

SUBMISSIONS TO ADDRESS THE UBER vs METERED TAXIS DISPUTE

This is a submission to address the effected interests, of employers and employees of metered taxis, caused by the saturation of UBER's business model within the Republic of South Africa.

It is prudent to emphasis the capitalist stance to which UBER's business model is premised. It is submitted that UBER's business model does not only disregard the business interests of South African metered taxis but also provides no financial benefit to UBER's "work force" who are provided with standardized minimum pay and no benefits or protection to speak of.

Although a debate as to the pros and cons of a capitalist and communist South Africa are far beyond the scope of this submission, it will be well placed to briefly consider the impact UBER's foreign stance has on employers and employees of South African metered taxis. Without divulging into the idea of UBER constructively disintegrating the spread of ownership, with particular attention to historically disadvantaged individuals within the market place, one must also take cognizance of UBER's over-saturation of the South African market place which not only leads to the degradation of the social and economic welfare of South Africans but also disregards small and medium-sized enterprises participation in the South African economy.

Another factor to take into consideration, with respect to the unfair treatment of South African metered taxis, is that the industry have regulations centered on three fundamental pillars: the regulation of quantity (the number of vehicles which operate on the roads), the regulation of quality (ensuring that the required standards and measures are met and complied with by the driver) and the regulation of fares (the prices which can be charged). It cannot therefore be disputed that metered taxis have stringent regulatory frameworks in which they are forced to operate, stringent regulatory frameworks which have been adhered to, by metered taxis, for decades. This is an extreme contrast to the regulatory frameworks in which UBER has, and currently does, operate.

One would be quickly humbled to disagree that the regulations found within the National Land Transport Act is a form of technologically prehistoric legislation regulating a current technological movement. The precise reason why an amendment to the National Land Transport Act was being assessed by the portfolio committee on transport towards the end of 2017. To date, one may therefore correctly express the opinion that UBER is not bound, by any stretch of the imagination, to the stringent regulatory frameworks imposed on the meter taxi industry.



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This is not to dispute the fact that UBER's business model is associated with convenience and certainty. However, although convenience and certainty are crucial to the growth of any business model, competitors cannot simply be pushed to the wayside by a business model which, it is submitted, heavily leans towards an outcome where employers and employees of metered taxis are rendered obligatory.

It therefore goes without saying that whilst metered taxis are largely subjected to area radius within a local municipality, UBER has no regulatory framework to curtail the overlapping trips into adjacent municipalities. This creates an uneven competitive environment, between metered taxis and UBER, resulting in a "benefit yourself" attitude, before a harmonies one.



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