertuig . . . £3 0 0  
 (v) 'n passasierleepwa . . . £2 0 0  
 (vi) 'n passasiervoertuig . . . £4 0 0  
 (vii) 'n huurmotor . . . £1 0 0  
 (viii) 'n trekker wat uitsluitlik gebruik word om 'n passasier-sleepwa te trek . . . £2 0 0  
 (ix) 'n trekker wat nie ouder subparaaf (viii) ingesluit word nie . . . £1 10 0  
 (b) In die geval van 'n onsoek om die toestaan of herinwing van 'n motortransportsertifikaat, moet die toepaslike bedrag in paraaf (a) voorgeskryf, betaal word wanneer om die toestaan of herinwing van sodanige sertifikant onsoek gedoen word.  
 (c) As 'n motortransportsertifikat vir 'n tydperk van meer as een kalenderjaar toegestaan of hernu word, moet die toepaslike bedrag in paraaf (a) voorgeskryf, uit-

- (i) by the deletion of paragraph (e) of sub-regulation (15);  
 (j) by the substitution in paragraph (g) of sub-regulation (15) for the word "such" where it occurs for the last time of the words "an oil";  
 (k) by the addition at the end of sub-regulation (15) of the following proviso:—

"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 local board concerned, it would be unreasonable in the circumstances to expect the applicant to use any other form of transport"; and

- (l) by the addition at the end of the regulation of the following sub-regulation:—

**AREA WITHIN WHICH EXEMPTION SHALL BE GRANTED IN TERMS OF SECTION 9 (3) (c) OF THE ACT.**

(16) 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 subsection (3) of section nine of the Act, for the conveyance of goods: Within a radius of one hundred and 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 local board concerned, it would be unreasonable in the circumstances to expect the applicant to use any other form of transport".

#### 10. Regulation 12 is hereby amended—

- (a) by the substitution in sub-regulation (1) for the word "quadruplicate" of the word "tenfold", by the substitution in that sub-regulation for the word "fourteen" of the word "twenty-one", by the substitution in the Afrikaans text of that sub-regulation for the word "fooi" of the word "gelde" and by the deletion in that sub-regulation of the word "further"; and

- (b) by the substitution in sub-regulation (2) for the word "quadruplicate" of the word "tenfold".

#### 11. The following regulation is hereby substituted for Regulation 13:—

#### “REGULATION 13.

##### FEES PAYABLE.

##### MOTOR CARRIER CERTIFICATES.

- (1) (a) The following fees shall be payable per vehicle per calendar year in respect of motor carrier certificates for—  
 (i) a dual purpose trailer . . . £1 10 0  
 (ii) a dual purpose vehicle . . . £3 0 0  
 (iii) a goods' trailer . . . £1 10 0  
 (iv) a goods vehicle . . . £3 0 0  
 (v) a passenger trailer . . . £2 0 0  
 (vi) a passenger vehicle . . . £4 0 0  
 (vii) a taxi . . . £1 0 0  
 (viii) a tractor used solely for the purpose of hauling a passenger trailer . . . £2 0 0  
 (ix) a tractor not included under sub-paragraph (viii) . . . £1 10 0  
 (b) In the case of an application for the grant or renewal of a motor carrier certificate the relative fee prescribed in paragraph (a) shall be payable on application for such grant or renewal.  
 (c) If a motor carrier certificate is granted or renewed for a period in excess of one calendar year the relative fee prescribed in paragraph (a), other than the fee payable on

gesondert die bedrag wat ingevolge para-  
graaf (b) by aansoek betaalbaar is, voor  
die eerste dag van Januarie van die kalen-  
derjaar ten opsigte waarvan gemelde bedrag  
verskuldig is, betaal word.

