

**MARKET INQUIRY INTO THE
LAND BASED PUBLIC PASSENGER
TRANSPORT SECTOR.**

[•]

Thursday, 28 JUNE 2018

VENUE:
(DURBAN ICC, DURBAN)

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SESSION 1

CHAIRPERSON: I would like to welcome everyone to the Competition Commission's Public Hearings on the Land-Based Public Passenger
5 Public Passenger Transport Sector Market Inquiry. Today is the 28th of
June 2018, the panel is as before and the same rules that we articulated
yesterday will apply to today's proceedings. We have had to reschedule
the presenters due to the fact that the KZN Provincial Department of
Transport appears to have been delayed. They were supposed to have
10 been the first on the program so we have decided to rearrange the
program in the interest of time. We will, therefore, commence our
hearing this morning with the presentation from Zibby Cabs. Welcome
to the inquiry and thank you very much for assisting us and by agreeing
to come much earlier than you are originally scheduled. Thank you very
15 much for that. If you can switch on the mic.

PETER LEHMAN: Oh, here we go.

CHAIRPERSON: Thank you. We really appreciate that. If you could
just start by taking the oath or the affirmation before we get into your
presentation.

20 **PETER LEHMAN:** Sure. Can I proceed?

CHAIRPERSON: You may proceed

PETER LEHMAN: Thank you Mr Chairman, I Peter Lehman swear
that the evidence that I shall give shall be the truth, the whole truth,
and nothing but the truth so help me God. I Peter Lehman solemnly

affirm that the evidence that I shall give shall be the truth, the whole truth, and nothing but the truth.

CHAIRPERSON: Thank you very much. If you could please just, for purposes of the record, just spell your surname.

5 **PETER LEHMAN:** L for lemur, E for echo, H for hotel, M for mamma, A for alpha, N for November.

CHAIRPERSON: Thank you very much, Mr Lehman. If you could first start by just introducing your business, organisation and just explain how long have you run your business? Or how long have you
10 been in your organisation?

PETER LEHMAN: Thank you, Mr Chairman. Just a correction, you mentioned Zippy Cabs; I represent Mozzie Cabs, I represent Zippy Cabs and I represent the Cruise Taxi App which I am directors of all of those Companies and Close Corporations.

15 **CHAIRPERSON:** If you can just explain what those companies do? What is their business?

PETER LEHMAN: Mozzie Cabs is somewhere I have worked for the last 10 years as a director there and general manager. It has been in business for approximately 22 years. It had a fleet of 43 taxis which
20 all had operating licenses or permits as they were called ... [interrupt]

CHAIRPERSON: Are these minibus taxis or ... [interrupt]

PETER LEHMAN: It is a meter taxi company. Based in Durban probably the largest legal taxi company in Durban, with a fleet that size of 43 cabs. It is a cab company that did up to eight thousand
25 trips a week, 3 to 4 years ago, before the advent of Uber and Taxify.

It employed round about one hundred and fifty employees and it was the household name in Durban for people who wanted a metered taxi. A lot of effort went into the quality of our service in terms of the maintenance of our vehicles, the management of our staff, systems to ensure that our loyal clients received a quality service and that we complied with all the legislation in this country including paying Company Tax, including paying on our employees behalf PAYE, UIF, Skills Development Levy, Competition Compensation Commissioner for when they were injured. Mozzie Cabs has been a very compliant company. A lot of effort went into running the business in terms of systems. It was marginally profitable, up until about 3 years ago. However, I am very sad to say that in the last 2 weeks we could not continue operation. We have been funding the business for the last almost 6 to 8 months and with the tide of the prices that E-hailing companies charge and the subsequent loss of business due to the E-hailing companies, we had to close our doors. We have also put hundred and fifty employees out of a job. Even though myself and my partner spend the last 3 years developing an app, an E-hailing app, to assist us it is called a Cruise Taxi App and we launched it in January of this year, it is a separate company. The vision being that is for legal meter taxis that complied with legislation that had operating permits, that had the cost of complying legally. We looked after our employees. They were all on a provident fund that the company contributed to. But the cost of running a legal compliant business meant that we had to charge roundabout, R13.00 a kilometre some

years ago. We actually reduced our rates, but compared to the current charging rate of about R7.00 a kilometre Uber and Taxify, I could be wrong by a couple of cents, we just have not been able to compete. Unfortunately although our app, the Cruise App worked and we launched it, and people got successful rides, unfortunately it ...

5 consumers decided that they were still happy with the rates that Uber and Taxify charge. As we cannot run a legally compliant business at R7.00 a kilometre, as I am sure you will hear a lot of the - if you have anyone from any drivers or owners from Uber and Taxify, and I have

10 seen many interviews that they cannot run their business at the rates that Uber and Taxify charges. I am also a member of Zibby Cab CC, that has been in business 30 years. A smaller business with about 10 also legally compliant taxis in terms of all the things I just listed for Mozzie Cabs. We purchased the company round about 2 years ago,

15 hoping that our bigger footprint with both fleets combined would lead to greater success in terms of competing with the likes of Uber and Taxify. Zibby Cabs employed about forty employees. They also charge around R12.00 a kilometre, which Mozzie Cabs charged when it closed its doors. I am very sad to say that Zibby Cabs has also

20 closed its doors. That is 53 taxis that are no longer available to the public in Durban. Probably the second or third longest surviving taxi company. Again, was funded by myself and my partner to try and keep it going in the hope that the services that we offered to customers, which was generally of a very high level; we had our own

25 training manager, training facility. In both companies a driver was not

put in the road to take customers unless they had 6 weeks of proper training. If I am not mistaken the E-hailing apps you go for a day's training, if that, you get given an app and off you go. We believed in service. We believed in looking after our clients. So, round about two
5 hundred people are, as of today, unemployed. You asked for a background, that is a little bit of a background about what I am here to talk about. Unfortunately I was asked to present at about 4 o'clock, so I do not have a presentation here now. I came to look, but I am quite happy to informally comment, answer any questions you might have.

10 We as Mozzie Cabs and Zippy Cabs have no issues with E-hailing apps. Whether you phone a call centre, whether you are in a rank stand, legally, or whether someone uses an app to hail a taxi there is no difference really in terms of that you are getting a metered taxi just by different means. And we believe that E-hailing apps like the app
15 we developed, Cruise App, should provide that service but it should have taxis that guarantee customers safety because all our vehicles are compelled by law to be branded in terms of bylaws roof lights, to be shown to be visible. So Mozzie Cabs and Zippy Cabs and all the legal taxi companies gets pulled over by Metro Police quite regularly.

20 Which is fantastic because with enforcement in this countries great constitution and laws the consumer and the public is protected. If you are driving an unmarked Uber or Taxify or other E-hailing app without markings the local policing bodies have no real way of determining that you are providing that service. That that vehicle is, in fact,
25 roadworthy, that it does go through CR every year, that the driver

does, in fact, have a PDP, that that vehicle is ensured in terms of passenger liability, ensured as we do third party in our own vehicles. And all of those sorts of costs cannot be funded at R7.00 per kilometre, it is impossible. Again I say to you I hope you have got

5 Taxify and Uber drivers and owners here that can testify. I have done the numbers in the submission I have made to the Competition Commission. I have showed that if you use AA rates and you work out the pick-up and the drop-off and an average trip, even without the promotions that both Taxify and Uber offer, and I am talking a plethora

10 of free trips and promotions, which are given back to the owners of those cabs it is nearly impossible to make any money. Getting to those promotions that Uber, which is a multi-national company as everyone knows and Taxify which I think is in the same sphere, to the best of my knowledge, they did a deal and were bought out by Didi

15 Chuxing, which is one of the largest taxi E-hailing apps in China. These are fast conglomerates. These are companies that have fast resources in terms of money. These are companies like Uber who have funding from, to quote something from last year that we all heard quite a lot "Monopoly capital". Everyone that I know in the local

20 Durban meter taxi industry has either gone out of business or reduced their fleet dramatically but are hanging on for a better day when there will be some enforcement of the NLTA as it currently stands, whereby anyone who transports a person for gain must have an operating permit or operating license. There are some cities that do enforce

25 that, and Cape Town is such a city. Just last week the Cape Town

Uber and Taxify drivers blockaded the city, to the best of my knowledge. They were protesting about being impounded and fined for not having permits that has never happened in Durban, to the best of my knowledge. Although there was a strike by the Uber and Taxify drivers last week, as well, whereby they were striking against Uber and Taxify because they cannot operate at almost R15.00 a litre for petrol when a minimum charge is R20.00 and they are getting paid R7.00 a kilometre. So, 3 - 4 years later we have had to give up, put two hundred people out of a job. I think most people if they hear from Durban it was not in the day, 3 - 4 years ago called catch a taxi it was call a Mozzie. That is the sort of service and reputation we had. I had submitted a detailed submission, I do not necessarily know if you want me to bore every with the 3 or 4 pages, and I have quoted a lot from it here. I have alluded to how much it actually costs a kilometre. I have talked about all the issues that you asked me to submit on. But unfortunately, I sit here defeated today.

CHAIRPERSON: Yes, thank you Mr Lehman. Before I hand over to my colleagues to ask you questions I just want to clarify just two things with you. The first one relates to the two hundred people whom you indicated had lost their jobs as a result of the decline in profitability of, is it ... [interrupts]

PETER LEHMAN: Mozzie and Zibby Cabs, Mr Chair.

CHAIRPERSON: Yes, two Close Corporations. Where the people who lost their jobs where they drivers or ...?

PETER LEHMAN: Everyone. I am a director, I am unemployed.

Driver, we employed car-washers, we employed call centre staff, we employed a training officer, we employed admin people all of them. We have actually almost sold our last car and hope to have enough money to pay retrenchments notice leave pay in the next week.

5 **CHAIRPERSON:** Yes, the second that I wanted to clarify relate to or emanate from the submission which was made to us by the City of eThekweni yesterday. They indicated that in or about 2010 the city put in place a moratorium on the issuing of operating licenses for metered taxis. I think I just want to understand the link then between the
10 Competition that you say you are facing from Uber and Taxify and the fact that there is this moratorium in place on the issuing of operating licenses for metered taxis. So the operating licenses, I assume, for the taxi operators who are affiliated to Uber and Taxify, I would assume that its operating licenses which would then have been
15 granted before the moratorium? Do you also have an idea, more or less, as to how many operating licences were issued for the Uber and Taxify operator before the moratorium was put in place by the City of eThekweni?

PETER LEHMAN: I have been regularly to the eThekweni Transport
20 Authority meetings as a meter taxi representative over the last 7 – 8 years. I am aware of the moratorium that was put in place and requested by the eThekweni Municipality. It has affected anyone who wanted to grow. I believe there are some, but I cannot comment for how many, people that have had no choice but to join Uber and Taxify
25 because there is no more business left from most rank stands and

conventional business. We were also approached when Uber came into the country, as they did some of the other taxi companies, and we recently approached Taxify to see if we can be on their platform. Uber in my opinion just paid lip service to the legal taxi operators

5 when they came to the country. They wanted to be interested in working in an area that there was not many cab operating but they had other plans. Their plan throughout the world is being to invade without permits. At a guesstimate, no at a complete guess I would say 95% of the two, three thousand odd taxis that operate in Durban

10 and surrounds within 50 – 60 kilometres certainly do not have any operating licenses. However, one would argue that they could not get them because of the moratorium. For a moratorium to go on for 5 or 6 or 8 years, it is strange to me. Certainly what we believed when we invested a lot of money into our Cruise App is that the world has

15 changed. People do use apps and they, by and large, prefer not to talk to other human beings. I think anyone who has children here knows what I am talking about. That is why we went that route. We were led to believe that there would be some investigation of demand etcetera to support the moratorium and to find out how many permits

20 were required. However, with Uber and Taxify coming to this country it has created a taxi culture here. I would guess that 90% of the people in this room has probably used an Uber or Taxify because of the convenience and it has created a taxi culture that was not as much as it is today. So, whilst when that moratorium was put in place

25 there probably could have been some oversupply. What has changed

with E-hailing and Uber and Taxify coming into the country is that the consumer has voted for very, very cheap means of transport. So, why that was left as a moratorium, why it was just left as that for 8 years and that has not changed; I am unsure. I do believe that a way
5 around that would be for a Municipality like Durban to have its own app. They could then gage, even if that was outsourced, they could then gage on demand if there was transparency surrounding trips and rides and demand. What the necessity was and how many cabs are required for a city. In fact, that has been done in several other cities
10 in the world. Where the municipality has chosen to have its own app and they can see how much it is being used. The reality is that at R12.00 a kilometre and when we closed four thousand odd jobs a week, we could not cover our costs. If we were charging R7.00 a kilometre we would be putting in double, almost 2 million Rand we
15 stuck into the business, into Mozzie Cabs, in the last year and a half, two years.

CHAIRPERSON: Just perhaps a further follow-up on what you have just said. We have been given varying reasons to account for the difficulties that the meter taxi industry are facing as a result of the
20 entry of Uber and Taxify. Some of those reason include the fact that we have been told that some of the operating permits in some provinces for the meter taxi industry have radius restrictions. So we have been told that part of the issue is the regulatory issues. We have also been told that some of the operating permits require
25 minibus taxi operators to be ranked based. In addition, we have also

been told that in terms of the current regulatory framework governing meter taxi operators, metered operators are required to have an installed meter in their vehicles and it was said to us these regulatory features together with other factors contribute to making the meter taxi industry uncompetitive in comparison to Uber and Taxify. So I think what I wish to understand is what is it in terms of the differences between the two operations that you have one operation barely able to survive at R12.00 per kilometre, as in your case, and you have another operation, I am not sure whether they are able to sustainable operate at R7.00 per kilometre, but that is the level at which you say they are currently operating. What are the factors at play here? Or the dynamics at play here?

PETER LEHMAN: Firstly I did allude to all the legal compliance cost that we go through. When we renew an operating license we are compelled to give a tax clearance certificate, showing that we pay our taxes. And I have alluded to all the cost of running our business. When you own a car, you have to pay for its maintenance, you have to pay for the driver, you have to ensure it, you have to put fuel in it. Uber and Taxify do not own a car, not one. I cannot talk for Taxify but Uber is not a publically listed company. There is stories that go out that I have submitted in the general media about how many billions of dollars they have lost. So, I know your job as the Competition Commission is to protect the consumer so that pricing is not through collusion too high but I do understand that you also have a function to protect and have involved in lost leading prices whereby smaller

organisation, companies, businesses are put out of business, like us through lost leading prices. I think there was a case in Welkom which got a lot of press recently. It does cost us what it cost us to run legally around R13.00 a kilometre, maybe a bit more. But is it like

5 basic economics, it is supply and demand. You obviously have your fixed cost and the more trips you do those fixed costs are covered. Your biggest cost, one of your biggest costs, either as an Uber, Taxify or Mozzie Cab, Zippy Cab or any is your distance to your next pick-up. Because no-one is paying for that. If you put two or three thousand

10 cabs in Durban, most of which 90% to 95% without operating permits or licenses the average distance for them to the next pick-up is maybe certainly around town and within 10 kilometres from here probably less than a kilometre. Whereas if you are running a smaller business and you do not have three thousand cabs in Durban your cost of

15 getting to the next pick-up is much higher because you are having to expend your maintenance and also time that you could be doing another job. So, that is a small part of how Uber and Taxify owners are barely surviving is because of the distance to the next pick-up. You alluded to radiuses, and in my submission, I talked about

20 radiuses. For a company like ours to survive, if you do a job from central town to let us say, Pinetown and that is 20 kilometres you are compelled by the radius; say it is 20 kilometres and say you drop off 25 kilometres away, you are compelled to come back empty. I do believe the radius need looking at in terms of the operational licenses

25 and I have mentioned that in my submissions. What that would do, it

would certainly assist the meter taxi companies owners, if they were also probably on an E-hailing app to get back with a fare and not spending all that money coming back to their base. The large proportion of the operating licenses are understandably based on what happened 10 – 20 years ago in terms of a lot of business came from ranks and certain places. That has changed. There is clubs, night spots, etcetera, etcetera that a taxi would go to. But the radius is something that would very definitely need to be looked at and that could well assist a legal operator in reducing his costs. Which means he could probably charge a little bit less because his cost were less because he was getting a fare back. I hope that answers your question, Mr Chairman.

CHAIRPERSON: Indeed, it does. At this point, I would hand over to the evidence leaders. Colleagues just please bear in mind that we have to take the next presentation at half past ten (10h30). It is now almost quarter past ten (10h15).

ITUMELENG LESOFE: Good morning, Mr Lehman, and thank you Chair.

PETER LEHMAN: Good morning.

ITUMELENG LESOFE: I think maybe let us just start with the question of the moratorium. I think, am I correct to say, my understanding is that Uber was launched in South Africa in 2013? That is the information we have. And the moratorium was introduced in 2010? You just confirmed. So if that is correct, and if one also takes into account what the city told us yesterday, you know, that they

are not even using – apparently the Department of Transport had introduced a Practice Notice which was meant to guide municipalities on how to deal with E-hailing services. So if one takes into account the dates that I have just shared with you; Uber lodging in 2013 and
5 the moratorium being in place since 2013 one can safely say that in this province, I am not talking about other provinces, we can safely say that there cannot be any argument that Uber and Taxify are operating in this province legally [sic]. That is if one looks if the moratorium has been in place since 2010 and they only launched in
10 2013. There cannot be any argument. It appears to me if they are operating here, they are operating illegally. Would that be correct?

PETER LEHMAN: That is my understanding. And that is my understanding having talked to many Uber and Taxify owners, drivers that they do not comply with the legislation. However, there are some
15 that as I alluded to earlier that have cannot survive in the old means and have joined Uber and Taxify with operating licenses. But I would think that would be less than 1% or 2% of Uber and Taxify's total fleet. The balance I would estimate are operating completely illegally without operating permits and licenses.

20 **ITUMELENG LESOFE**: Thank you. Having said that, I just want to try and understand, I am not actually familiar with the regulatory environment; so what would be, as an operator that is then affected by these so-called illegal operations, what sort of mechanisms can you resort to legally to deal with these issues other than knowing that we
25 understand that I think sometimes, the matter of police can impound

and they can stop because in terms of the NLTA, Section 15 it is very clear it says: You cannot operate any service unless if you are a licensed operator. What would legally be – what would you resort to in order to make sure that these operators are not in operation?

5 **PETER LEHMAN**: Well, as I said earlier, sir, it is quite hard to find out what is an Uber and what is a Taxify. They are completely unmarked. I think marked cars would be a first start. Okay, secondly, Uber is a multi-billion dollar company. There surely should be very, very severe fines and threats to their entire business and possibly jail time for the
10 executives in this country if they continue practice of operating against the law. How are you going to – If someone has got unlimited money, which clearly Uber backed by Goldman Sachs and Amazon and ... The only way you are going to stop that really is jail time because they can buy the best lawyers. They can use methods to speak to
15 politicians and get support. There really needs to be severe consequences to people of continuing to break the law in this country. As I said earlier on we have, I believe, wonderful laws in this country but there are many laws that are not enforced or difficult to enforce and an unmarked taxi is not easy to see that it is actually operating
20 illegally. Somehow, Cape Town seems to find ways of impounding and fining people operating without operating permits. In almost every single quarterly meeting at the eThekweni Transport Authority, this has been the subject that has been discussed, debated and pleaded for enforcement. We have been told by the eThekweni
25 Transport Authority that it is very difficult to do. Although we have had

some stats from Metro Police that they have impounded some Ubers or Taxify operators there is certainly no proof of that. Whether they have or have not I cannot speak for that.

ITUMELENG LESOFE: And then still on the question of the moratorium, you then draw a distinction between the moratorium that
5 has been in place since 2010, which is my understanding, it is mainly the moratorium that is for those that are applying for new licenses. You then draw a distinction and you introduce what you refer to as a soft moratorium in terms of which, meter taxi operators are now
10 approaching the PRE and they are asking for renewals. There is what you then refer to as a soft moratorium. Can you please explain to the panel what that is? And one of the reasons that are being advanced by the PRE and they are given to your members or people in your position for this so-called soft moratorium, is it linked to the initial
15 moratorium which was placed in 2010 or is it something else?

PETER LEHMAN: My understanding of what I refer to as a soft moratorium is I have personally been to the Department of Transport Offices and being too many pre-hearings for renewals permits and the time it takes for a renewal is round about 6 to 8 months for a company
20 like ourselves that has everything in place. Constantly travelling 110 kilometres up the N3 and back. Constantly losing paperwork. Very little communication about how and why suddenly tariffs for renewals or conversions going up to thousands of Rands. I wish I could show a video of the attitude that I encountered at the PRE when
25 we were applying for renewals that there may have been some issue

with the arrogance of that PRE that I dealt with in 2016 in my, I think I went up to the Department of Transport 20 times or something like that. I was in at least 4 or 5 pre-hearings. The arrogance and the attitude towards everyone, everyone. It certainly was not that I was a
5 white guy, it was everyone was treated with disdain, with any opportunity to try and – anything, it almost when they found an opportunity there was almost a smile on their face: No come back in 5 months' time. I am not sure if things have improved since then but I believe that PRE someone or all of its new members were threatened
10 by, I assume, maybe someone in the minibus industry and they were replaced. I do not know if it is any better now but it was very soul destroying, to say the least.

ITUMELENG LESOFE: Now we heard yesterday from the city that one of the reasons why the initial moratorium was introduced which
15 are now referred to as the 2010 moratorium was because of over trading. So apparently when the World Cup came to South Africa so many people approach the PRE for licenses and all of those things. It appears to me, one of the reasons why the moratorium was introduced was to deal with the overtrading aspect. The question that
20 I have from you as a person that operates in the market is whether or not this moratorium has affected in dealing with the overtrading issue from the experiences that you have seen from the market?

PETER LEHMAN: I would say definitely not on quite a few counts. Because it is meant that many people could not renew their permits,
25 when not renew, get permits. I think it played a part in Metro Police

here turning a blind eye to enforcement. The moratorium for 8 years it does not make any sense to me, I have to say. There is my limited understanding of the NLTA. There are special events permits, so why special events permits were not used? Why that was somehow used for the world cup. The world cup is 4 weeks. So if you want to create capacity for a major event, I think I am correct, there is a Section regarding special events. So the World Cup had nothing to do with the moratorium or should not have had if anyone knew anything about the NLTA. I could be wrong, I am not an expert, I am not an attorney or a lawyer.

CHAIRPERSON: Colleagues we have 5 minutes left for questions which must be shared.

ITUMELENG LESOFE: Yes, and I think maybe just to understand you mentioned at the beginning, I think when you mention in your submission that Mozzie Cabs, I think there was a discussion Mozzie Cabs had with Uber and Taxify in trying to see if there cannot be any working relationship between the two. Would you please take the panel through, just briefly, what the discussions were all about. Who approached? Who made the initial approach? And what was the feedback given to you by this E-hailing services during those discussions?

PETER LEHMAN: I do not recall the name of the person that we met. We met two people from Uber. A person had a Greek name, I am sure there will be some evidence of someone with a Greek sounding name that we met. It was a very informal discussion over a cup of

coffee. Would you be interested in joining Uber? It is going back a long time, 4 years or so now. I might not have it 100% correct. They showed us the rates that they were going to launch at and again, as it is now, we know what it costs to run a legally compliant service. So
5 that the public is look after, and whilst we were possibly interested in other areas that we did not operate in it came to nought. My decisions with Taxify last year. One of the requirements is that we had to be unbranded, in other words, no markings of a taxi. How do I sit here and comply with all the laws and then break them? So we
10 chose to go out of business and pump a lot of money into two companies, and put two hundred people out of jobs rather than do something illegal. It probably will not count for anything.

ITUMELENG LESOFE: Thank you Chair.

CHAIRPERSON: Panel members we have strictly 3 minutes.

15 **NOMPUCUKO NONTOMBANA**: Just one quick question from me.

PETER LEHMAN: Yes, madam.

NOMPUCUKO NONTOMBANA: It is really to get clarity on what you are suggesting regarding the different pricing between the meter taxis, as we know them, and Uber. Because I get the sense that you were
20 saying there is an issue with the fact that meter taxis are to submit and regulated in terms of how they price, Even though they are not told which price. No, I mean in terms of there is a meter which they would use in order to determine the pricing, whereas Uber has some flexibility in terms of the prices that they would charge. They can
25 discount. They can do promotions and all of that. I wanted to get

clarity whether you are suggesting that the way their prices are determined by Uber and meter taxis should be the same? Or you are saying they must comply and when they comply with the law then that would be reflected in the cost that they would then incur which would
5 also push their prices to the level at which meter taxis are? So are you saying that they should just comply and then that would be reflected in their costs and therefore their pricing or are you saying there should be some levelling of the pricing between the two because that is not there and you are not able to compete with that?

10 **PETER LEHMAN**: Thank you for the question, madam. I think as I said in the beginning where we are using a phone with a decent GPS that can charge correctly per time and per kilometre or whether there is a meter, I do not think makes too much difference as long as the phone that is used is of a decent quality. The reality is that, yes, in
15 terms of pricing an E-hailing app can give a pretty good estimate using Google distance, using time. As long as that is given to the customer up front I think that is a good thing and you cannot really do that with a metre. You would have to sit with a calculator and work how many kilometres. So the fact of how the customer is charged, I
20 do not think is really material to me sitting here and that is why we pursued developing our own app, the Cruise App. As long as it is accurate, and the customer is protected, which is ultimately why we are all here. I think it is a good thing. Because Uber does not, and Taxify and other E-hailing companies do not own a car, they can
25 charge whatever commission they want, they can charge whatever

price they want. How you regulate that, that is for the clever people to do. But I would be most happy if someone wanted, any of our financial information to show them what it really does cost after this. We would definitely assist in any way we can. Assisting the

5 Competition Commission and the legal authorities that draft legislation. But they can charge what they want in terms of a kilometre. It does not affect them, they do not own a car. The promotions they offer, I am sure you have seen evidence of it, you can almost travel for free these days in terms of what they are offering.

10 How many free trips this month, and free trips that month. Friends of mine who use Uber think things could not be better. The consumer is having a good time, which is great but the expense of who. Another the question – sorry just quickly I did not allude to is; are Uber paying any taxes in this country? They say that they are not a taxi company,

15 they are E-hailing service. I personally ask SARS if you are just providing a service surely that is a vatable service? You are providing a service? Yes. Meter taxed public transport is zero-rated for VAT purposes, but they do not own a cab. They do not pay a cent in VAT, how much has this country lost in terms of tax revenue? Where is all

20 that money going? I do not know the answers. But I am hoping I am posing questions that might help keep other people in business and other people in jobs because it came too late for us, I am afraid.

CHAIRPERSON: Yes. Thank you very much, Mr Lehman, for your submission. We will certainly take up the issue that you have raised

25 with the relevant stakeholders. We would like to thank you for your

time and for also agreeing, once again, to come up earlier than you were originally scheduled. Thank you very much, you are excused.

PETER LEHMAN: Thank you to the Commission and everyone here who has listened. I gave an oath in the beginning, what I said today
5 was 100% the truth. Hopefully, some people jobs, who are doing a good honest living will be protected for another year.

CHAIRPERSON: Thank you, very much. We will now take a submission from the National Taxi Alliance. If they could please come forward. If our organisers could please arrange more chairs.
10 Welcome lady and gentleman. Thank you very much for coming and for your time. There should be a piece of paper in front of you. You may take the oath of affirmation. Please switch on the mic as you do so.

CLEMENT MAZIBUKO: Sorry, chair. We need to ask that we need to
15 express ourselves in Zulu. I think so as our constitution allows us to do that.

CHAIRPERSON: Indeed, you are well within your rights to speak mother language. If you can give us a moment to get our interpretation service. Will you be able to hear from that distance?

20 **FEMALE**: Yes, kuyezwakala, yes I can hear.

CHAIRPERSON: Ungaqhubeka baba, ngicela u switch on i mic.

FEMALE: Yes, I can hear.

CLEMENT MAZIBUKO: Ake sibonge chair, sikwamukele e KZN, siyakwamukela ngezandla ezifudumele, sibonge futhi nomsebenzi
25 eniwuhambele, engathi uzoba wusizo la embonini. Njengoba uthi

kunephepha elila phambi kwami kukhona abangakholiwe, kukhona abakholiwe kodwa sizofunga ngoba nasenkantolo kuthiwa funga.

TRANSLATOR: Thank you, Mr Chairperson. And we welcome you here in the province and we welcome you with warm hands. And we
5 highly appreciate your presence here in our presence. And also although amongst us there are those people who are sort of like religious or some of us are not religious nevertheless we will take the oath.

CLEMENT MAZIBUKO: Asibonge ke dadewethu, nami ngiyafunga,
10 ngiyaqiniseka ukuthi konke loku engizokukhuluma kusuka enhliziyweni. Kuyiqiniso lonke futhi inkosi ingisize.

TRANSLATOR: I solemnly swear that what I am going to say it comes from my heart so help me God.

CHAIRPERSON: Besicela usho igama nesibongo baba.

15 **KENNETH MAZIBUKO**: Lona okhulumayo wu Jabulani Kenneth Mazibuko wu Chairperson we KZN NTA.

TRANSLATOR: That is the name.

CHAIRPERSON: Siyabonga Mr Mazibuko. You can hand over to your next colleague.

20 **KENNETH MAZIBUKO**: Okay.

TRANSLATOR: Usengakhuluma ke nomunye.

NJABULO NKOMO: Angibingelele abahlali ngaphambili. Ngicabanga ukuthi usihlalo ngaphambili usekushilo esizothanda ukuku sheba, engigacabanga ukuthi kuzoba yinkinga wukuthi sishebe isilungu ne
25 singisi kanye, kanye. Ngoba sicabanga ukuthi yizilwimi ezivumelekile

e South Africa

TRANSLATOR: Thank you so much and it has already been indicated by our Chairperson, we will try to co-mix or co-switch because these are the languages that are spoken here in South
5 Africa.

NJABULO NKOMO: Ngaphandle kokumosha isikhathi ngizothanda ukuthatha isifungo mhlali ngaphambili.

TRANSLATOR: Without further due, I will now take an oath.

NJABULO NKOMO: I Njabulo Jabulani Nkomo swear that the
10 evidence that I shall give shall be the truth, the whole truth and nothing but the truth so help me God.

CHAIRPERSON: Siyabonga Mr Nkomo. You can hand over to your next colleague.

TRANSLATOR: Usengakhuluma ke olandelayo.

