



Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

Provincial Gazette Extraordinary

8773

Thursday, 15 June 2023

Buitengewone Provinsiale Koerant

8773

Donderdag, 15 Junie 2023

Isongezelelo kwiGazethi yePhondo

8773

uLwesine, 15 kweyeSilimela 2023

Registered at the Post Office as a Newspaper

CONTENTS

(*Copies are obtainable at Room M21, Provincial Legislature Building, 7 Wale Street, Cape Town 8001.)

Provincial Notice

The following Provincial Notice is published for general information:

63 Department of Infrastructure: Western Cape Toll Roads Act, 1999 (Act 11 of 1999): Levying of Tolls for Chapman's Peak Drive 2

As 'n Nuusblad by die Poskantoor Geregistreer

INHOUD

(*Afskrifte is verkrygbaar by Kamer M21, Provinsiale Wetgewer-gebou, Waalstraat 7, Kaapstad 8001.)

Provinsiale Kennisgewing

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer:

63 Departement van Infrastruktuur: Wes-Kaapse Wet op Tolpaaie, 1999 (Wet 11 van 1999): Heffing van Tolgelde vir Chapmans-piek-rylaan 6

Ibhaliswe ePosini njengePhephandaba

IZIQULATHO

(*Ushicilelo oLutsha lufumaneka kwigumbi M21, kwiSakhiwo sePhondo seNdlu yoWisomthetho, 7 Wale Street, eKapa 8001.)

ISaziso sePhondo

Esi saziso silandelayo sipapashelwe ukunika ulwazi ngokubanzi:

63 ISebe leZiseko zoPhuhliso: iWestern Cape Toll Roads Act ka1999 (uMthetho 11 ka1999): IMirhumo yeNdlela i-Chapman's Peak Drive 10

PROVINCIAL NOTICE

The following Provincial Notice is published for general information.

DR. HC MALILA,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

DR. HC MALILA,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

ISAZISO SEPHONDO

Esi saziso silandelayo sipapashelwe ukunika ulwazi ngokubanzi.

uGQIR. HC MALILA,
MLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Sitalato,
eKapa.

PROVINCIAL NOTICE**P.N. 63/2023****15 June 2023****DEPARTMENT OF INFRASTRUCTURE****WESTERN CAPE TOLL ROADS ACT, 1999 (ACT 11 OF 1999)****LEVYING OF TOLLS FOR CHAPMAN'S PEAK DRIVE**

I, Tertuis Alfred Simmers, Provincial Minister of Infrastructure, under section 3 and 4 of the Western Cape Toll Roads Act, 1999 (Act 11 of 1999), and with effect from 1 July 2023—

- (a) levy the tolls specified in Schedule A for the categories of vehicle specified in that Schedule that are driven or used on Chapman's Peak Drive;
- (b) provide for the exemption from payment of tolls by certain drivers or users of Chapman's Peak Drive as specified in Schedule B; and
- (c) repeal Provincial Notice 68/2022, published in *Provincial Gazette* 8609 dated 10 June 2022.

TA SIMMERS**PROVINCIAL MINISTER OF INFRASTRUCTURE****DATE: 12 JUNE 2023**

SCHEDULE A

LEVYING AND COLLECTION OF TOLLS UNDER SECTION 3

TOLLS AND REBATES

The toll payable for the driving or use of a vehicle in a class of vehicles set out in column 1, read with column 2 of the table in this Schedule, is as set out in column 3, 4, 5 or 6 of the table.