- (d) Die gelde ten opsigte van 'n motortransport-  
sertifikaat waarom in die laaste helfte van  
'n kalenderjaar aansoek gedoen word, is by  
aansoek betaalbaar en is die helfte van die  
toepaslike bedrag in paragraaf (a) voor-  
geskryf, indien die Raad of betrokke plaas-  
like raad tevrede is dat die applikaat nie  
vroeg in die kalenderjaar die diens waarom  
aansoek gedoen word, met dieselfde of  
enige ander voertuig sonder 'n motortrans-  
portcertifikaat onderneem het nie.
- (e) As die aansoek om die toestaan of her-  
nwuing van 'n motortransportsertifikaat ge-  
weier of teruggetrek word voor die uit-  
reiking van die betrokke motortransportsertifikaat,  
moet die bedrag wat betaal is  
ten opsigte van iedere voertuig waaroor  
'n motortransportsertifikaat nie toegestaan  
nie of ten opsigte waarvan die aansoek  
teruggetrek is soos voornoem, terugbetaal  
word min twintig sjellings vir elke betrokke  
voertuig en as die bedrag wat ten opsigte  
van 'n voertuig betaal is, minder as twintig  
sjellings is, word geen terugbetaling ge-  
doen nie.

#### WYSIGING VAN MOTORTRANSPORTSERTIFIKAAT.

- (2) (a) Die volgende gelde is betaalbaar ten opsigte van 'n aansoek, ingevolge Regulasie 3,  
om die wysiging van 'n motortransportsertifikaat of van 'n tydtafel of vervoertarief  
wat met so 'n sertifikaat in verband staan—  
  - (i) vir enige wysiging met betrekking tot  
enige motortransport binne enige gebied  
of op enige roete wat nie gespesifieer  
word in die motortransportsertifikaat  
wat gevys moet word nie, die toe-  
paslike bedrag voorgeskryf in para-  
graaf (a) van subregulasie (1);
  - (ii) vir enige wysiging van 'n motortrans-  
portsertifikaat wat nie onder subpara-  
graaf (i) ressorteer nie, twintig sjellings  
ten opsigte van iedere voertuig waarop  
die aansoek betrekking het;
  - (iii) vir enige wysiging van 'n tydtafel of  
vervoertarief wat nie uit 'n wysiging  
van die betrokke motortransportsertifikaat  
kruggens subparagraaf (i) of (ii)  
voortvloei nie, vyf sjellings ten opsigte  
van iedere voertuig waarop die aansoek  
betrrekking het, en indien die besonder-  
hede in verband met die aansoek in-  
gevolge subregulasie (2) van Regula-  
sie 3 gepubliseer moet word, is 'n  
verdere bedrag van vyftien sjellings ten  
opsigte van sodanige aansoek betaal-  
baar.
- (b) As 'n aansoek om die wysiging van 'n motor-  
transportsertifikaat geweier of teruggetrek  
word, moet die helfte van die gelde wat ten  
opsigte van daardie aansoek betaal is, terug-  
betaal word: Met dien verstande dat indien  
die voorgestelde wysiging ooreenkomsstig sub-  
regulasie (2) van Regulasie 3 gepubliseer  
is, twintig sjellings van die totale bedrag  
wat betaal is, teruggehou moet word of,  
indien die totale bedrag aldus betaal nie  
meer as twintig sjellings was nie, moet tien  
sjellings teruggehou word.

#### OORDRAG VAN MOTORTRANSPORTSERTIFIKATE.

- (3) (a) 'n Bedrag van twintig sjellings is betaalbaar  
ten opsigte van 'n aansoek, ingevolge Regu-  
lasie 4, vir die oordrag van 'n motortrans-  
portsertifikaat ten opsigte van iedere voer-  
tuig waarop die aansoek betrekking het.

application in terms of paragraph (b), shall  
be paid before the first day of January of  
the calendar year in respect of which the  
said fee is due.

- (d) The fee in respect of a motor carrier cer-  
tificate for which application is made in the  
latter half of a calendar year shall be pay-  
able on application and shall be half of the  
relative fee prescribed in paragraph (a) if  
it is found that the applicant did not earlier in  
the calendar year carry on the service applied  
for, by means of the same vehicle or by  
means of any other vehicle without a motor  
carrier certificate.
- (e) If an application for the grant or renewal  
of a motor carrier certificate is refused or  
withdrawn prior to the issue of the relative  
motor carrier certificate, the sum remitted  
in respect of each vehicle for which a motor  
carrier certificate is not granted or in  
respect of which the application has been  
withdrawn as aforesaid shall be refunded  
less twenty shillings for each vehicle con-  
cerned and if the sum remitted in respect  
of a vehicle is less than twenty shillings  
no refund shall be made.