15 **ANDREW NGIDI:** Ngiyayibingelela indlu, sihlalo nethimba lakhe. Igama lami ngiwu Musawakhe Andrew Ngidi. Wusihlalo wentsha ku National KZN Taxi Alliance.

CHAIRPERSON: Angisizwanga kahle isibongo?

ANDREW NGIDI: Musawakhe Andrew Ngidi.

20 **CHAIRPERSON:** Ngiyabonga, Mr Ngidi.

ANDREW NGIDI: I Musawakhe Andrew Ngidi swear that the evidencne I shall give, shall be the truth, the whole truth and nothing but the truth. So help me God.

CHAIRPERSON: Thank you Mr Ngindi.

25 **TRANSLATOR:** Siyabonga Mr Ngindi, use sitolikele ke u Mr Ngidi.

CLEMENT DONCABE : Ngibingelele indlu ke nomhlali ngaphambili.

Igama lami ke ngingu Clement Bhokomela Doncabe

TRANSLATOR: I greet you all, my name is as already indicated but the surname is Doncabe.

5 **CLEMENT DONCABE**: I swear that the evidence I shall give shall be the truth, the whole truth and nothing but the truth; so help me God.

CHAIRPERSON: Thank you Mr Doncabe, you may had to your next colleague.

ZOMUSA MASINGA: Sanibonani, ngiyabonga kakhulu ukuthi sibe
10 lapha futhi sibe nezikhulumi namhlanje ezikhulumela imboni. Okhulumayo wu Zomusa wakwa Masinga ozomela i Women's League. Ngiyaphakamisa, nngiyafunga ukuthi konke engizokukhuluma kuyiqiniso lonke neqiniso lodwa, inkosi ingisize.

TRANSLATOR: I greet you all and the house at large, I'm
15 representing the Women's League. The person speaking here is Zomusa Masinga

CHAIRPERSON: Siyabonga Ms Masinga. I'm not sure who is going to start, Mr Mazibuko you will give us an indication as to whether you will start or one of your colleagues will start.

20 **TRANSLATOR**: Asazi ke wubani ozoqla noma wuwena ngoba wuwena ke osicabele indlela Mr Mazibuko.

KENNETH MAZIBUKO: Hhayi angibonge ke sihlalo vele la Kwa-Zulu kuyaye kuqale lona ikhanda.

TRANSLATOR: Yes indeed here in KZN the head starts.

25 **KENNETH MAZIBUKO**: Sihlalo nabasizi bakhe usihlalo nendlu yonke

njengoba besengibongile ukuba khona kwenu, so kuzoqala yena ubaba u Mazibuko. Mhlambe kuzoba kuncane mhlambe esizothi ukukushintsha sihlalo, kuloku engiku submitted nange ndlela ke esithe uma sibuka ngayo i session yayizolo sabona ukuthi Comission le
5 kahlehle idingani.

TRANSLATOR: Yes I will start although I would change a little bit or I will amend what we have submitted as we realized how the presentations went on yesterday. So we will alter our presentation a little bit based on yesterday's proceedings.

10 **KENNETH MAZIBUKO:** Kunephepha enginalo engizoli submit kusihlalo lapha. Ukuze naye mhlambe abone ukuthi yikuphi okunye esinakho ukuze abone ukuthi sifisa ukuhamba kanjani.

TRANSLATOR: I will also submit a paper to the Chairperson so that he can see how we will proceed.

15 **CHAIRPERSON:** Thank you Mr Mazibuko.

TRANSLATOR: Siyabonga Baba u Mazibuko.

KENNETH MAZIBUKO: Sihlalo i Competition le oyi leader sihlalo siyabonga ukuthi u Hulumeni abe nomqondo wokuthi akube khona le competition. Kufanele ukuthi sikhumbule ukuthi siqhamuka kuphi
20 especially thina indlu emnyama e South Africa.

TRANSLATOR: Thank you so much Chairperson, we appreciate your presence and the Competition that you established here in South Africa. We will state just a little bit of history about where we are coming from here in South Africa as a country.

25 **KENNETH MAZIBUKO:** Uma sizokhumbula ke sihlalo sikhule sihlala

ko maqhugwane namhlanje asisahlali komaqhugwane sesihlala nala ko Mhlanga, sihlala yonke indawo. Okukhombisa ukuthi i South Africa iyakhula, we need a change. Siyadinga ukubona kuba khona ushintsho ikhakhulukazi uma sikhuluma ngemboni esikuyona ngoba
5 anegeke sibambelele ukuthi kwagitshelwa ama truck kugitshelwa o gandaganda. Siyafuna ukubona ushintsho.

TRANSLATOR: We know where we come from, we started off staying in the rondavel houses or huts and we want to go on with the times and we are subject to change. What we started using as a means of
10 transport, we started using trucks and tractors but we need to move with the times.

KENNETH MAZIBUKO: Sihlalo izolo la njengoba ngithi ngi submit lelo phepha ngibese ngithola ukuthi kakhulukazi uma sikhulua nge competition so ebengikade ngiku submitted before bekukhuluma
15 kakhulu ngokusithintayo thina embonini yosomatekisi. So manje ngiyabona ukuthi ku Sihlalo ngizobe ngimnikeza umthwalo onzima uma ngikhuluma kakhulu ngezinto ezisithintayo, u hulumeni mhlambe angasenzelile zona esizama ukukhuluisana naye mayelana nazo; ukuthi u hulumeni akwazi ukusilungiselela zona.

20 **TRANSLATOR:** I realised that what we submitted initially was just touching base on what is affecting us or what our concerns are rather than the competition per se, so as a result that is why now we have decided that I will deviate and talk about what is expected of mme ad what is happening in our country.

25 **CHAIRPERSON:** Yes I think just to clarify Mr Mazibuko you are free

and well within your rights to speak about any matter that concerns the minibus taxi industry as raised in your written submission. So please don't feel constrained or restricted in terms of the issues that you would like to raise. Please feel free to raise any issue that you think affects the industry.

TRANSLATOR: Baba u Mazibuko angithi uyezwa ukuthi ungakhuluma noma ngani enithintayo, ukhululeke.

KENNETH MAZIBUKO: Hhayi ungakhathazeki nkosazana, ngibuye ngizwe ngibuye ngingezwa kodwa ngoba ukhona.

10 **TRANSLATOR:** Manje ngizokwazi kanjani uma sewuzwa ukuthi ngikutolikele ngibuye ngingakutolikeli, manje kusho ukuthi mhlambe uzophakamisa isandla noma uthi ke ukuchaza ukuthi awudingi kutolikelwa. Ukonga isikhathi mhlambe kodwa kuyilungelo lakho baba.

KENNETH MAZIBUKO: Hhayi ke angibonge we sisi, engifisa ukukusho mhlambe wukuthi ngifuna ukuyibeka kahle ukuthi izwakale kahle yingakho ngifuna ukuyibeka ngolwimi lwakithi. Kodwa ke ngiyabezwa ukuthi bathini, bafuna ukuthini, so mhlambe kuzoba lula uma ngikusho nje ubese uyabatshela ke ngoba ngifuna ukubeka ngendlela okuyiyona. Uyangithola dadewethu?

20 **TRANSLATOR:** Kuzofanele ukuthi uhmm

CHAIRPERSON: No I think it's ok, qhubeka Mr Mazibuko.

KENNETH MAZIBUKO: Ok lana sithe uma sifika la ku commission sathola ukuthi abafowethu laba abangenile bama bus bakhala ngokuthi bayanyatheleka yithina osomatekisi, nathi osomatekisi siyakhala nathi kakhulu ngabo ama bus lawa athatha umsebenzi

wethu manje bahamba kuma routes ethu ngoba yithina esihlala emalokishini nakulama khaya abakhuluma ngawo. Lama bus lawa abathi bawaphethe ahamba ezindleleni zethu, emakhaya ethu. Omunye uze walinganisa ukuthi une bus elino 50 years, so uma ethi
5 une bus elino 50 years thina sibe siboshwa uma sinezikhwelo ezingaqedile ngisho u 10 years. Kuyasimangaza kuvele kusethuse kakhulu ukuthi uthini lomuntu manje ngoba yena akagibelisi ngisho nelilodwa indiya kule bus athi elakhe lino 50 years so sibona engathi silahlekile impela uma kukanje, kukhona abantu abazokhala ezweni
10 lakithi uma uhulumeni ezama ukuthi asi transform ngendlela okuyiyona yona sonke sibe ku level efanayo.

TRANSLATOR: We also have concerns with regards to the bus operators or buses because we also heard that one of the presenters or one of the presentations yesterday indicated that he owns a bus
15 that is about 50 years old. That is of great concern to us because we get arrested if we have to operate such a bus and moreover we wouldn't see or we haven't seen or he does not even have Indians in those buses that are 50 years old. So that is of great concern to us because we are here for our people and they are operating in the
20 townships.

KENNETH MAZIBUKO: Emalokishini into thina esikhala ngayo ku taxi industry mhlame la kufanele ingene khona ngama operating licence. Ama operating licence lawa uhulumeni asinikeza wona angena value, siphethe nje iphepha into engingakwazi nokuyidayisa, ngiyidayisele
25 omunye umfowethu uma ngabe sengibona ukuthi ngifuna ukuphuma

embonini, mhlambe ngizenzele enye inhlobo ye business. So inkinga yethu enkulu ke thina bantu bama tekisi esinayo yileyo.

TRANSLATOR: What concerns us in the townships is that we have licences and the licences that we have don't have any value and we
5 can't even sell them or pass them on to other people.

KENNETH MAZIBUKO: Kangaka ngokuba mhlambe uma nibuka nje la kuma TV ezindabeni ngendlela esibulalana ngayo thina osomatekisi yiyo lento yale operating license engenayo i value uthole ukuthi ake ngilinganise nje u association mhlambe unezi member eziwu 100
10 kuleyo association njengoba unezi member eziwu 100 u end up unabantu abawayo ekutheni njengoba singaxhasiwe thina nje wu government bawe uthole ukuthi abasakwazi ukuba nemoto mhlambe its about 15 to 20 people asebewile kodwa manje ngaleyo ndlela i route isazidinga lezo moto eziwu 20 ezalabafowethu abawa. So
15 sizithole zinenkinga.

TRANSLATOR: As you would actually see even on TV that we are killing each other as a taxi industry so I would make an example that as an association of about 100 people, there is a downfall over and above you find that as an example there is a person who has about 15
20 to 20 fleet and that person can't even operate.

KENNETH MAZIBUKO: So uthole ukuthi labafowethu abawu 15 to 20 abawa, bese ikomidi mhlambe lifake abantu abasha. Ngalesikhathi lifaka abantu abasha abangenama operating licences lawa adingwa wu government kubese kubukeka ngathi embonini kuhlale kunabantu
25 abasha njalo ngani ngoba manje laba bantu abawa abakwazi

ukudlulisela izitifiketi lezi uhulumeni asinika zona kulabantu mhlambe u association afisa mhlambe bangene embonini.

TRANSLATOR: Those 15 to 20 people who did not make it or as a downfall because of that the association cannot replace them because
5 these licences that we can't even pass on to other people.

KENNETH MAZIBUKO: So ke manje ke sizibone sengathi usihlalo lo ophethe leyo association kusho ukuthi usevele athathe imali kulabo bantu abasha afake ekhukhwini bese mina nomfowethu oseceleni bese sithi uyambona usihlalo use joyinisile usedlile, iqale inkinga.

10 **TRANSLATOR:** We can see that there is always new people that are joining the industry because those who have exited, so e don't know maybe to a certain extent we think that maybe the chairperson of the association is maybe taking the money and pocketing it leading to the downfall of our fellow workers.

15 **KENNETH MAZIBUKO:** So ke ngalesikhathi iqala ke inkinga ke manje bese kanti wubani osidalele lenkinga, wuyena uhulumeni. Ukube uhulumeni ukwazile ukuthi u association lo unezi member eziwu 100 so uma kwenzeka ukuthi lezi member eziwu 100 azise wona u 100 sekukhonna asebawa. Akwazi ukunikeza u association amandla
20 okuthi lama permit alaba bantu awabuyele kulaba bantu; automatically inkinga angeke ibe khona ngoba manje mina ake ngilinganise nje uma ngithatha owami umsebenzi ngiwudlulisela kumfowethu ngiyawudayisa ngendlela engifuna ukuwudayisa ngayo, umfowethu uyangikhokhela ungi buy out so asinayo into efana naleyo.

25 **TRANSLATOR:** It is the government that is creating problems for us

because when it happens that for instance those who cannot survive in our industry, the person has now exited the industry we can't even pass our licences that we have as an example; I can't take whatever I have if as a person who have exited industry I want to pass on the
5 licence to the fellow person because I cannot survive in the industry. I can't do that because the government is really not helping us with that so that is the government that is leading to our downfall.

KENNETH MAZIBUKO: So lokho ke ngiyocela usihlalo nethimba lakhe akudlulisele eminyangweni ethintekayo ukuthi ayisilungisele
10 lento because sikhathele ukubona abafowethu beshona. So all over, especially nje angikhulumeli mina Ethekwini la ngiyezwa abafowethu abanengi bakhulumela Ethekwini uma sikhuluma nge Theku abafowethu abekade ba presenter la izolo because sisebenzisana kahle nabo so we need change la Ethekwini because ltheku is a
15 greatest town esifuna ukulibona liphumelela because liphethe i ICC, ku ICC kufika abantu boma Commonwealth beze la izinto ezifana nalezo so we need ukuthi sibone i Theku li improver, asikwazi ke ukuma endleleni ka hulumeni uma asilethela intuthuko; intuthuko siyayidinga.

20 **TRANSLATOR:** We humbly request that the chairperson or the Competition Commission can assist us in this regard because we are tired of killing each other. And as you recall what was indicated yesterday we are working together here in Durban and we not talking specifically on behalf of the Durbanites only or us who are working
25 here in Durban; we are speaking generally and that we do really need

help. And then when we have people coming here to the ICC we need business and those people need to be serviced and they need transport. We then need help in that regard.

KENNETH MAZIBUKO: Bese ubuya nje ke size ke ngithinte loku
5 kwama permit, mhlambe nje usihlalo uyosisiza ke kulento ye
competition. I competition as a taxi alliance, national taxi alliance
siyayidinga i competition because angifuni mina ukuhlala nginezimoto
ezintathu, ngizoyilinganisa lento sihlalo ngokuhlala kukhona indawo
engingeke ngiyisho ngegama; ngithatha imto yami ngiyise ekhaya,
10 uma ngiyisa ekhaya sekufanele ngigible taxi manje ukuze ngikwazi
ukulanda lemoto yami esedolobheni. Uma ngigibela taxi umfana uqale
ayijikise kabili kukhathi ibamba amasondo uyabona, mhlambe
niyakhumbula ojika stayela, imoto uqale uyithi ingakabambi isondo
kukhathi ibamba isondo. Ngehla ngathi ua ngifika kwesinye i stop
15 ngathi ngishiye la, ngase ngizama ukuthola enye imoto manje ngoba
ngiyabona ukuthi abantu sibagibelisa izinto ezinje. So uma manje
kungezukuba khona amaphoyisa angeke kube right; uma singezukuba
ne competition angeke kube right because thina sizohlala sigibeza
abantu izikorokoro; so i competition siyayidinga hhayi lento yokuthi
20 ngibe nesikwele sika 50 years njengoba kade esho umfowethu la
izolo. Kusho ukuthi labantu engithi bagibele kulesikwele sami sika 50
years ngithi bagibele kuphi, mina engehla kusona ngoba mina ngiyi
owner senginconywa manje mina. Abafowethu abekade bekhuluma
la izolo bahlala kuma big house, bahamba ngezimoto ezinkulu
25 uyabona, labantu abagibela lamat bus abo ngabantu bakithi

abamnyama. Uma singake siphume njengoba bebethi bangakuthatha baphume nawe la ngaphandle, siphume siyoma la e Mngeni njengoba kade bekhala kakhulu ngo Mngeni lapho kuhamba khona o railway ume uzolibona i bus labo litshekile lithe; iqhamuke i Quantum iqondile
5 ithe. Ammaphoyisa ayayimisa, ngani ngoba amaphoyisa ku Metro are trying ngayo yonke indlela ukulungisa lesi simo, amaphoyisa amaningi awama Indiya ngabafowabo laba liyazidlulela nje i bus shwi...hawu madoda le bus elime kanje uma nngizidlulela ngo Mercedes nami ngize ngime nami ngithi le bus litshekile walidedela?
10 Athi hha uzothini u Govender, ngiyalinganisa. So ke yinto enjalo, sengikhulume kakhulu dadewethu ngangabe ngisakunika i chance.

TRANSLATOR: We really do need competition; yes we do need competition here. I would cite an example with myself whereby at some point I would take a car, leave y taxi here and go home. And
15 then I took a taxi and I realised that the kind of taxi I was in was not in a good condition and then I decided that I'd rather not ride in this I will take another one. But then in some instances I would take my own car and see on the road when people are travelling there's a Quantum on the road and there is a bus that is 50 years old and that is not in a
20 good condition using the township lingo it's a skorokoro but the police would stop the Quantum which is in good condition rather than the bus that is not in a good condition and then at some point in time I even stopped and asked the policeman that why are you stopping the Quantum which is in good condition instead of the bus which is not in
25 a good condition; the policeman answered and said no I can't touch

that one, that one is an untouchable you know it is related to a Govender just citing an example of a Govender because this person is well connected, so this person is an untouchable. So we need competition here and we need the police so that we can carry our
5 passengers in fleet that is in good condition.

KENNETH MAZIBUKO: So thina ke siyabonga kubafowethu ukuba khona kwenu, err umfowethu uyangiqhula la ukuthi ngingandi kakhulu so ukuba khona kwenu siyafisa ukuthi zibe corrected lezinto ezinjengalezo so siyafisa futhi ekutheni ama metre taxi ngikhuluma
10 ngo Uber la no Taxify uyabona njengoba sila e South Africa we need to copy izinto ezenziwa abafowethu le phesheya ngisho ukufasa u tie nami angiwufase muhle uma ngiwufase kanje u tie; so izinto ezinjalo siyazidinga so asihambisani nokuthi u Uber ngendlela o operator ngayo ngoba wona awunama permit kodwa kukhona okuhle
15 esesikutholile ku Uber. Esikubonayo ukuthi kuzo transformer le South Africa esikuyona because kufanele sikuvume ukuthi sisukaphi njengoba ngike ngalinganisa dadewethu ukuthi besakha omaqhugwana namhlanhe asisenawo amaqhugwana so okuhle okuvezwe wo Uber no Taxify kufanele siku kopele thina bese
20 siyakushintsha ngendlela e right sihleli phansi nabafowethu laba be department ukuthi cha akuhambe kanje ngoba njengamanje siphezu kwakho nathi sinakho kukhona esiku introduce, umfowethu lo oyi clerk kamasipala uzolithola ithuba akuthule ngani ngoba sikopelile sathi sekumele senze ke manje. Uhulumeni ke umfowethu lo kamasipala
25 uzothumela amaphoyisa uma umuntu enga registered akambophe

hhayi ukuthi ngiyolwa no Uber mina, hhayi ukuthi ngiyolwa no Taxify. So nawo awu register ngendlela e right ukuze sonke siliphushe i business lethu, sidlule siye kule BRT le u phase 3 lo ebesikhuluma ngawo lomgwaqo wama bus, uyabona uma sikhuluma ngalo mgwaqo omusha wama bus yes loya mgwaqo uhulumeni ufike wawakha sithe lasithembe ukuthi usuzovulwa usebenze wawubhidliza futhi. Uthe ume eqeda ukuwubhidliza kanti usewu plan ukuthi uzofaka lomgwaqo ozohamba ama bus; uyasi engage ke uhulumeni uyasitshela ukuthi ama bus azosebenza kanjani so ke siyaxoxisana no hulumeni ukuthi lama bus azosebenza kanjani nami njengooba ngiwu baba u Mazibuko nginezingane ngiyafuna ukuthi uma zihamba zihambe ngendlela e right. Noma ngivakashelwe wuwena uze ekhaya uhambe ngendlela e right siyayidinga into enjalo ukuze sikwazi ukutsakelana singama province ukuthi uyabona e province yami kuhle kanje kuno 1 no 2 no 3. So asikwazi ke ukuma sithi cha lento eyenziwe wu hulumeni i wrong kuphela asihlale phansi sizithole ukuthi sizongena kanjani thina lapha kuleya business uma sifuna ukungena kuleya business. Uhulumeni yilento asayizama ke bona abafowethu laba kade behleli la be department la izolo baka Ethekwini Metro ukuthi singangena kanjani noma singakavumelani ke ngendlela ephelele mhlambe ngani ngoba mhlambe indlela abasasichazela ngayo ayikasanelisi kahle kodwa kahle hle asikuvume ukuthi intuthuko siyayifuna. Yes asingavele nje sithi cha intuthuko ayingabi khona hhayi kanti thina asifuni yini ukukhula.

25 **TRANSLATOR:** We highly appreciate your presence here in the

province. With regards to you know we take what is good with Uber because you know as I have alluded previously or as I have indicated that you know we want to move with the times, previously we were living in rondavels and then we changed and we also want to move
5 with the times so I also have children and I want my children to be transported in a fleet that is in a good condition. So we do not say we don't want any changes or any progress so whatever is good with Uber we want to copy whatever is good from Uber and then so that we can then operate in a perfect way or in a good way rather. And also as
10 our brother yesterday indicated from the government we are working hand in hand with the government in trying to resolve the matter and for instance going to the BRT so initially the road was constructed and when it was supposed to start it was stopped but then we want them to continue and we are continuing negotiating with the government.
15 We not are engaging the government rather, we do not say we don't want transformation or we do not want change. We do want change, we do want to move with the times so that when you do visit us for instance we don't want you to be visiting us and you use our transport that is not in good condition. So we also want to boast about our
20 province and say that come and visit us, come and see us we will transport you in a good transport.

KENNETH MAZIBUKO: Mhlambe sengizovala dadewethu esikucelayo mhlambe kwi Commission, sizocela ukuthi mhlambe isisize kukona kakhulu wukusilekelela ekutheni ngempela lento yama permit athi
25 uhulumeni ukuyithatha ngelinye iliso ukuze sizokwazi ukusebenza

ngendlela ephelele sizokwazi ukuthi sigweme nokubulalana esinakho embonini. Sigijima i Newcastle, Ladysmith all over KZN abafowethu ngendlela ababulalana ngayo indlela yokuthi ukungena embonini kithina kulula ngalendlela exakile sihlalo so uhulumeni okumele ukuthi

5 mhlambe ayibheke ngoba ukhuluma ngokuthi noma sifuna ukuthi asixhase uvele athi siyi nhlakanhlaka ekubeni yena angasilekeleli asho umthetho esizowulandela athi cha njengo hulumeni sengithi ke manje wu register u association wenu ninezi member ezingakhi asiyobe siphinde sizithole sinalezi member eziwu 100. Uma

10 sengibuyela emuva njengoba kade bengishilo ekuqaleni uma kukhona abantu abawile, lawo ma permit alawo bantu abawile yiwona esingawavuselela adayiselwe abantu abasha bakwazi ukuthi bangene. Siyacabanga ukuthi mhlambe uma sekwenzeke kanjalo kuzoba khona ushintsho sizazi nathi ukuthi siwo somabhizinisi, kahle

15 hle abantu abawo somabhizinisi yilaba abafowethu abanama bus kuphela engizitshela ukuthi yibona osomabhizinisi thina nje ku taxi industry nje abanye bathi baxhasiwe emzileni bayasebenza baxhaswe ngo half othile, thina akukho lutho esixhaswe ngakho kuthiwa si registered so siyacela ukuthi uhulumeni asakhele indlela e right. A

20 engage abafowethu sihlale phansi nabo sithule izithulo ukuthi sibona ukuthi uma mhlambe kungaba kanje kungaba lula futhi kuphele leli gazi bafowethu elikhona embonini. Nani ngiyathemba ukuthi nje uma nibuka ama TV ntambama nizwa ukuthi babulelene kuvele kuthiwa u MEC useyawuvala ummgwaqo e Ladysmith nje umgwaqo uvaliwe

25 abantu bahamba kabuhlungu nje siyazama nje nokuthi mhlambe nje

kube khona kube khona indlela yokuthi uvulwe umgwaqo. Kusebeza wona lama bus, uhulumeni uvele athathe wona lama bus awafake futhi angenawo nama permit wona ke kodwa aseyathutha ke khona. Baphinde bakhale futhi ngokuthi kukhona i scholar transport, i scholar
5 transport uhulumeni uvulele ukuthi kube khona mhlambe labafowethu laba bakwazi ukuphila bakwazi ukuthutha izingane bazimikise ezikolweni bona futhi labafowethu bama bus sebefake amacala okuthi i scholar transport singadedelwa ke manje simile nje izingane ziyahlupheka kuka mbambeni myekeni.

10 **TRANSLATOR:** In conclusion Mr Chairperson what we requesting from you is that if you can help us so that the government can assist us especially with the permits. So that we can operate legally and I'm sure that you are aware of the killings that are happening; I can cite examples like Newcastle, Ladysmith here in KZN and we need that to
15 be stopped, we don't want to be killing each other and then if we can be assisted with the renewal of our licences so that we can then operate legally and for instance if I can cite an example of Ladysmith in Ladysmith you know that we were stopped to operate there is a route that was stopped and in that route because of the killings all of a
20 sudden these buses are already in operation and also in the transportation of scholars the children are suffering in that regard so we want the government to assist us with subsidies and we also want to be considered as business people because the only business people that are seemingly considered here in our province are the
25 people operating these buses, so please assist us in this regard. So

that we can help the children to be transported accordingly to schools and also to stop killing each other as we are seeing on TV.

KENNETH MAZIBUKO: Ngiyabonga sihlalo ngizodedela abafowethu.

CHAIRPERSON: Siyabonga Mr Mazibuko.

5 **TRANSLATOR:** Thank you Chairperson I will now hand over to my colleagues.

JABULANI NKOMO: Angibingelele kuye kuthathe kube lukhuni uma sekukhuluma iqhude ekhaya sihlalo, ligide, ligide kubese kungene wena ongaphansi kwalo.

10 **TRANSLATOR:** Let me greet you chairperson and the house, it becomes a bit tricky to then take the podium after the cock has done its dancing and crowing all over the place.

JABULANI NKOMO: Chairperson it's so unfortunate ukuthi as the taxi industry in South Africa as a whole we need ama Commissions like this
15 for the industry alone because the industry is very broad in its contexts and there are too many things that we can touch base on for almost about 2 weeks or a month or so. But I'll stick to the point where this is what we are here for. This Commission basically is about competition between the modes of transport in South Africa, unfortunately
20 chairperson I need to point this in black and white ukuthi the taxi industry is like the black sheep of the mode of transport in South Africa, we don't know who we are as a taxi industry. We don't know whether we are public transport, we are privately owned or who we are; those are the challenges that we have. I will just give you one typical example
25 yokuthi way back in 1995 we were told ukuthi we need to register the

industry so that si operate legally, you won't believe that to date after 30 years there are still problems ku industry that we are still facing. Sisathi sisa bheke lapho chairperson ukuthi there are these issues esisakhuluma ngawo e registration ku taxi industry we had ama permits

5 ethu kungama indefinite permits lawa sasi operate ngawo during the Apartheid era and those rights when the operating licence was introduced were taken away and thina njenge industry it's not helping us at all. Our government when they introduced operating licence we were told that operating licence ine value rather than permit, the permit

10 doesn't have value. But today you will be surprised ukuthi sometimes I need to go and sit at the Board when this thing expires after 7 years and it will take me about 8 to 10 months or 3 years or 7 years ukuthi ngiyithole leyo operating licence. Ngizothathwa ngifakwe ebhokisini lapha ngishiswo i oath kuthiwe angisho ukuthi kungani ngikade

15 ngingayivuseleli; yi infringement yama rights ethu leyo as industry, 2 u Chairman has touched based kancane lento eniyithatha kalula yokubulalana kwabantu bama tekisi. Abantu bama tekisi ababulalani ngoba kunjani i industry ivulelekile, anyone who retires; anyone who's got money into ayicabangayo ukuthi I'll buy a taxi ngiyifake endaweni

20 yami. Our government has decided ukuthi uma si register ama routes thina ku industry we register what we have been doing in the past 30 years only to find ukuthi kuzovele kusukume umuntu obekanga operate ndawo athole i permit akwazi uku operater. I've heard one of the questions from i panel yakho Chairman ikhuluma nge moratorium ka

25 2010, ku industry i moratorium akuyona into ka 2010 and when you get

into the nitty gritty aku Act ubheka ukuthi what is this moratorium you don't get answers about it, awuyazi ukuthi yini uma uthi uyabuza but you find ukuthi it was just a gentleman's agreement i moratorium. I Act ngizoloku ngicaphuna yonke indawo Chairman, right now in all the

5 problems we are facing as an industry u government is trying to introduce i RBTS/BRT; i BRT uma singakhuluma iqiniso u Chairman has touched based kancane ukuthi industry thina siyiqale and it's the only business that is 100% black owned nebholo. Izinto zomuntu omnyama nje la e South Africa ngqo yibholo netekisi, ngiyanizwa nikhuluma ngo

10 Uber la Chairman nama bus but uma ukhuluma nge bus eli subsidised izinto zakwa Zulu Natal lezi abazi inherit kuhulumeni wobandlululo ezizocindezela thina bantu abamyama. Namhlanje u government wethu uzo introduce lezinto sasizilwela ukuthi mazihambe, mina ngino baba Chairperson esingakhuluma ngabo la ngiya kwi competition le

15 esikhuluma ngayo la ukuthi thina si compete nabantu aba subsidised. Mina when I'm buying spares uma ngithenga imoto i Quantum leli enilibonayo thina besikhokha import duty ka R70 000 kulona uma lifika namanje import duty ayikaze ifike ngoba kade li imported lisuka phesheya lifikile lise South Africa, namhlanje i Quantum ligijima la ku

20 R100 and something thousand, namhlanje lithi R500 and something thousand. These are all the things eningazibona kalula nisibona siphila, siphila kanzima you hear abantu esibagibelisayo our passengers; thina saqala ngo Valiant bo baba bethu 1960s le kwakuthiwa yi bhotsotso kuqala kwakulayisha 7, 8 to 10 yabantu sancenga ku hulumeni

25 wobandlululo kwaze kwafika i Super 10 ilayisha 15 sancenga buy

USiyaya uma efika ngo 1984 ngaleso sikhathi itekisi laliwu R11 000 ukwazi ukulikhokhela, emille uloliwe enamaphoyisa akhe eke walibamba nje lingekho uyaboshwa. Namhlanje sakhala ku hulumeni wethu kwakhulunywa ngo recap, uyabona uma kukhulunywa ngo taxi

5 recap nibona ngathi yinto enconywa, ayizange isisize ngalutho thina uyabona sihlalo njengamanje thina asikwazi ukuthola ngisho i finance kuma fincance houses ngoba sinezibazi zo Siyaya bethu ababe wu R90 000 sehluleka ukubakhokhela ngoba thina imali esiyi charger siya under charger, I'll make you an example ukusuka nje la e Mhlanga

10 kufuneka uma usuka la e Mhlanga uya kule off ramp la uma ungena ilokishi leli ngokwezibalo kufuneka ngabe u charge R12 noma R13 but thina ngokuzwela abantu bakithi abamnyama; u petrol unyuka day in and day out ama parts almost everyday; thina siyakwazi ukucabangela abantu esibathuthayo but the bottom line chairman njengoba ngike

15 ngasho ukuthi lento singayikhuluma nje siyivule kakhulu, i problem ithi thina as an industry we are not ku competition.

