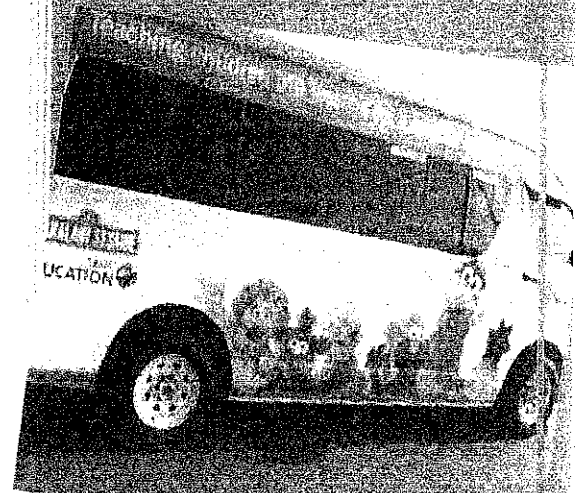


transport

Department:  
Transport  
REPUBLIC OF SOUTH AFRICA

# ACCREDITATION GUIDELINES FOR SOUTH AFRICAN TOURIST TRANSPORT OPERATORS



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## **PRELIMINARY REMARK**

In accordance with Sections 81, 82, 83 and 84 of the National Land Transport Act (NLTA) 2009, Act 05 of 2009 (herein referred as the Act) read with Regulations 30, 32 and 35 of the NLTA Regulations, 2009, requires tourist transport operators in the Republic of South Africa to be accredited to provide tourist transport service.

These guidelines has been developed by the National Public Transport Regulator (NPTR) to provide general assistance in understanding the accreditation and licensing requirements as stipulated in the Act.

The guidelines are not a substitute for seeking appropriate legal or other professional advice in relation to the Legislation. Similarly, the guidelines are not a substitute for reading and understanding the Act.

Information derived from these Guidelines may become outdated, inaccurate or incomplete as a result of the change in the tourism environment or legislation. Therefore the NPTR will endeavour to constantly update the Guidelines.

Any indication from the reader or stakeholder drawing attention to errors as well as suggestions for improvement are highly appreciated and may be sent by E-mail to: [NPTR.dot.gov.za](mailto:NPTR.dot.gov.za)

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## GUIDELINES FOR ACCREDITATION OF TOURIST TRANSPORT OPERATORS

### 1. INTRODUCTION

During 2009 the Minister of Transport passed regulations<sup>1</sup> in terms of Part 3 of the National Land Transport Act (NLTA)<sup>2</sup> (hereinafter referred as "the Act") for the accreditation of tourist transport operators.

The NLTA sets a framework for transforming and restructuring the land transport system and prescribe national principles, requirements and norms and standards aimed at ensuring that passenger transport services are safe, and that transport operators are accountable for the safety and security of their service. This is achieved among others through the introduction of the Accreditation of Tourist Transport Services.

This document is intended to be a guide only and should be read in conjunction with the Act and Regulations thereof<sup>3</sup>. The document is NOT intended to be a substitute for the Act<sup>4</sup> and Regulations<sup>5</sup> in any way. It provides basic guide to the requirements which are key components of the accreditation process.

The purpose of the document is to create a common understanding amongst the different role-players of what is required for accreditation.

### 2. DEFINITIONS

In order to ensure that the accreditation is appropriate, it is important to develop a simplified definitions of the applicable tourist transport service:-

**Accreditation** - means the authorisation given to an operator to provide tourist transport service

**Operator** means a person or entity who/which holds an operating license authorizing such person or entity to operate a public transport service.

**Tourist transport service** means a scheduled, unscheduled or chartered public transport service by a road for the carriage of tourist to or from tourism attractions according to a predetermined itinerary, and includes transfers of tourists, for example from hotels to and from airports.

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<sup>1</sup> National Land Transport Regulations, 2009

<sup>2</sup> Act 5 of 2009

<sup>3</sup> ibid

<sup>4</sup> National Land Transport Act

<sup>5</sup> ibid

## GUIDELINES FOR ACCREDITATION OF TOURIST TRANSPORT OPERATORS

### 3. OBJECTIVES OF ACCREDITATION

The Act provides for operators of tourist transport service to be accredited by the NPTR before they could operate the service.