#### AMENDMENT TO MOTOR CARRIER CERTIFICATE.

- (2) (a) On an application, in terms of Regulation 3,  
for the amendment of a motor carrier cer-  
tificate or a time table or scale of charges  
associated with such certificate the fol-  
lowing fees shall be payable:—  
  - (i) for any amendment relating to any  
motor carrier transportation within any  
area or on any route not specified in  
the motor carrier certificate which re-  
quires to be amended, the relative fee  
prescribed in paragraph (a) of sub-  
regulation (1);
  - (ii) for any amendment to a motor carrier  
certificate not falling under sub-para-  
graph (i), twenty shillings in respect of  
each vehicle to which the application  
relates;
  - (iii) for any amendment to a time table or  
scale of charges which is not consequen-  
tial upon an amendment under sub-  
paragraph (i) or (ii), to the motor  
carrier certificate concerned, five shil-  
lings in respect of each vehicle to which  
the application relates and if the par-  
ticulars in connection with the applica-  
tion are to be published in terms of  
sub-regulation (2) of Regulation 3, a  
further fee of fifteen shillings shall be  
payable in respect of such application.

- (b) If an application for the amendment of a  
motor carrier certificate is refused or with-  
drawn half of the fees remitted in respect  
of that application shall be refunded: Pro-  
vided that if the proposed amendment was  
published in terms of sub-regulation (2) of  
Regulation 3, twenty shillings of the total  
fee remitted shall be retained or, if the  
total fee so remitted did not exceed twenty  
shillings, ten shillings shall be retained.

#### TRANSFER OF MOTOR CARRIER CERTIFICATE.

- (3) (a) On an application, in terms of Regulation 4,  
for the transfer of a motor carrier cer-  
tificate, a fee of twenty shillings shall be  
payable in respect of each vehicle to which  
the application relates.

- (b) As 'n aansoek om die oordrag van 'n motortransportersertifikaat geweier of teruggetrek word, moet die helfte van die geldie betaal ten opsigte van daardie aansoek, terugbetaal word: Met dien verstande dat indien die voorgestelde oordrag ooreenkomsdig subregulasie (5) van Regulasie 4 gepubliseer is, 'n verdere bedrag van twintig sjellings terugghou moet word of tien sjellings as die totale bedrag aldus betaal nie meer as twintig sjellings was nie.

#### TYDELIKE MOTORTRANSPORTERSERTIFIKATE.

- (a) Ten opsigte van 'n aansoek ingevoegde Regulasie 5, om 'n tydelike motortransportersertifikaat, is die geldie wat betaal moet word—
- (i) tien sjellings indien die sertifikaat vir een dag geldig is; en
  - (ii) twintig sjellings indien die sertifikaat vir meer as een dag maar hoogstens dertig dae geldig is,
- ten opsigte van iedere voertuig waarop die aansoek betrekking het: Met die verstande dat die geldie wat ten opsigte van 'n trekker of sleepwa betaalbaar is, die helfte is van die geldie wat in hierdie paraagraaf voorgeskryf word.
- (b) As 'n aansoek om 'n tydelike motortransportersertifikaat teruggetrek word, moet die geldie wat ten opsigte van daardie aansoek betaal is, terugbetaal word.

