

ADMINISTRATION OF MUNICIPAL

BUS TRANSPORT WITH

SPECIFIC REFERENCE TO

THE DURBAN CITY COUNCIL

BY

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PRETORIA

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CHAPTER 1

INTRODUCTION

1. INTRODUCTION

Public transport is a generic term that refers to the movement of large numbers of people at any one time. Nowadays it tends to denote the type of vehicle used for transportation rather than its quantitative scale. It indicates a mode of transportation that is in contrast to private car and is illustrated by buses, trams, ships and aircraft ¹. In this study the focus of public transport is primarily concerned with municipal bus services.

Prior to 1 April 1990 there were three different types of public ownership of bus undertakings in Southern Africa. They were state, para-statal and municipal bus undertakings. For the purpose of this study, these types are defined as follows:

- i) State-owned refers to an undertaking which is owned and operated by a department of State and is under direct political control at national level.
- ii) Para-statal ownership covers undertakings which are in a limited company structure and where at least 50 percent of the shares are held by the central government. This can be a direct shareholding by the government itself or an indirect one through a government agency.
- iii) Municipal ownership refers to an undertaking which is owned and operated by any local government agency ².

As at 1 January 1990 there were 587 buses in state ownership, 3 582 buses in para-statal ownership and 2 169 buses in municipal ownership in Southern Africa ³.

On 1 April 1990 when the South African Transport Services was transformed into a public company named Transnet Limited, it changed from being a state-owned to a para-statal organisation. Therefore as of 1 April 1990 only two categories of public ownership of bus undertakings exist, namely, para-statal and municipal ⁴.

In addition to para-statal and municipal bus undertakings private companies also provide bus services. During 1989, approximately 648 643 000 passengers were carried by private bus companies and 9 012 buses were owned by private companies ⁵.

An important issue in the lives of the South Africa citizenry is that of transport which is an integral and indispensable part of the functioning of any society and which facilitates the movement of people and goods for a host of social and economic activities which are essential for the maintenance of human life and the existence of towns and cities. With wages, inflation and fuel at existing levels, private transport is inaccessible to most employees and they are forced to make use of the public transport system in increasing numbers.

In the future, increasing demands will be placed on public transport in general, and public-owned transport ⁶ in particular, in view of the political, social and economic changes currently taking place in South Africa. In addition, the urbanisation of an estimated 15 million people in the next two decades will increase the demand for public transport. Consequently the provision of reliable and affordable public-owned bus services for mobility and job access will be of even greater importance in the future.

Other factors which are expected to give rise to significant changes in public transport include the high growth rate within the poorest section of the population and the consequent residential and transportation implications, high levels of unemployment and changes in national political direction ⁷.

The factors and demands of the future for affordable public transport will necessitate that more public-owned transport undertakings be established at especially the local and regional levels of government. Careful planning, development, research and study in respect of existing municipal bus transport undertakings is vital in order to enable future bus transport undertakings at the local and/or regional levels of government to, inter alia, meet commuter expectations and demands and to provide an affordable, adequate, reliable and efficient public-owned transport service. Therefore, transport administration as a specialised field of public administration is necessary to ensure an improved quality of life of the citizenry. It is an undeniable fact that most local authorities have not anticipated, or have underestimated, the increased future needs for public- and municipal owned transport. Consequently they have either privatised, or are considering privatising, their entire municipal bus operations. The aforementioned state of affairs has necessitated a study of, and research into, the municipal bus transport scenario in South Africa.

2. SUBJECT OF THE STUDY

The rationale for focussing on Durban's Public Transport Service Unit during the era of the Durban Transport Management Board (hereinafter referred to as the DTMB) lies in, inter alia, the following:

- i) The DTMB was established in 1952, as a direct result of the Scott Commission ⁸ and with wide plenary powers ⁹, inter alia, to -

- (a) provide, operate and maintain an efficient and convenient public transport service for the overall benefit of Durban;
 - (b) conduct, manage and control Durban's Municipal Passenger Transport Undertaking on behalf of the Durban City Council ¹⁰; and
 - (c) to remove public transport in Durban from the political arena ¹¹.
-
- ii) Durban's Transport Department during the era of the DTMB was, and still is, the largest municipal bus undertaking in terms of bus fleet.
 - iii) Durban was the only local authority in the country whose transport operations were run virtually independent of the City Council and whose Transport Department was not subject to direct control by a committee of the council. As a result the City Council and City Councillors had restricted, or limited, influence on the public-owned transport scenario in Durban.
 - iv) The DTMB was a multiracial body by virtue of the fact it consisted of, inter alia, two representatives of the Black community who had special knowledge of Non-White passenger transportation requirements and who were accorded voting rights on the Board. In addition four members of the DTMB were appointed from commerce and industry and who possessed experience and expertise in the fields of, inter alia, transport, management and/or economics.

- v) According to Professor J Walters, one of South Africa's foremost transport academics, the DTMB was recognised in the transport industry as a model operator and had the best organised marketing function and technical excellence in the country ¹².
- vi) The positive image which the DTMB was able to project to the public ¹³.
- vii) Although the DTMB had been in existence for 38 years, no research has, thus far, been undertaken on the administration of Durban's Transport Department during the era of this Board.

It must be mentioned that the DTMB was disbanded on 30 September 1990 and Durban's Transport Department had been brought back under the control of a committee of the Durban City Council, namely, the Public Transport Service Committee ¹⁴. Although the DTMB has been disbanded, most of the generic administrative functions, functional activities and auxiliary functions of municipal bus transport administration that were applied in Durban's Transport Department during the era of the DTMB are still applied in the Public Transport Service Unit, the name by which Durban's Transport Department is now known. Consequently this study focusses on the Public Transport Service Unit of the City of Durban. Since this Unit is of recent origin the discussion on municipal bus transport administration will invariably include the establishment, functions and contributions made by the DTMB.

3. METHOD ADOPTED FOR THE STUDY

Local government and municipal bus transport are presently fields in public administration on which much can be written.

In fact, if one were to compile all information relative to local government and municipal bus transport administration in South Africa, such a publication would be voluminous. It is not the intention to focus on each and every aspect of local government and public and municipal bus transport administration in South Africa, but merely those aspects relative to municipal bus transport administration in Durban.

The following aspects are studied:

- i) Municipal administration and municipal bus transport administration in South Africa.
- ii) Legislative and administrative provisions for bus transport administration in South Africa.
- iii) The establishment and development of municipal passenger transport services in the City of Durban during the period 1870 to 1990.
- iv) The administrative aspects of municipal bus transport services in the City of Durban.
- v) General conclusions and recommendations.

In the six chapters apart from the introduction and conclusion, the subject matter is dealt with as follows:

3.1 CHAPTER 2

In this chapter, Professor Cloete's model of Public Administration, as expounded in his widely read book Introduction to Public Administration ¹⁵, has been adapted and modified in order to develop a model for municipal bus transport administration.

In the general discussion on municipal bus transport administration, a review is given of the interaction, and the concomitant relationship, between the generic administrative functions, the functional activities and the auxiliary functions in a hypothetical municipal transport department.

In addition to the abovementioned attention is focussed on, inter alia:

- i) The development and administration of local government in Durban; and
- ii) the basic functions of local authorities with specific reference to Durban. In this discussion, particular emphasis is placed on the passenger transport functions of local authorities.

3.2 CHAPTER 3

Periodically throughout the development and growth of the transport industry in South Africa, various commissions and committees of inquiry were appointed to investigate different aspects of transport and to make recommendations to solve certain transport related problems. Accordingly the terms of reference and major recommendations of the following two committees and commissions are reviewed in this chapter:

- i) The Committee of Inquiry into Urban Transport Facilities in South Africa (The Driessen Committee).
- ii) The Commission of Inquiry into Bus Passenger Transportation in the Republic of South Africa (The Welgemoed Commission).

The current legislative and administrative framework for bus passenger transportation in South Africa comprises, inter alia, of a number of Acts of Parliament through which various bodies are given certain powers and functions to perform with regard to bus transport administration. Accordingly, attention is focussed on the following Acts of Parliament and draft Bill:

- i) Road Transportation Act, 1977 (Act 74 of 1977).
- ii) Urban Transport Act, 1977 (Act 78 of 1977).
- iii) KwaZulu and Natal Joint Services Act, (Act 84 of 1990).
- iv) The draft Passenger Transport Bill.

In the discussion of the abovementioned Acts of Parliament, the following are, inter alia, simultaneously discussed:

- i) The powers and functions of the National Transport Commission.
- ii) The powers and functions of Local Road Transportation Boards.
- iii) The procedure for applying for public road carrier permits.
- iv) The functions of Metropolitan Transport Advisory Boards.
- v) The functions and powers of the South African Roads Board.
- vi) The establishment and administration of the Urban Transport Fund.

Finally in this chapter, an overview is given of Chapter XVIII of the Durban Extended Powers Consolidated Ordinance, 1976 (Ord. 18 of 1976).

3.3 CHAPTER 4

In this chapter, the progressive development of municipal passenger transport in Durban is traced by focussing on, inter alia, on the early Tramway Companies, the entry of the (then) Town Council of Durban into the field of tramway operations, the municipalisation of tramways in Durban, the conversion of Durban's tramways to electric traction, the introduction of motor omnibuses and trolleybuses as a mode of public passenger transport in Durban, and Durban's Transport Management Board controlled Municipal Passenger Transport Undertaking. With regard to the last mentioned the following aspects are reviewed:

- i) The establishment of the DTMB.
- ii) The powers and functions of the DTMB.
- iii) The DTMB within the context of municipal passenger transport development in Durban. In reviewing this aspect, the major steps taken by the DTMB to provide, operate and maintain an efficient and convenient public transport service for Durban's Whites and Non-White commuters are simultaneously discussed:

3.4 CHAPTER 5

Since municipal bus transport administration entails the performance of generic administrative functions, functional activities and auxiliary functions, these functions and activities are discussed in chapter 5 with specific reference to the application of the six generic administrative functions in Durban's Transport Department during the era of the DTMB. Attention is focussed on, inter alia:

- i) Policy and policy-making aspects of municipal bus transport administration.
- ii) The organisational locus of municipal bus transport administration.
- iii) The personnel provision and utilisation functions of municipal bus transport administration.
- iv) The financing functions of municipal bus transport administration.
- v) Examples of work procedures, pertaining to municipal bus transport administration, which were followed in Durban's Public Transport Service Unit during the era of the DTMB.
- vi) The exercise of control in municipal bus transport administration with reference to the control measures which were applied in Durban's Transport Department during the era of the DTMB and which measures have now been adapted for use in the Public Transport Service Unit.

In the discussion on the generic administrative functions, certain functional activities and auxiliary functions of municipal bus transport administration in Durban's Public Transport Service Unit during the era of the DTMB are also evident.

4. RESEARCH METHODOLOGY

As indicated in the bibliography, a number of books, journals, periodicals, dissertations, theses, newspapers, dictionaries, reports of committees and commissions of inquiry and reports of the CSIR and the South African Roads Board had to be consulted

in order to complete this study. A detailed study was also made of the annual reports of the DTMB and Mayor's Minutes of the Durban City Council.

A comprehensive study had to be made of a number of Acts of Parliament and Ordinances of the Province of Natal. More particularly, the Road Transportation Act, 1977 (Act 74 of 1977), the Urban Transport Act, 1977 (Act 78 of 1977), the Regional Services Councils Act, 1985 (Act 109 of 1985), the Natal Local Authorities Ordinance, 1974 (Ord. 25 of 1974) and the Durban Extended Powers Consolidated Ordinance, 1976 (Ord. 18 of 1976) had to be consulted. In addition, the provisions contained in the draft Passenger Transport Bill came to hand after discussions with high-ranking officials of the Department of Transport

Structured interviews were conducted with high-ranking officials from the DTMB, Durban City Council and the State Department of Transport. As a result of these interviews, more documentation, especially unpublished documentation, pertaining to municipal bus transport administration and the DTMB came to hand. In addition in November 1989, questionnaires pertaining to the administrative, functional and auxiliary activities of municipal bus transport administration were forwarded to the transport departments of fifteen local authorities which operated their own municipal bus services at that time. Consequently additional information relative to municipal bus transport administration by other local authorities in South Africa was obtained.

5. DEFINITION OF TERMINOLOGY

An explanation of certain terms and words which are used frequently in this study is imperative. Accordingly, the following require clarification:

5.1 ADMINISTRATION

Virtually every book on the subject Public Administration contains a definition of either administration or public administration or both. Each of these definitions reflects the views of the author with regard to the phenomenon administration. Attention, by way of example, is invited to the following definitions:

Cloete asserts that administration is a collection of processes which must always and everywhere be performed where two or more persons work together to reach specific objectives such as the production of goods (for example medicines) or the rendering of services (for example, the provision of bus services). To understand these processes and to perform them in a knowledgeable manner, it is preferable to classify them in six groups, namely,

- i) the processes of policy-making which are followed by the processes of planning and programming;
- ii) the processes of financing which must be undertaken to obtain money for reaching the objectives provided for within the policy statements;
- iii) the processes of organising to provide the institutions and other organizational requirements which are needed to reach the objectives;
- iv) the processes of providing and utilizing personnel to enable the institutions to function;
- v) the processes of determining work procedures to enable the personnel members to work together in an orderly manner to achieve the policy objectives; and

- vi) the processes of control to check that the personnel members remain on the road to achievement of the objectives in such a manner that all the processes concerned have been carried out with the least cost but the highest possible achievement of the objective ¹⁶.

Robbins states that administration is the universal process of efficiently getting activities completed with and through other people, for the purpose of accomplishing the objectives of the institution ¹⁷.

In the same vein as the above definitions of administration, Berkley asserts that administration is a process involving human beings jointly engaged in working towards common goals ¹⁸.

An analysis of the aforementioned definitions reveals that administration takes place in both the public and private sectors.

5.2 BUS

The World Book Dictionary defines a bus as a motor vehicle larger than an automobile, with seats to carry passengers and an entrance usually at the front ¹⁹.

According to the New Encyclopaedia Britannica, a bus, which is also called an omnibus, can be defined as any of a class of large self-propelled, wheeled vehicles that are designed to carry passengers, generally on a fixed route ²⁰.

In a similar vein to the aforementioned definitions, the Oxford Reference Dictionary asserts that a bus is a long-bodied passenger vehicle, especially one serving the public on a fixed route ²¹.

In chapter 3, a bus is defined in terms of the Road Transportation Act, 1977 (Act 74 of 1977) ²² and the Road Traffic Act, 1989 (Act 29 of 1989) ²³.

5.3 BLUE LINE SERVICE

The Blue Line Service refers to the bus services which the DTMB, in the days of bus apartheid, provided for commuters who were classified "White". The colour of the buses used were predominantly blue. Hence, the name Blue Line Service.

5.4 CONTROL

According to Henri Fayol, control is the examination of results. To control is to make sure that all operations at all times are carried out in accordance with the plan adopted, with the orders given and with the principles laid down. Control compares, discusses and criticizes, it tends to stimulate planning, to simplify and strengthen organisation, to increase the efficiency of command and to facilitate co-ordination ²⁴.

Robbins offers a similar exposition of control when he states that:

"Control can be defined as the process of monitoring activities to determine whether individual units and the organisation itself are obtaining and utilizing their resources effectively and efficiently so as to accomplish their objectives, and where this is not being achieved, implementing corrective action" ²⁵.

From the foregoing it can be inferred that control implies the rendering of account to ensure that organisational goals are effectively reached in accordance with prescribed legislative measures, procedures and standards.

5.5 DURBAN TRANSPORT MANAGEMENT BOARD

As a result of, inter alia, the positive image projected by the Durban Transport Management Board, a large proportion of the public misconstrue the Durban Transport Management Board, and more especially its abbreviated form, the DTMB, as being the name of Durban's Transport Department. For the sake of clarity, the Durban Transport Management Board or the DTMB refers to the Board which was established on 1 August 1952 to, inter alia, conduct, manage and control Durban's Transport Department on behalf of the Durban City Council.

5.6 FINANCING

Financing can be considered as the provision of finance (at the minimum cost for the undertaking or institution) when and where necessary, as well as the inquiry into and analysis of investment opportunities and control over financial matters to enable the undertaking or institution to achieve its objectives ²⁶.

An analysis of chapter 5 of Cloete's book entitled Local Government Administration reveals that financing relates to, inter alia, the following:

- i) Determination of income and expenditure.
- ii) Preparation and execution of the budget.
- iii) Maintenance of financial records.
- iv) Ensuring that expenditure is in accordance with legislative directives.
- v) Provision and control of money in appropriate accounts.

- vi) Ensuring efficiency and effectiveness of all financial activities.
- vii) Maintenance of public accountability in financial matters ²⁷.

5.7 GREEN LINE SERVICE

The Green Line Service refers to the bus services which the DTMB, in the days of bus apartheid, provided for commuters classified as "Non-White". The colour of the buses used were predominantly green. Hence, the name Green Line Service.

5.8 LOCAL AUTHORITY

The (former) Department of Community Development and State Auxiliary Services defined a local authority as being a body established by law for a particular locality or district, charged with the government of that locality or district in local matters, especially health, endowed with the power to levy rates on fixed property and entrusted with the duty of carrying out prescribed services for the inhabitants of that locality or district ²⁸.

5.9 LOCAL GOVERNMENT

According to Speed, local government "is government in defined parts of a country - i.e. in cities, towns and other areas - within the limits of the powers and functions conferred by

higher authority; and "local authorities" are the statutory bodies which are the constituent parts of local government which derive their power from a higher source and are bound by the terms and conditions upon which they are created" ²⁹.

5.10 MUNICIPAL

The word "municipal" is derived from the latin word "municipalis" which means town or district having local self-government" ³⁰.

5.11 MUNICIPAL ADMINISTRATION

Municipal Administration is a combination of functional activities, auxiliary functions and a number of mutually interdependent main categories of administrative functions performed by appointed officials in municipal departments to give effect to local government activities and policies.

5.12 MUNICIPAL BUS TRANSPORT ADMINISTRATION

Municipal bus transport administration is a mixture of functional activities, auxiliary functions and a number of mutually interdependent main categories of administrative functions performed by appointed officials in municipal transport departments to give effect to municipal bus transport related activities and policies.

5.13 ONE-MAN OPERATOR

Prior to the advent of the modern buses which have passenger entrances at the front of the bus, buses were designed with passenger entrances at either the middle or towards the end of the

bus. Therefore, it was necessary to have both a driver and a conductor on the bus. The driver was needed to drive the bus whilst the conductor was responsible for, inter alia, collecting fares and issuing tickets. With the advent of buses with passenger entrances at the front of the bus, the presence of a conductor on the bus was no longer a necessity. The bus driver, from his cubicle, could now drive the bus and also collect fares and issue tickets. As a result, the bus driver became known as a one-man operator. The terms driver, bus driver and one-man operator are used interchangeably in this dissertation.

5.14 ORGANISING AND ORGANISATION

Dessler describes organising as "... the process through which activities are grouped logically into distinct areas ... it is the division of work. It results in the logical grouping of activities" ³¹.

Hanekom and Thornhill state that organising reveals formal (structural) and informal (human) aspects, each of which exercises a particular influence on the institution ³².

Robbins asserts that an organisation is a structure made up of two or more people who accept co-ordinated direction to achieve certain goals ³³. It is therefore obvious that various activities must be exercised to obtain an organisation.

According to Hanekom and Thornhill, when organisation is referred to, what is usually meant is the establishment of the structure of an institution and the grouping of the people who will be utilised to do the work ³⁴.

From the abovementioned definition it can be inferred that organising, amongst others, is necessary for the building of an organisational structure or an organisation.

5.15 PERSONNEL ADMINISTRATION, PERSONNEL PROVISION AND PERSONNEL UTILISATION

Nigro and Nigro describe personnel administration as the process of acquiring and developing skilled employees and of creating organisational conditions which encourage them to put forward their best efforts ³⁵.

According to Hodgson personnel administration seeks to obtain the most suitable working force at a minimum cost, to encourage the further development and promote the best use of the organisation's personnel and to maintain or improve morale ³⁶.

Cloete asserts that personnel administration usually consists of generic administrative functions, auxiliary functions and functional activities. The functional activities consist of personnel provision functions, support functions, training and development functions and utilisation functions. The personnel provision functions consist of the following:

- i) Creation of posts (jobs).
- ii) Determination of establishment.
- iii) Recruitment: Determining personnel needs, determining fields of recruitment, attraction of candidates and selection.
- iv) Placement.

- v) Probation.
- vi) Promotion.
- vii) Transfer.
- viii) Termination of services.

The personnel utilisation functions include the following:

- i) Providing work programmes.
- ii) Leadership.
- iii) Discipline.
- iv) Evaluating work performance (appraisal procedures or merit rating) ³⁷.

5.16 POLICY AND POLICY-MAKING

The Odhams Dictionary of the English Language defines policy, among other things, as -

"... the art or science of governing a nation; a set of accepted principles and plans constituting a programme of political action; any single plan, scheme or measure adopted by a government or party in its management of public affairs, a line of action laid down in the theoretical form and directed towards personal ends ..." ³⁸.

From the aforementioned definition it can be inferred that policy represents the pivot around which administrative procedures turn. In addition, policy is the driving force for public action and supply the right of existence of the various public institutions of a democratic state. Different policy directions are found in the following:

- i) Acts of Parliament.
- ii) Ordinances.
- iii) By-laws.
- iv) Circulars.
- v) Speeches (containing policy aspects).
- vi) Procedure manuals.
- vii) Reports (for example, workstudy reports).
- viii) Mission statements.

According to Hanekom and Thornhill, the functions preceding the announcement of goals and the measures for goal realisation are referred to as policy-making and the result is a policy which is made known ³⁹.

5.17 PROCEDURES

Flippo and Munsinger assert that a procedure is a series of steps or functions established for the accomplishment of some specific project or endeavour. For most policies, there would be an accompanying procedure to indicate how that policy should be carried out ⁴⁰.

5.18 PUBLIC ADMINISTRATION

Virtually every book on Public Administration defines the term public administration.

Coetzee, after analysing various definitions of public administration, concludes that public administration distinctly refers to that particular kind of administration prevailing in the public sector where it concerns the execution of public policies which find expression in laws, rules and regulations made by legislative bodies at the various levels of government. In order to attain this objective (execution of public policies), public administration involves the performance of a variety of func-

tions, namely, the generic administrative functions of policy-making, organising, financing, staffing, determining work procedures and control, the functional activities (the line functions at the operational level) such as, for example, the nursing of patients and the provision of bus services, and the auxiliary activities (aid functions) such as data processing, collecting and analysing statistics, research and decision making ⁴¹.

5.19 TRANSPORT

According to The World Book Dictionary, the verb transport means to carry from one place to another while the noun transport refers to the action of carrying from one place to another ⁴².

The Oxford Advanced Learner's Dictionary of Current English states that transport means, among other things, conveying or being conveyed, means of conveyance and carry (goods, persons) from one place to another ⁴³.

5.20 WAYBILL

A waybill sets out the departure times and the routes to be followed for a whole shift on a run ⁴⁴. For any bus to leave the depot, the driver must possess a waybill which indicates the run, shift and bus a driver must operate. The waybill indicates clearly the starting point of the bus and the time for its departure, the bus destination and the expected time of arrival and thereafter each trip is set out with times of departure and arrival ⁴⁵ (see Annexure A).

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CHAPTER 2

MUNICIPAL ADMINISTRATION AND MUNICIPAL BUS TRANSPORT ADMINISTRATION IN SOUTH AFRICA

1. INTRODUCTION:

Every State nowadays needs numerous public institutions to carry out the legislative, governmental and administrative functions which must be performed to maintain the State and to provide services for its populace. The usual practice is to establish three levels of public institutions, namely, central, regional (also known as provincial) and local (also known as municipal) public institutions to carry out specific legislative, governmental and administrative functions allocated to them¹. It is therefore evident that the administration of public affairs takes place on three levels of government.

The administration of public affairs and the execution of public policies by public officials at the central, regional and local levels of government is generally referred to as public administration. It follows that public administration is a comprehensive field of activity which has applicability on the central, regional and local levels of government. Being comprehensive in nature, public administration comprises of numerous integral component parts. Municipal administration which is one such component is concerned specifically with the administration of municipal affairs by municipal officials on local government level.

Municipal administration, like public administration, is also a comprehensive field of activity which comprises of several component parts. Municipal transport administration which is one

such component part is mainly concerned with the administration of transport related matters and the execution of transport policies by municipal officials on the local government level.

Consequently, it follows that municipal administration and municipal transport administration are part of the greater field of activity known as public administration. Therefore, the guidelines and theories of public administration will also apply to municipal administration and municipal transport administration.

In this chapter, the concept administration is explained within the context of municipal transport administration. Thereafter the development and administration of local government in Durban is chronologically reviewed. The functional activities of local authorities, with specific reference to the Durban City Council, are then discussed.

2. A GENERAL OVERVIEW OF ADMINISTRATION AND MUNICIPAL BUS TRANSPORT ADMINISTRATION

In chapter 1, the term Administration was defined. An analysis of the definitions provided reveals that administration is to be found wherever two or more people take joint action to achieve an objective. Therefore, administration takes place in every situation where two or more people work together. It follows thus that administration will be found in all spheres of human activity. Indeed man is surrounded by administration in the same sense as he is surrounded by the atmosphere.

Cognisance must be taken of the fact that administration is not an end in itself, but always remains a means to an end. For this reason it always goes hand-in-hand with some or other activity and never takes place in a vacuum.

In general it can be accepted that administration consists of the thought processes and the actions necessary for setting and achieving an objective, for example, to ensure that scheduled municipal bus services operate on Saturdays at 06h00 from point X to point Y. It can thus be stated that administration is an enabling activity or a group of enabling activities. There are various stages which must be passed through in the overall process to reach the objective. During these stages all the activities, which can also be called processes, involved in setting and achieving the objective take place. Administration thus consists of a wide ranging set of activities (processes) which can be grouped according to their respective functions. Six main groupings of activities can be obtained on the basis of the functions, namely, policy-making, organising, financing, staffing, determining work procedures and the exercising of control over the progress being made to ensure that the objective will be reached. Therefore, administration is indeed a collection of activities or processes and each of the aforementioned six main groups of activities or processes have to be carried out in full to reach any objective (regardless of whether it is a tangible product or a social service) through joint action. This means that administrative activities or processes will always precede and/or accompany functional and auxiliary activities which are concerned with producing goods or rendering services. The six main groups of activities or processes can in practice hardly be separated from each other and the various activities or processes in question are usually considered and undertaken simultaneously².

An analysis of the administrative activities or processes in a typical municipal transport department reveals that:

- i) The town or city council, a committee(s) of the council, a transport management board (in the case of Durban's Municipal Transport Undertaking during the period 1 August 1952 to 30 September 1990) and municipal transport officials (especially those in the senior management echelons including the heads of operational units) are the key bodies and personnel that are responsible for the formulation of the department's policies. The execution of the department's policies is the responsibility of all municipal transport officials.

- ii) The main sources of revenue of a typical municipal transport department consists of, inter alia, the following:
 - (a) subsidies from the city or town council;

 - (b) subsidies from the Department of Transport; and

 - (c) bus fares.

The major expenditure items of a typical municipal transport department includes, inter alia, the following:

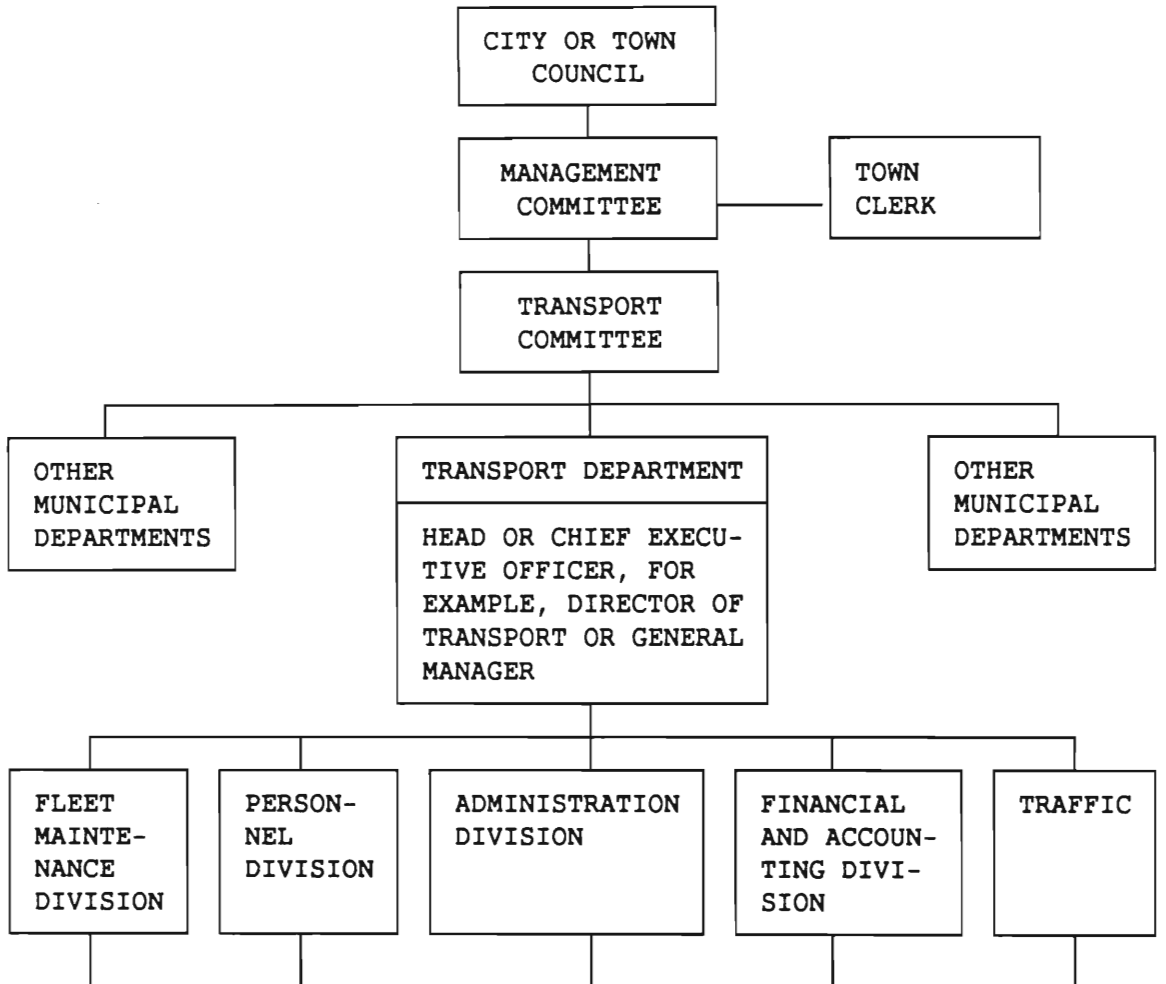
- (a) fuel and oil;

- (b) repairs to, and maintenance of, its bus fleet; and

- (c) tyres and tubes.

iii) the organisational structure of a typical municipal transport department is depicted hereunder:

FIGURE 1: ORGANISATIONAL STRUCTURE OF A TYPICAL TRANSPORT DEPARTMENT ³



- maintenance of all the property of the department including revenue earning vehicles and ancillary vehicles

- industrial relations
- training
- personnel administration

- general administration of the department

- financial control
- internal auditing
- reporting
- financial administration

- operation and marketing of bus services
- scheduling of buses

In the larger local authorities (for example, Pretoria and Johannesburg), the Director of Transport is the head of the municipal transport department. Alternatively, it is sometimes found that the head of another municipal department is also responsible for the transport department in addition to his other responsibilities, for example, the Town Electrical Engineer (Springs) or the Head of Protection Services (Bloemfontein). The ability of the municipal transport manager to act with full effectiveness may be restricted by the complexity of the municipal structure. The manager must work through the committee procedures for policy and financial decisions and may also be subjected to interference in the day-to-day administration of his department. He may also require the approval and co-operation of other chief officers in carrying out his duties ⁴.

- iv) The personnel component of the department is responsible for inter alia the recruitment, screening, selection, placement and training of the employees of the transport department. In other words, the personnel division provides a service function to the operational units. Normally once the personnel division has shortlisted the applicants who meet the required criteria, the operational heads or their deputies, will interview and decide on the most suitable candidates to be appointed. The employees, however, are subject to the conditions of service, disciplinary and grievance procedures and evaluation procedures of the city or town council.

- v) With regard to work procedures a municipal transport department will usually have procedural manuals or written guidelines on how a specific task is to be completed in order to ensure uniformity, for example, written instruc-

tions on how bus drivers should write a set of runs or how to complete waybills or how to perform certain computerised functions. The Transport Department of the Pretoria City Council, for example, has specific policy and procedure manuals for the performance of specific tasks and functions ⁵.

v) Control in a typical municipal department is exercised through, inter alia, the following ways:

(a) Auditing;

(b) random inspection by bus inspectors to check the validity of tickets in the possession of passengers;

(c) the monitoring of fuel usage by buses;

(d) written reports;

(e) statistical returns; and

(f) cost comparisons ⁶.

2.1 THE INTERACTION, AND CONCOMITANT RELATIONSHIP, BETWEEN THE GENERIC ADMINISTRATIVE FUNCTIONS, THE FUNCTIONAL ACTIVITIES AND THE AUXILIARY FUNCTIONS IN MUNICIPAL PASSENGER TRANSPORT ADMINISTRATION:

From the preceding brief explanation of the concept 'administration', it can be concluded that municipal bus transport administration can be considered as a distinctive field of activity which consists of all the functions undertaken by municipal transport officials (such as directors of municipal transport de-

partments, the heads of operational divisions and bus drivers) in municipal transport departments to provide commuters with municipal passenger transport services. These functions can be arranged into three distinctive groups, namely, generic administrative functions, functional activities and generic auxiliary functions.

It was mentioned ⁷ that the generic administrative functions will always be preceded and/or be accompanied by the functional activities and the generic auxiliary functions. Furthermore, the content of every field of work in a municipality and therefore the work of every group of officials constituting a municipal transport department consists of a mixture of generic administrative, functional and auxiliary functions.

From the aforementioned, it can be inferred that every municipal transport official, just as any other municipal official and public official, divides his working hours between the generic administrative functions, the functional activities and the auxiliary functions. Usually the lower placed municipal transport officials who can be referred to as operational or production workers, for example, one man operators (bus drivers), will spend most of their working hours on the functional activities and/or auxiliary activities. Supervisors will, as they progress to higher posts, devote an increasing portion of their working hours to the performance of the generic administrative functions, for example, a one-man operator (bus driver) spends his time almost exclusively on the functional work of municipal transport (driving a bus to and from various scheduled points) whereas most working hours of an Operations Manager in a municipal transport department are devoted to administrative functions. Every municipal transport department has a chief official, for

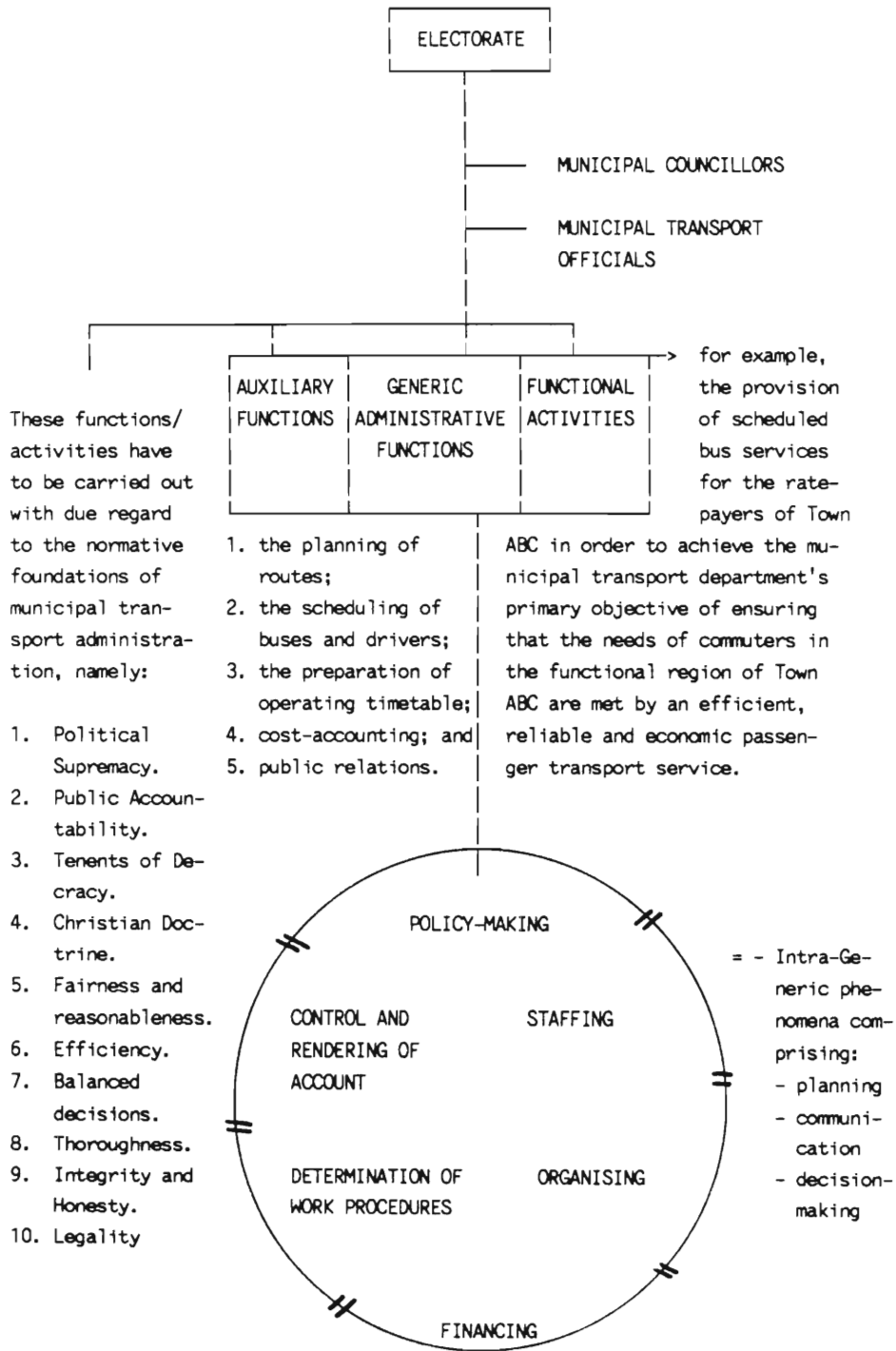
example, an executive director or director of public transport, who is usually also the chief administrative officer because he devotes the major portion of working hours, more than any of his sub-ordinates, to administrative functions. In other words, the director of public transport in a municipal transport department, will spend most of his time on executing the generic administrative functions, and very little of this time on the functional activities and the auxiliary functions. This official will actually only issue directives on how the administrative functions will be integrated with the functional activities and the auxiliary functions ⁸. The above state of affairs is depicted in Figure 2.

FIGURE 2: WORKING HOURS DEVOTED BY OFFICIALS IN A MUNICIPAL TRANSPORT DEPARTMENT TO THE GENERIC ADMINISTRATIVE FUNCTIONS, FUNCTIONAL ACTIVITIES AND GENERIC AUXILIARY FUNCTIONS:

GRADE	WORKING HOURS		
Director of Public Transport			
Operations Manager	Functional Activities	Generic Administrative Functions	Generic Auxiliary Functions
Bus Driver			

From the preceding paragraphs, it can be concluded that the attainment of any objective is dependent on the interaction, and concomitant relationship between the generic administrative functions, the functional activities and the auxiliary functions. This interaction and relationship is depicted by Figure 3.

FIGURE 3: THE INTERACTION, AND CONCOMITANT RELATIONSHIP, BETWEEN THE GENERIC ADMINISTRATIVE FUNCTIONS, THE FUNCTIONAL ACTIVITIES AND THE AUXILIARY FUNCTIONS IN A HYPOTHETICAL MUNICIPAL TRANSPORT DEPARTMENT



In order to explain the interaction, and concomitant relationship, between the generic administrative functions, the functional activities and the auxiliary functions (as depicted in figure 1) in a hypothetical municipal department, it is assumed that -

- i) the primary objective of the municipal transport department is the provision of efficient, reliable and economic bus services for the ratepayers of Town ABC;
- ii) the transport department is presently operating bus services between various suburbs and point Z in Town ABC;
- iii) the Local Road Transport Board has granted the municipal transport department a 'blanket' authority to operate bus services between any points within the municipal area of Town ABC. This means that this department can extend its routes or introduce new routes within the municipal area of Town ABC without applying to the Local Road Transportation Board for a new public road carrier permit. The municipal transport departments of the City Councils of Pretoria and Durban have such a 'blanket' authority;
- iv) for the purpose of determining bus fares, the bus routes of the Town ABC has been divided into stages, for example, a passenger travelling 10 kilometres on the route DM will pay a stage 1 fare (R0,50) whereas a passenger travelling 20 kilometres will pay a stage 2 fare (R1,00). The municipal bus routes of the City Councils of Durban and Pretoria are divided into stages;
- v) the municipal transport department is controlled by the Management Committee of the Council. All matters pertaining to major policy and capital development projects including the introduction of services to new areas must

be submitted for consideration and recommendation to the Management Committee (which is basically the Policy and Finance Committee of the Town Council of Town ABC) and then to Town Council for ratification;

- vi) the chief administrative officer of the municipal transport department is the Director of City Transport. The department comprises of five divisions, namely, the administration, the traffic, the finance and accounting, the personnel and the fleet maintenance division;
- vii) to operate a bus service on a new route, the municipal transport department will need to employ additional bus drivers and purchase new buses;
- viii) with regard to bus stops, the department's policy is that passengers should not have to walk more than 500 metres from a bus stop; and
- ix) neither the municipal transport department or any private operator is currently providing a bus service between suburb X and point Z. Consequently, the residents of suburb X, which is densely populated and situated within the municipal area of Town ABC, are using their own private vehicles to travel from their places of residence to point Z which is in the centre of the central business district of Town ABC.

