



**Report of the Portfolio Committee on Transport on its activities undertaken during the 5th Parliament (May 2014 – March 2019)**

**Key highlights**

**1. Reflection on committee programme per year and on whether the objectives of such programmes were achieved**

The Portfolio Committee on Transport (“the Committee”) had no set Operations Plan or Strategic Plan, however, the focus programme for each term was aligned with key focus areas received term to term from the House Chairperson: Committees, Oversight & Information and Communications Technology (ICT).

The focus of the Committee, however, remained on ensuring oversight over the Department of Transport (“the Department”) in the majority through the calling of regular meetings and receipt of presentations by the Department and its entities, as well as occasional oversight visits as the programme allowed.

Where the need arose, urgent meetings and follow-up meetings were called to address issues of serious concern.

Due to constant parliamentary programming changes directly impacting the Committee programme, not all areas that arose over the years were able to be dealt with during this tenure and there was a delay in finalisation of some legislation due to the late tabling thereof by the Department or the shortened Committee Programme.

Other highlights and reflections can be seen below as detailed under paragraph 4 of this report.

**2. Committee’s focus areas during the 5<sup>th</sup> Parliament**

- The Committee received a presentation in August 2015 from the National Ministerial Task Team on the Lesotho/RSA Cross Border challenges. Noting the progress to date made by the Cross-Border Roads Agency (C-BRTA) and the Department, the Committee sadly has to report that this matter remains unresolved satisfactorily and will most likely have to be taken up again in the 6<sup>th</sup> Parliament.

### **3. Key areas for future work**

A Five Year Strategic Plan and Operations Plan must be adopted by the Committee serving in the portfolio in the 6<sup>th</sup> Parliament.

The concerns regarding the Scholar Transport Policy, as well as the Lesotho/RSA cross-border challenges that rolled over from the 4<sup>th</sup> Parliament must continue to be considered towards achieving a solution.

All grants as transferred by the Department must be monitored and where needed re-assessed in order to ensure that the funds are allocated to the applicable programmes/projects and that they are spent on the allocated programmes/projects in a manner that will deliver value for money and services to the citizens of the Republic.

Specific mention must be given to the required monitoring, implementation and possible re-assessment of the Integrated Public Transport Networks Programme (also referred to as the Bus Rapid Transit (BRT) Programme) roll-out and the spending of the Grant linked thereto must be continued with during the 6<sup>th</sup> Parliament.

The Committee serving the portfolio in the 6<sup>th</sup> Parliament should request a report from the Department regarding the review of entities as emanating from the Presidential Review of Entities. This must be done in order to ensure that the fiscal allocation to the Department and its entities is allocated and utilised in the most optimum manner and to avoid duplications of functions. One example is the concern

In addition, the 6<sup>th</sup> Parliament should continue the monitoring of the:

- Implementation of the National Aviation Transformation Strategy;
- Implementation of the new Taxi Recapitalisation Programme (TRP);
- Implementation of the PRASA Modernisation Programme;
- Progress on the White Paper on the National Transport Policy;
- Progress on the Draft Regional Transport Integration Market Access Strategy;
- Implementation of the Green Transport Strategy; and
- Progress on the Road Tariff Determination Framework.

#### **4. Key challenges emerging**

Unexpected or unplanned requests for assistance as received from time to time by the Committee or unplanned referrals for reporting affected the programme of the Committee.

The Department's continued late tabling of legislation led to the Committee Programme being clogged towards the end of the term and legislation had to be prioritised in order to try and process these in time before they lapse with the rising of this term of Parliament. This led to the Committee not being able to perform oversight over specific projects of interest such as the BRT projects or undergo follow-up oversight, as indicated per Committee recommendations in oversight reports.

The unfortunate passing of Committee members and the changes in membership to the Committee affected the institutional knowledge acquired from the start of the term.

5.8 The concerns regarding the Scholar Transport Policy, as well as the Lesotho/RSA cross-border challenges that rolled over from the 4<sup>th</sup> Parliament must continue to be considered towards achieving a solution.

5.9 All grants as transferred by the Department must be monitored and where needed re-assessed in order to ensure that the funds are allocated to the applicable programmes/projects and that they are spent on the allocated programmes/projects in a manner that will deliver value for money and services to the citizens of the Republic.