#### VRYSTELLING INGEVOLCE REGULASIE 11.

- (a) Ondergenoemde geldie is betaalbaar ten opsigte van 'n vrystelling van die verpligtiging om 'n motortransportersertifikaat uit te neem:
- (i) vir 'n vrystelling wat vir 'n onbepaalde tydperk geldig is, twintig sjellings ten opsigte van iedere voertuig waarop die aansoek betrekking het;
  - (ii) vir 'n vrystelling wat vir 'n vasgestelde tydperk geldig is, uitgesonderd 'n tydelike vrystelling, vyf sjellings per kalenderjaar of gedeelte daarvan ten opsigte van iedere voertuig waarop die aansoek betrekking het;
  - (iii) vir 'n tydelike vrystelling, vyf sjellings ten opsigte van iedere voertuig waarop die aansoek betrekking het;
  - (iv) vir 'n vrystelling ten opsigte van motorvoertuie wat deur 'n fabrikant of hersteller van of handelaar in motorvertuue ingevoegde 'n algemene handelslisensie of 'n beperkte handelslisensie gebruik word, vyf sjellings per kalenderjaar of gedeelte daarvan ten opsigte van iedere paar handelsplate waarop die aansoek betrekking het.
- (b) In die geval van 'n aansoek om die toestaan of hernuwing van 'n vrystelling, is die toepaslike bedrag in paraagraaf (a) voorgeskryf, betaalbaar wanneer om die toestaan of hernuwing van sodanige vrystelling aansoek gedoen word.
- (c) As 'n vrystelling, uitgesonderd 'n vrystelling wat vir 'n onbepaalde tydperk geldig is, vir 'n tydperk van meer as een kalenderjaar verleent of herne word, moet die toepaslike bedrag in paraagraaf (a) voorgeskryf, uitgesonderd die bedrag wat ingevoegde paraagraaf (b) by aansoek betaalbaar is, voor die eerste dag van Januarie van die kalenderjaar ten opsigte waarvan gemelde bedrag verskuldig is, betaal word.
- (d) As 'n aansoek om enige vrystelling, uitgesonderd 'n tydelike vrystelling, geweier of teruggetrek word, moet die bedrag wat ten opsigte van daardie aansoek betaal is, terug-

(b) If an application for the transfer of a motor carrier certificate is refused or withdrawn half of the fees remitted in respect of that application shall be refunded: Provided that if the proposed transfer was published in terms of sub-regulation (5) of Regulation 4 a further sum of twenty shillings shall be retained or ten shillings if the total fee so remitted did not exceed twenty shillings.

#### TEMPORARY MOTOR CARRIER CERTIFICATE.

- (a) On an application, in terms of Regulation 5, for a temporary motor carrier certificate the fees payable shall be—
- (i) ten shillings if the certificate is valid for one day; and
  - (ii) twenty shillings if the certificate is valid for more than one day but not more than thirty days,
- 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 paragraph.
- (b) If an application for a temporary motor carrier certificate is withdrawn the fees remitted in respect of that application shall be refunded.

#### EXEMPTION IN TERMS OF REGULATION 11.

- (a) The following fees shall be payable in respect of an exemption from the obligation to take out a motor carrier certificate—
- (i) for an exemption valid for an indefinite period, twenty shillings in respect of each vehicle to which the application relates;
  - (ii) for an exemption valid for a fixed period other than a temporary exemption, five shillings per calendar year or portion thereof in respect of each vehicle to which the application relates;
  - (iii) for a temporary exemption, five shillings in respect of each vehicle to which the application relates;
  - (iv) 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, five shillings per calendar year or portion thereof in respect of each pair of trade plates to which the application relates.
- (b) In the case of an application for the grant or renewal of an exemption the relative fee prescribed in paragraph (a) shall be payable on application for such grant or renewal.
- (c) 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 paragraph (a), other than the fee payable on application in terms of paragraph (b), shall be paid before the first day of January of the calendar year in respect of which the said fee is due.
- (d) If an application for any exemption, other than a temporary exemption, is refused or withdrawn the fee remitted in respect of that application shall be refunded less an

betaal word min 'n bedrag van twee sjellings en ses pennies ten opsigte van iedere voertuig waarop die aansoek betrekking het.

- (c) As 'n aansoek om 'n tydelike vrystelling teruggerek word, moet die geldie wat ten opsigte van daardie aansoek betaal is, terugbetaal word.

#### LAAT BETALING VAN GELDE VIR TYDELIKE MOTORTRANSPORTSERTIFIKAATE OF TYDELIKE VRYSTELLINGS.

(6) Ondanks andersluidende bepальings 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 voorgeskrewde geldie oorweeg en daaroor besluit indien sodanige aansoek van 'n dringende aard is en dit weens afstand of gebrek aan versendingsgelenchtheide nie doenlik is om hierdie geldie saam met so 'n aansoek aan te stuur nie.