As a result of numerous enquiries from the residents of suburb X, the municipal transport department considers the possibility of introducing a bus service between suburb X and point Z. Before the department can make a recommendation to the Management Committee in this regard, the marketing section of the traffic division will prepare a questionnaire and distribute copies to

the residents of suburb X to determine what percentage of the residents would patronise a bus service between suburb X and point Z and also the resident's preferences with regard to, inter alia -

- i) the times and frequency at which the bus service should operate;
- ii) the route the bus should follow between suburb X and point Y; and
- iii) bus stops, that is, places where the bus should stop for the purpose of picking up and dropping off passengers.

Based on the feedback received from the aforementioned questionnaire, the traffic division concludes that there is a definite need for a bus service between suburb X and point Z. In order to ensure that the needs of commuters in the functional region of Town ABC are met by an efficient, reliable and economic passenger transport service, the municipal transport department decides to make a proposal to the Management Committee in this regard. Before this can be done:

- i) the planning section of the traffic division will determine the most viable and economic route between suburb X and point Y by taking, inter alia, the following into consideration:
 - The Councils' policy that all bus services must be run on a cost-effective basis;
 - the quality of the roads;

- the topography of the area; and
 - feedback from the questionnaire distributed to residents of suburb X. In this regard, the route would be planned in such a way that the buses operating on this route will be able to pick up the maximum number of passengers, and drop them off, at conveniently located bus stops so that these passengers would not be able to walk more than 500 meters from the bus stop, in terms of the department's policy.
- ii) After the route has been planned, the scheduling section of the traffic division will draw up a provisional operating time-table, taking into account the number of passengers carried on the department's other services during the high- and low off peak periods, in order to determine bus and crew requirements for this route. In drafting the operating time-table, the scheduling section must take cognisance of the Council's policy that all services must be run on a cost-effective basis. It is assumed that in terms of the provisional operating time-table three additional one-man operators will have to be employed and three additional buses will have to be bought. The traffic division will then propose a fare that passengers will have to pay to travel between point Z in Town ABC to suburb X. It is assumed that in terms of the route planned the distance between the first pick-up point in suburb X and the last drop-off point, which is at point Y, is 3 stages. Therefore, the fare payable is a three stage fare. A summary or an analysis of the feedback received from the questionnaire distributed to the residents of suburb X together with the route plan, provisional time-table and the proposed fare is then forwarded to the various operational divisions for comment.

Once the comments have been received from the various operational divisions, the traffic division will draw a report motivating that a service should be introduced between point Z and suburb X. In this report, mention will be made of, inter alia, the financial implications of introducing a service on the proposed route. This report, will then be submitted to the Director of City Transport for submission to the Management Committee. The Management Committee will then discuss and consider the report submitted by the transport department. Thereafter, the Management Committee will make a recommendation to the Town Council for adoption and ratification. It is assumed that the Management Committee recommends to the Council that the municipal transport department be given authority to provide a scheduled bus service between suburb X and point Y, with the proviso that only 2 new buses be purchased, from an advance from the Council's Capital Development Fund, and that only 2 additional bus drivers be employed. It is further assumed that the Council adopts the Management Committee's recommendation. As soon as possible after the Council meeting, the Town Clerk will issue a circular to all heads of department conveying the decision of the Council.

Since it was assumed that this municipal transport department has been given 'blanket' authority by the Local Road Transportation Board to operate bus services between any points within the municipal area of Town ABC, this department does not have to apply to the Local Road Transportation Board for a new public road carrier permit or to amend its existing permit to operate a bus service between suburb X and point Y.

As a result of the Council's decision, the scheduling section will have to amend its operating time-table by reducing the number of trips per hour, on the planned route between suburb X and point Z, from the originally planned 3 trips to 2 trips per hour. The department's amended operating time-table for the morning peak period between 06h00 and 08h00 is illustrated hereunder:

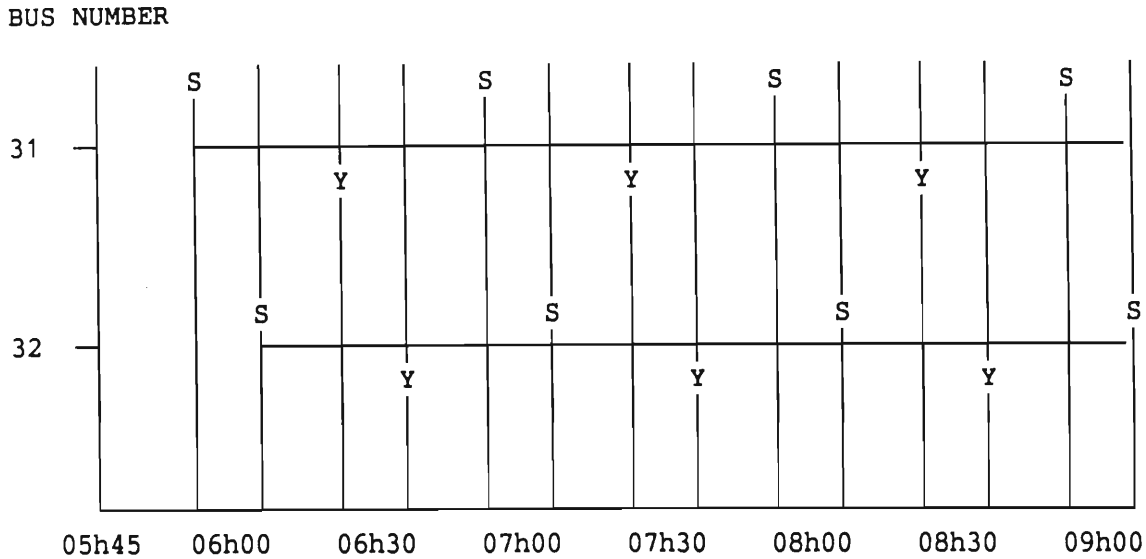
FIGURE 4: OPERATING TIME-TABLE FOR THE MORNING PEAK PERIOD ON THE ROUTE BETWEEN SUBURB X AND POINT Z

DUTY NUMBER	4	5	4	5	4
BUS NUMBER	31	32	31	32	31
DEPART FROM POINT S IN SUBURB X	06H00	06H15	07H00	07H15	08H00
ARRIVE AT POINT Z	06H25	06H40	07H25	07H40	08H25
DEPART FROM POINT Z	06H30	06H45	07H30	07H45	08H30
ARRIVE AT POINT S IN SUBURB X	06H55	07H10	07H55	08H10	08H55

With reference to Figure 4, bus number 31, driven by a driver on duty 4, will leave point S in suburb X at 06h00 and will arrive at point Z at 06h25. This means that the 'running time' (the time that it takes according to schedule for a bus to travel from point S in suburb X to point Z inclusive of passenger loading and off loading) is 25 minutes. Bus number 31 will leave point Z at 06h30. This means that the 'recovery time' (the scheduled time allowed for, *inter alia*, passenger boarding and/or alighting, making up waybills and changing destination blinds) is 5 minutes. Bus number 31 will arrive back at point S in suburb X at 06h55 (25 minutes running time) and will leave point S again at 07h00 after a further 5 minutes recovery time. The 'round-trip time' (the time taken for a bus to operate one complete return trip inclusive of running time in both directions and recovery time) will be 60 minutes, from 06h00 to 07h00. Duty and bus numbers in Figure 3 were allocated arbitrarily.

The bus graph that the traffic division will now have to prepare for the operating time-table (bus working schedule) in Figure 3, is depicted hereunder:

FIGURE 5: BUS GRAPH FOR THE BUS WORKING SCHEDULE FOR THE MORNING PEAK PERIOD ON THE ROUTE BETWEEN SUBURB X



A bus working graph, as depicted in Figure 5, plots the planned working (every trip) of all buses in terms of the bus working schedules on a time graph. A bus working graph, which is also known as a bus hours graph, is simply a representation of individual bus movements according to time and place. It is quite common to write starting and finishing points on the graph. In Figure 5, the departure times of bus numbers 31 and 32, from point S in suburb X and point Z are depicted. Cognisance must be of the fact that a bus graph illustrates bus utilisation and is essential as an aid in planning the duties of one man operators.

Once the traffic division has prepared its operating time-table and bus graph, detailed plans whereby bus and drivers are arranged to operate according to this timetable will be drafted. These detailed plans are referred to as schedules.

While the traffic division is preparing operating time-tables and bus graphs, the personnel division will place advertisements for bus drivers in, for example, newspapers. The advertise-

ments will indicate the minimum and preferred and/or additional requirements, in terms of age, education, experience, skills, knowledge and abilities, which applicants must satisfy to be considered for appointment. After the application forms have been received, they would be scrutinised by the personnel division whereafter those candidates who meet the minimum prescribed requirements will be subjected to further selection processes. The following selection measures are normally applied by the personnel division of a municipal transport department to select the one-man operators who best meets the prescribed and preferred and/or additional requirements: interviews, co-ordination and intelligence testing and medical examinations. Once the applicants have been tested and examined, the most suitable applicants will be short-listed and interviewed by a panel consisting of, inter alia, senior officials in the traffic division and the depot manager (in the case of bus drivers). The senior official from the traffic division will then decide which of the applicants should be appointed. Once the selected applicants are appointed, the training section of the personnel division will:

- i) provide practical training for the bus driver to improve his driving skills and to familiarise him with the type of bus he would be driving and the route(s) to which he would be assigned;
- ii) give the bus driver an overview of, inter alia, his duties, his conditions of service, his leave conditions, the benefits to which he is entitled and to whom he must report; and
- iii) teach the bus driver how to use the ticket machine and how to complete waybills which are used to record ticket rates.

Before the driver can be left on his own, he would normally be accompanied for a week by a trained driver on the route(s) to which he would be assigned to. Thereafter the driver will be ready to assume his duties.

While the personnel division is engaged in recruiting, selecting and training the required 2 bus drivers, the fleet maintenance will draw up specifications of the buses to be purchased. Once the specifications have been drawn up, the fleet maintenance division will request the Stores Department of the Town Council to place advertisements calling for tenders. All the tenders received on the closing date will be considered by the Fleet Maintenance Division. It is assumed that after careful consideration, the Fleet and Maintenance Division recommends to the Director of City Transport that the tender submitted by NM Bus Manufacturers be accepted. It is further assumed that the Director of City Transport approved the recommendation of the Fleet Maintenance Division. The finance and accounting division will then prepare the necessary documentation to obtain the authorised Advance from the Capital Development Fund so that the required 2 buses can be purchased and delivered. It is assumed that bus numbers 31 and 32 are allocated to the buses purchased.

Once the required bus drivers have been recruited, selected and trained and the required buses purchased and delivered, the municipal transport department will set a date to commence services between suburb X and point Z.

Prior to and after the launch of the bus service between suburb X and point Y, the marketing section will publicise this service by, for example, obtaining maximum media coverage and/or distributing leaflets, brochures and time-tables. The efforts of the marketing section will be aimed at making the residents of suburb X aware of this service and thus to reverse the travel habits of the residents from private to public-owned transport.

After the launch of the bus service between suburb X and point Z:

- i) the marketing section will regularly carry out surveys to determine, inter alia, whether the frequency at which the buses are operating are adequately satisfying the commuter demand on this route and if time-tables need to be adjusted to meet the needs of existing and potential bus passengers;
- ii) apart from driving the bus between suburb X and point Z, the bus driver will, inter alia, pick-up and drop-off passengers at demarcated bus stops, collect fares, issue tickets, give change, complete waybills and pay in to the cashier all monies received at the end of each shift.
- iii) the personnel division will be responsible for the administration of, inter alia, the one-man operation's leave, medical aid and pension.
- iv) bus inspectors will periodically board buses to, inter alia, check that each passenger has a valid ticket; and
- v) the fleet maintenance division will maintain, repair, clean and refuel the buses to be used on the route between suburb X and point Z. This division will ensure that the traffic division is provided with the right number of buses on the above route in accordance with the operating time-table.

For the purpose of understanding and clarity, a simplified explanation was provided, in this section, of the interaction, and concomitant relationship, between the generic administrative functions, the functional activities and the auxiliary functions in a hypothetical municipal transport department. It is imperative to mention that this relationship is much more complicated

in the municipal transport departments of South African local authorities. Furthermore, the explanation in this section is merely a theoretical and logical analysis of how different functionaries in a hypothetical municipal transport department interact in order to achieve an objective or goal.

3. THE DEVELOPMENT AND ADMINISTRATION OF LOCAL GOVERNMENT IN DURBAN: A SYNOPSIS

Through the efforts of Captain Gardiner, a missionary, a public meeting of 17 settlers was held on 23 June 1835, when resolutions were passed laying out a township, which they named D'Urban in honour of Sir Benjamin D'Urban, then the Governor of the Cape of Good Hope. These resolutions allotted sites to the inhabitants of D'Urban and laid down their obligations in regard to the erection of dwellings and payment of fees to a Town Committee, which was there and then elected to carry out the government of the community. This meeting is the earliest recorded endeavour to establish some form of local government at Port Natal.

Under Ordinance No. 1 of 1854, a measure "for establishing Municipal Corporations in the District of Natal", the township of Durban was proclaimed a Borough. The boundaries fixed may be stated generally as the Indian Ocean, the Umgeni River, the Berea Ridge, and the Umbilo River and the Bay. The area thus demarcated was approximately 12 square miles in extent.

On achieving municipal status in 1854 the Borough of Durban was divided into four wards, each returning two town councillors. The total European population in Durban in 1854 was 1 204 but only 229 males were qualified as voters. At its first meeting the Town Council elected Mr George C. Cato as the first Mayor of Durban, and re-elected him twelve months later ¹⁰.

On 25 June 1860 the railway line between the town (Durban) and the point was officially opened. This line, operated by the Natal Company, was the first railway opened for traffic in South Africa ¹¹.

In 1870, the first omnibus transport operation in Durban was started by a private company and ran between the Point and Grey Street ¹².

Proposals were made for the establishment of a Transport System in the Borough of Durban in 1879 ¹³.

A sixth ward was created in the Borough of Durban in 1882 ¹⁴.

On 1 August 1899, the complete system of tramways in Durban was taken over by the Town Council ¹⁵.

In 1902, the first electric trams ran in Durban ¹⁶.

In 1905, the number of wards in the Borough of Durban was increased to seven ¹⁷.

In 1918 the wards of the Borough of Durban was further increased to nine ¹⁸.

In 1925, the first motor omnibus service was introduced in the borough of Durban ¹⁹.

The question of re-defining the Borough of Durban was raised in 1926, but a re-arrangement was not finally effected until the promulgation of the Durban Corporation Wards Reduction Ordinance No. 16 of 1928, which reduced the number of wards from nine with two representative councillors, to six with three representative councillors without reducing the number of councillors overall ²⁰.

As a result of the report of the Borough Boundaries Commission, appointed at the request of the Durban Town Council, the Natal Provincial Council enacted legislation under which, as from August 1932, the five Health Board areas of South Coast junction, Umhlatuzana, Mayville, Sydenham, and Greenwood Park, were incorporated into the Borough of Durban. The municipal area of 12 square miles became enlarged to some 67 square miles ²¹. With the incorporation of the abovementioned five Health Board areas into the Borough of Durban, new boundaries were defined and the Council now comprised of twenty five members, i.e. eighteen councillors representing the six old Borough wards, one councillor representing each of the five added areas, and two councillors representing the combined added areas ²².

During the last two decades prior to 1935, various bodies of citizens suggested that the town of Durban should have the dignity of a City, in view of the phenomenal growth and development of the town. Accordingly, in 1935, the Town Council of Durban obtained power in an Ordinance ²³ to have the "Borough of Durban" designated officially as the "City of Durban."

In February 1935, electric trams, in Durban, were superseded by electric trolleybuses ²⁴.

In October 1938 the Durban Town Council retired en-bloc. An election was held on the basis of eight wards, each represented by three councillors who retired in rotation ²⁵.

On 1 August 1952, the Durban Transport Management Board (hereinafter referred to as the DTMB) assumed control of the Durban Municipal Passenger Transport Undertaking ²⁶.

During 1954, the Durban City Council decided to take steps to increase the number of councillors from twenty four to thirty and to alter the basis of ward representation by the re-delimitation of wards and their boundaries. From eight the number of wards was increased to fifteen, each ward having a name appropriate to the area it represented, and two councillors serving in each ward. These proposals were enacted in Ordinance 19 of 1954 and came into operation on 1 October 1956. The twenty four councillors retired and an election which was held on 3 October 1956 returned thirty councillors on the new basis of ward representation ²⁷.

With the development of the large housing scheme to the north of the City, it became necessary to enlarge the boundaries of Durban to incorporate the Kwa-Mashu Township in 1957 ²⁸.

With the development of the large housing schemes to the south of the City, it became necessary to enlarge the boundaries of Durban to incorporate the Chatsworth Housing scheme in 1962 ²⁹.

During 1971, the first Southern Durban Indian Local Affairs Committee election was held ³⁰.

During 1972 an election was held for the Northern Durban Indian Local Affairs Committee followed by elections for the Durban Coloured Local Affairs Committee in 1974 ³¹.

In 1974, the southern boundary of the City of Durban was adjusted to include a small area comprising portions of Louis Botha

Airport and land in the vicinity of Reunion Station. On 1 August 1974 the area of the former Borough of Glenashley and in 1975 the area to the north of the City, known as Phoenix was incorporated into the City of Durban ³².

On 3 March 1977, the State President-in-Council assented to the Durban Extended Powers Consolidated Ordinance, 1976 (Ord. 18 of 1976). This Ordinance was promulgated to consolidate and amend the Ordinances granting special or extended powers to the City of Durban and the City Councillors thereof, to repeal the Durban Extended Powers Consolidated Ordinance, 1953 (Ord. 10 of 1953) and the Ordinances amending the same, to transfer certain existing borrowing powers of the City Council of the City of Durban and to modify or alter the effects of the Natal Local Authorities Ordinance, 1974 (Ord. 25 of 1974), in so far as it applies to the City of Durban and the City Council thereof. With specific reference to the City of Durban and the City Council thereof, the Durban Extended Powers Consolidated Ordinance, 1976, provides, inter alia, for the Borough of Durban to be designated and known as the City of Durban, the qualification of voters, the biennial election of councillors and the division of the City into wards, the election and term of office of the mayor and deputy mayor, the proceedings of the council and the delegation of its powers, the election of councillors to committees, the utilisation of moneys in the Public Improvement Fund, the establishment of a Capital Development Fund and a Consolidated Investment Fund, the appointment of a City Police Force and the establishment of the DTMB.

In terms of Ordinance 18 of 1976, the Durban City Council also redefined the ward boundaries of the City to provide for 30 wards, each represented by a single councillor. The wards were appropriately named to indicate the area represented.

By proclamation R56 of 1977, effective from 1 April 1977, the Kwa-Mashu residential area ceased to form a part of the area of jurisdiction of the Durban City Council. On 1 August 1977 certain properties in the Shallcross development area south of the City were incorporated into the City of Durban ³³.

By Ordinance 15 of 1979 and with effect from 1980, the Council Year, of the Durban City Council, was made to end in August with municipal elections being held in September instead of October ³⁴.

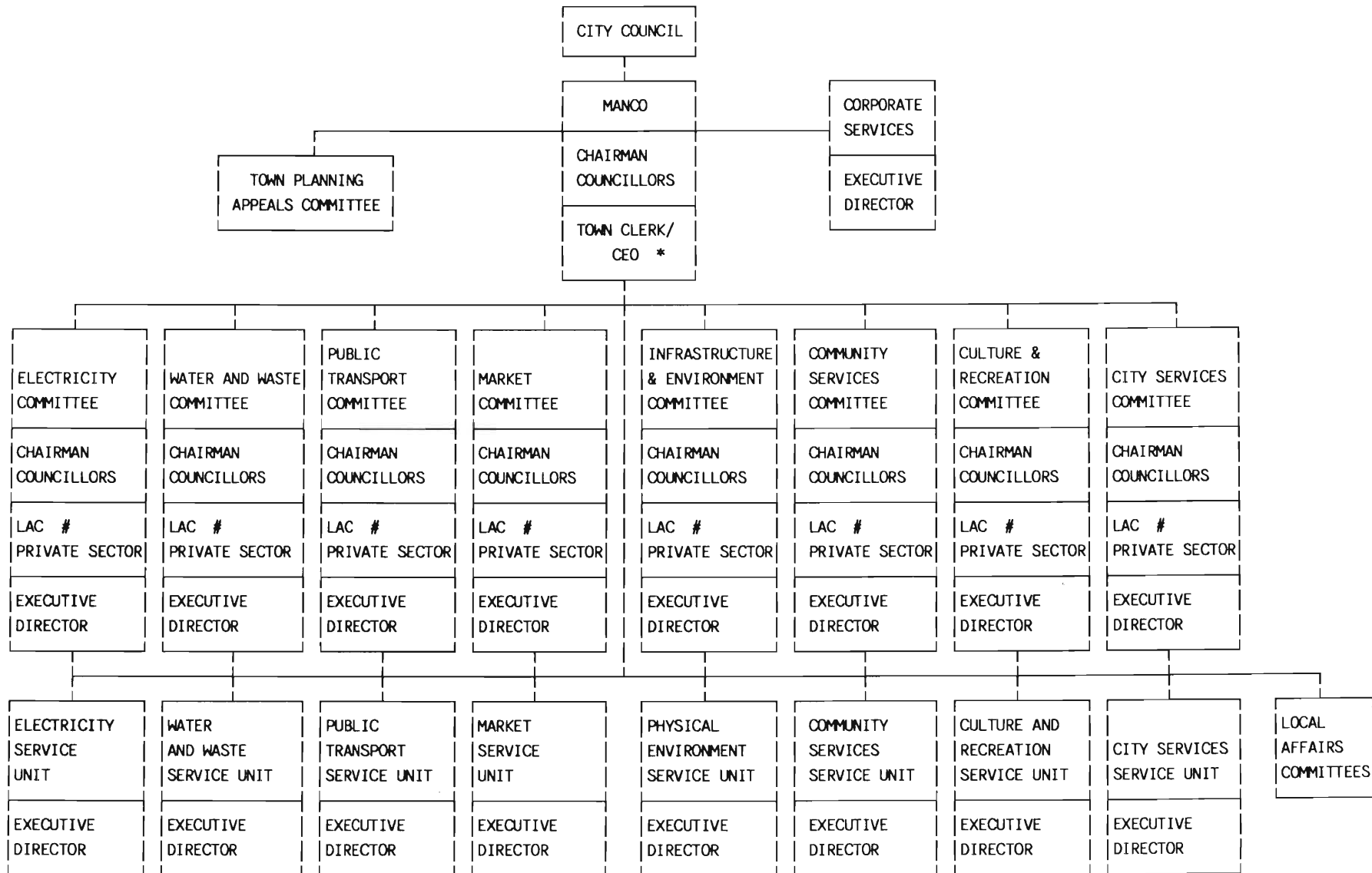
On 31 January 1985, the area known as Phoenix North was incorporated into the City of Durban ³⁵.

During 1990/91, the Durban City Council adopted a series of resolutions pertaining to the introduction of a revised organisational structure for the City of Durban. In terms of this revised structure, the Committee and Departmental top organisational structure of the City Council has been restructured to provide for the creation of nine service units. With the exception of the Corporate Services Unit, each service unit has to report to a specific committee comprised of city councillors, local affairs committee members and persons from the private sector.

In the following figure, the revised Committee and Departmental top organisational structure of the Durban City Council is depicted:

FIGURE 6

CITY OF DURBAN: REVISED TOP ORGANISATION STRUCTURE



* CEO - CHIEF EXECUTIVE OFFICER
 # LAC - LOCAL AFFAIRS COMMITTEE

In terms of the Durban City Councils revised Committee and Departmental top organisational structure:

- i) The Corporate Services Unit will determine the overall policy of the City and future planning, and its functions will include the administration of the City, communications and Public Relations, Legal Services, Real Estate, Town Planning, the Treasury, and a new division, Economic Development, to encourage economic development in the region.
- ii) The Community Services Service Unit incorporates the City Police, Fire, Health and Housing Departments, cemeteries and the Exhibition Centre.
- iii) The Electricity Service Unit remains almost unchanged from the previous Electricity Department but will have three distribution regions, namely, North, South and Central.
- iv) The Water and Waste Service Unit will handle water supply, sewage and waste management.
- v) The Physical Environment Service Unit will develop and maintain the City's infrastructure including traffic and transport, drainage and parks.
- vi) The Public Transport Service Unit will provide public bus transport and tour services.
- vii) The City Services Service Unit will provide other service units with a wide range of services such as computer, electrical, electronic, mechanical and printing services.

- viii) The Market Service Unit will administer Durban's Fresh Produce, Farmer's and Early Morning Markets and will take over the management of informal trading and the development of small business.
- ix) The Culture and Recreation Service Unit will administer Durban's libraries, museums and recreation facilities including sports stadia, swimming pools and bowling greens.

The restructuring of the Durban City Council's Committee and Departmental top organisational structure is aimed at equipping the City for the future, so that it will be able to provide more efficient services, more effectively and economically and to cut down on "red tape"! ³⁶. As a result of this restructure, the DTMB was disbanded on 30 September 1990.

In this section, pertinent aspects in the history of Durban and its present administration were chronologically reviewed. Due to the numerous and diverse developments that has taken place in the development of Durban and the Durban City Council, it was not possible to provide a detailed and complete inventory of each and every development herein.

4. THE BASIC FUNCTIONS OF LOCAL AUTHORITIES WITH SPECIFIC REFERENCE TO THE DURBAN CITY COUNCIL

Where people live together in a community they need goods and services which they cannot provide for themselves. While the community is still small and sparsely populated, their needs are few and comparatively simple. As the community expands and becomes more developed, their needs increase and correspondingly the services to be rendered. The agent responsible for the provision of these services is the local authority or municipality.

The basic functions of local authorities are the safeguarding of public health and the provision of services which are essential for communal life and various other amenities. The range of services which must be provided by local authorities, as well as those that can be provided is wide indeed and depends, to some extent, on the size of local authorities. The scope of local authority services in South Africa differs from that in England, Europe and the United States of America, mainly in that it does not include police (except traffic), education or social welfare ³⁷. These services are provided by central government departments.

The variety of the functions of South African local authorities are prescribed in the "general" local government ordinances of the four provinces, for example, chapter XI of the Natal Local Authorities Ordinance, 1974 (Ord. 25 of 1974) sets out the powers and duties of town councils in Natal. The functions prescribed to local authorities in terms of Provincial Ordinances and Acts of Parliament are diverse in nature and cannot easily be grouped together, but a very suitable classification was given by the United Municipal Executive in 1957 in an answer in connection with the functions of local authorities, submitted to the Borckenhagen Committee. The United Municipal Executive divided the functions as follows:

- i) Local functions, those arising directly from the close association of people in an area or which in some way or other are essentially or in general to the benefit of the persons living in the area concerned;
- ii) National functions, those services which are of a national or Provincial nature but which for convenience of administration or for historical or other reasons are exercised by local authorities; and

iii) Hybrid functions, those arising from close association of people in an area but which are largely to the benefit of persons living outside the local area, for example, art galleries and libraries ³⁸.

Cognisance must be taken of the fact that the functions of local authorities in South Africa cannot be seen in isolation from the other levels of authority, namely, the central and provincial levels. All three levels of authority are active in a particular municipal area. Local authorities deal necessarily with local interests, but must mainly, function under the authority of the provincial level of government and within the framework of the policy of the central government ³⁹.

It has been mentioned that the functions prescribed to South African local authorities are wide and diverse in nature. As a result, it is not possible to discuss each and every function that has been prescribed to local authorities in South Africa. Therefore, only some of the principal services which are provided by South African local authorities in general, and the Durban City Council in particular, are discussed hereunder:

4.1 THE CONSTRUCTION AND MAINTENANCE OF STREETS, PAVEMENTS AND STORM-WATER DRAINAGE

The building and maintenance of streets and pavements as well as storm-water drainage systems are usually the first services which must be provided in an urban area. Throughout the world these services are regarded as normal services of a local authority.

In the smaller local authorities gravel surfaces for streets and pavements are adequate, but in larger urban areas with heavy traffic, tarred streets and paved pavements become essential ⁴⁰.

In the case of the Durban City Council and in terms of the Councils revised departmental structure, the construction and maintenance of streets, pavements and storm-water drainage systems are functions of the Council's Physical Environmental Service Unit ⁴¹.

4.2 THE CONSTRUCTION OF PARKS, GARDENS, SPORTS GROUNDS AND RECREATIONAL AMENITIES

Since building stands (erven) in most residential areas are too small to satisfy the physical recreational needs of the residents, local authorities are required to reserve land for parks, gardens and sports grounds ⁴². The laying out and upkeep of parks and gardens is one of the major aesthetic services provided by local authorities ⁴³. With regard to recreational amenities, many South African local authorities provide and maintain swimming baths, soccer fields and golf courses.

In terms of section 264 (14) and (15) of the Natal Local Authorities Ordinance, 1974 (Ord 25 of 1974), a Town or City Council in Natal may:

- i) in any public place, establish, lay out, plant and improve for the public benefit, or any section thereof, public parks, gardens, squares, recreation grounds, boating establishments and open spaces;
- ii) acquire, establish and equip for the public benefit in any public park, garden or open space referred to in (i) above, recreation grounds, swimming baths, zoological gardens, botanical gardens, aquariums, and other similar things, and erect and equip in connection therewith,

pavilions, dressing rooms, lavatories and other conveniences and such other buildings with their necessary adjuncts as may be deemed necessary or convenient, with authority to prescribe charges for admission to any of such places or for the use of conveniences provided in connection therewith.

In the case of the Durban City Council and in terms of the Council's revised departmental structure, the functions pertaining to the construction of parks, gardens, sports grounds and recreational amenities are entrusted to the Council's Physical Environment Services Unit and the Council's Culture and Recreation Services Unit ⁴⁴.

4.3 REFUSE AND NIGHT-SOIL REMOVAL

Even in the smallest village the local authority must provide for the removal of refuse and night-soil in order to prevent unhygienic conditions and the piling of garbage. As a town expands, the removal or processing of garbage and night-soil become bigger undertakings requiring large capital expenditure and the employment of appropriately qualified personnel ⁴⁵.

Section 264 (26) of the Natal Local Authorities Ordinance, 1974 (Ord. 25 of 1974) provides that a Town or City Council in Natal may establish, equip and, subject to the provisions of section 310 of this Ordinance, carry out sanitary services for the removal, destruction or other disposal of night-soil, rubbish, carcasses of dead animals, and refuse of all kinds, and make charges for any such matters in accordance with prescribed tariffs of charges; and contract for the removal and disposal of garden and builders refuse and refuse from industrial and business premises, or otherwise effect such removal and disposal at special charges. In the Durban municipal area and in terms

of the City Council's revised departmental structure, the Council's Water and Waste Service Unit is responsible for the removal of refuse ⁴⁶. The night soil pail removal system was discontinued in Durban during the early part of the municipal year ended 30 June 1990 and replaced by a chemical closet system ⁴⁷.

4.4 THE PROVISION OF FIRE FIGHTING AND RESCUE SERVICES

Most larger South African local authorities provide fire fighting and rescue services. The provision of fire-fighting services does not only include the acquisition and maintenance of fire-fighting equipment, but also the provision and inspection of fire-hydrants and fire-alarms and the inspection of premises used by the public to ensure protection against fire ⁴⁸.

In terms of section 3 of the Fire Brigade Act, 1987 (Act 99 of 1987), a local authority may establish and maintain a fire brigade service according to prescribed requirements. Section 263(1) of the Natal Local Authorities Ordinance, 1974, provides that a Town or City Council in Natal may establish fire brigades and equip the same, and prescribe charges for the services of such brigades and the use of their equipment and appliances and for water used at fires, with authority to, inter alia -

- a) do and perform such things and services within the area of operation as it may think expedient for the preservation of health, life or property during or after a fire or casualty of any kind whatsoever; and
- b) attend to fires on properties situated outside the borough boundaries and to prescribe charges for rendering such services.

In the case of the Durban City Council and in terms of the Council's revised departmental structure, the provision of fire fighting services is now a function of the Council's Community Services Service Unit ⁴⁹.

4.5 WATER SUPPLY

When a new town is founded, fountains, streams, boreholes and wells could initially provide sufficient water for the limited number of residents. However, as the number of residents grows, a communal water supply scheme becomes essential. On expansion a town has to find funds for establishing reservoirs, purification works and a water reticulation system ⁵⁰.

According to section 140 of the Water Act, 1956 (Act 54 of 1956) a local authority shall, with the consent of the Minister, be entitled to construct and maintain any water works on or over any land for drainage purposes or for the purpose of conveying water to the area of jurisdiction of the said local authority for urban use in that area. In terms of section 266(1)(w) of the Natal Local Authorities Ordinance, 1974, a Town or City Council in Natal is empowered to make bylaws for the purpose of, inter alia, regulating the supply and distribution of water under the control and management of the council and preventing any wastage, excess use, misuse or contamination of any water supply.

In the case of the Durban City Council and in terms of the Council's revised departmental structure, functions relating to the supply and sale of water to the inhabitants of Durban is the responsibility of the Council's Water and Waste Service Unit ⁵¹.

4.6 ELECTRICITY SUPPLY

Throughout the world it has become standard practice for local authorities to provide and sell electricity to their inhabitants. In South Africa the provision of electricity by local authorities is subject to the provisions of the Electricity Act, 1987 (Act 41 of 1987), which also provides for the continued existence of the Electricity Control Board.

In terms of section 15(1) of the Electricity Act, 1987, the sale and supply of electricity within the area of jurisdiction of a local authority shall be under the control of that authority, except in so far as any undertaker has lawfully acquired the right of supply within that area or any portion thereof, whether under a licence or by agreement with the local authority or otherwise. Section 16 of the said Act makes provision for a Local Authority to erect a power station or to enlarge any existing power station, subject to the approval of the Electricity Control Board.

A Town or City Council in Natal is empowered in terms of section 266(1)(f) of the Natal Local Authorities Ordinance, 1974, to make bylaws for the purpose of, inter alia, regulating all matters relating to the supply and utilisation of electricity and gas within or outside the borough and prescribing the conditions of the supply and utilisation of and the connection and consumption charges for electricity and gas including fees in respect of inspection, testing and for other services related thereto that are undertaken by the local authority.

In the case of the Durban City Council and in terms of the Councils revised departmental structure, functions relating to the supply and sale of electricity to the inhabitants of Durban is the responsibility of the Councils Electricity Services Unit ⁵².

4.7 THE PROVISION OF HEALTH SERVICES

In terms of section 20 of the Health Act, 1977 (Act 63 of 1977), it is the responsibility of local authorities to keep areas under their control in as hygienic and clean condition as possible and to provide prescribed environmental health services. If a local authority fails to provide prescribed services the Minister of Health after consultation with the relevant Administrator can relieve the local authority of the health services. The Department of Health can then render the services concerned and recover the costs from the local authority. If the Minister of Health deems it necessary, a local authority has to appoint a medical officer and health inspectors for its area. The aforementioned Act states the duties of the medical officer and the local authority cannot dismiss him without the Minister's consent. To enable local authorities to appoint the required health personnel, the Department of Health subsidises the salaries of the personnel involved.

In addition to the Health Act, 1977, there are other Acts on health matters and their provisions require local authorities to undertake specific functions, for example, the Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965), and the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972).

In the bigger municipalities, such as Durban and Johannesburg, the provision of health and related services is a major undertaking requiring vast sums of money and the appointment of expert personnel ⁵³.

With regard to the Durban City Council and in terms of the Council's revised departmental structure, the provision of health services to the inhabitants of Durban is a function of the Council's Community Services Unit ⁵⁴.

4.8 THE PROVISION OF PUBLIC HOUSING

In South Africa, the idea that the main responsibility for housing the poorer sections of the community should rest upon local authorities was first embodied in the Housing Act, 1920 (Act 35 of 1920). This Act was largely influenced by the recommendations of the Government Housing Committee appointed by the (then) Minister of Public Works in 1919. The Committee argued that the responsibility for remedying the (then) existing housing shortage should be placed upon the local authorities concerned and that the local authorities should be required, in discharging that duty, to conform to a wise and liberal policy laid down by the State and the State on its part and in the interests of the community as a whole should supply whatever deficiencies of knowledge or financial means there may be on the part of the local authority ⁵⁵.

Although the Housing Act, 1920 has been altered and amended several times since 1920, the basic principle remains unchanged. The present Housing Acts ⁵⁶ of the houses of Parliament still places a direct responsibility on local authorities throughout the Republic, to provide housing for the various peoples and race groups who are resident within the area, and the State, through the National Housing Commission, provides the funds.

In the case of the Durban City Council and in terms of the Council's revised departmental structure, the Council's Community Services Unit is entrusted with the task of providing suitable housing ⁵⁷ for those inhabitants of Durban who require assistance in this regard, i.e., those who are unable to provide such accommodation for themselves by reason of comparatively low earning capacity, age, illness or other disability.

4.9 OTHER MUNICIPAL FUNCTIONS

In addition to the aforementioned functions, South African local authorities in general and Natal Town and City Councils in particular are empowered, inter alia, to -

- i) construct and maintain cemeteries and crematoria;
- ii) establish public libraries, museums and art galleries and purchase, inter alia, literary works, specimens and works of art for placing therein;
- iii) subject to the provisions of the Abattoir Commission Act, 1967 (Act 86 of 1967), establish slaughter houses and prohibit the slaughtering of animals for food at any place within the borough other than at a municipal slaughter house;
- iv) provide seating and other accommodation in public parks, gardens, squares, recreation grounds, swimming baths surroundings, and the like, and in public streets and public places;
- v) set aside any part or parts of the lands of the borough as a commonage or commonages for the pasturage of livestock;
- vi) establish ambulance services and equip the same and prescribe charges for their use, whether within or outside the borough; and
- vii) subject to the provisions of the Aviation Act, 1962 (Act 74 of 1962), and the regulations made thereunder, establish, maintain and manage aerodomes and related facili-

ties such as hangers, either within or outside, either by itself or jointly with any other local authority, and if with any other local authority, then upon such terms as may be mutually agreed; prescribe charges in connection therewith, including charges for admission on special occasions ⁵⁸; and

viii) provide passenger transport services. As this area is the primary focus of study of this dissertation, a detailed discussion of this function follows:

4.10 PASSENGER TRANSPORT SERVICES

In South Africa public rail transport services have traditionally been supplied by South African Transport Services (now Transnet), while urban road passenger services have been provided by local authorities or in some instances by private enterprise in accordance with agreements entered into with the local authorities concerned. During the last five years, especially, bus services have also been supplemented by privately-owned taxi services.

The development of road passenger services was generally regarded as a matter for the local authorities in the early days of urbanisation, while rail passenger suburban services concentrated on certain corridor movements, principally conveying workers to and from their places of employment ⁵⁹.

Prior to reviewing the municipal bus transport scenario in South Africa, it is deemed necessary to summarise the passenger transport responsibilities and functions of South African local authorities. These responsibilities and functions are, inter alia -

i) the provision of roads suitable for public transport;

- ii) the designation of efficient and convenient public transport routes during the planning stages of new townships;
- iii) the allocation of bus stops and provision of passenger shelters;
- iv) the subsidisation of passenger fares. Local authorities operating municipal bus transport undertakings are not compelled by legislation to subsidise the fares paid by their passengers. However, almost all the municipalities operating their own bus services subsidise the fares paid by passengers and also grant concessions to pensioners and scholars travelling on their buses. Therefore, traditionally in South Africa the fares on municipal buses have tended to be below the cost of the provision of the service;
- v) the provision of bus services ⁶⁰. South African local authorities are not compelled by legislation to provide bus services for their ratepayers. However, many local authorities, notably the larger Town and City Councils, have established passenger transport undertakings to provide a road passenger transport service for their ratepayers.

Before the Second World War there was little alternative for most people but to use public transport because the motor car was beyond the financial means of the majority of the population. For example, in 1930, there were only 135 000 cars in the (then) Union of South Africa, while approximately 2 000 buses, trolleybuses and trams provided the public road services. By the end of the Second World War in 1945, there were 290 000 cars in South Africa and approximately 3 000 buses, trolleybuses and trams.

During the next thirty years the growth in the motor car population soared, reaching the first million in the early sixties and two million by 1975. White bus patronage peaked during the fifties and thereafter began to decline as a direct result of the declining cost and the perceived convenience, flexibility and prestige of owning a motor vehicle. In South Africa especially, cheap fuel and low land prices (especially in White residential urban areas) encouraged urban sprawl favouring car usage and hampering cost effective bus services.

It must be noted that not everyone enjoyed the advantages of car ownership and as a consequent bus services were still important, but in many municipalities they became regarded more as social services to be subsidised by rate income. During the seventies the car population continued to rise, although the emphasis started to shift due to increasing vehicle ownership by Non-Whites. In this instance, however, it is the growth of the combi-taxi which now threatens to affect bus patronage ⁶¹.

Early history of the urban passenger transport industry in South Africa reveals that in numerous cases where municipalities are now the principal passenger transport authorities in their areas of jurisdiction, the transport undertakings were initially in the hands of private enterprise. Uncertain conditions of tenure and the unwillingness of private enterprise to embark upon costly conversion schemes from animal drawn trams to electric tramway systems without guaranteed long term agreements appear to have hastened the municipalisation of road passenger transport services ⁶², prior the the end of the Second World War.

Prior to the end of the Second World War in 1945, the local authorities listed hereunder were already operating municipal passenger transport services. The year of introduction of each local authorities' service is indicated in brackets.