5.10 Specific mention must be given to the required monitoring, implementation and possible re-assessment of the IPTNs Programme (also referred to as BRT Programme) roll-out and the spending of the Grant linked thereto must be continued with during the 6<sup>th</sup> Parliament.

5.11 The Committee serving the portfolio in the 6<sup>th</sup> Parliament should request a report from the Department regarding the review of entities as emanating from the Presidential Review of Entities. This must be done in order to ensure that the fiscal allocation to the Department and its entities are allocated and utilised in the most optimum manner and to avoid duplications of functions. One example is the concern raised on numerous occasions by the Committee regarding the split of rail-based operations between Transnet and PRASA resulting in a need for PRASA to lease infrastructure or contract for services from Transnet;

5.12 With reference to outstanding policy and legislation, the Committee serving the portfolio in the 6<sup>th</sup> Parliament should continue requesting that the Department aligns its legislative programme in such a manner as to avoid overloading the Committee towards the last year of the term. The continued delays in processing critical legislation has a direct impact on the operations and financial stability of several entities under the portfolio. This can be done by prioritising legislation that impacts their entities and improving the targets set by the Department in its plans to eliminate delays in progress due to reliance on other factors outside of their control.

5.13 In terms of legislation and policy, of particular importance to the 6<sup>th</sup> Parliament will be the Civil Aviation Amendment Bill that was tabled in November 2018 and will need to be picked up by the 6<sup>th</sup> Parliament, as well as the long-awaited introduction of the STER Bill.



## **1. Introduction**

### **1.1 Department/s and Entities falling within the committee's portfolio**

#### **a) Department of Transport**

The Department is mandated with maximising the contribution of transport to the economic and social development goals of society providing safe, reliable, effective and efficient fully integrated transport systems that best meet the needs of passenger and freight users. To attain this objective, the Department is entrusted with the provision of transport infrastructure and services in a manner that is efficient and affordable to consumers and the economy, while ensuring safety and security in all transport modes.

The Constitution of the Republic of South Africa, 1996, identifies the legislative responsibilities of different tiers of Government pertaining to airports, road traffic management and public transport. In addition, the 1996 White Paper on National Transport Policy defines the different sub-sectors in the transport sector. Broadly, these are the infrastructure and operations of rail, pipelines, roads, airports, harbours and intermodal operations of public transport and freight. The Department is responsible for the legislation and policies for all these sub-sectors.

For the intermodal functions of public transport and freight, the guiding documents are the National Land Transport Act (No. 5 of 2009), the Public Transport Strategy, 2007 and the National Freight Logistics Strategy, 2005. The Department is mandated to conduct sector research and formulate legislation and policy to set the strategic direction of these sub-sectors. Furthermore, it is entrusted with assigning

Name of Entity	Role of Entity
Passenger Rail Agency of South Africa (PRASA)	<ul style="list-style-type: none"> <li>○ To ensure that, at the request of the Department of Transport, rail commuter services are provided within, to and from the Republic in the public interest, and provide, in consultation with the Department of Transport, for long haul passenger rail and bus services within, to and from the Republic in terms of the principles set out in section 4 of the National Land Transport Transition Act, 2000 (Act No. 22 of 2000)</li> </ul>
Road Traffic Infringement Agency (RTIA)	<ul style="list-style-type: none"> <li>○ Established by section 3 of the Administrative Adjudication of Road Traffic Offences Act, 1998.</li> <li>○ Main objects are to: administer procedure to discourage traffic contraventions &amp; support adjudication of infringements</li> <li>○ enforce penalties imposed against persons contravening road traffic laws</li> <li>○ provide specialised prosecution support</li> <li>○ undertake community education and awareness programmes</li> </ul>
Road Traffic Management Corporation (RTMC)	<ul style="list-style-type: none"> <li>○ To co-ordinate strategic planning, regulation, facilitation and law enforcement in respect of road traffic matters by the national, provincial and local spheres of government.</li> </ul>
Cross- Border Road Transport Agency (C-BRTA)	<ul style="list-style-type: none"> <li>○ The mandate is set out in the Cross Border Road Transport Act of 1998 as amended. The functions of the Board are to:</li> <li>○ Advise the Minister on any aspect related to cross-border road transport policy;</li> <li>○ Undertake road transport law enforcement;</li> </ul>