CHAIRPERSON: Bengicela simnikeze nje ithuba.

JABULANI NKOMO: Hawu we madoda sengikhohliwe, sengisuke ngavukwa yisipoliyane somoya.

20 **TRANSLATOR:** Just because my Sir there was co-mixing we will just highlight on a few that we managed to note. Basically the issue is that we need to understand wehere the industry is coming from as the chairperson has already touched on that and also our passengers when they enter into our taxis they just speak somehow, sometimes

25 they don't understand as to how much we are suffering as people who

are operating this business. The business started so many years ago, when we were using Valiant and then there was Super 10, then there was Siyaya which was R11 000 at the time and the price suddenly escalated and when talking about taxi recap everybody is talking
5 about it but they don't understand how much that hurt our industry and also we don't get any financial assistance when we go to these financial institutions because we are still owing from the R90 000s that we failed to pay when we were buying Siyayas at that time and also if you were to understand the distance from Umhlanga to another
10 destination which is supposed to cost around R12 to R13 but we are almost charging half of that because people cannot really afford, we are transporting our own black people and we understand where they come from.

JABULANI NKOMO: Last but not least chairperson because ngike
15 ngasho ngathi ku industry we can talk about a lot, let's talk about what is present today. Introduction ye BRT in South Africa, we were invited to Ghallager Estate by the Department of Transport by the time the Minister kwakuwu baba u Jeff Hadebe; we were made to believe that i BRT is going to make izimpilo zethu as an industry better; its so
20 unfortunate ukuthi uma ubheka i Act ka 2007 when they introduced BRT ku Act kukhulunywa nge moratorium ukuthi izoba uplifted, uku uplift i moratorium ku industry kwakuzosiza ekutheni if my association allows me to have 5 permits if I have 2 taxis I can go and apply for 3 more operating licences. That will allow me ukuthi ngikwazi ukuthi ngi
25 decide ukuthi ngiyangena yini ku BRT noma ngi decide ukuthi

ngiyaphuma yini. Right ake ngiyicacise kancane ke sihlalo in short, what we are being told thina by our advisers ukuthi i transparency in our municipalities that are implementing BRT is not enough. They say there are 3 rondavels that will assist us as industry; one the first
5 choice is you decide as an operator ukuthi I surrender my operating licence then I get money then ngiphume ku industry; two I join i VOC which is Vehicle Operating Company engekho clear nayo ukuthi ngizo register kanjani ukuze ngikwazi ukungena kuyona, eyesithathu kulezinto ezikhona la, wukuthi futhi kufuneka ngiphume ngihambe
10 khona la ematekisini. Zonke lezinto esihleli la sithi siyazi discuss nawe uzongazi understander so enye i example engifuna ukuyenza sihlalo ngifuna ukukhuluma nge South Africa yonke, zonke izinto ezi implemented ezifana ne BRT uma uthi uyalandela la zikhona ngizokweza i example e Goli, i BRT yase Goli i Reavaya. I Reavaya
15 ngicela niyo investigate ukuthi i owner wubani, hambani niyobheka ukuthi who owns Reavaya in Joburg I can tell you ukuthi kunamadoda aqhamuka le ko Bogota that own BRT, BRT is coming to take away our livelihood an an industry. La e Thekwini Sis Pinky, u Department of Transport has granted ama permits kuma bus athize asebenza ku
20 inner circle yala e Thekwini im making an example yama investigations okusafuneka niwenze. A grantiwe aya operator, ukuthi wobani bawathole kuphi ama permits akekho ozokutshela, 3 uma nikhuluma ngalomgwaqo that you talked about yesterday, from Big City ukuya le e Pinetown; ngimzwile nje umfo wase Ndiya eyithinta
25 ethi kukhona u partially affected no...uwakhulumile nje amagama

amakhulu aze aba mathathu angiwakhubuli awakhulumile, ekugcineni
kosuku we are affected thina as industry ukuthi it's going to be partial
or half what but iqiniso ke wukuthi ekugcineni kosuku as we speak e
Cape Town i BRT njengoba i exist ikhokhelwa ama tax payers, ngoba
5 yona its not generating any money abantu abasebenzi e South Africa.
In Maritzburg i BRT is being introduced ayenzi mali, e Goli ayenzi mali
e Cape Town ayenzi mali nibonile bayi reduce kuleli dolobha elingala,
ngikhohlwa igama lakhona, sebesebenzisa ama midbus kunokuthi
basebenzise ama bus amakhulu ngoba ayiyenzi i sense i BRT;
10 ayibuyisi imali ngoba inhloso enkulu yileyo but ekugcineni kosuku
thina ke njenge industry yonke le competition njengoba ngini unpack
ngithi le competition enikhuluma ngayo people that are benefitting
kangcono kakhulu kuyona yilaba aba subsidised by government, aba
well develope. Angifuni ngilokhu ngigxila kuyena kodwa nizwile
15 umbhemi elokhu enitshela ukuthi unama depo emalini ngemali yoku
subsidised yabakhokhi bentela. Minna as an operator ngiyamuzwa
ubaba u Mazibuko uma ekhuluma ukuthi ushanela lo eniwaziyo wala e
KZN kunalento okuthiwa wushanela mhlambe nina aniyazi, ukuqanjwa
kwayo ukuthi wushanela yingoba yayilethelwe ukuthi izoshanela
20 amatekisi iwaqede. Uthi umbuzo nje kuhulumeni wethu uma siku
competition imigwaqo esihamba kuyona i condusive yini ukuthi yenze
imoto ihlale iphila, ama pot holes e South Africa yinunu yethu, uma
uhamba nje emigwaqweni yala e South Africa ufica ama pot holes, i
pot hole iba ne impact engakanani ko side shaft emotweni ezi pringini,
25 ku suspension ema sittin emotweni i life span yaleyo moto

ibangakanani, bese lifika iphoyisa lithi imoto yakho ngiyayi suspender, subject to full test. Ukuphasisa imoto is difficult kufuneka uphilise abantwana kulemoto, kufuneka udle kulemoto, kufuneka wenze yonke into. So in short i competition le enikhuluma ngayo Commission yethu

5 siyacela ukuthi nala nivela khona go back to whoever sent you nimcele and make a plea ukuthi industry in KZN has made a plea to us as this Commission ukuthi they need to have plus, minus 3 days with the Commission with them alone so ngenxa yesikhathi, time constraints given to us we need to hint us bits and pieces as to what

10 challenges we have here but siyoyi unpacker ngalolo suku, last but not least sengihlala khona chairman u government wethu ngo 2001 wathi asizi formalise njenge industry wa introduce i structure esasiqamba sathi yi SANTACO, njengoba e introduce SANTACO

15 uzonaka ke sihlalo ukuthi u Nkomo wayesengena ku SANTACO kungani. Uma unaka u SANTACO uyawubona uno NTA phakathi nendawo loya NTA eniwubonayo yilo oyithina so we are well represented laphaya but the only mistake ne challenge esinayo eyenziwa in any government okhona ofisa ukufeza izinhloso zakhe; uye athi uma ethuma umuntu ubese emnika okungathi amasentshana

20 kancane ukuze athi noma ekhuluma angakwazi ukukhuluma kahle; so lesa sikhathi ku introduce inhlangothi yethu esasiyithanda sithi izosimela i SANTACO iphutha elenziwa wu government wethu wukuthi obaba bethu wathi ukubakhamisisa. Bagcina bengasakwazi ukukhuluma kahle kodwa njengoba bengakwazi ukukhuluma kahle

25 siyajabula ukuthi sesiyazama ukubuyisana nabo ukuthi sixoxe nabo

ngoba ngifuna ukuthi kucace lokuthi kungani bengakwazi ukukhuluma kahle. So ngesikhathi ku introduce inhlangothi yethi esasiyithanda sithi izosimela i SANTACO iphutha elenziwa wu government wethu wukuthi wathi o baba bethu ukubakhamisisa bagcina sebengasakwazi

5 ukukhuluma kahle, kodwa ke njengoba bengakwazi ukukhuluma kahle sesiyizama ukubuyisana nabo ukuthi sixoxe nabo ngoba ngifuna kucace kungaphumi la endlini ukuthi i Commission ifike ya recognicer u NTA kanti kukhona nenhlangothi e recognised by government which is SANTACO. We are all deemed to exist sikhona siyaphila so

10 ngizama ukuthi ke kafishane loyo mzimba u government waye wakhile ukuthi awusisize nawo kuthatha kube lukhuni uma nawo sowuthola ama funds avela ku government. Okungekho wrong ukusiza industry kona kodwa intention ka government akukona ukuthi sisizakale kulenhlangothi yethu ewu SANTACO wukusilimaza ukuthi nangeliye

15 ilanga singasakwazi ukusizakala. Ngiyabonga sihlalo sengehlela ngenzansi, leyo siyophinde siyi unpack ngeliye ilanga. Ngiyabonga.

CHAIRPERSON: Siyabonga Mr Nkomo

TRANSLATOR: Thank you very much chairperson, if you look at the BRT introduction which was at Ghallager Estate we were meant to

20 believe that it would ake our lives better and we were also made to believe that we had a right to decide as to whether we join in or not and we only get options as to whether we surrender and you get your money and you exit the industry, the business or else you join a venture that is uncertain as to whether it will work or not; nobody

25 really knows whether it will succeed or not so if you were to

investigate Reavaya in Johannesburg and try to find out who owns that business you will find that some guys all the way from Bogota or somewhere around that area and also in Cape Town the BRT there is not making any money it is paid for by the taxpayers and BRT has

5 proven that it doesn't make sense, it is a business that is there just to lose money. It's only benefiting subsidized operators and also if you look at the issue of Shanela the programme Shanela that was introduced and created initially just to deal with the taxis or the taxi industry and then also when you look at our roads are they conducive

10 enough for us to run our businesses, we are faced with potholes on every corner of the roads in South Africa which then it reduces the lifespan our vehicles and we end up not being able to support our children and having to pay money to service our cars and you get police that just write off your cars and having to register the vehicle is

15 quite costly as well. And then also when you look at the name SANTACO you realise that there is NTA there and that means we as the NTA as we are seated here it means that we are represented there in that structure that was created by government; and the problem was that when government created the structure it sort of

20 paid those who were supposed to represent us and it made them to be a bit biased when they had to talk on our behalf or negotiate and then it became a problem. We have a request that we sit with the Competition Commission, if we can have a meeting with them for 3 days just us alone as the taxi industry so that we can then be able to

unpack and divulge more into the issues that we face and the problems that we face amongst ourselves. That would help.

CHAIRPERSON: Ok, thank you. Mr Mazibuko if you can guide us who next is going to speak.

5 **KENNETH MAZIBUKO:** Ok, let's take the youth league first.

CHAIRPERSON: Thank you

MALE: Chaiperson sicela ukuthi akhulume ngesingisi lona ufundile vele yi youth entsha.

TRANSLATOR: We request that he speaks in English because he is
10 educated. So he must speak in English.

ANDREW NGIDI: Ukuhlonipha nje sihlalo ngizokwenza njalo.

TRANSLATOR: In respect chairperson I will act accordingly.

ANDREW NGIDI: We as leaders, I will speak as a young leader have a limited time and this time we have to use it very wisely and we need
15 to use this period to transform our industry into what we desire it to be. The taxi industry there is a very big misconception that the taxi industry is uneducated and it is run by hooligans and tsotsis but its an industry that has been around for decades and it has survived through the Apartheid era and it has survived through the ups and downs of
20 our democracy which hasn't been very perfect as we can see and a lot of things have happened, a lot of killings; I personally I am a child of the taxi industry if I can put it like that, I grew up in the taxi industry. My father was a taxi owner, my mother worked in the taxi rank and I grew up in the taxi industry. What the people perceive what the taxi
25 industry is and what the taxi industry really is two totally different

things, and now if I am going to speak about transformation in the taxi industry, in our industry government is not doing much to assist us in the transformation of the taxi industry. BRT is supposed to come as hope, to give us hope for a better future in the industry for both the operators and commuters but what is happening with the BRT is the opposite and is totally very different as we can see that we don't even come to a common ground with the government as taxi operators. So somewhere down the line when they concocted this BRT something went wrong, because we had the hope when we saw the infrastructure, that you know what we now going to wake up in the morning feeling strong that we have something that belongs to us and something that is transformation but only to find that when we go and sit in these meetings; we find that this thing is not transformation for the taxi industry. It is transformation yes but transformation for other pockets and not for our pockets, maybe its going to change with the intervention of the Commission but at the moment there is no future for the taxi industry as it stands. Maybe its going to change, I don't know, lack of transformation in public transport is reflective of the lack of transformation of the South African society racially and economic classes. In the value chain ownership, the supplier remains white a d rich and the consumer remains black and poor. Reflecting the lack of transformation necessary for economic transformation; again in the taxi industry the vehicles that you see 2018, 2017, 2016 Toyota Quantums that they want us to have on the roads they don't belong to the taxi owners; they belong to the banks and we pay the banks to run

those vehicles for them; we only make money, the money that we make is the money that the people pay as fares. In the value chain of the taxi industry we don't make money on the actual taxi, we don't make money, the only money that we make is the money that we receive so

5 really the people that make the money, make a profit are the people that own the vehicles; that's not the taxi industry 70% of the vehicles or maybe more is not owned us because government wants us to have brand new vehicles and you go outside people can talk about the high aces that we have on the roads but out of a 1000 taxis you find

10 that only 50 are high aces and the media is only going to focus on the high aces, the bad seats and the bad suspensions, the broken windows but not focus on the other 950 taxis that are in a good condition; they are going to focus on the 50 drivers that are reckless on the road but not focus on the 950 that are putting on the seat belts

15 and are driving properly on the roads. If that was the case this industry was run by hooligans you won't get more than 70% of the commuters using taxis. They could use the buses because it's cheaper, it's subsidised, they would use the trains because they are cheaper and subsidised but they'd rather use the taxis because the

20 taxis give a better service. We give a better service because we have what we call ubuntu, you see we are 100% black so we have that, I don't know maybe the Whites and the Indians also have a word for that. But us as Blacks we call it ubuntu and these are our people that use our taxis so siyakwazi ukucabangela omunye umuntu as the taxi

25 industry hence the people will give us their support and they do use

the other modes of transport as you can see the stats but even if they take a train to work and come back but on the weekends they use the taxi it's not that they are committed to the train or the buses. So this means that this industry is doing something right; we are doing something right as the taxi industry so we need government to assist us in the transformation of our industry. The amount of money that is being put on subsidies for the other modes of transport, if that money could just be used in the taxi industry to train our operators and to train our drivers into transforming the industry because we have been running this industry for decades and we do have the capability of transforming the industry and making it better, but otherwise there won't be any taxis on the roads; we have seen with the recap the government offered us money to take our taxis and crush them but they did do that with the Siyayas and the Super Ts but we got the Quantums, they came in with the 15 seaters, they came with this Quantum that was that amount as you know now that a Quantum is going up to half a million Rands; we still are buying taxis that put sunroofs they have to be high roof, they had to be this and that but we still buying them an commuting our passengers so we are very much dedicated to the services that we provide. I don't know the government does not see that; I don't know maybe the Commission can put that through that even a small child can that when you step out your door there is a taxi, there wont be a train or a bus but there is going to be a taxi, its going to take you home, at whatever time its goig to take you home; whether it's one person or 2 people or its a full

load they going to take you home. Maybe it says 15 seater and then you the last person on the stand but it's going to squeeze you in and its goig to take you home. We are the taxi industry and that's what we do, and we committed to what we do; we need that assistance from
5 government especially here in KZN this business is our all unlike BRT its all family run businesses; if it's Mazibuko taxis; Mazibuko is going to run the taxis, his wife is gonna run it and his sons are going to run it, its a family business all the taxis that you see on the road if you see them there are stickers there it has a surname, it has a family name;
10 they have got writings all over the taxi, most of the taxis you see them with surnames and writings because that's how the industry is its very connected but the BRT is not like that its something else, maybe if they can change it around. But as it stands now let me tell you, what it is right now it's not going to work like that. Maybe because BRT has
15 got taxpayers money and is has got the right finances and maybe we as the taxi industry we don't but as it stands the way that it is not going to work, you can't pay people to ride those buses, you know what I'm saying so the people need to pay to ride those buses. People rather go to take the taxi instead of that bus, because this thing of
20 BRT is not transformation if we going to kill each other. If on that route of the BRT like we were speaking yesterday that we going to be bought out or take a decision whether you coming in as an individual but what's going to happen to your drivers, your car washers and your taxis; they going to go look for work, they going to continue in the
25 same industry; they are going to go to another association and what's

going to happen if there is too many there. The taxi industry has a way of eliminating people so when you become too much we eliminate you and its not a very nice method to eliminate, we going to have people being eliminated in those associations because these people

5 had vans, they are paying for them or either paid up so now I have to use it what am I going to do with that taxi then I need to take it to Mr Mazibuko's association and Mazibuko says we are full, then we will see Mr Mazibuko the next day, the next day again Mr Mazibuko says we are full then you hear that Mr Mazibuko was parked somewhere

10 and he was gunned down. Then again I'm gonna come back and say here are my 4 taxis again, are you still gonna say you are full, you don't have a gap for my taxis, no you can't do that you gonna put my 4 taxis and so on. So the BRT is not going to help, what are we gona do to all those taxis that BRT is gonna be running out? So it's going to

15 cause more headaches to us as the taxi industry because we gonna continue killig each other but I think the BRT system like it came in as our Jesus, our Saviour, like the 2010 world cup, where everybody thought this is great we all going to benefit and like the BRT if it comes like that in a way that involves everyone not only the few taxi

20 owners and operators, everyone all operators because at the end of the day when the operators say no they say no; if they say that route we gonna close it we going to close it no bus is going to run there, it's going to be closed and there is no need for that, I think we need to do it the right way. So I think the Commission if you can assist us in that

25 way because we as the youth it's our future, we don't want the taxi

industry no there is BRT there is no more taxis, what are we going to eat, that's our future and that's how we were brought up, that's how we going to stick unless government teaches us otherwise and we see that a method that's being viable and yes maybe the future of the taxi industry we can do that, we can take that mode but if not then our fathers are also saying no its not the right way, we all not going to deal with it because we are the future of the taxi industry and we not going anywhere, we are here to stay; the taxi industry is here to stay. Unless they come and give us a better way to commute our people, yes maybe but if they are not going to comute our people in a better way and give them a better service that we are giving them right now it's not gonna happen we are here to stay. Thank you very much.

CHAIRPERSON: Thank you, thank you very much Mr Ngindi. Mr Mazibuko

15 **KENNETH MAZIBUKO:** Kuzolandela u Zomusa Masinga the Chairlady of women's league.

TRANSLATOR: The women's league, the chairperson will now proceed.

ZOMUSA MASINGA: Ngiyabonga kakhulu. Ngicela ukuqale ngincome ukuthi thina bantu besifazane sifike e business ngokubulawa kwabakhwenyana bethu bese ke ngincoma ukuthi uma sifika akubanga lula but basamkelile o baba sangena embonini basichushisa ukuthi sizokwenza kanjani, bekulukhuni ke ngoba uma ufika ubaba kade enamatekisi awu 5, asu 3 ubewakhanda, awu 2 abemasha engakhandwa, mina angikwazi ukukhanda. Angikwazi

ukwenza lutho so manje sekufanele ukuthi lamatekisi awu 3
akhandwayo ngibone ukuthi azokwenziwa njani ngisale na 2,
nginezingane ezise University mhlambe ziwu 3 ezilandelanayo
ezifundayo ngalemali yetekisi. So angibonge ko baba ukuthi
5 bayasamkela sinjalo kunjalo basichushisa ukuthi sizokwenza
kanjani ukuthi i business lomyeni wami liqhubeke.

TRANSLATOR: For starters I wish to start by expressing our sincere
gratitude we as the females or as the wives or as the widowers
because the taxis that we now own or that we inherited, they were run
10 by our husbands who are now late. And i wish to commend the people
that are in charge in the taxi industry because they welcomed us with
warm hands so that we can then be able to survive, I would cite an
example that we have 5 taxis out of the 5 taxis we have 3 of them that
need to be fixed only 2 are in operation or they are very new and we
15 still have to survive, we still need to feed our children we need to
educate our children and then what are we going to do and then we as
females or as women we are unable to do mechanics to fix our taxis
by ourselves so hence i say we wish to express our sincere gratitude
that we were welcomed in this industry when our husbands were
20 killed.

ZOMUSA MASINGA: Itekisi lami londla abantu abawu 5 ngosuku
okusho ukuthi ngiyamlekelela u government ngempilo ngoba lapha e
rank kukhona umama odayisayo ophekayo bese kuba khona
umshayeli osebenza kimina bese kuba khona u rank manager
25 oholelwa yimina, bese kuba khona u car wash oholelwa yimina bese

kuba khona u sicabha kusho ukuthi abantu abawu 5 engilekelela ngabo uhulumeni zonke izinsuku ngemali yakwami.

TRANSLATOR: In this regard I would say that I am responsible for 5 people and I am helping the government in building the economy of this country because I have 5 people in my employ, the one is the woman who cooks or prepares food for the people, the other one is the driver, the other one is the taxi rank manager, the other one washes the cars, and the other one is the door man and with those 5 people we are contributing towards the economy of this country and we are helping the government.

ZOMUSA MASINGA: Ngalawo mazwi kusho ukuthi ngabe sisebenzisana kahle nohulumeni, kufanele ukuthi ngabe uyasiyalekelela embonini. At least ke mhlambe kube uthi baba u Mazibuko sicela ukulekelela o mama mhlammbe nina ngoba ningamadoda nizolandela kodwa akwenzeki lokho.

TRANSLATOR: Then if our government approaches Mr Mazibuko and say to Mr Mazibuko help us because we are not getting any help. So the government needs to help us.

ZOMUSA MASINGA: So abazukulu bami ke nezingane zami azimthandi uhulumeni ngoba uhulumeni goba uhulumeni wathatha imoto ka mkhwenyana wami eyayi nama seat awu 15 wayikhipha le seat eyodwa, ayikho wehlisa isibalo. Kodwa imoto isabiza u half a million nanamhlanje, ayehli imoto, u petrol awehli kunokuthi wehle uyenyuka. Isibalo kodwa semoto yakwami ayikho nje i seat ela phambili, ayikho nje kukhona isikhala, akwenzeki lutho futhi

kulesikhala, u government akahlalanga nathi phansi wasibuza ukuthi sizokwenza kanjani mhlambe le seat imthunukaphi, angazi yayi mthunukaphi ngoba akagibeli. Kodwa ayikho le seat, ngingamisa manje i Quantuma mphathi ayikho le seat, akahlalanga nathi phansi
5 wwasibuza ukuthi sense njani sicela ukuyikhipha le seat noma senze njani uyayidavuzela nje la embonini yabakhwenyana bethu, yingakho ke thina izingane zethu azimthandi, usedlulisele loyo myalezo, azimthandi uhulumeni ngenxa yalokho, siyomthanda mhla wasebenzisana nathi wasilekelela.

10 **TRANSLATOR:** Please convey this message to the government because as we speak my children do not like the government, because what has happened is that one of the seats of our taxi was removed and the government didn't even care or even have the decency to approach us and enter into negotiations or discuss with us
15 as whether to take out the seat or not take it out. As a result my children don't like the government because it didn't bother to come and approach us and ask if we must keep this seat or what and as a result they don't like the government so now we are pleading with you that you convey this message to the government that let them come
20 into negotiations and discuss with us they just do as they wish, as they please in our late husband's cars.

ZOMUSA MASINGA: Okungiphatha kabi kakhulu ke wukuthi uke wasisho u baba u Nkomo lesilwane okuthiwa wu shanela, amaphoyisa afaka izinto ezi brown, yinunu. Lamaphoyisa ukuqala kwawo ukuba
25 khona embonini sasazi ukuthi thina azolekelela uma kuliwa ko

association abizwa wo chairman but namhlanje amisa izimoto zethu, abophe o driver bethu, anginazo mhlambe mina izincwadi zokushayela sometimes, angizuku khulumela mina ngedwa. U driver wami uzoboshwa ahambe ayofakwa e Westville, aboshwe
5 nezigelekeqe ongakaze uzibone ewu driver 1, 2 imoto yakwammi izohamba iyo impoundwa uma sengiyoyikhipha ngizoyikhipha ngemali ebovu, engingenayo ngiwu mfelokazi. Hhayi ukuthi siyahlukuyezwa kulemboni thina singo mama mhlambe no baba, angiyazi imboni ezondwa kangaka wu government mina ukuthi kwakwenzenjani.
10 Governmet sinithuthela abantu benu njengoba bazo sebenza Ethekwini, yini nisizonde kangaka kule mboni. Siyacela bandla ukusizwa sisebenzisane nani kahle, uyazi ukuthini lento ekade ishiwo, i bus idlula itshekile ithe namhlanje, mina ke ave ngi experience, uthe nje uma ekhuluma lo baba okade ekhuluma la izolo; ekuseni ngathi
15 mntanami asihambi ngamoto sigibela i bus. Sagibela i bus lakwa metro lalo baba okade ekhuluma la izolo u Maharaj, ngibuze ukuthi besibangaki e busini, besiyisipatolo, kuma 3 e passage. Bengifuna uku experiencer and alikho ngisho nelilodwa iphoyisa elisimisile size safika la Ethekwini sehla seza la e ICC. Abamiswa ngoba bakama
20 kahle bona futhi bano ching-ching thina esingenawo.

TRANSLATOR: Initially what we thought as Mr Nkomo indicated you know that there is this monster or beast called shanela, police wearing the brown uniform. We thought that these people are coming to help hand inn hand with us on the contrary we find that this was not the
25 case. What happens is that my driver would be taken away and be

imprisoned together with criminals, and then my taxi will be impounded and as a result how do I survive, how do I then feed my children and as a result we hate these people, we cant even look at them. Yesterday or even this morning it was cited about the buses, that they use, Mr Maharaj spoke about the buses and this morning I decided that we not going to use our car we are going to take the bus ad guess what the bus that we took was sort of like crocket and there were about 3 or 4 of us standing there and it was so crowded and not even a single policeman stopped us due to the fact that the condition of that bus was not good. But we even arrived here at the ICC and not even 1 policeman did anything in that regard.

ZOMUSA MASINGA: Ok okukodwa engithanda ukukubalula kulukhuni ukuthenga itekisi njengoba iwu half a million uwumfelokazi ngoba uyondla abantwana, uyafundisa wenza yonke into. And o association beme ngenhla bacela imoto entsha, ayifuneki imoto endala, ok angihambe ke ngiyongqogqoza e bank, asi bank ke thina ngifuna nikwazi loko zithandwa zami, mina imali ka mkhwenyana wami ngifuna ukuyibona ikhona nje endlini ngiyifake phansi kuka mattress ngiphinde ngiyikhiphe ngiyibale. So uma uthi uyafika e bank lama bank awu 4 niyawazi, uma uthi uyafika e bank ukhulunyiswa no baba omhlophe uma usizwa yintombazane ithi kungaphezu kwamannlda ami mama, ufuna ukuthenga itekisi kunzima dlulela laphaya. Uma uthi uyafika ku baba omhlophe athi awu qualify, wu bank manager ke loyo. Then awusakwazi maje ukuthenga imoto, usuyoze uhambe uyoziphonsa lapho ufike uthenge imoto khona ngemali engaka,

uyikhokhele i instalment, ngicela nibuze ubuhlungu esibuzwayo. Instalment ye R16 000, ngiwuthathaphi u R16 000 ngiwu mfelokazi ibe yenza R12 or R11 000, ngizoyintshontsha kuphi lemali mina.

TRANSLATOR: What you need to know is that the taxis are
5 expensive, the taxi that I own costs about half a million. And let me be frank with you I do not send my money to the bank, 4 big banks, you go there find a lady; you speak with that lady trying to get some funds and that lady would refer you to another person who is white, this person who is the bank manager will just tell you that you do not
10 qualify and there you would be told that the repayment of that loan you want to take in order buy the car or taxi is about R16 000. But what I make is about R11 000, where must I get the other one, must I go and steal the balance in order to make the R16 000 as required by the bank?