- i) Benoni Town Council (1912)
- ii) Bloemfontein City Council (1915)
- iii) Boksburg Town Council (1925)
- iv) Brakpan Town Council (1922)
- v) Durban City Council (1899)
- vi) East London (1935)
- vii) Eshowe (1936)
- viii) Germiston Town Council (1914)
- ix) Johannesburg City Council (1904)
- x) Pietermaritzburg City Council (1904)
- xi) Pretoria City Council (1914)
- xii) Springs Town Council (1917) ⁶³.

As at 1 January 1991, 11 municipalities in South Africa, compared to 13 the previous year, were operating their own bus undertakings. The bus services run by the Nigel Town Council and the Daveyton City Council ceased operating. The names of those municipal transport undertakings operating services, the number of buses owned and the percentage of all municipal buses owned by each of them as at 1 January 1991 is tabulated in Table 1. Corresponding statistics as at 1 January 1990 is indicated in brackets.

TABLE 1: MUNICIPAL TRANSPORT UNDERTAKINGS AS AT 1 JANUARY 1991 ⁶⁴

NAME OF UNDERTAKING	NUMBER OF BUSES OWNED	PERCENTAGE OF ALL MUNICIPAL BUSES OWNED
Alberton Town Council	30 (42)	1.6 (1.9)
Bloemfontein City Transport	43 (43)	2.2 (2.0)
Boksburg Transport	28 (38)	1.5 (1.8)
Brakpan Transport	87 (116)	4.5 (5.4)
Durban's Public Transport Service Unit	654 (708)	34.1 (32.6)
East London City Transport	48 (53)	2.5 (2.5)
Germiston City Transport	57 (55)	3.0 (2.5)
Johannesburg Transport Department	439 (445)	22.9 (20.5)
Pretoria City Transport	419 (443)	22.0 (20.4)
Roodepoort City Transport	66 (67)	3.4 (3.1)
Springs Transport	45 (44)	2.3 (2.0)
	1 916	100

From the above statistics it can be deduced that, as at 1 January 1991:

- i) the largest undertaking in terms of fleet size is Durban Public Service Transport Unit;
- ii) Johannesburg, Pretoria and Durban operate over 400 buses each, the remaining eight undertakings operate less than 100 buses each; and
- iii) with the exception of Bloemfontein, Durban and East London, these undertakings are located in the PWV area.

All the undertakings, tabulated in Table 1, are controlled by the normal committee system except East London which is controlled by a Management Board. Durban also had a management board structure but its municipal passenger transport undertakings has since been taken back into direct municipal control.

Most of the undertakings, tabulated in Table 1, do not operate services outside their municipal boundaries, some operate totally within them. However, Alberton, Germiston and Roodepoort operate peak and off-peak services into Johannesburg and the municipal bus undertaking of Durban operates services to and from Pinetown. Pretoria has a significant part of its fleet operating solely on contract services and many of these buses are based outside the city. The Johannesburg Transport Department operates extensive services on behalf of the Randburg Town Council on a contractual basis and East London City Transport operates a limited service on behalf of the Beacon Bay municipality mainly catering for scholars. Since April 1989, Pretoria City Transport has operated two morning and two afternoon trips on behalf of the Akasia Town Council on two routes in central Pretoria ⁶⁵.

Those municipalities which were not operating their own bus undertakings as at 1 January 1991 have either:

- i) privatised their bus operations. For example, Welkom privatised its municipal bus operations in 1986; or
- ii) sold their bus operations to a parastatal transport undertaking. For example, the Pietermaritzburg City Council sold its municipal bus operations to Kwazulu Transport in 1988; or
- iii) allowed private operators and individuals to provide bus services for their ratepayers. For example, Sandton and the Cape Town City Council; or
- iv) allowed another local authority to operate bus services on their behalf. For example, Randburg where the Johannesburg Transport Department operates services on behalf of the former on a contractual basis ⁶⁶.

The total number of passengers carried annually by certain South African municipal transport undertakings, between 1986 and 1990, is tabulated in Table 2. In each case the percentage of all passengers carried by municipal transport undertakings is indicated in brackets.

TABLE 2: PASSENGERS CARRIED ANNUALLY BY SELECTED MUNICIPAL TRANSPORT UNDERTAKINGS IN SOUTH AFRICA ⁶⁷

MUNICIPAL TRANSPORT UNDERTAKING OF:	PASSENGERS CARRIED ANNUALLY (X 1 000)				
	1986	1987	1988	1989	1990
Alberton	1 629(0.7)	1 462(0.8)	1 460(0.8)	1 352(0.8)	1 130(0.8)
Benoni	5 161(2.3)	3 763(2.0)	3 160(1.8)	1 389(0.9)	-
Bloemfontein	1 282(0.6)	1 328(0.7)	1 405(0.8)	1 473(0.9)	1 631(1.2)
Boksburg	2 277(1.0)	2 124(1.1)	1 879(1.0)	1 647(1.0)	897(0.7)
Brakpan	10 383(4.8)	10 306(5.4)	9 747(5.5)	9 788(6.1)	7 798(5.8)
Durban	63 959(29.2)	60 153(31.7)	56 799(31.8)	56 345(34.9)	40 585(30.1)
East London	2 439(1.1)	2 281(1.2)	2 179(1.2)	2 200(1.4)	2 532(1.9)
Germiston	12 081(5.5)	1 909(1.0)	1 894(1.1)	1 851(1.1)	1 851(1.4)
Johannesburg	52 625(24.1)	50 061(26.4)	49 127(27.5)	47 498(29.5)	47 498(35.3)
Kempton Park	2 756(1.3)	2 591(1.3)	1 003(0.6)	1 030(0.6)	-
Nigel	4 583(2.1)	4 395(2.3)	5 770(3.2)	5 992(3.7)	-
Pietermaritzburg	20 601(9.4)	17 879(9.4)	12 408(6.9)	-	-
Pretoria	29 471(13.5)	28 209(14.9)	28 320(15.9)	27 340(17.0)	27 223(202)
Roodepoot	2 025(0.9)	2 062(1.1)	2 062(1.2)	2 174(1.4)	2 413(1.8)
Springs	1 422(0.7)	1 330(0.7)	1 240(0.7)	1 201(0.7)	1 083(0.8)
Welkom	6 043(2.8)	-	-	-	-
TOTAL	218 737	189 853	178 453	161 280	134 641

From the statistics in Table 2, it can be deduced that the passengers carried by the aforementioned municipal transport undertakings fell by 84.1 million (-38.4%) from 2187.7 million in 1986 to 134.6 million in 1990. Contributory factors were, inter alia, the cessation of services by Pietermaritzburg (-20.6 million) Welkom (-6.0 million), Benoni (-5.2 million), Nigel (-4.6 million) and Kempton Park (-2.8 million). This accounted for 47 percent of the total decrease in passengers carried annually by the aforementioned municipalities. In addition eight municipalities reported a decline in passenger numbers totalling 45.8 million, the most significant of these being Durban (-23.4 million) and Germiston (-10.2 million). Viewing this loss as a percentage of passengers carried by individual undertakings, the most severe losses were experienced by Germiston which lost 84.7 percent of its passengers after 1986 (closure of black service) and Boksburg (60.6%). Only three undertakings showed an increase in passengers carried, namely, Bloemfontein (0.3 million or 27.2%), Roodepoort (0.4 million or 19.1%) and East London (0.9 million or 3.8%).

Eighty six percent of the total number of passengers carried by the aforementioned undertakings in 1990, were carried by only three operators, namely, Johannesburg (35.3%), Durban (30.1%) and Pretoria (20.2%). Alberton, Boksburg and Springs each accounted for less than one percent of total number of passengers carried. Brakpan accounted for 5.8 percent with the remaining four operators each carrying between one and two percent of the total number of passengers carried annually by the aforementioned municipal transport undertakings ⁶⁸.

Other factors that could have contributed to the decline in the total number of passengers carried annually by the aforementioned municipal transport undertakings are, inter alia, the following:

- i) the increasing popularity of combi-taxi's and the increased use of private vehicles;
- ii) costs, quality and unreliability of certain municipal bus services; and
- iii) fixed routes and time-tables of certain municipal bus services.

Pertinent statistics relating to the municipal bus passenger services of the City Councils of Durban, Johannesburg, Pretoria and Bloemfontein for the year ended 30 June 1988 are tabulated hereunder:

TABLE 3

STATISTICS RELATING TO THE MUNICIPAL BUS PASSENGER TRANSPORT SERVICES OF THE CITY COUNCILS OF DURBAN, JOHANNESBURG, PRETORIA AND BLOEMFONTEIN FOR THE YEAR ENDED 30 JUNE 1988⁶⁹:

STATISTICS	DURBAN	JOHANNESBURG	PRETORIA	BLOEMFONTEIN
<u>POPULATION SERVED:</u>				
Whites	207 000	620 000	431 550	92 000
Blacks	735 000	170 000	-	-
Other Races	486 500	210 000	-	-
TOTAL	1 428 500	1 000 000	431 550	92 000
<u>AREA SERVED (km²)</u>				
	1 000	600	570	170
<u>DETAILS OF BUSES OWNED:</u>				
Double deck	-	353	122	-
Single deck	647	95	378	42
Bus trains	-	1	-	-
Articulated	-	1	-	-
TOTAL	647	449	500	42
<u>PASSENGER CAPACITY OF BUSES:</u>				
<u>SEATED:</u>				
Double deck	-	98*	} 29 399 #	-
Single deck	51*	52*		2 260 #
<u>STANDING:</u>				
Double deck	-	11*	} 8 720 #	-
Single deck	41*	28*		738 #
<u>TOTAL:</u>				
Double deck	-	109*	} 38 119 #	-
Single deck	92*	80*		2 998
<u>BUS DRIVERS:</u>				
<u>FULL TIME:</u>				
Whites	152	187	300	19
Other races	882	281	-	-
TOTAL	1 034	468	300	19
<u>PART TIME:</u>				
Whites	-	21	106	14
Other races	-	4	-	-
TOTAL	-	25	106	14

* - PASSENGER CAPACITY OF EACH BUS OPERATED

- TOTAL PASSENGER CAPACITY OF ALL BUSES OWNED

With specific reference to Natal, in terms of section 264(7) of the Natal Local Authorities Ordinance, 1974, a Town or City Council in Natal may:

- (a) subject to the provisions of the Motor Carrier Transportation Act, 1930 (Act 39 of 1930) ⁷⁰, establish a municipal transport service on, over or underground for the conveyance of passengers and parcels and conduct the same within or outside the borough; prescribe tariffs of charges for such conveyance based on distance or other circumstances; acquire by purchase or otherwise any existing public transport undertaking with the prior consent of the Administrator and subject to such terms and conditions as may be approved by him, and conduct the same or as part of the municipal transport service;
- (b) pay a subsidy to any other local authority or to any person or body approved by the Administrator in respect of the operation of a transport service; and
- (c) provide for fare concessions or similar assistance in respect of elderly, infirm, handicapped or similar persons according to such conditions as it may prescribe.

With specific reference to the operation of municipal passenger transport in Durban, the Durban City Council was authorised and empowered, in terms of chapter XVIII, section 179(1), of the Durban Extended Powers Consolidated Ordinance, 1976, to establish the Durban Transport Management Board (Hereinafter referred to as the DTMB) for the purpose of conducting, managing and controlling Durban's Transport Undertaking on behalf of the City Council. In July 1990, the Durban City Council decided to disband the DTMB and bring the Transport Undertaking under the control of a Committee of the City Council ⁷¹.

On 30 September 1990, the DTMB was disbanded⁷². In terms of the Durban City Council's revised Committee and Departmental organisational structure, the provision of road passenger transport services is now a function of the Council's Public Transport Service Unit.

From the foregoing, it can be noted that local authorities are empowered, in terms of Provincial Ordinances and Acts of Parliament, to render a variety of services to their particular communities. The nature and the extent of the services rendered are determined by internal and external considerations. As far as internal considerations are concerned the services rendered will be determined by the needs and expectations of the community as well as by the ability of the local authority to meet the demands. External considerations such as the policy of the Government regarding local government, as well as historical factors, will determine the functions and duties of local authorities⁷³.

The aforementioned are just a few of the common services which are provided by South African local authorities in general and Natal town and city Councils in particular. Due to the wide and diverse nature of the functions prescribed to South African local authorities, it was not possible to give a detailed inventory herein of the numerous functional activities of local authorities.

5. SUMMARY

In South Africa, local authorities constitute the third tier of government. These authorities have been established to promote the welfare of the local populace. They are empowered to provide a diversity of services, of which public road passenger or bus transport is one.

Public passenger transport in the metropolitan areas of South Africa is characterised by a mixture of bus, combi-taxi and rail services. The first mentioned is often diversely owned by either private or municipal undertakings whose corporate objectives are very different. The services provided by municipal bus undertakings are normally service orientated while the services provided by private bus operators are profit orientated.

Certain local authorities, especially the larger City Councils of Durban, Johannesburg and Pretoria, have since the beginning of this century played a dominant role in the provision of road passenger transport in South Africa.

In this chapter, the concept administration was explained within the context of municipal transport administration. Thereafter salient aspects pertaining to the development and administration of local government in Durban was chronologically reviewed. Certain functional activities of South African local authorities with specific reference to the Durban City Council were then discussed. Moreover, pertinent statistics relating to the municipal passenger transport operations of certain local authorities were tabulated herein.

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64. Compare South African Roads Board: Effects and implications of the Privatisation of Passenger Transport Undertakings, project report 88/65/2, CSIR, Pretoria, 1991, p. 6-7 and Smith, R.A.: Privatisation Database Update (1989), confidential report DPVT-C/64.3, CSIR, Pretoria, 1990, p. 7.
65. South African Roads Board, op.cit., pp. 7-6 - 6-8.

66. Department of Transport: Bulletin - Transport Information, vol 4, no. 3, September 1989, p. 5.
67. South African Roads Board, op.cit., p. 8-13.
68. Ibid, pp. 9-13 - 8-14.
69. Compare United Municipal Executive of South Africa, official South African Municipal Yearbook (1988), op.cit., pp. 322-324 and United Municipal Executive of South Africa, Official South African Municipal Yearbook (1989), op.cit., pp. 498-500.
70. The Motor Carrier Transportation Act, 1930 (Act 39 of 1930) has been repealed and replaced by the Road Transportation Act, 1977 (Act 74 Of 1977), Republic of South Africa: Report of the Department of Transport and of the National Transport Commission for the period 1 April 1988 to 31 March 1989, RP 90/1989, Government Printer, Pretoria, 1989, p. 117.
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73. Thornhill, C.: "Devolution of power to Local Authorities: Implications for the Municipal Councillor" in Coetzee, W.A.J. (ed): Orientation of Municipal Councillors and Municipal Officials in a new dispensation for Local Authorities, University of Durban - Westville, Durban, 1985, p. 64.

CHAPTER 3

LEGISLATIVE AND ADMINISTRATIVE PROVISIONS FOR BUS TRANSPORT ADMINISTRATION IN SOUTH AFRICA

1. INTRODUCTION

The legal and administrative framework for public transport in South Africa, developed over time in an ad hoc manner in response to the problems of the day. This has resulted in a plethora of laws relating to various aspects of road, air, rail and water transport. Presently, there are 15 major acts of Parliament ¹, hundreds of regulations promulgated under these Acts, numerous provincial ordinances and local authority bylaws that regulate the orderly and economic development of all aspects of public transport in South Africa.

Periodically, throughout the development and growth of the transport industry in South Africa, various commissions and committees of inquiry were appointed to investigate different aspects of transport and to make recommendations to solve certain transport related problems.

The legislative and administrative framework for bus passenger transportation in South Africa comprises, inter alia, of a number of acts of Parliament through which various bodies, such as the Local Road Transportation Boards and the National Transport Commission, are given certain powers and functions to perform with regard to the administration of bus transportation.

In this chapter, an overview is given of the terms of reference and major recommendations of two pertinent committees and commissions of inquiry that were appointed to investigate and report on, inter alia, certain aspects relating to bus passenger

transportation in South Africa. Thereafter the legislative and administrative provisions for bus transport administration are discussed.

2. COMMISSIONS AND COMMITTEES APPOINTED TO INVESTIGATE AND REPORT ON, INTER ALIA, BUS TRANSPORTATION IN SOUTH AFRICA

Since 1929, and especially during the past thirty years, numerous commissions and committees of inquiry had investigated and reported on various aspects of transport in the Republic of South Africa. Since each inquiry has dealt with a specific mode or aspect of transport ², only the following two are considered pertinent in terms of their findings and recommendations with regard to, inter alia, bus transport administration:

- i) The Committee of Inquiry into Urban Transport Facilities in the Republic; and
- ii) the Commission of Inquiry into Bus Passenger Transportation in the Republic of South Africa.

2.1 THE COMMITTEE OF INQUIRY INTO URBAN TRANSPORT FACILITIES IN THE REPUBLIC

In 1967 the Borckenhagen Committee investigating the functions of local authorities, their income and their financial relations with the Central Government and Provincial Administrations, stated that the major problem of financing modern urban and metropolitan road networks in order to provide efficient systems of mass passenger transport should be investigated by a special body of inquiry ³. As a result, the Committee of Inquiry into Urban Transport Facilities in the Republic, popularly known as the Driessen Committee, was appointed in March 1972 to implement

the undertaking given by the Government, in the White Paper on the Borckenhagen Reports to the effect that an inquiry would be conducted into the new demands being made on local authorities regarding the planning and financing of modern urban and metropolitan road networks in order to provide, inter alia, efficient systems of mass passenger transport. The decision of the Government to appoint the Driessen Committee was also, however, influenced by the development of the urban transport problem in the Republic, and in particular by indications that timely action would result in substantial savings at a later stage ⁴.

2.1.1 TERMS OF REFERENCE AND FIELD COVERED:

The Driessen Committee was requested in its terms of reference to submit a report and make recommendations on -

- (a) the problems affecting the planning and provision of adequate urban and metropolitan transport facilities in the Republic; and
- (b) the manner in which expenditure on the provision of urban transport facilities should be financed, taking into account the current and expected economic and financial conditions in the Republic.

The terms of reference also enjoined the Committee to submit, by the end of September 1972, an interim report in which broad guidelines would be provided for the directions in which it hoped to find the solution to the problems relating to urban transport in the Republic. Unfortunately, the Committee could not meet this deadline due to, inter alia, tardy reaction by certain organisations in providing information, receipt of inconsistent statistics which had to be sorted out, and time taken up by the preparation of new tabulations by the now Central Statistics Services.

This Committee interpreted its terms of reference to cover -

- i) urban transport problems in the major urban areas of the Republic, as these are the areas where the problems have become most acute;
- ii) the planning function in the provision of urban transport services, including broader aspects such as urban layout and metropolitan development in general;
- iii) the role that metropolitan, as opposed to municipal authorities, can play in the improvement of transport facilities and services;
- iv) the special problems posed by the transportation of the White as well as Non-White population groups; and
- v) the financing of urban transportation services and facilities on a sound basis and in accordance with principles which will promote the economic progress of the country in the immediate as well as the more distant future ⁵.

In summary, the terms of reference of the Driessen Committee was to inquire into, report on and to make recommendations in respect of the urban transport problems in the Republic of South Africa.

2.1.2 RECOMMENDATIONS OF THE DRIESSEN COMMITTEE RELATING TO BUS TRANSPORT ADMINISTRATION:

The Driessen Committee reported on the whole matter of urban transportation in the Republic of South Africa and made recommendations pertaining to, inter alia, land use and urban tran-

sport planning, the proper and adequate co-ordination and integration of the various urban transport services, parking space and facilities and bus, taxi and rail transport. For purposes of this sub-section only those recommendations relating to bus transport administration and which were accepted by the Government are summarised hereunder:

- i) The functions of the National Transport Commission should be extended to include the formulation of urban transport policies, and broad supervision over and co-ordination of all matters relating to urban transport in the Republic.
- ii) In order to ensure co-ordinated urban transport in a metropolitan area, a Metropolitan Transport Advisory Council should be established by the Administrator (of the Province) in any metropolitan area which merits such an organisation in the view of the Administrator as well as the National Transport Commission. Such a council should advise the Administrator on all aspects of the planning and co-ordination of urban transport within the area, and should also serve as a forum for an exchange of views on these matters by the three tiers of government, commerce and industry.
- iii) The expansion of taxi services must be regarded as a necessary adjunct to the development of more adequate public transport services, especially distribution services, in the major urban centres, but the number of licences which are issued in each centre for White and Non-White transport should be subject to continuous review in order to keep these as close to an optimum as possible. Taxis should be encouraged to operate on a roving basis in central areas, unless the saving of fuel or other factors should indicate otherwise.

- iv) The National Transport Commission should ensure that proper and adequate provision is made for the expansion of bus and other transport services for Whites and Non-Whites in the urban transport plans submitted to it for approval. Full cost comparisons with other modes of transport should be made when new, or expansions in, bus services are contemplated.

- v) Bus transport should be accorded preference in urban traffic control systems through the introduction of exclusive bus lanes or streets, closing of roads to car traffic during peak hours or for longer periods, contraflow use of one-way by buses, special robot and traffic signalling, and other devices.

- vi) In addition to the above, the Government accepted the following two recommendations on the subsidising of bus transport:
 - (a) Grants amounting to 25 per cent of the costs of capital equipment and 30 per cent of the cost of land and construction of roads and related amenities, such as bus depots, required to replace and improve bus facilities under approved urban transport plans, may be authorised by the National Transport Commission. Such grants should not, however, be payable for equipment and facilities used solely for services which are already subsidised by the Government. This recommendation was accepted with the proviso that the recommended subsidy percentages be provisionally reduced by half; and

 - (b) a subsidy of 20 per cent on current revenue should be paid on public urban bus services which are not already subsidised by the Government, provided that such undertakings -

- b.i) keep full sets of books and prepare properly certified statements;
- b.ii) charge fares approved by the National Transport Commission;
- b.iii) run services which are part of an approved metropolitan transport plan; and
- b.iv) fully observe Government policies.

The above recommendation was accepted by the Government because it contributed directly towards lower priced public transport. It was recommended that this subsidy should, however, be payable in metropolitan areas where approved transport plans are applied ⁶.

Those recommendations of the Driessen Committee which the Government accepted were incorporated into the Urban Transport Act, 1977 (Act 78 of 1977) ⁷. This Act is discussed in detail later in this chapter ⁸.

2.2 THE COMMISSION OF INQUIRY INTO BUS PASSENGER TRANSPORTATION IN THE REPUBLIC OF SOUTH AFRICA:

The Commission of Inquiry into ~~Bus~~ Passenger Transportation in the Republic of South Africa, popularly known as the Welgemoed Commission, was appointed on 11 September 1981 ⁹, to investigate, report on and make recommendations on certain aspects of bus passenger transportation in the Republic of South Africa.

2.2.1 TERMS OF REFERENCE

The Welgemoed Commission was requested in its terms of reference to inquire into, report on and make recommendations regarding the following aspects of bus passenger transportation in the Republic of South Africa:

2.2.1.1 TARIFFS

2.2.1.1.1 The effectiveness or otherwise of the (then) existing procedure followed with regard to the consideration of applications for tariff adjustments;

2.2.1.1.2 the basis of tariff determination;

2.2.1.1.3 the announcement and implementation of tariff adjustments;

2.2.1.1.4 the desirability of tariff adjustments on an individual basis and only within certain areas at certain times or alternatively by a uniform country-wide tariff increase more than once a year; and

2.2.1.1.5 the effect of tariff increases within the Republic of South Africa on interstate areas.

2.2.1.2 SUBSIDIES

2.2.1.2.1 The subsidisation of bus commuters and whether it is at all necessary and desirable;

2.2.1.2.2 if the subsidisation referred to in 2.2.1.2.1 is found to be necessary and desirable -

2.2.1.2.2.1 the basis of subsidisation;

2.2.1.2.2.2 the procedure for the application and uniform calculation of subsidies; and

2.2.1.2.2.3 the payment of subsidies,

with due regard to the existing and proposed sources.

2.2.1.3 FUTURE POLICY

2.2.1.3.1 Energy supply;

2.2.1.3.2 urban planning and facilities for buses and their passengers;

2.2.1.3.3 the supply, standardisation and maintenance of plant;

2.2.1.3.4 forms of management and policy determination;

2.2.1.3.5 ownership and policy relating to operating objectives;

2.2.1.3.6 the desirability of complementary activities and the way these fit in with operating objectives; and

2.2.1.3.7 interstate transportation.

2.2.1.4 The effect of taxis on the bus industry and the laying down of guidelines in this regard.

2.2.1.5 The necessity of the security of the bus industry in the interests of South Africa.

- 2.2.1.6 The desirability of a co-ordinating body or bodies for the various metropolitan areas.
- 2.2.1.7 The desirability of establishing a national bus transportation corporation;
 - 2.2.1.7.1 the method of establishing such a corporation;
 - 2.2.1.7.2 the manner in which such a corporation should be controlled, managed and operated;
 - 2.2.1.7.3 the respective interests of the State, private enterprise and the user of bus services in such a corporation; and
 - 2.2.1.7.4 the financial contributions by the State, local authorities and employers to such a corporation.
- 2.2.1.8 GENERAL
 - 2.2.1.8.1 Any other matter which may be assigned to the Commission by the (then) Minister of Transport Affairs ¹⁰.

2.2.2 RECOMMENDATIONS OF THE WELGEMOED COMMISSION

The Welgemoed Commission took approximately 18 months to complete its investigations. During this period the Commission submitted to the State President, two interim reports and a final report on its findings and recommendations.

In the two Interim Reports and the Final Report, the Welgemoed Commission made more than 100 recommendations and proposals with regard to its terms of reference. Only those recommendations of this Commission which were accepted, in principle, by the Go-

vernment, in the White Paper on National Transportation Policy, are reviewed hereunder:

- 2.2.2.1 An analysis of the First Interim report of the Welgemoed Commission ¹¹ and the White Paper on National Transportation Policy ¹², reveals that none of the recommendations contained in the First Interim Report were accepted, in toto, by the Government, except that the co-ordination of bus passenger transportation should be encouraged;
- 2.2.2.2 With regard to Tariffs and Subsidies, which is the subject of the Welgemoed Commission's Second Interim Report, the Government accepted, in principle, the following recommendations:
 - 2.2.2.2.1 The Form of Application for Tariff Determinations should be made uniform and the statistics required from operators should be written in a Code of Procedure.
 - 2.2.2.2.2 A mechanism for consultation between the user and the authorities be established.
 - 2.2.2.2.3 The determination and adjustment of salaries and wages should be more in line with the general bus industry.
 - 2.2.2.2.4 Tariff systems should be simplified and through-ticketing should be encouraged.
 - 2.2.2.2.5 Tariff increases should be done on as wide a basis as possible, more than once a year and the reasons for the increases should be spelled out.
 - 2.2.2.2.6 The passenger and not the (bus) undertaking should be subsidised.

- 2.2.2.2.7 The economic fare and the ability of the passenger to pay should be the basis on which subsidies should be determined.
- 2.2.2.2.8 A uniform subsidy or subsidy calculation should not be used countrywide.
- 2.2.2.2.9 Travellers inside the independent and the national states should be subsidised via their own budgets, but that commuters travelling to the Republic of South Africa should be subsidised through the Department of Transport.
- 2.2.2.2.10 The Tariffs and Subsidy Division of the Department of Transport should continually examine better ticketing systems and techniques for possible implementation ¹³.
- 2.2.2.3 In respect of future policy, taxi's, security and the desirability of a National Bus Corporation, which are the subjects of the Welgemoed Commission's Final Report, the Government accepted the following recommendations:
- 2.2.2.3.1 With regard to energy supply the Government agreed that fuel saving measures should be encouraged, that it (the Government) should ensure that fuel remains available for public transport, that the public bus industry is of strategic importance and that funds should be made available to promote better bus transport utilisation.
- 2.2.2.3.2 With reference to the desirability of linking urban transport and land use planning and the planning of facilities for buses and their passengers, the Government agreed that every effort should be made to take into account the safety of the passengers and the needs of the mass transportation operators in planning these facilities.

- 2.2.2.3.3 With regard to the desirability of standardizing plant, it is the Government's view that in consultation with all parties, the Division of Tariffs and Subsidies of the Department of Transport should continue to investigate possibilities leading to uniformity of ticket equipment and procedures. In response to the Commission's recommendation that necessary funds should be made available by the Government for continued research in connection with the setting of minimum bus standards, the Government had made money available for this purpose. Furthermore, the Government agreed that technical instrumentation that can promote safety should be made compulsory for bus undertakings whose passengers are subsidised and that extreme care should be taken that the abovementioned measures do not involve substantial cost increases.
- 2.2.2.3.4 With reference to recommendations 49 and 50 of the Welgemoed Commission's Final Report, the Government agreed that bus companies should be encouraged to take proper steps to protect their property, such as bus depots and equipment, and should be compelled to maintain certain minimum service standards to eliminate friction and frustration.
- 2.2.2.3.5 With respect to the desirability of establishing a national bus transportation corporation, the Government accepted that State ownership of bus transportation undertakings should be limited and that a national bus transportation corporation is not desirable ¹⁴.

Although the aforementioned recommendations of the Welgemoed Commission were accepted, in principle, by the Government, legislation for their implementation has not yet been enacted by Parliament.

In spite of previous inquiries and the findings and recommendations of the Driessen Committee and the Welgemoed Commission, South Africa still does not have a formal national policy with regard to bus passenger transportation.

3. LEGISLATIVE AND ADMINISTRATIVE PROVISIONS FOR BUS TRANSPORT ADMINISTRATION IN SOUTH AFRICA:

At present, municipal passenger transport undertakings operate within the framework of provincial ordinances and the legislative, regulatory and administrative structures and procedures embodied in certain general road and urban transport legislation enacted by Parliament. In accordance with the provisions of certain acts of Parliament, various institutions, boards and commissions are assigned various powers and functions with regard to bus transport administration. Therefore, the legislative and administrative provisions for bus transport administration are discussed simultaneously herein.

In the proceeding sub-sections, only those acts of Parliament which contain provisions relating to aspects of municipal bus transport administration are chronologically discussed. Thereafter an overview is given of the Durban Extended Powers Consolidated Ordinance, 1976 (Ord. 18 of 1976), which, for purposes of this study, is one of the more important provincial ordinances relating to municipal bus transport administration in Durban in particular. Bylaws are not discussed herein because an analysis of various bylaws, of city and town status local authorities in Natal, reveal that no bylaw has been enacted for the purpose of directly controlling or regulating municipal bus passenger transportation.

3.1 ACTS OF PARLIAMENT:

The South African Parliament has not yet enacted any transport legislation which pertains entirely to bus passenger transportation. However, provision is made in, inter alia, the following three acts of Parliament for the administration and regulation of road transportation, which by definition, includes bus passenger transportation ¹⁵.

- i) Road Transportation Act, 1977 (Act 74 of 1977).
- ii) Urban Transport Act, 1977 (Act 78 of 1977).
- iii) KwaZulu and Natal Joint Services Act, 1990 (Act 84 of 1990).

In addition to discussing the aforementioned Acts of Parliament, an overview is given of the draft Passenger Transport Bill.

3.1.1 ROAD TRANSPORTATION ACT, 1977 (ACT 74 OF 1977):

In the (then) Union of South Africa, the first legislation that was designed to control and regulate the movement by road of both passengers and goods was the Motor Carrier Transportation Act, 1930 (Act 39 of 1930). However, in the light of the tremendous industrial and commercial growth which had taken place in South Africa, especially after World War II, and the developments in the passenger transport industry, the Motor Carrier Transport Act of 1930 became outdated and a new transport statute had therefore become necessary. This new transport statute was the Road Transportation Act, 1977 (Act 74 of 1977) which replaced the old Motor Carrier Transportation Act, 1930 ¹⁶.

3.1.1.1 SUMMARY OF THE ACT

The following three definitions of Section 1 of the Road Transportation Act, 1977 is of paramount significance to bus transport administration:

- i) a Bus means a motor vehicle designed or adapted for the conveyance of more than nine persons, including the driver. This definition also incorporates Combi Taxi's which have a carrying capacity of approximately 15 passengers.

- ii) Road Transportation is defined as being (with various exceptions) -
 - (a) the conveyance of persons or goods on a public road by means of a motor vehicle for reward;

 - (b) the conveyance of persons or goods on a public road by means of a motor vehicle in the course of any industry or trade or business;

 - (c) the conveyance of persons on a public road by means of a hired bus; and

 - (d) the conveyance of goods on a public road by means of a hired motor vehicle.

- iii) Road Transportation Services means a transportation service operated over a public road, by means of a motor vehicle and for reward, under a road carrier permit.

Since, the operation of a bus (and taxi) passenger transportation service, that is, the conveyance of persons for, inter alia, reward on a public road, is covered by the aforementioned definitions, the term bus passenger transportation is substituted, where relevant, for road transportation in the following discussion on the Road Transportation Act, 1977.

Within the Republic of South Africa, its mandated territories and homelands, control of bus passenger transportation is exercised through the Road Transportation Act, 1977. This Act enables the Minister of Transport, acting upon the recommendations of the National Transport Commission, to make and enforce regulations relating to bus passenger transportation and, among other things, to declare any area to be a local road transportation area¹⁷. In addition, provision is made in the Road Transportation Act, 1977 for, inter alia, general powers of the National Transport Commission, the establishment, constitution and powers of Local Road Transportation Boards, bus tariff increases and the granting of public road carrier permits for the conveyance of persons for reward or for hire or in the course of any industry, trade or business on a public road.

3.1.1.2 POWERS AND FUNCTIONS OF THE NATIONAL TRANSPORT COMMISSION:

The National Transport Commission was established, as a body corporate capable of suing and being sued, by Section 3 of the Transport (Co-ordination) Act, 1948 (Act 44 of 1948). Its mandate is to promote and encourage the development of transportation and to co-ordinate various phases of transportation in order to provide the most advantageous and economical transport services for the public. The creation of this Commission was motivated by a desire to rationalise the control of all forms of transportation under the auspices of an all embracing body¹⁸.

The powers and functions of the National Transport Commission are, inter alia, to -

- i) investigate any matter relating to bus passenger transportation in the Republic of South Africa and submit recommendations thereon to the Minister of Transport;
- ii) consider and give a decision on, or otherwise deal with -
 - (a) any application for the grant of a road carrier permit to operate a bus passenger transport service; and
 - (b) any application for the renewal, amendment or transfer of a road carrier permit granted by it;
- iii) refer any application mentioned in (ii) above to a competent board for consideration and decision by the latter;
- iv) issue any road carrier permit granted, renewed, amended or transferred by it;
- v) at any time cause an inquiry to be instituted into the financial circumstances and operating practices of the holder (individual or company) of a public road carrier permit which authorises the conveyance of persons by means of a bus;
- vi) delegate, to a Local Road Transportation Board, any of its powers under the Road Transportation Act, 1977, in regard to any matter in the transportation area for which such a Board was established or in any area outside that Transportation area ¹⁹;

- vii) consider and either reject or uphold any appeals, lodged with the Commission, against any decision of a Local Road Transportation Board with regard to the granting, renewal, amendment or transfer of a road carrier permit ²⁰; and

- viii) advise and direct Local Road Transportation Boards in the exercise of their powers and the performance of their functions ²¹.

In addition to the above, the National Transport Commission's functions include the administration of, inter alia, the Black Transport Services Act, 1957 (Act 53 of 1957) and the Transport Services for Coloured Persons and Indians Act, 1974 (Act 28 of 1974) ²².

From the aforementioned, it is evident that the powers (and functions) of the National Commission are investigatory, adjudicatory and delegatory in nature.

3.1.1.3 LOCAL ROAD TRANSPORTATION BOARDS

For each local road transportation area that is declared by the Minister of Transport in terms of section 2(a) of the Road Transportation Act, 1977, a Local Road Transportation Board has to be established in terms of section 4(1) of the said Act. At present, the Republic of South Africa is divided into 10 local road transportation areas, namely, Durban, Pietermaritzburg, Pretoria, Johannesburg, Potchefstroom, Bloemfontein, Cape Town, Port Elizabeth, East London and Kimberley ²³. For each of these areas a Local Road Transportation Board has been established.

3.1.1.3.1 POWERS AND FUNCTIONS OF LOCAL ROAD TRANSPORTATION BOARDS:

A Local Road Transportation Board is empowered to, inter alia -

- i) investigate, in the transportation area for which it is established, any matter relating to, inter alia, bus passenger transportation and submit recommendations thereon to the National Transport Commission;
- ii) consider and give a decision on, or otherwise deal with, in accordance with the provisions of the Road Transportation Act, 1977, any application made to it for -
 - (a) the grant of a road carrier permit authorising bus passenger transportation within the transportation area for which such Local Road Transportation Board is established;
 - (b) the grant of a road carrier permit authorising bus passenger transportation which commences and terminates in the transportation area of a Local Road Transportation Board but does not commence at any place or in any area outside that transportation area;
 - (c) the grant of a road carrier permit authorising bus passenger transportation which commences in the transportation area of a Local Road Transportation Board and also in any other transportation area, irrespective of where such transportation terminates; and

- (d) the renewal, amendment or transfer of any road carrier permit granted by it;
- iii) consider and give a decision on, or otherwise deal with any application referred to it by the National Transport Commission. In terms of this power, provision is made for a Local Road Transportation Board to function outside of its transportation area;
- iv) issue any road carrier permit granted, renewed, amended or transferred by it ²⁴; and
- v) consider and give a decision on, or otherwise deal with any application pertaining to, inter alia,
 - i) bus tariff increases ²⁵;
 - ii) bus routes ²⁶;
 - iii) desegregation on buses, and
 - iv) the conveyance of passengers (including the conveyance of employees by employers) by bus between points in the Republic of South Africa and neighbouring States ²⁷.

An analysis of the powers and functions of the National Transport Commission ²⁸ and the Local Road Transportation Boards reveals that there is a certain amount of overlapping in the powers and functions of these two bodies.

3.1.1.4 PUBLIC ROAD CARRIER PERMITS

Prior to describing the procedure that is to be followed for the granting, amendment, transfer or renewal of a public

road carrier permit, it is necessary to define such a permit. With regard to bus passenger transportation, a public road carrier permit can be simply defined as a statutory authorisation which must be obtained, by a bus operator for each of his buses before such buses can legally convey passengers, on a public road for reward or for hire or in the course of any industry, trade or business. In other words all bus undertakings, whether private or municipal, must apply for permits to function as a bus operator (a copy of an application form to obtain a public or private road carrier permit is attached as Annexure B).

In terms of section 13 of the Road Transportation Act, 1977 the National Transport Commission or a Local Road Transportation Board can consider and give a decision on any application for the grant, renewal, amendment or transfer of a public road carrier permit.

Any person who desires to undertake any bus passenger transportation service must apply, in the prescribed manner, to the National Transport Commission or relevant Local Road Transportation Board for the grant of a public permit authorising him to undertake such a service. A holder of a public road carrier permit must also apply in a prescribed manner, to the National Transport Commission or Local Road Transportation Board for the renewal or amendment of a public road carrier permit. In addition, any person who desires to take transfer of a public road carrier permit must apply to either of the two aforementioned bodies.

Before the application for the grant, amendment, transfer or renewal of a public road carrier permit is considered, the particulars of such an application must be published in the Government Gazette. Within 21 days after such publication

any person who desires to object to or support the published application must submit representations to the National Transport Commission or a Local Road Transportation Board, as the case may be. Any person who submits representations objecting to an application is entitled to inspect free of charge and to make copies of the completed application form of the applicant, together with any other document which the applicant has submitted with his application form. A person objecting to an application is allowed to present his objections at the hearing of such an application.

Before granting a public road carrier permit authorising the regular conveyance of persons for reward within the area of jurisdiction of a municipal council, city or town council or prior to amending such a permit by altering the points between which or the route or routes upon which the bus to which the public road carrier permit relates may be used in road transportation, the National Transport Commission or the relevant Local Road Transportation Board affords the municipal, city or town council concerned an opportunity to submit representations in regard to the points between which and the route or routes upon which such a bus may be used and in regard to any condition which may be applied to the road carrier permit. In addition, the South African Transport Services is given the opportunity of furnishing any information regarding any new railway services, within the area to which the public road carrier permit relates or between the points or over the routes upon which the bus to which the permit relates may be used²⁹.

In deciding whether an application for the grant, renewal, amendment or transfer of a public road carrier permit is granted or refused, and in determining if any conditions or requirements needs to be attached to such permit, the National Transport Commission and Local Road Transportation Boards take into consideration, inter alia, the following factors:

- i) The extent to which the transportation to be provided is necessary or desirable in the public interest.
- ii) The requirements of the public for transportation within the area or along the route or between the points in or over or between which the applicant proposes to operate.
- iii) The existing transportation facilities available to the public in that area or over that route or between those points, whether or not there will be a saving in the consumption of petroleum fuel resulting from the intended bus transportation service and if there will be no such saving, whether or not justification exists, in all the circumstances of the case, for the consumption of petroleum fuel which the intended bus transportation service will occasion.
- iv) Any new railway service which has been planned or is contemplated for the conveyance of persons within that area or over that route or between those points upon which the bus to which the public permit relates may be used.
- v) The co-ordination of all forms of transportation, including transportation by rail, on an economically sound basis and with due regard to the public interest.
- vi) The ability of the applicant to provide, in a manner satisfactory to the public, the transportation for which such permit is sought.

- vii) Any previous conviction of the applicant of an offence in terms of the Road Transportation Act, 1977, and any other failure by the applicant as an operator of bus transportation.
- viii) The existence of any prohibition, limitation or restriction imposed by law on the use of motor vehicles in any area or on any street or road on the route on which the applicant proposes to operate.
- ix) Any representations duly submitted in connection with the application.
- x) Any other factors which, in the opinion of the National Transport Commission or the Local Road Transportation Board concerned, may affect the question of whether it is desirable to grant such application or to attach, or vary, any condition or requirement to such permit.

