# IN THE HIGH COURT OF SOUTH AFRICA GAUTENG DIVISION, PRETORIA

Case nr: 32097/2020

In the matter between:

ORGANISATION UNDOING TAX ABUSE

Applicant

and

MINISTER OF TRANSPORT

1<sup>st</sup> Respondent

MINISTER OF CO-OPERATIVE GOVERNANCE

ROAD TRAFFIC INFRINGEMENT AUTHORITY

2<sup>nd</sup> Respondent

AND TRADITIONAL AFFAIRS

3<sup>rd</sup> Respondent

APPEALS TRIBUNAL

4<sup>th</sup> Respondent

#### REPLYING AFFIDAVIT

I, the undersigned

#### STEFANIE FICK

hereby state under oath that:

- I am the Executive Director of the Accountability Division of the Organisation Undoing Tax Abuse ("OUTA") with its offices situated at 10<sup>th</sup> Floor, O'Keefe & Swartz Building, 318 Oak Avenue, Randburg.
- 2 I deposed to the founding affidavit in this application.



- I have read the answering affidavits of the first and third respondents. I respond to those affidavits below. In doing so, I deal only with issues that require a reply, while seeking to avoid any unnecessary repetition.
- In what follows, I refer to the third respondent (the Road Traffic Infringement Authority) as "the RTIA". I refer to the Minister of Transport and the RTIA, collectively, as "the respondents". To date, no answering affidavits have been filed by either the second or fourth respondents.

#### **OVERVIEW**

- In its founding papers, the applicant challenges the constitutionality of the Administrative Adjudication of Road and Traffic Offences Act 46 of 1998 ("AARTO") and the Administrative Adjudication of Road and Traffic Offences Act 4 of 2019 ("Amendment Act"). In the alternative, the applicant attacks the constitutionality of section 17 of the Amendment Act, which dilutes the service requirements regarding delivery of various notices under the Act.
- The answering affidavits contain few factual allegations. They focus primarily on the law. In this affidavit, I do not engage at length with the legal claims made by the respondents. Those points will be addressed in the applicant's written and oral argument. Rather, this affidavit focuses on the factual claims made in the answering affidavits and touches, briefly, on the legal stance adopted by the respondents.

### (i) The primary constitutional challenge

8-1

- The respondents contend that AARTO and the Amendment Act are constitutionally compliant. They maintain that, by creating a national system of road traffic regulation and enforcement, Parliament has not unlawfully intruded upon the exclusive legislative competence of the provinces as set out in Schedule 5, Parts A and B of the Constitution. In this regard, they make the following arguments:
  - 7.1 First, they contend that AARTO and the Amendment Act do not regulate matters falling under Schedule 5 of the Constitution. Rather, they regulate issues falling under Part A of Schedule 4 of the Constitution, over which the national and provincial legislatures share concurrent legislative competence. As such, the respondents argue, it was constitutionally permissible for the National Assembly, together with the National Council of Provinces ("NCOP"), to enact the AARTO Act and the Amendment Act (under section 76 of the Constitution).
  - 7.2 The respondents state that the AARTO Act was passed in accordance with the requirements of section 76 of the Constitution. They note that all provinces, but one supported to enactment of the Act and the Bill was passed by the NCOP.
  - This argument is unsustainable. It relies on a fundamental misunderstanding of Schedules 4 and 5 of the Constitution.
    - 8.1 The respondents contend that the AARTO Act falls within the realm of Part A of Schedule 4 of the Constitution. One of the functional areas listed in this Part is "road traffic regulation". The respondents contend

that the AARTO Act (and the Amendment Act) regulate road traffic so clearly fall within this Part of Schedule 4.

- 8.2 This claim is incorrect. It interprets Schedule 4 in insolation. In particular, it ignores Part A of Schedule 5, which includes the functional area of "provincial roads and traffic" and Part B of Schedule 5, which includes "traffic and parking" at the municipal area. The provinces have exclusive legislative competence over the functional areas in Schedule 5.
- 8.3 The respondents' interpretation renders the provincial government's exclusive legislative competence meaningless. In fact, their interpretation actively contradicts and removes the provinces' exclusive legislative competence. The respondents suggest that the national government has legislative competence over <u>all</u> matters relating to traffic and roads. This is simply incorrect.
- 8.4 It is a well-established principle of law that, when interpreting the Constitution, the provisions of the Constitution must be read in a harmonious manner. The only way in which to do so is to read the functional areas in Schedule 5 (which relate to road traffic) as carve-outs. In other words, Schedule 5, Parts A and B, must be read as affording provinces exclusive legislative competence in relation to provincial roads and traffic, and municipal roads and traffic. Part A of Schedule 4 grants concurrent legislative competence to the national and provincial parliaments in respect of national roads and traffic regulation, only.
- 8.5 In addition, in terms of section 156(1)(a) of the Constitution, a municipality has exclusive executive authority in terms of local

£: M

government matters set out in Part B of Schedule 5. This includes enforcement powers regarding "traffic and parking" at the local level. The national system of road traffic enforcement, introduced by the AARTO and Amendment Acts, intrude upon the municipalities' executive authority in this respect. The respondents have not addressed this point in their answering affidavits.

- As such, it is clear that the national parliament has intruded into the exclusive legislative realm of the provinces and executive realm of the municipalities when creating a national system that regulates all road traffic. In the circumstances, it matters not whether the NCOP passed the AARTO or Amendment Bills referred to it by the National Assembly (in terms of sections 76(1), 76(2) and 76(3) of the Constitution). Parliament was not entitled to pass these Acts to begin with. This argument will be addressed at length in the applicant's written and oral submissions.
- Both the RTIA and the Minister of Transport mention section 44(2) of the Constitution. This provision empowers the national parliament to pass legislation regarding a matter falling within a functional area listed in Schedule 5 in specific, limited circumstances. However, the respondents do not explain the relevance of this provision in light of their claims that the AARTO and Amendment Acts fall within the functional areas listed in Part A of Schedule 4. Nor do the respondents make any attempt to justify why the Acts would fall within the scope of section 44(2) of the Constitution. Therefore, references to this provision do not take their arguments further.