Name of Entity	Role of Entity
	<p>and rescue coordination activities and the maintenance of a reliable navigation infrastructure. Its operations also include:</p> <ul style="list-style-type: none"> <li>○ The supply of aeronautical information services, technical maintenance and aerodrome services;</li> <li>○ Alert, search and rescue co-ordination services;</li> <li>○ Management of the flexible use of airspace through the Central Airspace Unit (CAMU);</li> <li>○ Support for special events and special requirements such as test flights, demonstration flights, etc.;</li> <li>○ The implementation and maintenance of a terrestrial-based navigational structure;</li> <li>○ The training of licensed air traffic controllers and technical staff through the Aviation Training Academy (ATA</li> </ul>
South African Maritime Safety Authority (SAMSA)	<ul style="list-style-type: none"> <li>○ SAMSA was established on 1 April 1998 in terms of the South African Maritime Safety Authority Act 5 of 1998 (View Acts).</li> <li>○ The organisation's objective is to lead and champion South Africa's maritime interests as custodians and stewards of maritime policy.</li> </ul>
Road Accident Fund (RAF)	<ul style="list-style-type: none"> <li>○ The Road Accident Fund was established by the Road Accident Fund Act, 1996 (Act No. 56 of 1996) as amended ("RAF Act"). Predecessors.</li> </ul>

- Facilitate public participation in Parliament relating to issues of oversight and legislation.

The prime mandate of the Committee is governed by the Constitution of the Republic of South Africa, 1996 (“the Constitution”), in respect of its legislative and oversight responsibilities as public representatives. It is required to consider legislation referred to it and consider all matters referred to it in terms of the Constitution, the Rules of the National Assembly (NA) or resolutions of the House. It is also required to respond to matters referred to it by Government within its mandate. In addition, the Committee is entrusted with considering the budgets, Strategic Plans and APPs of the Department and entities that fall within the transport portfolio.

### **1.3 Method of work of the committee (if committee adopted a particular method of work e.g. SCOPA.)**

The majority of the Committee work and oversight was done through calling the Department and its entities to report to the Committee at Parliament. Where possible, the Committee underwent oversight visits to facilities and areas of responsibility of the Department and/or its entities.

The Committee met on a weekly basis, at least once a week according to the schedule of committees. The committee interacted with briefing documents from the Department, its entities and other invited stakeholders. This was done with the support of the allocated support staff members.

### **1.4 Purpose of the report**

Activity	2014/15	2015/16	2016/17	2017/18	2018/19	Total
Statutory appointments made	-	-	-	-	-	N/A
Interventions considered	-	-	-	-	-	N/A
Petitions considered	-	-	1	-	-	1

### 3. Stakeholders:

- All Department and its entities stakeholders (incl. aviation, road, maritime, rail and public transport).
- Transport interest groups.
- AGSA.

### 4. Briefings and/or public hearings

Out of the 4<sup>th</sup> Parliament discussions, it is evident that the issues of scholar transport and PRASA both still plagued the 5<sup>th</sup> Parliament Committee.

With the inception of the present Committee, Ms Dikeledi Magadzi (ANC) was elected Chairperson of the Committee during the meeting of 24 June 2014. The Chairperson said the Committee would have to deal with challenging issues, because transport drove the economy. The Committee was expected to make a difference in people's lives and she looked forward to working harmoniously with all Committee members to address these issues. The Chairperson was of the view that there was massive knowledge that could be tapped into in this



From 10 July 2014 up to 8 May 2018, the Committee delivered 5 Budget Vote Reports, as well as 5 Reports on the Strategic Reports and APPs of the Department and its entities. Other than these reports, the Committee also received presentations from the entities on current and future projects as and when feedback was required. Of specific importance, and due to their multi-year lifespans, are the continued PRASA Modernisation project, as well as major road projects (both tolled and non-tolled) as planned by SANRAL. Entities such as RAF, SANRAL and RTIA are especially concerning as their continued financial viability is closely linked to the amendment and finalisation of legislation (AARTO and RABS) or a need for clarity or amendment to funding policies (GFIP). The entities that rely on the regulation and charging of fees from industry players in the transport field have also made proposals for legislative or regulatory amendments that are before the Department and should be closely watched going forward – failure of the implementation of these requests regarding legislation and/or regulations that directly impact them may lead to negative findings on their liquidity.