#### DUPLIKAAT - MOTORTRANSPORTSERTIFIKAAT, -ONDERSKEIDINGSTEKEN, -VRYSTELLING OF -VRYSTELLINGSBEWYS.

(7) As 'n persoon aan wie 'n motortransportsertifikaat, onderskeidingssteken, vrystelling of vrystellingsbewys uitgereik is, die Raad of die plaaslike raad wat sodanige motortransportsertifikaat, onderskeidingssteken, vrystelling of vrystellingsbewys uitgereik het, tevrede stel dat dit verlore geraak het of vernietig of geskend is, moet die Raad of sodanige plaaslike raad, by aansoek deur sodanige persoon en in betaling van die bedrag van twee sjellings en ses pennies, 'n duplikaat-motortransportsertifikaat, -onderskeidingssteken, -vrystelling of -vrystellingsbewys met die woord 'duplikaat' duidelik daarop aangebring aan hom uitreik.

#### KOSTELOSE UITREIKING VAN 'N MOTORTRANSPORTSERTIFIKAAT OF VRYSTELLING OF 'N ONDERSKEIDINGSTEKEN OF VRYSTELLINGSBEWYS WAT MET SODANIGE SERTIFIKAAT OF VRYSTELLING IN VERBAND STAAN.

(8) Die Raad of 'n plaaslike raad kan 'n motortransportsertifikaat of 'n vrystelling of 'n onderskeidingssteken of 'n vrystellingsbewys wat met sodanige sertifikaat of vrystelling in verband staan of beide sodanige sertifikaat of vrystelling en onderskeidingssteken of vrystellingsbewys kosteloos uitreik—

- (a) ter vervanging van sodanige sertifikaat of vrystelling van onderskeidingssteken of vrystellingsbewys wat gewysig moet word uit hoofde van 'n besluit uit 'e beweging deur die Raad geneem ingevolge paragraaf (d) ter van sub artikel (1) van artikel vijf 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 sodanige sertifikaat of vrystelling van onderskeidingssteken of vrystellingsbewys wat gewysig moet word uit hoofde van 'n verandering, ingevolge enige in die betrokke provinsie geldende wet op die lisenasiering en registrasie van motorvoertuie, van die grense van 'n registrasiedistrik of -gebied, of uit hoofde van die toewyssing ingevolge enige wet deur die verantwoordelike gesag van nuwe registrasieletters of -nummers aan 'n registrasiedistrik of -gebied;
- (c) ter vervanging van sodanige sertifikaat of vrystelling van onderskeidingssteken of vrystellingsbewys wat gewysig moet word uit hoofde van enige font wat begin aan is deur 'n werkneemster van die Staat in die loop van sy werk waanneer sodanige sertifikaat of vrystelling van onderskeidingssteken of vrystellingsbewys uitgereik word;
- (d) ter vervanging van twee of meer sertifikaate of vrystellings of onderskeidingsstekens of vrystellingsbewye wat ten opsigte van dieselfde motorvoertuig nitgericik is, deur een enkele sertifikaat of vrystelling van onderskeidingssteken of vrystellingsbewys.

amount of two shillings and sixpence in respect of each vehicle to which the application relates.

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

#### LATE PAYMENT OF FEES FOR TEMPORARY MOTOR CARRIER CERTIFICATES OR TEMPORARY EXEMPTIONS.

(6) 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 fees, if such application is of an urgent nature and is not feasible owing to distance or lack of transmission facilities to remit those fees with such an application.

#### DUPPLICATE MOTOR CARRIER CERTIFICATE, DISTINGUISHING MARK, EXEMPTION OR PROOF OF EXEMPTION.

(7) 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 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 two shillings and sixpence, 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 A MOTOR CARRIER CERTIFICATE OR EXEMPTION OR A DISTINGUISHING MARK OR PROOF OF EXEMPTION ASSOCIATED WITH SUCH CERTIFICATE OR EXEMPTION.

(8) The Board or a local board may issue, without charge, motor carrier certificate or an exemption or a distinguishing mark or a proof of exemption associated with such certificate or exemption, or both such certificate or exemption and distinguishing mark or proof of exemption—

- (a) to replace such certificate or exemption or distinguishing mark 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 exemption or distinguishing mark or proof of exemption which requires to be amended consequent upon a change, in terms of any 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;
- (c) to replace such certificate or exemption or distinguishing mark or proof of exemption which requires to be amended consequent upon any error committed by an employee of the State in the course of his employment when issuing such certificate or exemption or distinguishing mark or proof of exemption; or
- (d) to replace by a single certificate or exemption, or distinguishing mark or proof of exemption, two or more certificates or exemptions or distinguishing marks or proofs of exemption issued in respect of the same motor vehicle.