#### (ii) The alternative constitutional challenge – the service requirements

- In relation to the alternative constitutional challenge, the respondents deny that the Amendment Act removes the requirement that service be rendered personally or by registered mail. In doing so, they conflate two distinct concepts:
  - 11.1 First, the concept that there is a broad range of options by which service may be rendered. The respondents claim that section 17 of the Amendment Act broadens the range of options for service upon infringers. Previously, service could only be rendered by personal service or registered mail. After the amendment, it will be permissible to render service by email, text, SMS, normal post, as well as by registered mail or personal service. The applicant does not dispute this. This is precisely the effect of section 17 of the Amendment Act.
  - 11.2 Second, the distinct idea that service <u>must</u> be rendered in a particular manner. Section 17 of the Amendment Act retains the <u>option</u> of serving infringers personally or by registered mail but removes that <u>mandatory requirement</u> to do so. Instead of serving an infringer personally or by registered mail, the relevant authority may now simply send an SMS or leave a voicemail. This raises concerns that the infringement notice (or other relevant notices) will not come to the infringer's attention. The infringer may not get the email, SMS or voicemail. Or they may mistakenly think that the message is a spam mail or SMS and delete it (without reading it). This is a significant risk.



- The respondents argue that service via email, SMS or voicemail is preferable to personal service or service by registered mail. They claim that South Africans prefer service by electronic means over service by registered mail. This argument does not assist the respondents for the following reasons:
  - 12.1 First, there are significant risks involved with this type of service. As is mentioned above, infringers may delete the SMS messages or emails before reading them, mistakenly believing them to be spam. A person may change their email address or cellphone number and no longer receive the messages. There may be technical errors that mean that the SMS or email is never delivered to the infringer. Personal service or service by registered mail are far more reliable mechanisms. It should be mandatory to serve via one of these more reliable mechanisms.
  - 12.2 Second, there is nothing to stop the relevant authority from sending notifications or notices to infringers via SMS or email in addition to personal service or service via registered mail. This will ensure that infringers receive the notices via the reliable service methods and can then be reminded by electronic notifications.
  - 12.3 Third, the respondents have not provided any evidence to support their claims that South Africans prefer service via email, voicemail or text over personal service or service via registered mail.
  - In addition, the respondents allege that road users are given the option to choose which method of service they prefer (i.e. personal service, postal service or electronic service). The election, they claim, will be made by the road



user when they register their vehicle. They argue that the road user is best placed to determine which method of communication will be most convenient.

This line of argument does not assist the respondents for the following reasons:

- 13.1 First, the legislation itself (i.e. section 30 of AARTO and section 17 of the Amendment Act) does not vest the road user with an election as to the method of service. It creates a broad range of service methods and leaves the choice of method of service to the relevant authority. Any administrative steps that AARTO may or may not take to give road users choice of service methods cannot affect the constitutionality of the legislation.
- 13.2 In any event, OUTA has been unable to obtain any prescribed forms that indicate that road users must make an election for purposes of AARTO when registering a vehicle or renewing a motor vehicle licence and none of the respondents identify such forms.
- 13.3 The vehicle registration forms that do currently exist make no mention of AARTO or the possibility of receiving notices in terms of AARTO. The current prescribed form for registration of a vehicle or renewal of a vehicle licence indicates that the road user must elect between his/her postal address and street address for service of notices. It does not specify the nature of the notices to be received. I attach the vehicle registration form and vehicle licence renewal forms as "SF9" and "SF10".



Having dealt with the respondents' claims at a high level, I now turn to address the answering affidavits on a paragraph-by-paragraph basis.

#### **AD SERIATIM RESPONSES**

I do not reply to each allegation in the respondents' answering affidavits. My failure to do so is not an admission of the correctness of any factual allegation or legal assertion contained therein. Any averment in the answering affidavit that does not accord with what is set out in OUTA's founding affidavit and this replying affidavit, is denied.

#### First respondent's answering affidavit

#### Ad paragraphs 5 to 9

I deny this characterisation of the applicant's challenges to the extent that it is inconsistent with the founding affidavit. In particular, I point out that the first respondent appears not to have appreciated the challenge based on exclusive municipal executive competence over Schedule 5(b) matters.

#### Ad paragraphs 10 to 20

I admit that "road traffic regulation" is included as a functional area of shared national and provincial legislative competence in Part A of Schedule 4 of the Constitution. However, I deny that this means the national assembly is empowered to legislate to create a centralised, national system of road traffic regulation and enforcement that covers provincial and municipal traffic.

M

- By its own admission (in paragraph 49), the first respondent confirms that AARTO seeks to regulate "every aspect of road traffic". This is constitutionally impermissible.
- 19 This issue is dealt with above and will be addressed at length in legal argument.

#### Ad paragraph 21 to 28

- These paragraphs are denied to the extent that they contradict what is stated in the founding affidavit and this affidavit.
- 21 Personal service or service by registered mail should be mandatory. These forms of service are more reliable and more likely to ensure that the infringer receives the notice. Section 17 of the Amendment Act relaxes the service requirements and, by doing so, shifts the risk of non-receipt from the State to the road user. It places the onus on the road user to prove the lack of service. This is impermissible, considering the impact that an infringement notice and the subsequent process may have on the rights of road users.
- 22 This issue is dealt with above and will be addressed in detail in legal argument.

#### Ad paragraph 29

23 I deny that it would be just and equitable for the court to suspend the declaration of constitutional invalidity regarding the AARTO Act and the Amendment Act. The AARTO system has not yet been rolled out. If the order is

M

granted with immediate effect, it will avoid the State incurring significant costs in rolling out the AARTO system, only to reverse it in the future.

I further deny that a suspension of the order of invalidity is warranted if the alternative relief is granted i.e. a declaration that section 17 of the Amendment Act is unconstitutional. In those circumstances, the appropriate remedy would be for the court to strike out section 17 of the Amendment Act, thereby ensuring that section 30 of the pre-Amended AARTO Act continues to apply.

#### Ad paragraphs 30 to 35

The contents of these paragraphs are denied to the extent that it contradicts what is stated in the founding affidavit and this replying affidavit.

