

IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

Case no: **2026-166564**

In the matter between:

ORGANISATION UNDOING TAX ABUSE NPC

Applicant

-and-

THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

1st Respondent

THE MINISTER OF TRANSPORT

2nd Respondent

THE DIRECTOR GENERAL: DEPARTMENT OF TRANSPORT

3rd Respondent

THE ROAD TRAFFIC INFRINGEMENT AUTHORITY

4th Respondent

THE ROAD TRAFFIC MANAGEMENT CORPORATION

5th Respondent

THE MINISTER OF FINANCE

6th Respondent

THE DIRECTOR GENERAL: NATIONAL TREASURY

7th Respondent

SOUTH AFRICAN LOCAL GOVERNMENT ASSOCIATION

8th Respondent

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SECOND AND THIRD RESPONDENTS' ANSWERING AFFIDAVIT

I, the undersigned;

MATHABATHA MOKONYAMA

do hereby declare under oath and state that:

1. I am an adult male. I am the Acting Director General of the Department of Transport with my office situated at the Forum Building, 159 Struben Street, Pretoria, Gauteng.
2. I depose to this affidavit on behalf of the second and third respondents ("the respondents") by virtue of the fact that the facts deposed to herein are within my knowledge and I have unlimited access to the records in the possession of the respondents relating to this matter. I have perused such records and I accept the contents thereof to be true and correct.
3. In the process of interacting with the office of the first respondent in relation to matters relevant to this application I have become au fait with the documents and the facts relating to this matter which I deal with hereunder.

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4. The facts contained in this affidavit are, unless indicated otherwise, within my personal knowledge and are to the best of my belief both true and correct. Insofar as I relate matters not within my personal knowledge, I do so on the basis of the records of the Department, to which I have access and information related by the officials of the Department who have knowledge of this matter and I have no reason to doubt the veracity thereof.
5. To the extent that I make submissions of a legal nature, I do so on the advice received from the Department's legal representatives, which advice I accept as correct and in line with the prevailing legal position.

INTRODUCTION AND OVERVIEW OF OUTA'S CASE AND THE DEPARTMENT'S POSITION:

6. In 2021, Organisation Undoing Tax Abuse ("OUTA"), attempted to halt the implementation of AARTO by mounting a constitutionality challenge against the Administrative Adjudication of Road Traffic Offences Act, 46 of 1998 ("the AARTO Act") and the Administrative Adjudication of Road Traffic Offences Amendment Act 4 of 2019 ("the AARTO Amendment Act").

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7. The attempt was foiled by the Constitutional Court, which refused to confirm the constitutionality challenge.¹
8. OUTA is relentless in its pursuit to halt the implementation of AARTO. It has approached this Court again, this time on an urgent basis, seeking to impugn the constitutionality of the AARTO Act, under the guise of an interim interdict, aimed at interdicting, the implementation or roll out of;
 - 8.1. Proclamation Notice Number 322 of 2026, signed by the President on the 24th of June 2026 ("Proclamation 322");
 - 8.2. Proclamation Notice Number 323 of 2026, signed by the President on the 24th of June 2026 ("Proclamation 323"); and
 - 8.3. AARTO Regulations, proclaimed by the Minister of Transport on the 30th of June 2026 ("the Regulations").
9. OUTA's challenge is brought whilst the ink is barely dry on an order thwarting another attempt by SALGA, aimed at halting the roll out of phase 2 of AARTO, on the 29th June 2026.
10. These proclamations and regulations rolled out or brought into effect the AARTO system in approximately 60 more municipalities. This rollout

¹ Organization Undoing Tax Abuse v Minister of Transport and Others 2024 (1) SA 21 (CC)

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phased out the old traffic infringement system under the National Road Traffic Act, in the new municipalities.

11. OUTA seeks to interdict the implementation of these proclamations and regulations, notwithstanding the fact that they came into effect from the 1st of July 2026.
12. The relief sought by OUTA, if granted, will have disastrous effects, which effects are not only financial but will result until its review application, which is yet to be filed, is finalised – only God knows when, there will be no traffic infringement system in at least 60 municipalities with the exception of the City of Johannesburg and the City of Tshwane.
13. Of importance is that, OUTA in these proceedings, does not seek to interdict any conduct whatsoever. It seeks to interdict the enforcement of law that is already in place. Worse, it has failed, to demonstrate the existence of exceptional circumstances which would warrant this court to grant such an extraordinary and far-reaching order.
14. In the intended review, which is essentially a constitutionality challenge, OUTA indicates that it will seek to impugn the proclamations and the regulations on the following grounds:

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- 14.1. First, that there was no proper public participation process leading to the adoption of the regulations; and
 - 14.2. The President's decision to implement AARTO without rolling out section 29(A) of the Act, which provides for the establishment of the AARTO Tribunal and without appointing the Appeals Tribunal, is irrational.
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15. I will demonstrate below that none of these grounds has any merit
 16. OUTA's case is opposed by the respondents on the basis that:
 - 16.1. First, the matter is not urgent;
 - 16.2. Second, the relief sought by OUTA is incompetent;
 - 16.3. Third, OUTA has failed to satisfy the requirements for the grant of an interim interdict;
 - 16.4. Fourth, despite seeking such drastic and far-reaching relief, OUTA has failed to demonstrate the existence of exceptional circumstances, which must be established before an interdict, such as the one sought by OUTA may be granted.

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17. Against the backdrop of the foregoing, I shall develop the respondents' case, by addressing the following topics:

17.1. First, the lack of urgency or failure by the applicant to satisfy the requirements of rule 6(12) of the Uniform rules of court;

17.2. Second, I set out in brief the background facts against which the respondent's arguments must be understood;

17.3. Third, I demonstrate that an interdict is not a competent remedy and that no exceptional circumstances have been demonstrated to warrant the relief sought and that this is not an appropriate case for the Court to grant the relief sought.

17.4. Fourth, I deal with the question whether OUTA has satisfied the requirements of the granting of an interim interdict; and

17.5. Last, I deal to the extent necessary, with the allegations contained in OUTA's founding affidavit.

THE MATTER IS NOT URGENT:

18. I am advised that to be suited for a hearing on an urgent basis, OUTA is enjoined to set out facts and demonstrate the existence of circumstances

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which render the matter urgent. In addition, thereto, it must set out reasons why it contends that it will not be afforded substantial redress at the hearing in due course.

19. I submit that OUTA's case falls short of these requirements and ought to be struck off the roll for the reasons set out below.
20. **First**, OUTA approaches this court seeking to interdict the commencement and implementation of Phase 2 and any staggered phases of the AARTO Act through Proclamations 322 and 323 and the regulations. These proclamations and regulations as I have said bring into operation certain sections of the AARTO Act in the identified municipalities.
21. OUTA approaches this court on an urgent basis despite having been aware at least as far back as 7th of November 2025, that the AARTO will be rolled out to the 60 municipalities with effect from the 1st of July 2026. Furthermore, OUTA has been aware since then that the intended rollout will only take effect through the Presidential Proclamation.
22. Notwithstanding the above, OUTA remained supine and only brought the current application on the 13th of July 2026 – 13 days after the rollout and eight months since it had been aware of the date of coming into effect of Phase 2.

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23. After the proverbial horse has bolted, OUTA approaches this court seeking an order that the proverbial stable door be closed, an exercise in futility.
24. To make matters worse for OUTA, it has, in its affidavit, failed to account for its inaction. This failure, I am advised, is fatal insofar as OUTA's claim for an urgent hearing is concerned and warrants the striking of this application from the roll with costs.
25. **Second**, in an attempt to make out a case for urgency, OUTA raises the following distinct points. However, the founding affidavit makes it clear that none of these grounds sustain any claim to urgency.

22.1. **Phase 2 is intended to commence on 1st July 2026**. The first ground on which OUTA argues this matter is urgent, is that the roll out, will commence on the 1st July 2026. This argument does not assist OUTA. It makes things worse for OUTA, because the application is brought 13 days after the commencement of the roll. It simply fortifies my submission that this application is an exercise in futility.

22.2. **The implementation will be unlawful** – According to OUTA one of the reasons why this application is urgent, is that the rollout of AARTO, if implemented, will mean that the unlawful conduct which is sought to be restrained will continue. This claim is without merit. On

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its own version, OUTA accepts that the implementation will be pursuant to the Presidential Proclamation and in line with the Regulations. Therefore, this means that the implementation will be in terms of the law of general application. I am advised that the Proclamations remain lawful and valid until such time that they have been set aside. This means the regulations are law and must be applied and obeyed until they are set aside. Any action or conduct which takes place pursuant thereto, cannot be regarded as being unlawful. I am advised further that the mere fact that a party cries "illegality", is not the basis for the Court to intervene on an urgent basis. This is so because a party's subjective view about the legality of an act or conduct is not binding and only courts are arbiters of legality.

22.3. The scheme is without a functional Tribunal-Another reason proffered by OUTA for the alleged urgency, is that the rollout commenced without a functioning Tribunal in place. This, as I will demonstrate herein below, is devoid of any merit. Even if, for a moment, it was true, which is denied, this assumption has and was always in OUTA's mind since 2025 and yet, OUTA waited until the 13th of July 2026, to approach this, Court. OUTA does not proffer any explanation why it did not approach this court sooner, when it became aware that the rollout will take place on the 1st of July 2026

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without, as per their allegation, there existing a proper functioning tribunal.

22.4. In any event, there is a proper functioning Tribunal in place with the members having been appointed by the President. This will of course become clearer later in this affidavit.

22.5. Absence of substantial redress in due course-OUTA further complains that it will not be afforded substantial redress at a hearing in due course. To this end, it argues that the scheme will already have been placed and operationalised, representations would already have been made, under a defective framework and that the affected persons would have been prejudiced with no effective remedial forums available. This is incorrect. In fact, the absence of a functioning Tribunal, even if it was a fact, which it is not, would not result in prejudice to members of the public. In fact, it would, on the contrary, work to their benefit in that until such time that their disputes have been adjudicated by a Tribunal, the implementation of any fine or penalty imposed is deferred and/or suspended, meaning that such member will not be penalised through a demerit point system.