1	2	3	4		5		6	
			Discount Structure for Regular Users		Discount Structure for Regular Users with a Wild Card		Discount Structure for Regular Motorcycle Users	
Class of Vehicle	Description	Tariff	Discount Tariff	Qualification: Uses per Calendar Month	Discount Tariff	Qualification: Uses per Calendar Month	Discount Tariff	Qualification: Uses per Calendar Month
Class 1 Light Vehicles	Motorcycles, Motor Tricycles and Motor Quadbikes	R40,00	R61,00	1 – 2	R51,00	1 – 2	R40,00	1 – 2
			R51,00	3 – 4	R51,00	3 – 4	R31,00	3 – 4
			R38,00	5 – 6	R38,00	5 – 6	R25,00	5 – 6
			R26,00	7 – 10	R26,00	7 – 10	R16,00	7 – 10
	Light Motor Vehicles, Minibuses and Utility Vehicles	R61,00	R12,60	11 – 25	R12,60	11 – 25	R8,80	11 – 25
			R23,70	26 plus	R23,70	26 plus	R15,60	26 plus
			Minibus Taxis		R18,00	All journeys		
Class 2 2-Axle Heavy Vehicles	Small delivery vehicles	R61,00	N/A					
	Midibuses, Buses and Heavy Motor Vehicles with two axles	R245,00						
Class 3 3- and 4-Axle Heavy Vehicles	Buses and Heavy Motor Vehicles with three or four axles	R613,00	N/A					
Class 4 5 and More Axle Heavy Vehicles	Heavy Motor Vehicles with five or more axles and Articulated Vehicles	N/A						

- Note (1): All tolls include 15% VAT.
- Note (2): Rebates for regular users and minibus taxis are only applicable to persons who drive or use any of the classes of vehicles, referred to in the table, on the toll road and who have registered with the Concessionaire, and who maintain a minimum balance of R80,00 in their accounts. Rebates are applicable to non-commercial use only.
- Note (3): Wild Card rebates are only applicable to persons who drive or use any of the classes of vehicles, referred to in the table, on the toll road and who are in possession of a valid Wild Card, as distributed by South African National Parks and CapeNature, and who have registered with the Concessionaire. Wild Card holders who have not registered but who present their cards at the toll plaza will not qualify for the Wild Card rebate. Wild Card rebates are applicable to non-commercial use only.
- Note (4): Minibus taxis with valid operating licences issued in terms of the National Land Transport Act, 2009 (Act 5 of 2009), are exempt from the provision requiring non-commercial use as contemplated in Note (2).
- Note (5): A rebate is granted to small delivery vehicles with one heavy axle and a wheelbase of less than 3 000 mm; a width of less than 2 500 mm; and a length of less than 5 000 mm.
- Note (6): Classes of vehicles are prescribed in terms of regulation 3 of the Regulations Regarding Provincial Toll Roads, made under the Western Cape Toll Roads Act, 1999, published under Provincial Notice 115/2001 in *Provincial Gazette* 5699 dated 20 April 2001.
- Note (7): Rebates are granted in terms of section 3(3) and (4) of the Western Cape Toll Roads Act, 1999.

SCHEDULE B

EXEMPTION FROM PAYMENT OF TOLLS UNDER SECTION 4

EXEMPT DRIVERS AND USERS

A person driving or using any of the following vehicles on the toll road is exempted from paying toll:

- (a)* South African Police Service vehicles used in the performance of a duty;
- (b)* South African National Defence Force vehicles used in the performance of a duty;
- (c)* Western Cape Government emergency services vehicles and traffic police vehicles used in the performance of a duty;
- (d)* City of Cape Town emergency services vehicles and traffic police vehicles used in the performance of a duty;
- (e)* South African National Parks vehicles used in the performance of a duty;
- (f)* ambulances used for an ambulance service licensed in terms of the Western Cape Ambulance Services Act, 2010 (Act 3 of 2010), used in the performance of ambulance services;
- (g)* fire-fighting vehicles as defined in section 1 of the National Road Traffic Act, 1996 (Act 93 of 1996), used in the performance of fire-fighting services;
- (h)* rescue vehicles as defined in section 1 of the National Road Traffic Act, 1996, used in the performance of rescuing services; and
- (i)* operational and maintenance vehicles used in the performance of operational and maintenance duties on the toll road.