#### Ad paragraph 36 and 37

- The first respondent offers no evidence to support the allegations in this paragraph. They are accordingly denied.
- 27 Presumably, there would be readily available empirical evidence if these allegations could be supported in particular, if the AARTO experience of Johannesburg and Tshwane indicated an improvement on the pre-existing system of traffic law enforcement, that ought to be capable of being proved with empirical evidence.
- 28 Even if the allegations were true, they point to an enforcement and implementation problem with regard to the current system. They do not explain

; M

why a nationally centralised system is necessary, much less why service requirements should be relaxed. Indeed, relaxed service provisions are likely to exacerbate the problem that fines remain unpaid as road users will be unaware of notices or will remain tangled in a lengthy bureaucratic process to dispute service.

#### Ad paragraph 39 to 45

- 29 OUTA does not object to the imposition of fines or demerits for traffic offences.
- However, the national parliament is not empowered to create a centralised, national regulatory system for all road traffic. Therefore, the rationale for such a system is also irrelevant.
- In addition, OUTA objects to the increase in the administrative costs of the adjudication process. In particular, the road user will be required to pay a "representation fee" to challenge an infringement notice. Every next step in the AARTO process increases the administrative fees. The infringer becomes responsible for the "courtesy letter fee" and the "enforcement order fees". The fees owed therefore escalate even though the alleged infringer may be innocent but unable to afford the entry point into the system, the "representation fee".

#### Ad paragraph 46 to 49



- I note the Minister's statements that "the AARTO Act seeks to regulate every aspect of road traffic" and "an infringer ... becomes party to an administrative process which culminates in an administrative decision."
- 33 The contents of these paragraphs are denied to the extent that they contradict what is stated in the founding affidavit, this affidavit and the AARTO and Amendment Acts.

#### Ad paragraph 50 to 64

- 34 The AARTO and Amendment Acts speak for themselves.
- Save as aforesaid, the contents of these paragraphs are denied to the extent that they contradict what is stated in the founding affidavit and elsewhere in this affidavit.

#### Ad paragraph 68

I deny that the national legislature is empowered to create a centralised, national system for road traffic regulation and enforcement. The respondents' position is based on a misinterpretation of Schedule 4 of the Constitution. This issue is addressed at length in the founding affidavit and elsewhere in this affidavit.

#### Ad paragraphs 70, 74 and 76

A:

 $\mathbb{N}$ 

I deny the first respondent's claim that the Amendment Act has not removed the requirement of personal service. Pre-amendment, the AARTO Act required that service must be personal or by registered mail. Post-amendment, the AARTO Act no longer requires that service must be personal or by registered mail – rather, the amended section 30 of the AARTO Act gives the relevant authority a free choice between personal service, postal service and electronic service. OUTA maintains that personal service and service by registered mail are far more reliable forms of service. They are far more likely to ensure that the AARTO notice is brought to the infringer's attention.

38 This issue is addressed above.

#### Ad paragraph 78

- I note that there is no provision in the AARTO Act or Amendment Act that requires that a road user must be permitted to elect their preferred form of service of AARTO notices. As the AARTO and Amendment Acts stand, the choice of which form of service to use is left to the relevant authority that dispatches the notice.
- The first respondent fails to address the applicant's concern that only 40% of South Africans have access to the internet. The first respondent baldly alleges that emails, text messages and voice notes are effective methods of communication but offers no evidence to support that allegation.

**%**.



- The first respondent emphasises that, if the email address or telephone number of an infringer changes, they are under an obligation to inform the relevant authorities of that change and ensure that their details are updated on the system. This is a bureaucratic process that requires time and effort from the infringer. If the infringer is unable to change their details timeously and miss the service of a notice (or notices), they will be severely prejudiced. This risk is heightened if service is by electronic means because a road user's cellphone number or email address is likely to change more frequently than their postal address.
- I admit that there is a risk that a notice sent by registered mail may go missing. However, there are a number of safeguards and systems in place to prevent that from happening. By contrast, there are few safeguards in place to ensure that emails and SMS's reach the intended recipient.
- The issues regarding service have been addressed in the founding affidavit and above.

#### Ad paragraph 79

OUTA admits that there must be a form of service. But the form of service must be adequate and constitutionally compliant. It must be sufficiently certain that a road user will receive an infringement notice. The first respondent has failed to provide any evidence that shows section 17 creates such a system for service.

Ø:



- OUTA takes issue with the consequences of an enforcement order following an infringement notice that was not properly served on the road user and did not come to the attention of the road user. OUTA does not take issue with the consequences of an enforcement order where the notice was properly served on the road user.
- I deny that OUTA is merely speculating when it claims that road users may not open or read notices sent by SMS or email. Users of these services frequently receive spam and unwanted emails. There is nothing about the form of service via email or SMS that highlights to the road user the importance of the notice. It is easy to disregard and delete the message before reading it or realising its importance.
- I deny that the opportunity to submit an affidavit cures the prejudice that an infringer may suffer from the non-receipt of served documents. This places a burden on the infringer to compile and file an affidavit, setting out an explanation for their lack of receipt. This is time-consuming and requires effort by the infringer.
- OUTA strongly endorses the proper policing and enforcement of road traffic regulations. However, any process to regulate road traffic must be fair and must not place unnecessary burdens on road users.

Third respondent's answering affidavit (RTIA)

Ad paragraphs 7 to 12

 $\bigcup$ 

The content of these paragraphs is admitted to the extent that it does not contradict what is stated in the founding affidavit and elsewhere in this affidavit.

#### Ad paragraph 13

I deny the content of this paragraph. Comprehensive legal argument will be presented to substantiate the applicant's principal challenge to the AARTO and Amendment Act.

#### Ad paragraph 14

OUTA does not claim that personal service and registered mail have been removed as forms of service. The core of OUTA's complaint regarding section 17 of the Amendment Act is that it relaxes the service requirements, thereby allowing less reliable methods of service with no statutory provision to allow the alleged infringer to choose the mode of service to be applied to him/her. OUTA's argument is that, in the absence of an alleged infringer's statutory right to choose other modes of service, personal service or registered mail must be mandatory to safeguard the rights of road users by ensuring that they do in fact receive notice of an infringement.