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- 22.6. In any event and on OUTA's own version, it will be afforded substantial redress at the hearing in due course, the review order which may be granted in due course.
26. **Third**, on OUTA's version, the matter raises complex matters which have far-reaching implications on the rule of law. Therefore, what this means is that OUTA accepts that the issues raised herein are in their very nature complex.
27. I am advised that our courts have repeatedly held that an urgent court is not geared for complex matters.
28. Therefore, and for these reasons, I submit that for the reasons set out above, OUTA has woefully failed to satisfy the requirements of rule 6(12) and to demonstrate the existence of exceptional circumstances warranting departure from the normal procedure and on account thereof, the application falls to be struck off the roll with costs, including cost consequent upon employment of two counsel. Further submissions in this regard will be made at the hearing of this matter.

THE FACTS UNDERPINNING THIS APPLICATION:

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26. The AARTO Act was assented to by the President on 9 September 1998 and commenced on 1 July 2007. Section 2 lists the objects of the Act as:

- "(a) to encourage compliance with the national and provincial laws and municipal by-laws relating to road traffic and to promote road traffic safety;*
- (b) to encourage the payment of penalties imposed for infringements and to allow alleged minor infringers to make representations;*
- (c) to establish a procedure for the effective and expeditious adjudication of infringements;*
- (d) to alleviate the burden on the courts of trying offenders for infringements;*
- (e) to penalise drivers and operators who are guilty of infringements or offences through the imposition of demerit points leading to the suspension and cancellation of driving licences, professional driving permits or operator cards;*
- (f) to reward law-abiding behaviour by reducing demerit points where they have been incurred if infringements or offences are not committed over specified periods;*
- (g) to establish an Authority to support the law enforcement and judicial authorities and to undertake the administrative adjudication process; and*
- (h) to strengthen co-operation between the prosecuting and law enforcement authorities by establishing a Board to govern the Authority."*

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27. Chapter 2 of the Act provides for the establishment of the Road Traffic Infringement Authority. Its objects and functions are set out in section 4 as:

"1 ...

- (a) *to administer a procedure to discourage the contravention of road traffic laws and to support the adjudication of infringements as set out in subsection (2);*
- (b) *to enforce penalties imposed against persons contravening road traffic laws as set out in subsection (3);*
- (c) *to provide specialised prosecution support services as set out in subsection (4); and*
- (d) *to undertake community education and community awareness programmes in order to ensure that individuals understand their rights and options as set out in subsection (5)."*

28. In July 2008, the Minister, following a consultative process published the AARTO regulations. I am advised that should it be necessary, a copy of the regulations will be made available to this Court.

29. I interpose to mention that during the adoption of the regulations, amongst the stakeholders who participated in the process was SALGA. In fact, SALGA welcomed the Act and regulations as well as the implementation thereof.

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30. Following, the publication of the regulations, AARTO was rolled out and implemented in the City of Johannesburg and City of Tshwane, as a pilot project. The 2008 AARTO regulations were until the 29th June 2026 applicable in the City of Johannesburg and the City of Tshwane as the only municipalities that were implementing the AARTO.
31. On the 11th of October 2019, the Department caused to be published the draft amended regulations in the Government Gazette No 42765, for public comments.
32. I interpose to mention that amongst the complaints received during the comments on the regulations, was the inadequacy of the time given for representations. As a result, the Department caused to be published the amended regulations and called for comments to be submitted within 60 days. Approximately 18 comments were received, including those from OUTA.
33. Upon receipt of the comments, they were thematically analysed and responded to. To the extent that they warranted an amendment to the Regulations, the inputs were incorporated into the final Regulations.
34. The final Regulations were published in October 2025. However, in light of the deferment of the implementation of the rollout date the Regulations were withdrawn. The regulations were again, published on the 30th June

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2026, shortly before the commencement date of the rollout of AARTO to the 60 new municipalities.

35. Therefore, and as it can be gleaned above, there was proper and extensive discussion and/or opportunity given to members of the public as well as several societies to make representations in favour of and/or against the AARTO.
36. I interpose to mention that following the process leading to the adoption or promulgation of the 2025 regulations, the Department together with the Road Traffic Management Authority and other stakeholders commenced with the process of readying the municipalities identified for the implementation of AARTO. This included, the provision of equipment, training of law enforcement officers, ensuring that the network connectivity was to enable access to the eNatis system.
37. During May 2020, a meeting was held with the representatives of the municipalities who reported on the state of readiness of the municipalities, for the rollout of AARTO. This assessment revealed that some of the municipalities at the time were not ready. They would be ready by the time the implementation of AARTO was concerned.
38. On the 29th June 2026 the President published Proclamations 322 and 323 which effectively brought into operation:

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- 38.1. Section 17; 16, 19, 19A, 19E, 20, 28, 29, 30, 31, 32, 33, 34 and 35 and determined that this provision shall be applicable to the municipalities set out in Annexure "A" to the schedule;
- 38.2. the amendment of adjudication of Road Traffic Offences Amendment Act of 2019, save for section 2(g), and operational to the municipalities which appear in Annexure "A" to the schedule.
39. On even date, the Minister of Transport caused to be published a Proclamation which published the 2026 Regulations.
40. It is against the background facts as outlined above, that this application must be adjudicated and understood.

AN INTERDICT IS NOT COMPETENT

41. On a reading of the Notice of Motion, the relief sought by OUTA is aimed at *"interdicting and restraining the implementation, operation, enforcing or giving effect to: "*. In this way, what OUTA is asking for, is an interim interdict of a broader nature which has the effect of restraining the application of law of general application.

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42. I am advised that interdicts are by their very nature about conduct. They are not meant to prevent the application of legislation or subordinate legislation, which has already been made and in operation.
43. Therefore, what I mean, is that for as long as the impugned regulations and proclamations are applicable, as they are now, they are the law and applicable in all the municipalities to which they are applicable and to all other persons who are within such municipalities.
44. I am advised further that the question whether the regulations and proclamations are applicable, is not a matter of a discretion (the Minister does not decide whether or not to apply the regulations). Once proclaimed, the regulations and proclamations apply.
45. In the premises, I submit that the applicable law remains applicable regardless of any discretion that is vested in the Minister and/or the President and an interdict is not an appropriate remedy to halt the implementation or application of the law, already in place. Further submissions will be made at the hearing of this matter.
46. Furthermore, I am advised that an interdict is not a remedy for past invasion of rights. The Phase 2 implementation of the AARTO commenced on 1 July 2026. This is common cause. Accordingly, an interdict is not

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appropriate or competent remedy for the applicant. For this reason, this application must be dismissed with costs.

THE REQUIREMENTS FOR AN INTERIM INTERDICT, NOT BEING SATISFIED:

47. I am advised that the requirements for the grant of an interim interdict are trite. They are:

47.1. the existence of a *prima facie* right;

47.2. a well- grounded apprehension of irreparable harm;

47.3. the balance of convenience favours the grant of an interim interdict;
and

47.4. absence of adequate alternative remedy.

48. I am advised that OUTA is enjoined to satisfy all these requirements. Not one or two or a part thereof, but all of them.

49. I submit, for the reasons set out below, that OUTA has woefully failed to satisfy these requirements.

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50. On the reading of OUTA's papers and proper construction thereof, it is clear that what OUTA seeks to protect through these proceedings, is its rights to review the Proclamations and the Regulations.
51. I am advised that the right to review a decision or Proclamation or Regulations need not be protected by way of an interdict *pendente lite*. Under the Setlogelo test OUTA must show another right that is threatened and not a general right that is available to everyone to review a decision. OUTA must demonstrate a right, in respect of which, if not protected by an interim interdict, irreparable harm would befall OUTA. It has failed to do so.
52. To bolster its case on *prima facie* right, OUTA alleges that there are flaws in the proclamations and regulations. To this end, it argues that:
- 52.1. the Tribunal has not been established in terms of section 29(A)(1) of the Act;
- 52.2. The alleged differences between sections 18, 19 and 20 can be proclaimed;
- 52.3. The President's conduct was unlawful and irrational;
- 52.4. The Regulations create an unfair discrimination;

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52.5 There was lack of participation leading up to the 2026 regulations;
and

52.6. The right of access to court is infringed.

53. Below, I deal with each of these contentions in order to demonstrate that they lack merit and that there are no prospects of success in the intended review.

Failure to establish the Tribunal

54. OUTA, first takes issue with the Proclamations on the basis that the President has failed to establish the appeals Tribunal. To this end, they argue that the Appeals Tribunal as a permanent statutory body forms an integral part of the administrative dispute regulation framework created by the legislature.

55. The Tribunal is established by section 29(A)(1) of the Act. The section was brought into being by the amendment Act. Accordingly, the Tribunal is a statutory body and is not established by the President or the Minister. All the President does is to appoint members of the Tribunal, which, as I demonstrate hereunder, he has since done. OUTA conflates the establishment of the Tribunal with the appointment of its members.

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56. I also dispute OUTA's contention that prior the promulgation, there was no appeals Tribunal, established or there were no members of the Tribunal appointed. In this regard, I wish to point out the following:
- 56.1. On the 2nd January 2021 and 28 March 2024, invitations were sent out for nominations of members to serve on the Tribunal. A number of applications were received. Out of these applications nine Applicants were recommended for appointment as members for the Tribunal to the President.
- 56.2. On the 15th September 2025, the President signed a minute, appointing the members for the Appeal Tribunal with effect from the 1st of December 2025. A copy of the Presidential minute to this effect is attached and marked as **Annexure "XX 1"**.
57. I am advised that it is not required of the President to publicise the names of the members of the Tribunal. All that is required is that the President must appoint the members of the Tribunal, including the chairperson, prior the commencement date of the Act. The President has done so.
58. OUTA has clearly failed to verify its facts in this regard before approaching this court.

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59. In the premises and for the above reasons, it is submitted that the argument or the attack on the proclamations on the basis that the Appeals Tribunal has not been established prior the commencement of the roll out, is devoid of any merit. Further submissions in this regard will be made at the hearing of this matter.
60. Furthermore, and to the extent that OUTA argues that notwithstanding the fact that Regulation 11 provides that the Tribunal may develop its own rules regarding the hearings, the conduct of its matters and other related matters, the rules have not been made available, such contentions is incorrect. I am advised that the Tribunal rules have been developed and are in place. For the sake of completeness, I attach hereto marked as **Annexure "XX 2"** a copy of the rules and refer the court to the contents thereof.
61. Once again OUTA has failed to verify its facts prior to approaching this court.