When an applicant applies for a public road carrier permit to undertake bus passenger transportation services within an area or over a route or between two or more points already served by existing transportation facilities, the onus is upon the applicant to prove, inter alia, that:

- i) existing transportation facilities are not satisfactory and sufficient to meet the transportation requirements of the public in that area or between those points;
- ii) he has the ability to provide, in a manner satisfactory to the public, the transportation for which the public road carrier permit is sought; and

- iii) he belongs to the same Class as the majority of the persons to be served by the transportation service for which the permit is sought and it is in the interests of such persons that he is granted the public road carrier permit ³⁰.

After careful consideration of all factors and representations with regard to any application for the grant, renewal, amendment or transfer of a public road carrier permit, the National Transport Commission or the Local Road Transportation Board, as the case may be, can:

- i) grant such application in full, or
- ii) grant such application in part, or
- iii) grant such application in full or in part subject to such conditions or requirements as it may deem necessary; or
- iv) refuse such application ³¹.

Note must be taken of the fact that it is a criminal offence to operate any bus passenger transportation service without, or in contravention of any condition that is attached to, a public road carrier permit.

3.1.1.5 BUS TARIFF INCREASES

With regard to public road carrier permits where the tariff for the conveyance of passengers is stipulated, whenever it becomes necessary for a bus operator to increase his tariffs he has to submit an application for the amendment of that permit, to the Local Road Transportation Board, giving details of why such an increase is necessary.

Prior to the promulgation of the Road Transportation Act, 1977, when application was made for the amendment of tariffs stipulated on a public permit, publication in the Government Gazette and consequently a public hearing was only necessary when in the opinion of the Local Road Transportation Board, another transport facility was likely to be adversely affected by such an application. However, in terms of section 14 of the Road Transportation Act, 1977, it is obligatory for the Local Road Transportation Board to publish particulars of such a tariff increase in the Government Gazette. Furthermore, section 3(1)(g) of the aforementioned Act provides for the possibility of an independent cost investigation being called for by the National Transport Commission, by experts, where tariff increases in bus services are applied for. In addition, section 15(4) of the Road Transportation Act, 1977, makes provision for the report or document prepared as a result of the cost investigation to be withheld from any "interested person" who may be opposing the tariff application before the Local Road Transportation Board.

Applications for tariff increases are decided upon by the Local Road Transportation Boards, if no subsidy is involved. However, where a subsidy is involved the application is referred to the Tariffs and Subsidies Division of the Department of Transport for a decision. Where a tariff is not stipulated on a public permit, holders of such permits can increase their tariffs as and when economic considerations dictate and amendments to such permits are not necessary when tariffs are increased.

Since it normally takes about 3 months before an amendment to the tariff stipulated in a public permit can be approved, section 12A of the Road Transportation Act, 1977, makes

concession for the tariffs to be increased at any time after an increase in the price of petroleum fuel in the Republic of South Africa. This allows the holder of a public road carrier permit to recover his increased expenditure on petroleum. The tariff cannot be increased by more than 10 percent and application for the amendment of the relevant public permit must be submitted within 10 days of the increased tariff coming into effect.

Cognisance must be taken of the fact that although applications for the grant, amendment, renewal or transfer of a public permit can be submitted to either the National Transport Commission or a Local Road Transportation Board, in terms of the Road Transportation Act, 1977, the National Transport Commission will only consider an application if, in its opinion, the applicant has provided good and sound reasons as to why such an application should not be decided upon by the relevant Local Road Transportation Board ³².

According to Barnard ³³, the Road Transportation Act, 1977, will serve as a blue print for the implementation of a system of gradual movement towards freer competition in the transport of goods and passengers while still accepting to a degree, as a principle, a measure of control to avoid an over supply of transport facilities over routes and in areas.

3.1.2 URBAN TRANSPORT ACT, 1977 (ACT 78 OF 1977):

The statutory framework for the co-ordinated development of adequate transportation systems for South Africa's metropolitan areas is provided by the Urban Transport Act, 1977 ³⁴. This Act has its origin in the Report of the Committee of Inquiry into Urban Transport Facilities in the Republic and the subsequent White Paper by the Government accepting the main recommendations of this Committee.

3.1.2.1 SUMMARY OF THE ACT

The purpose of the Urban Transport Act, 1977, is to promote the planning and provision of adequate urban transport facilities, to provide for the establishment of certain transport funds, metropolitan transport areas and metropolitan transport advisory boards and for the preparation and implementation of urban transport plans, and to provide for matters connected therewith.

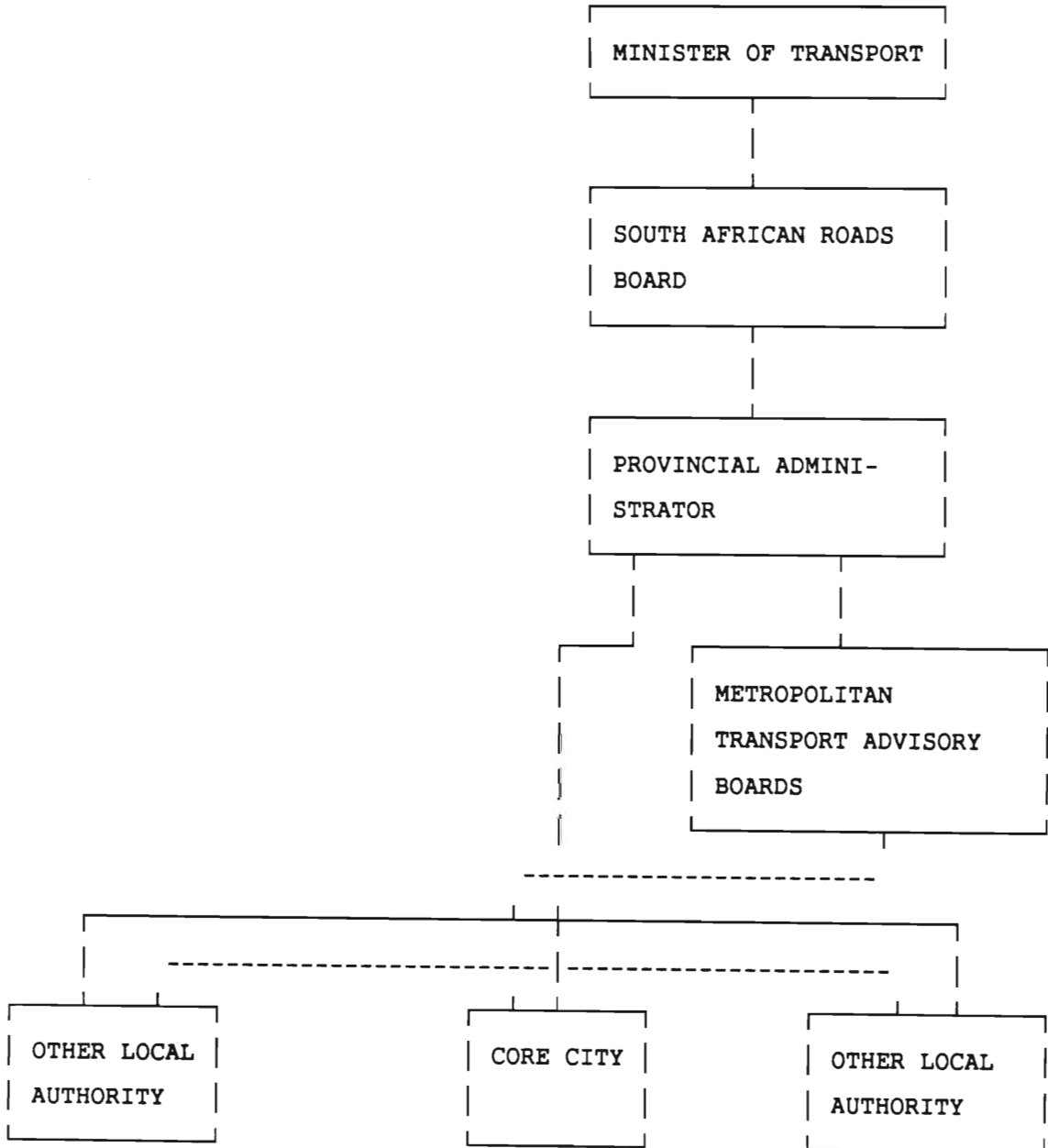
With regard to bus passenger transport administration, one of the more significant attributes of the Urban Transport Act, 1977 is that provision is made for financial assistance to bus transport undertakings³⁵.

Since the functions and powers conferred to the National Transport Commission by sections 5 and 6 of the Urban Transport Act, 1977, have now been transferred to the South African Roads Board by Section 3 of the Transport Deregulation Act, 1988 (Act 80 of 1988), reference is made to the South African Roads Board instead of the National Transport Commission in the preceding discussion on the Urban Transport Act, 1977.

3.1.2.2 ADMINISTRATIVE ORGANISATION:

As mentioned, the Urban Transport Act, 1977, was enacted to promote the planning and provision of adequate transport facilities and services. As depicted in Figure 1, this Act involves the Minister of Transport, the South African Roads Board, provincial administrators, metropolitan transport advisory boards and local authorities in its administration.

FIGURE 7: DIAGRAM DEPICTING THE PRINCIPAL PERSONS AND BODIES THAT ARE INVOLVED IN THE ADMINISTRATION OF THE PROVISIONS OF THE URBAN TRANSPORT ACT, 1977:



With reference to Figure 1, the Minister of Transport declares a metropolitan transport area upon the recommendation of the South African Road Board following consultations with the concerned provincial administrator. This metropolitan transport area may include the areas of a number of local authorities, in which one of them is designated the core city. For each metropolitan transport area that is declared, a Metropolitan Transport Advisory Board is appointed in accordance with section 12 of the Urban Transport Act, 1977. One of the functions of a Metropolitan Transport Advisory Board is to advise the Administrator on the preparation of a transport plan by the core city in conjunction with the other local authorities within that metropolitan transport area. The Administrator then submits the metropolitan transport plan to the South African Roads Board for approval and funding through the Urban Transport Fund ³⁶.

3.1.2.3 METROPOLITAN TRANSPORT ADVISORY BOARDS

At present, there are eight declared Metropolitan Transport areas in the Republic of South Africa, namely, Durban, Pretoria, Johannesburg, Port Elizabeth, Cape Town, Pietermaritzburg, Bloemfontein and the East Rand ³⁷. For each of these declared areas, a Metropolitan Transport Advisory Board has been appointed.

The functions of Metropolitan Transport Advisory Boards are, inter alia, to:

- i) advise their respective Administrator on matters regarding transport in their metropolitan area;

- ii) advise their respective Administrator on the determination or alteration of the limits of their metropolitan transport area;
- iii) at the request of their respective Administrator conduct any study in relation to transport and advise their Administrator on the preparation of a transport plan, by the local authorities, of an area or portions of areas that are included in their metropolitan transport area;
- iv) promote the co-ordination of transport in their metropolitan transport area including the introduction of staggered working hours; and
- v) make recommendations to their respective Administrator concerning the utilisation of moneys made available from the Urban Transport Fund for the implementation of any transport plan ³⁸.

In addition to the aforementioned functions, the role of a Metropolitan Transport Advisory Board is to investigate and plan all aspects and modes of transport for all race groups in its respective metropolitan transport area ³⁹. With regard to bus passenger transport administration, the transport planning efforts of Metropolitan Transport Advisory Boards and their respective core cities and local authorities have been directed at, inter alia,

- i) the erection of, and improvements to, bus terminals, bus depots and bus shelters;
- ii) the construction of bus lanes;

- iii) the surfacing of major bus routes; and
- iv) bus demonstration projects ⁴⁰.

The aforementioned projects of Metropolitan Transport Advisory Boards illustrates the significant role played by these Boards in the provision and upgrading of, inter alia, bus facilities and infrastructure. Cognisance must be taken of the fact that Metropolitan Transport Advisory Boards are also concerned with traffic control projects and the planning, building and upgrading of major arterials and railway facilities.

3.1.2.4 SOUTH AFRICAN ROADS BOARD

As mentioned, the functions and powers previously performed by the National Transport Commission in terms of the Urban Transport Act, 1977 have now been transferred to the South African Roads Board. With regard to bus passenger transport administration, one of the more pertinent powers transferred to the South African Roads Board is to "ensure that public passenger transport has preference in any urban traffic regulative system in any manner it may think fit" ⁴¹. In terms of this power, the South African Roads Board, in approving transport plans would have to ensure that transport plans, prepared by a core city in collaboration with its Metropolitan Transport Advisory Board, gives consideration to the abovementioned preference in the form of, inter alia, bus priority lanes.

In addition to the abovementioned, the functions and powers of the South African Roads Board, are inter alia, to:

- i) in any metropolitan area, regulate and control the formulation and application of an urban transport policy which is in its opinion efficacious;
- ii) co-ordinate and supervise all matters concerning urban transport in the Republic;
- iii) by itself or in collaboration with or through the National Institute for Transport and Road Research or any other person or authority -
 - (a) ensure that research in connection with urban transport matters is co-ordinated on a national basis; and
 - (b) do research or cause research to be done, or make any other investigation or cause any other investigation to be made, in connection with urban transport planning or traffic control or any other matter which in the opinion of the Board will promote the objects of the Urban Transport Act, 1977;
- iv) consult with interested organisations and local authorities in order to ensure that adequate provision is made for any foreseeable increase or change in urban transport facilities needed, and in relation to any population group;
- v) consider and approve a properly prepared transport plan, in relation to a metropolitan transport area, which has been submitted to it by any Administrator; and

- vi) recommended, to the Minister of Transport, the introduction of legislation regarding any matter connected with urban transport or urban traffic control and which in the opinion of the Board will promote the objects of the Urban Transport Act, 1977 ⁴².

With regard to the abovementioned powers and functions, the South African Roads Board is deemed to be the successor of the National Transport Commission.

3.1.2.5 ESTABLISHMENT AND ADMINISTRATION OF THE URBAN TRANSPORT FUND

The Urban Transport Fund was established by the National Transport Commission in accordance with section 8(1) of the Urban Transport Act, 1977. By virtue of section 3 of the Transport Deregulation Act, 1988, the South African Roads Board is responsible for the administration of this fund.

Section 8 of the Urban Transport Act, 1977, provides that moneys for the Urban Transport Fund shall be paid from -

- i) the amount of any contribution for which the South African Roads Board is liable in terms of the provisions of the National Roads Act, 1971 (Act 54 of 1971);
- ii) Monies appropriated by Parliament for this Fund;
- iii) interest on invested cash balances belonging to this Fund; and

- iv) any other money received by the South African Roads Board in terms of or for the purposes of the Urban Transport Act, 1977.

The South African Roads Board is entitled to utilize money in the Urban Transport Fund to, inter alia -

- i) make a grant, for the promotion of transport planning, to any Administrator or local authority for defraying a specified part of the cost involved in conducting or preparing a transport study, investigation or plan;
- ii) make a grant to a local authority for defraying a specified part of the cost of equipment and land as well as the cost of establishing road facilities and incidental facilities for the improvement of bus passenger service facilities that are required in terms of an approved transport plan. A local authority is eligible for this grant in order to defray a part of the expenses it has incurred for, inter alia, the erection of, or improvements to bus shelters, bus depots and bus terminals that are required in terms of an approved transport plan;
- iii) defray a specified part of the expenditure incurred by the National Institute for Transport and Road Research in connection with urban transport research (which includes research into bus operations and services); and
- iv) make a grant to any person conducting, in any metropolitan transport area, a bus passenger transport service, provided that such service is not subsidised by the State ⁴³.

The last mentioned purpose for which money from the Urban Transport Fund can be used is controversial in the sense that the majority of private bus operators provide a passenger service for predominately Non-white commuters and are thus eligible for a State subsidy in terms of the Black Transport Services Act, 1957 and the Transport Services for Coloured Persons and Indians Act, 1974. Thus, it is mostly White bus operators and bus departments and undertakings of local authorities such as Pretoria, Johannesburg, Roodepoort and Durban who qualify for this grant in respect of their White passengers.

In accordance with, inter alia, section 5(e) of the Urban Transport Act, 1977, the Transport Operations Group of the National Institute for Transport and Road Research has conducted research into, inter alia, bus ridership, bus operations, bus subsidies, satellite commuting, bus priority schemes and the organisational structure of transport ⁴⁴. It is envisaged that research conducted by the National Institute for Transport and Road Research will enable, inter alia, bus operators to improve the efficiency of their undertakings and also the quality of service provided to their commuters.

3.1.3 KWAZULU AND NATAL JOINT SERVICES ACT, 1990 (ACT 84 OF 1990)

A Joint Services Board, established in terms of section 4 of the KwaZulu and Natal Joint Services Act, 1990, can be defined as a statutory, autonomous multiracial local government body that is responsible for the development and provision of certain specified municipal services on a bulk and regional basis, within the area comprising the Province of Natal and that part of KwaZulu which falls outside the said Province ⁴⁵.

Section 4(1)(B) of the KwaZulu and Natal Joint Services Act, 1990, provides in part, that a Joint Services Board "shall be a juristic person and shall in respect of its region be charged with such functions or any part of a function mentioned in Schedule 2" of this Act. One of the 22 functions mentioned in Schedule 2 is that of passenger transport services. This means that the Administrator of Natal can, by notice in the Government Gazette, identify bus passenger transport services as a regional function to be provided by a Joint Services Board in its particular region. To date, the provision of bus passenger transport services has not been identified as a regional function of any Joint Services Board.

If in the future, the provision of bus passenger transport services is identified as a regional function, the Joint Services Board to which this function is entrusted would have to provide bus passenger transport services to all its constituent local authorities. This Joint Service Board would have to establish a bus transport department or undertaking or the bus transport department of a constituent local authority, together with its funds and personnel, can be transferred to this Board. The Joint Services Board would now be responsible for the administration and operation of this bus transport department.

Funds for the administration and operation of this bus transport department would come from, inter alia, the following sources:

- i) Regional services levies on the salary or wage of each employee, paid by employers, within a region.
- ii) Establishment levies based on the turnover of businesses (including commercial banks, building societies and insurance companies) and industry in the region.

- iii) Fines for contraventions in terms of the KwaZulu and Natal Joint Services Act, 1990 in the region of jurisdiction of the Council ⁴⁶.

- iv) Income to be derived from providing the bus transport service itself in the form of, inter alia, bus fares and Government subsidies in terms of the Black Transport Services Act, 1957; the Transport Services for Coloured Persons and Indians Act, 1974 and the Urban Transport Act, 1977.

The provision and utilisation of personnel, the determining of work procedures, the formulation and implementation of policy and organisational arrangements in respect of a Regional Bus Transport Department would be the responsibility of the Joint Services Board providing a bus passenger transport service.

It is envisaged that Joint Services Boards and Regional Services Councils ⁴⁷ will play a significant and active role in the provision of regional bus passenger transport services in terms of the provisions of the draft Passenger Transport Bill which is reviewed in the preceding section.

3.1.4 AN OVERVIEW OF THE DRAFT PASSENGER TRANSPORT BILL

The draft Passenger Transport Bill was prepared in order to bring transport policy in line with national policy objectives such as, inter alia, devolution of power, deregulation and privatisation. This Bill was one of the pieces of legislation which resulted from the investigations and recommendations of the National Transport Policy Study and the subsequent White Paper on National Transport Policy.

The purpose of the Passenger Transport Bill is, inter alia, to provide for the planning, co-ordination and subsidisation of passenger transport, and for that purpose to provide for the declaration of passenger transport regions, the designation of passenger transport authorities, the formulation and implementation of regional passenger transport plans and the establishment of regional passenger subsidisation funds, and to provide for matters connected therewith ⁴⁸.

The definition of a bus, in section 1 of The Road Transportation Act, 1977, has been amended, in section 1(vii) of the Road Traffic Act, 1989 (Act 29 of 1989), to mean a motor vehicle designed or adapted for the conveyance of more than 16 persons, including the driver. In the draft Passenger Transport Bill, this amended definition of a bus is retained.

Cognisance must be taken of the fact that the draft Passenger Transport Bill does not differentiate between the various modes of passenger transport (such as bus and rail) or the type of passenger transport service (public or private).

According to the provision of this Bill, Regional Services Councils and Joint Services Boards will be declared as Passenger Transport Authorities. As such these Councils and Boards will have to draw up regional passenger transport plans for their areas of jurisdiction. In addition, provision is made for the establishment of regional subsidisation funds out of which Regional Services Councils and Joint Services Boards will be able to subsidise passenger transportation in their respective passenger transport regions. Money to be paid into regional subsidisation funds will come from Regional Services Council and Joint Services Boards levies and/or from the Central Government through the Central Subsidisation Fund which will be esta-

blished in terms of this Bill ⁴⁹. This proposed function of Regional Service Councils and Joint Services Boards is in accordance with recommendation 5.3.4.2 of the National Transport Policy Study Steering Committee. This recommendation which was accepted, in principle, by the Government is quoted hereunder:

"It is recommended that they (Regional Service Councils) control public transport (including subsidies). Subsidies are paid primarily out of levies raised by the (Regional Service Council), but also, on application through the relevant Provincial Administrator, by the Central Government ⁵⁰.

In areas where there is no Regional Service Council or Joint Services Boards, a local authority may be declared a Passenger Transport Authority.

The Passenger Transport Bill empowers the Administrator of a Province to, inter alia:

- i) declare passenger transport regions,
- ii) designate passenger transport authorities,
- iii) prescribe the form and manner of regional passenger transport plans and approve such plans, and
- iv) apply to Parliament for money in respect of regional subsidisation funds.

This Bill makes provision for Regional Passenger Authorities to, inter alia,

- i) prepare and implement regional passenger transport plans,

- ii) determine where, in their respective transport regions, passenger transport services are needed,
- iii) subsidise regional passenger transport, and
- iv) control passenger transport facilities in their regions ⁵¹.

In terms of the Passenger Transport Bill, it would no longer be compulsory for bus operators to obtain a public road carrier permit for each of their buses before they can legally convey passengers. Instead, provision is made for anyone to operate a bus passenger transport service as long as they comply with the following 3 safety requirements in accordance with the provisions of the Road Traffic Act, 1989:

- i) The driver of each bus must have a valid professional driving permit;
- ii) each bus must have a Roadworthy Certificate; and
- iii) the bus operator must be registered as an operator for each of his buses. Upon registration and the payment of the prescribed fee, the bus operator would be issued with an operator card for each bus for which he is the registered operator. The original operator card must be displayed on each bus ⁵².

At present, the provisions of the draft Passenger Transport Bill are being considered by the Minister of Transport. Indications are that this Bill will not be tabled in Parliament before 1992.

3.2 PROVINCIAL ORDINANCES

Each province is administered by an Administrator and an Executive Committee who are empowered to draft Ordinances for assent by the State President. With regard to local authorities, the purpose of Ordinances are, inter alia, to delegate and grant certain powers and functions to local authorities and also to regulate and control the functions and services provided by local authorities within their province. One such Ordinance is the Durban Extended Powers Consolidated Ordinance, 1976 (Ord. 18 of 1976) which, in respect of the City of Durban, provides for, inter alia, the qualification and enrolment of voters, biennial elections, terms of office and remuneration of councillors, the utilisation of the Public Improvement Fund and the sale of capital assets and expenditure in respect of employees and councillors.

3.2.1 THE DURBAN EXTENDED POWERS CONSOLIDATED ORDINANCE, 1976 (ORD. 18 OF 1976)

The Durban Extended Powers Consolidated Ordinance 1976, is the only Provincial Ordinance that is discussed herein, primarily, because it has particular relevance to the subject matter of this dissertation. Chapter XVIII of this Ordinance is of importance in that it, inter alia, confers certain powers to the Durban City Council in relation to public transport and also provides for the establishment of a Transport Management Board.

In the following sub-sections, a synopsis of Parts 1 and 2 of Chapter XVIII of the Durban Extended Powers Consolidated Ordinance, 1976 is given.

3.2.1.1 CHAPTER XVIII - PART 1

With regard to bus passenger transportation, the provisions of Part 1 of Chapter XVIII of the Durban Extended Powers Consolidated Ordinance, 1976, empowers and authorises the Durban City Council to, inter alia,

- i) sub-let its transport undertaking or any section thereof to any person for a period not exceeding seven years, but with a right to give renewal, on terms to be agreed upon, within the last six months of each period of seven years;
- ii) amend or alter bus fares, scales of fares and stages and to prescribe from time to time fresh bus fares, scales of fares and stages and also to prescribe different fares, scales and stages for different routes, times of day and classes of persons;
- iii) designate stopping places for buses along prescribed bus routes by erecting and maintaining suitable signs indicating that such places are bus stops; and
- iv) erect and maintain shelters for use at any bus stop or bus rank ⁵³.

3.2.1.2 CHAPTER XVIII - PART 2:

Part 2 of Chapter XVIII of the Durban Extended Powers Consolidated Ordinance, 1976, which, inter alia, provided for the establishment of the Durban Transport Management Board is briefly discussed under the following sub-headings:

- i) Composition of the DTMB.
- ii) Rules.
- iii) Delegation of powers.
- iv) Contracts.
- v) Abolition of the DTMB.

3.2.1.2.1 COMPOSITION OF THE DTMB

Section 180 of the Durban Extended Powers Consolidated Ordinance, 1976, provided that the DTMB should consist of the General Manager of the Durban City Council's Passenger Transport Undertaking and not more than six or less than four persons whose qualities and qualifications warrant, in the opinion of the Durban City Council, their appointment. In addition, two members of the DTMB may be councillors, unless the total membership of the DTMB is less than six members, in which case only one councillor may be appointed.

3.2.1.2.2 RULES

The Durban City Council could, from time to time, make rules dealing with all or any of, inter alia, the following matters pertaining to the DTMB:

- (a) The functions, duties and proceedings of the DTMB.
- (b) The functions and duties of the General Manager, the Acting General Manager, the Chairman and the Acting Chairman and the appointment and tenure of office of the Acting General Manager and Acting Chairman.

- (c) The appointment, tenure and conditions of office, remuneration and the functions and duties of the members and temporary members of the DTMB as well as their disqualification and removal from office.
- (d) The financial relations between the Durban City Council and the DTMB.
- (e) The limitation of expenditure by the DTMB in relation to estimates approved by the Durban City Council.
- (f) The utilisation by the DTMB of the services of the Durban City Council's departments and vice versa and the maintenance of co-ordination between the DTMB and such departments.
- (g) The delegation by the DTMB of any of its powers, functions and duties ⁵⁴.

3.2.1.2.3 DELEGATION OF POWERS

Section 182 of the Durban Extended Powers Consolidated Ordinance, 1976, provided that the Durban City Council could from time to time, by resolution, delegate to the DTMB all or any of its powers, other than the power to make bylaws, in relation to all or any of, inter alia, the following matters:

- (a) The conduct, management and control of Durban's Municipal Passenger Transport Undertaking.
- (b) The engagement, promotion, grading, discharge, retirement, punishment, suspension, dismissal and reinstatement of employees and generally all matters pertaining to the management, control and discipline of such employees of the Transport Undertaking.

- (c) The making of rules prescribing the duties, privileges and conditions of service of officers and other employees of Durban's Transport Department.
- (d) Applications to and objections to applications made to the National Transport Commission and the Local Road Transportation Boards, appeals from decisions of such Transportation Boards and the appointment and authorisation of employees and members of the DTMB to represent the Durban City Council before such Transportation Boards and the said Commission.

3.2.1.2.4 CONTRACTS

In terms of section 183 of the Durban Extended Powers Consolidated Ordinance, 1976, and subject to certain provisions, the DTMB was authorised to enter into contracts on behalf of and in the name of the Durban City Council for the supply of goods required for the DTMB, and for any work, undertaking or service so required, and for the disposal of movable assets of the DTMB. These powers had been delegated to the (then) General Manager of Durban's Transport Department, subject to the provisions of Rule 12 of the DTMB Rules ⁵⁵.

3.2.1.2.5 ABOLITION OF THE DTMB

Section 187 of the Durban Extended Powers Consolidated Ordinance, 1976 provided that the DTMB could not be abolished or dissolved except upon a resolution, of the Durban City Council, and which had to be passed by the majority of the whole number of councillors at a meeting which had to be held at least two weeks after the meeting at which notice to move such a resolution was given. On 30 September 1990, the DTMB was disbanded ⁵⁶. In terms of the Durban City Council's revised Committee and Departmental organisational structure ⁵⁷ the provision of municipal bus passenger transport services in Durban is now a function of the Council's Public Transport Service Unit.

In the Province of Transvaal, the City Councils of such local authorities as Pretoria, Johannesburg and Springs which have bus transport departments are empowered by section 132(1) of the (Transvaal) Local Government Ordinance, 1939 (Ord 17 of 1939), to make, alter and revoke bylaws for "maintaining and regulating any service of motor omnibuses or other vehicles, drawn or propelled by animal, mechanical, or electric power, which may be established by the council". In other words, local authorities, in Transvaal, are empowered to establish and operate bus passenger transport services in terms of the aforementioned Ordinance. Section 264(7) of the Natal Local Authorities Ordinance, 1974 (Ord. 25 of 1974), which empowers a town or city council in Natal to establish a municipal transport service, was reviewed in chapter 2 ⁵⁸.

4. SUMMARY

Bus passenger transportation is an integral and indispensable element in South Africa's passenger transport system and has a substantial effect on the general economic and social development of this country. This statement is reinforced by the fact that nearly 2 million people travel daily by bus in South Africa ⁵⁹ and are dependent on bus transport for getting to and from their places of work. In spite of the aforementioned and, inter alia, the investigations and recommendations of the Driessen Committee and the Welgemoed Commission of Inquiry, no formal legislation in respect of bus passenger transportation has been enacted as yet by the South Africa Parliament. In essence, the regulatory and administrative machinery for bus passenger transport administration is provided for in general road and urban transport legislation. As mentioned, certain legislation grant certain powers and functions to the National Transport Commission and various boards and institutions with regard to bus passenger transport administration.

With the possible promulgation of the draft Passenger Transport Bill in 1992, it is hoped that national guidelines will be developed simultaneously in order to assist Joint Services Boards and Regional Services Councils in formulating their own transport policies.

In this chapter, the recommendations of the Driessen Committee and the Welgemoed Commission of Inquiry that were accepted, in principle, by the Government were reviewed. Thereafter, the legislative framework and administrative structures for bus passenger transport administration in South Africa was discussed. Finally, an overview was given of the provisions of the Durban Extended Powers Consolidated Ordinance, 1976 that relate to the DTMB.

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42. Ibid, sections 5-6.
43. Ibid, section 10.
44. Morton, I.: "The Role of the Transport Operations Group of the N.I.T.R.R.: Major areas of research and possible applications", Municipal Administration and Engineering, vol, 43, no. 512, April 1978.
45. In the Provinces of Transvaal, Cape and Orange Free State, Regional Services Councils, which in virtually all respects are the same as Joint Services Boards, have been established in terms of Section 3 of the Regional Services Councils Act, 1985 (Act 109 of 1985).
46. See section 16 of the KwaZulu and Natal Joint Services Act, 1990 (Act 84 of 1990).
47. See footnote Number 45.
48. Bosman, J.: The Passenger Transport Bill and Regulations, Paper delivered at the Annual Symposium of the Natal Traffic Co-ordination Committee at Pinetown on 7 June 1989, unpublished.
49. Interview with Dr. Johan Bosman, Consultant to the Department of Transport on Passenger Transport Matters, on 11 June 1990.
50. Republic of South Africa, White Paper on National ..., op.cit., p. 45.
51. Bosman, op.cit.
52. See sections 41, 62 and 74 of the Road Traffic Act, 1989 (Act 29 of 1989).

53. See sections 170 - 175 of the Durban Extended Powers Consolidated Ordinance, 1976 (Ord. 18 of 1976).
54. Ibid, section 181.
55. (i) Durban Transport Management Board: Rules, Durban Transport Management Board, Durban, 1990, p. 11; and

(ii) See Annexure C.
56. Questionnaire submitted to, and completed by, Durban's Transport Department, 1990, unpublished.
57. Supra, p. 78.
58. Supra, p. 77.
59. Streicher, M.: "Passasiersvervoer- die toekoms ?", Momentum, vol. 5, no. 4, Spring 1989.

CHAPTER 4

THE ESTABLISHMENT AND DEVELOPMENT OF MUNICIPAL PASSENGER TRANSPORT SERVICES IN DURBAN DURING 1870 - 1990

1. INTRODUCTION

To date there has been no legal compulsion for local authorities in South Africa to provide passenger transport services to their residents. By the end of the nineteenth century, however, most medium-sized municipalities had perceived an obligation in this direction, except in towns where private operators were providing road passenger transport services. In several instances, services started by private enterprise were taken over by the local municipality. This was the case, for example, in Pretoria, Johannesburg and Durban, whose Councils acquired the private tramway systems. These networks were extended by the municipalities, who then proceeded to develop their own bus services to operate in conjunction with or to replace the trams ¹. After 1900, numerous South African local authorities, including Welkom, Benoni, Kempton Park, Alberton, Pietermaritzburg and Bloemfontein became directly involved in the provision of road passenger services within, and in some cases outside, their areas of jurisdiction. Some of those local authorities which chose not to provide a passenger transport service have either allowed private sector operators or another local authority to provide passenger transport services within their areas of jurisdiction.

Presently, public road passenger transport in the Durban municipal area is provided by, *inter alia*, the Durban City Council and a large number of private bus and combi-taxi operators.

In this chapter, the development of municipal passenger transport in Durban is traced by focusing on the early Tramway Companies and the Durban Municipal Passenger Transport Undertaking under the control of both the Durban City Council's then Electricity Committee and the (then) DTMB. Reference is also

made herein to, inter alia, the various modes of road public transport that were used in the development of Durban's municipal transport system, the various routes that were served and the number of passengers that were carried annually on Durban's public transport vehicles.

2. THE EARLY TRAMWAY COMPANIES

The necessity for some system of public conveyance between the town centre of Durban and the Point was first met in the early 1870's by the institution of a private horse-drawn omnibus service operating between Grey Street and the Point, at a fare of six pence. In addition, by 1883, the route from Berea to the town centre of Durban was served by two private horse-drawn omnibus services ². These public transport vehicles were, however, short-lived and were phased out with the introduction of horse-drawn trams in Durban.

In 1879, the Durban Tramways Bill was introduced in the (then) Natal Legislative Assembly to authorise and empower the Durban Tramways Company, Limited, to construct tramways along the Berea Road, West Street, the Point Road and other principal streets of Durban, and to work the same with cars (trams) and animal power for the conveyance of passengers and parcels and to contract with the (then) Town Council of Durban for the use of the streets and roads of the Borough. This Bill was passed into law and became known as the Durban Tramways Law No. 19 of 1880. Subsequent to the enactment of this Law, the Durban Tramways Company, Limited, leased from the (then) Town Council of Durban, for a period of twenty-one years, the use of the Borough roads. In 1881, this Company commenced operation over a route extending from Russell Street to the Point.

In 1885 the Suburban Tramways Law No. 18 of 1885 was passed. This Law empowered a second private company, the Suburban Tramways Company, Limited, to construct Tramways along the Berea

Road, Musgrave Road Extension, Sydenham Road, Umbilo Road and other roads and streets within the town and suburbs of Durban, and to work such tramways with cars (trams) and carriages drawn by animal power, or driven by steam or other motive power, for the conveyance of passengers and parcels. In terms of this Law, the Suburban Tramways Company, Limited, was further empowered to contract with the (then) Town Council of Durban for the use of streets and roads and also with the Durban Tramways Company, Limited, for running rights over the lines of the latter Company.

The Suburban Tramways Company, Limited, commenced operations in 1885. Its route extended from Field Street along Berea Road and Musgrave Road to Sydenham Road. A part of this route necessitated running over a portion of the tram-lines owned by the Durban Tramways Company. For this privilege, the latter Company levied a toll of four pence per trip.

The aforementioned two companies continued to operate separately until 1890 when they amalgamated and became known as the Durban Borough Tramway Company, Limited. Upon the amalgamation of the two Companies, it became necessary to amend the Durban Tramways Law No. 19 of 1880 and the Suburban Tramways Law No. 18 of 1885 in respect of certain provisions which were at variance with one another, particularly in regard to motive power.

The Suburban Tramways Law made provision for the use of animal power or steam or other motive power whilst under the Durban Tramways Law only animal power was permitted. The necessary amendments were duly effected and incorporated in the Durban Borough Tramways Amendment Law No. 16 of 1892.

In November 1894, the Durban Borough Tramway Company had extended its lines from Musgrave Road to Toll Gate.

3. DURBAN'S ELECTRICITY COMMITTEE CONTROLLED MUNICIPAL PASSENGER TRANSPORT UNDERTAKING:

Prior to the establishment of the Durban Transport Management Board in 1952, the control and management of Durban's municipal passenger transport undertaking was the responsibility of the Council's Electricity Committee. This Committee was also responsible for the control and management of Durban's Electricity, Telephone and Fire Departments ⁴.

In the following sub-sections, the active role played by Durban's Electricity Committee Controlled Municipal Passenger Transport Undertaking in the development of Durban's municipal passenger transport system is discussed.

3.1 THE ENTRANCE OF THE (THEN) TOWN COUNCIL OF DURBAN INTO THE FIELD OF TRAMWAY OPERATIONS

In 1891, the Town Council Tramways Law No. 23 of 1891 was enacted. This law empowered the (then) Town Council of Durban to construct and work tramways within the Town of Durban and the suburbs thereof and to sub-let the said tramway or any section thereof and to enter into agreements with the Durban Borough Tramways Company, Limited, for running powers over their respective lines ⁵.

The entrance of the (then) Town Council of Durban into the field of tramway operation heralded a period of greater tramway development in Durban. Under powers conferred by Law No. 23 of 1891, the (then) Town Council of Durban constructed and opened the Florida horse-drawn tramway, in 1892. The capital cost of 11,955 pounds was met by advances from the Public Improvement Fund. The Council constructed a further tramway from Berea Road along Umbilo Road to McDonald Road at a cost of 1,806 pounds. This tramway, which was opened in July 1895, was leased to the Durban Borough Tramways Company for seven years at a rental of

five percent, on the capital cost. In October 1898, the Council opened a further tramway line to Stamford Hill at a cost of 5,159 pounds. The total tramway mileage in Durban was then 10 miles, of which $5\frac{1}{4}$ miles were owned by the (then) Town Council of Durban ⁶.

3.2 THE MUNICIPALISATION OF TRAMWAYS IN DURBAN:

In January 1893 the (then) Town Council of Durban entered into negotiations with the Durban Borough Tramways Company for the purchase of its undertaking but at that time the Company's offer to sell its assets to the Town Council for the sum of 77,000 pounds was considered excessive and no agreement eventuated. With the completion of the Municipal Electric Power Station in June 1897, the desirability of municipalising the entire tramway system and equipping it with electric traction was brought forward again. Consequently, a Special Committee of the Town Council was appointed to negotiate for the purchase of the Company's undertaking. As a result of the Special Committee's negotiations, agreement was reached at a figure of 114,000 pounds and the entire tramway system was taken over by the (then) Town Council of Durban on 1 August 1899 ⁷. On this date, the Durban Municipal Passenger Transport Undertaking was established.

At the date of municipalisation of the Durban Passenger Transport System there were no fewer than five tramway laws in existence containing varying provisions which gave rise to difficulties and rendered the workings of the newly municipalised undertaking difficult and complicated. Steps were subsequently taken to amend the various laws and consolidate them into one Act. This was accomplished by the passing of the DURBAN MUNICIPAL TRAMWAYS LAWS CONSOLIDATED ACT, 1905 (Act 37 of 1905). This Act was described as the parent statute under which the Durban Municipal Passenger Transport Undertaking operated.

3.3 THE CONVERSION OF DURBAN'S TRAMWAYS TO ELECTRIC TRACTION:

Immediately after the acquisition of the Durban Borough Tramways Company's undertaking, the (then) Town Council of Durban commenced converting the tramways to electric traction. On 1 May 1902 the first section equipped for electric traction was opened for traffic and other sections were soon completed.

On 25 September 1903, the last horse tram was drawn over the Umbilo route.

Until the outbreak of the first World War in August 1914, the Durban Municipal Tramway (Passenger Transport) Undertaking enjoyed a period of increasing prosperity and steady development. The major extensions to the electric tramway system between 1904 and 1914, are illustrated in the following table:

TABLE 4: MAJOR EXTENSIONS TO THE DURBAN ELECTRIC TRAMWAY SYSTEM AND THEIR CORRESPONDING COST:

EXTENSION	YEAR OF CONSTRUCTION	COST (POUNDS)
Lancers Road - Umbilo	1904	23 400
Churchill Road - Umgeni	1907	17 500
Mitchell Road - Botanic Gardens	1908	5 500
Umbilo Road - Bulwer Park	1909	5 500
Musgrave Road - Overport	1912	12 726
Beach - Marine Parade	1914	2 500
Caldwell's Farm Extension	1914	8 056

During the war years, 1914 to 1918, the (then) Town Council of Durban adopted a policy of restricting capital development to an absolute minimum with the result that during this period tramway services were severely curtailed.

During 1918 the large bogie (or double-deck) tramcar with its greater seating capacity was introduced to meet the demand for faster travel. At this stage the number of electric tramcars in Durban was 91. By a process of development according to traffic demand, the number of tramcars in operation in Durban had increased to 120 in 1930 ⁹.

After the First World War, the financial position of the Durban Municipal Passenger Transport Undertaking continued satisfactorily until 1920-21 when, due to post-war labour unrest, two tramway strikes occurred. Both these strikes had serious repercussions on the Transport Undertaking ¹⁰.

On 27 August 1937, the City Council of Durban adopted a scheme to abandon tramways completely, in favour of a system of trolley vehicles and motor omnibuses, in an attempt to rehabilitate the finances of its Transport Undertaking ¹¹. Tramway services were discontinued, in Durban, after 30 July 1949 ¹².