#### Ad paragraph 15

The RTIA offers no explanation or factual basis for the allegation that OUTA does not have standing. Nor does it challenge any of the evidence offered by OUTA to support its claim to standing. OUTA is now placed in the invidious



position of defending its standing without knowing the basis for the challenge.

The RTIA's challenge to OUTA's standing should be rejected. Legal argument will be presented on the question of OUTA's standing.

#### Ad paragraphs 16 to 20

The contents of these paragraphs are admitted to the extent that they do not contradict what is stated in the founding affidavit or the AARTO Act.

#### Ad paragraphs 21 to 28

These paragraphs merely set out the law and do not include any factual allegations. To the extent that they merely reflect the relevant sections, these paragraphs are admitted.

#### Ad paragraph 29

55 The content of this paragraph is admitted.

#### Ad paragraph 30 and 31

I deny the allegations in this paragraph. The AARTO Act and Amendment Act fall under Schedule 5 of the Constitution. This issue is addressed above and will be dealt with, at length in legal argument.

#### Ad paragraph 32

Ø;

M

The nub of OUTA's complaint in respect of section 17 of the Amendment Act is that personal and registered mail have been removed as the <u>mandatory</u> methods of service. The forms of service now included by section 17 relaxes the requirements for service and creates an impermissible risk that a road user my not receive the notice. This issue is addressed above and in the founding affidavit.

#### Ad paragraph 33 to 35

- The RTIA offers no evidence to support the conclusion that people are moving away from the post office as a service provider or that electronic service is more accurate and reliable. It fails to provide any answer to OUTA's evidence that only 40% of South Africans have access to the internet.
- The reliance on the road users right to elect a form of service as a defence to the challenge to section 17 has been dealt with exhaustively above. Suffice to say that the AARTO and Amendment Act makes no provision for an election by the road user. Nor does it provide any safeguards to ensure adequate service or set out the rights and duties of the RTIA vis-à-vis the road user in respect of service in a manner that would render service under AARTO constitutionally compliant.

#### Ad paragraph 36 and 37

60 The contents of these paragraphs are denied.

8: N

- The RTIA offers no evidence to support its claim that the vast majority of South Africans utilise electronic means of communication with no problem. This is not an answer to the evidence provided by OUTA that the majority of South Africans do not have access to the internet and should be rejected.
- The legitimacy of the RTIA's defence to the relaxed service provisions hinges entirely on the allegation that the road user will elect a method of service and that the notices will therefore reach the road user. However, no such election is provided for in AARTO or the Amendment Act. Nor does AARTO or the Amendment Act contain any safeguards supporting a system of election. For example, nothing in AARTO or the Amendment Act compels the respondents to provide adequate information to the road user regarding the nature and consequences of the election. There is no prescribed form that sufficiently explains the implications of an election and allows the road user to make an informed choice.
- A plain reading of section 17 indicates that it is the RTIA who will choose the method of service. The risk to the road user is exacerbated by the fact that service will be deemed to have been effective within ten days of dispatch of the notice by the RTIA unless the road user provides evidence to the contrary. If the notices do not reach the road user from the outset, it is hard to understand how the road user would even know to dispute receipt of the initial notice until an enforcement order is issued.

At paragraphs 38 to 42

\$;

M

The contents of these paragraphs are admitted to the extent that they do not contradict what is stated in the founding affidavit and the provisions of the AARTO and Amendment Acts.

It is precisely because there has been a move away from enforcement through the criminal law to a system of administrative enforcement that the scheme of the AARTO Act as amended unconstitutionally infringes the exclusive executive authority of municipalities over traffic and parking.

#### Ad paragraphs 44 to 60

The allegations contained in these paragraphs have been dealt with extensively and are denied to the extent that they contradict what is stated in the founding affidavit and elsewhere in this affidavit.

WHEREFORE, I pray that this Court grant the relief sought in the Notice of Motion.

DEPONENT



The Deponent has acknowledged to me that she knows and understands the contents of this affidavit, that she does not have any objection to taking the oath, and that she considers it to be binding on her conscience, and which affidavit was signed and sworn to or before me at **Johannesburg** on this  $\frac{\partial O}{\partial O}$  day of **January** 2021, the regulations contained in Government Notice No. R1258 of 21 July 1972 as amended by Regulation No. 1648 dated 19 August 1977, by GN R1428 of 11 July 1980 and by GN R774 of 23 April 1982, having been complied with.

ADV L FICK 0828571063

COMINISSIONER OF OATHS

Full name and surname:

Designation:

EX OFFICIO ADVOCATE OF THE HIGH COURT (MIO3751)

Address:

THE CHAMBERS, 3RD FLOOR.

3 PROTEA PLACE SANDOWN APPLICATION FOR:

REPUBLIEK VAN SUID-AFRIKA

**RLV** 

AANSOEK OM:

REPUBLIC OF SOUTH AFRICA

#### **APPLICATION FOR** REGISTRATION AND LICENSING OF MOTOR VEHICLE

(National Road Traffic Act, 1996)

LIST OF POSSIBLE

**TRANSACTIONS** 

Blue/ Blou

Mark with X

Merk met X

Parts of the form

to be completed

Dele van die vorm

om in te vul

#### **AANSOEK OM** REGISTRASIE EN LISENSIËRING

**VAN MOTORVOERTUIG** (Nasionale Padverkeerswet, 1996)

LYS VAN MOONTLIKE

**TRANSAKSIES** 

NOTE: Acceptable identification of the title holder and/or owner is essential (including that of the proxy and/or representative).

LET WEL: Aanvaarbare identifikasie van die titelhouer en/of eienaar is noodsaaklik (insluitend die van die gevolmagtigde en/of verteenwoordiger).