The material differences in the provisions:

62. As the second basis for the attack on the Proclamations, OUTA relies on the alleged differences between sections 18, 19 and 20 of the previous regime as well as similar provisions in the current regime. To this end, it argues that:

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- 62.1. Under the previous regime, section 18 permitted representations in respect of minor offences. It further provided that the representation officer rejected the representations, would advise the infringer of election to be tried in court. However, under the current amended regime, representations may now be made in relation to any infringement generally and should the infringer be advised that the representations be rejected, the infringer has the right of review or the right to appeal to the Tribunal. The element of electing to be tried in court, so OUTA argues, is no longer in place.
- 62.2. Secondly, under the previous regime, section 19 the courtesy letter could provide for the election to be tried in court. It provided that an infringer who has not complied with the infringement notice could still at that stage, notify the agency of his/her election of the matter to be tried in court. Therefore, the courtesy letter did not tie the disputing person into a closed administration loop. However, under the current regime, so the argument goes, the courtesy letter no longer affords such option. The options are narrowed to administrative ones, including making payment or making representations. The option to be tried in court has been removed.
- 62.3. Thirdly, under the previous regime section 20 allowed for the enforcement to follow not only for non-compliance of section 18 – notification or section 19 courtesy letter, but also failure to appear in

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court as contemplated in section 22(3)(a). However, under the current regime, section 20 now provides that enforcement would follow even where the infringer has failed to apply for review or appeal to the Tribunal. OUTA argues that in light of the fact that the court route is no longer applicable and the Tribunal has not been constituted, leaves a legal vacuum.

63. There is no merit to these arguments by OUTA. They are incorrect and, in any event, irrelevant to the case sought to be advanced by OUTA on review if what they say in their Notice of Motion is anything to go by. OUTA, on its version, does not intend to challenge the provisions of the AARTO Act. It in fact failed in its attempt to do so. Whether the provisions of section 18 to 20 create a legal vacuum is relevant when these provisions are challenged for their constitutionality. OUTA intends not to do so in its review but to challenge the Proclamations and the Regulations.
64. Furthermore, and as I have demonstrated earlier, there is a Tribunal in place, and the Tribunal rules are also in place. Therefore, there is no merit to the argument that an infringer who has made representations and whose representations have been rejected, is without a remedy. He or she has remedy. That is, to review, or if the review fails, to have the matter referred to the Appeals Tribunal. In the premises, I submit that the argument by OUTA is misplaced. In any event section 34 of the Constitution refers to a

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resolution of a dispute by a court or "other independent and impartial tribunal or forum".

The President's decision to issue the proclamations, is unlawful and irrational:

65. OUTA further argues that the President's decision to issue the Proclamations, which bring into effect the legislation is unlawful. To this end, it argues that the President is required under section 29(A)(4) to appoint the chairperson and any members of the Tribunal before the commencement date. It argues that the President has failed to do so and as a result, the proclamations are tainted with irrationality and illegality. Again, OUTA's case is incorrect and misplaced. This is so for two reasons:

65.1. First, as I have demonstrated earlier, the President has appointed the chairperson and the members of the Tribunal. Therefore, there is a Tribunal in place.

65.2. Secondly, OUTA has failed to properly read and/or interpret Proclamation 323. Proclamation 323 brings into operation the Amendment Act. The Amendment Act contains amongst others, section 29A which provides for the establishment of the Tribunal.

66. Further OUTA argues that the Proclamations are irrational if viewed in the context of the territorial mismatch between Proclamation 322 and

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Proclamation 323. OUTA argues that this mismatch arises because one proclamation brings into operation the principal Act to 60 municipalities whilst the other brings into effect the Amendment Act to 62 municipalities.

67. There is no merit to this challenge by OUTA. Proclamation 322 brings into operation to the 60 previously excluded municipalities the provisions of the AARTO Act excluding the parts brought into operation by the Amendment Act. Proclamation 323 brings into operation to all the municipalities, including Johannesburg and Tshwane, the provisions of the Amendment Act, excluding section 2(g) thereof. The provisions of the Amendment Act, which include the establishment of the Tribunal and its operations were never applicable to Johannesburg and Tshwane.
68. The reasons for these Proclamations to provide as they do are not difficult to fathom. As mentioned earlier, AARTO was first rolled out to two municipalities, -Tshwane Metropolitan Municipality and the City of Johannesburg Municipality. The rollout entailed that the provisions of the principal act applied to the two municipalities, without the provisions of the Amendment Act. Therefore, it would not have made sense to proclaim the principal act in respect of these two Municipalities, where it was already applicable.

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69. For the reasons I have set out, I submit that there is no merit in OUTA's contention that the Proclamations and Regulations are irrational. Further submissions in this regard will be made at the hearing of this matter.

The staggered roll out is arbitrary:

70. OUTA further takes issue with the current regime of the Proclamations on the basis that:

70.1. The rollout discriminates between road users in that, in the municipalities where the AARTO Act applies, is subjected to a materially different and inferior position than those municipalities where it is not applicable. To this end, it argues that in the municipalities where the Act is applicable, the road users no longer have the election of what is called the "*old called election*".

70.2. To this end, it argues this violates both sections 9 and 34 of the Constitution.

71. I submit that OUTA's contention is devoid of any merit. As mentioned, a Tribunal is currently in place and its rules are in place. Therefore, the road users in the affected municipalities are not without remedy. They have an option of making representations, if the representations are rejected to refer the matter to the appeals tribunal. Furthermore, should they be disgruntled

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with the Appeals Tribunal's decision, they have the right to take the matter upon review, in terms of PAJA and the principle of legality to court.

72. I therefore submit that irrespective of road users in the municipality where AARTO is applicable or not applicable, he/she has an effective remedy.

73. I am advised that the mere fact that there are different applicable systems in different municipalities, it does not *per se* constitute discrimination or a breach of section 9 of the Constitution. Even if, it can be argued that there is differentiation, such differentiation is under the circumstances justified or fair in that it is in terms of an act of Parliament or law.

74. In the premises I submit that there is no merit in the so-called arbitrary differentiation argument advised by OUTA. Further submissions will be made at the hearing of this matter.

There was no public participation

75. OUTA further takes issue with the Regulations on the basis that there was no public participation, leading up to the 2026 Regulations. I submit, that this is incorrect.

76. The 2026 regulations are the same regulations, which were published and later withdrawn in 2025.

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77. As I have explained, there was proper and extensive public participation process in the regulation leading up to the current regulations. Of importance is that during both occasions when the regulations were up for public comment, OUTA made meaningful and extensive comments, which were considered.

78. I am advised that as opposed to legislative process, there is no need for the Department to conduct workshops, leading up to the regulations. All that is required is:

78.1. There must be sufficient period allowed for public comments; and

78.2. The comments received must be considered and taken into account.

79. That is what happened in the present case. There was sufficient time allowed for making representations and comments to the Regulations and the comments were properly considered.

80. The mere fact that there was a time lapse between the date of promulgation and the date of set for public comments does not *per se* render the Regulations unlawful for lack of public participation. Moreso, where there is no timeline such as in the present case as to when the regulations must be published after receipt of the public comments.

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81. For the reasons I have set out herein, I submit that there is no merit in any of the grounds on which OUTA intends impugning the Proclamations and Regulations and on account thereof, the intended review is devoid of any merit.
82. I am advised that failure to demonstrate existence of a clear right, let alone prospects of success and/or a *prima facie* case, on the intended review, is fatal to the relief sought by OUTA. OUTA has woefully failed to establish a *prima facie* right for the purpose of an interim interdict and on account thereof, this application must fail.
83. I am advised that our courts have held that in the absence of a clear or *prima facie* right, an enquiry into the remainder of the requirements, is not necessary.
84. However, *ex abundanti cautela*, I am advised that I should nonetheless address the other requirements.

NO REASONABLE APPREHENSION HARM SHOWN:

85. In its argument on reasonable apprehension of harm, OUTA argues that once implemented and enforcement proceeds in the affected municipalities, road users may receive notices under a defective scheme, such

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implementations will be in vain and be channelled to a nonfunctional Tribunal.

86. I submit, that the harm complained of, is baseless and speculative. As I have demonstrated, section 29A is effective and the Tribunal members were appointed, and its rules have been published.
87. Therefore, I submit that OUTA's argument that the scheme is defective is without any merit.
88. Even if, for a moment it is found for one reason or another, that the scheme is defective, which is denied, I am advised that the scheme would be a lawful scheme and anything performed in terms of the scheme, is lawful. Therefore, any harm which occurs by operation of law does not and cannot constitute irreparable harm for the purpose of an interim interdict.
89. In the premises and for these reasons, I submit that the harm complained of by OUTA is baseless and speculative and on this basis, I submit that OUTA has failed to demonstrate any basis on which any harm can be reasonably apprehended. Further submission in this regard will be made at the hearing of this matter.
90. Even if OUTA's argument finds favour with the court, which I do not accept it must, the Phase 2 OUTA has already commenced. The relief sought has

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been overtaken by events and is not an effective relief. It is simply incompetent.

THE BALANCE OF CONVENIENCE DOES NOT FAVOUR THE GRANT OF AN INTERIM INTERDICT:

91. I am advised that our courts have held that when considering the element of the balance of convenience, the courts must consider whether the relief sought would be intruding in another sphere of government. If that is the case, courts should be loath to grant an interim interdict which would have the effect of violating the separation of powers principle.
92. In the present case, I submit that the relief sought by OUTA will do exactly that. It will stop dead road traffic enforcement laws *inter alia* by creating a lacuna. I say this, because once suspended, there will be no system in place in the effected municipalities which would be aimed at curbing traffic rules infringement.
93. In the premises and for these reasons, I submit that the balance of convenience does not favour the grant of an interim interdict. Further submissions will be made at the hearing of this matter.

OUTA'S HAS ADEQUATE ALTERNATIVE REMEDIES AVAILABLE TO IT:

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94. I am advised that in order to satisfy this requirement, OUTA must demonstrate that it has no other effective alternative remedy. In the present case I submit, that OUTA does have an effective remedy – the intended review application.
95. Therefore, I submit that the mere presence of a suitable alternative remedies renders OUTA non-suited insofar as the interim interdictory relief sought is concerned.
96. In the circumstances and for the reasons set out herein, I submit that OUTA has woefully failed to satisfy the requisites for the grant of an interim interdict and on this basis alone, the application stands to be dismissed. Further submissions will be made at the hearing of this matter.