PROVINSIALE KENNISGEWING**P.K. 63/2023****15 Junie 2023****DEPARTEMENT VAN INFRASTRUKTUUR****WES-KAAPSE WET OP TOLPAAIE, 1999 (WET 11 VAN 1999)****HEFFING VAN TOLGELDE VIR CHAPMANSPIEK-RYLAAN**

Ek, Tertuis Alfred Simmers, Provinsiale Minister van Infrastruktuur, kragtens artikel 3 en 4 van die Wes-Kaapse Wet op Tolpaaie, 1999 (Wet 11 van 1999), en met ingang van 1 Julie 2023—

- (a) hef die tolgelde vermeld in Bylae A vir die kategorieë voertuie vermeld in daardie Bylae wat op Chapmanspiek-rylaan bestuur of gebruik word;
- (b) maak voorsiening vir die vrystelling van betaling van tolgelde deur sekere bestuurders of gebruikers van Chapmanspiek-rylaan, soos vermeld in Bylae B; en
- (c) herroep Provinsiale Kennisgewing 68/2022, gepubliseer in *Provinsiale Koerant* 8609 gedateer 10 Junie 2022.

TA SIMMERS**PROVINSIALE MINISTER VAN INFRASTRUKTUUR****DATUM: 12 JUNIE 2023**

BYLAE A

HEFFING EN INVORDERING VAN TOLGELDE KRAGTENS ARTIKEL 3

TOLGELDE EN KORTINGS

Die tolgeld betaalbaar vir die bestuur of gebruik van 'n voertuig in 'n voertuigklas uiteengesit in kolom 1, saamgelees met kolom 2 van die tabel in hierdie Bylae, is soos uiteengesit in kolom 3, 4, 5 of 6 van die tabel.

1	2	3	4		5		6	
Voertuigklas	Beskrywing	Tarief	Kortingstruktuur vir Gereelde Gebruikers		Kortingstruktuur vir Gereelde Gebruikers met 'n <i>Wild</i> -kaart		Kortingstruktuur vir Gereelde Motorfietsgebruikers	
Voertuigklas	Beskrywing	Tarief	Tarief met korting	Kwalifikasie: Gebruik per kalendermaand	Tarief met korting	Kwalifikasie: Gebruik per kalendermaand	Tarief met korting	Kwalifikasie: Gebruik per kalendermaand
Klas 1 Ligte Voertuie	Motorfietse, Driewiel Motorfietse, en Vierwiel Motorfietse	R40,00	R61,00	1 – 2	R51,00	1 – 2	R40,00	1 – 2
			R51,00	3 – 4	R51,00	3 – 4	R31,00	3 – 4
			R38,00	5 – 6	R38,00	5 – 6	R25,00	5 – 6
			R26,00	7 – 10	R26,00	7 – 10	R16,00	7 – 10
	Ligte Motorvoertuie, Minibusse, en Nutsvoertuie	R61,00	R12,60	11 – 25	R12,60	11 – 25	R8,80	11 – 25
			R23,70	26 plus	R23,70	26 plus	R15,60	26 plus
			Minibustaxi's		R18,00	Alle reise		
Klas 2 2-as Swaarvoertuie	Klein afleweringsvoertuie	R61,00	NVT					
	Midibusse, Busse en Swaarmotorvoertuie met twee asse	R245,00						
Klas 3 3- en 4-as Swaarvoertuie	Busse en Swaarmotorvoertuie met drie of vier asse	R613,00	NVT					
Klas 4 5- en Meer-as Swaarvoertuie	Swaarmotorvoertuie met vyf of meer asse en Gelede Voertuie	NVT						