Accreditation process is aimed at ensuring that, only, fit and proper persons or entities are engaged in the transportation of tourists, and that they transport tourists in a manner that is safe and will promote South Africa as a tourist destination<sup>6</sup>.

Further it is aimed at ensuring that operators have safe and reliable transport with maintenance facilities for servicing their fleet, and that their vehicles are fitted with a tracking device<sup>7</sup>.

### 4. REQUIREMENTS FOR ACCREDITATION

As from a date to be determined by the Minister, by notice in the Gazette, no one may operate tourist transport services unless accredited by the NPTR<sup>8</sup>.

Operators will lodge applications for accreditation to the NPTR. The NPTR will accredit tourist services operators if it is satisfied that they:

- are fit and proper persons or entities to transport tourists in a manner that is safe and will promote South Africa as a tourist destination;
- meet the prescribed technical requirements; and
- have access to acceptable vehicles and maintenance facilities.

### 5. APPLYING FOR ACCREDITATION

An operator of tourist transport services may apply to the NPTR for accreditation. As a first step an operator needs to:

- Complete the prescribed form (form 2A) available at NPTR offices or Department Of Transport: [www.transport.gov.za](http://www.transport.gov.za).
- Pay the prescribed fee of R1000.00 (See Schedule 2: Table of fees)<sup>9</sup>
- Submit the application to the NPTR or PREs offices.

Below are the contacts of PREs where applications can be submitted

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<sup>6</sup> S81(1) of the Act

<sup>7</sup> S81(2)(a) (b) & (c)

<sup>9</sup>

**GUIDELINES FOR ACCREDITATION OF TOURIST TRANSPORT OPERATORS**

**Provincial Regulatory Entities/Operating License Boards**

<b>Province: Limpopo</b>			
<b>Status : OLB</b>			
Chairperson: Simpson Mahada 015 295 1019			
Officer: Percy Ndlala: 015 295 1027			
<b>Members : 5- All on contracts</b>			
<b>Physical Address:</b> Old Building 39 Church Street POLOKWANE 0700			
<b>Contact Person</b>	<b>Designation</b>	<b>Contact Number</b>	<b>E-mail</b>
Moabelo Gwebu	Manager- LOLB	015 294 1045	gwebum@drt.limpopo.gov.za
Johanna Mnguni	Secretariat	015 294 8230	mngunij@drt.limpopo.gov.za

<b>Province: Free State</b>			
<b>Status : OLB</b>			
Chairperson: Nthongwa T			
<b>Members : 10 –All on contracts</b>			
<b>Physical Address :</b> Anchor House No.63 Cnr Nelson Mandela Drive & East Burger street, 3 <sup>rd</sup> floor Bloemfontein 9300			
<b>Contact Person</b>	<b>Designation</b>	<b>Contact Number</b>	<b>Email</b>
Tabi Seditlo	Director-Public Transport	051 403 7488	Seditlot@freetrans.gov.za
Steve Mosia	Secretariat	051 403 7406	Mosias@freetrans.gov.za

<b>Province: Northern Cape</b>			
<b>Status : PRE</b>			
Chairperson : Mr. Thembekile Aaron			
<b>Members : 7- 4 Permanent</b> 3 on Contract			
<b>Physical Address :</b> Cnr Chapel & Currie street Kimberly 8300			
<b>Contact Person</b>	<b>Designation</b>	<b>Contact Number</b>	<b>Email</b>
Olebogeng Voster	Director: Transport operations	053 807 4812	obvorster99@gmail.com /bhunum@ncpg.gov.za

<b>Province: Eastern Cape</b>			
<b>Status : PRE</b>			
Chairperson : Siwa Mthuthuzeli			
<b>Members : 5-All permanent</b>			
<b>Physical Address :</b> No 32 Dyer Street Arcadia East London 5100			
<b>Contact Person</b>	<b>Designation</b>	<b>Contact Number</b>	<b>Email</b>
Bhelu Melane	Manager-Public Transport	043 604 7403/ 0835522 170	Nozintombi.zoko@dot.ecprov.gov.za
Nomthandazo Makalima	Secretariat		Nonkululo.yekela@dot.ecprov.gov.za