NO EXCEPTIONAL CIRCUMSTANCES HAVE BEEN SHOWN:

97. I am advised that our courts have held that interim interdict, which has the effect of restraining or hampering an organ of state from exercising its statutory powers, can only be granted if the Applicant demonstrates exceptional circumstances and in the clearest of cases.
98. In the present case, the Applicant has failed to demonstrate exceptional circumstances which would warrant this court to interfere with the Minister's

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powers of law enforcement. It has also failed to demonstrate that this is the clearest of cases.

99. I submit that in the absence of any exceptional circumstances having been shown, irrespective of whether the requirements for the grant of an interim interdict have been shown, an interdict such as the one sought herein, is not competent.

100. In the premises and for these reasons, I submit that the application should be dismissed with costs. Further submissions in this regard will be made at the hearing of this matter.

AD SERIATIM RESPONSES TO OUTA'S FOUNDING AFFIDAVIT:

101. Before I venture into dealing with the individual allegations made by OUTA in its founding affidavit, I find it prudent to mention that I shall in my response confine myself to those averments as contained in OUTA's affidavit, which will merit a response and are relevant, for the determination of the current application – interim interdict.

102. To the extent that the allegations may implicate the issues ventilated in the review application, I shall provide a skeletal response thereto and reserve the respondents' rights to deal with those issues in the review application, if any is filed. Furthermore, and to the extent that I do not argue and/or

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address any allegations contained in OUTA's affidavit, I wish to mention that such failure should not be construed as an admission of same. In fact, any allegation not specifically admitted by me, should be regarded as being denied.

103. Ad paragraphs 1 to 7 thereof:

Save to deny that the allegations contained in OUTA's affidavit are both true and correct, more so insofar as they are inconsistent with what I have stated herein, I note the remainder of the allegations contained therein.

104. Ad paragraph 8 thereof:

The allegations contained therein are noted.,

105. Ad paragraph 9 thereof:

The allegations contained therein, are matters of legal argument which have been addressed and are denied insofar as they are inconsistent with what I have stated herein.

106. Ad paragraphs 10 and 11 thereof:

The allegations contained therein are noted.

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107. Ad paragraph 12 thereof:

The allegations contained therein constitute matters of legal argument and have been addressed earlier herein and are denied to the extent that they are inconsistent with what I have stated herein. Further argument in this regard will be advanced at the hearing of this matter.

108. Ad paragraph 13 thereof:

The allegations contained therein, constitute matters of legal argument and are denied to the extent that they are inconsistent with what I have stated herein. Furthermore, legal argument in respect thereof will be made at the hearing of this matter.

109. Ad paragraph 14 thereof:

The averments contained therein are matters of legal argument and have been addressed earlier in this affidavit and to the extent that they are inconsistent therewith, are denied.

110. Ad paragraph 15 thereof:

The allegations contained therein are noted.

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111. Ad paragraph 16 thereof:

Save to admit that the appeals Tribunal is an indispensable component of the amended scheme, the remaining allegations contained herein are denied. Moreso, insofar as they are inconsistent with what I have stated in this affidavit.

112. Ad paragraphs 17 thereof:

The averments contained therein constitute matters of legal argument which have been addressed earlier herein and are denied insofar as they are inconsistent with what I have stated in this affidavit.

113. Ad paragraphs 18 thereof:

I note the differences between the previous regime and the current regime, as brought about by section 18, 19 and 20. However, I submit that none of these changes do render the latest scheme unconstitutional and/or susceptible to review.

114. Ad paragraph 19 thereof:

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The allegations contained therein constitute matters of legal argument and which have been addressed earlier herein and to the extent that they are inconsistent with what is stated in this affidavit, denied.

115. Ad paragraph 20 thereof:

The averments contained therein are matters of legal argument, which have been addressed and to the extent that they are inconsistent with what I have stated herein, are denied.

116. Ad paragraph 21 thereof:

The averments contained therein are matters of legal argument, which have been addressed and to the extent that they are inconsistent with what I have stated herein, denied.

117. Ad paragraph 22 thereof:

The averments contained therein, constitute matters of legal argument and are, to the extent that they are inconsistent with this affidavit, denied.

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118. Ad paragraphs 23 and 24 thereof:

The allegations contained therein constitute matters of legal argument and are, to the extent that they are inconsistent with what I have stated herein, denied.

119. Ad paragraphs 25 and 26 thereof:

The averments contained therein are denied, more so to the extent that they are inconsistent with what I have stated herein.

120. Ad paragraph 26 thereof:

Whilst I accept that OUTA acts in the public interest, I deny that in the present application, it did so in the public interest. Public interest requires that where an organisation such as OUTA approaches this court, it satisfies itself that the application it seeks to bring before court, has got both factual and legal premise.

121. The current application lacks both factual and legal basis. In fact, it is an abuse of the process. In the premises, I am advised that the Biowatch did not include cases where an application is brought in abuse of the process.

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122. In the premises, I submit that OUTA does not qualify for the Biowatch protections in this case and ought to be mulcted with the costs of this application, including cost consequent upon employment of two counsel.

CONCLUSION AND APPROPRIATE REMEDY:

123. For the reasons I have set out herein, I submit that:

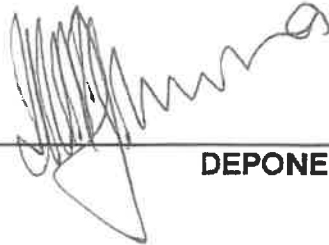
123.1. that the matter is not urgent. It therefore deserves to be struck off the roll with costs including costs of two counsel.

123.2. the interdictory relief sought against the respondents, more so in this matter, is incompetent;

123.3. OUTA has failed to satisfy the requisites for the grant of an interim interdict.

124. In the premises, I submit that this application ought to be struck off the roll for want of urgency, alternatively dismissed with costs, including cost consequent upon the employment of two counsel.

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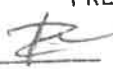
Signed and sworn before me at PRETORIA on this the 30 day of July 2026 the deponent having acknowledged that he knows and understands the contents of this declaration and that he has no objection to the taking of the prescribed oath and that he considers it binding on his conscience. I certify further that the provisions of Regulation R.1258 of 21 July 1972 have been complied with.



COMMISSIONER OF OATHS
FULL NAMES
OFFICIAL CAPACITY
AREA APPOINTED
FULL STREET ADDRESS.

: ZUKILE NTSHWANTI
: DIRECTOR: LEGISLATIVE STAFF
: LEGAL SERVICES
: 222 STRIBEN STREET

ADVOCATE ZUKILE NTSHWANTI
COMMISSIONER OF OATHS EX OFFICIO
DEPARTMENT OF BASIC EDUCATION
PRETORIA

SIGN:  DATE: 30/07/2026



PRESIDENT'S MINUTE NO. 133 / 2025

In terms of section 16 of the Administrative Adjudication of Road Traffic Offences Amendment Act, 2019 (Act No. 4 of 2019), I hereby appoint the following persons as members of Administrative Adjudication of the Road Traffic Offences Appeals Tribunal for a period of five (5) years with effect from 1 December 2025.

1. Dr Steve Boyboy Mohlala – Chairperson
2. Ms Nomfundo Sibusisiwe Molefe – Deputy Chairperson
3. Dr Maria (Du Toit) Peenze – Tribunal member
3. Mr Ramonate Sakoane – Tribunal member
4. Adv Lufuno Tokyo Nevondwe – Tribunal member
5. Ms Mmammita Clancinah Baloyi – Tribunal member
6. Mr Rajendran Pillay – Tribunal member
8. Adv Nonkululeko Lillian Moetanalo – Tribunal member
9. Mr Stephen Mosimane – Tribunal member

I further hereby designate Dr Steve Boyboy Mohlala as a Chairperson of the Administrative Adjudication of the Road Traffic Offences Appeals Tribunal

Given under my Hand at Pretoria on this 15 day of September, Two thousand and Twenty-Five

PRESIDENT


MINISTER OF THE CABINET

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**RULES FOR THE CONDUCT OF MATTERS ENROLLED BEFORE THE APPEALS
TRIBUNAL IN TERMS OF SECTION 29 OF THE ADMINISTRATIVE ADJUDICATION
OF ROAD TRAFFIC OFFENCES ACT, 2019
(Act. No. 4 Of 2019)**

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SCHEDULE

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PART A

INTERPRETATIONS AND DEFINITIONS (Rule 1)

1. Definitions

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In these rules, any word or expression to which a meaning has been assigned in the Act bears the same meaning, unless the context indicates otherwise –

“AARTO Act” means the Administrative Adjudication of Road Traffic Offences Act, 2019 (Act No. 4 of 2019).

“AARTO 10A” means the prescribed application form to be utilized by the applicant to lodge an appeal or review application with the Appeals Tribunal.

“Applicant” means the person initiating the proceedings before the Appeals Tribunal.

“Appeals Tribunal” means an Appeals Tribunal established by the Department of Transport in terms of Section 29A of the Administrative Adjudication of Road Traffic Offences Act, 2019 (Act No 4 of 2019).

“Appeal” means an appeal brought by the applicant against a decision taken by a Representation Officers in terms of the Administrative Adjudication of Road Traffic Offences Act, 2019 (Act No 4 of 2019).

“The Authority” means the Road Traffic Infringement Authority established in terms of Section 3 (1) of the Administrative Adjudication of Road Traffic Offences Act, 2019 (Act No 4 of 2019).

“Chairperson” means a person appointed by the President of the Republic in terms of Section 29A (F) of the Administrative Adjudication of Road Traffic Offences Act, 2019 (Act No 4 of 2019) as the Chairperson of the Appeals Tribunal.

“Commissioner of Oath” means the Chairperson, and Deputy Chairperson who is designated as a Commissioner of Oath in terms in terms of section 6 of the Justice of the Peace and Commissioners of Oath Act 16 of 1963, and who administers an oath or affirmation for any person called as a witness at a hearing.

“DOT” means the National Department of Transport.