		OIII	in te vu	11	1		AANSOEK OM
Registration of motor vehicle by title holder	А	В	С		Regis	trasie van motorv	oerfuig deur titelhoue
Licensing of motor vehicle by owner		В	С		Liser	nsiëring van motor	oertuig deur titelhouei rvoertuig deur eienaai
DADTION ADD OF						9	Tooking door clondar
PARTICULARS OF <b>TITLE HOLDER</b> (e.g. bank, cash buyer, etc.)		Α			BESON	DERHEDE VA	N TITELHOUER
(e.g. bank, cash buyer, etc.)	Total .					(bv. bank, kc	ontantkoper, ens.)
Type of identification (mark with X) traffic register no verkeersregistern	RSA ID RSA ID	foreign I buitelan	D dse ID	business besigh.re	reg. no. eg.nr.		Soort identifikasie (merk met X)
Identification number							Identifikasienommer
Country of issue if foreign ID							Land van uitreiking
	ne-man busine enmansaak	ess priv	ate com	npany atskappy	close corpor	ration	indien buitelandse ID Geslag van persoon/ Aard van instelling (merk met X)
Surname/Name of organisation Initials and first names (not more than 3) (initials/voorletters)						Voo	Van/Naam van instelling orletters en voorname
Date of birth (If natural person)	: :	:	:	oorname)		(Indier	(hoogstens 3)  Geboortedatum n natuurlike persoon)
E-mail address	Y/J	M	D		ПП		E-pos adres
Telephone number at home						Telefoo	onnommer by woning
(code/kg	ode)	(numb	er/nomr	mer)			
Contact telephone number during day (code/kg		(numb	er/nomr	mer)		Ko	ntaktelefoonnommer bedags
Facsimile number							Faksimileenommer
(code/kc	ode)	(numb	er/nomr	ner)			
Cellphone number							Selfoonnommer
Postal address	+HH		-				Posadres
Suburb			1.				Voorstad
City/Town							Stad/Dorp
Street address	1111				(p	ostal code/posko	de)
	<del>                                     </del>	+++	+	-	+++		Straatadres
,		+	$\dashv$	+H	+++		
Suburb		+	$\dashv \dashv$		+H		, , , , ,
City/Town		+	+	+++	+++		Voorstad Stad/Dorp
	tal address adres	street a			(p		
							(merk met X)

TURN OVER

**BLAAI OM** 



ORGANISATION'S PROXY		INSTELLING SE GEVOLMAGTIGDE
Type of identification (mark with X)	traffic register no. verkeersregisternr. RSA ID buitelandse ID	Soort identifikasie (merk met X)
Identification number		ldentifikasienommer
Country of issue		Land van uitreiking indien buitelandse ID
Surname and initials		and Van en voorletters
ORGANISATION'S REPRESENTATIVE (if different from proxy)		INSTELLING SE VERTEENWOORDIGER (indien verskil van gevolmagtigde)
Type of identification (mark with X)	traffic register no. verkeersregisternr. RSA ID buitelandse ID	Soort identifikasie (merk met X)
Identification number		Identifikasienommer
Country of issue if foreign ID		Land van uitreiking indien buitelandse ID
Surname and initials		and Van en voorletters
DECLARATION		VERKLARING
I, the  title holder titlelhouer instelling se gevolmagtigde se gevolmagtigde instelling se gevolmagtigde instelling se gevolmagtigde instelling se gevolmagtigde instelling se gevolmagtigde se gevolmagtigde instelling se gevolmagtigde instelling se gevolmagtigde instelling se gevolmagtigde instelling se gevolmagtigde se gevolmagtigde instelling se gevolmagtigde instelling se gevolmagtigde instelling se gevolmagtigde se gevolmagtigde instelling se gevolmagtigde	Ek, die motor dealer motorhandelaar	
		Dealer stamp/Handelaarstempel
true and correct; and	t H	verstrek is, waar en korrek is; en
(b) realise that a false declaration is punishable with a fine or one year imprisonment or both.	2:0 : : :	(b) besef dat 'n vals verklaring strafbaar is met 'n boete of een jaar gevangenisstraf of beide.
	Y/J M D	
PARTICULARS OF <b>OWNER</b> (if different from Part A)	В	BESONDERHEDE VAN <b>EIENAAR</b> (indien verskil van Deel A)
		ess reg. no. Soort identifikasie h.reg.nr. (merk met X)
Identification number		Identifikasienommer
Country of issue if foreign ID		Land van uitreiking indien buitelandse ID
Gender of person/ Nature of organisation (mark with X)  male female manlik vroulil other (specify): ander (spesifiseer	k eenmansaak privaat maatskapp	close corporation y beslote korporasie  Aard van instelling (merk met X)
Surname/Name		Van/Naam van instelling
of organisation Initials and first names (not more than 3)	(first names/voornam	Voorletters en voorname (hoogstens 3)
(initials/voorletters)  Date of birth (If natural person)	: ; ; ;	Geboortedatum (Indien natuurlike persoon)
E-mail address	Y/J M D	E-pos adres
Telephone number at home		Telefoonnommer by woning
Contact telephone number during day	(code/kode)         (number/nommer)           (code/kode)         (number/nommer)	Kontaktelefoonnommer bedags
Facsimile number		Faksimileenommer
Cellphone number	(code/kode) (number/nommer)	Selfoonnommer
Postal address		Posadres
	┼┼┼┼┼┼┼┼┼┼┼	++++
Suburb		Voorstad
City/Town		(postal code/poskode)