**GUIDELINES FOR ACCREDITATION OF TOURIST TRANSPORT OPERATORS**

<b>Province: North West</b>			
<b>Status : PRE</b>			
Chairperson : Walter Mohulatsi			
Members : 5- 2 Permanent 3 on contract			
Physical Address : Ngaka Modiri Molema Road Old Parliament Building, 2 <sup>nd</sup> floor Mmabatho 2735			
<b>Contact Person</b>	<b>Designation</b>	<b>Contact Number</b>	<b>E-mail</b>
M Morule	Director- Regulation & Control	018 388 5316	bopalamob@nwpg.gov.za

<b>Province: KZN</b>			
<b>Status : PRE</b>			
Chairperson : Mabuyakhulu D.B 033034109500			
Members : 5- 3 permanent 2 on contract			
Physical Address : No 291 Pietermaritz street, Justice Park Building, 2 <sup>nd</sup> floor, Pietermaritzburg 3201			
<b>Contact Person</b>	<b>Designation</b>	<b>Contact Number</b>	<b>Mobile Phone</b>
Lunga S.J	Senior Manager- Regulation & Control	033 341 9500	Sifindiswa.lunga@kzntransport.gov.za
Hlengwa B.C	Secretariat	033 341 9500	Bheki.hlengwa@kzntransport.gov.za

<b>Province: Gauteng</b>			
<b>Status : PRE</b>			
Chairperson : Nqola E.S 011 8709305			
Members : 5-All permanent			
Physical Address: 37 Cnr Village and Loveday Street, Selby, Johannesburg, 2000			
<b>Contact Person</b>	<b>Designation</b>	<b>Contact Number</b>	<b>Email</b>
Nonhlanhla Dube	Director-Operating Licenses Registration	011 227 8305	Nonhlanhla.dube@gauteng.gov.za
Nadia Van Skalkwyk	Secretariat	011 870 9300	Nadia.vanskalkwyk@gauteng.gov.za

<b>Province: Western Cape</b>			
<b>Status : PRE</b>			
Chairperson : Mark Skriker			
Members : 6-All permanent			
Physical Address : Cnr Voortrekker & Gouldburn Road, Gouldburn Centre Goodwood Cape Town 7460			
<b>Contact Person</b>	<b>Designation</b>	<b>Contact Number</b>	<b>Email</b>
Fadiel Jattiem	Manager-Regulation & Control	021 483 0307	fadiel.jattiem@westerncape.gov.za
Cornell Geldenhuys	Secretariat	021 483 0290	Cornell.geldenhuys@wc.gov.za

## GUIDELINES FOR ACCREDITATION OF TOURIST TRANSPORT OPERATORS

<b>Province: Mpumalanga</b>			
<b>Status : Interim PRE</b>			
<b>Chairperson : Mudau N.W 082 308 8855</b>			
<b>Members : 3 –All permanent</b>			
<b>Physical Address : No 44 Murry street Nelspruit 1200</b>			
<b>Contact Person</b>	<b>Designation</b>	<b>Contact Number</b>	<b>Email</b>
Matjuda M.J.	Secretariat	013 766 8978	Mjmatjuda@mpg.gov.za
GM Tsotetsi	Manager		

### 5.1 PERSONAL INFORMATION

Below is a list of personal information that will be required from the tourist transport operator applying for accreditation:

- Certified copy of ID or Passport/Temporary RSA ID/Foreign ID/Partnership agreement/Board Resolution/Founding Agreement if it is a legal entity
- Valid Tax Clearance Certificate<sup>10</sup>
- Vehicle licence and registration
- Signed statement confirming to complying with labour and sectoral determination
- Copies of operating licences or permits of vehicles operated (if applicable)
- Letter or document of recommendation in support of the application (if any)
- Letter of good standing from Department of Labour

Before the NPTR can accredit an operator, the NPTR needs to be satisfied that the operator has procedures and systems in place to provide tourist transport services.

The next section of this document identifies all the elements that will be looked at when considering whether to grant or not to grant accreditation:

### 5.2. EMPLOYEE RECORDS

This is the information relating to the employees of the Operator<sup>11</sup>:-

- Statement of Oath (Director of company/applicants)
- Records of health screening tests
- Number of Tour Guides;
- Particulars of the Tour Guide(s);
- Registration certificate of the Tour Guide(s);
- Number of Drivers;
- Particulars of Drivers, including Driver's license and PDP.

