























## **2.9 Clause 9: Amendment of section 14 of Act 39 of 1998**

It sometimes happens in proceedings before the TAT that parties deliberately delay the proceedings, for example where the TAT's decision is likely to have an adverse effect on the finances of the delaying party. Parties also sometimes engage in frivolous actions, either to cause delays or for other reasons. These actions not only waste the time of the TAT and cause wasted costs, but are also unfair to the other party or parties to the appeal. Clause 9(b) of the Bill will allow the TAT to investigate such delays or frivolous actions and take certain steps to counter them as listed in the Bill.

This clause also makes consequential amendments to section 14 of the principal Act.

## **2.10 Clause 10: Amendment of section 16 of Act 39 of 1998**

The principal Act currently provides that the DG must appoint officers in the Department to perform the administrative and secretarial work of the TAT. Clause 10 of the Bill will also permit such staff to be appointed to undertake investigations that are necessary for the TAT to reach its decisions.

## **2.11 Clause 11: Amendment of section 17 of Act 39 of 1998**

This clause makes consequential amendments to section 17 of the principal Act.

## **2.12 Clause 12: Amendment of section 18 of Act 39 of 1998**

This clause updates section 18 of the principal Act to take account of developments since 1998 and effects consequential amendments.

## **2.13 Clause 13: Short title**

Clause 13 provides the short title of the Bill.

### **3. FINANCIAL IMPLICATIONS**

The Bill is not expected to have any additional financial implications either for Government or the public transport industry.

### **4. PARLIAMENTARY PROCEDURE**

- 4.1 The Department is of the opinion that the Bill must be dealt with in accordance with the procedure established by section 76 of the Constitution (ordinary bills affecting provinces).
- 4.2 The Department is of the opinion that it is not necessary to refer the Bill to the National House of Traditional Leaders in terms of section 18(1)(a) of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003) since it does not contain provisions pertaining to customary law or customs of traditional communities.