Street address		П	Т	7	T	T	Т	1	$\neg$	1	T	Т	7	T	Т	1	T	1	Т	Т	T	Т	Т	T	Т	Т	1	Т	T	Т	1	5	Straat	adres
								1			1									1			T	I	1	1		_	_		1			
Suburb		Н	+	+	+	$\dashv$	+	+	$\dashv$	+	+	+	-	4	+	4	+	4	-	+	+	+	+	+	+	_							\/o	له ما مس
City/Town						$\dagger$	$\perp$				1	1			1	1		1		†	ł	t	$\dagger$	t	$\dagger$	1	Γ	T			1			rstad /Dorp
Address where no	tice	S										osta			SS	-	stree	t a	ddres	ss	٦					(p	osta	al co			ode) s waa	r keni	nisgev	wings
must be served (mark with X)											р	osac	res	3		\$	straa	tac	dres		_											eken	moet	word net X)
ORGANISATION'S	S P	ROX	ΚΥ																								NS.	TELI	LIN	G SI	E GEV	/OLM	IAGT	IGDE
Type of identificati (mark with X)	ion									traff verk		egis					A ID A ID		foreiç buite			ID									S			kasie net X)
Identification numb	ber								Γ	T	T	T	T	T	T	T	T	Ī			T	7									lden	tifikas	sienoi	mmer
Country of issue if foreign ID									Γ					Ī	Ī	Ė			П			_	1	П			Γ	П	7					eiking
Surname and initials			$\overline{\Box}$		$\exists$		T				٦				Ī				П	T	T	T	Ť	T	T	٦	٦	and	   [	Т	Indie		V	se ID an en
ORGANISATION'S			RESE	ENT	ATI	VE												_							IN	ST						NWO	ORD	
Type of identificati		,							t	raffic	re	giste	er r	10.	IR	SA	ID	fo	oreigr	ı ID	)				-			inuic	511 V	CISK		gevo		kasie
(mark with X)										erke					R	SA	ID		uitela			D_											erk m	
Identification numb	oer									Ц		Ц					Ц															tifikas		ALA 25
Country of issue if foreign ID			Ц		Ц	_		L_	L	Ш		L			L				Ш													nd var n buite	eland	
Surname and initials																							1					and en	L	L		ž.		an en etters
DECLARATION																																VER	KLA	RING
I, the						Г	own	er	To	rgar	isa	ation	's r	rox	v		To	raa	Ek anisa	, di	_	epre	sen	tativ	/e	1								
						6	eien	aar		nstel						igd	e ir		elling															
(a) declare that furnished by	me	in th	nis fo																								(a)	wa	t d	eur	my o	p hie	erdie	hede vorm
true and corr (b) realise that a				atio	n is		Sign															Har			•		'h)							s; en
punishable v year imprisor	with	a i	fine	or		-1	Date			• • •			2:0	$\neg$		Ť	:	· ·	:	• •				. г Dat			(b)	stra	afba	ar is	met	vais 'n bo straf c	ete o	
														Y/J			М		D						į.	1					0			
PARTICULARS	S C	)F <b>r</b>	MOT	ГО	R V	ΈI	HIC	LE		7.1						C					E	BES	10	IDE	ΞR	HE	DE	E VA	AN	MC	TOF	RVO	ERT	UIG
Licence number								Ī	Ī	T	I		Ī	1		]	or of					loca		nie							L	isens	ienor	nmer
Vehicle register nu (if available)	ımb	er										[								9						l				Vo		regist lien b		mmer
Chassis number/V	'IN													Τ	Τ				Τ		Γ									C		stelno		
Make								Τ	T	T			T	T		Τ		T		Τ	T	T	Ī	Γ	Τ	T	T	T					Fabr	rikaat
Series name (describe in full)								Ĺ	Ι			Τ		I	T																//		eeksr	
NaTIS model numl	ber												Γ	Т	Т	Т	Т	Τ	7											1	VaVIS	eskry 3 mod	elnor	nmer
			or cy										yc	le		Ī	В	_ig	ht pa	sse	enge	er ve	hicl	e (le	ess	tha	an 1:	2 pe	rsoi	ns)	¬`	lien b pertui		*
(mark with X)			orfie		COOK ROOM	21 (2300-20	31000000000	20,231,030	2.04.2240	43. 30.425.504	0,000,000		rsc	nne)		$\dashv$		_	te pa					• •				•		one)	-	(me	erk m	et X)
		Swa	aar p	ass	asie	ersv	oer	tuig	(12	2 of r	nee	er pe	ers	one)		4	ı	ig	te vra	agv	oert	uig								)				
			avy Io aar v																ecial esiale															
			ivy lo aar v															)																
Driven (mark with X)					self- selfg				7.000	ailer leep				ep)		emi unv	-trail va	er				wn b Ieur				slee	ер						andry erk m	
																															A		$\Lambda$	$\int_{0}^{1}$
																															1/1	\		

Vehicle description (e.g. station wagon, bus, ambulance, etc.) (mark with X)	sedan (closed top) sedan (toe-kap) other (specify): ander (spesifiseer):	hatch back pick-up chass luikrug bakkie onder	s-cab chassis stel-kap onderstel	Voertuigbeskrywing (bv. stasiewa, bus, ambulans, ens.) (merk met X)
the state of the s	o engine or een enjin of			Enjinnommer
Net power and engine capac	city	kW en	cm³ Netto	dryfkrag en enjinkapasiteit
2 1 10 320		r (specify):		Soort brandstof (merk met X)
Tare (T) and gross vehicle mass (GVM) Transmission (mark with X)		and kg en manual semi-automatic automathand semi-outomaties outoma		Tarra (T) en bruto voertuigmassa (BVM) Transmissie (merk met X)
Main colour (mark with X)	white red blue of wit rooi blou at	ther (specify): nder (spesifiseer):		Hoofkleur (merk met X)
Used for the transportation or (e.g. livestock, building and construction materials, etc.) (mark with X)	passengers passasiers dangerous goods gevaarlike goedere	persons for reward (e.g. taxi, amb persone teen vergoeding (bv. taxi other (specify): ander (spesifiseer):	ambulans, ens.) (I	Gebruik vir die vervoer van bv. lewende hawe, bou en onstruksiemateriale, ens.) (merk met X)
Economic sector in which use (e.g. construction, transport, mining. etc.) (mark with X)  Odometer reading	privaat lai wholesale, retail otl groot-, kleinhandel an	griculture manufacturing vervaardiging her (specify):	dienste	Ekonomiese sektor waarin gebruik: (bv. konstruksie, vervoer, mynbou, ens.) (merk met X)
(if available)	no odom geen odo		km hour/uur	Odometer-lesing (indien beskikbaar)
Street address where vehicle is kept (if different from owner's address)				Straatadres waar voertuig gehou word (indien verskil van eienaar se adres)
Suburb				Voorstad
City/Town			(postal code/po	Stad/Dorp
Date liable for registration/lice (e.g. date purchased or acqui	ensing ired, etc.)	:   :   :   :   :     :	Datum aanspreeklik	vir registrasie/lisensiëring m gekoop of verkry, ens.)
Nature of ownership (mark with X)	Marian and a second	business MD stock MIB st besigheid MH-voorraad VIB-vo		Aard van eiendomsreg (merk met X)
Is vehicle used on a public roa (mark with X)	ad?	yes or no ja of nee	Word voertuig op '	n openbare pad gebruik? (merk met X)
Reason for registration	first registration eerste registrasie amalgamation samesmelting	e eiendomsreg her-registrasie built-up recovered	repossessed eruggeneem estate poedel	Rede vir registrasie
FOR OFFICE USE ONLY			NET V	IR KANTOORGEBRUIK
Date of application (effective date)		2:0   : : :		Datum van aansoek (effektiewe datum)
Name and signature — of counter official	Name/Naam	Y/J M D Signature/Handtekening	 Date/Datum	Naam en handtekening
Name and signature of recommending official — at registering authority	Name/Naam	Signature/Handtekening		van toonbankbeampte Naam en handtekening an aanbevelingsbeampte
Level of authorisation		registering authority registrasie-owerheid Province Provinsie	Date/Datum	by registrasie-owerheid Vlak van magtiging
Name and signature —— of authorising official	Name/Naam	Signature/Handtekening	Date/Datum	Naam en handtekening van magtigingsbeampte
Name and signature of data capturing official	Name/Naam	Signature/Handtekening		am en handtekening van datavasleggingsbeampte
Serial number (bottom right-ha of registration certificate issue	and corner) ed		Reeksnommer (o	nder regterkantste hoek) trasiesertifikaat uitgereik
Serial number (bottom right-ha of vehicle licence issued	and corner)		Reeksnommer (o	nder regterkantste hoek) voertuiglisensie uitgereik