From 23 September 2014 up to 20 November 2018, the Committee has deliberated on the various quarterly reports presented by the Department – 11 to date. On 20 November 2018, the Department presented their 1<sup>st</sup> and 2<sup>nd</sup> quarterly reports for the 2018/19 financial year. Should they not get the opportunity to present the 3<sup>rd</sup> and 4<sup>th</sup> quarter reports before the rising of the House, these would be outstanding presentations to be considered by the 6<sup>th</sup> Parliament.

From 15 October 2014 up to 24 October 2018, the Committee has deliberated and reported on the BRRR – 5 reports in total - which considers the Annual Reports of the Department and its entities. It is important to note that at the time of completion of the legacy report, the entity ATNS had tabled their Annual Report for 2017/18, but no presentation had been received by the Committee on this. Due to this late tabling, it was not part of the 2018 BRRR. The late tabling of this report by the entity has been a recurrence from the 2017 BRRR cycle, however, they did table their report in 2017 prior to withdrawing it and Members did receive a presentation regarding that late tabling.

concerns on these matters and has done so formally in all their Budget Vote Reports, as well as the BRRR reports over the years. A number of interim measures had been put in place by the Minister to, at least, allow for the entities and their Boards to be functional through the use of interim Board appointments. This interim arrangement, however, cannot last and end of terms are soon approaching at the start of the term for the 6<sup>th</sup> Parliament.

From 24 February 2015, the Committee received presentations annually on the legislative programme of the Department for each year. Out of these presentations, those bills that were tabled before and considered by the Committee are listed below. The Committee finalised the Merchant Shipping Amendment Bill in 2015. Out of these listed, the Committee, along with the Select Committee on Economic and Business Development, were able to process the AARTO Amendment Bill, as well as being in the process of working on the National Land Transport Amendment Bill. It is envisioned that the AARTO Amendment Bill will be sent to the President prior to the rising of the 5<sup>th</sup> Parliament and that the NLTA Amendment Bill will follow suit. On 20 November 2018, the Committee finalised the report on the RABS Bill and it is hoped that the Select Committee on Economic and Business Development would be able to consider this bill prior to the rising of the 5<sup>th</sup> Parliament. The Merchant Shipping Amendment Bill was finalised, and the RAF Amendment Bill was withdrawn by the Minister. Bills before the Committee, but yet to be deliberated on or receive public submissions on or have desirability reports done, are the private member's bill on SANRAL Amendment Act, the ATNS Amendment Bill, the ACSA Amendment Bill – presentations/briefings were made on these to the Committee during the 2018 year. The Civil Aviation Amendment Bill was only introduced on 15 November 2018 and will most likely have to be revisited in the 6<sup>th</sup> Parliament.

Those proposed pieces of legislation that were planned to, but never introduced to Parliament during the 5<sup>th</sup> Parliament term, are listed below. These will inevitably lead to changes in targets of the Strategic Plan of the Department and those directly impacting the financial stability of the entities would be recommended to be prioritised during the 6<sup>th</sup> Parliament. The Committee did point out to the Department that it was concerned about the influx of tabled legislation so close to the end of the current parliamentary term and the Department was

The Committee also took particular interest in the roll-out and implementation IPTNs Grant and how the 13 identified cities were rolling out their BRT systems. The Committee called all 13 cities' representatives and the Department to deliver comprehensive presentations on progress, challenges and risks faced by them in the implementation of these projects. The Committee noted that the Department stated that a review would be done by December 2018 in order to determine progress and whether the allocation of the IPTNs Grant would be reduced from underperforming cities. The Committee also intended to conduct oversight visits over identified cities and is hoping to complete this before the 5<sup>th</sup> Parliament rises in 2019. The review of funding and monitoring of implementation of IPTNs in 13 cities should be done by the 6<sup>th</sup> Parliament, as is noted in the recommendations.