- Nota (1): Alle tolgelde sluit 15% BTW in.
- Nota (2): Kortings is slegs van toepassing op persone wat enige van die voertuigklasse, waarna in die tabel verwys word, bestuur of gebruik op die tolpad en wat by die Konsessiehouer geregistreer het en 'n minimum balans van R80,00 in hul rekening handhaaf. Kortings is slegs van toepassing op niekommersiële gebruik.
- Nota (3): Kortings vir *Wild*-kaarte is slegs van toepassing op persone wat enige van die voertuigklasse, waarna in die tabel verwys word, bestuur of gebruik op die tolpad en in besit is van 'n geldige *Wild*-kaart, soos versprei deur Suid-Afrikaanse Nasionale Parke en CapeNature, en wat geregistreer het by die Konsessiehouer. *Wild*-kaarthouers wat nie geregistreer het nie, maar hul kaart by die tolhek toon, sal nie vir die *Wild*-kaartkorting kwalifiseer nie. *Wild*-kaartkorting is slegs van toepassing op niekommersiële gebruik.
- Nota (4): Minibustaxi's met geldige bedryfslisensies wat ingevolge die "National Land Transport Act, 2009" (Wet 5 van 2009), uitgereik is, word vrygestel van die bepaling vervat in Nota (2) wat niekommersiële gebruik vereis.
- Note (5): 'n Korting word toegestaan aan klein afleweringervoertuie met een swaar as en 'n asafstand minder as 3 000 mm; 'n breedte minder as 2 500 mm; en 'n lengte minder as 5 000 mm.
- Nota (6): Voertuigklasse word ingevolge regulasie 3 van die Regulasies Insake Provinsiale Tolpaaie voorgeskryf, wat gemaak is kragtens die Wes-Kaapse Wet op Tolpaaie, 1999, gepubliseer onder Provinsiale Kennisgewing 115/2001 in *Provinsiale Koerant* 5699 gedateer 20 April 2001.
- Nota (7): Kortings word ingevolge artikel 3(3) en (4) van die Wes-Kaapse Wet op Tolpaaie, 1999, toegestaan.

BYLAE B**VRYSTELLING VAN BETALING VAN TOLGELDE KRAGTENS ARTIKEL 4****VRYGESTELDE BESTUURDERS EN GEBRUIKERS**

'n Persoon wat een van die volgende voertuie op die tolpad bestuur of gebruik, word daarvan vrygestel om tolgeld te betaal:

- (a) voertuie van die Suid-Afrikaanse Polisie wat gebruik word in die uitvoering van 'n plig;
- (b) voertuie van die Suid-Afrikaanse Nasionale Weermag wat gebruik word in die uitvoering van 'n plig;
- (c) nooddiensvoertuie en verkeerspolisievoertuie van die Wes-Kaapse Regering wat gebruik word in die uitvoering van 'n plig;
- (d) nooddiensvoertuie en verkeerspolisievoertuie van die Stad Kaapstad wat gebruik word in die uitvoering van 'n plig;
- (e) voertuie van Suid-Afrikaanse Nasionale Parke wat gebruik word in die uitvoering van 'n plig;
- (f) ambulans wat gebruik word vir 'n ambulansdiens wat gelisensieer is ingevolge die Wet op Wes-Kaapse Ambulansdienste, 2010 (Wet 3 van 2010), wat gebruik word in die uitvoering van ambulansdienste;
- (g) brandbestrydingsvoertuie soos omskryf in artikel 1 van die Nasionale Padverkeerswet, 1996 (Wet 93 van 1996), wat gebruik word in die uitvoering van brandbestrydingsdienste;
- (h) reddingsvoertuie soos omskryf in artikel 1 van die Nasionale Padverkeerswet, 1996, wat gebruik word in die uitvoering van reddingsdienste; en
- (i) operasionele en instandhoudingsvoertuie wat gebruik word in die uitvoering van operasionele en instandhoudingspligte op die tolpad.

ISAZISO SEPHONDO**I.S. 63/2023****15 kweyeSilimela 2023****ISEBE LEZISEKO ZOPHUHLISO****IWESTERN CAPE TOLL ROADS ACT KA1999
(UMTHETHO 11 KA1999)****IMIRHUMO YENDLELA I-CHAPMAN'S PEAK DRIVE**

Mna, Tertuis Alfred Simmers, uMphathiswa weZiseko zoPhuliso kwiPhondo, phantsi kwecandelo 3 nelesi4 leWestern Cape Toll Roads Act ka1999 (uMthetho 11 ka1999), kwaye ukususela kumhla woku1 kweyeKhala ka2023—

- (a) ukuhlawula imirhumo yendlela echazwe kwiShedyuli A yeendidi zezithuthi ezichazwe kule Shedyuli eziqhutywa okanye ezisetyenziswa eChapman's Peak Drive;
- (b) ukubonelela ngoxolelo kwiintlawulo zeendlela ezirhunyawo okanye zabasebenzisi abathile beChapman's Peak Drive njengoko kuchaziwe kwiShedyuli B; kunye
- (c) nokurhoxiswa kweSaziso sePhondo 68/2022 esapapashwa *kwiGazethi yePhondo 8609* somhla we10 kweyeSilimela ka2022.