K. M

REPUBLIC OF SOUTH AFRICA

## APPLICATION FOR LICENSING OF MOTOR VEHICLE

(National Road Traffic Act, 1996)

NB: If application is made after the 22<sup>nd</sup> day of the month following the expiry date of the current licence, penalties for late licensing will be payable and, if application is made in the following month or thereafter, arrear licence fees will also be payable.

**NOTE**: Acceptable identification is essential (including that of the proxy or representative).

REPUBLIEK VAN SUID-AFRIKA

Green/ Groen

#### AANSOEK OM LISENSIËRING VAN MOTORVOERTUIG

(Nasionale Padverkeerswet, 1996)

NB: Indien na die 22<sup>ste</sup> dag van die maand wat volg op die vervaldatum van die huidige lisensie aansoek gedoen word, is boetes vir laat lisensiëring betaalbaar en, indien aansoek gedoen word in die daaropvolgende maand of daarna, is agterstallige lisensiegelde ook betaalbaar.

**LET WEL:** Aanvaarbare identifikasie is noodsaaklik (insluitend die van die gevolmagtigde of verteenwoordiger).

PARTICULARS (	OF O	WN	IER	₹																				В	ES	108	۷D	EF	۲Н	ΕC	ÞΕ	VA	N I	EIE	NA	AR
Type of identification (mark with X)							regi ersre					A 10 A 10			_	n ID Inds		)		sine sigl				10.								Sc				asie et X)
Identification number																I		Τ	Ι	Ι											ı	deni	lifika	asie	nom	nmer
Country of issue if foreign ID			1																						Ţ			I			ir					iking se ID
Surname/Name of organisation																																	Va			van elling
Initials and first name (not more than 3)	s	(initi	ials/\	voorle	tters	-	ñ					1			(firs	st na	mes	s/voc	rna	me)	L									Vo	oorl	ette				ame
E-mail address		Ĺ				İ										Ι								Ι						Ι				E-p	os a	dres
Telephone number at	home	)						/00	do/k			-		$\perp$	(200	T mbs	/												Te	lef	oor	non	nme	er b	y wo	ning
							_	(00	de/k	T	*) T	1	_		Tur	nbe	:1/110	JIIII	ner	<del>)</del>	_															
Contact telephone nu during day	mber							(co	de/k	ode	<u> </u> 	] -	L	(	nur	nbe	er/no	omn	ner	)	_									۲	(on	takt	elef	foon		mer dags
Facsimile number												] -			Ι		Τ															Fak	sim	ilee	nom	mer
								(co	de/k	ode	<del>)</del> )	14.51		(	(nur	nbe	er/no	omn	ner	)																
Cellphone number																																;	Self	foon	nom	mer
Postal address	H								4	4	4	1	4	4	_							-	1	-										F	osa	dres
	$\vdash$	-	+			$\dashv$	$\dashv$	+	$\dashv$	$\dagger$	+	+	+	$\dashv$	+						$\vdash$	+	+	+												
Suburb		$\top$	T	Т								T										T	T	T										١	/oor	stad
City/Town																																		S	tad/[	Oorp
Street address		_	Т	_				_	-		$\overline{}$	_	Т	-			_				Г	Т	_	_	~ ( 	pos	tai	coa	ie/p	os	KOC T	ie)		Str	aata	dres
	$\vdash$	+	+	+		$\dashv$	$\dashv$	$\dashv$	+	+	+	+	+	+	$\dashv$	$\dashv$	-			-	┝	╁	+	+	$\dashv$				L		_			-		
	$\vdash$	+	+	+	Н	$\dashv$	$\dashv$	$\dashv$	+	+	+	+	+	$\dashv$	$\dashv$	$\dashv$				$\vdash$	H	+	+	+	$\dashv$											
Suburb	H	+	+	+	Н	-	+	$\dashv$	+	$\dashv$	+	+	+	+	$\dashv$		-	-		$\vdash$	┢	╁	+	+	$\dashv$									,	loor	otod
	$\vdash$	+	+	+	Н	$\dashv$	+	$\dashv$	+	+	+	+	+	+	$\dashv$	$\dashv$				$\vdash$	H	╁	+	+	$\dashv$	1			Т	Т	7					stad Dorp
City/Town						Ш							_												(	] posi	tal o	cod	e/p	os	koc	le)		3	lau/L	Joip
Address where notice must be served (mark with X)	s										l addres		SS	- 1		et a																vaai	ekei	n m	oet v	vings word et X)
ORGANISATION'S P	ROXY	1																								INS	STE	LL	INC	3 S	SE (	GEV	OL.	MA.	GTIC	GDE
Type of identification (mark with X)									fic re						II A			eign tela														Sc				asie et X)
Identification number																Ī		Ī	Ī	Ī	$\overline{\mathbb{I}}$										I	den	tifika	asie	nom	mer
Country of issue if foreign ID		$\perp$																				T									ir					iking se ID
Surname and initials																											a e	nd n							Vai	n en tters