“Hearing” means a date set down by the Chairperson of the Tribunal for purposes of hearing evidence on material information concerning the subject matter for consideration and ruling.

“NRTOR” means the National Road Transport Offences Register administered and maintained by the Road Traffic Infringement Authority and for purposes of the Appeals Tribunal, provide for a module to administer Appeals or Reviews submitted in terms of the Administrative Adjudication of Road Traffic Offences Act, 2019 (Act No 4 of 2019).

“RTIA” means the Road Traffic Infringement Authority established in terms of Section 3 (1) of the Administrative Adjudication of Road Traffic Offences Act, 1998 (Act No 46 of 1998)(As Amended).

“Sitting” means a date set down by a Chairperson of the Tribunal calling upon the members of the Tribunal to be available to consider applications submitted to the Tribunal for consideration and ruling.

PART B
ACCESS TO AND FUNCTIONS OF THE TRIBUNAL
(Rules 2-5)

2. Office hours and Address of the Tribunal

- (1) The Road Traffic Infringement Authority has been mandated through Section 29J of the Administrative Adjudication of Road Traffic Offences Act, 2019 (Act No 4 of 2019) to perform administrative functions on behalf of the Tribunal. Services related to the submissions of the applications to be enrolled before the Appeals Tribunal are open

to the public on Mondays to Fridays, excluding public holidays, and the days between 24 December and 2 January, from 08h00 to 16h00.

(2) The contact details of the Tribunal are -

(a) Physical address: -

The Road Traffic Infringement Authority
10 Matuka Close
New Road Office Park
Midrand
1685

(b) Postal address: -

P O Box 6341
Halfway House
1685

(c) Telephone (087) 285 0500

(d) E-mail to appealstribunal@rtia.co.za

3. Establishment & Jurisdiction of the Appeals Tribunal

(1) The Tribunal is established in terms of Section 29 A of the AARTO Act, and:

- (a) has jurisdiction throughout the Republic of South Africa;
- (b) is a Juristic person;
- (c) is a tribunal of record; and
- (d) must exercise its functions in accordance with the AARTO Act, 2019 (Act No 4 of 2019) or any other applicable legislation.

(2) The Tribunal consists of a Chairperson and eight other persons appointed by the President, on a part-time basis, and on the recommendation of the Minister, from among those persons nominated by the Minister in response to a public call for nominations as prescribed.

(3) The President must—

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- (a) appoint the Chairperson and other members of the Tribunal no later than the date on which the AARTO Act, 2019 (Act No 4 of 2019) comes into operation; and must;
 - (b) appoint a person to fill any vacancy, which may occur on the Tribunal.
- (4) To be eligible for appointment or designation as a member of the Tribunal, and to continue to hold that office, a person must—
 - (a) not be subject to any disqualification set out in subsection (5); and must;
 - (b) have submitted to the Minister a written declaration stating that the person—
 - (i) does not have any interests referred to in subsection (5)(a).
- (5) A person may not be a member of the Tribunal if that person—
 - (a) personally or through a spouse, partner or associate—
 - (i) has or acquires a direct or indirect financial interest in a transport-related company or entity; or
 - (ii) has or acquires an interest in a business or enterprise, which may conflict or interfere with the proper performance of his or her duties as a member of the Tribunal;
 - (b) is a rehabilitated insolvent or he or she becomes insolvent and the insolvency results in the sequestration of that person's estate;
 - (c) has been, or is, removed from an office of trust because of a guilty finding in respect of a complaint of misconduct related to fraud or the misappropriation of money;
 - (d) is subject to an order of a competent court holding that person to be mentally unfit or mentally disordered;
 - (e) within the previous 10 years has been, or is convicted in the Republic or elsewhere of theft, fraud, forgery or uttering a forged document, perjury, or an offence under the Prevention and Combating of Corrupt Activities Act, 2004 (Act No.12 of 2004), or an offence under the Financial Intelligence Centre Act, 2001 (Act No. 38 of 2001), or an offence involving dishonesty; or
 - (f) has been convicted of any other offence committed after the Constitution of the Republic of South Africa, 1996, took effect, and sentenced to imprisonment without an option of a fine.

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- (6) For the purpose of subsection (5)(a), a financial interest does not include an indirect interest held in any fund or investment if the person contemplated in that subsection has no control over the investment decisions of that fund or investment.
- (7) A member of the Tribunal must promptly inform the Minister in writing after acquiring an interest that is, or is likely to become an interest contemplated in subsection (5)(a).
- (8) A member of the Tribunal must not—
 - (a) engage in any activity that may undermine the integrity of the Tribunal;
 - (b) attend, participate in or influence the proceedings of the Tribunal, if, in relation to the matter before the Tribunal, that member has an interest—
 - (i) contemplated in subsection (5)(a); or
 - (ii) that precludes that member from performing the functions of a member of the Tribunal in a fair, unbiased and proper manner;
 - (c) make private use of, or profit from, any confidential information obtained as a result of performing that person's functions as a member of the Tribunal; or
 - (d) divulge any information referred to in paragraph (c) to any third party, except as required as part of that person's official functions as a member of the Tribunal.
- (9) If, at any time, it appears to a member of the Tribunal that a matter being considered by the Tribunal during proceedings concerns an interest of that member referred to in subsection (9)(b), that member must—
 - (a) immediately and fully disclose the nature of that interest to the members present; and
 - (b) withdraw from the proceedings to allow the remaining members to discuss the matter and determine whether the member should be prohibited from participating in any further proceedings concerning that matter.
- (10) The disclosure by a member of the Tribunal in terms of subsection (9) (a), and the decision by the Tribunal in terms of subsection (9) (b), must be expressly recorded in the records of the proceedings in question.

- (11) The proceedings of the Tribunal, and any decisions taken by a majority of the members present and entitled to participate in those decisions, are binding despite—
- (a) a member of the Tribunal failing to disclose an interest as required by subsection (10); or
 - (b) a member of the Tribunal, having an interest, attending or participating in those proceedings.

4. Qualifications of members of the Tribunal

- (1) The members of the Tribunal, viewed collectively: —
- (a) must represent a broad cross-section of the population of the Republic; and
 - (b) must comprise sufficient persons with legal qualifications and knowledge or experience in road traffic and road transport related matters.
- (2) Each member of the Tribunal must—
- (a) be a citizen of South Africa, who is ordinarily resident in the Republic;
 - (b) have suitable qualifications and experience in a field related to road traffic and transport legislation or any special skills, qualifications, expertise or experience in matters concerning legal, financial and economic matters; and
 - (c) Understand the purpose of the AARTO Act.

5. Powers of the Tribunal

- (1) The Appeals Tribunal must perform its functions in terms of Section 29B of the AARTO Act, which functions entail:
- (a) the adjudication of any matter brought to it by an infringer aggrieved by a decision taken by the representation officer in terms of the AARTO Act;
 - (b) hearing appeals against, or review, any decision of the representation officer that may in terms of the AARTO Act be referred to it; and
 - (c) making any ruling or order necessary or incidental to the performance of its functions in terms of this Act.

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- (2) The Tribunal may therefore, in terms of Section 29H of the AARTO Act:
- (a) confirm, vary or set aside any decision against which an appeal or review has been lodged in terms of section 29B of the AARTO Act.
 - (b) The decision of a majority of the members present at a sitting of the Tribunal constitutes a decision of the Tribunal, and in the event of an equality of votes on any matter, the person presiding at the sitting must have a casting vote in addition to that person's deliberative vote

PART C

APPLICATIONS (Rules 5A -16A)

5A. Appeal or Review Applications

Only an Infringer in terms of the AARTO Act or his/her duly appointed representative, may approach the Appeals Tribunal through an application submitted in terms of Section 29 of the AARTO Act, and who base their *locus standi* on the issuance of an infringement notice on the applicant / infringer in terms of Section 17 of the AARTO Act , and such appeal or review application should have been preceded by a Representation application to the RTIA and such application should have resulted in an:

- (1) Unsuccessful representation outcome in terms of Section 18 of the AARTO Act; and the infringer believes the Representation Office erred in making the representation unsuccessful;

6. Fees

- (1) If a fee is payable in respect of an application for either an Appeal or Review Application and is levied in terms of Schedule 2 of the Administrative Adjudication of Road Traffic Offences Act, 2019 (Act No 4 of 2019):-
 - (a) it must be deposited in cash or transferred by way of electronic funds transfer into the Authority's designated bank account before the application is submitted; and

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- (b) a copy of the deposit slip, a print-out of the transfer record or any other means of proving payment must be included in the application documents as proof of payment.
- (2) The designated bank account details of the Authority may be requested from the account office of the Authority.

7. Notification and service of application documents

- (a) The Applicant must notify the Tribunal through the Authority of his/her intention to apply to the Appeals Tribunal for relief and by completing the prescribed AARTO 10A application form and forwarding such duly completed application form to the Authority in a manner prescribed under rule 7.
- (b) The application documents filed with the Authority must include a proof of payment of the prescribed application fee and proof of payment must be submitted for each application submitted.

8. Filing of application documents

- (1) The prescribed application form and any attachments must be forwarded to the Authority in terms of Regulation 35 (1) of the AARTO Regulations, 2025 and must be:
 - (a) submitted in person, together with a copy of the original form, at any issuing authority or any sub-office of the Authority; or
 - (b) completed electronically and submitted on the applicable AARTO website or any such similar website which may be determined by the Authority; or
- (2) The application and accompanying attachments received from an infringer in terms of (1)(a) above must be processed as follows:
 - (a) the original application and all the accompanying attachments, and the copies thereof must be signed and stamped by the receiving authority clearly showing the name of the issuing authority or sub-office of the Authority, as the case may be, and the date it was received;

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- (b) the issuing authority or sub-office of the Authority, as the case may be, must record, scan and upload the application and all the accompanying attachments on the National Road Traffic Offences Register;
 - (c) the issuing authority or the sub-office of the Authority, as the case may be, must provide the infringer with the signed and stamped copy as proof of receipt thereof; and
 - (d) an acknowledgement of receipt may be issued to the infringer.
- (3) An enquiry to the Authority may be made through any of the platforms provided on the AARTO website at www.aarto.gov.za and, subject to these Rules, any specific enquiries may be submitted as indicated on the specific forms on the AARTO website.