<sup>10</sup> r32(1)(h)

<sup>11</sup> r32(f)



## GUIDELINES FOR ACCREDITATION OF TOURIST TRANSPORT OPERATORS

### 5.3 MANAGEMENT INFORMATION SYSTEM

Hereunder is a list of records that must be kept by an operator:

- Insurance Register outlining information of all the vehicles used for tourist transport services.
- Passenger liability insurance/ Personal liability Insurance to cover for international tourists;
- Vehicle register
- Complaints register that details nature of complaints and actions taken.

### 5.4 VEHICLE MAINTENANCE

The operator must maintain:

- A system for reporting faults. The minimum information for reporting includes the date, time, registration number, fleet number if applicable and detailed description of the fault and required action.
- Number of Vehicles and their condition<sup>12</sup>
- A maintenance system that is in line with the manufacturer requirements. A plan explaining how maintenance schedule works must be attached
- Roadworthy vehicles in line with the requirements of the National Road traffic Act of 1996.<sup>13</sup>
- Prior to each trip/journey conduct pre- trip and vehicle inspections in general inspections and keep records of such inspection.
- Technical work performed on the vehicles to be operated for transport services should be undertaken by qualified mechanics. A Mechanic's Record outlining the name, details of the certificate(s) and qualifications, licence type and number should be recorded.
- All vehicles are to be serviced at intervals that are consistent with or exceed the manufacturer's recommendations. Managers will ensure that relevant vehicle maintenance specs are obtained from the manufacturer. Where manufacturer's specifications are not available, NPTR will be notified and vehicles will be maintained in accordance with the NPTR specifications  
(Proposed 15 000km intervals)

**No operator will be accredited to convey tourists for reward on a Light Delivery Vehicle unless the light delivery vehicle is modified to carry passengers at the back and meets the requirements of the South African National Standards (SANS) and/or exemption granted by the Minister of Transport.**

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<sup>12</sup> r36(4)

<sup>13</sup> r35(3)(a)

## 5.5 SAFETY MANAGEMENT SYSTEM PLAN

The operator must:

- Develop a Safety Management System Plan and display it in a prominent position in the business. This plan must be signed by a senior manager.
- Identify persons responsible for managing and implementing the SMS Policy. Their roles and responsibilities should be clearly defined.
- Maintain a Risk Register identifying hazards, risk, controls and responsible person/s
- Maintain procedure for Security Management
- Maintain a system for ensuring staff are aware of changes to the SMS
- Maintain procedure for Driver Health Monitoring
- Driver Fatigue Management Plan which includes reporting/monitoring any instances of secondary employment by drivers.
- Keep vehicle monitoring/tracking device
- Display number of passengers in a vehicle (No Standing Passengers);
- Ensure fittings in the vehicle (clean and undamaged, door safety system);
- Keep accident and incident reports
- Display a No smoking signage;
- Fit the vehicle with seat belts;
- Have a policy on maximum driving hours for drivers; rest breaks for drivers and number of drivers per long distance trips
- Maintain an Infringement Report

## 5.6 FACILITIES

The operator must provide proof of:

- Office address, including contact details;(Physical)
- Vehicle depot, including street address;(Physical)
- Maintenance center(s) (facility);
- Lost property storage facility;

## 5.7 RECORDS MANAGEMENT

It is a requirement that all records relating to the accreditation be kept for a period of not less than five (5) year. This is in line with the requirements of the National Archives Act 43 of 1996.

## GUIDELINES FOR ACCREDITATION OF TOURIST TRANSPORT OPERATORS

### 6. LODGING OF APPLICATIONS AND PAYMENT OF THE PRESCRIBED FEE

Applications can be lodged in one of the following ways:

- By submitting the application form with proof of payment to the nearest Provincial Regulatory Entity;
  - Upon receipt of the application the PRE official will register the application in the register;
  - The applications will be forwarded to NPTR offices for capturing and processing
- By fax or email using the following fax number and email address
  - Fax: 012 309 3602
  - Email: [NPTR@dot.gov.za](mailto:NPTR@dot.gov.za).

All faxed or emailed applications should be accompanied by proof of payment of payment.