	INS	TELLING SE VERTEENWOORDIGE
Type of identification (mark with X)	traffic register no. verkeersregisternr. RSA ID kuitelandse ID	Soort identifikasie (merk met X
Identification number		
Country of issue		Identifikasienomme
if foreign ID  Surname and initials		Land van uitreiking indien buitelandse ID and Van en
		en voorletters
IDENTIFICATION OF MOTOR VEHIC	CLE IDENTIFIKA	ASIE VAN <b>MOTORVOERTUIG</b>
Licence number		Lisensienommer
Vehicle register number (if available)		Voertuigregisternommer (indien beskikbaar)
Chassis number/VIN		Onderstelnommer/VIN
Make		Fabrikaat
Series name (describe in full)		Reeksnaam
Odometer reading if available)	no odometer or km geen odometer of hour/uur	(beskryf volledig) Odometer-lesing (indien beskikbaar)
Position of steering wheel mark with X)	drawn left centre right gesleep links middel regs	Posisie van stuurwiel (merk met X)
DECLARATION the	Ek dio	VERKLARING
	Ek, die  organisation's proxy instelling se gevolmagtigde  instelling se verteenwoordiger	VERKLARING
owner eienaar  a) declare that all the particulars furnished by me in this form are true and correct; and	organisation's proxy instelling se gevolmagtigde organisation's representative instelling se verteenwoordiger (a)	
owner eienaar  a) declare that all the particulars furnished by me in this form are true and correct; and	organisation's proxy instelling se gevolmagtigde organisation's representative instelling se verteenwoordiger	) verklaar dat alle besonderhede wat deur my op hierdie vorm verstrek is, waar en korrek is; en
owner eienaar  a) declare that all the particulars furnished by me in this form are true and correct; and  Signa  Place  Place	organisation's proxy instelling se gevolmagtigde organisation's representative instelling se verteenwoordiger  (a)  Handtekening  2:0   : : : Datum	verklaar dat alle besonderhede wat deur my op hierdie vorm verstrek is, waar en korrek is; en     besef dat 'n vals verklaring strafbaar is met 'n boete of gevangenisstraf of beide.
owner eienaar  a) declare that all the particulars furnished by me in this form are true and correct; and  Signa  Place punishable with a fine or imprisonment or both.  DR OFFICE USE ONLY  ate of application	organisation's proxy instelling se gevolmagtigde organisation's representative instelling se verteenwoordiger  (a)  Ature Handtekening Plek (b)  2:0   : : : Datum  Y/J M D	verklaar dat alle besonderhede wat deur my op hierdie vorm verstrek is, waar en korrek is; en     besef dat 'n vals verklaring strafbaar is met 'n boete of gevangenisstraf of beide.      NET VIR KANTOORGEBRUIK
owner eienaar  a) declare that all the particulars furnished by me in this form are true and correct; and  Signa  Place punishable with a fine or imprisonment or both.  DR OFFICE USE ONLY	organisation's proxy instelling se gevolmagtigde organisation's representative instelling se verteenwoordiger  (a)  Handtekening  2:0   : : : Datum	verklaar dat alle besonderhede wat deur my op hierdie vorm verstrek is, waar en korrek is; en     besef dat 'n vals verklaring strafbaar is met 'n boete of gevangenisstraf of beide.
owner eienaar  a) declare that all the particulars furnished by me in this form are true and correct; and  Signa  Place Date  DR OFFICE USE ONLY  ate of application  ffective date)  ame and signature counter official	organisation's proxy instelling se gevolmagtigde organisation's representative instelling se verteenwoordiger  (a)  (b)  2:0   : : : Datum  Y/J M D	verklaar dat alle besonderhede wat deur my op hierdie vorm verstrek is, waar en korrek is; en     besef dat 'n vals verklaring strafbaar is met 'n boete of gevangenisstraf of beide.      NET VIR KANTOORGEBRUIK      Datum van aansoek (effektiewe datum)  Naam en handtekening
owner eienaar  a) declare that all the particulars furnished by me in this form are true and correct; and  Signa  Place punishable with a fine or imprisonment or both.  DR OFFICE USE ONLY  ate of application ffective date)  ame and signature counter official  Name/Naam	organisation's proxy instelling se gevolmagtigde organisation's representative instelling se verteenwoordiger  (a)  (b)  2:0   : : : Datum  Y/J M D	verklaar dat alle besonderhede wat deur my op hierdie vorm verstrek is, waar en korrek is; en     besef dat 'n vals verklaring strafbaar is met 'n boete of gevangenisstraf of beide.      NET VIR KANTOORGEBRUIK      Datum van aansoek (effektiewe datum)
owner eienaar  a) declare that all the particulars furnished by me in this form are true and correct; and  Signa  Place Date  DR OFFICE USE ONLY  ate of application  ffective date)  ame and signature counter official	organisation's proxy instelling se gevolmagtigde organisation's representative instelling se verteenwoordiger  Handtekening (a)  2:0   : : : Datum  Y/J M D  2:0   : : : :  Y/J M D	verklaar dat alle besonderhede wat deur my op hierdie vorm verstrek is, waar en korrek is; en     besef dat 'n vals verklaring strafbaar is met 'n boete of gevangenisstraf of beide.      NET VIR KANTOORGEBRUIK      Datum van aansoek (effektiewe datum)  Naam en handtekening