## APPELLE.

- (9) (a) Enigeen wat teen enige handeling, opdrag of beslissing van 'n plaaslike raad appéel aanteken, moet saam met sy appéel die handrag van tien pond by die Raad deponeer.
- (b) Wanneer die Raad 'n appéel afgeschandal het of in geval die appéel teruggetrek word, kan die Raad na goeddunke die geld wat ingevolge paraagraaf (a) gedeponeer is of 'n gedeelte daarvan, aan die appellant terugbetaal.

## TERUGBETALING VAN GELDE IN BUITENGEWONE OMSTANDIGHEDE.

(10) Ondanks andersluidende bepalings in hierdie regulasie kan die Raad onder omstandighede wat na sy oordeel dit regverdig, gelas dat enige geld wat betaal is, geheel of ten dele terugbetaal word.".

## 12. Regulasie 14 bis word hierby herroep.

13. Regulasie 14 ter word hierby gewysig deur die woorde „Nasionale Vervoerkommissie”, waar dit ook al voorkom, deur die woorde „Raad” te vervang en deur paraagraaf (1) deur die volgende paraagraaf te vervang:-

- “(1) (a) 'n Konvokasiebevel moet opgestel word en daarin moet vermeld word die plek van die ondersoek, die uur en datum waarop dit 'n aanvang sal neem en, kortlik, die aard van die ondersoek.
- (b) As die ondersoek deur 'n lid van die Raad gehou gaan word, moet die volle naam van daardie lid in gemelde konvokasiebevel aangegee word.”.

14. Regulasie 15 word hierby gewysig deur paraagraaf (a) deur die volgende paraagraaf te vervang:-

- “(a) enigeen van die bepalings van subregulasie (4), (7) of (8) van Regulasie 2 of subregulasie (3) van Regulasie 3 of subregulasie (3) van Regulasie 4 of Regulasie 6 of subregulasie (5) van Regulasie 7 of Regulasie 8, 9 of 10 of subregulasie (7), (8), (12) bis, (13) of (14) van Regulasie 11 of paraagraaf (c) van subregulasie (1) of paraagraaf (c) van subregulasie (5) van Regulasie 13 oortree of versuim om daaraan te voldoen.”.

## APPEALS.

- (9) (a) An appellant against any act, direction or decision of a local board shall deposit with his appeal to the Board the sum of ten pounds.
- (b) After the Board has disposed of an appeal or if the appeal is withdrawn the sum deposited in terms of paragraph (a) or any part thereof may, in the discretion of the Board, be refunded to the appellant.

## REFUND OF FEES IN SPECIAL CIRCUMSTANCES.

(10) Notwithstanding anything to the contrary contained in this regulation the Board may, in circumstances deemed by it to warrant such a course, direct that any fees paid be refunded in whole or in part.”.

## 12. Regulation 14 bis is hereby repealed.

13. Regulation 14 ter is hereby amended by the substitution for the words "National Transport Commission" wherever they occur of the word "Board" and by the substitution for paragraph (1) of the following paragraph:-

- “(1) (a) A convening order shall be prepared setting forth the venue of the enquiry, the hour and date it is to commence and, briefly, the nature of the enquiry.
- (b) If the enquiry is to be held by a member of the Board the name in full of such member shall be set forth in the said convening order.”.

14. Regulation 15 is hereby amended by the substitution for paragraph (a) of the following paragraph:-

- “(a) contravenes or fails to comply with any provision of sub-regulation (4), (7) or (8) of Regulation 2 or sub-regulation (3) of Regulation 3 or sub-regulation (3) of Regulation 4 or Regulation 6 or sub-regulation (5) of Regulation 7 or Regulation 8, 9 or 10 or sub-regulation (7), (8), (12) bis, (13) or (14) of Regulation 11 or paragraph (c) of sub-regulation (1) or paragraph (c) of sub-regulation (5) of Regulation 13;”.