9. Incomplete applications

- (1) If an application does not satisfy the requirements of the rules-
 - (a) The Registrar of the Authority will notify the applicant that the application form AARTO 10A was not completed and/or signed, and that the applicant must resubmit a comprehensively completed and signed form AARTO 10A to the Authority within 14 days, and
 - (b) If the applicant fails to comply with the directions contemplated with the notification contemplated in rule 9 (1)(a), the Registrar of the Authority will inform the applicant of his or her failure to comply and that such appeal or review is regarded as unsuccessful.

10. Procedure after the Authority receives an Appeal or Review application

- (1) The Authority or the issuing authority must, upon receiving an application submitted, process such an application in accordance with regulation 351) of the AARTO Regulations, 2025.
- (2) The designated employee of the Authority, after receipt of documents relating to an appeal or review-

- (a) process such documents in accordance with regulation 35(1) of the AARTO Regulations, 2025;2025;
- (b) prepare such documents for the Tribunal; and
- (c) submit all the documents to the Chairperson of the Tribunal.
- (3) After receipt of the documents in relation to the appeal or review, the Chairperson must schedule a sitting or hearing of the Tribunal.
- (4) The designated employee of the Authority must notify the applicant that a hearing has been scheduled on the prescribed form.

11. Applications for Condonation

- (1) A person wishing to bring before the Tribunal a matter which is not listed in rule 7 or 8, may apply for Condonation to the Appeals Tribunal by:
 - (a) Submitting to the Authority an application for condonation contemplated in section 29B (3) of the AARTO Act on the prescribed application form and submitted in terms of rule 7.
 - (b) The Tribunal must inform the applicant of the outcome of the condonation application made in accordance with the prescribed outcome notification.
 - (c) If an application for condonation is successful, the infringer may make an application for an appeal or review in accordance with rule 7 within a period of 14 days from the date of the outcome of the condonation application, provided that the notice in accordance with rule 8 (b), is deemed to have been made by the infringer.
 - (d) If an application for condonation is unsuccessful, the infringer must be issued with an enforcement order in accordance with regulation 5 of the AARTO Regulations, 2025.

12. Sittings of the Appeals Tribunal

- (1) The Tribunal may sit virtually or in person on such days and during such hours and at such a place as the Chairperson may determine.

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- (2) The Tribunal must convene upon a receipt of a threshold of 10 applications, except where there are less than 10 lodged applications that have exceeded a period of 14 days.
- (3) The Tribunal may not hear more than 50 applications per sitting.
- (4) The presence of at least 50 per cent plus one of the members shall be necessary to constitute a sitting of the Tribunal.
- (5) If both the Chairperson and the Deputy Chairperson are absent from a sitting of the Tribunal, the members present must from among their number elect a person to preside at the sitting.
- (6) Each Tribunal member must cast his/her vote after the completion of the deliberations and must provide reasons for the vote cast.
- (7) The Tribunal may confirm, vary or set aside any decision against which an appeal or review has been lodged.
- (8) The decision of a majority of the members present at a sitting of the Tribunal constitutes a decision of the Tribunal, and in the event of an equality of votes on any matter, the person presiding at the sitting must have a casting vote in addition to that person's deliberative vote.

13. Record of the proceedings of the Appeals Tribunal

- (1) An employee designated by the Registrar of the Authority must record in writing, or through an electronic voice recording facility, the hearings of the Tribunal.
- (2) The Tribunal must notify the infringer, in accordance with regulation 35(4) of the AARTO Regulations, 2025, of the decision made in relation to the appeal or review as per the prescribed notification form.
- (3) The Tribunal must inform the Authority electronically, of its decision made in terms of rule 12 (2).
- (4) Upon receipt of the decision of the Tribunal, the Authority must capture and process the details of the infringer on the NRTOR in accordance with regulation 33 (4) of the AARTO Regulations, 2025.
- (5) If an application for an appeal or review is successful in that the infringement is set aside, the infringement notice must be cancelled.

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- (6) If an application for an appeal or review is unsuccessful and the infringer fails to pay the applicable infringement penalty and fees, if any, within 32 days after the date the infringer is deemed to have been notified, the Registrar of the Authority must issue, as contemplated in regulation 5 of the AARTO Regulations, 2025 an enforcement Order.
- (7) Pending the decision of the Tribunal no courtesy letter or enforcement order may be issued to the infringer and no demerit points may be allocated to the infringer.

14. Appeal or Reviews to a Designated Magistrates Court

- (1) An applicant affected by the decision of the Tribunal may —
 - (a) make an application to a Magistrate's Court designated by the Minister in terms of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), to review that decision; or
 - (b) appeal to a Magistrate's Court against the decision of the Tribunal.
- (2) An appeal or review against the decision of the Tribunal must be lodged with the relevant Magistrate's Court within 30 days of the decision of the Tribunal.
- (3) The clerk of the court must inform the Authority, in the manner provided for in regulation 35(1) of the AARTO Regulations, 2025, of an appeal or review against the decision of the Tribunal lodged with a Magistrate's Court in terms of section 29I of the AARTO Act within 10 days after such lodgement.
- (4) Pending the decision of the Magistrate's Court, no courtesy letter or enforcement order may be issued to the infringer and no demerit points may be allocated to the infringer.
- (5) The clerk of the court must inform the Authority in the manner provided for in rule 14 (3), of the decision of the Magistrate's Court in relation to the review or an appeal of the decision of the Tribunal within seven days after such a decision has been made.
- (6) If an application for an appeal or review to the Magistrate's Court is successful in that the infringement is set aside, the infringement notice must be cancelled as per the order of the court.

20/11/2025

15. Amendment of documents

- (1) An Applicant may only forward to the Authority additional or amended documents filed in connection with the application prior to the date of the review hearing.
- (2) The Applicant may be permitted to submit additional or amended documents once the review hearing proceedings have already commenced, subject to leave granted by the Tribunal.

16. Joinder or substitution of parties

- (1) The Tribunal may allow a combination of any number of persons, either, jointly, jointly and severally, separately, or in the alternative, as parties in the same proceedings, even if their rights to relief depend on the determination of substantially the same questions of law or fact.
- (2) A party to proceedings, on giving notice to the other parties, may apply to the Chairperson of the Tribunal for an order to substitute a person for a current party.
- (3) The non-joinder or non-substitution in terms of these rules will not affect the validity of any proceedings in the matter.

16A. Consolidation of Matters

- (1) Where separate applications have been instituted by the same applicant, the Tribunal will not, even if it appears convenient to do so, consolidate such applications, and upon the application of any party thereto and having served on all interested parties, make an order not to consolidate such applications, whereupon: -
 - (a) the said applications shall not be processed as one.

PART D

HEARINGS (rules 17-24)

17. Hearings & Summoning

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- (1) The Chairperson of the Appeals Tribunal may for the purposes of hearing an appeal or reviewing a decision:—
 - (a) summon any person who may give material information concerning the subject matter of the hearing or who has in his or her possession or custody or under his or her control any document which has any bearing upon the subject of the hearing, to appear before him or her at a time and place specified in the summons, to be interrogated or to produce that document, and the Chairperson may retain for examination any document so produced;
 - (b) administer an oath or affirmation from any person called as a witness at the hearing; and;
 - (c) call any person present at the hearing as a witness and interrogate him or her and require him or her to produce any document in his or her possession or custody or under his or her control, which has a bearing on the subject matter of the hearing;
 - (d) The Authority will be responsible for all administrative matters concerning rule 17.

18. Expert Witnesses

- (1) Subject to any agreement reached between the parties or direction given or ruling made by the Tribunal pursuant to, or at the hearing, where any party in a matter intends to rely at the hearing on the evidence of an expert witness, such party must notify the other parties and the Tribunal not less than 10 (ten) days before the hearing date.
- (2) The details of such expert witness(s) must be provided to the Authority in writing in order for such documentation to be scanned and uploaded onto the NRTOR prior to the start of the proceedings.
- (3) The cost associated with the expert testimony, either in writing or in person, will in total be for the account of the party wishing to place such expert witness before the Appeals Tribunal.

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19. Set downs and Postponements of Sittings

- (1) The Chairperson of the Appeals Tribunal must issue a Notice of Set Down to the members of the Tribunal of matters that are set down for sitting.
- (2) Subsequent to issuing a notice of set down to the members of the Tribunal, the Chairperson of the Appeals Tribunal will file a Notice of Set Down (e-mail notification) on the case file, confirming that the set down was issued in accordance with rule 19 (1).
- (3) Any member of the Tribunal may apply for a postponement and, if permitted by the Chairperson, the Chairperson of the Appeals Tribunal will notify the members of such postponement in writing (via e-mail).

20. Set downs and Postponements of Hearings

- (1) The Chairperson of the Appeals Tribunal must issue a notice of set-down to the parties in a matter that is set down for a hearing for purposes of summoning any person that may have material information that has a bearing on the subject matter.
- (2) Subsequent to issuing a notice of set down to the parties, the Chairperson of the Appeals Tribunal will file a Notice of Set Down (e-mail notification) on the case file, confirming that the set down was issued in accordance with rule 20 (1).
- (3) Any party to the proceedings may apply for a postponement and, if permitted by the Chairperson, the Chairperson will notify the parties of such postponement in writing (via e-mail.)

21. Withdrawal of Matters

- (1) An Applicant, before an application has been decided, may withdraw all or part of the application by-
 - (a) serving a notice of withdrawal in writing to the Authority by hand delivery or email;
- (2) A notice of withdrawal may include consent to pay costs (if any);
- (3) Where an applicant withdraws a matter, and/or where a matter is finalized, the applicant will not be entitled to a refund of the application fee paid.