15 **ZOMUSA MASINGA:** Okunye ke okusiphatha kabi ama permit asinawo ngoba uthi uma uya lapha e Maritzburg uthi uyovuselela noma uyobheka i permit ka mkhwenyana wakho noma uphetha izingcukaca zika mkhwenyana wakho; awukaze uhlupheke kanje e Maritzburg uma uthi uyokhuluma nje indaba yemoto, lishone ilanga
20 ubuye. Angazi yasuselwani ibhodi mina la Ethekwini ithathwe iyobekwa e Maritzburg ngizogibela ngamalini ngiye e Maritzburg ngiphinde ngidle malini, lishone ilanga ngibuye ngingaphethe lutho. Seloku ngayi applayela i permit kuze kube kunamhlannje, ayikaze ibuye and akunakiwe, ngisho ukuzobheka ukuthi kuhamba kanjani.
25 Nenze njani la, ni survivor kanjani. Cha siyabonga nje ukuthi nifike

nizozwa izikhalo zethu, lapha e Maritzburg ke bazihudulela izinyao ke osisi abasebenza khona, bakubuka phansi bakubuke phezulu wena uma uzocela usizo nje. Ubukwe njenge sithithithi sika mama ongazi lutho angeke usho ukuthi ungu somabhizinisi, uze uzikhohlwe nokuthi 5 uwu somabhizinisi ngendlela abakubukela phansi ngayo. Leza zingane ngathi zifundziwe wu government ukuthi uma kuza labantu bamatekisi ningabasizi and asisizwa. So ngiyacela ukuthi Commission nizibheke lezinto ngoba yizona ezisiphatha kabi and zenza i anger ezinganeni zethu kanti ziyakhula kusafanele ziyibambe lemboni 10 iqhubekele phambili. Sengiqeda ekugcineni ngicela ukuthi ngisho ukuthi siyathanda ukusebenzisana namaphoyisa ikakhulukazi lawa akamasipala esinawo la Ethekwini but awungathi umasipala uma u out of budget ubusucabanga thina njengama tekisi. Uma usuyidlile imali, bangecebeleka, bangecebeleka, bavakasha kuphi nakuphi, bese 15 ucabanga itekisi. Ngicela ukusukuma, iphoyisa lima la ama lane awu 4 likhombe itekisi ile, mfana wami sekufanele u driver wami azame ukuza la kukhona iphoyisa uzogwaza ngemali yezingane zami. Saze sahlupheka, siyacela ukuthi u government namaphoyisa sisebenzisane kamnandi ngoba siyathanda ukuthutha umphakathi 20 wakithi and leli business lethu labantu abamnyama njengoba nathi sesingenile basi welcome. Uma ningayosi checker amasondo ethu masha, sidlala izitokfela nje o baba u Mazibuko basihlakaniphisile, sidlala izitokfela zokuthengisana amathayi; asinawo amasondo amadala thina ngoba siyazi ukuthi isondo liyabophisa, 2 asinazo 25 manje izimoto ezindala o mama kodwa okwenziwa wu hulumeni ke,

kukhona ingozi evele nhgolwesibili, ngifuna ukunitshela, u baba osebenza ngaphansi kuka baba u Mazibuko ku association wase Nanda uthengele abafelokazi izimoto eziwu 10 wathi nghiyanyivusa, umfelokazi, nomfelokazi wathola ikhumbi. Sasikikiza ngendlela
5 esasijabule ngayo akabhekanga ukuthi umkhwenyana wakho wayenalo itekisi noma wayenjani bekuthi nje siyakwazi ukhona la emabhukwini wasivusa savuka, sithe sesivukile kunjalo imoto yehla la eMngeni iyehlela indawo kanje, u driver ujahlele ukuhambisa abasebenzi hayi ukuthi ugijimma kakhulu, uma ethi nje kwavuleka
10 istamkoko wayibamba umfana, wayibamba umfana yaze yayoshayeka ku jantji wesitimela imoto yabulala abantu abawu 2. Angeke kushiwo lutho ngo hulumeni nomgwaqo into ezobhalwa ku Isolezwe wukuthi itekisi ibulele abantu ababili e Nanda. Bakwethu sicela nisiphathe kahle ngoba nathi siyamlekelela u government. Ngiyabonga.

15 **CHAIRPERSON:** Siyabonga Ms Masinga.

TRANSLATOR: What we request is assistance with the permits; I'm not sure why the office was moved from here in Durban, it is now in Pietermaritzburg. When you go to Pietermaritzburg to get those permits you will spend the whole day there and come back to Durban
20 without having obtained that licence rather that permit. And you find that the ladies that are working there are just on a go slow or just dragging their feet and they undermine us and the way they look at you we even forget that we are business people, so the way they undermine us, the way they degrade us they make us feel so small
25 and so inferior and it is so expensive to commute from here to

Maritzburg and be undermined by such a person who make you so little and belittle you so that you don't feel like a business person. Another thing that we need to be assisted with, is that Mr Mazibuko did a good deed and bought 10 taxis 2 for the widows and didn't ask
5 whether you need it or not but he was just coming to our rescue and i saying tha I want to revive this industry and I want to help and to assist you and what has happened there by Umngeni, there was a driver comig down the road and just the bottom there in the drain and it hit there and 2 people were killed and Isolezwe's focus was never
10 on the condition of the road or anywhere else, the focus was on the taxi people, on the taxi driver and that the taxi driver or our children; my driver tried to rescue the situation but unfortunately 2 people then died. So we really do want to work hand in hand, the tyres are expensive but the condition of the road is not being considered in this
15 regard. So as I then conclude, when the government is out of budget please we request let them look elsewhere, they musn't come to us because what they want to do is when they are out of budget and they need money; ok there is a taxi industry let us go there we will get money. So what will happen I want to illustrate by standing up; you
20 know what is happening is that the driver is on this lane and the police will just leave all the other cars in the other lanes and just point at the taxi that is on the extreme lane and then the driver will have to then stop and try to then oblidge so that he can stop so that the policeman can communicate with him and also then what will happen is that
25 obviously the driver then will bribe, what money is he using in that

bribery? That is the money for our children, so please help us in this regard.

CHAIRPERSON: Mr Mazibuko

KENNETH MAZIBUKO: Ake ngibonge wesihlalo, ukhona owokugcina.

5 Ake ngilungise la we dadewethu, la Isizulu labafowethu abakhona la
endlini either abamhlophe or amanndiya kwakufanele basifunde nabo
Isizulu ngani ngoba manje udadewethu ebeqonde ukuthi la u baba u
Mazibuko ngalekelela ekutheni sidlale izitokfela ukuze bezokwazi
ukuthi bathenge amathayi so u association wase Inanda ongaphansi
10 kwami and we sat down no association ukuzovusa abafelokazi
ekutheni abafelokazi bathengelwe izimoto eziwu 10. So engifisa
ukudlula futhi ngikulekelele dadewethu ngikusho ukuthi sine problem
enkulu uma sikhuluma ngezitifiketi nama permit lawa. Uyabona
uhulumeni uvele nje athi uyayivala i route, sithenge izimoto, uma
15 uyothenga imoto kufuneka i permit uma eseyivala i route uthole ukuthi
lemoto ikhokha u R16 000 ayivale nje e Ladysmith wayivala u 6
months waphinde wa add omunye u 6 months. Okusho ukuthi uma
uzobala u R16 000 times 12 yimalini okufanele uyikhokhele leya moto
ingasebenzi. Uma singaphuma la siye ngale kulendawo ngase
20 Phoenix ungaze ucabange ukuthi azikho izimoto ezisebenzayo
ngendlela ezidliwe ngayo izimoto zabafowethu bamatekisi. Ngayo
lento yokuthi uhulumeni lama operating licence wenza into
ayithandayo ngesikhathi asithandayo ngawo. Uma ethi uyayivala
namuhla uyayi suspender le route uvele ayi suspend engabe esasho
25 ukuthi lezimoto enazithenga ngalama permit zizokwenza njani,

zizokhokhelelwa ngani. Bengithi angilungise lapho dadewethu hhayi kabi. Ngiyabonga sihlalo, ozongena wu Doncabe ngaphansi kwe Qina Mshayeli inhlango yabashayeli esisebenzisana nayo ngakho ukuthi sifuna ukuthi sizame ukuthi siyishintshe i industry ibe ngalendlela
5 wonke umuntu azoyithanda ngayo. U Doncabe usihlalo ka Qina Mshayeli.

CHAIRPERSON: Before Mr Doncabe we need the translation of what Mr Mazibuko just said.

TRANSLATOR: Mr Mazibuko started off by saying that the people that
10 are in this room that do not understand Isizulu also need to learn the language that is first. So what I want to reiterate what y lady here was saying is that we were trying to help because we started a stokvel so that we can assist and revive those taxis or assist that people in the industry by playing the stokvel because if the instalment of that taxi is
15 about R16 000 and then the taxi is impounded or the permit or the route is closed then you have for about a period of 6 months, so you wait for that and another 6 months is added, so now it becomes 12 months and you need to repay; there is no route, there is no licence or permit so how do we then repay that R16 000 times 12 months and
20 you are not in operation. How do you then deal with that, it has a knock on effect and also the issue of the operating licence it has a knock on effect in our livelihood and also on how we repay the R16 000. The next person that will speak here next to me is Mr Doncabe.

CLEMENT DONCABE: Nginibingele okwesibili, wu Clement Doncabe lo osebenza phansi kwenhlangano yabashayeli eyayi wu SATWO yagcina seyaziwa kakhulu ngo Qina Mshayeli. U Qina Mshayeli yinhlangano esayikhanda ngo 2012 ngezinkinga esasinazo ku taxi industry sine concern yokuthi yini esingayenza ukuthi sibe yingxenyek 5 yokuthi kube ne transformation noma kube noguquko ku taxi industry ngoba zonke izinkinga ezikhona ku taxi industry yithina esithintekayo kuzona. Yithina esiku driving seat yezinkinga ze taxi industry, yonke lento echazwayo ngezinkinga ze taxi industry yithina esihleli e steeringini sazo lezo zonkinga. So siqalile ngo 2012 as i SATWO, 10 South African Taxi Workers Organization eyayihlelelwe ukukhuluma endaweni yabashayeli eyayiqale ngesihlukwana ngoba yayiqale nge march nakhona singa march ngoba sithanda kodwa simashiswa yizinkinga esasi hlangabezana nazo ezazikhandwe wu 2010 ; u 2010 15 ngalesikhathi befuna ukuletha i world cup idolobha lasuke la focus kakhulu ematekisini ukuthi ancishiswe; amatekisi ukuthi abe se Thekwini so sasiboshwa wonke amacala la sihamba khona. So uma siboshwa ngesikhathi belwisa ukuthi ama taxi ancishiswe emgwaqeni ukuthi la ema khona eboshwa kwakusuke kuhlukumezeka thina 20 singabashayeli bawo lawo matekisi. Sazama ke ukuxhumana nabaphathi bomkhandlu nabaphathi baka transport, nabaqashi bethu. Sasiba nezingxoxo ezaziba khona emuva kwaleyo march ezazinga lead ekutheni mhlambe kunciphe izinkinga, zancipha izinkinga kodwa ke kokunye njengoba eke washo u mama la unobhala womama ukuthi 25 ukuncishiswa kwezinkinga kugcina kuncipha imali emkhandlwini

ngoba ama taxi ahlala anemali. So since from 2012 sizame kakhulu ukusebenzisana neziphathimandla nomkhandlu we Theku, no transport. Inkinga esasiba nayo kakhulu kodwa yiyona le yabasiqashile. Uhulumeni wanikeza amandla la embonini inhlango ekuthiwa wu SANTACO ukuthi kube yiyona ekhuluma izinto ze transport, yiyona elibazise kakhulu izinto zembali ngoba i plan esasinayo yokuthi sisizakale nokuthi kusizakale abantu esibathuthayo abakwa SANTACO babengafuni nokuyizwa indaba yokukhulumisana nathi, bebekutshela kahle ukuthi abayingeni indaba kamshayeli bona.

10 Ayikho into abazoyikhuluma nomshayeli.

TRANSLATOR: Greetings Chairperson, panel and the house; my name is Clement Doncabe I come from the organisation which is now known as Qina Mshayeli, it used to be known as SATWO, we were established in the year 2012 and that was because of the problems that we had in the industry as you would know that all the issues that are being discussed here affect us directly and we are on the drivers seat of those problems; they come straight to us. The organisation was called SATWO and it was meant to address problems of the drivers, especially those that were caused by the 2010 issue where we were in conflict with the Metro and the departments that were involved with trying to reduce the number of taxis on the streets and then we obviously were dealing with the police when we had to drop off or pick up and they would be that conflict. And also from 2012 we were tryig very hard to work with the municipality and the respective departments that are involved and one other problem that we have

was when the government developed SANTACO and gave that organisation powers to deal with the issues of the industry. That caused a lot of problems because we already had our plan and when we tried to pitch our plan to SANTACO they didn't want to hear anything and they actually said that there is nothing that they will listen to that is coming from the drivers because of the other issues that they saw as more important than what we had to say to them.

CLEMENT DONCABE: So inkinga yethu enkulu kumanje eyokuthi since industry ingekho subsidised ingekho formalised like all other modes of transport uma silalela la siyathola ukuthi kunemali eningi eya kubantu aba operator ama bus, izitimela uke wachaza omunye ubaba wakwa rail; u subsidised u rail, ama bus namabhanoyi a subsidised inkinga wukuthi bonke labantu abathola le subsidy ephuma kuhulumeni wethu ophethwe abantu abamnyama; le subsidy is subsidise abantu abayi minority because ama bus uma kukhulunywa ngokuthuthwa kwabantu, ama taxi kade kusho u chairman endlala la izolo ethi ama taxi athutha more than 70% we population yase South Africa of which it means aku leading role ye public transport ama taxi kodwa awekho subsidised okuwukuthi o Commissioner maybe bangasiphenyela ukuthi if kunemali ekwazi uku subsidise abantu abayi minority noma aba transpoter i minority yabantu kodwa at the same time abantu abathutha i majority yabantu bengekho subsidised, iyaphi lemali afenele ngabe i subsidise la abantu aba leadayo kuthiwa ayikho imali yokuba subsidise kodwa kube nemali yoku subsidise minority. So ke ku Commission iyonke ngingathanda nje ukuthi

kutholakale uphenyo lapho, siphinde siyithole incazelo yokuthi imali
leye subsidy engabe i subsidise ama taxi; taxi industry iyaphi. So
mina njengo driver ku taxi industry osenemiyaka esebenza ku industry
yiyona into eyi concern yami kakhulu leyo ngoba ukuze ngikwazi
5 ukuthi ngithole ilungelo lami njengo mshayeli u baas wami ukhala
ngokuthi angikwazi ukukunikeza ilungelo ngoba mina anginalo
ilungelo ngoba uhulumeni akakanginikezi ilungelo so ku department of
transport straight nohulumeni okuwuyena olawula indaba yokuthuthwa
kwabantu e South Africa; abantu abathuthwayo akusibona
10 abamatekisi abantu; abantu bakahulumeni abantu. Njengoba ekwazi
uku subsidise ama bus e subsidise amabhanoyi, a bail out ama bhanoyi
genqwaba yemali yonke iminyaka, imali ibe idliwa. Kufanele ukuthi
ngabe kunemali la eza ema tekisini, iyaphi and thina sosizakala
kanjani ngoba u taxi driver unezidingo ezifanayo no bus driver no train
15 driver. So ngicabanga ukuthi isikole uma kuthiwa kuyafundwa asikho
isikole sezingane zo taxi driver, angikaze ngibone isikole kuthiwa la
kufunda izingane zo taxi driver ngoba akufuneki baqashwe so since
kungekho into e provide separately for taxi driver ngicela ukuthi
sithole amalungelo afanayo. This is an appeal to our government
20 okuwukuthi njengoba i taxi industry imthuthela abantu from A to B
bathole into efanayo nalaba bama bus nalaba bezitimela.

TRANSLATOR: Our main problem is that our industry is an informal
industry that is one of the problems we have and also we know that
subsidies are given to buses or bus operators and the rail and also
25 aviation but not to us as black people and we are also in the forefront

of the business of transporting people and yet we are not subsidised. Now here does the money that is supposed to come to us or to our industry; where does it go? And also to the department of transport and government, the people we are transporting belong to you and therefore instead of taking the money and subsidising certain forms of transport you should also be subsidising us as an industry that is transporting the majority of the people in the country.

CLEMENT DONCABE: Uma kunenkinga because asikaze sithole ukuthi inkinga kukuphi sicela ukuthi u government ehlangene no department of transport lo obhekene nokukhipha amagunya okusebenza kwe transport e South Africa aveze indlela ukuthi yini efanele ilandelwe abantu be taxi industry ukuze kutholakale ushintsho ematekisini because uma ngabe kuthiwa u government akayifaki imali ematekisini ngoba kunenkinga, asiyazi inkinga. Thina sibona sifanele ukuba namalungelo njengabo bonke abantu; we appeal to our government to make a way for the taxi industry to comply whatever way, they must pave a way for the taxi industry to comply and to help to change the lives of the people in South Africa because bonke labantu abashayela amatekisi, uma kukhulunywa ngama taxi la Ethekwini nje, i Thekwini KwaZulu-Natal ngicabanga ukuthi kuna 270 associations. Uma kukhulunywa ngo 270 associations maybe u association umunye una 500 taxis, 5, 300 , 800 taxis abanye bana 1000 taxis so uma kukhulunywa ngabantu abaningi kangako abaxhaphazekayo kusho ukuthi labo bantu labo uma ngokwezibalo ngabantu abaxhashazwa wu hulumeni labo. Ngoba uma sikhuluma

ngomuntu o driver i taxi umuntu osebenza e taxini ubalwa njengo muntu ongasebenzi, ubalwa kumuntu o unemployed. So uhulumeni uma kukhulunywa nge unemployment rate njengoba kuthiwa i high ibalwa ko 50% its because kubalwa nami engivuka zonke izinsuku
5 ngiyosebenza kodwa ngingabhalwa ndawo ukuthi ngiyasebenza. Ngisebenza ukusuka ku 16 hours a day but ngibalwa njengomuntu ongasebenzi kodwa ngisebenza 16 hours a day. So i taxi industry siyamcela uhulumeni egameni nje labashayeli ukuthi angenelele ngokushesha uku pave indlela yokuthi yini okufuneka yenziwe ukuthi
10 kusizakale i taxi industry ikwazi ukuthi ithole i subsidy ikwazi ukunakekela i social welfare yabantu abangaka la e South Africa, njengoba ebekade ebala nje uma ebala o car wash, ebala o driver, sliding door operator. So i taxi industry yondla abantu abaningi kakhulu e South Africa.

15 **TRANSLATOR:** All the taxi drivers in Durban, Durban alone has about 270 associations; each has about 500, 300 to a 1000 taxis and all those drivers are considered unemployed so when the statistics come that so much numbers are unemployed people its because they are also including us as taxi drivers but we do about 16 hours a day.
20 Everyday we go to work like everybody else but still considered unemployed. So the government must pave a way for us and they must also tell us an industry as to what are the issues or what is stopping the government from developing or transforming our industry and if its a compliance issue then the government must tell us that we

need to comply with A,B,C,D so that we are then able to work together with them to achieve the transformation that we seek.

CLEMENT DONCABE: Ngingena kulolu daba lwe BRT la Ethekwini kuthiwa yi IRBTN, i IRBTN ngendlela ezifike ngayo izikhulu
5 zomkhandlu zasichazela ngayo besibona iyi hope ezoshintsha izimpilo zabashayeli ngoba bathi uma bechaza bathi kukhona abazongena kuyonam, abasele futhi kuyobe sekuba nohlelo lokuthi basizakala kanjani. So sicabanga ukuthi this IRBTN izokwazi ukusiza as long as izokwazi ukuthi iyiswe kuyena wonke umuntu ngendlela e right
10 kungabi yinto ezo focus kuma few individuals noma labo abahleli ezikhundleni ngoba kuyimanje njengoba sithola ukuthi uma kunezinkinga la ku industry kunabantu obonayo ukuthi uma ukhuluma ngezinkinga ku industry abathinteki kuzona ngoba mhlambe kukhona abakuthola kuhulumeni so uhulumeni makungabi owabantu
15 abambalwa akube owabantu bonke. Uma kukhulunywa ngento ezosiza akube wukuthi ithinta abantu bonke. Uma like kukhulunywa ngalento yo C3 kuthinteki u association, abantu bonke balezo zindawo ezithintekayo; bonke labo bantu akukhulunywe ukuthi bazosizakala kanjani kungakhulunywa ngama operators kuphela
20 kukhulunywe from ama operator ukuza kuba shayeli. Because angeke ungitshela ukuthi uzokhipha into ezo compensator i operator kodwa imoto ikade ingashishilizi ibikade ino driver. Ningakhulumi ngo driver because uma kukhulunywa nge compensation kufuneka kukhulunywe kusukela ku operator ukuza ku driver, kumuntu nje ohlangana nalelo
25 tekisi. So ngicabanga ukuthi umkhandlu esisebenza nawo uzokwazi

ukuthi uyicacise yonke leyonto ngoba umkhandlu was eThekwini wumkhandlu osebenzisanayo nabantu. Sicele nje nakweminye iminyango ikakhulukazi umnyango ka transport ukuthi ukazi ukuthi ulalele izikhalo zabashayeli because inkinga esinayo kwawona u transport njengoba siku Commission ye transport uma sikhuluma no transport ukutshela ngo SANTACO. U SANTACO uma ukhuluma naye athi akayingeni indaba ka driver kodwa imoto yalezikhulu zika SANTACO ishayelwa wu driver kodwa uthi akayingeni indaba ka driver. So kuyasi confuser ke loko ukuthi indaba ka driver ayingenwa kodwa imoto ibe ihamba u driver emlethela ukudla lapha ekhaya. So yileyo nkinga nje esinayo.

TRANSLATOR: Now coming to the one of BRT which is called IRBTN in Durban as explained to us by the officials, it was explained as a tool that would help us especially us as drivers. We think it can help as long as it is delivered correctly and to all of us not just a few people; the government is for all of us and therefore we must all benefit in programme delivery such as this one. And all affected must be compensated when talking about compensation we must not only focus on taxi operators only; what about the drivers because the taxis are out there being driven by drivers they are not driving themselves. So everyone that has anything to do with the taxi, who is getting paid or maybe is benefiting from that taxi must be considered in terms of compensation. I also believe that the department must also help us, they must not frustrate us; when we have issues and we go to the department they send us straight to SANTACO and when we go to

SANTACO they tell us that they can't entertain anything that we try to get across to them as drivers. They only want to deal with taxi owners but we are the ones driving the taxis and that is what puts food on the table of the taxi operators back at home. So please help us send this
5 message to them that they must work with us and not against us.

CLEMENT DONCABE: I IRBTN ngicela siyikhulume ukuthi njengoba ilethwa njenge mode of transport ezo siza i industry kufuneka kuvele emqondweni wethu ukuthi ama taxi awu 100 akade elayisha abantu ewu 100 i bus leli okukhulunywa ngalo selizokwazi ukuthatha labantu
10 ababekade belayishwa yilama taxi awu 100 sebezothathwa ngama bus amabili. So kufuneka kucace ukuthi ithini i plan yabo bonke labantu abakade besebenza ngalama taxi, ukuthi bazoyaphi ngoba kuyacaca ukuthi i plan iyacacisa ukuthi ukwehlisa osibalo se samatekisi emgwaqweni loko akufihliwe. So kufuneka kube ne clear
15 plan ukuthi labantu ke ababekade besebenza ngalama taxi bazoyaphi. Angeke kuze kukwazi nje ukuthi uma kuthiwa sekunciphisiwe ama taxi njengoba kade ngichaza nje ukuthi abekade engahammbi wodwa; umfowethu we youth uke wachaza ukuthi lamatekisi kwawona azoba yinkinga uma esekhishiwe lapha kulemizila ese buy out sekuthiwa
20 awasebenzi. Azohlala enze ini, so kufuneka kazeke ukuthi kuzoba yini umsebenzi walama taxi uma ephumile, abantu ababekade besenza kuwona bazoyaphi. Noma azoyiswa e Zimbabwe kodwa nje kufuneka sazi ukuthi uma eya lapho ahamba no driver noma, ngoba phela kuzobe kusengama taxi asebenzayo, njengoba kuzobe sekunciphe
25 umsebenzi asifuni ukwandisa abantu abagcwele la njengoba

kunabantu bewunga la abagcwele i Theku. So basaixakile bebodwa labantu abagcwele i Theku, so asifuni ke uhulumeni kube wuyena owandisa ubugebngu edolobheni lethu esilithandayo. Kuleli dolobha sasi gcoka siconse sizobuka ama movie lana. Sifake e Crocket no
5 Arrow, manje asisakwazi ukuswenka uma siza Ethekwini ngoba kugcwele ama para. So asingandiselwa ke Ethekwini ama para.

TRANSLATOR: IRBTN we thought will be coming to our rescue because it was indicated that if I cite an example that out of the 100 taxis that will be replaced by 2 buses so where will those people go?
10 The people that are operating those 100 taxis if they are being replaced by those buses that will now be carrying the passengers. So now it is obvious that the main when it was introduced that the main aim of that was to reduce the number of taxis that are on the road. So the question is where must all these people go and it was explained
15 by the youth here that we do not want our people now to go into other activities that are illegal. Maybe when these taxis are reduced where will they go; maybe are they going to Zimbabwe and if they do go to Zimbabwe are they going with the drivers or not. You know we loved our city Durban and no we have people that are using wunga, they ar
20 addicted to wunga and we do not want to add and on those people that are addicted to wunga. You know in the past here in our city we used to dress well and go watch movies and enjoy ourselves but now we can't even do all that without being disturbed or being in the exposure of the hooligans that are called the paras here in Durban. So
25 please help us in that regard.

CLEMENT DONCABE: Kwi Commission iyonke ngiyaxusa nje ukuthi uhulumeni wethu kukhona into ayilethayo okuthiwa yi ATRO, uma bethi yi ATRO bakubiza bathi yi point system ezogawula ama licence ukuthi abantu bathathelwe ama point baze bagcine 5 bangasenama licence ngesibalo esithize sama point athathwe khona. Njengoba sikhuluma nge competition kwezokuncintisana kweze business sibona thina esi driver ama taxi noma esisebenza ngama taxi kuyinto eqondiswe kithina straight leyo ukuzomosha umsebenzi wethu ezoqeda indaba yomsebenzi. Ngalesi sizathu, uma kuthiwa 10 mina mangi drive kahle ngikwazi ukulandelana ne traffic; ngizothathelwa i point uma ngiphuma ngo yellow lane noma ngishaya i short cut; ngibona kuyimpi leyo i ARTO kithina njengaba shayeli yinto esizoyilwisa tooth and nail and kungamane imigwaqo yonke ingasebenzi yase South Africa, angeke ikwazi ukusebenza as long as 15 isimo sokusebenza kwama taxi sise kule status sokuthi ama taxi awaxhasiwe, awakwazi ukuthi ihambe nabantu abayi 2, abayi 3 iye Ethekwini kungabi khona nkinga. So uma ama taxi engakatholi i subsidy i ARTO noam i point system angeke ikwazi ukusebenza kubashayeli bama taxi ukuthi ku taxi industry angeke ikwazi 20 ukusebenza because ku taxi industry sisebenza nge target. I target wukuthi i operator uma ithi ifuna u R1000 per day we have to work ukuthi uthole leyo R1000 per day. You have to cut across ufune loyo R1000 a day, so uma kuwukuthi sisazo sebenza ngama targets ukuthi umnikazi wemoto ufuna malini ngiphinde ngibalelwe indaba yokuthi

ngizothathelwa amaphuzu angeke kukwazi ukusebenza kanjalo.
Ngicela uyichaze leyo sisi sidlule siye phambili.

TRANSLATOR: Our request is that there is this point system the
ARTO that will take away the licences that if so many points are taken
5 away from you then your licence will be taken. So that point system
that is coming here is directed at us the taxi industry especially the
drivers that we need to drive well but what I'm going to say is that you
know we will fight this ARTO because if I have to work and meet my
target instance if I have to meet a target of a R1000 and there is this
10 that I must drive well and I have to meet my target then I will
eventually drive on the other side of the yellow line so then we will
fight tooth and nail because of this point system. So please help us so
that we know what is it that exactly we must do in order to meet our
targets and also to work well.

15 **CLEMENT DONCABE:** So ngicabanga ukuthi iziphathimandla zethu
ziyezwa nezika hulumeni ku transport, siyacela ukuthi mhlambe
ikakhulukazi nasezi nhlanganweni lezi zabo baas bethu ukuthi zike
ziyithinte nazo lendaba ku hulumeni ukuthi ingase ibe yinkinga,
engicabanga ke ukuthi bayahlala abafowethu ikakhulukazi baka
20 SANTACO no hulumeni bayazi ukuthi yini eyenzekayo ku taxi
industry. Ngiyacabanga ukuthi bazosikhulumela sifike sebasi
khulumele ukuthi sihlelile i march ngomhlaka 11 kuleyanga ezayo July
siyo mashela yona lento ye ARTO ngoba angeke sikwazi ukuthi
siphile endabeni yokuthi angeke sibe nama licence; i licence inzima
25 kabi kithina njengoba singayanga esikoleni kuphinde kube yilento

yokunyuka kuka petrol; u petrol ngathi unyukela amatekisi. Abantu abasebenza kuma office bapaka izimoto lapha ngaphansi kwama shelter ime ingayi ndawo, i taxi ayikho efaka u petrol o less than R500 a day. So if kufuneka ukuthi u petrol wenyuke next month uyobe

5 usuwu R16 as now kuwu R15.20 i litre so ukuze igcwale itekisi uma kade ihamba the whole day ithatha imali engaka ngo R600 a day. So

impilo ye taxi industry is very tough and the worse part i taxi industry i operated by abantu abamnyama; uhulumeni osiphethe owavotelwa abantu abamnyama sisuka obandlululweni sitoyitoyela ukuthi sifuna

10 kubuye izwe sikhululeke. Kodwa sizithola sesicindezeleke more than lesa sikhathi sobandlululo, sicela loko ku considered by iziphathimandla zethu. Siyacela futhi kubaphathi bethu bamatekisi ukuthi sike sisebenzisane ngokukhululeka sikwazi uku transformer le

industry especially kobaba be SANTACO ukuthi bakwazi ukuthi

15 basamukele, sike sathola izinkinga ezinkulu kabi ukuthi uma kukhona into ekufuneka senzelve yona la Ethekwini, umkhandlu we Theku wawufuna ukusinikeza ama training njenga bashayeli okuqondene nendaba yo GO Durban, bathi ayikho imali enganikwa abashayeli yibona okufanele baphathe i training kodwa kwabona basahlulwa

20 wukuzi trainer. Njengoba besifuna ama thousand nje kukhombisa ukuthi kwabona aba understand ukuthi i business linjani, umsebenzi unjani. So ngicela ukuthi uma ngabe kukhulunywa indaba yoku trainer ake khambe ngezigaba, akuke kuqale kuma operator kwehle kuze kubashayeli, kuye ko car wash kuze ko sliding door operator.

25 Akungajommbelwa into ekude, umuntu akanake into eseduze naye.

TRANSLATORS: I hope the authorities hear us and the government our bosses and leaders are here, SANTACO as we speak on the 11th of July we are planning a march the march is targeted at the petrol price and also the confiscation of our licences or if our licences are
5 being confiscated because of the point system so how are we then going to survive. So if I would cite for an example that if the petrol costs about R16 moving from R15.20 so then to fill up the tank will cost about maybe R600 and then now what do we do, so we will fight so the taxi people will fight you know because we the black people,
10 voted and we fought for this and we will fight for this industry and we will actually want to work freely in the country of ours that we voted for ad for the government that we voted for. Here there was a training that was proposed for the drivers to be trained and that was stopped and we were then surprised because the training that we must go to,
15 the same people must also be trained. So the training musn't just go and then the taxi drivers when they want to be trained they must cough out money from their pockets, where do we get this money but fro where I sit I think that the people that must be trained by the Durban Metro so it means that they must start training from the taxi
20 operator, to the driver and everybody else must be trained.