3.4 THE INTRODUCTION OF MOTOR OMNIBUSES AND TROLLEYBUSES AS A MODE OF PUBLIC PASSENGER TRANSPORT IN DURBAN:

The first omnibus service was introduced in Durban, in 1925, as an auxiliary service to the tramways. During that year the (then) Town Council of Durban purchased three petrol omnibuses, at a cost of 3,809 pounds, to cater for the Maydon Wharf area. Later in 1925 the omnibus service was extended to the Durban North. This service was initially subsidised by the Durban North Estates Company who were attempting to sell residential sites in that area.

Other acquisitions and extensions of omnibus services included the acquisition of the Sydenham Omnibus Service on 1 April 1929 and the inauguration of an omnibus service, beyond those boundaries of the Borough of Durban, to Kloof on 19 May 1930. This latter service was instituted as a result of a petition by persons resident in areas previously served by private omnibus companies.

By July 1930, the total omnibus fleet of the Durban Municipal Passengers Transport Undertaking consisted of 16 vehicles which were run at a loss of 5,633 pounds during the year ended 31 July 1930. At this date, the total expenditure by the Durban Municipal Passenger Transport Undertaking in respect of omnibuses was 22,300 pounds.

The growth of the municipal omnibus services led to the desirability of establishing a Municipal Garage for the purpose of maintaining, repairing and housing municipal omnibuses. A site in close proximity to the tramcar sheds in Alice Street was selected and the garage was officially opened on 13 November 1930.

On 1 August 1932 the boundaries of the Borough of Durban were extended to include practically the whole of the Health Board areas of Greenwood Park, Mayville, South Coast Junction, Sydenham and Umhlatuzana. Since no passenger transportation services had been provided by the Local Health Boards, the transport needs of the residents in the abovementioned areas were met by the Railways, supplemented by three municipal omnibus services and a few privately operated omnibus services. After the incorporation of the abovementioned areas the (then) Town Council of Durban began to pay greater attention to the transport needs of their inhabitants. By September 1938, the (now) City Council of Durban had acquired all privately owned White omnibus services which were operating in Jacobs, Wentworth, Clairwood and Umhlatuzana.

During the latter part of the 1930's, the financial position of the Durban Municipal Passenger Transport Undertaking continued to deteriorate and in order to obviate enormous expenditure for the renewal of tram track which was situated towards the east of the Central Post Office, the (then) Town Council of Durban decided to institute a Trackless Trolleybus service on routes running in that direction. This resulted in the inauguration of Durban's first trolley-bus service on 24 February 1935¹³. During the early stages of the Second World War, only three routes were converted for trolleybus use.

During the Second World War, 1939 - 1945, Durban was the host to many thousands of servicemen to whom free travelling facilities were extended on the municipal passenger system and the tremendous increase in passenger demand stretched the resources of the Transport Undertaking to its limit. The number of passengers carried increased from 33 234 700 in 1939 to 54 881 100 in 1945¹⁴.

On 5 September 1941, the City Council of Durban decided to proceed in a modified form with its plans for the erection of a traffic centre on the site previously occupied by the City Market and bounded by Pine Street and Commercial Road and Field Street and an unnamed hardened lane running parallel to Soldiers Way. The market buildings had been demolished and the modified scheme comprising concrete roadways, two island platforms, reinforced concrete hoods and columns and lighting together with overhead equipment for trolleybuses was duly completed and opened for traffic on 22 November 1942.

By November 1946, all suburban (omnibus) services plus the Mayville and Springfield Road trolleybus services and the Botanic Gardens omnibus service were utilising the traffic centre as their central terminus¹⁵.

At the end of the Second World War, Durban experienced phenomenal development both industrially and residentially, particularly in the suburban areas. The acquisition of new double deck omnibuses and trolleybuses in the immediate postwar years enabled the Durban Municipal Passenger Transport Undertaking to play an essential part in the abovementioned development which was encouraged by the adoption by the City Council of a cheap fare policy for the outer areas. This resulted in a very considerable expansion of the Municipal Transport Services on long distance routes serving the areas of the Bluff, Woodlands, Mount Vernon and Durban North, with consequent increasing losses. The problem of supplying transport for an increasing number of Non-Whites of low earning capacity who had been attracted to Durban for employment in the City's new industries, was also intensified ¹⁶.

For the year ended 31 July 1949, the Durban Municipal Passenger Transport Undertaking had a fleet of 113 trolleybuses and 167 omnibuses. During this financial year, 33 002 447 passengers were carried on the trolleybuses and 22 767 495 passengers were carried on the omnibuses ¹⁷. For the financial year ended 31 July 1951, 30 758 825 and 28 474 495 passengers were carried on Durban's municipal trolleybuses and omnibuses respectively ¹⁸.

On 1 August 1952, the Durban Transport Management Board assumed control of the Durban Municipal Transport Undertaking ¹⁹.

4. DURBAN'S TRANSPORT MANAGEMENT BOARD CONTROLLED MUNICIPAL PASSENGER TRANSPORT UNDERTAKING:

In 1952, the DTMB was established for the purpose of conducting, managing and controlling Durban's Transport Department (Undertaking) on behalf of the Durban City Council. With the establish-

ment of the DTMB, Durban's municipal transport operation was run virtually independent of the City Council.

In the following sub-sections, an overview is given of the establishment of the DTMB, its functions and powers. Thereafter the DTMB within the content of municipal passenger transport development in Durban is discussed. Finally, the number of passengers carried annually on the public transport vehicles of the DTMB is tabulated.

4.1 THE ESTABLISHMENT OF THE DTMB

The establishment of the DTMB was a direct result of the report of the Scott Commission which was appointed in 1945 by the (then) Administrator of Natal to investigate most aspects of the Durban City Council's Electricity Committee Controlled Municipal Passenger Transport Undertaking.

In its findings, the Scott Commission favoured the operation of public transport by the Durban City Council for the following reasons:

- i) The Council ought more than any other form of ownership to be actuated by public interest and a desire to serve the citizens for whom the transport will cater.
- ii) The Council's activities are not hampered by the profit motive which is bound to influence any other form of ownership.
- iii) The Council is, by reason of its other interests, in a position to effect economies by way of bulk buying, pooling of stores and the sharing of facilities such as workshops.

- iv) The Council is in a position to finance development more cheaply than almost any other type of organisation.
- v) The Council already owns land and property necessary for transport operations.
- vi) The Council, by reason of its peculiar legal rights, is in a position to operate transport more advantageously than could be done by any other organisation

The Scott Commission felt that the (then) existing form and pattern of organisation set up to administer transport, in Durban, did not enable the City Council to make proper use of and to extract the fullest benefits from the basic advantages enumerated above ²⁰.

The Scott Commission pointed out that the following disadvantages were inherent in the (then) existing control and administration of municipal transport in Durban:

- i) The Transport Department was at that time controlled and managed by the City Council operating through a Committee known as the Electricity Committee which in turn was advised by technical officials employed by the City Council. Consequently, for most practical purposes, the Electricity Committee was therefore the real manager of the Transport Department.
- ii) The composition of the Electricity Committee altered in October each year, following the annual election of Councillors, with the result that there was no real continuity of management. This militated against the successful conduct of the affairs of the Transport Department.

- iii) Since the members of the Electricity Committee were elected from among the members of the City Council, there was no certainty and, indeed, little possibility of the members being composed of persons with any professional knowledge or experience of public transport.

- iv) In addition to the management of transport, the Electricity Committee was charged with the management of the City's Fire Brigade, Street Lighting, Ambulances, Telephones and Electricity Supply. This diversity of interests prevented the Committee from devoting all its energy to the management of transport.

- v) Since the members of the Electricity Committee were primarily City Councillors, it was inevitable that they could not possibly avoid having their decisions in transport matters influenced by a certain necessity to please their electorate and perhaps safeguard their future re-election.

Many more disadvantages were outlined by the Commission and in summing up these factors the Scott Commission found that the (then) present organisation by which the City Council managed public transport was inherently unsound and required radical alteration if the City was to be properly served with regard to transport and to provide that service on a commercially sound basis ²¹. The Commission therefore suggested that the Durban City Council seek the necessary legislative powers to set up what might be called the "Durban Transport Management Board" in which representatives of commerce, industry, labour and the City Council would, under the Chairmanship of a permanent official, manage the whole of the City's transport undertaking with complete freedom to act in all matters of day to day business, but within financial estimates prepared by the Board and approved by the City Council ²².

On 8 November 1948, the Durban City Council appointed Mr Arthur Hopewell to carry out further investigations into the Municipal Passenger Transport Undertaking. The scope of this investigation covered aspects such as detailed cost of operation, administration and management of the Transport Department. In his report, Mr Hopewell found that the administration of the affairs of Durban's Transport Department was too heavy and onerous a responsibility for the Electricity Committee to handle. In addition, Mr Hopewell agreed with the views expressed by the Scott Commission ²³.

In 1950, the (then) Durban Transport Management Board Ordinance, 1950 (Ord. 32 of 1950) was promulgated in the Natal Provincial Gazette. In terms of this Ordinance, the Durban City Council was authorised and empowered to establish the DTMB, for the purpose of conducting, managing and controlling Durban's Transport Undertaking on behalf of the City Council.

The Durban City Council, on 4 September 1950, formally approved the establishment of the DTMB and appointed an inter-departmental sub-committee to undertake the preliminary work in connection with, inter alia, the preparation of Rules to govern the functions and duties of the DTMB ²⁴.

On 21 July 1952, the Durban City Council approved of the following appointments to the DTMB: Councillors Major J. Raftery (Chairman) and H.W. Jackson, and Messrs H.R. Butcher, J.W. Gordon-Morrison, M.G. Crosoer and M. Holdsworth ²⁵. When the DTMB assumed control of the Durban Passenger Transport Undertaking on 1 August 1952, Mr Heron was appointed as its first General Manager ²⁶.

4.2 THE POWERS AND FUNCTIONS OF THE DTMB

In the terms of the DTMB Rules which were adopted by the Durban City Council on 8 April 1952²⁷, it was the duty of the DTMB, as far as reasonably possible, to provide, operate and maintain an efficient and convenient public transport service for the over-all benefit of the City of Durban, without necessarily limiting the operations of the Durban Transport Undertaking to within the boundaries of the City of Durban. Furthermore, the DTMB was responsible to the Durban City Council for the over-all control of the whole of the Council's Transport Undertaking. In this regard, the primary function of the DTMB was the consideration of matters of policy, organisation and the supervision or review, where necessary, of the general administration of the affairs of the Durban City Council's Transport Undertaking. The detailed or day-to-day administration of Durban's Municipal Passenger Transport Undertaking was not within the scope of the duties of individual DTMB members, but the DTMB could request the General Manager to report on any matter or institute an enquiry into or otherwise deal with any aspect of administration which the DTMB felt required attention²⁸.

In addition to the aforementioned, the powers, functions and duties of the Durban City Council in regard to, inter alia, the following matters, including all issues necessarily incidental thereto, had been delegated by the Durban City Council to the DTMB:

- i) The conduct, management and control of the Durban Passenger Transport Undertaking including the establishment of new passenger transport routes or services and the extension, curtailment, variation or abolition of existing passenger transport routes or services, and the carrying out

of minor repairs on passenger vehicles operated by another transport department where such vehicles have broken down in the vicinity of the DTMB's workshops in circumstances which, if they occurred in relation to the vehicles of Durban's Passenger Transport Undertaking's vehicles in the vicinity of the workshops of the said department, would result in the carrying out of similar repairs on the vehicles of Durban's Municipal Passenger Undertaking by the said department, but excluding the matters referred to in Rule 15 of the DTMB Rules ²⁹;

- ii) The engagement, duties, promotion, remuneration (including regrading), apprentice tool loans, assisted education, discharge, retirement, punishment, suspension, dismissal and reinstatement of the employees of the Durban Transport Undertaking, with the exception of the General Manager and Deputy General Manager, and generally all matters pertaining to the management, control and discipline of the staff of the Transport Undertaking, with the exception of the General Manager and Deputy General Manager ³⁰. The DTMB's plenary powers with regard to the management and control of staff of Durban's Municipal Passenger Transport Undertaking was delegated in 1988 to the Staff Committee ³¹;

- iii) The making of regulations, subject to the approval of the Provincial Administrator, regarding, inter alia, the delegation of the DTMB's managerial and disciplinary powers and functions, in respect of the staff of the Transport Undertaking, to the Chairman or the Staff Committee or the General Manager or other officers;

- iv) In the name of and on behalf of the Durban City Council the making of applications or lodging of objections to applications made, to the National Transport Commission and/or Local Road Transportation Boards, lodging appeals with regard to decisions of such Transportation Boards, and appointing employees of the Transport Undertaking and/or members of the DTMB or the engagement of attorneys and/or counsel to appear before such Transportation Boards or the said Commission in support of such applications, or objections, or appeals;

- v) The Chairman of the DTMB was empowered to incur expenditure from revenue subject to the General Manager furnishing a certificate stating that the contemplated expenditure was provided for in the estimates adopted by the City Council or, if the estimates for the current financial year had not been adopted by the Council, that the proposed expenditure was covered by a certificate issued by the City Treasurer stating that the latter has no objection to the proposed expenditure; and

- vi) The DTMB was empowered, subject to certain conditions, to enter into contracts on behalf of and in the name of the Durban City Council for:
 - a) the supply of vehicles and any spare parts and accessories including spare engines and other unit spares, but excluding tyres and tubes, which are required for the Transport Undertaking;

 - b) the supply of any machine tools and equipment, reasonably required for the maintenance and servicing of the vehicles of the Transport Undertaking;

- c) the execution of work or the provision of services which are required for the Transport Undertaking; and
- d) the disposal of movable assets pertaining to the Transport Undertaking.

Decisions taken by the DTMB with regard to the abovementioned matters and in terms of the DTMB Rules were binding on the Durban City Council ³². From the aforementioned powers of the DTMB, it is evident that the majority of the powers of the DTMB were plenary in nature, and that the General Manager and the DTMB had wide powers to deal with all matters concerning the day to day running of Durban's municipal bus services, without reference to the Durban City Council. In matters in which the DTMB had not been vested with plenary powers, Rule 10 of the DTMB Rules provided that "... it (the DTMB) shall submit reports and recommendations to the (Durban City) Council, and in regard to such matters shall at all times observe, and implement the directions of the Council in all respects." ³³.

4.3 THE DTMB WITHIN THE CONTEXT OF MUNICIPAL PASSENGER TRANSPORT DEVELOPMENT IN DURBAN:

Since its inception in 1952, the DTMB had taken many major steps in order to provide, operate and maintain an efficient and convenient public transport service for Durban's White and Non-White bus commuters. Some of these major steps are dealt with hereunder:

4.3.1 THE ABOLITION OF THE PINE STREET TRAFFIC CENTRE:

One of the early major steps which the DTMB undertook was the abolition of the Traffic Centre situated in the centre of the City and the introduction of a system of partial through-running of buses. To replace the Traffic Centre, a central Zone was introduced in order to allow passengers to board and alight from buses anywhere in the Zone, at no additional fare for the "extra ride" through the Zone. This was done to discourage passengers concentrating at any one particular point and to enable them to board and alight in the City at their most convenient stops. The abolition of the Traffic Centre was considered advisable not only on account of the high rents and rates applicable thereto, but also because it was too small to cater for the volume of traffic, both vehicular and passenger ³⁴.

4.3.2 THE EMPLOYMENT OF NON-WHITE BUS DRIVERS AND CONDUCTORS:

During the municipal year ended 31 July 1955, the DTMB was able to give effect to one of its major policies, namely the employment of Non-White bus drivers and conductors. The employment of Non-White personnel on the DTMB's Non-White services commenced on 1 May 1955, after protracted negotiations with the Municipal Trade Unions. As a result, Non-white bus services were increased by approximately 30 percent and a new service to Umlazi was introduced ³⁵.

During the municipal year ended 31 July 1975, the DTMB began engaging Coloured and Indian bus drivers for its Blue Line Services ³⁶.

4.3.3 THE IMPLEMENTATION OF ONE-MAN OPERATED BUSES:

On 10 July 1955, the DTMB was able to give effect to another of its major policies, namely, the implementation of one-man operated buses on selected routes. Concurrently with the introduction of one-man operated buses, new running schedules which provided for basic headways on all routes where practicable were introduced, together with increased peak-hour services. Adjustments were also made in the routing of certain services ³⁷.

In pursuance of its policy to extend its one-man operation, the DTMB, during the municipal year ended 31 July:

- i) 1956, expanded its one-man operation on the various routes previously selected with the arrival of eleven under-floor engined single decked buses, which formed part of an order for fifteen vehicles placed during the previous municipal year ³⁸.
- ii) 1964, purchased forty nine omnibuses for its White Bus Fleet and twelve omnibuses for its Non-white Bus Fleet. The acquisition of these buses enabled the DTMB to convert, with the exception of trolleybuses, the whole White (Blue Line) bus fleet to one-man operation. Furthermore, during the municipal year ended 31 July 1964, the DTMB, with the object of speeding up fare collection on one-man operated Non-white buses and in order to improve on the method of ticket issues and ticket checkers, introduced 45 "Setright" Ticket Issuing Machines ³⁹ on its Claremont services ⁴⁰; and
- iii) 1968, expanded its one-man operation on its Non-white services ⁴¹.

By 31 July 1971, approximately 80 percent of the buses on the DTMB's Non-White Services were one-man operated ⁴². At present, all the buses of the DTMB are one-man operated.

4.3.4 THE INTRODUCTION OF THE INNER CIRCLE AND THE CITY/BEACH CIRCULAR BUS SERVICES:

Early in August 1956, the DTMB introduced its Inner Circle Bus Service. This service was designed to meet the needs of business houses and shoppers in the Central City Area ⁴³.

On 6 May 1962, as part of the overall traffic plan for the City of Durban, the DTMB introduced one-way routing of all its buses in West and Smith Streets, between Gardiner and Russel Streets. All out-going bus traffic to the west and south of the City transversed West Street while all incoming buses from these areas travelled along Smith Street. As a result of this system it became necessary for the DTMB to introduce a second Inner Circle Service. This service covered a wider route and transversed the Esplanade between Russell and Field Streets ⁴⁴.

In order to meet the requirements of holidaymakers and flat dwellers in the densely populated North Beach area, who wanted to travel to the central business district, the DTMB introduced a City/Beach Circular Bus Service in December 1968, on an experimental "flat fare" basis. This concept proved so successful that it was decided to integrate this service with the Inner Circle Bus Service in order to embrace the Russell Street, Esplanade and Broad Street areas ⁴⁵.

During the municipal year ended 31 July 1971, a second City/-Beach Circular Bus Service, operating between the South Beach and Russell Street was introduced. The City/Beach Circular Bus Services enabled beachfront residents to commute to the main shopping centres of the City without changing buses ⁴⁶.

One of the major new routes introduced by the DTMB during the municipal year ended 31 July 1977, was the inauguration of the Berea Beach service on 5 December 1976. This service provided a direct link across the Berea to and from the North and South Beaches ⁴⁷.

On 4 June 1979, the DTMB re-introduced its Inner Circle Bus Service over a circular route via Russell, West, Aliwal and Smith Streets ⁴⁸. After the introduction of the Mynah Bus Service ⁴⁹ in late 1987, the majority of the DTMB's Blue Line Services in the City Centre were discontinued ⁵⁰.

4.3.5 THE INTRODUCTION OF THE FREEWAY EXPRESS BUS SERVICE

An experimental service dubbed the Freeways Express Service was inaugurated, by the DTMB, with effect from 22 April 1968 to serve Fynnland, Woodlands and the Durban North areas with a speedy means of transport to and from the City. This service was extended from July 1968 to attract patronage from housewives and shoppers. These express services provided additional comfort to passengers and a saving of up to 15 minutes of the time taken for the normal bus trip, with no increase in the cash fare ⁵¹. During the 1970's the Freeway Express Services of the DTMB were expanded several times in order to cope with passenger demand.

4.3.6 OPPOSITION TO THE ENFORCEMENT OF TOTAL SEGREGATION OF PASSENGERS ON DURBAN'S MUNICIPAL BUSES

In the early years of its establishment, the DTMB, in pursuance of its object of providing, operating and maintaining an efficient and convenient public transport service for Durban's White and Non-White commuters, voiced its strong opposition to the

Government's policy of racial segregation on buses. The steps taken by the DTMB in objecting to the implementation of total segregation on its buses are summarised hereunder:

During the municipal year ended 31 July 1957, a matter of vital concern to the DTMB had been the directive issued by the Local Road Transportation Board that the Government's Apartheid Policy must be applied to Durban's Municipal Bus Services by 1 January 1958 ⁵².

When the DTMB's application for the renewal of its Motor Carrier Certificates was heard before the Local Road Transportation Board in December 1956, representatives of the DTMB submitted a memorandum pointing out that segregation of Whites and Non-Whites had always been practised on municipally-owned vehicles in Durban. For some years the policy had been to operate buses for Non-Whites only where the demand from Non-whites justified the supply of separate services and to operate dual-purpose vehicles providing variable accommodation for Whites and Non-Whites where the demand was predominately White and did not justify the provision of separate services for the two races. It was also stated that this system had worked well and had resulted in the maximum use being made of seats available and had reduced economic waste to a minimum. It was further pointed out that if the DTMB was not permitted to continue with this policy because segregation in a more complete form was required, the inevitable results would be more expensive operation, less convenient services for the people of Durban and probable fare increases.

It was submitted that if the Local Road Transportation Board insisted on more complete segregation it should confine its thoughts to one-man operated single-deck buses and single-deck buses having one entrance only, in respect of which complaints

may arise as a result of Non-Whites passing White passengers who were standing on the buses. In cases of this nature, difficulty could quite easily be overcome by prohibiting standing passengers when the types of single-deck buses described carried both White and Non-White passengers.

After hearing the DTMB's argument, the Local Road Transportation Board deferred its decision and requested further statistical information, which was subsequently submitted to it ⁵³.

Notwithstanding the representations by the DTMB, the Local Road Transportation Board directed that complete segregation of White and Non-White passengers on all municipal passenger carrying vehicles be put into effect as from 1 January 1958. This decision was the subject of an appeal by the DTMB to the National Transport Commission and on 9 December 1957, the (then) Secretary for Transport advised that the National Transport Commission had decided to vary the Local Road Transportation Board's decision by extending the period for complete implementation of segregation on the DTMB's transport services to 1 January 1959. ⁵⁴.

On 26 September 1958, representatives of the DTMB held a further meeting with the National Transport Commission. As a result of this meeting, the Commission agreed to postpone the date of their directive for the enforcement of total segregation until 1 January 1960. However, in the interim the DTMB was expected to apply apartheid wherever possible and submit quarterly reports regarding steps taken or contemplated in that direction. During the municipal year ended 31 July 1959, the Durban City Council authorised a deputation to seek a further hearing with the National Transport Commission on the grounds that the (then) existing method of segregation carried out on Durban's municipal vehicles was adequate. The meeting was held on 15 May 1959, when the Commission undertook to carry out an investigation in

loco during the latter part of June. A sub-committee of the National Transport Commission met DTMB and Durban City Council representatives in Durban on 24 June 1959. As a result of the discussions which followed it appeared that this Commission would give consideration to the DTMB's suggestions for modifying the Commission's original order ⁵⁵. As no directive was received from the National Transport Commission following the above meeting with regard to the enforcement of total segregation on the buses of the DTMB, the DTMB applied for the renewal of its Motor Carrier Certificates for 1960, free of any endorsement. The hearing of this application was not held until 27 and 28 June 1960, when the DTMB's case was presented to the National Transport Commission by Mr A B Harcourt, Q.C. As no decision had been communicated to the DTMB by late October 1960, and after consultation with Advocate Harcourt, Q.C., a letter dated 28 October 1960 was addressed to the Secretary for Transport advising that as the decision of the National Transport Commission was unreasonably delayed, it was the intention of the DTMB to revert, as from 1 December 1960, to the traditional method of partial segregation on those services for Whites which had been subjected to complete apartheid since January 1959. On 12 November 1960 the (then) Secretary for Transport conveyed the decision of the National Transport Commission in regard to the DTMB's application. The effect of which was to divide omnibus routes into two categories and to grant certificates for operation on these routes with a varying small number of seats set aside on both double-deck and single-decker buses for the use of Non-White passengers. As this decision was not only restrictive, but also difficult to apply, the DTMB decided to test the validity of the decision in the Courts and instructed Advocate Harcourt, Q.C., accordingly. The Court granted a Rule Nisi staying the National Transport Commission's order, and on 1 December 1960, the bus services for Whites to the Marine Parade, South

Beach, Point, Tollgate, Sherwood and Sydenham, which since 1 January 1959 had been operated for Whites only, reverted to the traditional method of segregation ⁵⁶.

During the municipal year ended 31 July 1968, the DTMB introduced the final phases of racial segregation on its buses as a matter of national policy ⁵⁷.

During the 1980's the DTMB was successful in its applications for de-segregation on its buses. On 12 February 1986, the Local Road Transportation Board approved the DTMB's application to de-segregate certain specified routes on its Non-White (Green Line) Service ⁵⁸. On 12 March 1986, the DTMB, in extending consideration to the pursuance of its policy of integration, lodged an application for the desegregation of all its White (Blue Line) routes. This application was approved by the relevant authorities on 11 November 1986, and the DTMB having secured the necessary permits, commenced the operation of the Blue Line Service on a desegregated basis on the morning of 12 November 1986 ⁵⁹.

The DTMB, through its efforts, enabled the Durban City Council to become the first South African local authority to be granted approval by the National Transport Commission to desegregate its bus services. Other local authorities such as the Pretoria City Council followed the lead of the DTMB and desegregated their bus services.

4.3.7 EXPANSION OF BUS SERVICES FOR DURBAN'S NON-WHITE COMMUTERS

With regard to its Non-white Transport Policy, the DTMB, during the council year ended 30 September 1953, decided, inter alia, that:

- i) As a matter of policy, it should retain and continue to operate all its Non-White Transport Services; and
- ii) its long term policy should envisage the probable expansion of its Non-White Transport Services with the object of possibly obtaining control of all Non-White road passenger transport in Durban, if in the course of time it should become apparent that this policy is in the best interests of the Municipality and ratepayers alike ⁶⁰.

With the arrival of 20 large type single decked vehicles during the municipal year ended 31 July 1956, the DTMB expanded its Non-White Services in November 1955 and again in May 1956. The May expansion included a new route between the Point and Cato Manor and a through service between the Point and Chester-ville ⁶¹.

In keeping with its policy of expansion in the field of Non-White Public Transport, the DTMB, in October 1957, purchased the Bantu Bus Service whose assets included 18 omnibuses and 16 motor carrier certificates to operate services between Durban, Pinetown and the Clermont Native Township ⁶².

To cater for Non-Whites who could no longer be permitted to travel on trolleybuses between Mayville and the City or from the Railway Station to the Point, as a consequence of the directive from the National Transport Commission that the DTMB must enforce segregation of its public transport vehicles wherever possible, the DTMB, during the municipal year ended 31 July 1959, simultaneously introduced a Non-White Service operating from Mayville Hill to the Point via the City Centre ⁶³.

In keeping with its policy of expansion in the field of Non-White Transport and in order to become the sole operator to the Black areas of Gijima and Lamontville, the DTMB was authorised by the Durban City Council, during the municipal year ended 31 July 1961, to purchase the bus service of S. Dass for R114 000. The assets of this service included twelve omnibuses together with their relevant Motor Carrier Certificates to operate between Durban and Lamontville (7 certificates); Durban and Gijima (3 certificates) and from Lamontville to Jacobs (2 certificates). The DTMB took over the bus service of S. Dass in November 1960⁶⁴.

Shortly after implementing a policy of employing Non-White drivers and conductor's on its Non-White services in 1955, the DTMB was approached as a matter of urgency by the Local Road Transportation Board in Durban, to operate passenger transport services from Umlazi Reserve. The reason for the approach was that the (then) existing operator had failed and the Local Road Transportation Board feared racial disturbances if alternative services were not provided without delay. Consequently from December 1955 the DTMB began operating to the Umlazi Reserve⁶⁵.

In November 1969, the DTMB acquired the Non-White Services operated by R. Mahabeer Bros between Durban and Pinetown. This acquisition complemented the DTMB's existing Durban/Clermont service and consolidated the DTMB's position as the major operator in the (then) rapidly developing Pinetown, New Germany and Clermont areas⁶⁶.

The DTMB in June 1971 acquired the Non - White Service operated by Red Bus Lines (Pty) Ltd between Kranskloof, Wyebank and Pinetown. In July 1971, the DTMB purchased the service operated by the Queensburgh Bus Service (Pty) Ltd between Durban and Pinetown via Sarnia and Stella Roads.

The acquisition of the abovementioned two services further consolidated the DTMB's position as the major operator on the Durban/Pinetown routes ⁶⁷.

In terms of the Durban City Council's directive regarding the unification of transport in the Durban area, the following two Non-White Bus Services were purchased by the DTMB during the municipal year ended 31 July 1972:

- i) The Dieselene Conqueror Service whose assets included three Motor Carrier Certificates to operate between Durban and Pinetown, and
- ii) Kistans Motor Transport whose assets included fourteen Motor Carrier Certificates to operate between Durban and Shallcross.

As a result of the abovementioned two acquisitions, the DTMB enjoyed a virtual monopoly in Non-White public transport operations on the western corridor between Durban/Pinetown, New Germany and environments ⁶⁸.

On 1 March 1973, the DTMB acquired from the Public Utility Transport Corporation the Non-White Service operating from Klaarwater/St. Wendolins to Pinetown ⁶⁹.

During the municipal year ended 31 July 1977, the DTMB introduced the following new routes on its Non-white Bus Services:

- i) KwaMashu/Pinetown/Westmead;
- ii) KwaMashu/Sydenham/Hospital;
- iii) KwaMashu/McCord Hospital; and
- iv) KwaMashu/King Edward VIII Hospital ⁷⁰.

On 15 March 1982, the Durban City Council adopted a resolution amending the DTMB Rules, to provide for the appointment of two additional members to the DTMB, each having special knowledge of Non-White passenger transportation requirements ⁷¹. In terms of the above resolution, Mrs A.J. Mnguni and Mr V.E. Tshabalala were appointed to the DTMB ⁷².

On 15 April 1985, the DTMB launched a Premium Bus Service as part of its Non-White Bus Services. This service which offered seated accommodation only, less congestion, more comfort, faster service and an exclusive timetable, operated initially along the following two routes:

- i) To and from Ntuzuma and City via Sydenham; and
- ii) To and from Ntuzuma and King Edward Hospital via Mayville ⁷³.

For many years the DTMB operated a service to the boundary of Umlazi and despite numerous requests from the relevant community, the DTMB was unable to provide a service into Umlazi due to the existence of the Public Utility Transport Corporation's operation. However, following the arbitrary withdrawal of the Public Utility Transport Corporation's operation in September 1986, the DTMB extended its service as far as the Umlazi Railway Station with the requisite authority having been granted by the Local Road Transportation Board on 4 July 1988 ⁷⁴.

The aforementioned is a synopsis of the steps taken by the DTMB in order to provide, operate and maintain an efficient and convenient service for Durban's Non-White commuters.

4.3.8 THE INTRODUCTION OF THE MYNAH BUS SERVICE

On 28 January 1987, the DTMB acknowledged that there was a definite trend for greater flexibility in the public transport market and that this could be achieved by the use of smaller, 'faster' type vehicles. The DTMB realised that a smaller type public transport vehicle would result in considerable savings in operational costs and that fuel consumption would be less than fifty per cent of the conventional type bus. It was estimated that during the first few years of operation, maintenance costs would be some ten per cent of that of the DTMB's (then) current White Service (Blue Line) Bus Fleet ⁷⁵. The need for a smaller public transport vehicle was further amplified by, inter alia, the following:

- i) Owing to the redevelopment of the Beachfront and the exclusion of buses from the Marine Parade, a different type of public transport vehicle had to be considered.
- ii) Carelessly parked cars on certain routes which prevented the DTMB's eleven metre buses from turning a corner without backing up ⁷⁶.

The public transport vehicle that was recommended as a result of the aforementioned was the 20/25 seater 'midi' type bus. This concept has been favourably received in various circles, including the private sector.

In view of the abovementioned, the Durban City Council on 16 February 1987 adopted the following resolution:

"That it be agreed in principle that portion of the Funds allocated in the 1987/88 Tentative Forward Capital Programme to the Transport Services for the replacement of obsolete 16 ton buses be diverted for the purchase of new midi-type buses, to enable the Transport Department to undertake a project aimed at catering for the (then) recent change in public transport demands, with a view to providing a more cost effective and efficient public transport service in the city."

Following the requisite City Council approval in respect of forward authority for the invitation of tenders and the purchase of buses, including midi-buses, the DTMB on 22 April 1987 accepted the offer of Messrs. Mercedes-Benz (South Africa)(Pty) Ltd. for the supply of thirty five midi-bus chassis at a total price of R1 964 760, excluding general sales tax and stores charges. The requisite bodies for these midi-buses were supplied by Messrs. Dorbyl Transport Products (Pty) Ltd., at a total cost of R934 500, excluding general sales tax.

The DTMB subsequently termed this innovative transportation mode, the "Mynah" Service ⁷⁷.

The routes along which the Mynah Service were to operate were selected in accordance with the following criteria:

- i) patronage profile;
- ii) ability to generate movement;
- iii) distance of route;
- iv) conversion ratio of maxi-bus to midi-bus; and
- v) traffic engineering benefits.

The two routes best suited, in terms of the aforementioned criteria, were the Marine Parade and South Beach and on 28 November 1987 the Mynah was introduced to these two routes at a fifty cents flat fare. In view of the success of the Mynah Beach operation, the DTMB, on 17 January 1988, introduced a circular service to the Musgrave Road area at an identical tariff. This service operates via the Market between 05h40 and 08h30, Mondays to Fridays and all day on Sundays.

On 10 February 1988, the DTMB resolved that as the thirty two Mynah Buses (then) currently in operation were unable to cope with the high level of passenger demand and as there was a definite potential for the Mynah concept, a further thirty five Mynah units be acquired ⁷⁸.

During the year ended 30 June 1989, the DTMB converted the following services to Mynah operation:

- i) The former Haig Road 21 and Tollgate 33 Services to the Overport/Ridge Road areas; and
- ii) the Botanic Gardens Service ⁷⁹.

In addition to the foregoing and in pursuance of its objective of providing, operating and maintaining an efficient and convenient public transport service for Durban's White and Non-White commuters, the DTMB, inter alia, introduced:

- i) Evening and late-night (after 19h00) bus services for the convenience of commuters such as shift-workers and nurses who worked late hours. These services are not provided by the majority of private bus companies and combi taxis ⁸⁰;

- ii) feeder services to and from certain Railway Stations in the Durban municipal area and the Central Business District in order to cater for train commuters ⁸¹; and

- iii) intermediate buses to the travelling public of the City of Durban. Two intermediate buses were first presented to the public of Durban along with the Mynahs as "The Holiday Mynah" in December 1988 ⁸². According to Mr Manuel Sampaio, the (then) acting general manager of the DTMB, these buses had been used successfully on a number of routes and had met with a favourable response from the public ⁸³. At present, twenty eight intermediate buses have been introduced into the Durban City Council's 'blue line' bus fleet. The 'old' 'blue line' buses could carry an average fifty three seated and forty one standing and was not being utilised, on many routes, to their fullest. As a result, the DTMB introduced the intermediate bus, which on average can carry thirty nine seated and thirty eight standing passengers, on certain 'blue line' routes such as Glenwood Manor, Umbilo and Berea Gardens, where demand was not so great. Some of the advantages of the intermediate bus is that it is smaller, costs less, is more manoeuvrable, the initial capital outlay is less, is more cost effective and fuel efficient, than the large 'blue line' bus ⁸⁴.

Most remarkable in comparison with other municipal operators is the image which DTMB has been able to project within the Black community. As evidenced in recent National Black Panel studies, DTMB buses were perceived as well run, seldom breaking down, and having safe drivers, and offering a valuable service with concern for passengers, good value for money, and punctuality ⁸⁵.

In July 1990, the Durban City Council decided to disband the DTMB and bring the Transport Undertaking under the control of a Committee of the City Council ⁸⁶.

4.4 DTMB: PASSENGER STATISTICS FOR THE PERIOD 31 JULY 1952 TO 30 JUNE 1990

In Table 5, the annual number of passengers that were carried by the buses of the DTMB, between 1952 and 1990, are tabulated.

TABLE 5: THE NUMBER OF PASSENGERS THAT WERE CARRIED ANNUALLY ON THE BUSES OPERATED BY THE DTMB

<u>MUNICIPAL YEAR</u> <u>ENDED</u>	<u>TROLLEYBUSES</u>	<u>OMNIBUSES</u>		
31 July 1953	29 377 662	31 218 367 ⁸⁷		
31 July 1954	28 733 161	31 269 057 ⁸⁸		
31 July 1955	27 170 977	29 956 669 ⁸⁹		
31 July 1956	26 836 664*	35 642 067 ^{90*}		
			<u>WHITE SERVICE</u>	<u>NON-WHITE SERVICE</u>
31 July 1957	26 150 000*	23 682 500*	18 760 400 ^{91*}	
31 July 1958	26 174 564*	24 960 512*	23 743 972 ^{92*}	
31 July 1959	21 567 448	23 929 529	28 739 390 ⁹³	
31 July 1960	19 869 159*	21 061 924*	31 283 023 ^{94*}	
31 July 1961	22 367 420*	18 180 616*	34 420 797 ^{95*}	
31 July 1962	21 589 903*	18 010 301*	35 332 528 ^{96*}	
31 July 1963	14 309 743	16 275 872	37 548 761 ⁹⁷	
31 July 1964	14 598 464*	16 798 196*	40 151 751 ⁹⁸	
31 July 1965	11 683 023	20 975 554	42 099 133 ⁹⁹	
31 July 1966	12 119 879	22 380 634	43 828 067 ¹⁰⁰	
31 July 1967	9 633 698	22 001 824	47 771 864 ¹⁰¹	
31 July 1968	958 082	25 501 960*	49 561 636 ^{102*}	
	On 11 April 1968			
	the DTMB discon-			
	tinued its Trol-			
	leybus ser-			
	vice ¹⁰³			
31 July 1969		23 649 050*	54 847 939 ^{104*}	
31 July 1970		28 500 000*	57 000 000 ^{105*}	
31 July 1971		23 500 000*	57 500 000 ^{106*}	
31 July 1972		22 025 801	61 456 537 ¹⁰⁷	

<u>MUNICIPAL YEAR</u> <u>ENDED</u>	<u>TROLLEYBUSES</u>	<u>OMNIBUSES</u>	
		<u>WHITE SERVICE</u>	<u>NON-WHITE SERVICE</u>
31 July 1973		21 018 639	64 446 202 ¹⁰⁸
31 July 1974		20 772 728	66 981 186 ¹⁰⁹
31 July 1975		18 911 513	65 096 629 ¹¹⁰
31 July 1976		17 102 484	64 414 909 ^{111*}
31 July 1977		16 909 779	64 817 864 ¹¹²
31 July 1978		15 634 624	60 166 396 ¹¹³
31 July 1979		14 278 389	55 530 851 ¹¹⁴
31 July 1980		12 110 878	53 641 690 ¹¹⁵
31 July 1981		10 575 419	62 544 359 ¹¹⁶
31 July 1982		10 089 709	67 684 567 ¹¹⁷
30 June 1983		9 232 154 ¹¹⁸	51 661 685 ¹¹⁹
30 June 1984		9 460 038 ¹²⁰	55 794 296 ¹²¹
30 June 1985		9 228 124	58 592 720 ¹²²
30 June 1986		8 410 659	55 418 325 ¹²³
30 June 1987		7 858 704 ¹²⁴	52 294 456 ¹²⁵
	<u>MYNAH BUS SERVICE</u>		
30 June 1988	2 501 264 ¹²⁶	6 688 356 ¹²⁷	47 594 305 ¹²⁸
30 June 1989	6 434 409 ¹²⁹	5 581 834 ¹³⁰	44 460 274 ¹³¹
30 June 1990	6 888 320 ¹³²	4 424 105 ¹³³	32 622 201 ¹³⁴

* - APPROXIMATE NUMBER OF PASSENGERS CARRIED

From the information reflected in Table 2, it is evident that the number of passengers that were carried on the public transport vehicles of the DTMB fluctuated from year to year. In most cases, the number of passengers carried either increased or decreased by approximately three to four million per year. These fluctuations can be attributed to, inter alia, the following:

- i) the economic situation prevailing in the country;
- ii) competition from 'pirate' bus and taxi operators;
- iii) competition from other modes of transport such as rail and taxi;
- iv) bus boycotts and civil unrest, especially in respect of the DTMB's Non-White Services; and
- v) greater use of private motor vehicles and the formation of 'lift clubs'.

5. SUMMARY

Durban's bus passenger transport system has developed progressively from the late 1800's till the present day. The rapid industrial, commercial and residential development that had taken place in Durban, especially after World War II, has been one of the factors that has aided the development of Durban's bus passenger transport system.

Bus passenger transportation in Durban and its surrounding areas is, presently, provided by a multiplicity of bus operators, which includes the Durban City Council, approximately 160 Indian bus operators¹³⁵, Kwa-Zulu Transport and the Public Utility Transport Corporation. Whilst the Durban City Council provides a bus passenger transport for both Whites and Non-Whites, the Non-White bus operators provide a service for predominately Non-white commuters.

In this chapter the progressive development of municipal bus transport in Durban was traced by making reference to, inter alia, the contributions of the Early Tramway Companies and the Durban Municipal Passenger Transport Undertaking (or Durban's Transport Department) under the control of both the Durban City Council's Electricity Committee and the DTMB.