TA SIMMERS**UMPHATHISWA WEZISEKO ZOPHUHLISO KWIPHONDO****UMHLA: 12 KWEYESILIMELA 2023**

ISHEDYULI A

URHAFISO NOKUQOKELELWA KWEMIRHUMO YEENDLELA EZIRHUNYWAYO PHANTSI KWEKANDELO 3

IINTLAWULELO ZEENDLELA EZIRHUNYWAYO NEZAPHULELO

Irhafu ehlawulelwa ukuqhuba okanye ukusebenzisa isithuthi esikudidi lwezithuthi ezibekwe kwikholamu 1 efundwa kunye nekhohlamu 2 kule theyibhuli ikule Shedyuli injengohlobo ebekwe ngalo kwikholamu 3, 4, 5 okanye 6 kule theyibhule.

1	2	3	4		5		6	
			ISicwangciso seSaphulelo saBasebenzisi beSiqhelo		ISicwangciso seSaphulelo saBasebenzisi beSiqhelo abaneeWild Cards		ISicwangciso seSaphulelo saBasebenzisi bezithuthuthu beSiqhelo	
Udidi lwesithuthi	Ingcaciso	INtlawulo	Isaphulelo seNtlawulo	Ilungelo losetyenziso: Usetyenziso ngenyanga	Isaphulelo seNtlawulo	Ilungelo losetyenziso: Usetyenziso ngenyanga	Isaphulelo seNtlawulo	Ilungelo losetyenziso: Usetyenziso ngenyanga
Udidi 1 IZithuthi eziLula	IZithuthi eziMavili maBini, iZithuthi eziMavili maThathu, IZithuthuthu eziMavili maNe	R40,00	R61,00	1 – 2	R51,00	1 – 2	R40,00	1 – 2
			R51,00	3 – 4	R51,00	3 – 4	R31,00	3 – 4
			R38,00	5 – 6	R38,00	5 – 6	R25,00	5 – 6
			R26,00	7 – 10	R26,00	7 – 10	R16,00	7 – 10
	iZithuthi eziLula, iiBhasi eziNcinci neZithuthi zohlobo lweYuthilithi	R61,00	R12,60	11 – 25	R12,60	11 – 25	R8,80	11 – 25
			R23,70	26 nangaphezulu	R23,70	26 nangaphezulu	R15,60	26 nangaphezulu
Iitekisi ezizibhasi ezincinci			R18,00	Iihambo zonke				
Udidi 2 IZithuthi eziNzima ezinee-Asi ezi-2	IZithuthi esincinci sokuhambisa	R61,00	Akusebenzi					
	IBhasi eziPhakathi, iiBhasi neZithuthi eziNzima ezinee-asi ezimbini	R245,00						
Udidi 3 IZithuthi eziNzima ezinee-Asi ezi-3 nezi-4	IBhasi neZithuthi eziNzima ezinee-asi ezintathu nezine	R613,00	Akusebenzi					
Udidi 4 IZithuthi eziNzima ezinee-Asi ezi-5 nanga-phezulu	IiMoto / iZithuthi eziNzima ezinee-asi ezintlanu okanye ngaphezulu neZithuthi eziDityanisiweyo	Akusebenzi						