CLEMENT DONCABE: Ngibonge nje sengizovala ngincome uhulumeni ngokwenza ngcono isimo se transport ngama IRBT and BRT kodwa sikucacise lokho ukuthi ukuba khona kwalama transport kuzonciphisa izingozi at the same time angeke bakwazi ukuthathelwa
25 ama point bona ngoba ngicabanga ukuthi azobe ehamba emzileni,

bakhile izindonga lapha; they call it ama corridor azobe ehamba
wodwa lapha ama bus engajhani namuntu ukuthi kukhona umuntu
ozothathwa ngaphambili anama robot awo wodwa azowavulela
awavalele so kusho ukuthi abantu abazobe behamba ngalama bus
5 bazobe bephephile, angeke sikufihle lokho kodwa nathi ke la sifuna
ukuphepha; sifuna ukuthi kutholakale i subsidy yokuthi nathi sihambe
ngaloko kuthula ematekisini. Sike sibone lama bus ango mina ahambe
mhlambe nezalukazi eziwu 4 zabelungu ngaphakathi Ethekwini kodwa
u driver oyi drivayo for sure akaholi imali e less than R10 000 a
10 month. Uholo imali ephelele futhi i bus iya serviced so nathi asifuni
ukuba nezinkinga okungathi thina mhlambe singama outsider e South
Africa. Asithole uhlelo olufanayo, nathi sifuna ukuhamba noma
nabantu abangaki la beya khona kodwa nathi sihole imali ephele,
ngoba kumanje sihole nge commission, so if ungakwazanga uku meet
15 i target le efunekayo it means nawe angeke uze uhole. So we cannot
live like that ezweni lethu la siphila ezweni elikhululekile, we cannot
live like slaves in a free country, that the end of the story. So stop the
slavery in the taxi industry, yileyo nje into engiyicelayo.

TRANSLATOR: My humble request is that stop the slavery but if I may
20 say that the IBRT and BTR, the buses will be operated in a safe
environment and for the buses they have built the roads, build the
corridors for them and then obviously the passengers will be safe and
we also want to be safe, we also want to be protected. If I cite an
example there are people driving minor buses here in Durban; you
25 find that the minor bus only has 4 passengers of old white ladies but

the person operating that bus or the bus driver is being paid not less than R10 000 a month so which is so unfair, we also want to be treated equally and we also want to be free in our free country; we don't want to be treated as slaves in our own country.

5 **CLEMENT DONCABE:** At the end I would just like to thank the Commissioners and I hope it will not be like a talk show as the things of the government used to be. Let this one not be just a talk show, it must be something that must focus on these problems that we raise and to help us reach where we want to be. I thank you.

10 **CHAIRPERSON:** Siyabonga Mr Doncabe. Mr Mazibuko sinemibuzwana nje esicela ukunibuza yona. Mr Ngobeni

MR NGOBENI: Thank you chair just one question for ubaba u Nkomo no mama u Masinga. Just one question that I have is you indicated that the processes at the pre when you go and ask for renewals of
15 operating licences it takes long to get those renewals done affecting and thereby infringing on your rights. The question I have is what are the reasons that are being provided to you by the pre for this backlog and for this long duration or time that they take in order for them to process these renewals of operating licences. And i will tell you why I
20 am asking this it's because yesterday the city indicated that one of the reasons, please underline 1 of the reasons is that the industry is not uplifting its licences. If I can just get a comment from NTA from your experiences and your members' experiences in relation to this question of the long duration of the time it takes for your operating
25 licences to be renewed? Thank you chair.

CLEMENT MAZIBUKO: Thank you chairperson for that question because I was about to ask for an inclusion. In addition to what he is asking one of the thorny ones is the issue of SARS. As the industry we believe that we need to pay tax in South Africa but SARS has his own department and uyazi ukuthi imali kufuneka ayiqoqe kanjani. One of the requirements uma uthi uyo uplift i permit yakho e boardini kuthiwa lethu u SARS wakho baba. So yenye yezinto leyo uma kuthiwa kufunakala u SARS, so ukuze ukwazi uku uplifter i permit iqiniso lithi ukuze ukwazi uku khokha i tax uqhubeke ne business lakho kumele ube ne operating licence licence. So manje uam kufuneka leyo requirement asikuphikisi loko siyafisa uhulumeni akuhlukanise loko, u SARS azenzele owakhe umsebenzi kungabi requiremt i issue ka SARS ngoba enye into eyenzakalayo uhulumeni uyazi ukuthi uma uweba njengoba sike sasho thina sathi leli tekisi masilithathe njengento engekho emthethweni; uyazi ukuthi uzoku estimatela ukuthi ukweleda malini kodwa uma sekufuneka ukuthi uyo apply i permit athi awukho legitimate, contradiction uyayibona. So 2 laphaya e boardini ukuthi hlambe u mama azage anicacisele kahle, nalo leli gama lika pre leli yenye nje yezinto njenge mboni esingayazi. Sithi thina njenge mboni asazi ukuthi inkinga la ikhona yibona okumele baphendule loyo mbuzo ukuthi inkinga ilaphi; ngoba ngithi mina uma ngiyovuselela i licence yemoto yami i disk ngiyenza efasteleni; ngifaka lamaphepha la ngigcwalise ukuthi imoto yami ithi nayo yonke into yami ngibone kuphuma i disk. Ukuthi inkinga iba kuphi lapha ngaphakathi njengoba eshilo uma; mhlambe wena usho

ubala u 3 or 4 years uyaphela; ukwenza nje i COV ukushintsha nje imoto ufake enye imoto hhayi ke khohlwa ke njengoba umfana we youth league kade esho la ukuthi ukushintsha izinto zika baba noma zika ma uthi uzisa ebhodini yinqwaba yezinto. Abantu esifisayo ukuthi

5 bangaphendula loyo mbuzo uqonde kubona ukuthi zilaphi izinkinga lapha ngaphakathi yibona ngoba uma uzobheka i permit obuyi submitted, uma uthi uyahamba uyobheka umlando wale permit ngikhuluma nge permit before ibe yi operating licence. Uma usuyowubheka umlando wale permit awusekho e bhodini uze kuthiwa

10 ama files alahlekile; uthi uyafika ebhodini kuthiwe ku update ama systems. Kodwa uma uthi uyobheka izinto zakho ebhodini azikho, lama systems a update kanjani kungafakwa izinto zembali ngaphakathi. Kuke kwaba nesikhathi maybe 2 years ago la kwathiwa ku updated i NATIS, uma uthi uyaya ebhodini ufika futhi uthola

15 ukungasizakali. Last oen sikubukayo njengembali esifuna ukukuphendula ngqo sibona ukuthi inhlos ngqangi ka hulumeni yibona abafuneka basiphendule. Kuyofuneka basicacisele ukuthi kanti inhloso wukuqeda ngetekisi ukuthi singakwazi ukuzuza izinto esizidingayo.

20 **MALE:** Ukulekelela nje kuloku umfowethu akushoyo yile yokuthi siyahlukaniswa, kuthiwe hamba uyofuna incwadi ethile e ofisini le SANTACO, asiyona i SANTACO sonke so manje uthole ukuthi kunezi member ezikhona ku association uthole ukuthi azisizakali, kuyimanje baingi kakhulu namanje abafowethu abangasizakele kodwa ke sengi

25 engajile nabafowethu bakhona lapha ku department e Maritzburg

siyazama ukuzilungisa lezo zinto njengamanje. Ama problems lawa akhona namanje abafowethu abaningi abasizakele nomfowethu esisebenzisana naye lapha ku department ku Conflict is trying his best ukuthi abafowethu basizakale, we hoping ukuthi bazosizakala ke
5 manje. Ngoba kunale problem yokuthi uma ungeyena u SANTACO awuzusizakala but akusiwona woke umuntu owu SANTACO. La Kwazulu-Natal kuqala kwakunalento yokuthi uma ungenaso sitifiketi sobuzwe angeke ukwazi ukuthenga isitolo, angeke ukwazi ukwenza ukuthi. No ukuba netekisi akusho ukuthi uku SANTACO, yileyo i
10 problem esibhekene nayo.

MALE: Kancane nje sihlalo kukhona esengikukhumbula okokugcina okufikayo engqondweni, i registration yamatekisi, beku register amatekisi siye khona njengo association ku Act ayikho into ekuthiwa wu association, it doesn't exist ayikho ikhishiwe. I Act ikhuluma
15 ngama individuals operators/permit holder so u association awusekho. With regards to that uzozibuza ke ukuthi si submit ama constitution ethu ama association sa submitter yonke into, sa submitter ama routes ethu njenge industry but to date it doesn't exist anymore emthethweni wase South Africa, those are the things esithanda ukuthi
20 i Commission izibheke moving forward sikwazi ukuthi sizixoxe ngoba kungenzeka nazo zinga creator ama problems up to an extent that thina njenge mboni sesiyafisa manje ukuthi kulungile u government akawathathe lawo ma operating licence akhe but asiyeke sisale nama routes ethu ngoba lama routes sizakhelile wona ngesikhathi ku
25 develop imixhaso kwakhiwani ama routes ebesizakhele wona njenge

mboni. Akathathe ama permit akhe uma ehluleka yithina but ngoba siyafuna ukuzilungisa mayelana nalemithetho ka hulumeni makasisize ukuthi silandele umthetho. Ngiyabonga

ZOMUSA MASINGA: Ngicela ukusho ukuthi uma kushone
5 ukhwenyana wakho kwesinye isikhathi usuke egulile embonini, kwesinye isikhathi usuke edutshuliwe. Kusuke nje ingqondo yakho mama ayikaze ibe se business itekisi ngoba isuke i run wumkhwenyana; uphethe ke wonke lamafuhlufuhlu amaphepha ongawazi ukuthi yiliphi elifunekayo, yiliphi elingafuneki ngoba angeke
10 uliyise ku association wakho kwesinye isikhathi, ngoba u association uma uhambisa amaphepha abanye o association bayasintshontshela ngoba sisuke singazi ukuthi yiliphi; bathi leli mama lishiye la leli uyabuya alisekho itekisi lika mkhwenyana wakho usuhamba ngento engekho emthethweni. So uhamba namafuhlufuhlu akho oke, into ethi
15 moto nje ufike ebhodini, ngabe kuncono ukuthi leza zingane ziyakuthatha zithi ma ngoba usenkingeni yilokhu nalokhu, kuncono sikunese njengomuntu othe umsebenzi kodwa zikubukela phansi adn ebhodini ke sikhathale ukuthi uma sifika sibuzwe ukuthi u SANTACO this and that. Mina angiyena u SANTACO, angikaze futhi
20 ngibe wu SANTACO angisoze futhi ngibe wu SANTACO ngiyi Allaince mina so ngicela ukuthi uma ngiya ebhodini ngi treat nje nami njenge Alliance, ngaphandle kokuthi u SANTACO mina angidlanga uma kukhona abasuthi mina ngilambile. Ngiyazisbenzela nje itekisi, ngiyabonga.

TRANSLATOR: As for the reasons why there is a delay in processing the permits there's always a SARS issue and also the contradiction is when if the government find that you are operating illegally, the government is able to estimate for you as to how much you are owing
5 them plus, minus and when you go for this application you are then told to bring your SARS documents so the 2 should be separate in the sense that SARS should do it's own parts and the government to do his own part. Now the issue also with this pre they always give you a lot of reasons when you go there as to why you never really get help;
10 such as the loss of files and then they are updating their system. There was this other program they were dealing with that had to do with their systems but the idea is to make sure that you come back without getting any assistance. We believe that our government also wants to maybe kill our industry and also why are we always sent to
15 SANTACO if e need to get assisted by the department; I mean not all of us are members of SANTACO and this is why most of our colleagues who are having problems are not getting assisted now but then we are still negotiating with an official who is within the department to try and fix that issue. And also when you look at the
20 Act, it has now done away with the term of associations, the Act now speaks of individual operators and that also might be the cause of many problems. And also the husbands who died, who were part of the industry maybe they got shot or they were sick and now as widows we don't really have a clue or idea of what the business is supposed
25 to be or run. And as a result we take all the papers to some of the

associations they will steal the important documents and the next thing you lose your husband's taxi. And the people who are supposed to assist us at the registration offices, they are there to help us we are bringing business to them. We are giving them work or their jobs, they
5 are supposed to they are supposed to take us to the side and say ok because you did not understand about this registration let me look at your papers and do it step by step. And also the board must stop asking us about this SANTACO, I am not SANTACO, I will never be SANTACO so those who have their bellies full I am not like them, I
10 am hungry, I want to work for my children and make sure that we have a good livelihood.

CHAIRPERSON: Ms Lesufi one question, panel members.

MS LESUFE: I question yami iya ku baba u Mazibuko. Kwi submission that we received you referred to requiring access to bus contracts and
15 information relating to bus contracts and I just wanted to get a sense whether this request is for purposes of determining your role in terms of those contracts or you just want information for purposes of understanding how those contracts have been implemented in the past. I just wanted clarity on that because you specifically requested
20 that we also look into that as the Commission

KENNETH MAZIBUKO: Ngibonge ke dadewethu, umfowethu u Nkomo uke wachaza la isikhathi sethu la e KZN sihlalo e South Africa i KZN is the largest province I think so mhlambe njengoba nibona ne panel yethu ingaka mhlambe isikhathi sethu sincane, miningi imibuzo
25 eninayo kodwa ngokucabangela isikhathi mhlambe eniyothola

singabuziwe yona because siyafisa nihambe nesithombe esiphelele mhlambe so isikhathi sesizoshodeka ngoba nakhu mhlambe sekufanele sisebenzise isikhathi sibuka la i agenda ukuthi kukhona abanye abafowethu okufanele bangene kanjalo. Nase zinkantolo
5 ziyenzeka izinto ezinjalo like kuye kuthiwe carry over mhlambe ngosuku lwangesinye isikhathi sifisa ukuhamba sinishiye nina understanding e right yingakho ngithe uma ngiqala, mhlambe sithe uma sibuka izolo sabona ukuthi mhlambe ikakhulukazi sibe based kuphi, usihlalo wase uyasikhulula dadewethu ukuthi mhlambe
10 sikhulume konke. Asithi ke manke konke okusithungayo, uyabona uma sikhuluma mhlambe ngokwama contracts sithinta ekutheni la ama bus sinikezelwe sisonke la e KZN kukhona into ebizwa i tender ye scholar transport, i scholar transport sonke we apply ku Department of Education. Uma u apply ku Department of Education u
15 apply nge company because asikwazi uku apply singo somatekisi because angithi lento yethu ayi registered. So ke mina ngenhlanhla nginayo i company engeza ezinye izinto eziseceleni, sengizo apply ngaleyo company bese kuthi labafowethu abanama bus bona izinto zabo angithi lama bus abo avele a registered kuma company. Uma nje
20 wena uthenge imoto nge company because uma uthenga imoto nge company uthola ukuthi ukhokha kancane, uthola i discount uthola izinto eziningi ezikwenzela nokuthi kube ncono ukuyikhokhela lemoto. Ngilinganise njengami ngike ngayithenga imoto before nge company i bus i 22 seater it was 2007; ngangikhokha u R6000; abafowethu
25 abayithenge without i company bebekhokha o R12000 so ke manje

abafowethu laba bama bus bona banale access ngoba vele uhulumeni wangaphambili bowuthi uma ufika nje e bank, bafowethu niyazi nani uthi uphambili imenenja nje le ezansi ibheke lo osemuva kwakho ibuze ukuthi can I help you kodwa wena wuwena ophambili. So uze 5 ubone ukuthi sibe nenkinga ngoba bona bekunezinto ezitholakala lula kubona. Njengamanje ngizolinganisa nje I am so sorry ukuvulela isikhathi sihlalo, kuno association ngizowu mentioner nje igama layo; i Malvern Taxi Owners Association kusuka from Pinetown to Durban uhamba nge Malvern kanje so loyo association uxubile kanje, 10 uyabona dadewethu uxube izi member zama India nabantu, yazi ukuthi kwenzakalani ngiwumhlobo wase India mina nginabashayeli bami umfowethu lo wu darkie omunye ngifike ngithe ke mina, angithi ngiyithenge ngalendlela ye company imoto bese ngithi ku driver wami I need u R500 ngosuku, angithi mina u R500 uzokwazi ukungiphilisa 15 because lemto ikhokha u R6000 together with insurance and everything. Lona ukhokha R16 000 within the same route bese u driver wami uzothi ziyasha ngoba lo ufuna R1000 yena nento because kufanele akwazi uku cover le R16 000 iqala lapho inkinga. Siya kulento ibekade uyibuza ke dadewethu le yale tender le yama bus, 20 basivalele manje asikwazi bona abafowethu laba, u government uthe sizame nathi ekutheni si apply for the scholar transport sisahlanganisa ke nathi ama company siwa applied ke manje ngokuthi bona banemali kade besevisa lezingane sebethi cha ayimiswe le tender because isizotholwa yithina o darkie, yithina esithutha labantu bangakithi 25 kuzoqhamuka kanjani umuntu esingamazi nje dadewethu afune uku

operator ngakithi. Mina lezingane uma zishonelwe zikhala kimina; wena uma usuthathe lemali uyagoduka uya ngakini la uqhamuka ngakhona so ke yonke leyonto iyasikhalisa. So ke ekutheni uhulumeni ake athi ukuyibheka kahle lento yokuthi asingavalelwa ezindaeni

5 zakithi ngabantu abanenhlanhla bona ukuthi uhulumeni wangaphambili wabanikeza amathuba, njengoba sikhuluma nje manje ua sikhuluma ngama bus namatekisi thina bantu baku taxi industry besingenama bus ngoba besinga afford ukuwathenga so bona bebewazi ukuwa afford because bona bekulula kubona hhayi

10 ukuthi besinngafisi ukufinyelela khona. So ke nathi asinikwe leyo chance mabasusivala, so uma bebona bona ukuthi i competition njengoba ngike ngaqala ekuqaleni njengoba abafowethu bekungathi kukhona la siphikisana khona; i competition dadewethu siyayivuma, i competition mina ngiyayithanda; mhlambe abangilandelayo njengoba

15 ngiwu chairman wabo they have to understand me ukuthi mina i competition ngiyayidinga ukuthi ibe khona ngoba siyafisa ukubona izwe lethu liphumelela. Uyabona njengoba nila nizokwenza ukuthi izwe lethu aliphumelele. So ke siyacela ukulekeleleka lapho ukuthi abehlise umoya bangakhali ngama metre taxi bakhale ngayo yonke

20 into mabazilungise ngoba nathi kuthiwa asizilungise njengoba sayeka o Siyaya nje dadewethu, o Siyaya besibathenga ngemali encono bavalawe abasakhandwa; awavalwe nalama bus, abathenge ama bus amasha so ukuze babone nathi lobuhlungu esibuzwayo. Maje ubuhlungu bushaya thina kuphela o darkie kuthiwa sithenge ama

Quantum afuna lemali so ke manje baphinde bazosivalela asisakwazi nokuthutha ke sinenkinga nje manje.

TRANSLATOR: As Mr Nkomo has explained, I know because of the time constraints and looking at the agenda that there are lots of
5 people and I can see that there are other people that still need to talk, however having said that we want to leave you with a clearer picture because there are constraints and also here in KZN because there was a contract that was given for the scholar transport; when we tried to apply in the department, we were told that we cannot apply as
10 individuals we have to form companies so we were trying to do that and be in a company and for instance I will cite an example I once bought a bus of about R6000 and others were paying about R12 000 and other people have access to the bank and when you go to the bank in some instances there is discrimination because when you go
15 to the bank sometimes they will consider a person who is either in front of you and the person behind you and then you would order by because you were thinking I am in the right queue, I'm following the right process, I would also cite another association here in KZN. I am not ashamed of naming it, it's called Malvern Taxi Association that
20 association is a mixed race association, it consists of the Blacks and the Indians. And they say when you need about R500 to survive maybe there is insurance and so on and maybe when you lose something as a Black driver then you will be pushed from pillar to post without you obtaining any assistance and I would tell you again that
25 where does the R16 000 come from; as my brother indicated earlier

on that how would you afford to pay R16 000 a month if you are not working and also you are not operating because of these various issues. We also want to apply for the tenders and the government must really consider this because we did not have buses and I personally like competition and we also want to compete because we want our people to succeed, we want our country to succeed and these are the fellow brothers, let them also buy, I heard one of them complaining saying they can't operate, they can't do this and that and so on, so we also had to buy the Quantums and then by the same token let them also be in the same situation like us if their buses can't be operated they must consider other alternatives as we did. And I do like competition in order to benefit our country so we want our country and we want our city to be successful

CHAIRPERSON: Thank you very much Mr Mazibuko, Mr Nkomo, Mr Ngidi, Mr Doncabe and Ms Masinga siyabonga. We would like to thank you for your time and in fact you even arrived before time. Thank you very much for sharing your insights into the industry because ultimately you are the experts, you have the expertise of how the industry operates and I think we do agree with Mr Mazibuko that there will certainly be a need for further engagements and we will try to facilitate those further engagements with yourselves, because the industry is very big and quite an important industry. So I think at this point we will excuse you and we will take a very short lunch adjournment and we will be back at 2 o'clock to hear the next

presentation from the KZN Provincial Department of Transport, we will be back strictly at 2 o'clock.

KENNETH MAZIBUKO: Asibonge sihlalo sibonge abafowethu mhlambe kade ngibona la ukuthi uma nisuka la e KZN niyakuphi
5 mhlambe niyongifika khona njengoba ngisho ukuthi I am at national njengoba sesi understand ukuthi what is it that the Commission needs. So sibonge kakhulu isikhathi sakho sixolise futhi kubafowethu mhlambe ukuthatha isikhathi eside kubafowethu okufanele ngabe bangenile ngesikhathi sabo. Siyaxolisa hhayi kona ngoba mhlambe
10 singafuni ukuhlonipha u Chair, siyaxolisa kakhulu ethimbeni lakho nokuthi sibuhlungu futhi siyacela ukulekeleleka lapho, siyabonga kakhulu.

CHAIRPERSON: Siyabonga Mr Mazibuko

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The End!!!!!!!!!!

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SESSION 2

PROCEEDINGS RESUMES ON 28 JUNE 2018

CHAIRPERSON: Welcome back. We will now receive a submtssion from SANTACO. The regional structure of SANTACO Durban. Welcome
5 gentlemen. Thank you very much for your patience and for your time and for coming and if we could first start with just the formalities. There should be a piece of paper infront you. You may take the oath or the affirmation. Please switch on the mike as you do so.

MR ASMAL: Thank you, Chairperson. I will take the affirmation. I Faizal
10 Asmal solemnly affirm that the evidence that I shall give. Shall be the truth, the whole truth and nothing but the truth.

FAIZAL ASMAL (affirms)

CHAIRPERSON: Thank you, Mr Asmal.

MR ASMAL: Good afternoon everybody. Good afternoon commissioners.
15 Good afternoon ladies and gentleman. My presentation will not be very long. I represent the Durban Central Region. This is Mr Singh my colleague and this is Mr Kunene my colleague and we – as I said are from the Durban Central Region, which is a substructure of SANTACO KZN and we represent
21 taxi associations that operates in the inner-city and the suburbs that are
20 around the inner-city and we have an executive of 10 people and we service Durban Central which is the economic power house of KwaZulu Natal and the third largest Metropolitan Area in South Africa.

1. On licensing routes: Allocations and inter regulations: a number of our association's routes do overlap and there have been instances of conflict in the past. But today we facilitate dialogue and negotiations between associations to minimise that conflict. We also established
5 working committees to discuss common issues where possible and where possible we facilitate mergers and we have gone on to include bus operators in establishing these committees.

2. On common routes: The PRE does not see to regulating a common fair and there is no enforcement resulting in overtrading and cutting of
10 fare and conflict. This is where working committees come in and issues an address before they escalate into violence. Where there are new developments a demand for public transport exists, but the licensing process is too long and the criteria cumbersome and difficult to obtain for operators. Only interested in providing a service and
15 satisfying public demand. The same applies when a new route is identified. In order to prevent outsiders encroaching. It is essential that resident association provides a service before the application process is actually finalised. The NLTA prohibits taxi associations from having multiple starting points in different areas. However in reality there are
20 a number of associations that have starting points outside of Durban Central, as well as starting points inside Durban Central and they are not members of our region. This remains an unresolved conflict and a ticking time bomb. With the moratorium being uplifted for existing operators. Applications are pending for over two years now, due to
25 unresolved technical issues and the ETA is not supporting new

licenses that our associations might require for their operational needs. The industry has grown mostly due to the increasing urban population and new developments, but urban planning does not seem to take public transport into account. The requirements to become a

5 member of an association vary from association to association, but the main criteria include being able to provide the service and being available to perform the duties of a member. Some associations still insist that members must be residents of their area of operation. But most have abandoned that requirement due to the decrease in owner-

10 driver operators and the rise of fleet operators looking to expand and the Durban Metro is taking too long to setup a local PRE office resulting in unnecessary travel and increase in cost per kilometer for operations – for operators wishing to sort out their issues. According to the NLTA ... [indistinct] promise should have been converted into 7

15 year operating licenses, but now we are getting 3 year and 5 year operating licenses being issued and when it comes to late renewals there should be a penalty imposed and then renewal as normal instead of the current system where the operator needs to do a totally new application. The PRE timeframes for dealing with applications

20 can be anything from 3 months to 3 years or even longer, resulting in unnecessary frustration for the operators. The attitude of PRE employees toward operators is one of indifference and they seem to never to have heard of [indistinct] waiting time to the PRE are unreasonably long, for no apparent reason and corruption is the norm,

25 rather than the exception.

3. In terms of price setting mechanisms: Fares, in the industry, are determined by profitability and the main driver is the price of fuel. While it fluxgates over time the trend is that the fuel price increases regardless of the price of oil or the exchange rate. The very high pricing of modern vehicle and their increased maintenance costs. Have also had a – also put a strain on profitability resulting in higher fares. Lack of viable cash control mechanisms result in passengers paying higher fares due to the theft of operator income by drivers. The difference in pricing does have a major impact on competition, by too great a price difference results in commuters choosing the cheapest mode. So, taxi associations end-up merely providing a service rather engaging in a profitable business and this leads to a decline in our standards. Industry why price setting and regulation does not exist. Difference expenses per road implies that we cannot standardise fares. The industry competes with buses including BRT and RAVE and they are subsidised while it is not. It is unfair for non-subsidised operators to compete with subsidised operators and it will be difficult to put mechanisms of regulation in place until the playing field is level. In recent years there has been agreement in the taxi industry in KZN that prices are reviewed every July. While formulas for fare setting do exist, they are not widely circulated in the industry. If they were applied then probably would have to be higher because they take into account all input costs and the estimated number of passengers in determining the fare.

4. On allocation of operational subsidy and its impact on competition.

The minibus taxi industry moves the bulk of South African commuters on a daily basis. While rail moves the least amount of commuters. If rail receive the biggest slice of the subsidy and the minibus taxi industry receive no subsidy at all. This has a negative impact on vehicle renewal, maintenance, driver training and retention, wages, traffic violations, accidents and passenger service levels. Operators are unable to maintain their vehicles properly and are unable to renew them. Drivers are inadequately trained and poorly paid resulting in higher accident rates, increased traffic violations and rampant theft of operator's income. There are no benefits for employees and the rate at which drivers enter and leave the industry is very high. The end result is a substandard image for our industry which keeps the country moving and poor service, passenger service from the biggest black owned industry in the country. Operators are largely weak financially, over indebted and unable to fulfil their potential. The industry finds it difficult to take advantage of opportunities and to move to bigger and better modes. Even if there is scope for improvement. While a cash subsidy base on kilometers travelled or passenger numbers or both would be welcome. There are other alternatives that could be explored, for instance if licensed and compliant could receive a 50% subsidy on the purchase of new vehicle, every 5 years or so. A fuel subsidy could be implemented. Exemption from VAT for business expenses can be considered. Exemption from toll fees would greatly assist long distance operators. If government wishes to see a

reduction in private cars on the road then improvements need to happen in the passenger transport sector and these improvements need to work for the existing operators and improve their profitability while at the same time benefitting the community. Subsidising the minibus taxi industry would lead to a vast improvement in public transport.

5

5. In terms of public transport planning: The Ethekewini Metro is divided into 5 regions and IRPTN only affects two initially and several years later will affect the other 3. Most operators will not be affected until it comes to their regions. So, they feel they are being left out of the benefits. While those will be affected initially do not see the value of negotiating as a unified industry. Full implementation over a long period of time means that political leadership of the municipality and of the industry will change due to periodic elections and negotiations stall every time the leadership changes.

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6. Development of the infra structure for IRPTN affects taxi operations through traffic-jams and time delays that results in fewer trips, loss of income more specially at month-end. Which is supposed to be the busy time. There is no compensation for this loss. Information filtered down to affected operators by transport authorities is insufficient and timeframes are too long with way too many delays. Plans are always changing and operators are unable to plan for their future. Lack of information also undermines the trust in the leadership of the industry.

20

7. In terms of transformation: In principle transformation exists but the process is taking so long that in reality very little of no transformation has taken place in public transport or across the value chain. There is no transformation whereby subsidised bus operators include small operators in some of their operations. IRPTN is supposed to be the integration of existing services into a rapid public transport network. However it is not so in reality. PRASA does have scope to include taxi operators in cases where trains are not able for various reasons, but rather that do that they bring in bus operators from other areas to operate while their resident taxi associations, at the train station and passengers are moved to busses are from nowhere near the area and they are also unwilling to give any share of their business to the industry.

8. The impact of BRT implementation on renewal of operating licenses:

BRT contract will have a 12 year lifespan. While minibus taxi operator's licenses should have a 7 year lifespan. Local transport authorities reduced the lifespan operator's licenses to 2 years and cite the implementation of IRPGN as a reason. This will have an impact on the compensation formula or model adopted. One of the options available to operations is to compete with BRG. If the operators choose not to take the compensation. However this does not seem like a viable option. If the lifespan of your operator's license is curtailed the lifespan and the transport authority may decide not to support your renewal application in the future. With operator's licenses having a defined lifespan. No recognitions will be given to

operators who once had indefinite period public carrier permits and this will not be facted into the compensation models. Compensation models also seem to focus only on 12 years. Where as to an operator this is a lifetime business that continues in the family even after the operator's demise and the taxi associations have build up many years of goodwill in their communities.