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21. Ibid, pp. 6-7.
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23. Ibid, p. 6.
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26. Province of Natal: Report of the Commission appointed to enquire into matters concerning ..., op.cit., p. 42.
27. City of Durban, Mayor's Minute for Council year ended 30th September, 1952 ..., op.cit., p. 42.
28. Durban Transport Management Board: Rules, Durban Transport Management Board, Durban, 1990, p. 7.
29. Rule 15 of the DTMB Rules states, in part:
 - "(b) The Board (DTMB), subject to the provisions of paragraph (d) hereof, shall not have plenary powers in incurring capital expenditure or the raising of capital funds and shall act in terms of Rule 10 in regard thereto.
 - (c) Wherever the Board recommends that any scheme involving capital expenditure should be undertaken it shall at the same time recommend the manner and period in which the cost thereof should be defrayed.
 - (d) Notwithstanding Rule 12, the Board shall not dispose of any capital assets of the service unless the prior approval of the (Durban City) Council has been given.", Durban Transport Management Board, Rules, op.cit., p. 14.

Rule 10: See Supra, p. 159.

Rule 12 is quoted verbatim in Annexure C.

30. Durban Transport Management Board, Rules, op.cit., p. 8.
31. Ibid, p. 20 and Infra, p. 256.
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CHAPTER 5

ADMINISTRATIVE ASPECTS OF MUNICIPAL BUS TRANSPORT SERVICES IN THE CITY OF DURBAN

1. INTRODUCTION

From Chapter 2 it is evident that municipal bus transport administration is dynamic in nature. The functionaries involved in municipal bus transport administration have to perform a variety of functions in order to provide commuters with a reliable, economic, efficient and cost-effective passenger transport service. These functions can be divided into generic administrative functions, functional activities and auxiliary functions. The administrative functions or processes or activities are universal in character and as such they are regarded as enabling processes which are necessary to achieve the objectives of any municipal bus transport department.

In this chapter, a theoretical and practical analysis of the generic administrative functions of municipal bus transport administration in Durban during the era of the DTMB is provided. In the following discussions certain of the functional activities and auxiliary functions of municipal bus transport administration in Durban will become evident.

Although it has been mentioned that the DTMB has been disbanded, most of the generic administrative functions, functional activities and auxiliary functions of municipal bus transport administration that were applied in Durban's Transport Department during the era of the DTMB are still being applied in the Public Transport Service Unit. Therefore the administrative, functio-

nal and auxiliary functions of municipal bus transport administration in Durban during the era of the DTMB are relevant and are highlighted on the discussion which follows.

2. POLICY AND POLICY-MAKING

In chapter 1, the concepts policy and policy making were defined. From the definition of the above concepts it can be deduced that one of the basic requirements of public administration, municipal administration and municipal transport administration is that each and every activity should be directed specifically at achieving a set goal, that is, a clear objective should be formulated and made public so that all interested parties know what the end result will be. It thus follows that an objective should be set for each state department, municipal department and division of a municipal transport department. The objective set will have to be adapted continuously to meet changing circumstances. When an objective is laid down, an indication should be given of what is intended, how to set about achieving the objectives (that is, what procedures will be followed), who will take action to achieve the objective (that is, which municipal councillors and/or officials), the wherewithal to achieve the objective (that is, what resources and machinery will be used), where and when to take action to achieve the objective ¹.

In municipal bus transport administration, when an objective is made known it is usually said that policy has been set. The activity which precedes the announcement of the objective is known as policy-making ².

In this section, pertinent aspects of policy and policy-making are discussed with specific reference to Durban's Transport Management Board controlled Municipal Passenger Transport Undertaking.

2.1 LEVELS OF POLICY:

Gladden in his book, The Essentials of Public Administration, defined specific levels of policy. He proceeds from the premise that commencing in a generalised form at the top of a hierarchic pattern, policies become more increasingly particularised or refined as it descends to the lowest levels of the hierarchy of the institution in which it is formed. He contends that it would not be physically possible, still less desirable to make all the decisions at one level. Gladden, therefore distinguishes four levels in the hierarchy, namely, political, executive, administrative and operational (technical) policies. However, it should be clearly understood that these are artificial distinctions which are not readily demarcated in practice ³.

In the preceding discussion of the levels of policy, the role of the key participants in municipal bus transport policy-making in general and in Durban during the era of the DTMB will be evident.

2.1.1 POLITICAL POLICIES

Political policies are the policies of the political party in power, that is, the policies which the voters (normally the majority) have purported to approve at the polls. They are normally idealistic, of a general nature and often consist of a list of political slogans illustrated or filled out with sketchy details. It should be noted that political policies result from the interplay of ideas developed over a period of time and put forward by, inter alia, the press, radio and television, publicists, pressure groups, propagandists of all kinds, different schools of thought and writers. Thus, in a democracy, any citizen who can express his opinion, whatever his party affiliations, can contribute to the formulation of political policies ⁴.

Section 30 of the Republic of South Africa Constitution Act, 1983 (Act 110 of 1983) vests the sovereign legislative power of and for the Republic of South Africa in the State President and Parliament. This implies that Parliament is also the highest authority concerning local government affairs. Sections 14 and 15 of the said Act provide for matters to be classified as either own or general affairs. According to Item 6 of Schedule 1 of the Republic of South Africa Constitution Act, 1983, local government within a group area provided for a specific population group, is considered to be an own affair of that group. However, local government matters which do not pertain solely to the members of one specific population group, but which affect the interests of more than one group, are classified as general affairs and are thus subject to general legislation⁵. Since more than one population group utilise the services of a municipal passenger transport undertakings, municipal passenger transport is a general affair. Thus, municipal passenger transport undertakings are subject to general legislation adopted by Parliament.

Since 31 May 1910 when the (then) Union of South Africa was established, local authority affairs were placed under the control of provincial authorities⁶. Furthermore, legislation passed by the provincial authorities (ordinances) prescribe, inter alia, the function and duties of local authorities. It can thus be concluded that local authorities function within the framework of provincial ordinances and must therefore act in accordance with the policies of provincial authorities which in turn must be in accordance with the policies of central government.

On the municipal level of government, municipal passenger transport undertakings are established by municipal councils and must therefore function within the policies of the higher institution, that is, the municipal council.

From the aforementioned it can be inferred that municipal transport undertakings function within the policies of a municipal council whose policies in turn must be in line with the policies of the provincial government and central government. It is thus evident that the bodies responsible for the formulation of political policies pertaining to municipal bus transport are the central government (Parliament), the provincial government and municipal councils. The role of these bodies in municipal passengers transport policy-making is reviewed hereunder:

2.1.1.1 CENTRAL GOVERNMENT-PARLIAMENT

As soon as a political party comes into power after an election, its political policy is changed in government (or national) policy which usually culminates in legislation. Since a government is required to perform numerous functions in order to maintain the State and to provide goods and services to its population, it is essential that the government has a policy on each function to be performed and service to be provided.

It has been mentioned that Parliament is the highest legislative authority. Therefore, municipal councils and their departments must function within the framework of, and in accordance with, the policy of the government of the day even if they do not agree with the policy. An excellent example to illustrate this is the Government's (then) policy of apartheid. In terms of this policy, racial segregation had to be applied on public transport vehicles. Although the Durban City Council and the DTMB voiced its strong opposition to the Government's policy of racial segregation on buses, the DTMB was forced to comply with this policy. As a result the DTMB introduced racial segregation on its buses as a matter of national policy ⁷.

It is generally accepted that transport policy should be in line with national policy and national goals. For example, the central government's present national policy is to devolve all matters to the lowest level of government. Therefore transport should always be executed at the lowest level of government as a general affairs function. Moreover, it is present government policy to devolve transport responsibility. This implies extensive rationalisation at a regional level. However, the necessary control mechanisms and authorities, and indeed the applicable legislation, do not yet exist. Cognisance must be taken of the fact that transport policy in South Africa is presently in a state of flux and there is great uncertainty about the form that transport policy, on central government level, will take in the future ⁸.

According to Cuthbert ⁹, the central government at present does not have a specific policy with regard to municipal bus transport. Notwithstanding this, municipal bus transport undertakings must comply with existing road passenger transport legislation adopted by Parliament, for example, the Road Transportation Act, 1977 (Act 74 of 1977) ¹⁰ and the Urban Transport Act, 1977 (Act 78 of 1977) ¹¹. In terms of central government policy as embodied in the Road Transportation Act, 1977, a public road carrier permit must be obtained before a bus service can be operated.

2.1.1.2 PROVINCIAL GOVERNMENT:

In each province of the Republic of South Africa, the (then) provincial councils had passed one or more general ordinances defining the powers and duties of local authorities within their province. With the passing of the Provincial Government Act, 1986 (Act 69 of 1986), all these ordinances remain in force but provincial governments no longer have the authority to pass ordinances.

In chapter 1, it was mentioned that policy directions are found in, inter alia, provincial ordinances ¹². With specific reference to municipal passenger transport in Natal, the policy of the (then) Natal Provincial Council, as embodied in the Natal Local Authorities Ordinance, 1974 (Ord. 25 of 1974), states in part that 'a Town or City Council in Natal may establish a municipal transport service' ¹³. This policy is non-prescriptive and leaves the provision of municipal passenger transport services to the discretion of individual local authorities. Moreover, in terms of the policy of the (then) Natal Provincial Council, as embodied in the Durban Extended Powers Consolidated Ordinance, 1976 (Ord. 18 of 1976), the Durban City Council was empowered to establish the DTMB ¹⁴.

Just as on the central government level, the political policies of municipal councils with regard to, for example, passenger transport will be based on the political views of the majority of the members of a council. For example, in municipal councils, where the majority of councillors hold views that are in line with the policies of the Herstige Nasionale Party, its passenger transport policy would be to provide municipal passenger transport between the city centre and white residential areas at a council subsidised fare. Furthermore, this policy would dictate that only White bus drivers must be employed. It is thus evident that political policies are aimed at furthering and satisfying the interests of the groups or individuals belonging to a particular political party or holding the same views of the majority of councillors on a municipal council.

Like every other unit of government a municipal council is given specific functions. In other words, it is required to provide specific services to satisfy specific public needs.

It is the policy of the municipal council to make a policy on each of the matters entrusted to it. The policy must declare to what extent and how the specific matter will be dealt with by the council and its executive institutions, for example, the policy in respect of road passenger transport must declare to which areas road passenger transport services will be provided, the type of vehicles to be used and the manner in which the services are to be provided (for example, by private operators or with municipal vehicles and personnel) where necessary the municipal council must pass by-laws or give other directives to its committees, office-bearers and officials to give effect to its policies ¹⁵.

A few examples of the Durban City Councils policies with regard to passenger transport in Durban are mentioned hereunder:

- i) In 1953, it was Council policy that the DTMB should retain and continue all its Non-White Transport services ¹⁶.
- ii) During 1984, it was Council policy that the Blue Line Service be run on a cost effective basis ¹⁷.
- iii) The Council's policy on tariffs on the Blue Line Service is that fares must be increased at a rate equivalent approximately to the general inflation rate ¹⁸.
- iv) The official Council policy relative to the Non-White bus service is that it should operate on a break-even basis, thereby incurring no cost to the ratepayer ¹⁹.

- v) The Council's Depreciation policy requires that buses be depreciated (redeemed) on a straight line basis over ten years, with an interest charge levied on the outstanding balance each year based on current interest rates ²⁰.

Other examples of policies of the Durban City Council with regard to bus transport were mentioned in the previous chapter.

2.1.2 EXECUTIVE POLICIES

Whereas it is fully comprehended that norms are wide and generalised in the political policies, they are narrowed down to specifics at the next level in the hierarchy. An executive policy is thus the form in which the executive institution, which may be a Cabinet or any executive council (on central government level) or an executive committee of a provincial authority or the management committee or transportation committee of a local authority, shapes the features of a general or political policy in order that it may be put into practical operation. The proposals for policy are now tested against facts. The executive institution now consults the experts, appointed officials and representatives of interest groups in order to conceive the limits of imposed relations which would hamper or restrict the implementation of the proposed policy ²¹.

From the aforementioned it is evident that in virtually all local authorities operating passenger transport services, the formulation of executive policies with regard to passenger transport is the responsibility of a management committee and/or transportation committee. During the era of the DTMB, the formulation of executive policies was the responsibility of the DTMB which, as a result of its wide delegated powers was an

autonomous policy-making body with regard to decisions on the operations aspects of Durban's Municipal Passenger Transport Undertaking ²². In essence this meant that the DTMB, with reference to the formulation of policies on the operational aspects of Durban's Municipal Passenger Transport Undertaking, functioned in the same way as a committee of a municipal council with regard to the formulation of policy on local government level. The DTMB could thus be regarded as an executive institution of the Durban City Council.

The philosophy, goal and policy of the DTMB was contained in the DTMB's Mission Statement. This statement was drawn up in 1989 when the DTMB was considering privatising the operations of Durban's Transport Department. The DTMB's Mission Statement is indicative of what the DTMB proposed to achieve ²³. The DTMB's Mission Statement is quoted verbatim hereunder:

2.1.2.1 THE DTMB'S MISSION STATEMENT

"PHILOSOPHY

The DTMB believes that it's role is to operate an efficient, economic and commercially acceptable transport business.

GOAL

Our goal is to maintain our position as a leader in the transport field by achieving the highest possible level of staff efficiency, cost awareness and customer satisfaction.

POLICY

The DTMB seeks to achieve its goal -

1. through (the establishment of) a strong corporate identity;
2. through the co-ordinated efforts of management and staff towards building effective teamwork;
3. through awareness of customer needs for reliability, punctuality, cleanliness, safety and comfort at a competitive price;

4. through positive staff motivation, fair treatment, good communication, opportunities for involvement and advancement, and recognition for effort;
5. through insistence on quality performance from staff in respect of vehicles and safety standards;
6. through the development of constructive relationships with employee representative bodies;
7. through responsible and fair dealing with suppliers in order to achieve relationships that ensure us quality products and service; and
8. through pro-active public relations." ²⁴.

The abovementioned Mission Statement contained broad and general policy guidelines towards which the actions of the DTMB and its employees had to be directed in order to achieve the overall goal of the DTMB. On a more specific level, examples of a few policies adopted by the DTMB are mentioned hereunder:

- i) It was DTMB policy to endeavour to encourage greater patronage of its services by such measures as bringing them nearer to the potential users, thereby making the services more attractive, but at the same time, by judicious scheduling, eliminating unnecessary duplication over common routes thereby saving both time and kilometres operated ²⁵.
- ii) In the DTMB's 36th Annual Report it is mentioned that "the Current Policy (of the DTMB) is to acquire premium - type vehicles with an extended life potential of at least ten years and, accordingly, the vehicles are to be rebuilt to a standard comparable to the Boards new vehicle acquisitions in recent years" ²⁶.

- iii) During the year ended 30 June 1988, the DTMB adopted the following policy with regard to its Special Hire Operation: "to keep annual tariff increases to a minimum and to concentrate on increased turnover by charging what the market will bear." ²⁷.
- iv) In the DTMB's 37th Annual Report it was mentioned that it is DTMB policy to provide a cost effective service to operating departments of the Durban City Council ²⁸.

Other examples of the policies of the DTMB were mentioned in the previous chapter.

Cognisance must be taken of the fact that although the DTMB was granted wide delegated powers, the DTMB could only take policy decisions with regard to the operational aspects, such as routes, frequencies and type of vehicles to be purchased, without reference to the Durban City Council. Major policy decisions such as for example, the abandoning of the Blue Line or Green Line services and decisions which had a financial impact on the Council's budget, for example the purchase of new equipment, had to be submitted to the Durban City Council for ratification ²⁹.

With the disbanding of the DTMB, it is envisaged that the Public Transport Committee will retain some of the policies adopted by the DTMB, at least for the time being.

2.1.3 ADMINISTRATIVE POLICIES:

When the political policy and the executive (or implementation) policy have been made known, attention can be given to the formulation of a third policy, namely, administrative policy ³⁰.

The Chief Executive Officer and other leading officials of municipal transport departments are primarily responsible for the formulation of administrative policy relative to municipal passenger transport operations. The administrative policy is practice-orientated and deals with principles and procedures for certain objectives fixed by political representatives. Administrative policy has two components, namely, the policy of the department which is geared to achieve certain objectives and policy for household or internal departmental affairs ³¹.

Administrative policies, pertaining to "Call-out pay: Workshop staff" and the "Re-engagement of retired employees", which were decided at management meetings of Durban's Municipal Passenger Transport Undertaking during the era of the DTMB is quoted hereunder:

(i) POLICY STATEMENT: CALL-OUT PAY: WORKSHOP STAFF:

"Call-outs/breakdowns will be remunerated as follows -

1.1 If during normal working hours - No extra pay.

1.2 If extending beyond normal working hours -

Overtime at applicable rates plus R10,00 per normal mealtime lost for any call-out/breakdown outside of the respective divisional operating area.

2.1 If outside of normal working hours - whichever is the GREATER of the following -

Overtime at applicable rates

OR R40,00

OR Overtime at applicable rates plus R10,00 for each normal mealtime lost.

Effective Date: 1 September 1989."

The above policy statement was decided at a Management meeting on 25 May 1989 and signed by the General Manager ³².

(ii) POLICY STATEMENT: RE-ENGAGEMENT OF RETIRED EMPLOYEES:

"1. Re-engagement of retired employees will only be considered -

- if it is essential that the position must be filled;
- if the specific knowledge/skills of the individual are not otherwise available;
- subject to appointment on special contract; and
- subject to the contract being reviewed at 3 monthly intervals."

The above policy statement was decided at a Management meeting on 12 July 1989 and signed by the General Manager ³³.

2.1.4 OPERATIONAL POLICIES:

Apart from policy made at the three levels described above, decisions on various other matters of policy may still have to be taken at the level where the work has to be done, that is, at the operational level. At the operational level, officials must set norms in operating the techniques of their professions. In this sense, every official with discretion is in a position to make policies. Such discretion drives from delegation of authority ³⁴. Decisions at the operational level will as a rule be taken by supervisors and will concern matters which cannot really affect the nature of the line function, for example, decisions as to whether letters to members of the public or to officials should be handwritten or typed ³⁵. According to Coleman ³⁶, in the staff administration section of Durban's Transport Department during the era of the DTMB it was and still is in the Public Transport Service Unit a norm that replies to all correspondence to the public must be typed.

With specific reference to municipal passenger transport in Durban during the era of the DTMB, it is evident from the foregoing that the various bodies and personnel that were directly and indirectly involved in policy making were the central government (Parliament), the (then) Natal Provincial Council, the Durban City Council, the DTMB, the management of Durban's Transport Department and supervisors of the operational units.

Certain of the policies mentioned in this sub-section have since changed because of the factors listed in the next sub-section.

2.2 FACTORS WHICH INFLUENCE POLICY

Policy on municipal bus transport, like all the other components of municipal bus transport administration, is not static. The factors which influence policy with regard to municipal bus transport include -

- i) changes in national policies, that is, policies of the central government;
- ii) changes in the policies of the provincial government;
- iii) changes in the policies of the municipal council;
- iv) changes in commuter demands;
- v) town planning and land use;
- vi) residential densities;
- vii) commerce and industrial development;
- viii) the availability and quality of roads;

- ix) cost of providing a transport service;
- x) prices of fuel and oil;
- xi) technological developments; and
- xii) activities and representation of interest and pressure groups.

From the aforementioned, it goes without saying that policies with regard to municipal bus transport must be dynamic and updated to meet changing circumstances. Without sound policy guidelines, the effective administration of municipal bus transport becomes an almost impossible task.

3. ORGANISING

To enable a municipal bus transport undertaking to achieve its objectives and policies, the personnel involved in municipal bus transport administration must be organised into groups, that is, in departments, divisions, sections and depots, on the basis of similarity of function and/or geographical area and/or clients served. In other words, an organisational structure has to be created for the purposes of -

- i) dividing work among the various divisions, sections, and depots within a municipal bus transport undertaking;
- ii) assigning or delegating authority;
- iii) co-ordinating the activities of the transport functionaries and the organisational units into which they are grouped;

- iv) arranging or defining lines or channels of communication; and
- v) establishing control measures.

Within the standard municipal passenger transport undertaking there are three organisational divisions, namely:

- i) traffic or operations
- ii) engineering or technical
- iii) accounting and administration.

Operations as the name implies controls the direct running of the bus service itself: the recruitment, training and supervision of drivers, route selection, time-table compilation and design and allocation of drivers duties. The Technical Division maintains and repairs the buses and ancillary vehicles. The Accounting and Administration Division provides the financial, administrative, legal and personnel services. Some activities such as Public Relations, Publicity and Marketing may fall under Operations or Accounting, but in larger undertakings they may be separate units ³⁷.

During the period 1 August 1952 to 30 September 1990, Durban's Transport Department was the only municipal passenger transport undertaking to be controlled by a transport management board. The DTMB was virtually autonomous and functioned almost independently of the Durban City Council.

Cognisance must be taken of the fact that in addition to providing a public transport service, Durban's Passenger Transport Undertaking, during the era of the DTMB, was also responsible for the maintenance of all municipal vehicles of the Durban City Council with the exception of those in the (then) Fire and Police Departments ³⁸.

It must be mentioned that Durban's Transport Department, during the era of the DTMB, operated a bus service from four depots, a tours operation as well as a car and truck repair facility at four workshops in the greater Durban area ³⁹.

In the following sub-sections, an overview is given of the functions of each of the divisions within Durban's Transport Department during the era of the DTMB. Thereafter the organisational structure of each division is illustrated.

3.1 THE FUNCTIONS OF THE VARIOUS DIVISIONS OF THE MUNICIPAL TRANSPORT DEPARTMENT OF THE DURBAN CITY COUNCIL DURING THE ERA OF THE DTMB

3.1.1 EXECUTIVE DIVISION

The following were the main functions of the Executive Division:

- (a) Corporate policy in consultation with the Durban City Council.
- (b) Setting of objectives for the organisation.
- (c) Financial reporting.
- (d) Information systems.
- (e) Administration services ⁴⁰.

The staff complement of this section as at 5 October 1990 was 18 ⁴¹.

3.1.2 TRAFFIC DIVISION

The following were the main functions of the Traffic Division:

- (a) Ensuring that the needs of commuters in the Durban functional area are met by an efficient, economic and reliable passenger transport service.
- (b) Public and customer relations.
- (c) Scheduling of services.
- (d) Control of scheduled services.
- (e) Marketing of services.
- (f) Development of existing services ⁴².

The staff complement of this section as at 5 October 1990 was 1 143, of which 956 were one-man operators ⁴³.

3.1.3 FLEET MAINTENANCE DIVISION AND CARS AND TRUCKS DIVISION

The following were the functions of the Fleet Maintenance Division and the Cars and Trucks Division:

- (a) The provision of a technical service to the Traffic Division.
- (b) Purchasing of vehicles for the fleet.
- (c) Ensuring vehicle availability.
- (d) Maintenance of the bus fleet.

The only difference between the Fleet Maintenance Division and the Cars and Trucks Division is that the former maintained the bus fleet of the DTMB while the latter was responsible for the maintenance of the ancillary (pool) vehicles and trucks of all the departments of the Durban City Council ⁴⁴.

As at 5 October 1990, the staff complement of the Fleet Maintenance Division and the Cars and Trucks Division was 437 ⁴⁵.

3.1.4 HUMAN RESOURCES/PERSONNEL DIVISION

The following were the functions of the above Division:

- (a) Deployment of human resources.
- (b) Organisational Analysis with reference to personnel.
- (c) Industrial relations.
- (d) Training and development.
- (e) Welfare, health and safety.
- (f) Compensation and remuneration.
- (g) Personnel administration ⁴⁶.

The staff complement of this Division as at 5 October 1990 was 75 ⁴⁷.

3.2 ORGANISATIONAL STRUCTURES OF THE VARIOUS DIVISIONS OF THE MUNICIPAL TRANSPORT UNDERTAKING OF THE DURBAN CITY COUNCIL ⁴⁸:

In the following figures the organisational structures of the various divisions of Durban's Transport Department during the era of the DTMB is depicted.

FIGURE 8: THE ORGANISATIONAL STRUCTURE OF THE EXECUTIVE DIVISION

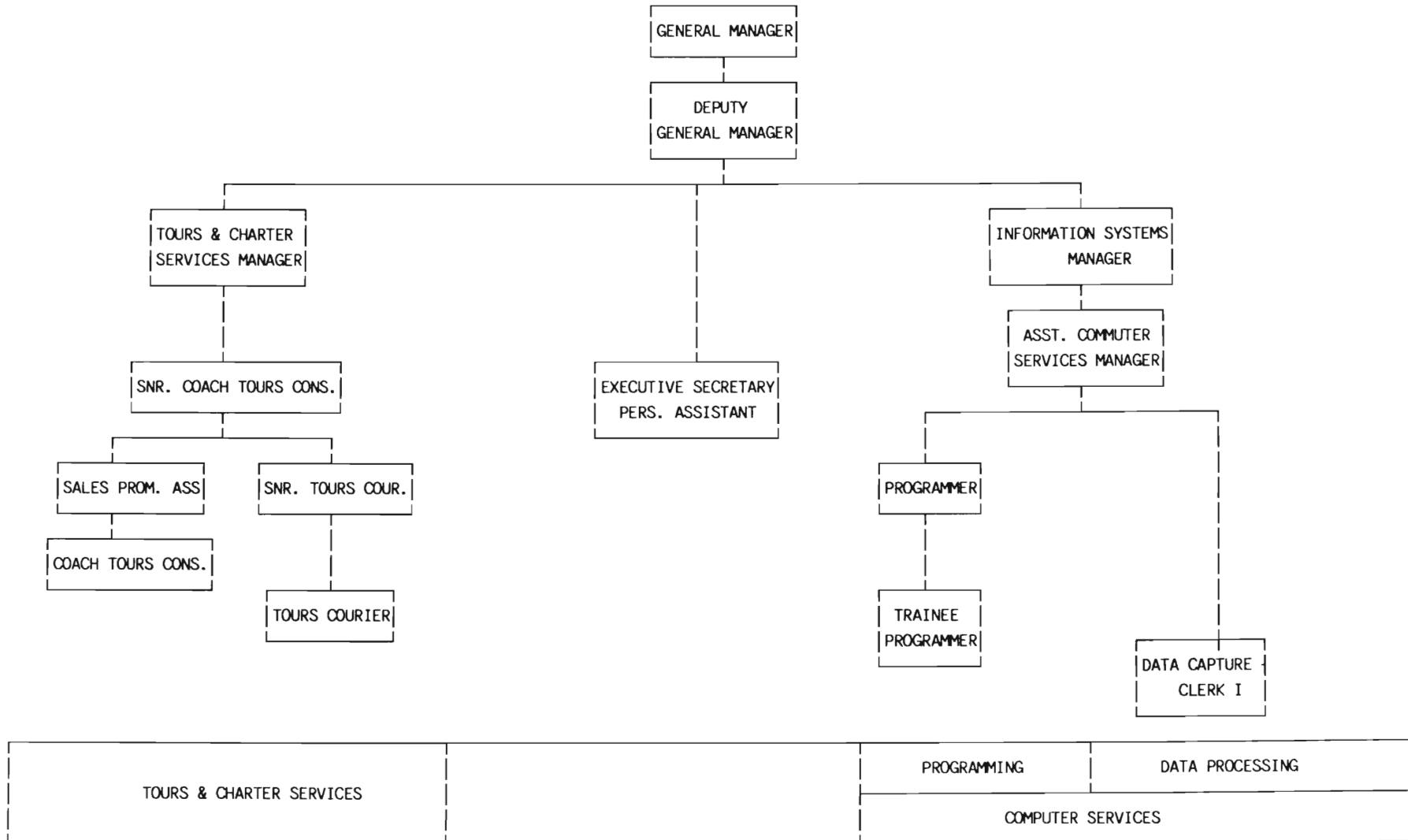
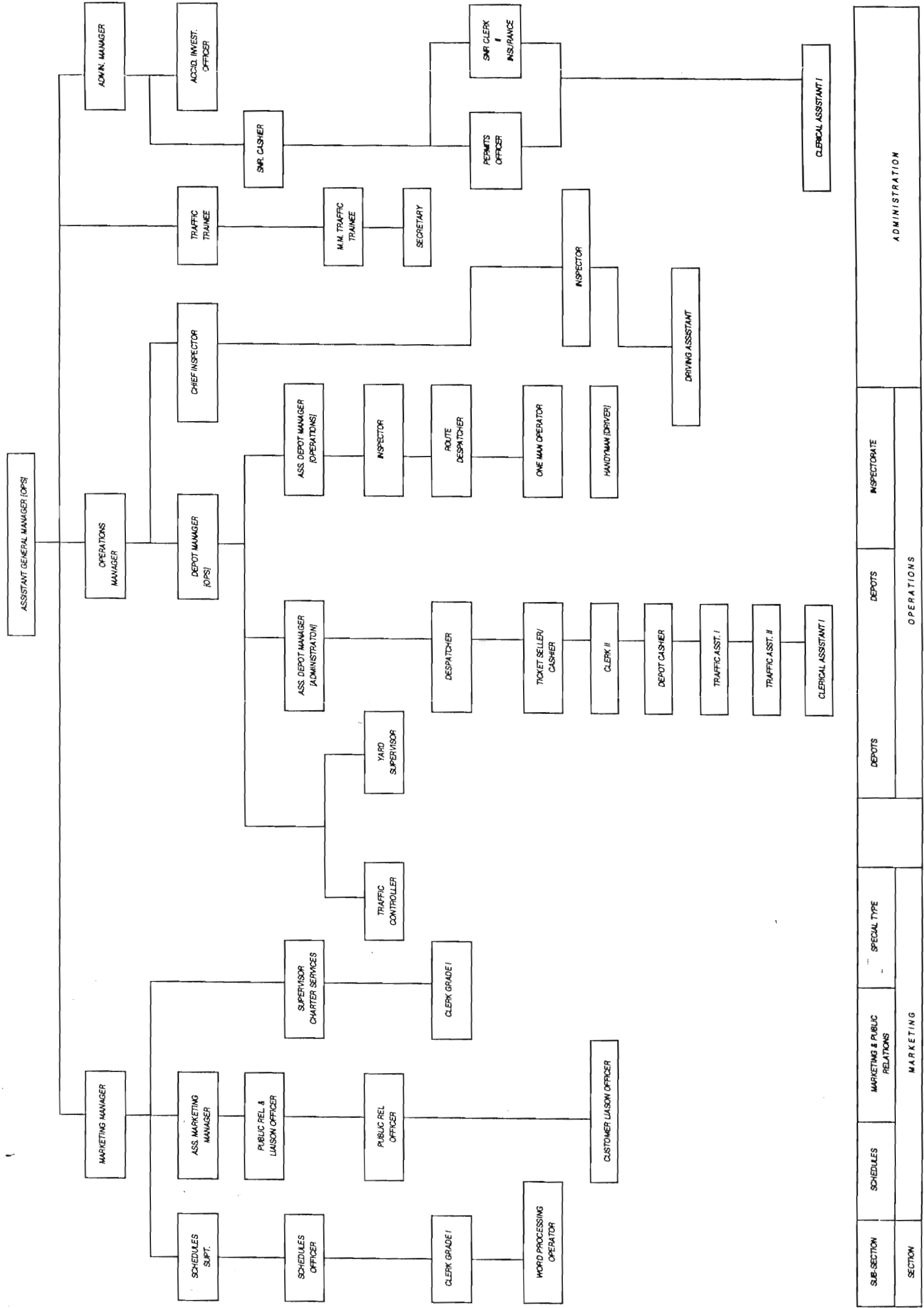


FIGURE 8: THE ORGANISATIONAL STRUCTURE OF THE TRAFFIC DIVISION



SUB-SECTION	SCHEDULES	MARKETING & PUBLIC RELATIONS	DEPOTS	DEPOTS	INSPECTORATE	ADMINISTRATION
SECTION	MARKETING			OPERATIONS		

FIGURE 10: ORGANISATIONAL STRUCTURE OF THE CARS AND TRUCKS DIVISION

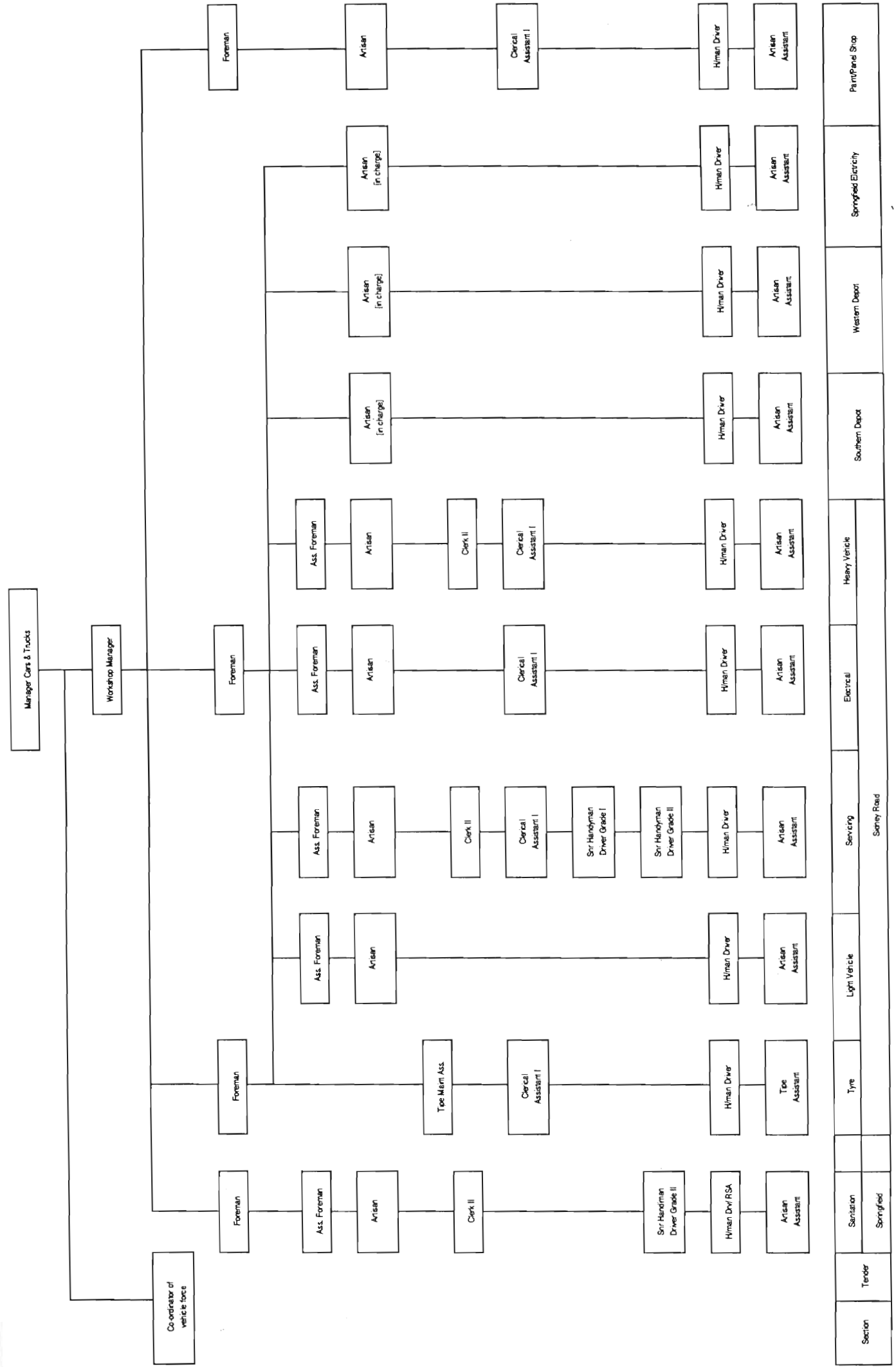
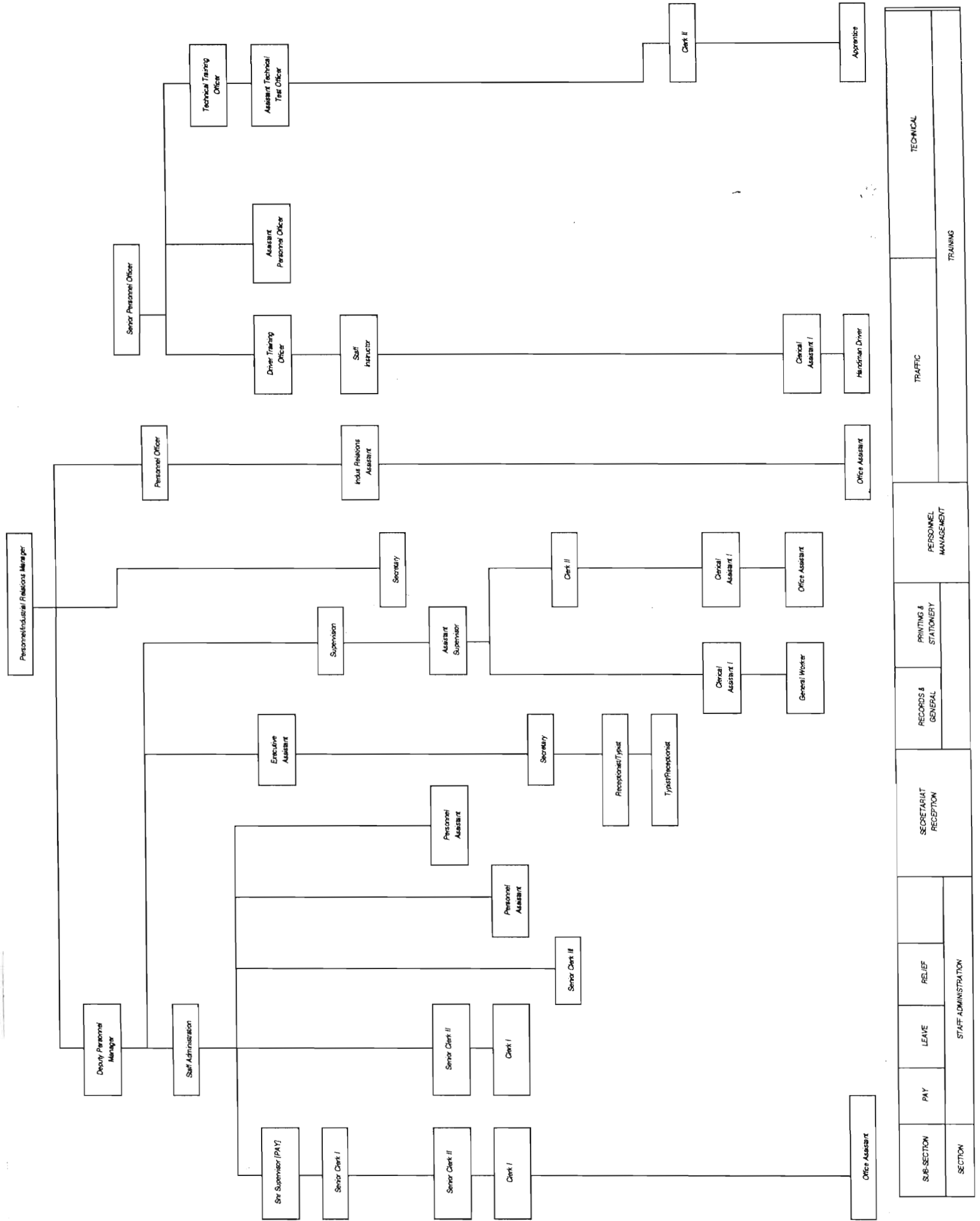


FIGURE 11: ORGANISATIONAL STRUCTURE OF THE HUMAN RESOURCES / PERSONNEL DIVISION



With reference to the above organisational structures, the Chief Executive Officer of the Public Transport Service Unit is now known as the Executive Director while the heads of the various divisions are known as Directors.

When the DTMB was disbanded at the end of September 1990, the following persons served on the Board ⁴⁹:

- i) Councillor Ms M H Ambler ┌ TWO DURBAN
- ii) Councillor R D Boyd └ CITY COUNCILLORS

- iii) Mr R J Draper ┌
- iv) Mr P G Mosmann └ FOUR REPRESENTATIVES
- v) Mr P J C Horne └ OF COMMERCE AND
- vi) Professor M Arkin └ INDUSTRY

- vii) Mr V E Tshabalala ┌ TWO PEOPLE WITH KNOWLEDGE OF
- viii) Mrs A J Mnguni └ BLACK TRANSPORTATION NEEDS

In terms of Rule 1(c) of the DTMB Rules, the Chairman and Vice-Chairman of the DTMB were appointed by the Durban City Council ⁵⁰.

With the disbanding of the DTMB, Durban's Municipal Passenger Transport Undertaking has become known as the Public Transport Service Unit which is controlled by a Public Transport Committee consisting of, inter alia, five city councillors ⁵¹. In terms of the restructuring of the Durban City Council's committee and departmental structure, the Cars and Trucks Division will become part of the City Services Service Unit ⁵².

4. FINANCING

Municipal Passenger Transport Undertakings, just like public institutions at all levels of government, are responsible for rendering services to the public. To render these services, for the general welfare of the community, costs (expenditure) must necessarily be incurred. It therefore goes without saying that

provision must be made for the necessary funds to be made available so that services can be rendered as efficiently as possible. The budget is the instrument through which municipal passenger transport undertakings obtain the necessary funds from their respective town or city councils. Since funds are always limited, municipal passenger transport undertakings should always ensure that the available funds are used efficiently and economically in achieving their objectives.

In this section an overview is given of pertinent aspects in the financial administration of Durban's Municipal Passenger Transport Undertaking during the era of the DTMB.

4.1 THE FINANCIAL RELATIONSHIP BETWEEN DURBAN'S TRANSPORT DEPARTMENT DURING THE ERA OF THE DTMB AND THE DURBAN CITY COUNCIL AND OTHER DEPARTMENTS OF THE CITY COUNCIL

Rule 18 of the DTMB Rules provided that "the Board (the DTMB) shall be entitled to utilise the services or the like of any of the (Durban City) Council's Departments, and shall at all times endeavour to ensure that the best possible co-ordination between itself and such other departments is maintained. In consideration therefor the Board shall be chargeable with such charges as the Council may prescribe in its Annual Estimates and such further charges for specific services as the Departments considered are entitled to render" 53.