## 5. Legislation

The following pieces of legislation were referred to the Committee and processed during the 5<sup>th</sup> Parliament:

Year	Name of Legislation	Tagging	Objectives	Completed/Not Completed
2014/15	Merchant Shipping Amendment Bill [B 12 – 2015]	Section 75	The Bill seeks to amend the Merchant Shipping Act, 1951, so as to give effect to the Maritime Labour Convention, 2006 and the Work in Fishing Convention, 2007; and to provide for matters connected therewith.	21 July 2015

Year	Name of Legislation	Tagging	Objectives	Completed/Not Completed
			problems that have arisen since the implementation of the Act; and to provide for matters connected therewith.	
2017	Road Accident Benefit Scheme Bill [B 17-2017 (s75)]	Section 75	The Bill seeks to provide for a social security scheme for the victims of road accidents; to establish the Road Accident Benefit Scheme Administrator to administer and implement the scheme; to provide a set of defined benefits on a no-fault basis to persons for bodily injury or death caused by or arising from road accidents; to exclude liability of certain persons otherwise liable for damages in terms of the common law; and to provide for matters connected therewith.	20 November 2018
2017	The South African National Roads Agency Limited and National Roads Amendment Bill [B 20 - 2017]	Section 76	The Bill seeks to amend The South African National Roads Agency Limited and National Roads Act, 1998, so as to impose a duty on the South African National Roads Agency; to identify an alternative route to every road declared a toll road; to compel the South African National Roads Agency to consult with the Premier of a Province and with the Municipal Council, before declaring a	Not completed

Year	Name of Legislation	Tagging	Objectives	Completed/Not Completed
			members of the Appeal Committee; to provide for offences; and to provide for matters connected therewith.	
2018/19	Air Traffic and Navigation Services Company Amendment Bill [B 6 - 2018]	Section 75	The Bill seeks to amend the Air Traffic and Navigation Services Company Act, 1993, so as to insert new definitions; to provide for a subsidiary to perform functions inside and outside of the Republic; to provide for appeals against the decisions of the Regulating Committee; to provide for offences and penalties; to substitute certain expressions, citations and words; and to provide for matters connected therewith	12 March 2019
2018/19	Civil Aviation Amendment Bill [B 44 - 2018] (National Assembly – [(prop s75)])	Proposed s75	The Civil Aviation Amendment Bill, 2018 (“the Bill”) seeks to amend the Act in order to ensure the proper implementation of the legislation in respect of safety, security and the investigation of aircraft incidents and aircraft accidents, in civil aviation.	Referred on 14 November 2018  (Bill did not meet the 30 May 2018 introduction deadline)



Going forward, the Department has set itself the following targets and the 6th Parliament will have to ensure that there is adherence to:

- In 2019/20, the Department intends to bring the Merchant Shipping Bill to Parliament, as well as the TAT Amendment Bill.
- Implementation of the Green Transport Strategy by 2020/21.
- Monitor implementation of ten (10) NATMAP Priority Pilot 2050 Projects.
- Implementation of the National Rail Act by 2020/21.
- Implementation of the Railway Safety Act by 2020/21.
- Draft Bill for Founding Legislations of Road Entities to Parliament by 2020/21.

In addition, the 6<sup>th</sup> Parliament should continue the monitoring of the:

- Implementation of the National Aviation Transformation Strategy;
- Implementation of the new TRP;
- Implementation of the PRASA Modernisation Programme;
- Progress on the White Paper on the National Transport Policy;
- Progress on the Draft Regional Transport Integration Market Access Strategy;
- Implementation of the Green Transport Strategy; and
- Progress on the Road Tariff Determination Framework.

## **6. Oversight trips undertaken**

The following oversight trips were undertaken:

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report
		<p>The Committee visited the Maseru and Ficksburg border posts to assess cross-border movement.</p> <p><b>SAMSA</b></p> <p>The Committee undertook an oversight visit to SAMSA on 27 November 2014 to engage with it on its strategic objectives and on how it would contribute to Operation Phakisa.</p>	<p>Development Community (SADC) Protocol. The Committee further noted the challenges regarding the coordination of role players in terms of cross-border operations and would engage with the relevant role-players on policy and regulatory matters in order to strengthen partnerships in the border environment.</p> <p>The Committee agreed with the C-BRTA on the need for protection of South African operators in regard to conditions applied in neighbouring</p>			