- 5
9. Access to finance: All credit providers abuse minibus taxi operators, with interest rates starting at prime plus 5 and going up to 26 or even 28% and credit providers classify the whole industry as high risk and do not look at the individual's risk profile when making a decision. It is not the industry that applies for finance, but an individual operator. The same individual, who is charged an exorbitant rate to finance a taxi, maybe finance a private vehicle at discounted rates. It does not make sense that the business vehicle can be classified as high while a private vehicle, which does not bring in any income is classified as low risk. The same business vehicle enables the operator to pay for his private vehicle. Warranties on the vehicles are overpriced and alternative finance arrangements are not available into this sector. Part and services are also overpriced. Operators are unable to claim VAT back on their business vehicles or expenses as well as the insurance industry rips the industry off by charging exorbitant rates and sighting high risk as the reason. The minibus taxi sector is unique that it is the only sector where the insurance premiums go up as the value of the asset depreciate.
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- 20

10. Infra structure and terminals: For an industry that moves 65% or more of commuters. Infrastructure is severely limited and provision of infrastructure has not kept up with the growth of the industry. Industry does not have more than 20% of ranking facilities. There are insufficient lay buys, bus stops, taxi stops, facilities, shouters, toilets, there are not enough of them. The little facilities that are available also have to be shared between all the taxis and busses as well. As some areas decline and other areas develop. Ones busy ranks and stops die new ranks and stops are required, but these are not provided. Local authorities continue to harass and fine minibus taxis although they have failed to provide the necessary infrastructure which leads to a constant exodus of good experienced drivers and a constant feeling among operators that we are being used as a cash-cow by the municipality.

11. Contracting relating to bus operations: Subsidised bus operators who were subsidies during the *apartheid* era are still enjoying subsidies and upon expiry of their subsidies – of their contracts they continue to operate on a month to month basis and continue to enjoy the privilege of being subsidised. Also it is always the same operators who get every available contract and seemingly small operators are shutout of the process.

12. Commuter experience: Irrespective of the challenges and injustice directed at the minibus taxi industry. We offer the most rapid and efficient service available that is proven by the support of over 65% of commuters and the growth of the industry over the years. While rail is

inflexible and buses are restricted to main roads. We offer almost a door-to-door service with no turnaround and minimal waiting times. We have sufficient vehicles to cater for unexpected high demand, breakdowns or unforeseen mishaps. With improved consultation, planning and subsidisation the cost of public transport could be drastically reduced and more public transport lanes are required especially in congested areas to reduce journey times.

13. E-hailing: While E-hailing is a disruptive technology. Its application is illegal, because the public transport is not a free market, but a highly regulated industry. E-hailing has bypassed the regulations and open public transport to unregulated privateers and global corporations which will lead to the death of local industry. The technology should have been

offered to existing compliant operators who met the requirements of the technology provider and agreed to their terms and conditions. According to the NLTA all public transport operators who transport the public for reward need to have an operator's license before commencing operations. However, this is not required of E-hailing providers which make them noncompliant. There are no regulations or restrictions on their routes or services, while meter taxis and minibus taxis have [indistinct] regulations and restrictions that they need to comply with. This has led to overtrading in certain areas and in certain parts of the country there is already a backlash. Initially E-hailing only accepted the electronic payment but now accepts cash as well which leads to drivers touting for passengers and competing with minibus taxis. Many of these E-hailing privateers have moved from sedans to

minivans, such as Toyota Avanza's that can accommodate more passengers. While the local operators suffer due to the moratorium on operating licenses government seems to be bending over backwards to accommodate the E-hailing companies whose only motive is profit at any
5 cost.

And in closing the taxi industry, including meter taxis and minibus taxis are under threat. What was once a profitable industry has been reduced to something barely profitable with most operators unable to maintain or replace their vehicles and surviving only to service their debts and pay never
10 ending. This is the result of well intention but misguided policies that have replaced an industry that had a largely freehold and easy to maintain vehicle with one that is heavy indebted. The only beneficiaries to this are the financial institutions who finance the vehicles, repossess them, and continually refinance and repossess them in a vicious profit driven cycle.

15 Small operators are a dying breed and are being replaced fleet operators who

have the financial muscle to take the risk or negotiate better deals.

I thank you.

CHAIRPERSON: Thank you, Mr Asmal. I will only allow one question
20 each. Mr Ngobeni, Mr Lesofe, Mr Mandiriza, Ms Nontombana. Just one question that I will like to clarify with you Mr Asmal

MR NGOBENI: Just one question that I will like to clarify with you Mr Asmal and this relates to operating licenses, because there was some uncertainty

yesterday around this question when we had the City of Ethekeeni. We will of course raise this issue as well with the Department of Transport the Provincial Department and this relates to the requirement for an operating license for a minibus taxis and to some extent even a meter taxi license. It
5 related to whether it is a required first purchase a vehicle, before one submits an application for an operating license. What is your experience in this regard/

MR ASMAL: To our experience you need to purchase a vehicle or have a vehicle, because one of the requirements is the registration certificate and
10 the current COF of the vehicle. So, if you are not in possession of ownership of that you will not you will not have those documents to submit.

MR NGOBENI: *Ja*, because the reason why we ask this question is, because what it means is that a prospective operator, an operator will first have to incur the costs of purchasing the vehicle when there is uncertainty
15 as to whether not the operating license will be granted and if an operating license is not granted. Then one is then left an investment that has been made, possibly also – there could also be some finance obligations which are attached to the vehicle and the vehicle still has to be – to be paid. So, what sort of difficulties does this raise particular? Especially in cases when
20 operating license is not approved and an operator still has to – still has to pay back the finance.

MR ASMAL: Your point that you [intervenes]

MR NGOBENI: Are they forced – are operators perhaps then operate illegal in order to be able to repay the finance on the vehicle in the event that an operating license is not granted.

MR ASMAL: Your point is a 100% correct and that is one the reasons where
5 operators find themselves operating without the relevant documentation, because once they have take ownership of that vehicle they are committed to the payment. The process is also quite long at the PRE. Whereby that they cannot sustain themselves without the vehicle running. So, they immediately put the vehicle onto the road, operating as an illegal operator,
10 while they wait for it. There is no guarantees that the license would be approved. [Indistinct] that as well it also works for the legal operator who purchases a vehicle over 5 years or 7 years of finance. His permit might expire after 2 years or 3 years. If he misses the expire date. His permit is basically cancelled and he has to go through the whole process of renewal
15 again. However, he still has a vehicle that he needs to sort his finances out with. So, he continues the operation and that is one of the difficulties that members experience along the way.

MR NGOBENI: *Ja*, perhaps one last question from me. I think I will just want to get your views on the VOC Model for the BRT, for the role out of the
20 BRT. We understand that the project is still at negotiation stage, but the way it has been rolled out in other provinces is that the model entails the creation of a vehicle operating company and operators who are “affected”, in inverted commas, are then offered the opportunity to take up shareholding in the VOCs and the VOCs do not necessarily own the vehicles. The vehicles are
25 owned by the cities and the operators who are now shareholders in the

VOC's then receive dividend income from the VOCs, but the operators who are now shareholders in the VOCs have merely been – have complained about a number of things including the fact that they are not involved in the operational management, in the like of the VOC. I just want to get you
5 reflection on – very briefly on the VOC Model should it be rolled out in a similar way in KZN or in Durban in particular?

MR ASMAL: That is almost two fold. One we are still negotiating on the VOC. So, there is not much or there is not full understanding of the VOC. Members have difficulty in terms of understanding the VOC properly because
10 in terms of the chain management benefits, it is not stipulated what exactly the benefits are going to be. How much the dividends are going to be. How many members will be involved in there and how the companies will be set up. So, they have not reached that point as yet and the second part of it. You have got to look at the VOC in terms also of the VOC which is the bus
15 ownership side of it, because depending on the term, the duration of running of the VOC and who is going to be owning the VOC and then later on; how is the tender processes for running the VOC going to affect the chain management of the VOC. So whether it is going to be a short [indistinct] of 5 years, 7 years of 12 years.

20 **MR NGOBENI**: It is usually 12 years.

MR ASMAL: Usually 12 years, but the trial project, I think they are talking about 3 years and then you go looking at an industry that needs to support their families for years and years to come. So, if you are not actually owning the VOC that may takes you out of 12 years from the VOC part of it. So, that

still needs to be tied in and looked at properly, because 12 years is actually a short term. When you take the youngster who started the business at the age of 20. He still has 40 years of his to go and after 12 years. What does he do? If he is not included in there and when they talk about dividends and stuff like that. You are asking the industry basically to move a career. Anyone sitting in this room the first thing when you get a career change. The first thing you ask is: What is my salary increase or what are my benefits? So, until the views he does not tell you what are your dividend benefits. You really do not know whether you are going to be in a better place or not.

10 **CHAIRPERSON**: Thank you. Thank you very much. This perhaps is a clarificatory question I think you indicated a number of associations.
[intervenes]

MR ASMAL: Twenty one.

15 **CHAIRPERSON**: Which about 21 and were made to understand that in Durban there are about - is it 270. 270 associations. I mean is it in Durban or in the province, the 270?

MR ASMAL: The province.

CHAIRPERSON: Province and in Durban how many associations?

20 **MR ASMAL**: No, Durban is made up of 5 regions and there is a 116

associations in the 5 regions and Durban Central one fifth of that five. Which is 21.

CHAIRPERSON: Alright. No, thank you. Thank you very much Mr Asmal, Mr Singh and Mr Kunene for your time and for your presentation. There will certainly be further engagements that are going to unfold because we are engaging all the stakeholders and of course we will come back to you on the
5 issues that you have raised and about how the relevant stakeholders have reacted to the issues that you have raise. Thank you very much.

MR ASMAL: Chair, sorry. Just before we close completely. There were two points that we did not put to the presentation.

CHAIRPERSON: You can make those point.

10 **MR ASMAL:** One was the R2. Which they need to seriously take into consideration 12 points for a, let us say a commercial driver. Also in regards to a fleet owner. If an owner has 20 vehicles and he only has 12 point and if he is given – if his drivers are given fines which are sent to him. The process and stuff like that is not going to take into account that the owner would lose
15 his license and probably the first day of R2 being implemented. Commercial driving or commercial business has to be looked in a different light. Also with the amount of corruption that we have currently on our roads. You will be opening up another avenue of corruption there and in terms of that it is going to become competition, because basically people are going to be fighting for
20 drivers and once a driver is suspended the only form of his career is driving. He will not be able to rectify himself or pay penalties because in any form of driving he is not going to be employed. So you are going to be creating a lot of drivers that will be unemployed, not just in the taxi sector, but in any form of driving. So, he will not be able to make a livelihood of that. Right, that is

the one point and the second point is the [indistinct] requirement at the PRE. Previously there was no requirement for SARS. Then it went to - you just had to be compliant in being registered with SARS and now you have got to be up to date with SARS. Most people submit their books annually. Most operators are involved in multiple businesses. Some of the businesses are not up to date in SARS but it affects them in the obtaining your license. The current system requires to be up to date, not annually, it is changing all the time. So, if a submission was – if you submitted at the end of June and there was a submission that was due in July. Your application that was submitted in June would be held back and only when you query it. Would you realise that the SARS is outstanding and then you would have to consult your bookkeeper, your accountant and rectify what needs to be rectified. So, it is no more becoming like an annual process of dealing with our accountant. It is like on a monthly basis. Thank you, Chair.

15 **CHAIRPERSON:** Thank you. Thank you, very much. You are excused and we will now take the next submission from the KZN Provincial Department of Transport.

Welcome and that thank you very much for your time and for your patience, as well. You may take the oath or the affirmation.

MR NTHULI: Thank you Chairperson. I will take the oath. I Sibusiso Nthuli swear that the evidence that I shall give. Shall be the, the whole truth and nothing but the truth. So help me God.

SIBUSISO NTHULI (d.s.s)

5 **CHAIRPERSON**: Thank you very much, Mr Nthuli. Perhaps you may start by just giving a brief introduction about your role within the department and how long have you occupied your current role within the department.

MR NTHULI: I am the acting Director for Public Transport Monitoring and Compliance within the provincial regulator entity with the PRE of the
10 department. I have been in this position now, for just slightly over 6 years.

CHAIRPERSON: Thank you, Mr Nthuli. I understand that you have prepared a presentation. You may proceed with your presentation.

MR NTHULI: *Ja*, Chairperson. If I may before I go into that apologise on behalf of my colleagues who actually were supposed to have been giving this
15 presentation and those are, who Mr Lunga, who is the Chief Director responsible for the PRE. Unfortunately he has been sick since last week and who Ms Nondlandla Majola, who is the Director for Regulation and Support within the PRE. Just yesterday she was booked off for being sick, by the doctors. So, I was requested [indistinct] last night to make this appearance
20 her and on those basis I would also like to apologise again for the time delays this morning, because as everything happened my day sort of just started on a very disrupted note. So, it is by no means a disrespect to this commission or anyone that would have been here on time. That I could not make it at the time that I was supposed to be here.

CHAIRPERSON: No we certainly do appreciate, Mr Nthuli your coming at such short notice. We really appreciate and thank you for that.

MR NTHULI: Okay, thank you and with respect to the prepared presentation. I will just - I will not stick to it as is, because as you would
5 understand it was prepared by someone else, but the information is going to be pretty much the same. Okay, the brief that I got in relation to our presentation here and pretty much I suppose in line with the presentation because I have had a glance at it. The first part of it – Okay, which would be the establishment of the establishment of the PRE. I do not know who is
10 controlling the thing here. The PRE is – Can we just go to the next line perhaps. *Ja*, is established by the NLTA so it is suffice to say that the references will be there, but maybe what important for me to highlight, about the establishment of the PRE, is that it is a successor to what used to be the statutory bodies that existed before it and those would have been what were
15 the Public Transport Licensing Boards, the offices of the Registrar and to some extent even though they were – they were discontinued totally. Those would have been the Provincial Appeal Structure, that is no longer existent, but the PRE in itself then took over the functions that were previously performed by these statutory bodies and perhaps what is also important is
20 that the [indistinct] age would have made a pronouncement on the need for a PRE or the MSE to establish a PRE. Many provinces have had to find different ways of accommodating the consolidation of the previously existing bodies into what would today be called the PRE. I am sorry. I am just struggling with my notes and pictures. So, please forgive me.

Okay the issue of rail, road allocation for Metro Rail passenger services to be

improved or better aligned. We do have a very limited passenger rail services in this province and however as a PRE. You have never had any
5 engagement with that at any rate, but just to make – I mean, to make a contribution in that space. We obviously are in the space where there needs to be integration of the different public transport mode and every mode has got its own space within the – within the transport value chain. So, what would assist is perhaps cleared defined type of integration. One that you
10 begin to see in the integrated planning that is happening within the RPTN. RPTN space is so – I would like to submit that even with the conventional Metro Rail Passenger Services that would have been provided by PRASA before, you know the RPTNs begin. A similar type of approach would greatly assist and in relation to busses. I do not know whoever is controlling the –
15 *Ja*, just move on it with the slides, because I know that this information covered. Continue please. So the – the question is – challenges that have been encountered by stakeholders or by different spheres of government in the implementation of RPTNs and development of integrated plans. First the and importantly, in this province I believe we will have only cities that have
20 been earmarked for development of higher PTNs, specifically and those would be Ethekewini which is at an advanced stage. Msunduzi which is only beginning and uMhlatuze which will at a later point, perhaps that with the implementation – planning and implementation. If they have not started already. These three municipalities are different from the rest of the
25 province, because they pretty much are the municipalities that have what

you would call a [indistinct] capacity to deal with public transport issues. Otherwise generally in the entire province, smaller municipalities especially, you would find that there is close to zero capacity for dealing within the public transport related matter. So, and to a large extent that function, especially in relation to planning, becomes a function that has to be performed by the province on behalf of the municipalities and much as the Department of Transport, at a provincial level, may have some capacity to deal with the planning but it also is a capacity to oversee the function as it would be outsourced to transport planners in the private sector and that is where the issue of, you know, limited budgets would come into place and that is where those whole dynamics between consultants and government would basically come into place. So, some of the – or in the main the challenge is such, especially in the public transport space you pretty much find that there is not a lot of people who have the requisites skills to deal with planning. Let alone the implementation, but also the budget is – it is quite a huge – it is quite huge issue in that regard. One may perhaps add that it is a struggle, even today, to get a lot of those small municipalities to, you know, conduct even the very basic, you know, of their functions as would appears – that would relate to public transport.

At times there is also – when you talk about public transport in the main and especially when you talk public transport on rural areas. You are talking about the taxi industry. With the current perception of what the taxi industry is. A lot of people even within the municipalities would not want to touch anything that has got to do with taxis. The primary reason would be. We are just afraid because whatever pronouncement you make may determine

whether you live or you die. So, that is in relation to the challenges relating to that.

Major [indistinct] can be put in place to ensure that capacities developed for the successful implementation of IPTN and the development of ITPs perhaps
5 in relation to - in the latter part of the question because I think RPTNs one I have tried to cover it by saying that only three municipalities and those who believe currently would be sufficient capacitated to deal with RPTNs.

Development of ITPs. I think here we have a much bigger problem because as I have alluded it is not only in the institutional problem within the
10 municipalities but it goes into the personalities and the nature of the industry itself, but up until there is a time when you are able to prove to people that the dynamics have changed. That the public transport operators are business people like normal business people. Then you will probably have a change of attitude at a level where people would then be committed to
15 saying: Okay, let us deal with the very basic functions in relation to – in relation to public transport. So, there is a lot of intervention politically that has to happen but also there is a lot of intervention by way of training people, both within the municipalities and outside the municipalities, as well, you know. So that their relations are improved in that regard.

20 And then the next question is in relation to section 57 of the NLTA in the objections process. Well section 57 and I believe it maybe 57(4) that allows for interested parties to make comments on applications that would have been lodged with the PREs. The main reasons would be the – perhaps a proximity of your operation to an existing operation it maybe an

encroachment a communality of that particular operation itself. So, for instance, if one moves from point A to point B and then somewhere in the middle there is a development and there is a point X that has been developed. Whoever would then be applying to move from point X to point B

5 would have to use the same corridor as the one that uses [indistinct] that would raise an objection. There are also other reasons for raising objections that would relate to personalities. You know, especially in relation to your entries into the industry, you know we have had cases where, you know, because people have got a particular history, you know, then you find that

10 there is an objection and so forth, but you will also find in the space objections, especially within – I mean within transfers. Where especially in the space of deceased estates. Where the families are fighting and so forth. So, there would be a space for objections. So, ja. Maybe I will just limit my response to that and how widespread is the practice? The practice is fairly

15 common very very widespread. Even though I cannot put it to figures but more than 50% of all applications that are gazetted would probably be objected to, either for legitimate reasons or for frivolous reasons, at times. So, it is – it is a process that is fairly well known to the public transport operators and in instances where objections are raised by large operators

20 did it appear if finally grant such operating licenses. It depends on the merits of each case. It is hard to say as a general response that we either grant or refuse. It depends on the substance of the objection itself. You know. Where we feel that the objection is warranted then chances are we will refuse, but where it is not warranted and [indistinct] will refuse. One of the reasons that

25 perhaps may influence a decision – I mean in the space of an objection, is if

a particular application, on merit, we find perhaps that if we grant it it will cause a violence. Then that particular application is probably going to be refused or at least deferred up until such time that whatever could have been the reasons or the causes for that violence have been sufficiently dealt with and we are – whether we are dealing effectively with objections. We believe we are at the very least trying to follow legislation in this regard. Who has a non-objections are lodged then we are guided by the law in terms of how we should be dealing with that objection in terms of notifying all the parties that will be affected by that by that and up until the space where there is a hearing and the objector will then be invited to that particular hearing, to make their representation and then again on merit the decision will either favour them or not. Ways that can be utilised to balance a legal provision with potential abuse of objection. Unfortunately, here we have – here we have a legal provision that is intended to make sure that the process is fair, but – and it is unfortunate because it has been abused. There are people or representatives of AMA applicants that in many cases will object just for the sake of objecting.

I may just make one example in about 3 – 4 years ago now. There is legal representative who is on the retainer of quite a number of associations in this province. So he has made it his business that he follows each and everything that pretty much affects the - that affects the taxi industry. So, and there was an agreement between government and the taxi industry at the level of SANTACO and the MEC to basically try and assist in a space where the industry was frustrated by the so called late renewals. By law there is nothing like a late renewal if your operating license expires and you do not

renew it on time it expires. The agreement was then for us as the department to consider people who would have brought in their renewal in codes, the applications posed the date of the expiry of the – I mean of the operating license. So, there was an agreement and they were possessing those and
5 this legal representative actually took this to – at first he would make objections left right and centre to the PRE, saying that there is nothing law that says a late renewal and he was quite right and when we persisted. He actually took us to court. You know to challenge that. Only to find that he was acting in no one's interest except his own. You know. Save to say that even
10 his so called clients would have kept him on a retainer for other reasons other than what he was doing and what he was doing at the time was contrary to what government and the industry had agreed would be the case. So, it is unfortunate that the process does get abused, but we believe that - we otherwise are doing the best we can to make sure that within the confines
15 of the law we deal with that.

The impediments to competitive bidding processes by government – I think this is just a bit too broad for me to be able to deal with [indistinct] because I mean, if I may understand it. This is a general government practice that if there should anything that government requires a service for - Ja, I mean you
20 – there should be – Ja an open bidding for it. Yes.

CHAIRPERSON: Ja, if I can just give you some context to that question.

The context is that as you are aware the contract – the current contracts with the subsidised commuter bus operators have not undergone a process of competitive bidding since 1997. So, the question seeks to understand as to

what are challenges or impediments or obstacles to a competitive bidding process.

MR NTHULI: Okay. Thank you. Thank you, Chairperson. I think now I get it much better. The main challenge with regards to these contracts is that as
5 provinces and to an extent municipalities were merely implementing agents for the National Department of Transport. We have not had the latitude, as it were, to change these contracts in any way. So, which is why as they exist now. You [indistinct] that they are very very old contracts and old as they are they have
10 forever been held by a similar type of companies and your individuals who have done their best to make sure that they keep everybody else out. Even with the intervention especially I will talk about this – I will talk about this province, because I do not know about other provinces.

The intervention of government to try and deal with the issues of
15 transformation. There has been a lot of resistance to a point where as government we were caught between a situation where you either renew these contracts, on a month to month basis. So that you will continuously then have a service that is available to people or take a hard line, which would have been undesirable to say: Okay, that – we will stop with. You
20 know. In which case then it would have meant that all those services would have stopped and people would have been left stranded. There have been efforts to try and enter into negotiation with these operators and even those efforts have not really been successful. Currently I am aware as a person that we are in the process of trying to unbundle some of those – some of

those contracts and it is quite a painful process for a lot of people that are involved in it and for a reason that perhaps others may understand. You know, this company's [indistinct] or individuals have been benefitting from – I mean from this thing for a very very very long time. You know. So, if you
5 take it away. *Ja*, you are taking away quite - *Ja*. I mean their livelihood basically, you know. So, which is why I believe it is the kind of problem that it is right now.

So, I am not sure if I have sufficiently dealt with that issue, Chairperson, but this is perhaps. With this will be my submission for now.

10 **CHAIRPERSON:** Yes, I think in the – when we get an opportunity to pose questions to you I think we will [intervenes]

MR NTHULI: I will like that.

CHAIRPERSON: Have a further discussion ...

MR NTHULI: Alright

15 **CHAIRPERSON:** With you on the matter. Now. Okay. Okay and just to continue. Does the PRE in terms of new routes – *Ja*, is it obliged to approve operating licenses.

MR NTHULI: Unfortunately again Chairperson. This is one of those areas and regulation that have been a sore point between government and the taxi
20 industry. The law is very clear, but before you purchase a vehicle you need to have gone through the process of applying for an operating license. Now, the flexibility within government processes is allowed – the truth of it is we have been playing catch-up, as government. We came into a space where

there was an already existing industry, which was unregulated, and we had to start regulating it and it is a moving target. So, as we try to regulate the industry there would obviously very many different changes that will happen. To an extent where this point about obtaining before you apply and applying before you obtain the vehicle has become pretty much. You know an issue that we continuously fight about and the reason is, on the one hand, there is this strong belief, in the industry, that – well our processes are too slow and there is some merit. Although there used to be some merit in as far as that goes. I am not sure if it is still the case now. That is the one part of it. The second part of it is and this is – I mean an encounter and perhaps we would call a personal testimony. You know, because we engage with them quite frequently. They will tell you that in order for you to know whether you want to apply for the road you must know whether it is viable or not. You know. So, for them it makes sense that you will buy the vehicle or whatever. Get the vehicle to operate first and see if there is a business there and then the [indistinct] apply at a later point. However, the law is very clear and in our engagements with the taxi industry. They would know that the requirement is that you apply first before you get a vehicle. Now the process of application. Yes, it used to take very long before and maybe we will get into that at some point. But with the changes that were brought into place is the Provincial Department of Transport actually we have actually managed to limit the times to what the law requires it to be. What happens is or I mean so basically if you make an application you would use standardised forms and again this is where you have a problem because on the standardised application forms that is where your vehicle particulars would be required.

Okay. But these vehicle particulars which are on the forms were placed there. Not necessarily because we are saying you must have a vehicle before you operate, but because the nature of the industry, that already when you started this regulation – they had vehicles. So, somewhere you had to accommodate that, but for processes of a new application – I mean even right now you can apply without having a vehicle and the piece of the form where you are required vehicle particulars. You block that out or you put in “not applicable” and only at the time when your application would have gone through all the processes up until you receive what is a grant letter, because that actually is what is the document before you get an operating license. That is what you then have to take to the financial institution to say: I have been granted a right to operate in this place. So, can I then purchase a vehicle and only at that point then the vehicle requirements become an absolute necessity. So, I think we have somehow missed each other on that with the industry up until a point where it has become a huge frustration. We do understand that frustration and to the best of our ability as we continue to engage with the industry. This is what we try to explain over and over again and hopefully some day we will find each other on that. So, the response to that particular question is that no, we are not obliged to approve simply because you have started operating. In actual fact we are quite firm in saying that if you start operating before you are granted an operating license you are an illegal operator and should you be found you shall be liable to prosecution and the optimal process that needs to be followed by a taxi operator to get a new roads allocated to them. The process will probably limited to the 90 day period, give or take, if there are any complications and

these complications would arise necessarily out of the objections process, you know, which would be. Ja, to some extent in the control of the representatives of the associations that would be involved in that, but basically all new roads, as and when they are applied for, will be subjected to a process where - especially where the municipalities do not have a capacity there will be an assessor sent out to assess the road, to establish whether it does exist and whether there is no one else that is operating on that road and a determination is made in that regard and once that assessment is done, it becomes part of the package of documents that will then form part of the process for the adjudication process. So, ja. It takes give or take, 90 days. You know. The underlying reasons or justification for PRE to issue moratorium and the effectiveness of the moratoria in deterring entering to the industry.

As you would have heard in the presentation, fortunately I was here. I think it was made by Taxi Alliance. This moratorium again was a national moratorium. Which was placed pretty much shortly after the initial phase of the registration of taxi operators and/or the routes and the process basically was that after you would have collected all the information of the industry in terms of who the operators are. Their vehicles and the roads operate on. They would then not be recruited more people into the system and effectively that was what the moratorium was about, but then the industry came back to government and said that in that space of the initial registration. There are people who are members of our associations who would at the time you had set your deadlines and so forth may have been out of business for this or that other reason. So, we request that you give them some clemency and

allow them to come into the system and that happened in this province we called that process the Phase 2 Process. Which basically had its deadline in November 2009. If I am not mistaken and then again – that was still within the space of the moratorium, but what had been happening and this is to try
5 and delude the latter part of your question. Is that as soon as you say okay, we agree, bring forth those people who you say would have been part of the group that are supposed to come through the initial [indistinct] Then the industry, especially the taxi industry, will then go and recruit you people. So then you had a huge influx of people who would have come in through the
10 Phase 2 Process, and then again we continued with this whole moratorium and in 2014/2015 the industry in this province comes to the Department of Transport, the MEC then and say: look unfortunately in the space that the moratorium has been in place we have increased our fleet. Can you then allow us the space to register the vehicles that we have acquired and could
15 not license because there was a moratorium on issuing of new licenses, but further than that there have been new developments. There have been this and that and a whole lot of reasons, you know, given to government to say: Consider these people. So, there was an agreement to say: Okay, that as this province, we are going to do away with the moratorium and because and
20 I believe in terms of the NLTA, now. We do not have the power, as the Provincial Government, to impose a moratorium. So, anyway it became that kind of an exercise. So, we then uplifted the moratorium in June 2016 and agreed with the leadership of the industry that what was going to happen was two things. The first is that existing operators who would have added –
25 existing legal operators. Okay, existing legal operators who will have added

onto their fleets in the time when we had this moratorium. Would then be given first preference in terms of licensing already, you know, because these are not new entrants into the industry and then once we had done with that process we will then consider the other category of people, you know, but

5 then again,, even in this process as you – as you start dealing with that you actually find out that there is an influx of new people. So to answer your question. The moratorium? Yes, has been there, but it never was effective, because the industry has continued to grow regardless of the fact that there was a moratorium in place. Instead of that the leadership of the industry has

10 had to concede to the leadership of the department that look – contrary to what agreements we had entered into with you. We still have people that needs to be added to be operators and so far the – I mean we are aware that the City of Ethekewini and this is in relation to the C4 question. What mechanism dit the PREs and municipality put in place to enforce this

15 moratorium? One of those mechanisms is this. What is the word? *Inunu*, this monster – this monster that as referred to as Chanelle. This monster was created at the behest of the industry. Had to deal with illegal operators who would have been at the time encroaching on their roads and/or you know causing violence left right and centre. Ethekewini I think as a city. They also

20 matched the move and created their own public transport enforcement unit within Ethekewini Metropolitan, because the based call to Chanelle were in or no call to Chanelle was an establishment within the Provincial Department of Transport, but using what would have been RTI – so it is a specialised unit of the RTI in this province. So those are the mechanism that we are put in

25 place. To try and enforce this moratorium and at some point. Ja, we have

had a lot of fights with the industry about the very existence of this beast and to be frank with the commission it is one of those areas where our relationship with the industry is a love hate type of relationship, because the one moment the industry appreciates that there should be enforcement
5 against illegal operators. The next moment if you yourself are the illegal operator at the time then it is a monster that, you know, needs to. Ja, stay hidden somewhere. So, and that is in relation to that. The underlying cause is for backlogs at the PRE and how they can permit it. Okay. In relation to this particular question. We made an assertion earlier about the lack of
10 capacity with the municipalities and this is one of those areas where you would find that they would be contributing towards backlogs, at least prior to the processing of operating or to the adjudication specifically of applications. But other causes is what you have heard here as well. There are a list of requirements that are part of the process and one of those requirements is
15 the SARS requirement that you are basically – your tax affairs need to be in order and so forth. So you need to have a tax clearance and so forth and this has caused a lot of pain as would be evidenced by pretty much all the representatives of the industry that would have come before you. They have made this presentation even to our political leadership to say we need to find
20 a way to deal with this thing, because otherwise it is impacting on their business, but it is quite a huge impediment and besides these two the other causes of - I mean of backlogs would vary perhaps from one application to another. Again to take you into the space of transfers. Especially deceased transfers. At some point as the PRE, in this province, we were quite
25 adamant and insisted that in a deceased transfer and in our view this was

intended to protect the widows in the industry. We insisted in the final liquidation and distribution account. Simply for a reason that a lot of the widows as Omamma you would have heard her. Their document they get stolen and the one moment you think you at least your proper documents of a business only to find that it has been stolen by someone or within the family – family setup again as I have said earlier about these things there are more objections. That they created – so if you have a final liquidation and distribution account then you know exactly that you conclude this particular transaction everything goes to the rightful person, but here after a lot of fighting with the industry only – I mean on this score we relented and that is no longer the requirement now. What is the requirement in that space now, is just the letter of authority or the letter of executorships and that. So, those are some of the requirements, then you will have other requirements such as your – I mean valid documents and so forth and this document – this documents will expire from time to time [intervenes]

CHAIRPERSON: Just a second Mr Nthuli. Can the organisers please just switch off the aircon, for now. You may continue, Mr Nthuli.