- Post or Courier
  - **Postal address**  
Department of Transport  
Private Bag X 193  
Pretoria, 0001
  - **Courier address**  
Department of Transport  
159 Forum Building  
Struben Street. Pretoria, 0001  
  
Attention: NPTR Help Desk
- The prescribed minimum fee should be paid into the following bank account:  
**Name of Bank: ABSA**  
**Account Number: 4053620095**  
**Branch Code: 632005**  
**Type of Account: Cheque Account**  
**Ref: NPTR (ID NUMBER) or (COMPANY REG NUMBER)**

### 7. NPTR INSPECTIONS

Upon receipt and capturing of applicant's minimum information the NPTR inspectors or agents will:

- Notify the applicant on the date/s of inspection. This will be confirmed in writing.
- The inspection will be conducted using the approved checklist. (Attached as annexure A).
- On completion of the inspection the NPTR inspector will compile and submit an inspection report to the NPTR committee for a decision on whether to grant accreditation or not.

## GUIDELINES FOR ACCREDITATION OF TOURIST TRANSPORT OPERATORS

- If accreditation is granted the NPTR will issue the accreditation certificate which can either be collected or posted to the applicant. (In case the applicants opt for the posting of the certificate additional charges may apply).

### 8. ADJUDICATION OF APPLICATION

After a report is received from the inspection, adjudication process takes place as follows:

- The NPTR Committee will meet;
- Secretariat will present each file to the committee
- After the presentation is made, Committee members will make a decision whether to grant or refuse.
- Accredited operators are required to renew their accreditation every five years as stipulated in the Act. Failure to renew will result in the lapsing of the accreditation.
- The name of the operator will be recorded in the Register of Accredited Tourist Operators.
- Should the operator not meet the minimum requirement for accreditation, the operator will be given reasons why the application was rejected.
- The operators can re-apply after 180 days from the date of refusal.

### 9. CERTIFICATION OF VEHICLES TO BE OPERATED AS TOURISM TRANSPORT

Following the accreditation of an operator as a tourist transport operator, the NPTR will:

- certify a vehicle and issue an operating licence for it on proof submitted to NPTR that:
  - the vehicle is properly registered and licensed on eNaTIS;
  - the vehicle is suitable in all aspects for the type of tourist service envisaged;
  - the vehicle is issued with a valid and current roadworthy certificate;
  - the vehicle and passengers who will be carried are adequately insured with a registered insurer; and
  - the vehicle is otherwise acceptable according to the National Public Transport Regulator.

The National Public Transport Regulator may impose conditions.

**Please note: Vehicle used for tourist transport services may not use a rank or terminal without a written permission of the relevant planning authority, and the operator has paid the fees charged by that authority, of any, for such use.**

### 10. MONITORING OF ACCREDITED TOURIST OPERATORS

Apart from the initial inspections the NPTR will conduct inspection ad-hoc and regular technical and operational monitoring of all accredited tourist transport operators to ensure compliance with the Act and other applicable legislation

## 11. CANCELLATION OF ACCREDITATION

The NPTR may cancel the accreditation of an operator if the operator:

- No longer complies with the provisions of the Act.
- Has provided misleading information to the NPTR
- Based on three or more incidents or inspections or on one or more accidents or collisions that have occurred have failed to maintain vehicles operated by that operator in a satisfactory condition.
- Based on three or more incidents has failed to use or employ suitably qualified drivers or used drivers who do not hold the required professional driving permit in terms of the National Road Traffic Act of 1996
- Is the subject of negative complaints from planning authorities, passengers or any interested person.
- Fails to comply with any other prescribed requirement

Before a decision to cancel an operator's accreditation, the NPTR will give the operator a written notice of the reason why it intends to cancel the accreditation. The operator shall be given reasonable time which is not less than 14 days to submit representation or comments.

On cancellation of an operator's accreditation, the NPTR will remove the operators name from the Tourist Accreditation Registration.

## 12. OPERATING LICENCES FOR TOURIST TRANSPORT VEHICLES

If satisfied that the operator is accredited, a competent official of the NPTR will issue an operating license for the applicant the same day if the application was lodged before 12h00 or the following day if it was lodged after 12h00.

The NPTR will issue two operating license. One license will be marked "to be kept in the vehicle" and the other one clearly marked "File copy".

The operator needs to meet all the conditions imposed by the NPTR before such an operating license is issued.