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22. Hearing Procedures

- (1) A hearing must follow the below procedures:
 - a) Confirmation that a Notice of Set down for the hearing was issued to the members/parties.
 - b) During the hearing, all parties will be provided a fair opportunity to present evidence, cross-examine any witness and/or submit documentary evidence.
 - c) The Tribunal will be the arbiter of the admissibility of any evidence adduced and of its probative value.
 - d) The Applicant will have a right to legal representation or alternatively choose to represent himself/herself.
 - e) Any documentation held by the Authority that have a bearing on the matter and that may assist the Tribunal in making an informed decision must be made available to the Applicant at the hearing.
- (2) The hearings of the Tribunal are not open to the public.
- (3) A witness must take an oath or affirmation administered by the Chairperson.
- (4) The Chairperson of the Appeals Tribunal may order that a witness called by the Tribunal itself -
 - (a) be paid in accordance with the tariff of allowances published by the Minister responsible for Justice by notice in the Gazette in terms of section 42 of the Supreme Court Act, 1959 (Act No. 59 of 1959);
 - (b) be paid a portion of the amount permitted under paragraph(a); or
 - (c) not be paid.
- (5) A party requiring the services of an interpreter must notify the Authority at least 10 business days prior to the date for which the matter has been set down.
- (6) An interpreter-
 - (a) will be procured at the expense of the party requesting such interpreter service;
 - (b) must be a person admitted as a sworn translator of the High Court; or

- (c) must take an oath or affirm the undertaking, with a signed copy to form part of the record of the proceedings.
- (7) The Chairperson of the Appeals Tribunal may at any stage during the proceedings condone any non-compliance with these Rules or any irregularities in the conduct of the proceedings.

23. Non-Appearence

- (1) If a party to a matter fails to attend or be represented at a hearing without any reasonable cause or notification, the members of the Appeals Tribunal may-
 - (i) continue with the proceedings in the absence of that party; or
 - (ii) adjourn the hearing to a later date
- (2) The Chairperson of the Appeals Tribunal must be satisfied that the party had been properly notified of the date, time and venue of the proceedings, before making any decision.
- (3) The Authority must send a copy of the ruling to the parties.

24. Decisions of the Appeals Tribunal

- (1) The Tribunal may confirm, vary or set aside any decision against which an appeal or review has been lodged in terms of section 29B of the AARTO Act.
- (2) The decision of a majority of the members present at a sitting of the Tribunal constitutes a decision of the Tribunal, and in the event of an equality of votes on any matter, the person presiding at the sitting must have a casting vote in addition to that person's deliberative vote.

PART E

GENERAL RULES (rule 25-33)

25. Service and proof of service of documents

- (1) A document may be served on a party by-
 - (a) delivering it to the party; or

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(b) sending it by registered mail, ordinary mail, or electronic mail (as applicable) to the party's last known address as contained on Natis.

(1A) Any document, application or affidavit served or delivered by a party must contain at the front thereof a filing notice in accordance with regulation 35(1) of AARTO Regulations (AARTO Form 10A) and must be filed at the Tribunal.

26. Confidential information

(1) Any information held by the Agency or submitted by the Applicant to the Tribunal will be treated as confidential and may not be shared without prior consent of the parties concerned.

27. Representations of parties during hearings

(1) A party to a matter may act in person or appoint a representative.

(2) A person appointed as representative must notify the AT Chairperson and the other parties to the matter by providing them with the following particulars:-

- (a) personal particulars of a representative;
- (b) postal address and address for service of documents;
- (c) telephone and fax numbers;
- (d) e-mail address;
- (e) Infringement Notice Number of the matter; and
- (f) Personal particulars of the person represented.

(3) A party who terminates a representative's authority to act in a matter must notify the AT Chairperson - and

- (a) the applicant will act in person or, and
- (b) if another representative has been appointed, provide details as listed in rule 27(2).

(4) A legal representative for the applicant is not a requirement at the Tribunal hearing, but is allowed.

28. Condonation for late filing and non-compliance with rules

(1) A party may apply to the Tribunal in AARTO Form 34 for an order to

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condone late filing of a document or application;

- (2) The Tribunal may grant the order on good cause shown.

29. Application Fee payable

- (1) The payment of a specified fee specified in Schedule 2 of the AARTO Regulations is payable on each application made.
- (2) Payments are identified with a payment reference related to the 16-digit infringement notice number for the matter to be heard.
- (3) Payments can be done in person at the authority, Issuing Authorities or on-line at www.aarto.gov.za

30. Access to Tribunal records

- (1) A party requesting access to the records held by the Tribunal must make a request by filling in a PAIA request through the process outlined in the RTIA's PAIA manual obtainable from www.rtia.co.za.

31. Powers of the Chairperson to deviate from the rules of the Tribunal

- (1) The Chairperson may on good cause shown, and in keeping with the requirements of justice, expediency and the objects of the AARTO Act deviate from the rules, and record the reasons for such deviation on the minutes of the proceedings

32. Forms

- (1) Forms prescribed for purposes of these rules are contained in the schedule 1 at the end of the Rules.

33. Short title

These Rules are the Rules of the Tribunal made in terms of Regulation 11 of AARTO Regulations and govern the proceedings of sittings and hearings of the Tribunal.

Date: 20/07/2026

SIGN: PO DATE: 3/10/202

SCHEDULE 1: FORMS

[illegible]

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(Kindly please provide your motivation on a separate sheet that must be signed by yourself)					
PART D – DECLARATION					
The result of an unsuccessful representation was issued to me regarding a disputed Infringement Notice, the particulars of which are provided under Part B above. I, the particulars of whom are provided under Part C above, hereby, in terms of Section 29B (2), apply for the review of the decision of the representations officer. I, hereby declare that the information provided herein by me, falls within my own personal knowledge and is to the best of my belief both true and correct.					
Signature of Infringer:		Place:		Date:	YY / MM / DD

NOTIFICATIONS
AARTO 10Aa – Notification of non-compliance
Issued in terms of regulation 12 (3) of the AARTO Regulations, 2025

INFRINGER AND MOTOR VEHICLE PARTICULARS			
«Surname»/«Name of organisation» «First_names»/«Representative name and surname» «Initials» «ID_type» «ID_number» Country of issue: «Country_of_issue» Licence code: «Driving_lic_codes» PrDP code: «PrDP_codes» Operator card number: «Operator_card_number» «Street_address_line_1» «Street_address_line_2» «Street_address_line_3» «Street_address_line_4» «Street_address_line_5» «Street_address_code» «Post_address_line_1» «Post_address_line_2» «Post_address_line_3» «Post_address_line_4» «Post_address_line_5» «Post_address_code» Vehicle owner: «Owner_name» «Owner_address_line_1» «Owner_address_line_2» «Owner_address_line_3» «Owner_address_line_4» «Owner_address_line_5» «Owner_address_code»	«Gender»/«Type of organisation» «Date_of_birth» Tel (home): «Home_phone» Tel (work): «Business_phone» Fax: «Fax_number» Cell: «Cellular» «E_mail»		
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center; padding: 5px;">MOTOR VEHICLE PARTICULARS</th> </tr> <tr> <td style="padding: 5px;"> «Vehicle_lic_number» Licence disc no: «veh_lic_disc_no» «Vehicle_desc» «Vehicle_GVM»kg «Make» «Series» «Colour» </td> </tr> </table>	MOTOR VEHICLE PARTICULARS	«Vehicle_lic_number» Licence disc no: «veh_lic_disc_no» «Vehicle_desc» «Vehicle_GVM»kg «Make» «Series» «Colour»
MOTOR VEHICLE PARTICULARS			
«Vehicle_lic_number» Licence disc no: «veh_lic_disc_no» «Vehicle_desc» «Vehicle_GVM»kg «Make» «Series» «Colour»			
INFRINGEMENT PARTICULARS			

2022

Infringement Notice number: «Inf_notice_nr»	
Date of infringement: «Date»	Issuing Authority: « Issuing Authority »
Charge code: «Main_charge_code» «Main_descrip»	
Charge type: «Class_1» Penalty: R «Penalty_1» Demerit Points: «Demerit»(Demerit points merely informative until enforced)	
NOTIFICATION OF NON-COMPLIANCE TO THE LODGING OF AN APPEAL OR REVIEW	
Date of receipt of a Review or Appeal: «Res_date»	
Non-compliance Notice	Your original application could not be processed because the form has not been properly completed or signed. You are advised to resubmit your application for a review or an appeal on from AARTO 10A within 10 days of the date of service of this notice. NOTE: If you fail to comply with this notification, an Enforcement Order will be issued where after you will become liable to pay the penalty and the fees for the Courtesy Letter (if applicable), and Enforcement Order (if applicable) to the Agency.
OUTSTANDING PENALTY, AND OR FEES	
Penalty: R«Penalty_1» Fee for Courtesy Letter: R«courtesy_fee» Total amount payable: R«Total_due»	Online platforms: (i) FNB; or (ii) Standard Bank; or (iii) ABSA; or (iv) Nedbank; or www.paycity.co
Payments may be made: Cash payments: (i) ABSA; or (ii) Post office; or (iii) Motor vehicle registration and licensing office; or (iv) Driving licence testing centre; or (v) Relevant Issuing Authorities; or (vi) Checkers, Shoprite, SPAR and USave	The Infringement Notice Number applicable to each of the individual Main Charges must be used as reference with all payments.

«User Group»

Certificate number: «Cert_no» Creation date: «Cr_Date»

POSTAGE
LOGO

AARTO 10Ab - REJECTION OF REVIEW OR APPEAL

Issued in terms of regulation 12 (4) of the AARTO Regulations, 2025

INFRINGER AND MOTOR VEHICLE PARTICULARS

«Surname»/«Name of organisation»	«Gender»/«Type of organisation»
«First_names»/«Representative name and surname»	
«Initials»	«Date_of_birth»
«ID_type»	Tel (home): «Home_phone»
«ID_number»	Tel (work): «Business_phone»
Country of issue: «Country_of_issue»	Fax: «Fax_number»
Licence code: «Driving_lic_codes»	Cell: «Cellular»
PrDP code: «PrDP_codes»	«E_mail»
Operator card number: «Operator_card_number»	

MOTOR VEHICLE PARTICULARS

2A MN

«Street_address_line_1»
«Street_address_line_2»
«Street_address_line_3»
«Street_address_line_4»
«Street_address_line_5» «Street_address_code»

«Post_address_line_1»
«Post_address_line_2»
«Post_address_line_3»
«Post_address_line_4»
«Post_address_line_5» «Post_address_code»

Vehicle owner:«Owner_name»

«Owner_address_line_1» «Owner_address_line_2»
«Owner_address_line_3» «Owner_address_line_4»
«Owner_address_line_5» «Owner_address_code»

«Vehicle_lic_number»

Licence disc no: «veh_lic_disc_no»

«Vehicle_desc»

«Vehicle_GVM»kg

«Make»

«Series»

«Colour»

INFRINGEMENT PARTICULARS

Infringement Notice number: «Inf_notice_nr»

Date of infringement: «Date»

Issuing Authority: « Issuing Authority »

Charge code: «Main_charge_code» «Main_descrip»

Charge type: «Class_1» Penalty: R «Penalty_1» Demerit Points: «Demerit»

REJECTION OF REVIEW OR APPEAL APPLICATION

Date of result: «Res_date»

Rejected

Your review or appeal application has been rejected based on the reasons outlined below :

Grounds of rejection:

Your AARTO10A or 10B appeal or review application has either not been properly completed or signed, and you have failed to comply with the AARTO 10a notice issued in terms of Regulation 10.