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>engage with the Department of Transport and the C-BRTA on how to improve the agency's mandate.</p> <p><b>SAMSA</b></p> <p>Ensure that the Department of Transport partners with SAMSA to finalise the National Maritime Policy for South Africa. The Committee should be kept abreast on a quarterly basis regarding the development of the policy.</p> <p>That outstanding maritime legislation is processed as</p>			

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report
		the centre, (ii) visits to ATNS and SACAA to engage with the entities on their Strategic and Annual Performance Plans. This report will provide an overview of observations and recommendations made by the Committee in its interaction with the entities.	<p>That vacancies in ATNS's Board are filled within three months of the adoption of this report by the House;</p> <p>That the Department initiate legislation that would require the fitting of transponders in general aviation aircraft;</p> <p>That the Department allocate adequate funding to the ATNS Search and Rescue Unit for its operational requirements.</p> <p>That the Department finalise the processing of the amendments to the Civil Aviation Act. In</p>			

<b>Date</b>	<b>Area Visited</b>	<b>Objective</b>	<b>Recommendations (That the Minister ensures)</b>	<b>Responses to Recommendations</b>	<b>Follow- up Issues</b>	<b>Status of Report</b>
22 & 23 July 2015	To PRASA and the Mamelodi Autopax Bus Depot	To receive an update from PRASA and the Department of Transport on the implementation of the Rolling Stock Fleet Renewal Programme, especially in relation to the construction of the manufacturing plant for the new rolling stock. (ii) Conduct a site visit at Dunnottar, north of Nigel (Gauteng) where PRASA intends to establish a manufacturing plant for new rolling stock. During the visit the Committee received a briefing on the following:	The RSR provides the Committee with a report on the outcome of the evaluation of the AFRO 4000 locomotives. PRASA provides the Committee with an update on: (i) the completion of the depot, (ii) delivery of coaches, (iii) cancelling of contracts and (iv) the costs and consequences associated with the cancelling of contracts.			Adopted



Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report
		<p>implementation of the PRMG; and</p> <p>Assess whether the budget allocation was used for its intended purpose and whether there was value for money</p>	<p>implementation of the <i>S'hamba Sonke</i> programme in the North West Province. The Roads programme of the Department of Transport should report quarterly to the Committee on the implementation of the programme, including related expenditure.</p> <p>Provinces prioritise the reconstruction of the bridges damaged by floods. There should be an audit of bridges in the province and the department should engage with SANRAL regarding</p>			

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report
			programmes, the department must also ensure capacity building and human capital development through job creation.  There should be synergy in the maintenance of roads that border different provinces.			
22 - 23 July 2015	Oversight visit to PRASA	The objectives of the visit were:  to receive an update from PRASA and the Department of Transport on the implementation of the Rolling Stock Fleet Renewal Programme,	The RSR provides the Committee with a report on the outcome of the evaluation of the AFRO 4000 locomotives.  PRASA provides the Committee with an update on: (i) the completion of the depot, (ii) delivery of			Adopted

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report
	for consideration and report, from residents Rooifontein and Kamasies in Namaqualand, requesting that the road between Springbok and Vaalputs be upgraded to an asphalt surface to assist in the safe transportation of radioactive material from Pelindaba. The petition was submitted in		<p>The road and regularly engage with the road users in area.</p> <p>Road signage be improved on the road.</p> <p>The bridges on the road (R355) and in the vicinity of the community that had been eroded since 2012, using the relevant grants, be reconstructed urgently so that pupils were able to access schools.</p> <p>There be closer collaboration between the various tiers of government, as well as the community, on the maintenance of the road as</p>			

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>Proper tender processes be facilitated for the supply of materials needed for maintenance of the road, such as water, gravel and sand for example.</p> <p>The dated policy and method of calculation used to determine whether or not to upgrade roads from gravel to asphalt surface in the province should be reviewed.</p> <p>Parliament is provided with regular updates on the aforementioned recommendations made the Committee.</p>			

Date	Area Visited	Objective	Recommendations (That the Minister ensures)	Responses to Recommendations	Follow-up Issues	Status of Report
			<p>and equipped to allow for faster turn-around times that would get trains back into commission;</p> <p>PRASA must cooperate with RSR to ensure that all steps are taken, as soon as possible, to allow for the use of and running of the new train sets as well as the new locomotives;</p> <p>The Department must work with the Department of Public Enterprises to bring in the assistance of Transnet skills where needed as well as address any outstanding contractual issues that hinder PRASA operations; and</p> <p>PRASA must deliver a full set of written</p>			



- Content-related challenges
- Regular feedback on the recommendations from these reports are lacking.