MR NTHULI: Okay. Thank you Chairperson. So, those will be some the underlying causes of the backlogs but in as far as what we currently understand to be the position, especially within KZN, is that in the main we process all applications that we receive within a reasonable space. So, that we would not have huge backlogs in that regard, but the problem becomes or comes in when those applications have been captured, processed and the requirements on the other end – that would be from the end of the operators are not there and especially the SARS requirement. So, that is –

Ja, that is my submission and how this can be remedied. It is quite hard to say how you do not – I mean unless - unless you say let us just do away with a piece of legislation that makes it a requirement in the first place. You see, but otherwise – I mean as they say they want to be taxpayers and perhaps, I am in some engagement with the revenue services may assist in that regard. I do not know. I mean I cannot even begin to think of the shape of that particular engagement. What is would be. You know.

And do the proposed amendments [indistinct] address, issues of area restrictions between traditional meter operations and E-hailing. Okay. The Amendment Bill of the NLTA deals with E-hailing a service to meter taxis. So, that fundamentally it does not change the operation of meter taxis and the requirements for operating a meter taxi. Meter taxis are expected by law - expected by law to be compliant and this is no different in respect of where you would have E-hailing as a service to the meter taxi. The requirement still is that if you operate as a meter taxi you need to meet the requirement in the legislation. What probably has been the issue is that you had this technology introduced which was not really properly understood by a lot of people, but also I think it is proprietors also did that intentionally to say we have this wonderful App and if you subscribe then you – you know there are reason and those benefits attached to it. It did not take away any of the – I mean it did not do away with the – with the law that requires that to operate as a meter taxi. You need to be compliant in pretty much the same way as the main stream taxi services operate and primarily that you need to have an operating license and [indistinct] permit.

So, what the Amendment Bill does is merely to recognise that that there is an E-hailing system. It does not change the requirement that you still need to have a – you still need to have an operating license to operate a meter taxi service. It is still the same. Whether that assists in dealing with the current

5 challenges that we see in relation to UBE and other the other E-hailing services. I am not really sure, because the one success of this UBE operation and perhaps its main cause problems in other provinces. Is that a lot of people that would have subscribed to use the App. Did that without following the law and to a large extent then they presented a huge challenge

10 to the traditional meter taxis in the – I mean meter taxi industry, to a point where I believe that some of them would have had to close shop, because the competition is just – *Ja*, that restrictive of - I mean especially in relation to traditional meter inter-taxi service. I am aware Chairperson that currently, as we speak, there are a lot of engagement that are happening between the

15 company UBE and the Department of Transport. I believe there may even be a meeting tomorrow in Pretoria to deal with some of these challenges, but essentially I do not think that the Bill, the Amendment Bill, is going to bring about any change, because all it does is that it recognises E-hailing as part of the services of meter – it is not, in itself, a solution to the problem. You

20 know, because I mean hailing a taxi is like, if you grow up in the townships like some of us [speaking in vernacular] taxi, you know exactly where you are going and the E-hailings comes exactly in that space, except it comes in the form of cell phone to say I want to go from point A to point B. You know it does not – the actual operation itself of the meter taxi is not changed by

25 [speaking in vernacular] and I would like Chairperson to stop. I believe I

would have through guidance taken you through everything. Thank you very much.

CHAIRPERSON: No, thank you. Thank you very much Mr Nthuli. I think you can only imagine that, because you are one of the core regulators of the industry. We will have a lot of questions for you, arising mainly from the submissions that we have received from the stakeholders that you interact with. So, we will give you an opportunity to respond to the various which have been raised concerning the PRE and broadly the department. Gentlemen in terms of – so that we make efficient use of time. I will allocate each of you a time allocation for your questions. So I will give you at least 10 minutes each. If you are out of time then we will give the next person an opportunity to ask questions. So that we also give the panel an opportunity to ask question. You may share the 20 minutes that you have, but that is what you have. It is not an hour like yesterday.

MR NGOBENII: Thank you Chair and good afternoon Mr Nthuli. I do not have a lot of questions for him, but I just want to raise – I think on my part there are just four question I need just, you k now to seek clarity and maybe to get your comment and maybe to get your views on how the issue can be resolved and maybe we should start with how this can be resolved. On – when you dealt with slide 11 and this is where you were dealing with the question of whether or not it is a requirement, you know, for one to purchase a vehicle before they apply for an operating license. The question there and maybe just to seek your views is. As things currently stand. If you look at the form that you require the operators to fill, you know, when they apply for these operating licenses. The form is very clear and it is because it is in

terms of legislation that it requires them to, you know, to state the vehicle or the exact type of the vehicle to be used for providing the service concerned. It is very clear. It is on the form and if you look at what you then have to do as [indistinct]. When you now after having received a directive from the
5 planning authority. You are then required in terms section 57(1)(b) to concede [indistinct] vehicle or the type of a vehicle by means of which the service is to be operated is suitable for that purpose. So, it appears to me that, you know, I understand you are having engagements with the industry, but it appears to me that if one looks at legislation. It is there and you know
10 and you know, just to get your view. I mean do you not think it is only prudent that maybe what we then to be doing is to consider an amendment of the provisions, but you know, causing all of these confusions because what the operators are doing in terms purchasing these vehicles before assessment is done. It is because you know, these are the requirement that are stipulated
15 in terms of the law. So the question is: Do you not think that there has to be – we now have to begin an engagement , you know, with the National Department of Transport to try and you know, maybe amend the legislation. You know, so that there is no ambiguity as to what is then required of an operator when they apply for this operating licenses and in addition to that
20 that we try and clarify what is then required of you when you are now exercising your powers when you assess at the application and when you are now dealing with the recommendations that are coming from the planning authorities.

MR NTHULI: Okay. Thank you. Thank you for the question, sir. I will not
25 disagree that if an amendment is required so that we are all very clear in

terms of what is supposed to happen. Then that is what is supposed to happen. Perhaps my response to the question was in relation to what currently is the case. What is happening, you know and because even as you make that particular amendment . If you apply, for instance, if you make an application for a public transport operation. You need to be quite clear to say: I want to operate a minibus. I want to operate a midibus. I want to operate a big bus or a meter taxi. You know. So, and that becomes the type of vehicle that you see would – I mean we will have to in the details of - I mean at least that details, you know, needs to be in the form. You know. So, as you do your assessment and then you will go into wherever and say: Do I need a minibus here or do I need a midibus here or do I need a big bus here or something. So, those are considerations. So, I am saying: Yes to an extent that you can make it clearer as an amendment I of course do agree, but I do not foresee a possibility of us not having that requirement form, is it for, because you would still need to know what kind of application you are dealing with. Thank you.

MR NGOBENI: I understand the talking, then maybe – Okay, maybe let us move to the functions that you now have to exercise as the PRE and the reason why I ask the question is because it says you now have to determine the suitability an now I am asking myself how then do you go about determining suitability. Unless if, you know, and please clarify, unless if I am not understanding this, You know, properly. They say you need to assess whether or not that vehicle or type is suitable for that purpose. So, the question is how then do you do that assessment without the vehicle itself.

MR NTHULI: Okay. Thanks. I think if you are talking in generally about –
Okay, maybe if you are talking specifically about the minibus type of service.
You know. You would not be talking about a specific vehicle. You would be
talking about the category of the vehicle. So, for instance You have rural
5 areas in this – I mean in this province. Which would have terrains that are not
necessarily easy to traverse with the kind of vehicles that you have to date,
you know and you may have an assessment that will say: much as we may
not object to you utilising a minibus in that particular are, but the challenge
maybe that maybe there is not sufficient people or maybe the terrain is going
10 to cause for you problems as you operate your vehicle or whatever. You
know so I am saying, you know. It is not a specific vehicle but the type of
vehicle. The suitability of the type of vehicle that you would – I mean that you
would want to use. Thanks.

MR NGOBENI: Thank you and just on the – on slide 14 and this is where
15 you deal with the challenges, I think, if I am not mistaken. When you receive
– Okay one of the reasons that you mention as being responsible for the
backlogs that the PRE is experiencing is the question of municipalities not
responding, in terms of section 55. What I am more interested in and this is
the experience here KZN. Is whether or not you have had a situation where
20 you have placed them on terms, because the legislation says well you can
place them terms for 30 days and if they do not respond. Then you know,
after the deadline then you can still make your decision. So the question is:
in terms of your experience as the PRE. Has there ever been a situation
where you have not been given, you know a recommendation or as directive
25 by the PRE in responding to the application and in giving you guidance and

directives. Where you have given them, you know you have placed them on terms. You have given them 30 days and they have failed to comply with that 30 day requirement and you end up deciding the application without having had, you know, their views.

5 **MR NTHULI**: Recently. Yes, but as quite frankly our approach has always been, from a point of view of understanding that this municipalities do not have the capacity and therefore use our own assessment capacity to try and assess in that regard, but there are case I am aware probably as of the beginning of this year. Where we would have had to say to municipalities,
10 with or without your comments which I will continue to consider this application.

MR NGOBENI: Thank you and in response to that question. You have mentioned – this is my last question, Chair. You have mentioned the question of capacity. Now they are more interested in, you are saying they
15 do not have the capacity and then I think it is just one of the challenges that you mention. I think it is on slide 7. Where you deal with the question of them lacking the capacity to develop, you know, this integrated transport plans and you then mentioned that most instances they rely on – they outsource the service. The question that I have is just a comment from you. You know,
20 some of them have now asked for - you know for some powers that you currently exercise, you know, to be devolved and to be now placed under the MREs which are your Municipal Regulatory Entities. The question that I have is: if they are currently facing challenges in the development of this ITPs and as you correctly state that they do not have the capacity. Do you
25 not think that by now [indistinct] in term of their function. I they now have this

additional functions of issuing operating licenses that is going to add to the burden and lead to more challenges. Just your view.

MR NTHULI: Thank you very much. Unfortunately it is only the City of Ethekwini that is in the process of establishing a Municipal Regulatory Entity and I believe it is nationally probably going to the City of Ethekwini near Cape Town. I am not sure about - I am not sure about Gauteng and what is unique about Ethekwini is that it is probably in the country the only city would have established a transport operating in terms of the old legislation that continues to exist even today. So, they are very well established. We absolutely have no concerns about the capacity that they have. That they will be able to carry this function. We have heard from uMhlathuze Municipality within the King Cetshwayo District indications that they too may apply to the Minister to want to form their own MRE and much as they may not have that capacity right now, but it is nonetheless a municipality that is better placed, you know to develop that – to develop that capacity. So there are no concerns in that regard. The concern we have with other municipalities is that – If you go to any municipality today, say for the secondary municipalities, but those rural municipalities. They do not have even like your current public transport records. Your CPTR. They have absolutely no idea what is happening in terms of public transport in their space and those are the municipalities we will be concerned about and in this point, fortunately none of them are under the illusion that they want to have MREs. Thank you.

MR NGOBENI: Thank you, Chair. I have no further questions.

CHAIRPERSON: Mr Lesofe. You have 7 minutes.

MR LESOFE: Thank you, Chair. I have such few questions.

CHAIRPERSON: Then you must start with the most important one.

MR LESOFE: I have a few questions in relation to the subsidy contracts
5 and, so based the evidence that the inquiry has received. It appears the
subsidy contract system has created problems, mainly because you have
contracts that have been awarded to the same service providers for at least
21 years. In relation to that these contracts are based on outdated schedule,
but is the schedule that was designed and adopted in 1997. It appears that
10 the schedule has not changed, thus far. As a result it appears the these
contracts do not fully benefit commuters. In other words it appears that these
contracts do not meet the needs of commuters. Is that a fair summary of the
concerns emanate from the system?

MR NTHULI: Thanks very much for the question. I think the only part that I
15 would differ with you on is the benefit to the community. We do not have any
indication. At least right now that with these subsidies where they are
allocated. We do not have any indication that they are not [indistinct]. Save
perhaps and I say this with a lot of caution. Save perhaps in your urban
areas, like Ethekwini where there at least is the access to public transport is
20 much better than in the other parts of the province, but in sofar as you would
still within a place like Ethekwini poor people who would then require
subsidised public transport, maybe – I mean my view may change. You
know. But in – I mean and I am speaking here precisely on the benefit to the

community. That we do not have anything that suggests that these subsidies are otherwise – I mean misapplied. In the areas [intervenes]

MR LESOFE: That is [indistinct] qualify my statement. What I am saying or what I am putting to you is that these subsidies do not fully benefit
5 consumers. Not that they do not that they do not benefit commuters, at all, in a sense that if they for instance, their roads and schedules are the same roads and schedules that were developed and adopted in 1997. They have even been updated, especially in the areas where there have been developments. In that context these contracts do not seem to be to the
10 benefitting consumers – commuters.

MR NTHULI: Thank you very much and like I said. Look I am in agreement with you. Okay and perhaps the only reason why I would want to qualify my agreement with you is because – Okay. How these things operate is like you, you have a subsidised route and as you would have that subsidised route
15 then you would have a monitoring firm that is employed by the Department of Transport to make sure that those services are carried out and those monitoring firms are supposed to bring to the attention of the department inefficiencies in the system of subsidies and to a large extent and I need to admit this, to a large extent you find that there are not a lot of penalties that
20 would be paid by the operators, but it has been observed and unfortunately. Ja there are areas where we have made an observation that there could be changes that can be to the – I mean to the schedules.

MR LESOFE: Then why are those changes not been made/

MR NTHULI: Sorry?

MR LESOFE: Why are the changes not been made?

MR NTHULI: Why are they not been made.

MR LESOFE: Have they been made? Perhaps that should be the question.

MR NTHULI: I would not want to lie to you and say they have been made,
5 but and this is one reason and one reason only. The setup of the department
is such that whilst we may monitor and oversee public transport. The
contract management section is a different section all together and I have not
had the opportunity to talk to them before I come het, especially in relation to
10 this. But, in this specific case I know we have had thorough engagements
with them on the need to change the schedules and the time tables and so
forth. *Ja*. So whether those have been made or not unfortunately I am unable
to say. *Ja*, I just do not have the information.

MR LESOFE: We also understand that the contracts are – the current
contracts are due for renewal. I just wanted to – I am not sure if you will be
15 able to respond to this. To find out what is the government's plan in this
regard?

MR NTHULI: Thanks. It is [indistinct] when I can answer your question.
Firstly, is that is that: Yes. I think for a while we had been operating on month
to month contracts. If we still and - *Ja*, but the directive has been that the
20 contracts need to be – to be renewed but as they are renewed. We then
factor in the whole issue of the transformation as well. So, we do not just
renew as they [indistinct] Hence I spoke earlier about the unbundling of some
of these contracts. So that previously exclude – what is it ? Participants could
be allowed in. So, right now that process is still unfolding. I think it may have

been a month or two months ago. Where the tender was – Ja, I think the tender closed about two months ago for - I mean for this – for this contracts or at least the ones that have been unbundled. So, there is – Ja, there is some movement in that space. Except I can really not give it to you in
5 definitive terms.

MR LESOFE: Okay. So in – when there are incidents such as bus-strikes. Right. It appears that – well commuters are [indistinct] affected especially those who buy monthly coupons. I just wanted to find out from you if you know the process that is followed by operators, because for instance if there
10 is a strike that is from the 10th of say June until the end of June. Essentially commuters would have to make alternative arrangements for themselves, but from the operator's side what is then done after the strike. How are consumers – you know, compensated? Not necessarily in monitor form in mental terms, but what is done to make up for their loss?

MR NTHULI: Thanks for that. Look I would be pretty much guessing. If I were to try and answer that question especially on the side of the operators. How they deal that. Insofar as we have intervened, as government, where those have happened. It always been - it always has been on the side of saying that the passenger or the commuter must not be prejudiced for
20 whatever may have been the cause of the strike, because I mean many a times we would find that the cause of the strike is a labour dispute. So, whatever then is the outcome of that particular labour dispute or whatever flows as a consequence from that labour dispute should not – so that you – I mean the likelihood would be that if a commuter was holding a weekly or a
25 monthly ticket. You know it will be considered to be valid up until the time

when he would have utilised it in total. You know. But then again, you know, I am – whether the operators do that or not it is a – I mean we have not had any complaints. Now, and here we are talking not only about the subsidised bus in this. We are talking generally about, you know your bus in this, 5 because in this province you have quite a sizeable nonsubsidised bus industries and they have had their fair share of troubles. Either by way of labour disputes or by way of disputes with the taxi industry. A very recent case. I am not sure if I am at liberty to mention, but anyway there is a bus operator in the northern part of KZN who has had some serious problems 10 with the taxi industry. We have intervened quite a number of times to try and assist them and part of what they had to deal with were a seasoned ticket – I mean ticket holders who could not move – who could not use those tickets because their buses were prevented. Now, this is where a bus is prevented not by any doing of the operator. This is not a labour dispute. This is a 15 dispute between operators the then affect, you know and to the extent that we were able to assist this particular bus company – I mean part of the agreements that we entered into with them was that look those people who would bought tickets at that particular time, you know. Give them the clemency of at least utilising all of it until, you know and to the best of 20 information I have right now. Is that that is what has happened.

MR LESOFE: Thank you [indistinct]

CHAIRPERSON: Thank very much Mr Lesofe. Mr Mandiriza

MR MANDIRIZA: Thank you Chair. I just a couple of questions I think maybe, with respect to time will try and maybe prioritise. I want to make a

follow-up on Mr Lesofe's question in terms of contracts. Are you aware that -
Okay, so we had a presentation from Metro Group. So, they indicated to us
that they have two contracts that are loss making. Are you aware of that kind
of information?

5 **MR NTHULI**: No, sir. I am not.

MR MANDIRIZA: Okay, then you mentioned that you have gone on tender
for the new contracts and you now have a transformation angle. So, I just
want to get clarity in terms of the tender itself. Does it include the provider to
find a new small or bus operator or that is a separate – that is a separate
10 process, because we also received a submission from the bus industry
yesterday, indicating that they are, you know, almost like sideline for some of
this opportunities. So I just want to get clarity in terms of how this tendering
process is. Whether it is already inclusive of the transformation or after
appointment you put a restriction. Whoever gets that contract would now
15 have to bring in, on board, some kind of a subcontracting arrangement.

MR NTHULI: Thank you. Again I will be speaking [indistinct] or in
correction. But the tender that I am talking about was designed specifically
to deal with the transformation issues and it is an open tender, but open as it
may be. It is targeted at people who would meet a specific category and
20 that category will, by definition exclude other people that cannot be
beneficiaries of the whole transformation - Yes.

MR MANDIRIZA: Now, thank you. Then I think we also received submission
in terms of that consent from PRE . You know backlogs and or a whole lot of
things. I think you heard some of them today. We just want to get a sense on

your perspective on the number of backlogs. When in Gauteng, previously, they had an idea of how much their backlogs are. So, I think maybe no response. You can give us estimated, you know, from your own and in terms of that backlogs and you can maybe subcategorise them, permits not
5 uplifted, I think we – you now and the actual what you can consider actual backlogs because you got a distinction yesterday from Ethekewini saying some of the so called backlogs, permits that have not been uplifted is because of the SARS requirement and all these other things I do not know whether you will be able to get – to give us the sense of what you, as the
10 PRE categorises backlogs, especially, I think it is the meter taxis [indistinct mumbling]

MR NTHULI: No, thanks. You will pardon me for this. I do not have the actual number, but as at the end of the financial year. We were sitting at 10% upliftment .

15 **MR MANDIRIZA**: 10% in other words it is out of a 100 [indistinct] only 10

MR NTHULI: Yes. Ja in April – in April we had 4 000 that would have been processed or were at different stages of being processing and only 400 uplifted.

MR MANDIRIZA: And the balance was approved but not uplifted.

20 **MR NTHULI**: Ja. Yes if I [intervenes]

MR MANDIRIZA: I think for now – for now we will stand ...

MR NTHULI: Yes.

MR MANDIRIZA: Will stand there and in for then [indistinct mumbling]

MR NTHULI: Yes, Ja. I think let us rather do it like that.

MR MANDIRIZA: The details, but in terms of your own assessment of the service that is being provided by the PRE. Are you happy with the quality of service, because I think they – I think you heard from most of the presentations today that, you know, people are not very very happy from the meter taxis as well as – the first presentation today and I think NTA had the same issues. SANTACO, the Durban Central also raised the same issues. I just want to get a sense of you own assessment and maybe no response. You can maybe just assist us in just trying to get how many officials generally deal with all of these things in the PRE?

MR NTHULI: Okay, sir. Thanks. It is work in progress. That would be my general statement. Look we have had very legitimate concerns from the industry and I think we are fortunate as the Department of Transport because we have this sort of relationship with the industry. Sometimes we hate each other. Sometimes we do not really hate each other. We continue to engage so. You have in this province, in the main and even though I am afraid to do this. I think I am going to do it. I mean you have an industry which is largely organised. So, if you would have ...[indisinct] or Mr Nkomo specifically saying that the NTA in SANTACO means that they are part of SANTACO – that is the relationship. We have a vry strong relationship with the industry at the level of with SANTACO specifically, for a number of reasons but maybe the - [indistinct] reasons is that by the industries own acknowledgement SANTACO is their structure. That does not mean however, that we only recognise SANTACO. We recognise other industry formations too. And we have scheduled meetings with SANTACO pretty

much on a monthly basis. We sit – I mean we sit with SANTACO to deal with some of these problems as and when they arise. But equally so, all Mr Mazibuku would have told you that we sit with him too, because if he presents problems to us. We do not say that I know, because your alliance

5 we are not going to talk to. No, we talk to them as well and they would bring whatever issues. The only difference between, perhaps the alliance and SANTACO is that our engagements with the alliance they are *ad hoc* as and when, you know, they would bring issues then we would look into those. Unlike on the other side where they are quite well established and ja. And

10 the complaints that would have been brought to the commission. I can obviously not speak for each and every individual within the department, because - especially within the PRE and especially at front desk, because people have got different characters, but we have had a lot of problems and we have tried to deal with a lot of those problems, but the one aspect that

15 perhaps has not really been properly ventilated to this commission is the relationship between the industry representative and our front desk staff and that is the kind of relationship that over time has made it seem normal that people are not going to render a service unless we buy a capsie and that is corruption – blatant corruption. We have to gripe this with industry, to say

20 please when you come to the PRE, for any services, this conduct of and in this province it is considered we want you to say thank you ...[indistinct] at me, but that is exactly the type of conduct that will – the following day when you do not have that particular incentive cause the person by in the counter not to assist you in the manner that you would have wanted them to assist

25 you, but it will cause for that same person not to give the next person the

same attention they would have [indistinct] . So, it is true but unfortunately it is not a one-way type of relationship . It is a two-way type of relationship.

MR MANDIRIZA: [indistinct] I think I am – the last two, or the last one. I will ask two question at once. I think the one it is in relation to the system that
5 you use to process your operating license. I think we have heard submissions in Gauteng, but by the National SANTACO, that despite all this problems and the concerns that we have had, this time around. They were saying KZN and Western Cape are actually doing something better, in terms of the processing. So and we understand you are not using the National
10 Department of Transport's systems. I just want to confirm Ms [indistinct] on right. Then the second question It is in relation to the number of objections, especially for bus operators. Are you in a position to just indicate to us. You know, who are these main, you know, objectors to some of the – because I think it is public information [indistinct mumbling] but I just wanted to give us a
15 sense of what a parties. I think at ...[indistinct] I think I will leave it here.

MR NTHULI: Thank you. Firstly in relation to the system. It is one of those things which have brought a significant improvement in our service to the operators and the answer is yes. We are using a provincial system. We call it Legitimate. We decided to stop using the national systems, there were two
20 of them, for reasons are of inefficiency and they were very easy to manipulate and – Ja, there is a lot of corruption that may have happened around that especially there is a system we called LTPS. The one we would use to produce payments. It Land Transport Payment System. So, we have discontinued those. The new provincial system that we have is the kind of
25 system that has made it easy for us, as a department, to be more

accountable in terms of the work that we do, but for the industry the benefit – if I may be allowed. The lady who was here decreed that we moved her body from Ethekwini to Maritzburg. That happened a long-time ago and it used to be the only - the only point where you would get this particular serviced from the department. Right now we operating in Port Shepstone. 5 We are operating in Empangeni, Edlozini and Lady Smith. In the near future probably, we are counting months now, if not a couple of months, just under a few months. We will be setting up an office here in Durban and this is the benefit that comes with the systems that – I mean we are able to decentralise it. So, whereas in the past you would have had operators 10 coming from as far as – if you have an idea of this province, to travel to [Umkhanyakude](#). Driving there it is no less than four hours, it is probably more than four hours. So we would have an operator coming from there to Pietermaritzburg for back then it was a transaction [indistinct] but the costs 15 they would have had to incur and everything else and only when they get here to find they have issues because not all there are here. So, it was. Ja. So having an office in Jozini may not have solved all of the problems, but at least it has taken quite a huge weight, you know of the operators. So, there have been significant improvements. Also the turnaround time in terms of 20 processing the applications, because we were now able to trek from the day when the application is lodge. When the application is heard. The upliftments a different story. So you are able to monitor that as well. But more than – I mean but more than anything within this system the operator is now able to call into the department instead of having to come down to the department 25 and check: Okay where is my application. First we have an SMS system that

will update you, that is okay. Now, we have received. Now we are at capturing. Now we are at gazetting. Now we are at agenda and so forth, you know. So it does all of that, but for those that are unable to use the SMSs you can always call in and say: application number so and so. Where is it? .

5 [indistinct] will be able to tell at the press of a button that is where it is. So, those are the – those are the improvement and most of them. The industry are not going to give to themselves for this. When they actually deserve to, because it came about after extensive and intensive engagements with government to say that this thing is not working for us. You know, let alone
10 our own frustrations as the Department of Transport with the National Systems, but there was a huge outcry from the industry which actually made this possible. So, finally it has happened.

The number of objections for bus operators. The distinction here would be. You would not have objections for contracted services. So, the number there
15 would be zero. But for the non-contracted services, increasingly we have found that especially within Ethekwini that taxi associations will probably object to each and every application made. To each and every application gazetted for bus operating license. So, even though I cannot give it to you in numbers, but it has increased – it has increased over time to a point where,
20 especially in areas where there are actually – there are actually tensions there are certainly objections there

MR MANDIRIZA: A long distance. Long distance buses, sorry.

MR NTHULI: Long distance busse. We – Okay I would not be aware of objections *per se*, say for only one. I think we have a recent application that

may have been made about a month or so ago, for operations from Durban to Johannesburg. I am not too sure how many applications were made, but I know one was gazetted and I mean there may be an objection on that particular – on that particular application. We again, do not have a lot of those. This applications that were received were probably in this province the first that we have received for long distance operations, because your normal bus operators such a your Greyhounds, and Inter Cape and so forth. They would all either apply in Gauteng or in the Western Cape, never with KZN. So, it would be for the first time that we would have a bus operator, a long distance bus operator starting from KZN. Ja.

CHAIRPERSON: Ms Nontombana

MS NONTOMBANA: [indistinct] one question from me. I think from the submissions that we have heard. There seems to be a suggestion that there are different treatment of buses versus taxis and to some extent, particularly in other provinces it has been made clear that even in terms of the requirements for operating licenses. The requirements tended to differ. So I would want you to just elaborate. If there are any differences here in KZN in terms of the requirements for operating licenses and this would also apply in terms of the renewal. If that would apply for the different modes of transport and if there are those differences. Why are they in place?

MR NTHULI: Okay. Thanks. Maybe let me start with the latter part of your question. We had a moratorium on minibus taxi tab services . So for the longest of time we are not issuing new operating licenses to taxis, but that moratorium never applied on busses. So that is the first point where they

were treated differently. Including the other most like meter taxis and tourist operations and so forth. The moratorium did not apply to those, it only applied to the minibus taxi industry. The other part of your question. Like I said unfortunately as KZN we were not really exposed to this environment of

5 having to deal intimately with the long distance buses. However, we have had incidences that occurred at PRASA station. Where because of how the big bus companies were connecting themselves. There was actual conflict between them and the taxi operators, especially Durban long distance taxi association. Apparently and this is an issue which I was advised at some

10 point the Competition Commission assist with – where there was a price war that actually affected negatively the taxi industry. But not only that. There were also allegations of how PRASA actually would in its premises give preferential treatment to some bus companies much to the detriment of other bus companies. Not only now the taxi – the taxi industry but other bus

15 companies especially the smaller ones, who would not get the same benefit of operating in the same premises, you know. But like I say I was made – I was advised - by the people I was – I mean we were dealing with, but the matter had been brought to the competition commission and I am not really aware of what would have come of that. I am not sure if I am leaving any

20 part.

MS NONTOMBANA: The question was: whether there are differences and why would there be differences in treatment of the different modes of transport and specifically relating to the issuing or the renewal of operating licenses.