OUTSTANDING PENALTY, AND OR FEES

Penalty: R«Penalty_1»
Fee for Courtesy Letter: R«courtesy_fee»
Total amount payable: R«Total_due»

Online platforms:
(v) FNB; or
(vi) Standard Bank; or
(vii) ABSA; or
(viii) Nedbank; or www.paycity.co.

Payments may be made:

- Cash payments:
(vii) ABSA; or
(viii) Post office; or
(ix) Motor vehicle registration and licensing office; or
(x) Driving licence testing centre; or
(xi) Relevant Issuing Authorities; or
(xii) Checkers, Shoprite, SPAR and USave

The Infringement Notice Number applicable to each of the individual Main Charges must be used as reference with all payments.

Certificate number: «Cert_no»

Creation date: «Cr_Date»

«User Group»

POSTAGE
LOGO

22 MN

REPUBLIC OF SOUTH AFRICA

TO: The Honourable/Prof/Dr/Rev/Mr/Mrs/Ms/Miss

bar code

«Initials» + «Surname»

«Company_name»

«Post_address_line_1»

«Post_address_line_2»

«Post_address_line_3»

«Post_address_line_4»

«Post_address_line_5»

«Post_address_code»

IF UNDELIVERED WITHIN 14 DAYS PLEASE RETURN TO SENDER:

Operations Manager

SAFEMAIL

Germiston

1699

Date of posting :

AARTO 10Ac- NOTIFICATION OF HEARING OF REVIEW OR APPEAL HEARING

Issued in terms of regulation 13 (4) of the AARTO Regulations, 2025

INFRINGER AND MOTOR VEHICLE PARTICULARS

«Surname»/«Name of organisation»	«Gender»/«Type of organisation»
«First_names»/«Representative name and surname»	
«Initials»	«Date_of_birth»
«ID_type»	Tel (home): «Home_phone»
«ID_number»	Tel (work): «Business_phone»
Country of issue: «Country_of_issue»	Fax: «Fax_number»

22 NW

Licence code: «Driving_lic_codes»

PrDP code: «PrDP_codes»

Operator card number: «Operator_card_number»

«Street_address_line_1»

«Street_address_line_2»

«Street_address_line_3»

«Street_address_line_4»

«Street_address_line_5» «Street_address_code»

«Post_address_line_1»

«Post_address_line_2»

«Post_address_line_3»

«Post_address_line_4»

«Post_address_line_5» «Post_address_code»

Vehicle owner: «Owner_name»

«Owner_address_line_1» «Owner_address_line_2»

«Owner_address_line_3» «Owner_address_line_4»

«Owner_address_line_5» «Owner_address_code»

Cell: «Cellular»

«E_mail»

MOTOR VEHICLE PARTICULARS

«Vehicle_lic_number»

Licence disc no: «veh_lic_disc_no»

«Vehicle_desc»

«Vehicle_GVM»kg

«Make»

«Series»

«Colour»

INFRINGEMENT PARTICULARS

Infringement Notice number: «Inf_notice_nr»

Date of infringement: «Date»

Issuing Authority: « Issuing Authority »

Charge code: «Main_charge_code» «Main_descrip»

Charge type: «Class_1» Penalty: R «Penalty_1» Demerit Points: «Demerit»

INFORMATION RELATED TO NOTICE OF REVIEW OR APPEAL HEARING

Date of receipt of review or appeal: «Res_date»

You are informed that the Chairperson of the Appeals Tribunal hereby gives notice of an appeal hearing or a hearing in relation to a review in terms of sub-regulation 11 (7) and section 29G:

(i) The review or appeal hearing date and time is set as:

(ii) Physical address for the review or appeal hearing, if applicable :.....

(iii) Subject of the review :.....

☐ The hearing will be conducted virtually.

(iv) In the event that the review or appeal hearing will be conducted virtually, you will be informed accordingly of the virtual sitting web-address access details.

Your presence is required on the set date. Should you not be able to attend on the date and time set out above, your timeous written confirmation of non-attendance is required and must be received five (5) days prior to the date stipulated above and must be sent by email to: appeals@rtia.co.za . Please quote the 16-digit infringement notice number in all correspondence.

OUTSTANDING PENALTY AND, OR FEES

Penalty: R«Penalty_1»

Fee for Courtesy Letter: R«courtesy_fee»

Total amount payable: R«Total_due»

Online platforms:

(ix) FNB; or

(x) Standard Bank; or

(xi) ABSA; or

(xii) Nedbank; or www.paycity.co.

Payments may be made:

Cash payments:

(xiii) ABSA; or

(xiv) Post office; or

(xv) Motor vehicle registration and licensing office; or

(xvi) Driving licence testing centre; or

(xvii) Relevant Issuing Authorities; or

(xviii) Checkers, Shoprite, SPAR and USave

The Infringement Notice Number applicable to each of the individual Main Charges must be used as reference with all payments.

Certificate number: «Cert_no»

Creation date: «Cr_Date»

«User Group»

22 NN

POSTAGE
LOGO

REPUBLIC OF SOUTH AFRICA

TO: The Honourable/Prof/Dr/Rev/Mr/Mrs/Ms/Miss

bar code

«Initials» + «Surname»
«Company_name»
«Post_address_line_1»
«Post_address_line_2»
«Post_address_line_3»
«Post_address_line_4»
«Post_address_line_5»
«Post_address_code»

IF UNDELIVERED WITHIN 14 DAYS PLEASE RETURN TO SENDER:

Operations Manager
SAFEMAIL
Germiston
1699

Date of posting :

AARTO 10Ad - RESULT OF REVIEW OR APPEAL

Issued in terms of regulation 15 (2) of the AARTO Regulations, 2025

INFRINGER AND MOTOR VEHICLE PARTICULARS

«Surname»/«Name of organisation»

«Gender»/«Type of organisation»

«First_names»/«Representative name and surname»

«Initials»

«Date_of_birth»

«ID_type»

Tel (home): «Home_phone»

2023/08/30

22 MN

«ID_number»

Country of issue: «Country_of_issue»

Licence code: «Driving_lic_codes»

PrDP code: «PrDP_codes»

Operator card number: «Operator_card_number»

«Street_address_line_1»

«Street_address_line_2»

«Street_address_line_3»

«Street_address_line_4»

«Street_address_line_5» «Street_address_code»

«Post_address_line_1»

«Post_address_line_2»

«Post_address_line_3»

«Post_address_line_4»

«Post_address_line_5» «Post_address_code»

Vehicle owner: «Owner_name»

«Owner_address_line_1» «Owner_address_line_2»

«Owner_address_line_3» «Owner_address_line_4»

«Owner_address_line_5» «Owner_address_code»

Tel (work): «Business_phone»

Fax: «Fax_number»

Cell: «Cellular»

«E_mail»

MOTOR VEHICLE PARTICULARS

«Vehicle_lic_number»

Licence disc no: «veh_lic_disc_no»

«Vehicle_desc»

«Vehicle_GVM»kg

«Make»

«Series»

«Colour»

INFRINGEMENT PARTICULARS

Infringement Notice number: «Inf_notice_nr»

Date of infringement: «Date»

Issuing Authority: « Issuing Authority »

Charge code: «Main_charge_code» «Main_descrip»

Charge type: «Class_1» Penalty: R «Penalty_1» Demerit Points: «Demerit»(Demerit points merely informative until enforced)

REVIEW OR APPEAL APPLICATION RESULT

Date of result: «Res_date»

Successful

☐

Your review or appeal application has been successful, and you are therefore not liable for the payment of any penalty and, or fees applicable to the infringement notice issued.

Unsuccessful

☐

Your review or appeal application has been unsuccessful, and you remain liable for the payment of all outstanding penalties and or fees associated with this particular infringement notice as mentioned below.

You are furthermore advised that you may submit an additional review or appeal application to the relevant Magistrate's Court in terms of section 29I of the AARTO Act if you are not satisfied with the outcome of your review or appeal application made to the Appeals Tribunal. The appeal or review must be lodged with the relevant Magistrate's Court within 30 (thirty) days of the decision of the Tribunal.

Grounds of rejection (if applicable): «Grounds_rej»

OUTSTANDING PENLTY, AND OR FEES

Penalty: R«Penalty_1»
Fee for Courtesy Letter: R«Courtesy_fee»
Total amount payable: R«Total_due»

Online platforms:
(xiii) FNB; or
(xiv) Standard Bank; or
(xv) ABSA; or
(xvi) Nedbank; or www.paycity.co.

22 NPN

Payments may be made:

Cash payments:

- (xix) ABSA; or
- (xx) Post office; or
- (xxi) Motor vehicle registration and licensing office; or
- (xxii) Driving licence testing centre; or
- (xxiii) Relevant Issuing Authorities; or
- (xxiv) Checkers, Shoprite, SPAR and USave

The Infringement Notice Number applicable to each of the individual Main Charges must be used as reference with all payments.

Certificate number: «Cert_no»

Creation date: «Cr_Date»

«User Group»

POSTAGE
LOGO

REPUBLIC OF SOUTH AFRICA

TO: The Honourable/Prof/Dr/Rev/Mr/Mrs/Ms/Miss

bar code

«Initials» + «Surname»

«Company_name»

«Post_address_line_1»

«Post_address_line_2»

«Post_address_line_3»

«Post_address_line_4»

«Post_address_line_5»

«Post_address_code»

IF UNDELIVERED WITHIN 14 DAYS PLEASE RETURN TO SENDER:

Operations Manager

SAFEMAIL

Germiston

1699

Date of posting :

22 MN