In financial matters, the DTMB's operations relative to revenue and capital were considered in the City Council's overall budget as would be the case with any other City Council Department 54. Furthermore, the DTMB determined its own budget within the limits imposed by the Durban City Council 55.

Although the DTMB had wide plenary powers, policy decisions which had an impact on the Council's budget had to be submitted to the Durban City Council for ratification⁵⁶. For example, all fare increases had to be submitted via the Management Committee to the Durban City Council for ratification before these increases could be submitted to the Local Road Transportation Board for approval.

With regard to stores, the DTMB did not operate its own stores operation. The Durban City Council's materials supply function was effected by a centralised supplies operation (the Materials Management Department) which operated the transport materials, spares and tyre stores and for which a charge was levied⁵⁷.

The Town Clerks Department provided a security function to Durban's Passenger Transport Undertaking. The DTMB paid a fee for this service. In addition, the DTMB paid the Electricity Department for electricity consumed⁵⁸.

During the era of the DTMB, the Finance and Accounting Section of Durban's Municipal Passenger Transport Undertaking was responsible for financial administration within this undertaking. This section, which consisted of staff from the Durban City Council's (then) City Treasurer's Department rendered a finance and accounting service to the DTMB⁵⁹. Furthermore, staff attached to this section were paid out of the budget of the City Treasurer's Department⁶⁰. The DTMB paid a fee for the service rendered by staff from the City Treasurer's Department.

The role of certain functionaries, that were attached to the Finance and Accounting Section, in the financial administration of Durban's Municipal Passenger Transport Undertaking is reviewed hereunder:

4.1.1 MAIN AREAS OF RESPONSIBILITY OF STAFF ATTACHED TO THE FINANCE AND ACCOUNTING SECTION OF DURBAN'S TRANSPORT DEPARTMENT DURING THE ERA OF THE DTMB:

In August 1990, fifteen staff from the Durban City Council's City Treasurer's Department were attached to the Finance and Accounting section of the DTMB⁶¹. The main areas of responsibility of certain of the functionaries attached to this section are listed hereunder:

4.1.1.1 FINANCIAL OFFICER

The the main areas of responsibility of this functionary were, inter alia,

- i) responsibility under the direction of the Assistant City Treasurer (Accounting) and the Senior Financial Officer for the operation of the system of financial and accounting control, including the cash and ticket control of the Transport Department;
- ii) attending upon the General Manager, Transport Department in respect of Management information requirements;
- iii) the submission of monthly work progress reports;
- iv) financial reports to DTMB;
- v) the acquisition of services and the evaluation of services;
- vi) the calculation of the economic fare for the Non-White bus service in connection with the State subsidy scheme;

- vii) the checking and approval of Financial Certificates issued by the General Manager in terms of the DTMB rules; and
- viii) the preparation of budget and financial information relative to materials management ⁶².

4.1.1.2 SENIOR ACCOUNTANT

The main areas of responsibility of the Senior Accountant were, inter alia, to -

- i) assist the Financial Officer with the Annual Estimates and Financial Statements;
- ii) assist the Financial Officer with the periodical calculation of the economic fare relative to the State Subsidy Scheme;
- iii) carry out monthly stock checks of the Transport Department's central bulk stocks of weekly tickets, monthly tickets, coupons, scholars' coupons, tour vouchers, emergency tickets ⁶³ and other face value tickets;
- iv) scrutinise and approve all subsidy claims to the Department of Transport for Green Line cash fares, weekly tickets and monthly ticket sales;
- v) carry out a monthly calculation of the workshop recovery rate and adjust if necessary;
- vi) check and approve all monthly and accumulative statistics compiled by the Accountant;

- vii) reconcile the Comparative Statement and check all adjustments made thereto;
- viii) complete draft notes on the Comparative Statement to enable the Financial Officer to compile a monthly comprehensive report on differences;
- ix) reconcile calculation of bank overdraft with main accounts and investigate any discrepancy;
- x) reconcile Tours, Special Hire and Contract Hire Income and Expenditure Statement;
- xi) reconcile route statistics and analyse passenger trends; and
- xii) analyse and approve weekly repairs and maintenance statistics ⁶⁴.

4.1.1.3 ACCOUNTANT

As at 19 February 1990, two Accountants were attached to the Finance and Accounting section. The main areas of responsibility of both Accountants which have been combined hereunder were, inter alia, the following:

- i) To assist to maintain work output when other members of this section were absent.
- ii) To act as relief for the Senior Accountant;
- iii) To write up Monthly Schedules, reconcile, adjust and charge-out in respect of the following:

- (a) Works Account.
- (b) Diesel Fuel issues.
- (c) Open and Capital Accounts.
- (d) Passes Income and Pensioners Subsidies.

iv) Costing Transfers for the following:

- (a) Maintenance Provision Adjustments.
- (b) Clearing "check" items.
- (c) Rate and General Service Subsidies.
- (d) Capital Development Fund Contributions.
- (e) Oil Issues for Pool Transport.
- (f) Tour and Clip Card Suspense Accounts.
- (g) Commission on Coupon Sales by Agents.
- (h) Distribution Accounts.

Sale of Clip Cards to the (then) South African Transport Services (hereinafter referred to as SATS).

v) Monthly and accumulative statistics of -

- (a) cash income and passengers;
- (b) monthly and weekly clip card cash, subsidies and passengers;
- (c) adult and scholars' coupon, cash fares and passengers carried;
- (d) cash income subsidies and passengers carried for the Green Line Service;
- (e) kilometres operated;

- (f) litres of diesel fuel used; and
 - (g) Tour and Special Hire Cash, kilometres operated, passengers carried and hours.
- vi) Assets Register:
- (a) Write up schedules of details of new items and write-offs; and
 - (b) submit computer advices and Batch Controls.
- vii) Comparative Statement:
- With regard hereto the following
- (a) Calculation of variances for fuel, repairs and maintenance, bodywork and tyres expenditure.
 - (b) Schedule of income received in current month but banked in the following month.
 - (c) Schedule of Voucher Payments made in the following month in respect of the current month.
 - (d) Calculation of bank overdraft and adjusting capital charges.
 - (e) Scrutinise Analysis Sheets and adjust all items for omissions or additions.
 - (f) Reconcile cash income with Cash Book.
 - (g) Complete drafts of Comparative Statement for typing.

- (h) Schedule of Accumulated weekly cash and coupon passengers.
- (i) Schedule reflecting Income Variance on a 10 week roving average basis.

viii) Weekly Cash and Coupon Statement:

In respect hereto the

- (a) calculation of weekly and monthly clip card cash and subsidy income (2 pages);
- (b) calculation of weekly cash and subsidy income (1 page);
- (c) calculation of passengers carried;
- (d) completion of drafts for typing (2 pages); and
- (e) calculation of weekly SATS/DTMB sales and passenger statistics (2 pages).

ix) Other Monthly Transactions:

With regard hereto the -

- (a) submission of SATS subsidy claim;
- (b) posting and balancing Job Costs;
- (c) posting Tour and Special Hire details and submission of Monthly Statement (3 pages);
- (d) submission of Route statistics (2 pages);

- (e) submission of a Return of Passengers and kilometres to the Control Statistics Service; and
- (f) preparation of a schedule of cumulative and monthly balance of the Workshop Account.

- x) Return of General Sales Tax and taxi payments received.

- xi) Scrutinise and approve vouchers and costing transfers issued by the Finance and Accounting Section.

- xii) The administration and control of distribution votes, including the signing of all vouchers, costing transfers and requisitions relating thereto.

- xiii) The monitoring of all charge-outs and adjustments relating to the distribution votes and the effecting of all reconciliations necessary.

- xiv) The completion of all assigned input into the monthly comparative statement within the parameters set.

- xv) the preparation of the Annual Estimates for the distribution votes and ensuring that these votes are finalised timeously during the preparation of the Annual Financial Statements for the Transport Department.

- xvi) The carrying out of the monthly calculation of the Bus and Cars and Trucks Workshop Recovery Rates and reporting thereon to the Financial Officer.

- xvii) The controlling under the guidance of the Senior Accountant, of the timeous completion of all general office duties ⁶⁵.

The areas of responsibility indicated above are self-explanatory.

4.1.1.4 ACCOUNTANCY ASSISTANT:

The main areas of responsibility of this functionary were, inter alia, to -

- i) compile monthly, quarterly and annual returns as required by the Department of Transport for the State Subsidy Scheme in terms of the Urban Transport Act, 1977 (Act 78 of 1977);
- ii) compile quarterly and cumulative route statistics in the form required by the Department of Transport and in the form required by the DTMB;
- iii) compile subsidy claims for submission to the Department of Transport for weekly and monthly clip-card and for cash-fares;
- iv) complete statistical returns and questionnaires required by Government Departments and other organisations;
- v) assist the Accountant in the compilation of the Monthly Comparative Statement and route statistics;
- vi) submit claims for subsidies for approved capital projects under the Urban Transport Act, 1977;
- vii) post entries to the cash book - daily; and
- viii) balance the cash book - weekly and monthly ⁶⁶.

4.1.1.5 CHIEF CLERK (GRADE II)

The following were the main areas of responsibility of the Chief Clerk (Grade II):

- i) Responsibility for the administration of the Departmental Cash and Ticket control.
- ii) Personal responsibility for the safe custody of the Transport Department's central bulk stocks of weekly tickets, monthly tickets, coupons, scholar coupons, emergency tickets, excluding those major stocks held by the Director: Material Management Department.
- iii) Personal responsibility for the control and reconciliation of the bulk stocks mentioned in (ii) above and the -
 - (a) ordering of new and replacement bulk stocks;
 - (b) issuing stocks;
 - (c) maintaining records of receipts and issues and balances of the bulk stock; and
 - (d) maintaining bulk stock levels to meet Depot requirements.
- iv) The daily -
 - (a) issue of stocks;
 - (b) issue and receipt of banking keys;

- (c) supervision of work on micro-computer and the attending to queries arising therefrom; and
 - (d) checking and signing of the composite daily cash statement.
- v) The weekly -
- (a) preparation of statistics from the sales book; and
 - (b) programming of electronic cash registers when the Senior Clerk (Grade II) is on leave.
- vi) The monthly preparation of -
- (a) statistics from the sales book;
 - (b) deduction sheets for Driver's shortages from computer listings; and
 - (c) refunds listings (quarterly for drivers) from computer listings.
- vii) Attending to Audit and general queries ⁶⁷.

4.1.1.6 SENIOR CLERKS

The following were, inter alia, the combined main areas of responsibility of the Senior Clerks that were attached to the Finance and Accounting Section:

- i) The weekly distribution of omnibus costs and the preparation of the following maintenance statistics and schedules:

- (a) Blue and Green Lines Services maintenance costs per kilometre for a 8 week period and accumulated figures for the current financial year against the various groups of omnibuses.
 - (b) Schedule of maintenance by job types (weekly and monthly).
 - (c) Schedule of non-effective time.
- ii) Insurance claims:
- With regard to the above, the supervising of Clerk (Grade II) without Barrier in -
- (a) the reconciliation and recovering of outstanding amounts of finalised claims; and
 - (b) correspondence on insurance claims.
- iii) The balancing and distribution of workshop costs for miscellaneous jobs.
- iv) The analysis of workshop costs between labour, material and vouchers for estimate jobs.
- v) (a) The checking of Workshop Order payments for outside work and the submission of weekly batch totals; and
- (b) the filing of yellow copies number order and gold copies and invoices in suppliers code order.

- vi) The allocation and recording of special job numbers.
- vii) The checking and correction by costing transfer of incorrect allocations of weekly job costs.
- viii) The preparation of vouchers for urgent and special payments of Workshop Service Orders and filing of office copies of vouchers.
- ix) The monthly costing transfers to clear suspense items and certain special job numbers.
- x) The distribution of the monthly summary of Workshop charge-out details to various Municipal Departments.
- xi) The resolving of queries for non-payment of Transport Works Orders.
- xii) The maintaining of a record of Transport Works Orders paid together with supporting documents.
- xiii) The maintaining of a record of Transport Works Orders books issued.
- xiv) In addition to the above, the senior clerks had to perform the following tasks daily :
 - (a) Enter cash register machine totals (ex depot) in the cash record book.
 - (b) From stock movement sheets enter sales in coupon and sundries sales and tour rates registers and balance.

- (c) Reconcile the amount banked by each depot to the various registers in (a) and (b) above.
- (d) Compile the composite daily cash statement.
- (e) Balance stock of emergency tickets held by depots.

- xv) Completion of forms daily, weekly and monthly to advise the Finance and Accounting Section of setright machine(s) cash takings and coupon sales, including scholar's coupons.
- xvi) The changing of weekly and monthly ticket stamps returned by depots for new sales periods.
- xvii) The programming of electronic cash registers, weekly, for clip card sales.
- xviii) The reconciling of credit card sales.
- xix) The preparation of a general sales tax schedule, monthly.
- xx) The senior clerks also had to assist the Chief Clerk (Grade II) in the administration of the sub-section and where necessary, in the issue and control of ticket stocks.
- xxi) With regard to Special Hire, the senior clerks were required to summarise special hire advices daily, raise debits and prepare monthly schedules.

- xxii) The checking of daily waybills.
- xxiii) With regard to the Tours Section the senior clerks had to check and reconcile daily booking sheets, calculate commission, raise debits and prepare monthly schedules.
- xxiv) The recording and the preparation of vouchers for payment of the various fees and services.
- xxv) The senior clerks were responsible for the monthly costing transfers for -
- (a) travelling facilities - City Police, Town Clerk and Grants;
 - (b) duty tickets, driving function fees, contract fares and Special Hire;
 - (c) telephone payments; and
 - (d) pensioners subsidies;
- xxvi) The checking of the summary and allocation of bus advertising.
- xxvii) The raising of debits for miscellaneous charges as follows:
- Travelling facilities for Postal Officials, Yellowwood Park Subsidy and other recoverable expenditure;

- xxviii) The preparation of financial certificates.
- xxix) Requisitions for building maintenance and control of machine servicing.
- xxx) The checking of agency sales charts, tickets and summaries. Balance and prepare vouchers.
- xxxi) The raising of debits for scholar tickets issued to the Natal Provincial Administration: Department of Education.
- xxxiii) The checking of the schedule of passengers for the Springfield Complex and the raising of the Electricity Department costing transfer.
- xxxiv) The maintaining of records of all debits raised.
- xxxv) The checking and adjusting of workshop job costs and costing transfers submitted by outside departments ⁶⁸.

4.1.1.7 CLERKS

The Clerks attached to the Finance and Accounting Section had to, inter alia,

- i) check daily waybills and record control totals;
- ii) control the daily flow of waybills to the Mechanisation Section for punching;

- iii) maintain daily records of passenger and income statistics;
- iv) control daily diesel fuel issues and requisitions and maintain diesel fuel stock records and process 'Gold' forms for fuel supplied;
- v) calculate monthly and quarterly stock variation percentages;
- vi) prepare monthly schedules for fuel consumption (litre/100 km) for the Blue Line and Green Line services;
- vii) (a) check and balance artisan job cards; and
(b) maintain weekly and monthly summaries of workshop personnel and hours charged;
- viii) record omnibus kilometres;
- ix) post monthly maintenance costs to detailed omnibus accumulated maintenance costs, control and complete costing transfers for adjustments;
- x) control office stationery stock;
- xi) assist with the processing of waybills when necessary;
- xii) prepare weekly statistics with regard to -
 - (a) the summary of workshops shifts; and
 - (b) cost centre hours;

xiii) daily -

- (a) from Cashier's Cash Summary post shorts and overs to individuals;
- (b) advise depots of cashier's shorts and overs not paid in by cashiers;
- (c) follow up to ensure payment of (b) above;
- (d) operation of micro-computer;
- (e) ensure that all input documents are received and correctly completed;
- (f) balance final cash balances to cash deposited in banks; and
- (g) check shorts and overs listing and post to depots;

xiv) weekly -

- (a) assist Chief Clerk (Grade II) in balancing weekly ticket stocks held by depots;
- (b) enter electronic cash register machine totals (from depots) in the weekly clip card sales record book; and
- (c) balance depot banking to weekly ticket sales;

- xv) monthly -
- (a) enter electronic cash register machine totals (from depots) in the monthly clip card sales record book;
 - (b) balance depot banking with monthly ticket sales;
 - (c) assist the Chief Clerk (Grade II) in balancing monthly ticket stocks held by depots;
 - (d) draw up a schedule of all clip-card sales for the month; and
 - (e) obtain monthly shorts and overs listing for deductions and refunds;
- xvi) draw up schedules for cashier's refunds every quarter; and
- xvii) control clip card sales paid in advance by SATS ⁶⁹.

From the aforementioned, it can be concluded that the functionaries involved in the financial administration, of Durban's Transport Department during the era of the DTMB, had to possess specific knowledge and skills. With the restructuring of the Durban's City Council's Committee and departmental structure a post of Director: Finance and Information Services has been created in the Public Transport Service Unit ⁷⁰. Thus, the Public Transport Service Unit will have its own financial administration staff who will be paid from the budget of this Service Unit.

Staff from the City Treasurer's Department which were attached to Durban's Bus Transport Department during the era of the DTMB have been retained by the Public Transport Service Unit. These staff are now paid from the budget of this Service Unit ⁷¹.

4.2 BUDGETING SYSTEM AND BUDGET FIGURES

The Durban Municipal Passenger Transport Undertaking during the era of the DTMB used the line item budgeting system because it provided a better means of control. According to Halley, a line item budget provides a list of planned expenditures expressed in terms of the kinds and quantities of objects of expenditure and the estimate revenue needed to finance them during a specified period." ⁷².

The Durban's Transport Department's annual budget for the four years preceding the 1990/91 financial year is tabulated hereunder:

TABLE 6: DURBAN TRANSPORT DEPARTMENT'S ANNUAL BUDGET FOR THE PAST FOUR YEARS

FINANCIAL YEAR	OPERATING BUDGET	CAPITAL BUDGET
1986/87	R 56 245 120	R10 846 640
1987/88	R 64 416 910	R19 322 700
1988/89	R 76 102 360	R20 755 700 ⁷³
1989/90	R 108 449 440	R22 120 000 ⁷⁴

During the year ended 30 June 1990:

- i) The DTMB's Blue Line Service operated at a deficit of R5 251 705 against a budgeted deficit of R3 946 210. This deficit, which was met by the Rate and General Services Operating Account, was attributed, in the main, to a four week period of strike action experienced during August/September 1989.

- ii) The DTMB's Green Line Service operated a deficit of R1 900 530 against an anticipated break-even situation. This deficit was -
 - (a) primarily attributed to the industrial action mentioned above; and

 - (b) partially met by the transfer of R264 533 from the Service's Working Capital and General Reserve, with the balance of R1 635 997 being met by the Rate and General Services Operating Account.

- iii) The DTMB's Mynah Service, which was also severely affected by the four-week period of strike action, operated at a deficit of R1 615 384 against an estimated deficit of R783 690. This deficit was met from the Services Working Capital and General Reserve (R157 539) and the Rate and General Services Operating Account.

- iv) The DTMB's Tours Service operated at a deficit of R102 561 against a budgeted break-even situation. This deficit was primarily attributed to the refurbishment of four coaches not budgeted for and was met from the Service's Working Capital and General Reserve (R72 932) and the Rate and General Services Operating Account (R29 629) ⁷⁵.

From the above, it is evident that a significant part of the deficit in each service was met by the ratepayers of the City of Durban through the Rate and General Services Operating Account.

4.3 SOURCES OF REVENUE

Some of the main sources of revenue of Durban's Municipal Passenger Transport Undertaking during the era of the DTMB are tabulated hereunder:

TABLE 7: SOURCES OF REVENUE FOR THE 1986/87, 1987/88, 1988/89, 1989/90 FINANCIAL YEARS

SOURCES OF REVENUE	FINANCIAL YEAR			
	1986/87	1987/88	1988/89	1989/90
<u>FARES, ETC</u> ⁷⁶				
Blue Line Service	R 5 423 898 ⁷⁷	R 5 599 214 ⁷⁸	R 5 120 787	R 4 704 307 ⁷⁹
Green Line Service	R25 691 552 ⁸⁰	R29 179 297 ⁸¹	R33 391 968	R33 758 955 ⁸²
Mynah Service	-	R 1 134 432 ⁸³	R 3 922 206	R 5 261 937 ⁸⁴
Tours Service	R 341 264 ⁸⁵	R 475 073 ⁸⁶	R 443 161	R 618 759 ⁸⁷
<u>GRANTS AND SUBSIDIES:</u>				
Blue Line Service	R 1 784 648 ⁸⁸	R 2 193 986 ⁸⁹	R 1 211 049	R 1 420 584 ⁹⁰
Green Line Service	R18 141 875 ⁹¹	R27 082 116 ⁹²	R28 273 348	R36 976 463 ⁹³
Mynah Service	-	R 117 224 ⁹⁴	R 423 722	R 584 778 ⁹⁵
<u>BUS ADVERTISING:</u>	R 520 981 ⁹⁶	R 554 497 ⁹⁷	R 693 700 ⁹⁸	R 600 544 ⁹⁹

From the above it is evident that the main source of revenue of Durban's Municipal Passenger Transport Undertaking was fares.

4.4 ITEMS OF EXPENDITURE

Some of the main items of expenditure of Durban's Municipal Passenger Transport Undertaking during the era of the DTMB are tabulated hereunder:

TABLE 8: ITEMS OF EXPENDITURE FOR THE 1986/87, 1987/88, 1988/89 AND 1989/90 FINANCIAL YEARS

ITEMS OF EXPENDITURE	FINANCIAL YEAR			
	1986/87	1987/88	1988/89	1989/90
<u>MANAGEMENT AND GENERAL</u>				
Blue Line Service	R 460 742 ¹⁰⁰	R 653 636 ¹⁰¹	R 769 365 ¹⁰²	R 874 733 ¹⁰³
Green Line Service	R 3 070 933 ¹⁰⁴	R 3 679 727 ¹⁰⁵	R 4 937 584 ¹⁰⁶	R 5 841 196 ¹⁰⁷
Mynah Service	-	R 116 200 ¹⁰⁸	R 408 690 ¹⁰⁹	R 687 287 ¹¹⁰
Tours Service	R 16 977 ¹¹¹	R 24 000 ¹¹³	R 24 000 ¹¹³	R 28 720 ¹¹⁴
<u>FUEL:</u>				
Blue Line Service	R 1 168 935 ¹¹⁵	R 1 319 677 ¹¹⁶	R 1 450 924 ¹¹⁷	R 1 635 945 ¹¹⁸
Green Line Service	R 7 720 961 ¹¹⁹	R 8 571 168 ¹²⁰	R 10 680 384 ¹²¹	R 11 565 922 ¹²²
Mynah Service	-	R 126 273 ¹²³	R 470 455 ¹²⁴	R 731 078 ¹²⁵
Tours Service	R 30 398	R 44 562 ¹²⁶	R 44 655	R 84 935 ¹²⁷
<u>TRAFFIC EXPENSES</u> ¹²⁸				
Blue Line Service	R 3 628 590	R 4 027 009 ¹²⁹	R 4 107 346	R 4 527 548 ¹³⁰
Green Line Service	R 15 513 356 ¹³¹	R 18 648 464 ¹³²	R 21 538 442	R 26 426 396 ¹³³
Mynah Service	-	R 599 571 ¹³⁴	R 1 982 854	R 2 811 596 ¹³⁵
Tours Service	R 313 372	R 314 902 ¹³⁶	R 390 108 ¹³⁷	R 486 452 ¹³⁸
<u>REPAIRS AND MAINTENANCE:</u>				
Blue Line Service	R 3 335 439	R 2 915 927 ¹³⁹	R 2 847 143	R 2 631 264 ¹⁴⁰
Green Line Service	R 11 364 774	R 12 984 274 ¹⁴¹	R 13 663 670	R 16 276 987 ¹⁴²
Mynah Service	-	R 241 061 ¹⁴³	R 508 030	R 817 913 ¹⁴⁴
Tours Service	R 68 938	R 113 219 ¹⁴⁵	R 121 442 ¹⁴⁶	R 220 821 ¹⁴⁷

Mention has to be made of the fact that the members of the DTMB were paid retainers at the rate of R7 283 per annum in the case of the Chairman and at the rate of R5 452 per annum in the case of other members. In addition, the Chairman and other members of the DTMB were paid reimbursive allowances of R40 per month to cover travelling and out-of-pocket expenses incurred by them in and about their duties as DTMB members ¹⁴⁸.

It can be concluded that financial administration within any municipal passenger transport undertaking consists of specialised tasks which must be performed by qualified and trained officials such as financial officers and accountants. The income of all municipal passenger transport undertakings is always restricted and insufficient to enable them to perform all the activities they would like to undertake. Furthermore the sources of income of municipal passenger transport undertakings are not always enough to cover the expenditure of this cost-intensive industry. As a result, practically all municipal passenger transport undertakings show a deficit in their Trading Results or Balance Sheets.

5. PERSONNEL PROVISION AND UTILISATION

Once a decision has been taken to establish a municipal passenger transport undertaking and a policy has been formulated in this regard, the organisational arrangements have been completed and money has been made available, then personnel can be appointed to put the administrative machinery into operation. The operation of providing personnel and setting them to work, that is, the function of staffing municipal passenger transport undertakings, constitutes an extensive field of work and involves many separate activities. The staffing function is in fact also known as the personnel function, personnel administration and personnel work and has to be performed by officials having appropriate skills and knowledge.

According to Cuthbert ¹⁴⁹, public transport normally operates 24 hours a day and a feature of its operation is its socially unacceptable working hours, since not only shift work is involved, but also split and spread-over shifts. Personnel trained or, who are prepared to be trained in this field, are not easy to come by, mainly because of the conditions mentioned. Consequently, maximum and efficient utilisation of staff is necessary.

Due to the comprehensive nature of personnel administration in any municipal passenger transport undertaking, only certain aspects in the administration of Durban's Municipal Passenger Transport Undertaking during the era of the DTMB is reviewed in this section.

5.1 THE PERSONNEL ADMINISTRATION FUNCTIONS OF THE HEAD OF THE PERSONNEL DIVISION

The purpose of the then Head of the Personnel Division, and now Director: Human Resources of the Public Transport Service Unit ¹⁵⁰, is to ensure that the manpower and productivity needs of Durban's Public Transport Service Unit and the expectations of employees are matched as far as possible. In accomplishing this purpose the Director has to, inter alia,

- i) plan the Service Unit's human resource activities by taking into account -
 - (a) corporate human resource policy and directives;
 - (b) the Service Unit's objectives and policies;

- (c) historical trends in the Unit;
 - (d) developments in the human resource field;
 - (e) the plans and needs of the other Divisions of the Unit; and
 - (f) applicable legislation;
- ii) ensure that the Unit's plans are implemented by -
- (a) adhering to, or developing and installing appropriate methods, systems and/or practices;
 - (b) establishing communication channels with all levels of staff;
 - (c) developing co-operative relationships;
 - (d) providing specialist services;
 - (e) liaising and negotiating with Trade Unions as necessary; and
 - (f) having sufficient resources to call upon;
- iii) manage the Unit by -
- (a) ensuring that staff fulfill their assigned responsibilities; and
 - (b) setting appropriate standards;

- iv) monitor and control performance within the Division by -
 - (a) obtaining feedback from the other Divisions;
 - (b) auditing procedures and statistics;
 - (c) receiving staff performance; and
 - (d) taking corrective action as required;

- v) assist the other Divisions of the Unit by -
 - (a) providing advice and suggestions on staff matters as required;
 - (b) administering the payroll and implementation of conditions of service;
 - (c) ensuring that records are maintained and that statistics can be provided;
 - (d) recruiting suitable, qualified and/or experienced people and arranging their induction into the organisation;
 - (e) making welfare and counselling services available to staff;
 - (f) organising the training and development of staff in order to ensure efficiency and proper continuity;
 - (g) supervising job evaluation projects;
 - (h) organising surveys on employee and remuneration practices;
 - (i) supervising and monitoring the performance appraisal process;

- (j) conducting appropriate organisation development or conflict resolution interventions as required; and
 - (k) ensuring compliance with Conditions of Service and the Department's human resource policies;
- vi) advise the Executive Director on industrial relations issues and policy requirements and the morale problems of staff and make suitable recommendations;
- vii) assist the Executive Director in formulating strategic direction for the Department by providing specialist expertise and input; and
- viii) conduct ad hoc projects and investigations which fall within the scope of the Division ¹⁵¹.

5.2 JOB ANALYSIS PROCEDURE

The purpose of job analysis ¹⁵² is to ascertain what duties are performed in a function, that is, what needs to be done ¹⁵³. Human job analysis procedure that was applied in Durban's Municipal Passenger Transport Undertaking during the era of the DTMB and which is still being applied in the Public Transport Service Unit is summarised hereunder:

- i) A Job Specification ¹⁵⁴ is first obtained from the Divisional Manager concerned (a copy of a blank Job Specification Form is attached as Annexure D);
- ii) thereafter a Job Information Questionnaire is given to the incumbent of the position to complete (a copy of a blank Job Information Questionnaire is attached as Annexure E);

- iii) once the Job Information Questionnaire has been completed, the Personnel Division then ascertains whether the job cannot be done by another section or by incorporating the duties into other jobs;
- iv) if the position needs to be filled, a Job Description ¹⁵⁵, is then drafted from the information contained in the Job Specification (a copy of the Job Description and Duty Schedule for the position of Operations Manager is attached as Annexure F); and
- v) from the Job Description, a Man Specification is drawn up. The Man Specification describes the type of person needed to perform the job and it is used as a guideline for recruiting a candidate for the job ¹⁵⁶ (a copy of the Man Specification for the position of Operations Manager is attached as Annexure G).

5.3 THE SELECTION PROCESS WITH REGARD TO ONE-MAN OPERATORS

The selection process with regard to one-man operators, in Durban's Municipal Passenger Transport Undertaking during the era of the DTMB and now in the Public Transport Service Unit is summarised hereunder:

- i) the Traffic Division informs the Personnel Division that an additional one-man operator is required;
- ii) the Personnel Division then ascertains whether the job description for that post is current;

- iii) if the job description is current, the Personnel Division then draws a man specification (the man specification of a one-man operator is contained in Table 9);
- iv) the post is then advertised;
- v) once applications have been received, only those applicants that meet the man specification are considered;
- vi) the trainability of the applicants meeting the man specification are then assessed by administering the National Institute of Transport Research (NITR) Test Battery. This Test Battery consists of, inter alia, a figure classification test (comparison of shapes), a test to determine vocabulary and reading ability and elementary tests;
- vii) the applicants passing the above tests are then given job related tests, for example, an eye test, a co-ordination and reaction test and a test to determine the numeric ability of the applicant;
- viii) a reference check is then done on the applicants who passed the above tests. These checks are done to determine, for example, the honesty of the applicant or whether he has a drinking problem;
- ix) the applicants are then short-listed;
- x) the applicants who have been short-listed are then interviewed by the Durban's Municipal Passenger Transport Undertaking's black staff (in the case of one-man operators). This is done to get a feel of the applicant, for example, to ascertain whether the applicant shows signs of a drinking problem;

- xi) the applicants are short-listed again;
- xii) the above applicants are then interviewed by a panel consisting of officials from the Traffic Division and the depot manager;
- xiii) the applicant to be employed is then selected;
- xiv) the applicant selected is then sent for a medical test to ascertain if he is medically fit; and
- xv) if the applicant is found to be medically fit and he accepts the post, he is then appointed on six months probation ¹⁵⁷.

On appointment the successful applicant is -

- i) presented with a letter of Appointment. This letter of Appointment gives an indication of, inter alia, the remuneration package, annual bonus, housing subsidy, vacation leave and sick leave benefits, hours of work and depot allocation (a copy of the letter of Appointment for a one-man operator is attached as Annexure H); and
- ii) sent on a six weeks driver training course, of which the one-man operator spends two weeks on the road with a trained (and senior) driver. During this course the trainee is instructed, inter alia, on how to use the systems that are used in the Transport Department, how to write a set of runs ¹⁵⁸ and how to complete waybills. On the completion of his probation, the one-man operator is sent for a refresher course annually. This course focusses attention on aspects such as dealing with the public, new clip cards and problem areas ¹⁵⁹.

With reference to point (iii) of this sub-section, a man specification for the position of one-man operator is tabulated hereunder:

TABLE 9: MAN SPECIFICATION FOR THE POSITION OF ONE-MAN OPERATOR ¹⁶⁰:

CRITERIA	MINIMUM REQUIREMENTS	PREFERRED AND/OR ADDITIONAL REQUIREMENTS
Age	25 - 35	30 - 35
Education	Standard 8	Standard 10
Experience	Must have valid Public Driver's Permit and a Heavy Duty Licence	Previous experience as a bus driver with another company
Skills	i) To be able to drive; and ii) be able to handle money and give change	able to operate a set-right machine
Knowledge	Rules and regulations of the road	i) Durban and surrounding areas; and ii) slight mechanical knowledge
Abilities	i) be able to read, write and speak English; ii) low level clerical abilities; and iii) be able to communicate with the public	able to write reports
Personal Qualities	i) sobriety; ii) clean and tidy appearance; iii) co-operative and patient; and iv) reliability and punctuality	i) Married with a family; ii) initiative; and iii) observation

The man specification described above is self-explanatory

5.4 THE TERMS OF REFERENCE OF THE STAFF COMMITTEE

In terms of the then DTMB Rules, the Staff Committee was responsible for, inter alia, the following:

- i) the making of permanent appointments (including selection) to positions other than those enjoying Divisional Manager status where such positions were on the Establishment and provision therefore was made in the Estimates or where such positions had been subsequently authorised;
- ii) the making of temporary appointments which were provided for in the Estimates or where provision for the same had been subsequently authorised;
- iii) the making of selection and recommendations for other established positions not enumerated in (i) and (ii) above, other than the General Manager and Deputy General Manager; and
- iv) the making of recommendations in regard to matters involving the regrading of employees and/or the re-organisation of staff functions.

In addition to the above, grievances occurring as a result of non-appointment to a promotion position depending on the level of appointment was dealt with by the Staff Committee.

On 9 November 1988, in terms of a DTMB directive, the Staff Committee's powers relative to staff appointments (as defined in clauses (i) and (ii) above) were delegated to the General Manager of Durban's Municipal Passenger Transport Undertaking¹⁶¹.

5.5 AN OVERVIEW OF THE GRIEVANCE PROCEDURE:

The objectives of the Grievance Procedure that was applied in Durban's Transport Department during the era of the DTMB were:

- i) to ensure fair play;
- ii) to resolve problems as quickly as possible; and
- iii) to deal with conflict through procedural means.

The Grievance Procedures could not be used -

- i) to deal with all matters of concern or feelings of dissatisfaction or injustice arising out of the employment situation; and/or
- ii) as an appeal procedure against the decision taken on any disciplinary hearing or annual salary and wage negotiations.

In addition to the abovementioned, the Grievance Procedure stipulated that:

- i) the policies and conditions of service of the DTMB current at the time of grievance will wherever possible determine the means by which the grievance is resolved;
- ii) a group grievance about a common issue shall be dealt with in accordance with the stages tabulated in Tables 10 and 11 except that if the grievance relates to the immediate supervisor, the next highest stage (stage 2) may become operative. A maximum of two employees shall be entitled to raise the grievance with the assistance of a maximum of two representatives ¹⁶² and take it through the stages on behalf of the group; and
- iii) a grievance occurring as a result of non-appointment to a promotional position shall be dealt with by the Staff Committee or the DTMB, depending on the level of appointment or by the Appeals Sub-Committee as constituted in the rules of the Staff Committee, whichever is preferred by the aggrieved party.

The various stages in the Grievance Procedure which aggrieved employees have to comply with are tabulated hereunder:

TABLE 10: STAGES 1 AND 2 OF THE GRIEVANCE PROCEDURE

	STAGE 1	STAGE 2
TIME LIMIT FOR RAISING GRIEVANCE	Within seven days ¹⁶³ of the event or the realisation thereof provided that in the event of the proven incapacity of the aggrieved party this period may be extended	Within two days
INITIATED BY:	Employee (+1 representative if he/she requires)	Employee and a maximum of two representatives
ACTION:	<ol style="list-style-type: none"> 1. Employee completes Grievance form in Grievance book kept at work site. 2. Hands 2 copies personally to Immediate Superior and requests that they be signed and dated. 3. Superior retains original and returns 1 copy to employee. 	Submit original Grievance form (signed off by immediate superior, or if the maximum period for resolution has expired, may be submitted unsigned) by hand to Section Head.
MANAGEMENT LEVEL RESPONSIBLE:	Immediate Superior	Section Head and Personnel Officer
ACTION:	<ol style="list-style-type: none"> 1. Arranges to meet with aggrieved party and representatives, then investigates/discusses problem. 2. Communicates decision to aggrieved party. 3. Returns original grievance form to employee, duly completed, signed and dated. 	<ol style="list-style-type: none"> 1. Arrange to meet with aggrieved party and representative, investigate and discuss problem. 2. Communicate decision to aggrieved party.
MAXIMUM TIME ALLOWED:	Four days from date of submission to immediate superior	Four days from date of submission to Section head.
FURTHER ACTION:	Employee may proceed to Stage 2 if he/she is still aggrieved.	Employee may proceed to Stage 3 if he/she is still aggrieved.

TABLE 11: STAGES 3 AND 4 OF THE GRIEVANCE PROCEDURE:

	STAGE 3	STAGE 4
TIME LIMIT FOR RAISING GRIEVANCE	Within three days.	Within three days.
INITIATED BY:	Employee and a maximum of 2 representatives, one of whom may be a local Union official	Employee and 3 representatives, one of whom may be a local Union official
ACTION:	Submit original Grievance form (signed off by Section Head, or if the maximum period for resolution has expired, may be submitted unsigned) by hand to Divisional Manager.	Submit original Grievance form (signed off by Divisional Head, or if the maximum period for resolution has expired, may be submitted unsigned) and arrange an appointment to meet within 6 days.
MANAGEMENT LEVEL RESPONSIBLE:	Divisional Head and Personnel Officer.	General Manager and/or Deputy General Manager and Officer.
ACTION:	<ol style="list-style-type: none"> 1. Arrange meeting to consult and discuss with parties and attempt to achieve settlement. 2. Communicate decision to aggrieved party. 	<ol style="list-style-type: none"> 1. Hear details of grievance including proposals made to solve the problem. 2. Communicate decision to aggrieved party.
MAXIMUM TIME ALLOWED:	Four days from date of submission to Divisional Head.	
FURTHER ACTION:	Employee may proceed to Stage 4 if he/she is still aggrieved.	<ol style="list-style-type: none"> 1. <u>ALL</u> documentation to Personnel/industrial relations Manager. 2. Copy of Stage 4 Minutes to Union/Employee Representative Body ¹⁶⁴.

The stages of the Grievance Procedure as reflected in Tables 10 and 11 are self-explanatory.

5.6 DISCIPLINE IN DURBAN'S PUBLIC TRANSPORT SERVICE UNIT

The purpose of discipline in Durban's Public Transport Service Unit is to correct behaviour rather than punish wrong-doing so that offenders learnt to apply self discipline.

5.6.1 THE DTMB'S DISCIPLINE POLICY

The DTMB's Discipline Policy which is being applied by the Public Transport Service Unit states that -

- i) discipline in Durban's Transport Department will be handled fairly, consistently and promptly;
- ii) the maintenance of discipline is the responsibility of Management. It specifically falls within the control function of any supervisory position;
- iii) management has the right to determine the level of discipline to be applied, depending on the seriousness of the offence;
- iv) a code of conduct for employees, penalties for infringement and details of the disciplinary process will be made available to all employees in order that they may familiarise themselves with what is expected of them;
- v) The procedure shall not remove Management's right to dismiss an employee on grounds recognised by law as sufficient, providing that substantive grounds exist and the procedural requirements have been met;
- vi) the principles of natural justice will be adhered to in the handling of discipline;
- vii) the DTMB reserves the right to reassess its disciplinary process and procedure in the light of trends established by the Industrial Court;

- viii) the disciplinary procedure as amended from time to time will define the disciplinary process, as well as the rights and obligations of Management and employees;
- ix) the DTMB reserves the right to exercise its wider responsibility to society to press charges against an employee it believes has committed a first schedule offence ¹⁶⁵.

5.6.2 CODE OF EMPLOYEE CONDUCT

The DTMB's and now the Public Transport Service Unit's Code of Employee Conduct, which is contained in Clause 35(a) of the Conditions of Service of graded employees and Clause 34(1) of the Conditions of Service of non-graded employees, states that employees are expected to comply with the following conduct:

- i) Attend work regularly and punctually at all times.
- ii) Conform to the dress and uniform requirements of the DTMB. No other badges, logos or apparel of any other organisation or institution may be worn.
- iii) Perform their tasks and job responsibilities diligently, carefully and to the best of their ability.
- iv) Obey all lawful job instructions, standing orders, safety rules and sundry regulations imposed by the Conditions of Employment.
- v) Conduct themselves at all times with honesty and integrity.

- vi) Be helpful and courteous to members of the public or other outside persons at all times.
- vii) Request permission in advance for any leave of absence.
- viii) Refrain from accepting any other employment outside of normal working hours without the prior permission of the General Manager.
- ix) Refrain from any insolent, provocative, intimidatory or aggressive behaviour to a superior or a fellow employee.
- x) Refrain from bringing alcohol, or intoxicating drugs onto the premises, from drinking alcohol or using drugs whilst on duty or performing duty under the influence of either.
- xi) Refrain from any wilful misbehaviour or negligence leading to the damage of DTMB property.
- xii) Refrain from any behaviour in either a business or private capacity which may be prejudicial to the efficiency or reputation of the DTMB or to the continuance of a sound working relationship with colleagues and supervisors.
- xiii) In view of the essential service provided by the DTMB, refrain from participation either individually or with others in any form of action which will have the effect of disrupting its operations.