MR NTHULI: Okay. Sorry m'am. Like I said. In the issuing and renewal of operating licenses I would like to believe that we treat them exactly the same except for when they are contracted services. Contracting services do not get gazetted because they are contracted services and so they are
5 handled differently, but your normal commuter or your normal non-contracted services. They all have to go through the same process where they applied, it gets gazetted and so forth. I mean up until it is issued. The one criticism and it is a fair criticism and that we have received from the taxi industry and again this is not, because we wanted it to be so, but there is something
10 called interchange ability of buses Where; you find that operators are able to operate on one road or – I mean different buses either under the same operating license or permit. I am not sure really how - I mean how it works but it is something that is there. That is the one thing. The second thing is that in this province, especially. I am not sure about other provinces. The
15 outcry from the taxi industry has been that there are buses which we license as the KZN Department of Transport – I mean and those buses would probably have a GP, NW, NP registration and so forth. Which does not happen with the taxi industry. In the taxi industry for you to obtain an operating license you must be paying your license. Ja you must be licensed
20 in KZN and probably in the area where you are operating, because we hardly ever would allow. Ja, say an NKR registered vehicle to operate local in an NUZ type of locality. So, there are those and they are, unfortunately outside the control of the PRE. You know, especially for the bus companies, because they will tell you that their depot is in that part of town and over time
25 you know. So, these are the things that we would have inherited. However,

having become aware of them. They are now issues that we are trying to deal with. So, the truth is. Yes, these two modes have not really been treated exactly, but in terms of your issuing of operating license. I believe, you know, it has exactly been the same. My one criticism of the - and perhaps this go [indistinct] is two of the bus industries. That in one case that we were recently dealing with. Whereas they would renew the operating license or the permit. They would not make the effort to update the annexures. So, what is contained in the annexures. The annexures would contain your road description. It would contain your schedules. It would contain your timetables and everything. So, what the bus operators would ordinarily to is just the face value of it is renewed and then they attach it to an old annexure and it in one case just became a nightmare, because when we had a problem we could not use the annexure, you know as a basis of you know, getting accurate information from it. Thanks.

CHAIRPERSON: There are just two last questions from me. The first one relates to the issue of subsidies, be it in the form of an operational subsidy or even a rolling capital subsidy. I would just like to get the views of the Provincial Department of Transport in respect of the rolling out of other and operational or a capital subsidy to the minibus taxi industry in view of the fact that the recent national household consumer saving and I do not think that there is any stakeholder so far who has disputed this. That the minibus taxi industry by far carries the largest number of commuters in terms of volumes. And I think part of the submissions that we have received by various stakeholders, including some aspects. I think indications are that one cannot have a public transport service without some form of subsidisation. I

think that there seems to be concerns us or at least a majority views around this issue. I will just like to get the views of the department on this if you do have a view and in a similar vein I will also like to get the views of the department on the rolling out of the same, either an operational or even a capital subsidy to the unsubsidised bus industry. As to what are the views of the department on this and perhaps whether the thinking in the department is that the tender that we have issued may possibly be a mechanism of enabling the smaller unsubsidised operators to also enter this contract as subsidised space. So that is my first question.

10 **MR NTHULI**: Okay. Thanks Chairperson. This is quite a tricky one. Maybe let me start with the latter part of your question in relation to the tender and whether it is intended to benefit the nonsubsidised bus companies or not. I think the and I will place the emphasis on the “I think” part of it. The intention is to open up the market to those who were prevented, but the extent of the restriction, I am not sure, because again the nonsubsidised bus industry is not a homogenous group, as it were. Ja, I mean it may have similarities here and there which may, by the way serve either to exclude them or to include them, because it is no secret that for the longest of time the beneficiaries of these subsidy contract in this provinces were mainly Indian operators, four families and so it is foreseeable that whilst you – I mean you design your transformation model, you know. That will be taken into account. But the specifics of it unfortunately I do not have. I do not know if they would be included or excluded but one thing I can assure you of is that it is aligned to the transformation targets of the country. It is not something peculiar to KZN.

Now in relation to the taxi industry, minibus taxi industry specific. This is an ongoing discussion about the taxi industry being subsidised as the taxi industry. Our view, as a department, has always been that it is necessary for the taxi industry to be subsidised for the obvious reasons and these are

5 the reasons that we share. The unfortunate part of the story, first of all is that insofar as subsidies are concerned it always has been the competence of the national government. So, we need lobbying to be done at national government and in as far as we have done that the issue of the organisation of the taxi industry has, from time to time come up, you know quite sharply,

10 you know. But it is quite a big industry but it is also not speaking with one voice. One group is saying this. Another group is saying that. You know. I mean both them looking at the same type of objective. So, I think the problem over time have been there is just no agreement on the model of the subsidy and to an extent that you e-tax recap it may have been one of those

15 measures that felt they need to put in place to try and assist the industry and somehow it did not work as best as everybody had hoped it would. But the simple – the simple response is that, yes, it is necessary, you know, but for it to be realised I think the industry needs to also realise that you cannot have different packages for the different expressions that are made by the

20 industry, you know. what you do for Top Six you must do for SANTACO, you must do for Taxi Alliance in its many different variations. So, basically I think the tricky part is exactly when it comes to that. It leave treasury in whatever objections there may come with in terms of making the funds available for the subsidy.

Now, in this province at one point the concept – the transformation concept that was adopted and implemented with limited [indistinct] was to say we take existing contracts or ja, it would be subcontracts and we basically give them two taxi operators and that was not subsidising the taxi operations. It was still subsidising the bus operations, you know, but the beneficiaries were the taxi or people who were the taxi operators. We have two contracts Mthonjanene which are operating like that now. We have one [indistinct] and we have one in Port Shepstone. That is why I am saying it was – the success there quite limited. Limited form the uptake part of the industry as well as maybe how we as department were rolling it out as well. It just made itself prone to a lot of problems and challenges. Hence the new approach now. You know, which we hope is then – which is not now specifically targeted at taxi operators but it is targeted at entrepreneurs generally. :You know who show [indistinct] recapacity and ability to – but insofar as subsidising taxi operations are concerned. Unfortunately that is in the [indistinct] of the National Department of Transport and I know for a fact there are engagements going on the – how far they are and when they will be concluded I unfortunately cannot say.

CHAIRPERSON: And then my last question that relates to the meter taxi industry. I am not sure if you were already here when they made submission earlier this morning. But essentially they say that there is a blood bath in the industry. That a lot of meter taxi operators. The traditional meter taxi operators have had to exit the industry in droves because they are unable to compete with the fares which being offered by UBE and Taxi Fine. They made a submission that they operated on a fare of about R12,00 per

kilometer. Which was hardly sufficient to cover their costs and UBE roughly is working on a fare of about R7,00 per kilometer. So, they say that a lot of operators have had to exit. The - small businesses have had to shut down and people have had to be retrenched.

5 We have also received a submission from the meter taxi industry in Gauteng,. to be more specific. They have raise the issue of differential treatment between the meter taxi industry s E-hailing Services in terms of the regulatory compliance issues. They say that the traditional meter taxi industry is subject to a different regulatory regime for the regular regime that
10 applies to E-haling Services. They gave us examples about radius restrictions in their operating permits. The fact that in terms of their operating payments they are required to be rank based and they are also required to have an installed meter in their taxis which and they raised various other issues which hey say pushes up their cost and they are competitors, the E-
15 hailing Services operators are not facing the same or similar restriction. So, I will just like to get your views broadly on this issues, but more importantly on what your assessment is of what is happening currently in the meter taxi industry. I mean the – have you assessed as the department. What is happening in the industry. The exiting of operators in the industry. The loss
20 of employment in the industry and what are your views on this. Do you think that any interventions are needed . So, I just want to get your thinking around this real issues which have been raised.

MR NTHULI: Okay. Thanks Chairperson. Okay, first of all. I think even the blind can see that this or the introduction of UBE and the uptake from Ama
25 operators has pretty much. Ja, dealt a huge huge blow to the traditional

meter taxi industry. I would not contest. Even though I do not have the figures right now, but I would not contest a view that says a lot of traditional meter taxi businesses would have had to shut to down because of this. I also would easily accept that the space for competition or the ground has
5 been shaken quite drastically by this E-hailing – introduction of E-hailing services. When it comes to the issues of regulatory compliance. I tried in my presentation to make the distinction between what this E-hailing service is versus the actual operation of meter taxi and insofar as the operation is concerned. I think it would have been quite tragic of any government entity to
10 seek to implement different rules to one operator versus another, because the distinction we are trying to make is that whether you subscribe to UBE of you subscribe to Taxify or you subscribe to none. If you operate a meter taxi service then the requirements have to be the same, period. You cannot have a different set of requirements for a taxi operator that subscribes to – I
15 mean an E-hailing service and a different set of rules for you know. Someone who - I mean who does not subscribe to and if that has happened anyway. It is quite tragic and probably abuse of e-authority, governments authority.

Now in this province all meter taxi applications have been dealt with exactly
20 the same insofar as they have been brought to us and I am not aware of any application that would have been brought to us with an indication this is – that this taxi subscribes to UBE or does not and it would not have a difference anyway. The requirements remain exactly the same. I think generally what we give to meter taxis here is 50 kilometer radius to those I
25 reply. We do or and two meter taxis are not rank based insofar as we have

been dealing with them. They actually are a home based or they would choose a business location but not rank based and the installation of meters and I mean and other requirements as would be prescribed by the law is what would – now the difference, Chairperson and perhaps this is what we need to try and make as clear as possible. The difference is that when UBE was introduced and by the way in this province UBE is only in this city. In Durban it is not in the other cities yet. When UBE came into the market they pretty much were open to anyone and to everyone. So, this would have been people who have never heard of the public transport industry and they said O, there is this nice thing called UBE. Let me subscribe and I can afford to buy a new Mercedes let me... You know and that is how it took roads. That is how it took ground and to an extent that there is no requirement from the company UBE to say that mark our vehicle with a big sign that this is an UBE vehicle . We have been unable to police that, even as a Department of Transport because we do compliance checks on every mode of public transport, you know and I know – I mean the taxi industry, the minibus taxi industry will tell you that [indistinct] to get them and then the bus industry will tell you that [indistinct] are get them at times, you know. But at that note withstanding. We do these compliance checks but how do you make a difference between your vehicle ...[indistinct]

CHAIRPERSON: No Majenge.

MR NTHULI: As who Mr Majenge [speaking in vernacular] how do I make the distinction between you and na UBE operator if there is no distinguishing mark. Those have been some of the challenges in terms of ensuring compliance and the facts that you are unable to effectively ensure

that there is a compliance. The consequence of that is that you buy in large. UBE operators have been operating illegally and they have been able to basically – they have been able to do that without being detected by law enforcement and now this is going to, probably Ja to [indistinct] a person.

5 Right now we sit with a huge problem a ticking time bomb as others would call it, because what as you would have not seen the violence between UBE operators and your normal meter taxi operators, in this city. There are – I mean the tensions are so palpable at the moment that. Ja, and the fortunate part of it is that they have been brought to the attention of our
10 MEC before they could blow-up in the public. There has been a quite a huge up take of this UBE from the traditional operators. So they are basically struggling, One foot in the traditional side and the other foot in the UBE side of the business, but their traditional side of the business has been so pressured to a point where they cannot take it anymore.

15 **CHAIRPERSON:** So, they operate in terms of a hybrid model or a hybrid operator.

MR NTHULI: You can call it that. Yes, but – I mean ordinarily they are meter taxi operators and some taxi operators that operate UBE, as well. You see and it becomes – it becomes a bit of a problem if now you have a,
20 because again – maybe let us make this clear. The issue is not so much between the operators themselves, but the issues is between the operators and the company that runs and owns UBE. Last week some time if I am not mistaken there was even talk of shutdown of public transport because of this tensions in the city. Whether that materialise or not I am not aware and part
25 of the reason why – there is a meeting that involve the minister of transport

as a consequence of these matters having been brought to our message to say: look we have a huge problem that may explode at any moment. So, we need intervention and given that UBE is not only a problem in this city but it is a problem nationally. So, the direction to be taken was let us involve the national minister in this particular discussion. Let us involve the taxi industry. Let us involve the meter taxi industry and see if we can find a way out of the situation. Thank you.

CHAIRPERSON: Ja, thank you. Thank you very much Mr Nthuli for your time and coming all the way from Pietermaritzburg. Thank you very much.

10 **MR NTHULI:** And just one last correction. I had thought I will make this at the beginning of my presentation. The FICA is not 270 registered taxi associations. It is 246 and ...

CHAIRPERSON: In the entire province?

MR NTHULI: Ja, in the entire province is 246 and a 116 are in this city and I am aware - O. Ja, because part of the challenges were in fact to deal with is that the transition from the NLTTA to the NLTA kind of left us in a vacuum when it came to dealing taxi – taxi associations. So, the Amendment Bill, if it is passed it is going to then assist us in that regard and we will then be able to effect some of the changes which have been made as a request by the industry, for instanced amalgamating some smaller associations into one. So the figure – I mean, if the Bill is passed in its state as it is right now, the figure may actually go down or maybe stay the same, because there are other areas where there may be a genuine need to register new

associations. I do not know. But, ja the number may change. But currently as it is right now the figure is 2-4-6. Thank you.

CHAIRPERSON: Thank you. Thank you very much. We will it is – I think because this process it is an ongoing process. We will come back to you on
5 other issues that we have not been able to cover in the time that we have had, but thank you. Thank you very much for your help and assistance. We will now take a short 5 minute break and then afterwards we will take a submission from SANCO. So, we will be back at ... Ja we will take a 5 minutes brake.

10

CHAIRPERSON: We will have to start then. Are we ready? Welcome back. We will now resume the hearing. We will receive a submission from SANCO. Welcome gentlemen. Thank you very much for your time, for your patience as well. There should be a piece of paper in front of you. You may take the
15 oath of the affirmation.

MR MKUNGU: Thank you Chairperson.

CHAIRPERSON: Please switch on the mice.

MR MKUNGU: Ja. Thank you Chairperson my name is Richard and the surname is Mkungu. I swear that the evidence that I shall give shall be the
20 truth, the whole truth and nothing but the truth. So help me God.

RICHARD MKUNGU (d.s.s)

CHAIRPERSON: Thank you Mr Mkungu. Your colleague as well. If you can please take the oath or the affirmation.

MR ZONDE: Thank you Mr Chair. My name is Siphore Zonde. I swear that the evidence that I shall give shall be the truth, the whole truth and nothing but the truth. So help me God.

SIPHORE ZONDE (d.s.s.)

5 **CHAIRPERSON**: Thank you very much. Can you please the representatives SANCO an opportunity to make their presentation. If you could just start with explaining your role within SANCO and how long have you had role within SANCO and then you can take us through your presentation.

MR MKUNGU: My role in SANCO is the Provincial Secretary of KZN since
10 2013 to date and my colleague here is a member of the Provincial Executive Committee as well.

CHAIRPERSON: And what is your role as well as a member of the Provincial Executive. He is responsible – he is the head of Department for Transport. Thank you. You may proceed with your presentation.

15 **MR MKUNGU**: Thank you ladies and gentlemen. We have just been given a task to do the representation on [indistinct] of using minibus taxis, train or busses in Durban. We would like to open with a statement that says as a revolutionary organisation we strongly believe that market related issues here as result into competition. We see there is competition competition
20 there and to us it means the activity or condition of striving to gain of win something by defeating or establishing superiority over others. We believe in contrary that there should be a commitment to serve. We could listen attentively to gentlemen and ladies who have been giving presentations that there was lot of [indistinct] against each other. Well on minibus taxis our

view is that in terms of opening statement historically minibus taxis have a long and very unpalatable they were muzzled and their operations rendered criminal. The 80's saw a slighter relaxation of the strict laws, but still the industry was regarded as the bush industry. The exponential growth of this industry can attributed to various factors which for the purposes of this presentation can be regarded as the advantages of using taxis.

Firstly, taxis are flexible in the sense that they can collect and drop passengers in the remotest areas and anywhere. Which is sometime disadvantage to other drivers. Since taxis have got no fixed time they are able to be accessed and anytime of the day of the day or night, to this end the [indistinct] of development of the industry can be attributed to its utility value. However, since industry has got this very sad history of being a so called illegal and unregulated industry the government was thus unable to close le monitor, its growth. Hence they could not manage. The creation of taxi association to regulate the industry offered more partial solutions to the problem, but as many South Africans would agree the problem is much more complex than – that these days so much fighting and blood bath in the industry. Failure of the government to subsidise and regulate one of the very few owned industries has largely contributed to the negative perception of the industry. As the insistent fights for roads which has cost hundreds of lives. As I have a look at before the industry as a great potential for growth and the current [indistinct] development partners in our country favours the industry to connect people from the townships and rural areas to the city and town centres. The unsafe nature of the industry is a cause for concern that

should be addressed as a matter of urgency. Taxis should also be allocated suitable taxi stops that are preferred by the people and the taxi industry.

Here are some of the advantages of using taxis as means of public transport. Comparatively speaking taxis are cheaper. Comparatively speaking taxis are accessible. Taxis are faster. Not in terms of speed, but in terms of using familiar shorter roads. Taxis are always available. They are one of the few black industries that should be promoted. Taxi association contributing the development of their communities through donations, sometimes taxi creates sustainable employment opportunities, but having said that, at the same time they have their own challenges. Taxis are not safe. They contribute to many road accidents. Whenever there is a road accident we always find that one of those will be a taxi in most instances it always a taxi. The industry is poorly regulated. Taxi violence which even affect communities there. Unregulated taxi fares are a [indistinct] and a thumb suck. How much to be increased. In experienced taxi drivers who constantly result in road accidents, almost every day. As I indicated above some of them are without public permits. Hence run away from accidents scenes. It just happened last week, close to Cleveland's one of the drivers knocked a car, a mother died. He ran away to Cleveland's Hostel, but fortunately the hostel dwellers knew him. There is a challenge in salary arrangements of taxi drivers. They drive for whole 7 days. Their payment is one day to drive and pocket from that that is their salary. They are expected to, here in Durban mostly submit R700,00 if they do not, failure to do so will lead to a *sambok* or boxing.. So they have to run around you know. Trying that. They also have their own pocket money they call it socks, *isoggies*.

They have to drive that 700 then over and above they pocket that money on their own. So, they have to run around, you know, bad driving as a result of that. Daily amounts that are demanded by taxi owners as I have indicated it leads to that. Most taxi driver and conductors do not treat their passengers with courtesy and dignity. Technology [indistinct] the industry is not growing. It is stagnant. Now, we were told that we should not create a complaining platform. We must also come up with solutions suggested.

The possible solutions are that the government should regulate the industry properly. Drivers should be tested regularly. Taxis should be subjected to thorough mechanical and safety check-ups. We hear the gentleman here saying is too costly. We were worried that he were more worried that in front of us he says you must die. You must write the unsafe taxis. Taxi bosses and drivers should undergo trainings and capacity building on the following:

- Taxi business management.;
- Customer care;
- Financial literacy;
- Communication skills;
- Conflict management *et cetera*.

Transport fora should be established and promoted at community level. It should be community and the relevant taxi owners.

Use of trains: Commuters use trains as one of the cheapest and the oldest type of public transport. Trains are preferred because of their time schedules. However there are many challenges with regard to the use of rail transport

which include amongst others but limited to overcrowding in trains. Trains are sometimes late and in some instances here in Durban, this has led to violence which is so coaches being banned this could have been avoided if people were told in advance that the train will be late.

5 Cable theft: is another problem facing commuter's trains,

Crime at stations and inside trains is also another serious challenge that should be addressed.

Train regular delays are as a result of very old train models, even the spokesperson always say that, their spokesperson.

10 Possible solutions:

- Train commuters should be informed in time if trains are going to be late and alternatively transport should be provided.
 - Trains need to be modernised. The number of commuter trains in busy roads should be increased and time in between trains reduced.
- 15
- Cable theft should be kept. Collaboration of all stakeholders in reducing this crime should be encouraged.
 - The system of railway police should be revived.

And now we come to busses. Busses are another form of transport that is subsidised, but has not yet reached its potential due to many problems.

20 Many of the busses in inner-city are indirectly owned by the municipality and there has not been a visible transformation of the industry in terms of the ownership to reflect the previously marginalised sectors of the society. This is a real cause for concern.

I must reveal that I am one of the senior here in Metro. Durban Transport is owned by Metro but there is another owner as well. Mechanic is done by us. It is also subsidised. Do not ask me questions on that because in a capitalist mode there is – there are always contradictions, you know. There is a little bit of change of something. Busse supplement the other two mode of transport however. They are also not accessible in other areas and they are even more expensive than the taxis and the trains, at some point. There is a constant bus breakdowns in here. If you walk around here you will find that most of Durban Metro buses move while they are opened at the back. They are [talking in vernacular] That causes unnecessary delays. Recommendations therefore we are saying since buses are subsidised it is imperative that their fares should be cheaper. Black people should be empowered to participate in the commuter bus industry.

Now our conclusion is that a lack of affordable and accessible transport is having a serious affect on low income households and reducing people's ability to find work, because if the transport is expensive then I will not go to look for job, according to campaigners. That is what they are saying. Those on low incomes rely more on bus services, half of the poorest. Fifth of the population do not have a car, rising to more than [indistinct] job seekers. Improve in transport services and making them affordable and accessible helps to [indistinct] social exclusion. Spending more than 10% of on motoring and other transport costs will contribute to ever improving poverty. I thank you Chairperson. In fact I have covered questions as well.

CHAIRPERSON: Thank you. Thank you very much. Mkungu. Mr Zonde is there anything else that you would like to add on or to highlight?

MR ZONDE: No. I think my secretary has covered everything.

CHAIRPERSON: Thank you. Thank you very much. We may have one question or two just to clarify the areas that you have covered. Mr Ngobeni?

MR NGOBENI: [indistinct] covered my questions, Chair.

5 **CHAIRPERSON**: Mr Lesofe?

MR LESOFE: I have clarity seeking questions.

CHAIRPERSON: Okay, no questions.

MR ZONDE: I just wanted to check if commuters are generally consulted when fare increases are contemplated, for any mode of public transport.

10 **MR MKUNGU**: Okay, no, no they are not. The taxi association, for example sits and decide. You know, that is why I indicated that they thumb suck the increase.

To say: Hi the petrol fare has increased therefore we must add R3,00 They communicate thereafter that the fees have gone up by R3,00. .

15 **MR LESOFE**: Okay.

CHAIRPERSON: Can I just make a follow-up on this question. The submission that we have received Mr Mkungu, in relation to just the general state of pricing in the minibus taxi industry is that notwithstanding the fact that the minibus taxi industry is currently unsubsidised. The submission that
20 we have received indicates that the industry, because it is mainly servicing poor commuters, poor or low income commuters. Has been able, notwithstanding the absence of a support in the form of subsidies. Has been

able to sustain the fares at a level that is able to accommodate poor or low income commuter. I would just like to get your reaction, on this bearing in mind that there is currently no support in the form of subsidisation except of course the ones of taxi recap program.

5 **MR MKUNGU**: [indistinct]I will start by saying. Where you sit is what you see. Where they are seated they think they are cheaper, but to us they are very much expensive the only reason we use them is what I indicated earlier on and that they are accessible. You know if I rush to Durban obviously I take a taxi, because I am rushing to Durban. As soon as I reach the road I
10 will point to Durban then I get it, but they are not cheap. That is why we are pleading that they should be subsidised. The we can be able to take them head-on because currently we do not understand. If you are to talk about the competition. Why some part of mode of transport is subsidies and another is not, but yet the government is talking about competition. It means the
15 government sponsors other part of the mode of transport and leave the other. I do not know why they are neglected. They are complaining about, I am not so sure why. Whether it is about routes that have been bid by the bus companies or whatever. I am not sure.

MR LESOFE: Thank you. Now if you do a comparison between taxis and
20 subsidised buses. Which mode is cheaper?

MR MKUNU: Buses are cheaper but they are very scarce. We opt for taxis they are fair. They are not that expensive. That much expensive compared to the fact they are not subsidised.

MR LESOFE: Okay and my last question it is in relation to the allocation of subsidies. So there is a view that and even taxi have had raised this as view. They say they do not necessarily want a subsidy. In fact what would work is that the subsidy should be allocated to the commuter and the
5 commuter should be given a choice to choose which mode of transport to use. If maybe we could just get your view on this and if you agree with this view. How will that system work in practice.

MR MKUNU: I would not be so sure about commuters being subsidised. Whether they are saying we should be given pocket money for transport or
10 we should be organised and the government should deposit money somewhere for us to – it is impossible. You know, we do not believe that that would work. We strongly believe that the government should subsidise transport services so that they becomes cheaper. We will be able to say: Why you cost so much. You have got a subsidy, since you are subsidised.

15 **MR LESOFE**: That is a very fair response. Thank you.

CHAIRPERSON: Just a final follow-up on the first question which asked by my colleague Mr Lesofe relating to consultation. On fares, my question relates to consultation on the services which are currently provided by the subsidised commuter bus services around the city. I would like to find out
20 whether there is any form of consultation with yourselves or community structures in terms of the bus schedules in terms of the times as well as even the routes that are currently subsidised as to whether there is any consultation on these and what is your view on the current schedules as well the roads which are currently subsidised are they responsive. Are the roads

and the schedule times responsive to the needs of communities which the subsidised commuter bus operators are currently servicing.

MR MKUNU: No, that is why we are proposing a platform where commuters and the relevant service providers of transport should share some experiences and challenges that we are facing and agree on all of this issues including schedules, take for example Durban transport the commuters know what time the bus is coming, but it was not discussed between the commuter and the relevant service provider. We were informed. We look at schedules. They are accessible but there is no forum where they are discussed and determined collectively. In fact - did this public - you know there is a public transport and a private transport for the public. So those are two sentiments. Take for example the privately owned buses. They are a public transport but for private owner. There is a public transport by the government. We would opt for a government public transport because it is easily assessable we are able to take - the government to task easily. So, currently there is no consultation at all. Only information that we get after one, one man or a woman have sat and decided.

CHAIRPERSON: Any other questions, panel members? There is currently a very big project – a big public transportation project. That is being undertaken by the City of Ethekwini and since you happen to be as counsellor. You will be familiar with the nitty grities of the project. This is the development of the C3 corridor. Which is – we have been told that there will be the other facets of this program and currently we have been told that this project is currently at negotiation stage. This BRT project is currently at negotiation stage. There are – we have been told there are extensive

consultation which are currently taking place between the City of Ethekewini as well as the minibus taxi industry as well as the commuter bus operators who will be affected by the roll out of this project.

I think what I would like to find from you is whether the commuter voice has
5 been taken into account in the design of this BRT project and whether you think that the project itself, the BRT project, because it is going to bring in busses. BRT buses to replace the minibus taxi operators as well as the commuter bus operators which are currently servicing that corridor, although they service that corridor to different routes not to the new routes, because
10 the new route is a newly constructed route. As to – so what I will like to find out is what do you think that in addition to the consultation aspect. Which I have raised. Whether you think that the project, itself, is going to be responsive to the needs of commuters in that corridor as well as in potentially the other corridors where it is going to be rolled out.

15 **MR MKUNU**: Well as you will be aware as Ethekewini. We are also the same players at a global village so we borrow that concept from other countries. It is a good concept. We support it but it will make transport accessible and affordable, but that kind of a concept – we have met with a lot of stakeholders engaging on that some are not happy and some are happy.
20 Well there is always a conflict of interest in most instances as communities were always worried when business people fight about us. You know. At some point it leads to violence and we get worried that people are fighting about us, you know. But it will assist – the new concept will assist a lot, but those who are looking for profit are not happy with the new concept. They
25 believe that somehow it will constrain a mode of transport, more especially

the taxis. You know they chase each other, you know. It is not going to work that way. There is that mode of transport. You know it is like and IRP and PTEN as well. You know, they are not happy with that. We are happy with it. So, commuters we are happy very much happy with the new coming
5 concepts and we are looking forward to it.

CHAIRPERSON: Ja.

MR MKUNU: We have been consulted as from 2014.

MR LESOFE: Ja.

CHAIRPERSON: Ja. I am – we must maybe point out that the commuter
10 experiences in cities where BRT has been rolled out are mixed. There are commuter organisations in some cities who have indicated to us that the model is not aligned to the requirements and the needs of commuters because the taxi industry, as you correctly point out, operates on an unscheduled basis and it is quite flexible and it has got very flexible stops.
15 The BRT busses operate on fixed schedules. Which are not always aligned to what commuters may require in certain corridors. They have also raised the issue of the stops, the BRT stops and the convenience of the BRT stops in some cases they say that some of the busses, the BRT buses do not have seats. You stand for long distances in a bus, sometimes you have to sit
20 down. So, those are some of the issues that have been raised in the BRT roll out, in other parts, where this has been done. So, we just want to alert you to some of the issues which have been faced.

MR MKUNU: Ja, no, no. We know about that, but to tell you for your information as communities we need all modes of transport. We do not want

anyone to say we do not need buses here. I heard the other gentleman here, he cried about buses operating in their space. We do not believe that there is any one's space in or townships in our whatever, wherever we live. We need buses. We need taxis. We need trains *et cetera*. We even need UBE, hê?

5 We need UBE. We need meter taxis. How they compete it is not part of our problem. We need everyone, anyone who says: No, we do not need this one. We say it is communitised. We need UBE. We need a bus. We need a train. We need a taxi. Ja that is people's choice what they choose to utilise as a means of transport. Anyone whoi can afford a taxi must use a taxi. Who

10 afford a bus must use a bus, no one must say: no this is my route. It is our road as people. Those are our road. No one's road

CHAIRPERSON: That is a very important point. I see colleagues nodding. So does everybody in the room. It is a very important point that you have made. Do you have any further questions colleague? Thank you very much

15 for your submission. Mr Mkunu as well as Mr Zonde and for also taking the time to come here and to make you submission. Especially after hours. We really appreciate that. Thank you very much.

MR MKUNU: We work unlimited hours, but it would not tip your time. My time was 3 O'coick

20 **CHAIRPERSON**: Yes, unfortunately other stakeholders overstepped the progamme

MR MKUNU: Sure.

CHAIRPERSON: Ja but thank you. Thank you very much for your patience.

MR ZONDE: Thanks a lot.

CHAIRPERSON: We will now adjourn for today. We will resume tomorrow at 9 O'Clock. So we are done for today.

MATTER POSTPONED UNTIL 29 JULY 2018

5 **MEETING ADJURNS**