**b) Issues for follow-up**

The 6<sup>th</sup> Parliament should consider following up on the following concerns that arose:

- When scheduling oversight trips, make provision for a follow-up trip, as well as feedback from the Department and/or entity or interested parties.
- PRASA Modernisation Programme and other Integrated Public Transport Network Plans (BRT) should see implementable phases during the term of the 6<sup>th</sup> Parliament and must be monitored closely.

**7. Study tours undertaken**

None

**8. International Agreements:**

The following international agreements were processed and reported on:

<b>Date referred</b>	<b>Name of International Agreement</b>	<b>Objective</b>	<b>Status of Report (reported on by Committee)</b>	<b>Date of enforcement</b>
	tabled in terms of section 231(2) of the Constitution, 1996	to complete the Marpol 73/78 annexures.		
	Nairobi International Convention on the removal of Wrecks, tabled in terms of section 231(2) of the Constitution, 1996.  Explanatory Memorandum to the Nairobi International Convention on the removal of Wrecks, 2007	The Nairobi Convention is an instrument to fill a gap in existing international legal framework by providing a first set of uniform international rules aimed at ensuring prompt and effective removal of wrecks located beyond the territorial sea	23 September 2014	The Nairobi International Convention on the Removal of Wrecks came into force on the 14th of April 2015 and provides a framework for wreck removal.
7 February 2015	Ratification of the Cape Town Agreement of 2012 on the Implementation of the Provisions of the Torremolinos Protocol of 1993 relating to the International Convention for the Safety of Fishing Vessels, 1977 for tabling	The fishing industry is considered to be the most dangerous occupation in the world and it is estimated that 24,000 fishers die annually.	Report adopted by committee: 26 January 2016  Date considered by NA: 23 February 2016	The treaty will enter into force 12 months after at least 22 States, with an aggregate 3,600 fishing vessels of 24 m in

Date referred	Name of International Agreement	Objective	Status of Report (reported on by Committee)	Date of enforcement
		Protocol that have given rise to difficulties in their implementation by a number of States having substantial fishing fleets.		
12 June 2015	International Convention on Standards of Training, Certification and Watch Keeping for Fishing Vessel Personnel, 1995 (STCW-F)	STCW-F Convention addresses training and certification standards for skippers and watch-keepers on fishing vessels of 24m and more.	Adopted by Committee on 23 June 2015	29 September 2012, after the required 15 ratifications were reached on 29 September 2011
7 September 2015	African Maritime Transport Charter	Harmonization and co-ordination of Member States policies in all areas connected with international maritime transport and ports.	Report adopted by committee: 26 January 2016 Date considered by NA: 23 February 2016	This Charter shall provisionally enter into force Thirty (30) days after being signed by at least Twenty (20) Member States of

<b>Date referred</b>	<b>Name of International Agreement</b>	<b>Objective</b>	<b>Status of Report (reported on by Committee)</b>	<b>Date of enforcement</b>
10 November 2015	International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 2010 (HNS Convention).	The HNS Convention was adopted by the IMO in 1996 and subsequently amended by the 2010 Protocol. Its aim is to ensure adequate, prompt and effective compensation for damage to persons and property, cost of clean-up and rehabilitation measures and, economic losses caused by the maritime transport of hazardous and noxious substances (HNS).	Report adopted by committee: 09 February 2016 Date considered by NA: 25 February 2016.	The convention has not entered into force due to signatory states not meeting the ratification requirements.
15 October 2018	Charter establishing the South African Development Community Aviation Safety Organisation (SASO), referred to it and tabled in terms of section 231(2) of the Constitution, 1996.	The Charter was approved by the Council of Ministers responsible for Foreign Affairs The objective of Charter is to provide legal and institutional framework for the establishment of SASO.	Reported on by Committee: 13 November 2018.	Once 2/3 member states sign the Charter. Interim SASO has been established and is operational.