- Isoloty (1): Intlawulelo zonke zineRhafuntengo (iVAT) eyi15%.
- Isoloty (2): Izaphulelo zilungiselelwe kuphela abantu abaqhuba okanye abasebenzisa nokuba loluphi udidi lwesithuthi kwezi zikwitheyibhile, kwindlela erhafelwayo nabasele bebhaliswe kuluhlu lwabanelungelo eligunyaziswe ngurhulumente nabahlala benemali engamaR80,00 kwii-akhawunti zabo. Izaphulelo zikho kuphela kwezo zithuthi zingasetyenziselwa kushishina.
- Isoloty (3): Izaphulelo zabaneeWild Cards zilungiselelwe kuphela abantu abaqhuba okanye abasebenzisa isithuthi esikho kulo naluphi na udidi kwezi zidwelisiweyo kule theyibhile, kwindlela erhafelwayo nabanamakhadi abizwa ngokuba ziiWild Cards ezisemthethweni ezikhutshwe yiSouth African National Parks and CapeNature nababhaliswe ngokoMthetho. Abanamakhadi iWild Cards abangabhalisanga kodwa abawavezayo amakhadi abo bakufika kwisikhululo esirhafisa indlela abasayi kusifumana bona isaphulelo seWild Card. Izaphulelo zeeWild Card zikho kwezo zithuthi zingasetyenziselwa kushishina kuphela.
- Isoloty (4): Iitekisi ezizibhasi ezincinci ezineelayisensi ezisemthethweni ezisebenzayo ezikhutshwe ngokwemiqathango yomthetho *iNational Land Transport Act, 2009* (uMthetho 5 ka2009), azibandakanyeki zona kubonelelo olufunisa usetyenziselo olungeloloshishino olukwiSoloty (2).
- Isoloty (5): Isaphulelo sinikezelwa kwiinqwelo ezincinci zokuthutha ezine-asi enye enzima kunye ne-wheelbase engaphantsi kwe3 000 mm; ububanzi obungaphantsi kwama2 500 mm; kunye nobude obungaphantsi kwe5 000 mm.
- Isoloty (6): Iindidi zezithuthi ezikummiselo 3 weMimiselo yeeNdlela zePhondo eziRhafelwayo eyenziwe phantsi kweWestern Cape Toll Roads Act ka1999, eyapapashwa phantsi kweSaziso sePhondo 115/2001, esapapashwa kwiGazethi yePhondo 5699 yangomhla wama20 kuTshazimpuzi ka2001.
- Isoloty (7): Izaphulelo zinikezelwa ngokwecandelo 3(3) nelesi-(4) leWestern Cape Toll Roads Act ka1999.

ISHEDYULI B**UXOLELO KWIINTLAWULO ZOKUSEBENZISA INDLELA PHANTSI****KWECANDELO 4****ABASEBENZISI NABAQHUBI ABAXOLELWEYO**

Umntu oqhuba okanye osebenzisa naziphi na izithuthi kwezi zilandelayo kwindlela ehlawulelwayo uyaxolelwa ekuhlawuleleni indlela:

- (a) izithuthi zeeNkonzo zamaPolisa aseMzantsi Afrika ezisetyenziselwa ukwenza umsebenzi wazo;
- (b) izithuthi zoMkhosi woKhuselo kuZwelonke woMzantsi Afrika ezisetyenziselwa ukwenza umsebenzi wazo;
- (c) izithuthi zeenkonzo zongxamiseko nezithuthi zamaPolisa weNdlela woRhulumenete wePhondo leNtshona Koloni ezisetyenziselwa ukwenza umsebenzi wazo;
- (d) izithuthi zeenkonzo zongxamiseko zeSixeko saseKapa nezithuthi zamaPolisa weNdlela ezisetyenziselwa ukwenza umsebenzi wazo;
- (e) izithuthi zeSouth African National Parks ezisetyenziselwa ukwenza umsebenzi wazo;
- (f) ii-ambulensi ezisetyenziselwa inkonzo yeambulensi ilayisenisi ngoMthetho weNkonzo zeAmbulansi weNtshona Koloni, ka2010 (uMthetho 3 ka2010), ezisetyenziselwa ukwenza umsebenzi wazo;
- (g) izithuthi zokucim' umlilo njengoko kuchaziwe kwicandelo 1 lomthetho i*National Road Traffic Act, 1996* (uMthetho 93 ka1996), ezisetyenziselwa ukwenza umsebenzi wokucim' umlilo;
- (h) izithuthi zohlangulo njengoko kuchaziwe kwicandelo 1 lomthetho i*National Road Traffic Act, 1996*, ezisetyenziselwa ukwenza umsebenzi weenkonzo zohlangulo; kunye
- (i) izithuthi zokusebenza nezokulungisa ezisetyenziselwa ukwenza umsebenzi wokusebenza nokulungisa kwindlela ehlawulelwayo.