- The Committee should take into account that the implementation of these agreements/charters and treaties inevitably result in financial cost to the Department and its entities once they are implemented and the Department is in some instances then playing catch-up to cover the membership fees and/or fines emanating from these documents.

**9. Statutory appointments**

NA

**10. Interventions**

N/A

**11. Petitions**

The following petitions were referred to and considered by the Committee:

Title	Date referred	Current status
Petition from residents of from Rooifontein and Kamasies requesting that the road between Springbok and Vaalputs be upgraded to an asphalt surface to assist in the safe transportation of radioactive material from	17 February 2015	Report was submitted to the NA.

The 6<sup>th</sup> Parliament should consider following up on the following concerns that arose:

- The Department and the Northern Cape Department tasked with the maintenance of this road should report back on progress on the recommendations made per the Committee report on this matter.

**12. Obligations conferred on committee by legislation:**

The Committee performed its oversight duties over the Department and its entities by processing and attending to and reporting on all matters referred to it as tabled before the House for consideration and adoption.

**13. Summary of outstanding issues relating to the department/entities that the committee has been grappling with**

The following key issues are outstanding from the Committee's activities during the 5<sup>th</sup> Parliament:

See issues highlighted under paragraph 4 above, as well as recommendations proposed below.

**14. Other matters referred by the Speaker/Chairperson**

The following other matters were referred to the Committee and the resultant report was produced:

The 6<sup>th</sup> Parliament should consider following up on the following concerns that arose:

- The allegations regarding state capture is being considered under the judicial commission of inquiry, as well as via investigations by the HAWKS – the Committee may want to take up this inquiry once those processes have been finalised.

## **15. Recommendations**

15.1 On-going monitoring of the progress made through the Minister's multiyear turnaround strategy of the Department.

15.2. Continued reporting by the Department on the quarterly reports (section 32 reports of the National Treasury).

15.3 Continued monitoring that the Department and the entities implement the audit improvement plans, have functioning internal audit committees in place, as well as implement consequence management as advised by the Office of the AGSA and recommended by this Committee in all its Budget and BRR reports.

15.4 The conducting of regular oversight visits (if possible, also in collaboration with committees that do oversight over the Department's client departments (for example, the DPW and the Extended Public Works Programme)) to gather material evidence on the implementation of projects and value for money from delivery on projects linked to grant transfers.

15.5 The outstanding legislation affecting the finances of the Department's entities must be prioritised, as well as the finalisation of policies on Scholar Transport and GFIP.

15.6. Oversight over the implementation of the PRASA Modernisation Project, the IPTNs Grant, the PRMG and other public transport projects implemented nationally via the transfer of funds from the Department.

15.7 A Five Year Strategic Plan and Operations Plan must be adopted by the Committee serving in the portfolio in the 6<sup>th</sup> Parliament.

Going forward, the Department has set itself the following targets and the 6<sup>th</sup> Parliament will have to ensure that there is adherence to:

- In 2019/20, the Department intends to bring the Merchant Shipping Bill to Parliament, as well as the TAT Amendment Bill.
- Implementation of the Green Transport Strategy by 2020/21.
- Monitor implementation of ten (10) NATMAP Priority Pilot 2050 Projects.
- Implementation of the National Rail Act by 2020/21.
- Implementation of the Railway Safety Act by 2020/21.
- Draft Bill for Founding Legislations of Road Entities to Parliament by 2020/21.

15.14 In addition, the 6<sup>th</sup> Parliament should continue the monitoring of the:

- Implementation of the National Aviation Transformation Strategy;
- Implementation of the new TRP;
- Implementation of the PRASA Modernisation Programme;
- Progress on the White Paper on the National Transport Policy;
- Progress on the Draft Regional Transport Integration Market Access Strategy;
- Implementation of the Green Transport Strategy; and
- Progress on the Road Tariff Determination Framework.

15.15 The Agenda of the Committee should allow for the adoption of minutes at the beginning of each meeting;

15.16 Regular management committee meetings must continue as these assist greatly in cases where programme amendments are required; and

15.17 The full use of proposed meeting dates or proposed oversight visits that are planned for Friday's could improve Committee performance output greatly as it will assist the new Committee to cover as many projects, modes, programmes or concerns as possible.