5.6.3 PENALTIES FOR BREACH OF CONTRACT

In accordance with the overall policy of the DTMB and the policy of the Public Transport Service Unit regarding discipline, any penalty that is applied for a breach of contract incident, is intended to deter future repetition of the behaviour.

Clause 35(6) of the Conditions of Service of Graded Staff and Clause 34(2) of the Conditions of Service of non-graded staff states:

- i) Except in the cases of breach of contract which would constitute grounds for summary dismissal at law or the immediate imposition of a first or final warning, penalties will generally be applied in the following sequence:
 - (a) Verbal warning.
 - (b) First written warning.
 - (c) Final warning.
 - (d) Summary dismissal.
- ii) Verbal warnings will not be recorded in the employee's personal file but may be held in the records of his section.
- iii) Written warnings will remain valid from the date of imposition as follows:
 - (a) First written warning - 6 months.
 - (b) Final warning - 12 months.
- iv) The DTMB also reserves the right to impose simultaneously with a written warning a suspension without pay for a maximum period of 7 days if an employee whose original written warning has expired repeats the behaviours for which he had been previously warned. A suspension so imposed may extend over a weekend or day of rest in the case of a monthly paid employee.
- v) In the event that an employee has been warned for two or more different breaches of his contract, he may be issued with a general final warning.

vi) An employee may be summarily dismissed for, inter alia:

(a) Fighting on DTMB property.

(b) Being under the influence of alcohol or intoxicating drugs, or partaking of either whilst on duty if the nature of his job is such that his actions endanger the safety of others.

(c) Dishonest behaviour.

(d) Acts of gross negligence or wilfull misbehaviour or acts of insubordination or disclosure of privileged information.

(e) Evidence of bribery, corruption or intimidation.

(f) Any other breach of contract which would constitute grounds for such dismissal at law.

In terms of the Public Transport Service Unit's Code of Employee Conduct non-adherence may result in disciplinary action for breach of contract.

5.6.4 THE DISCIPLINARY PROCEDURE

The Public Transport Service Unit's Disciplinary procedure, which is contained in Clause 35(c) of the Conditions of Service of graded staff and in Clause 34(3) of the Conditions of Service of non-graded Staff states the following:

5.6.4.1 INFRINGEMENT OF THE CODE OF CONDUCT

i) If the Code of Conduct has been infringed the individual will be issued with a Misconduct Form dealing with the alleged breach of contract; and

- ii) depending on the explanation given, the disciplinary process may or may not be implemented.

5.6.4.2 DISCIPLINARY PROCESS

The following action will be taken:

- i) The Section Head or a person deputed for the purpose will advise the employee in writing of an enquiry, to be held at a specified time and date, into the alleged offence.
- ii) The enquiry, once convened, will be recorded in accordance with the requirements of the enquiry's presiding officer.
- iii) Either the presiding officer or the employee or his representative shall be allowed to cross-examine witnesses.
- iv) The presiding officer will make his decision and will then hear any plea in mitigation prior to deciding the penalty.

5.6.4.2.1 The outcome of the enquiry will be confirmed in writing and the employee will be required to sign a duplicate of the letter to confirm receipt thereof.

5.6.4.3 APPEAL RIGHTS

- i) The employee has the right to appeal against any disciplinary action which is to be recorded in his employment file;

- ii) appeals must be lodged on the prescribed form within two working days of receipt of written notification of the disciplinary decision and the grounds for the appeal clearly indicated; and
- iii) appeals must be heard by the Divisional Manager in the case of first and final warnings and by the General Manager in the case of dismissals. Appeals will only be heard on the grounds submitted by the employee in his letter of appeal.

5.6.4.4 RIGHTS OF REPRESENTATION

- i) An employee shall be entitled to representation by a fellow employee or DTMB employed shop steward from his work site at an enquiry, a hearing or an appeal against a first or final warning; and
- ii) at an appeal against dismissal, the employee shall be entitled to representation as above, or alternatively by a Union official.

5.6.4.5 FAILURE TO ATTEND A HEARING, ENQUIRY OR APPEAL

A employee who fails to attend either a hearing, enquiry or appeal after having been notified of the time and date of the meeting may, unless the reason for his non-attendance is subsequently accepted, be in his absence -

- i) dismissed; or
- ii) otherwise penalised; or
- iii) face further discipline for non-adherence to a lawful instruction.

5.6.4.6 BREACH OF CONTRACT

- i) In the case of breach of contract involving attendance, timekeeping, absence without permission and performance problems, the employee will be called by his Section Head without the formal process as described above being implemented. The employee shall however be given the opportunity to be represented if he wishes and to state his case; and
- ii) if the Section Head/Enquiry Presiding Officer decides that the appropriate penalty for the breach of contract is dismissal, the formal disciplinary process will be implemented and the enquiry will be presided over by the Divisional Manager ¹⁶⁶.

Cognisance must be taken of the fact that during the era of the DTMB, the Conditions of Service of staff employed by the DTMB were determined by the DTMB ¹⁶⁷. Furthermore, all staff employed by the DTMB were paid out of the budget of the DTMB ¹⁶⁸. Likewise, all staff employed in the Public Transport Service Unit are paid out of the budget of this Unit.

6. PROCEDURES

In municipal bus transport administration, after policy has been formulated, the organising and financing functions have been completed, and personnel members have been appointed, the work can commence. As mentioned in chapter 2 ¹⁶⁹, two or more functionaries will normally co-operate to attain a stated policy objective. The particular organisational arrangements will to some extent compel persons to unite their efforts in an orderly manner. However, the individuals could still hold differing views on how to perform a specific task. To ensure that every-

one in a specific organisational unit co-operates in attaining the policy objective and in the process does not waste time, it is essential for specific work procedures to be laid down for each task. This will result in efficient work performance in that work will be done in the shortest time, using the minimum amount of labour and at the lowest cost ¹⁷⁰.

6.1 CERTAIN WORK PROCEDURES IN DURBAN'S MUNICIPAL PASSENGER TRANSPORT UNDERTAKING DURING THE ERA OF THE DTMB

From the aforementioned, it goes without saying that each municipal passenger transport undertaking should have certain work procedures, inter alia, to ensure uniformity and integrated action and to provide specific instructions on how a certain task or function is to be performed. Likewise certain work methods and procedures have to be followed in Durban's Municipal Passenger Transport Undertaking, for example -

- i) waybills have to be completed in a certain way;
- ii) a set of runs have to be written in a certain way. In this regard the DTMB produced a document entitled "Writing a Set of Runs". This document sets out the step-by-step procedure which schedules Officers must follow when writing a set of runs.
- iii) before increases in fares could be submitted to the Local Road Transportation Board for approval, such fare increases had to be submitted for consideration to the DTMB and the Management Committee and then to the Durban City Council for ratification;

- iv) an employee with a grievance had to follow a certain procedure when airing this grievance and for his grievance to be resolved. An overview of this procedure is contained in Tables 10 and 11 ¹⁷¹.
- v) when disciplinary action had to be taken against an employee a certain procedure had to be followed in terms of the Conditions of Service of graded staff and that of non-graded staff. This procedure is mentioned in section 5.5.4 of this chapter.
- vi) route schedules which indicate the routes a bus must follow between certain pre-determined points;
- vii) time-tables which indicate the time at which buses should arrive at, and depart, from certain points;
- viii) the procedure which one-man operators normally follow, in the performance of their duties, during each shift;
- ix) operating procedures for the computerised systems of controlling driver's cash statements ¹⁷².

The procedures indicated above are presently being applied in the Public Transport Service Unit.

The last two mentioned procedures are described hereunder:

6.1.1 THE PROCEDURE WHICH ONE-MAN OPERATORS NORMALLY FOLLOW, IN THE PERFORMANCE OF THEIR DUTIES, DURING EACH SHIFT

The simplified step-by-step procedure described hereunder is an analysis of the performance areas of one-man operators which was attached to the man specification of one-man operators employed by the DTMB:

- i) at the start of each shift the one-man operator -
 - (a) inspects and checks the allocated vehicle;
 - (b) changes destination signs;
 - (c) collects a waybill from the despatcher; and
 - (d) enters his name, number, box number, date, bus number and opening numbers from the setright machine;

- ii) on leaving the depot, the one-man operator -
 - (a) drives the allocated bus as per waybill instructions, stopping at demarcated bus stops to pick-up and/or off-load passengers;
 - (b) issues tickets to those boarding the bus and gives change and punches clip-cards if tendered,
 - (c) obeys rules of the road; and
 - (d) at each terminal point, fills in the waybill from information from the setright machine;

- iii) on the completion of each portion of the shift, the one-man-operator -
 - (a) refuels and parks the bus;
 - (b) checks the bus for any lost property and if any lost property is found, hands such property to the despatcher; and
 - (c) lays out money collected during that portion of the shift to the cashiers;

- vi) on the commencement of the next portion of the shift, the one-man operator repeats the procedure in (ii) and (iii) above; and
- v) at the end of each shift the one-man operator -
 - (a) refuels and parks the bus;
 - (b) checks for lost property and hands the same to the despatcher;
 - (c) completes the waybill(s) and hands it over to the cashier together with a reconciled cash statement and money collected;
 - (d) completes an accident report, if required;
 - (e) reports mechanical defects, if any, to the workshops on the prescribed forms; and
 - (f) reports route deficiencies, if any, on the prescribed form ¹⁷³.

The procedure described above is self-explanatory and applied to nearly all municipal bus undertakings.

6.1.2 OPERATING PROCEDURES FOR THE COMPUTERISED SYSTEMS OF CONTROLLING ONE-MAN OPERATOR'S CASH STATEMENTS

It is deemed necessary to fully describe the above procedures because they have relevance to the other administrative processes for example, financing and control, and the auxiliary functions and functional activities of municipal bus transport administration. The procedure described hereunder was used by the City Treasurers staff, who were attached to the Finance and Accounting Division of the DTMB, for the purpose of controlling one-man operator's cash statements.

6.1.2.1 OVERVIEW OF THE SYSTEM

The purpose of this system is to determine whether one-man operators have paid the correct amount of cash to the depot clerk and to transfer the resultant shortage and surplus amounts to a driver's (one-man operator's) file that consists of a record for each one-man operator.

Data is captured from cash statements completed by each one-man operator on a daily basis. The cash statements reflect the meter readings on the setright machines at the beginning of the one-man operator's shift and the advanced meter readings at the end of the shift. The difference between the opening and closing meter readings must equal the cash amount paid in.

It must be taken into account that the setright machines are repaired and statistical changes are carried out and that these will advance the meter readings.

6.1.2.2 MANUAL OPERATIONS

- i) Each morning the supervisor must check that the following documents are received from each depot:
 - (a) One-man operator's cash statements.
 - (b) List of boxes ¹⁷⁴ not used.
 - (c) On Thursday mornings a list of the meter changes that were effected during the statistical change on the previous day;
- ii) thereafter, the supervisor must issue the above documents, together with the advice of repaired boxes returned to the depots, to the computer operator;

iii) data must be captured in the following sequence:

- (a) Boxes not used;
- (b) repaired advices;
- (c) 'statistic' changes;
- (d) White cash statements; and
- (e) blue cash statements.

6.1.2.3 OPERATING INSTRUCTIONS

When starting a DBASE III session, the various systems will be displayed on the screen. Once the cash statements system has been selected the following will appear:

CASH STATEMENTS

INPUT

- 1. Cash Statements
- 2. Repaired Boxes
- 3. Boxes not used
- 4. Weekly Stat changes

ENQUIRES/AMENDMENTS

- 12. Look at a Box File Record
- 13. Look at a Driver's File Record
- 14. Amend a Box File Record
- 15. Amend a Driver's File Record
- 16. Box Search

DAILY UPDATE

- 5. Cash Statements
- 6. Repaired Boxes

MISCELLANEOUS

- 17. Create a New Box File Record
- 18. Create a New Driver's Record
- 19. Driver Leaving Service
- 20. Close Down at End of Day
- 21. Close Down at End of Month

ERROR CORRECTIONS

- 7. Rectify Cash Errors
- 8. Rectify Repair Errors

- 22. Utilities

REPORTS

- 9. Box File Listing
- 10. Drivers File Listing
- 11. Depot Cash Listing

- 23. Return to System

Select option required

The above menu provides various options which the operator is required to select for the performance of various functions.

6.1.2.3.1 CASH STATEMENTS - INPUT

This option produces a file that holds the information that is captured from the cash statements.

Files Used:

Output Files - TRANS

Input/Output Files - DEPNAME, BOX

- i) The Operator must first enter the information reflected on the White copy of the cash statements and thereafter the information reflected on the blue statements. The white statements indicate the first payment made and the blue statements indicate subsequent payments made on the same day. The colour coding allows for statements to be updated in their correct sequence so that queries are minimised;
- ii) the data is captured in batches by depot. The DEPOT file is used to display the depot names on the screen;
- iii) the following information is captured on the TRANS file after the respective depot has been identified:
 - (a) Box number and check digit.
 - (b) Closing 10 cent reading.
 - (c) Closing 1 cent reading.
 - (d) Value of emergency tickets used.
 - (e) Amount receipted by the cashier.
- iv) the BOX file is accessed to ensure that the correct box number has been keyed in by the operator.

As mentioned, the above option produces a file which stores information relevant to cash statements and which information must be keyed in by the operator.

6.1.2.3.2 UPDATE CASH STATEMENTS

After each batch of cash statements have been captured, the operator must select option 5 on the menu to update the cash statement information from the TRANS file to the BOX file.

Files Used:

Input files - TRANS

Output files - CERROR, CASH, BOX, DEPOT

- i) During this routine a 'balanced' test is done by the programme to determine whether the amount received by the cashier is equal to the difference between the opening reading held on the BOX file and the closing meter reading held on the TRANS file;
- ii) if the cash statement balances the CASH file is updated with the information on the cash statement and the DEPOT file is updated with the cash amount paid in to the cashier;
- iii) if the cash statement does not balance, the error record is written to a file called CERROR;
- iv) an error listing is then produced using the information from the error file; and
- v) the TRANS file is cleared at the end of this routine.

The routine described above allows for information pertaining to cash statements to be updated.

6.1.2.3.3 CASH STATEMENTS - ERROR CORRECTIONS

When this option is selected, information relevant to cash statements can be corrected.

Files used:

Input - CERROR

Input/Output - DRIVER

Output files - CASH, DEPOT, BOX, UNBAL

- i) The operator is required to select option 7 on the menu to run this routine;
- ii) the error records are displayed sequentially on the screen in the order that they appear in the ERROR file and the Cash Statement Error Listing;
- iii) the operator is given the option to either delete and re-enter the cash statement (in the data capture routine), to correct the error record or to transfer the one-man operator's shortage or surplus amount to the shorts and overs file called UNBAL;
- iv) the one-man operator's badge number must be entered to identify the one-man operator. The CASH, DEPOT and BOX files are subsequently updated with the record that was transferred to the UNBAL file. These files are also updated with the corrected cash statement records; and
- v) the CERROR file is cleared at the end of this routine.

The function performed when the above option is selected is self-explanatory.

6.1.2.3.4 INPUT REPAIRED BOXES

The routine described below allows for certain information to be captured from repaired setright machines.

Files Used:

Input/Output files - BOX
Output files - REPAIR

- i) The following information is captured from each 'repaired box' advice to the REPAIR file:
 - (a) Box number,
 - (b) doing ten cent meter reading,
 - (c) doing one cent reading,
 - (d) opening ten cent reading,
 - (e) opening one cent reading.

- ii) the opening meter readings reflect the readings on the setright machine prior to the machine being repaired and the advance readings reflect the meter readings when the machine leaves the setright machine repair shop.

The routine described above is self-explanatory.

6.1.2.3.5 DAILY UPDATE - REPAIRED BOXES

The routine described below allows for certain meter reading to be updated and/or corrected.

Files used:

Input files - REPAIR

Output files - RERROR, BOX, CNTR

- i) Select option 6 on the menu to run the following routine;
- ii) the opening one cent and 10 cent readings are compared to the meter readings on the BOX file - if they are not equal the record is written to an error file called RERROR;
- iii) the correct record's closing meter readings are updated to the BOX file;
- iv) the CNTR file is updated with the number of repaired boxes captured; and
- v) at the end of the routine an error listing is produced from the RERROR file.

6.1.2.3.6 RECTIFY REPAIR ERRORS

When option 8 is selected the following files are used to correct error records:

Files Used:

Output files - BOX, CNTR

Input files - RERROR

- i) The records on the RERROR file are displayed sequentially on the screen in the order that they appear on the error listing. The operator is prompted to correct the error records; and
- ii) the BOX file and CNTR file are subsequently updated with the corrected records.

6.1.2.3.7 BOXES NOT USED

The routine described below allows for the box numbers of unused setright machines to be captured.

Files used:

Output files - BOX, CNTR

- i) The operator must select option 3 on the menu;
- ii) the box numbers of the unused boxes are keyed in for each item appearing on the depots list of unused boxes;
- iii) the box numbers must be captured in batches of not more than fifty boxes in a batch. The box numbers are displayed on the screen as they are keyed in;
- iv) the status field of the box is changed to 2 to indicate the box is not used. This field is checked at the end of the day when a listing of unused boxes is produced; and
- v) the CNTR file is updated with the total number of boxes that were not used.

The functions performed when the above option is selected is self-explanatory.

6.1.2.3.8 WEEKLY STATISTICAL CHANGES

The routine described below allows for certain Box file records to be amended.

Files used:

Output files - STATS, CNTR, BOX

- i) The purpose of this routine is to allow for the BOX file record to be amended according to the changes that occurred when the statistic readings on the setright machines were altered. The machine changes are carried out on a Wednesday night and the value of each ticket issued during the change is recorded on a list designated for that purpose. The data will be captured on a Thursday morning;
- ii) the supervisor will examine this list and determine the number of units by which the one and ten cent readings must be advanced; and
- iii) when all batches are completed, the programme will automatically carry out an update on the BOX file which will cause the ten and one cent readings to be advanced by the unit change.

The routine described above is self-explanatory.

6.1.2.3.9 REPORTS

The reports that will be obtained when options 9, 10 and 11 is selected is listed hereunder:

- i) Option 9 on the menu must be selected to obtain a listing of the BOX file;
- ii) Option 10 produces a listing of each record on the DRIVER file; and
- iii) Option 11 produces a report that displays the cash statement total, and the receipts total per depot.

6.1.2.3.10 ENQUIRIES/AMENDMENTS

The various options that can be selected to view and amend certain information are indicated hereunder:

- i) Look at a Box File Record - Option 12

The operator is required to enter the number of the box he wishes to view. The box record information is displayed on the screen.

- ii) Look at a Driver's File Record - Option 13

The operator may access any record on the driver's file on a look only basis.

- iii) Amend a Box File Record - Option 14

This routine is subject to password control. Any field on the record may be amended. The amended records are copied to a file called AMDPRT. This file is used to print the Box File Amendment Audit Trail during the end of the day update.

iv) Amend a Driver's File Record - Option 15

This routine is subject to password control. The operator must enter the badge number of the driver's record he wishes to view. The driver's record is displayed on the screen. If the fields on this record are amended, the accumulated fields, for example, total shortages and net amount are recalculated.

v) Box Search - Option 16

The opening and closing meter readings on the cash statement are keyed in to a data entry screen and the box number relative to those readings will be displayed on the screen.

The functions that would be performed when the aforementioned options are selected, are self-explanatory.

6.1.2.3.11 MISCELLANEOUS

The options described hereunder can be selected to, inter alia, create and delete certain files.

i) Create a new Box File Record - Option 17

The box number and check digit and opening and closing readings of the new box file record must be entered by the operator.

ii) Create a new Driver's File Record - Option 18

This routine allows for a driver's record to be added to the DRIVER File. The operator is prompted to enter the badge number, service number, name and box number of the new one-man operator.

iii) Driver Leaving Service - Option 19

The operator is prompted to enter the badge number of the one-man operator leaving service. The driver's record is then deleted from the driver's file.

iv) Close Down at End of Day - Option 20

- a) The following operations are performed when this option is selected:

The Cash Statements Error file, the Trans file and the Repaired Box Error file are checked to ensure that all the update programmes have been run. If there is data in any of the above files an error message is issued and the programme returns control to the menu.

- b) The following reports are printed:

b.1) Boxes not Accounted for Listing:

At the end of each day the status code field for every record on the box file is set a '5'. When the record is updated the status code is changed. The boxes not accounted for listing is a report of all boxes that -still have a status code of '5', that is, those boxes were not used on that particular day.

b.2) Shortage and Surplus Listing:

This is a listing of the one-man operator's shortages and surpluses that have occurred during the current day's processing. The purpose of this

list is to provide the accounts section with a daily list of all payment discrepancies.

b.3) Listing of Shortages for each depot:

A separate list will be produced for each depot of only the shortages for drivers stationed at that depot. This list will reflect the following information -

- b.3.1) Ten cent closing reading.
- b.3.2) One cent closing reading.
- b.3.3) Ten cent opening reading.
- b.3.4) Value of emergency tickets used.
- b.3.5) Amount calculated by the computer.
- b.3.6) Amount deposited by the one-man operator.
- b.3.7) Shortage amount.
- b.3.8) Surplus amount.
- b.3.9) One-man operator's badge number.
- b.3.10) Box number.
- b.3.11) Depot where the amount was deposited.

b.4) Repaired Box Listing:

This list will display the details of each machine which has been returned to service on the current day by the machine repair-shops. The purpose of the list is to record the meter changes that were carried out while the machine was under repair. The following information will appear on the report :

- b.4.1) Original ten cent reading.
- b.4.2) Original one cent reading.

- b.4.3) Input - closing ten cent reading.
- b.4.4) Input - opening ten cent reading.
- b.4.5) Input - closing one cent reading.
- b.4.6) Input - opening one cent reading.
- b.4.7) Box number.

b.5) Statistical Change Listing:

The purpose of this list is to record the daily changes that have been effected to the BOX file records as a result of the weekly statistical update.

b.6) Listing of Statistical Information on Current Throughput:

This list will show the current day's throughput and the accumulated month to date amounts for each of the following -

- b.6.1) Cash statements.
- b.6.2) Repaired boxes.
- b.6.3) Boxes not used.
- b.6.4) Weekly statistical changes.
- b.6.5) The one-man operator's shortages and surpluses.

b.7) Drivers file amendment Audit Trail Listing:

- b.7.1) The original data before the amendment was made and the amended data on the drivers file is displayed on this listing;

b.7.2) the driver's file is updated with the shortages and surpluses; and

b.7.3) the contents of the Depot Cash File, Unbal file, Repair file, Audit Trail file and Stats file are zeroed in preparation for the following day's input.

The functions of the options described above are self-explanatory.

6.1.2.3.12 EVALUATION AT END OF MONTH - OPTION 21

The following listings are produced when this option is selected:

i) Driver's Shortages:

The purpose of this listing is to allow the Staff Section to recover the shortage amounts through the medium of paysheets. The following information is displayed :

- (a) The one-man operator's badge number.
- (b) Service number of the one man operator.
- (c) Net shortage.
- (d) Name of the one-man operator.

ii) Driver's Surpluses:

The monthly list will show only the one-man operators with a net surplus of R10-00 or more. The list printed at the end of each quarter will show the net surplus irrespective of the amount. The purpose of this

report is to allow for the surplus to be refunded to the one-man operator concerned. The following information will be disclosed:

- (a) The one-man operator's badge number.
- (b) Service number of the one-man operator.
- (c) Net surplus.
- (d) The name of the one-man operator ¹⁷⁵.

From the description of the aforementioned procedures, it is evident that it is not necessary to put all procedures in writing. In the case of the sequence which the one-man operator follows in the executions of his daily tasks, such procedures can be learnt and adapted through training, experience and circumstances. Other procedures, especially those which are rigid and have to be strictly followed to ensure the successful execution of a task and those which prescribe step-by-step instructions, are usually put down in writing for purposes of reference and guidance, for example, the Operating Procedures for the Computerised Systems of Controlling One-Man Operator's Cash Statements or how to write a set of runs.

In Durban's Public Transport Service Unit during the era of the DTMB, although certain procedures were put down in writing, they were never compiled into policy or procedural manuals. Furthermore, the divisional manager's of the then Transport Department were responsible for the determining of procedures for their respective divisions in consultation with the Management Team which comprises the managers for each division ¹⁷⁶.

7. CONTROL AND RENDERING ACCOUNT

Control is the final link in the functional chain of the generic administrative processes of municipal bus transport administration. Control in a municipal bus transport department is vital to ensure, inter alia, that the stated objectives of the department have been attained and that corrective action is taken should the realised deviate from the expected results.

The essential and important need for control in any municipal bus transport department is evident from the following. In freight transport, the transport official knows exactly what quantity of cargo is to be transported before he despatches the truck. He can also check to ensure that the same quantity of cargo arrives intact at its destination. If any cash is to be collected by the driver, the transport official will know beforehand how much is to be collected. In bus transport operations the official does not know how many passengers will board the bus from the terminus before it leaves and/or how far along the route these passengers will travel and/or how many passengers will board the bus along the route. As a result, the transport official will not know beforehand how much cash the one-man operator will collect. Therefore setright machines are installed and bus inspectors, who can be referred to as mobile auditors, are employed to ensure that all cash collected by the one-man operator is paid in at the depot and that each passenger has a valid ticket.

In the proceeding sections, control of municipal bus transport in Durban during the era of the DTMB is discussed with reference to external and internal control measures.

7.1 EXTERNAL CONTROL

Municipal bus transport undertakings are component units of their respective local authorities and must function within the policies of their respective city or town councils. It thus follows that the city or town council, that is, the councillors and committees of the council, will be responsible for the activities of the bus transport department. Furthermore, the councillors can be called upon to render account for, inter alia, the activities, operations and expenditure of the bus transport department.

During the era of the DTMB, external control over Durban's bus Transport Department was exercised by the City Council, the Management Committee and the DTMB itself.

With regard to the exercise of control by the Durban City Council and the Management Committee, the budget of Durban's Transport Department had to be determined within the limits and constraints imposed by the City Council. Furthermore, the budget of the DTMB had to be approved by the Durban City Council and was included in the overall budget of the Durban City Council.

External auditing of Durban's Transport Department, during the era of the DTMB, was the function of the City Councils (then) City Treasurer's Department which audited the accounts of Durban's Transport Undertaking annually ¹⁷⁷.

All bus fare increases proposed by the DTMB had to be firstly submitted to the Management Committee for consideration and recommendation to the Durban City Council. Council ratification had to be obtained before the DTMB could submit any fare increases, for approval, to the Local Road Transportation Board in terms of the Road Transportation Act, 1979 (Act 74 of 1977).

Major policy decisions and decisions which had a financial impact on the budget of the Durban City Council had to be submitted by the DTMB via the Management Committee to the Durban City Council for ratification. Other aspects pertaining to financial control are reviewed in the following sub-section.

The members of the DTMB as well as the General Manager and Deputy General manager of Durban's Transport Department were appointed by the Durban City Council.

Annually , the DTMB had to submit to the Durban City Council a review of the operations of Durban's Transport Department for the respective year ended 30 June. This report included, inter alia, the trading results (including income and expenditure), passenger statistics and kilometres travelled in respect of each service operated.

The abovementioned are some of the ways in which the Durban City Council exercised control over Durban's Transport Department during the era of the DTMB. The control exercised by the Durban City Council and the Management Committee can be referred to as political control.

With reference to external control over Durban's Bus Transport Department, cognisance must be taken of the fact that the DTMB, in spite of its wide delegated powers, functioned in more or less the same way as a Committee of Council. The main difference is that the DTMB consisted of 2 city councillors and 6 persons drawn from the local populace, who had policy and decision-making powers, while a Committee of Council normally consists of only councillors who have policy and decision-making powers. With the disbanding of the DTMB, the Durban City Councils Public Transport Committee is responsible for exercising external control over the Public Transport Service Unit.

In terms of Rule 9(a) of the DTMB Rules, the DTMB was responsible to the Durban City Council for the overall control of the Council's Transport Undertaking. Furthermore, in terms of the above Rule, the DTMB was empowered to request the General Manager to report on any matter or institute an enquiry into or otherwise deal with any aspect of administration which the DTMB felt required attention ¹⁷⁸.

7.1.1 FINANCIAL CONTROL

According to Wallace ¹⁷⁹, "financial control is a cognitive activity through which financial expertise is brought to bear on the scrutiny of revenue and expenditure. The exercise of financial control depends on both internal procedures within the organs responsible for managing financial operations and on external checks by appropriate auditing agencies. The object of these activities is to ensure that administrative, financial and legislative practices are sufficiently thorough and precise to encourage responsible management ..."

With regard to financial control the DTMB Rules provided, inter alia, that -

- (i) the DTMB shall not incur expenditure in any matter unless or until the General Manager of the Transport Department has furnished to it a certificate either that provision for such expenditure is contained in the annual estimates adopted by the Durban City Council, or that such expenditure can be met by the transfer of an amount from another item which has been and will be unspent, provided that:
 - (a) the transfer of amounts not exceeding R20 000 may be authorised by the City Treasurer without reference to the Board;

- (b) no transfer shall be permitted from any salary, wage, allowance or staff expenses item to meet expenditure on any other item unless it can be established that the excess expenditure is related to the savings on the item from which the transfer is to be made;
 - (c) no transfer shall be permitted from any capital charges item to meet expenditure on any other item unless it can be established that the excess expenditure is related to savings on the item from which the transfer is to be made;
 - (d) no transfer shall be permitted from capital financing contributions; and
 - (e) no transfer shall be permitted from any contingency sum unless the additional expenditure contemplated was anticipated to be met from the contingency sum when the budget was approved;
- ii) if in respect of any financial year that the Council does not adopt its annual estimates until some date after such financial year has commenced, the DTMB shall not incur expenditure in any matter before such annual estimates have been adopted by the Council unless and until the City Treasurer has furnished to it a certificate (which may be of a general character covering classes of expenditure and/or stipulating a general maximum therefor) certifying that he has no objection thereto from a financial point of view, or if the City Treasurer is unwilling to furnish such a certificate in any matter, unless and until the City Council has expressly approved the expenditure proposed;

- iii) the DTMB, subject to the provision of paragraph (v) below, shall not have plenary powers in incurring capital expenditure or the raising of capital funds and shall act in terms of Rule 10 of the DTMB Rules ¹⁸⁰ in regard thereto;
- iv) whenever the DTMB recommends that any scheme involving capital expenditure should be undertaken, it shall at the same time recommend the manner and the period in which the cost thereof should be defrayed;
- v) notwithstanding Rule 12 of the DTMB Rules ¹⁸¹, the DTMB shall not dispose of any capital assets of the service unless the prior approval of the Durban City Council has been given; and
- vi) no payment shall in any event be made by the DTMB until approved by the City Treasurer or the appropriate officer of his department ¹⁸².

At present, Durban's Public Transport Service Unit is subject to the financial control described above.

7.2 INTERNAL CONTROL

During the era of the DTMB, the following measures were applied for the purpose of exercising control within Durban's Transport Department:

- i) Written reports.
- ii) Inspections-in-loco.
- iii) Cost accounting.
- iv) Cost comparisons.
- v) Cost benefit analysis.
- vi) Statistical returns.

In addition to the above:

- i) inspectors boarded buses at random -
 - (a) to ensure that each passenger had a valid ticket;
 - (b) to ensure that the correct fare was charged;
 - (c) to check ticket information against actual passengers travelling .
- ii) waybills, cash statements, setright machines and the operating procedures for the computerised systems of controlling cash statements were used for cash control;
- iii) the petrol usage of (litres per kilometre) of individual buses were constantly monitored and each fuel intake was recorded; and
- iv) the mileage travelled by individual buses were recorded daily by tachograph ¹⁸³.

From the abovementioned, it is evident that a variety of control measures were used in exercising control in Durban's Transport Department during the era of the DTMB. The functionaries and bodies involved in the exercise of control included the Durban City Council, the Management Committee, the DTMB itself, the senior management of the Transport Department and supervisors, including those at the lowest level of the hierarchy.

Cognisance must be taken of the fact that the activities of functionaries (councillors as well as officials), involved in municipal bus transport administration, must meet a number of basic requirements that are acceptable to the citizens in general and commuters in particular. Therefore, control in every municipal bus transport is a complex and demanding function particularly for the chief executive officer who must devise control measures and finally evaluate the results obtained in each case to ascertain whether adjustments and/or corrective actions are necessary.

8. SUMMARY

Municipal bus transport administration as work entrusted to specific officials and institutions consists of a mixture of generic administrative, functional and auxiliary activities. From the information contained in this chapter, it is evident that municipal bus transport administration is the responsibility of numerous functionaries who must possess specific skills, knowledge, training and behavioural attitudes. Furthermore, if municipal bus transport administration is to meet the challenge of change it will have to be the product of creative thinking and unceasing teamwork involving all the functionaries who are involved in its various administrative functions, functional activities and auxiliary functions. It goes without saying that effective and efficient municipal bus transport administration demands that all the administrative functions should be of a high standard, i.e., high standards should be maintained in policy-making, organising, financing, personnel provision and utilisation, determining work procedures and exercising control and rendering account.

In this chapter, the administrative functions of municipal passenger transport administration in Durban during the era of the DTMB was described. It must be appreciated that it was not possible to provide in this chapter a comprehensive and full account of each and every aspect constituting each administrative function.

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CHAPTER 6

GENERAL CONCLUSIONS AND RECOMMENDATIONS

1. CONCLUSIONS

Public passenger transport between different points within the Republic of South Africa is characterised by a mixture of air, water, rail, bus and combi-taxi services. Prior to 1 April 1990, public ownership of bus undertakings in South Africa were in the hands of the state, parastatal organisations and local authorities. As a result of the South African Transport Services being transformed into a public company named Transnet Limited on 1 April 1990, only two categories of public ownership of bus undertakings exist at present. They are parastatal and municipal bus undertakings. These bus undertakings, together with privately owned bus companies, provide a variety of different types of bus services, namely, urban, commuter, inter-urban, inter-city, tours and private hire.

The administration of municipal owned bus undertakings is dynamic in nature and entails the performance of generic administrative functions, functional activities and auxiliary functions. The generic administrative functions can be divided into six main categories, namely, policy-making, organisation, financing, personnel provision and utilisation, determining work procedures and control. The functional activities consist of, inter alia, the provision of bus services whilst the auxiliary functions consist of, inter alia, scheduling, marketing and public relations.

Prior to a municipal bus transport undertaking being established, a local authority has to be created. In this regard and with particular reference to Durban, on 23 June 1935 the

township of Durban was laid out at a public meeting of 17 settlers. Under Ordinance No. 1 of 1854, the township of Durban was proclaimed a Borough. In 1935 the township of Durban achieved city status. During 1990/91, the committee and departmental structure of the Durban City Council was restructured to provide for the creation of nine service units.

Once a local government unit has been created, higher authorities (central government and the respective provincial authority) will entrust such a local authority with the provision of certain goods and services. In this regard all local authorities in South Africa have been entrusted, in terms of the provisions of Acts of Parliament and Provincial Ordinances, with the provision of, inter alia, streets, pavements and storm-water drainage, parks, gardens and recreational facilities, refuse and night soil removal, fire-fighting and rescue services, electricity supply, health services and passenger transport services for their local populace. With specific reference to Durban, the Durban City Council is empowered to provide road passenger transport services in terms of section 264(7) of the Natal Local Authorities Ordinance, 1974 (Ord. 25 of 1974).

Since local authorities are created by, and empowered to provide certain functions and services, in terms of Acts of Parliament and Provincial Ordinances, they have to function within the framework and policies of the central government and their respective provincial authority. As municipal bus transport departments are created by their respective local authority, it goes without saying that municipal bus transport departments have to function in accordance with the policies of their respective town or city council, their respective provincial authority and the central government. On the central government level, in the area of policy investigation with regard to aspects of bus passenger transport there has been, inter alia, the Committee of

Inquiry into Urban Transport Facilities in the Republic (the Driessen Committee) and the Commission of Inquiry into Bus Passenger Transportation in the Republic of South Africa (the Welgemoed Commission). On the provincial government level, in the area of policy investigation with regard to bus passenger transport in Durban, there has been the Commission appointed to enquire into the Durban Municipal Passenger Transport Undertaking and the Commission appointed to enquire into matters concerning the Durban Transport Management Board. Although the latter Commission has not been dealt with separately in this study, its findings are intermingled, without reference, in the various discussions pertaining to the Durban Transport Management Board .

In terms of Acts of Parliament, various bodies such as, inter alia, Local Road Transportation Boards and the National Transport Commission, have been given certain powers and functions to perform with regard to the administration of bus transportation. Pertinent legislation in this regard are the Road Transportation Act, 1977 (Act 74 of 1977) and the Urban Transport Act, 1977 (Act 78 of 1977). At present, a draft Passenger Transport Bill is being considered by the Minister of Transport. This Bill provides, inter alia, for Joint Services Boards and Regional Services Councils to be declared as Passenger Transport Authorities and for areas to be declared as passenger transport regions. In the area of Provincial Ordinances pertaining to municipal bus transport in Durban, there is the Natal Local Authorities Ordinance, 1974 and the Durban Extended Powers Consolidated Ordinance, 1976 (Ord. 18 of 1976). In terms of the latter ordinance, the Durban City Council was empowered to establish the DTMB.

As in various other South African cities, public road passenger transport in the Durban municipal area was initially in the hands of private companies and individuals. During 1881 and mid 1899, public road passenger transport in Durban were provided, in the main, by two private companies, namely, the Durban Tramways Company and the Suburban Tramways Company. These companies amalgamated in 1890 and on 1 August 1899 the amalgamated company was purchased by the (then) Town Council of Durban and Durban's first Municipal Passenger Transport Undertaking was established. Prior to 1 August 1952, the control and management of Durban's Municipal Passenger Transport Undertaking was the responsibility of the Council's Electricity Committee.

On 1 August 1952 the DTMB was established as a result of the report of the Scott Commission. With the establishment of the DTMB, the Council's Electricity Committee was relieved of the control and management of Durban's Municipal Passenger Transport Undertaking. The control and administration of this undertaking now became the responsibility of a Board, which initially consisted of six members. In terms of this arrangement, the General Manager of Durban's Transport Department had to report on most aspects or issues to a Board instead of a Committee of the Council. Decisions which had a financial impact on the finances of the City Council or which involved major policy changes had to be referred by the DTMB to the Durban City Council via the Management Committee.

Furthermore, the DTMB was established primarily to depoliticise municipal-owned public transport in Durban and had for to all intents and purposes, the same plenary powers as the Durban City Council for the operation of public transport services, on the Council's behalf. This, in practice, meant that the DTMB, without reference to the City Council, acted on all matters related to the operational aspects of Durban's Transport Department such as, inter alia, bus routes, fares, staff appointments and discipline.

In addition to the foregoing:

- i) The DTMB was responsible to the Durban City Council for the over-all control of the Council's entire transport undertaking.
- ii) The DTMB's primary function was the consideration of matters of policy and organisation, as well as the supervision or review of the general administration of the affairs of the passenger transport undertaking.
- iii) The detailed or day-to-day administration of the passenger transport undertaking was not within the duties of individual Board members but the Board could request the General Manager to deal with any aspect of administration which they felt required attention.
- iv) The DTMB had wide delegated powers.
- v) The DTMB operated, essentially, as an independent body as a result of the extent of its plenary powers.
- vi) The City Council and City Councillors had restricted, or limited, influence on the municipal owned public transport scenario in Durban. Thus, to a large extent, municipal passenger transport was removed from the arena of municipal politics.
- vii) Control over the Durban's Passenger Transport Undertaking were the functions of a Board and not a Committee of the Council.

- viii) The DTMB was able to operate on a far more commercial basis than would have been possible if municipal passenger transport, in Durban, was controlled by a Committee of the City Council.
- ix) Durban was the first South Africa local authority to establish a Transport Management Board to conduct, manage and control the Council's municipal passenger transport undertaking on behalf of the Council.
- x) The DTMB was a multi-racial body by virtue of the fact that it consisted of, inter alia, two representatives of the Black community who had special knowledge of Non-White passenger transportation requirements and who were accorded voting rights.

With regard to the application of the administrative functions of municipal bus transport administration in Durban's Transport Department during the era of the DTMB, it is noteworthy to mention the following:

- i) On local government level, the Durban City Council, the DTMB, the General Manager, Divisional Managers and supervisors at all levels were responsible for the formulation of policies.
- ii) The Transport Department was divided into five divisions, namely, the Executive Division, the Traffic Division, the Human Resources/Personnel Division, the Fleet Maintenance Division and the Cars and Trucks Division. In addition the Transport Department operated its bus services from four depots.

- iii) Staff from the Durban City Council's City Treasurer's Department were attached to the Transport Department to provide a financial and accounting service for the latter department. In financial matters the DTMB's operations relative to revenue and capital were considered in the Durban City Council's overall budget as would be the case with any other Department.
- iv) Although the DTMB was responsible for its own staff matters, the appointment of the General Manager and the Deputy General Manager of the Transport Department were made by the Durban City Council.
- v) The divisional managers were responsible for determining procedures for their respective divisions in consultation with the Management Team which comprised the managers for each division.
- vi) The DTMB exercised overall control over the Transport Department. The Durban City Council and Management Committee exercised a small measure of control over the Transport Department through internal control measures such as, inter alia, written reports, inspections-in-loco, waybills, setright machines and bus conductors.

On 30 September 1990 the DTMB was disbanded in accordance with the implementation of the Durban City Council's revised Committee and Departmental organisational structure. With the dismantling of the DTMB, municipal bus transport in Durban has now reverted to being controlled by a Committee of Council, namely, the Public Transport Committee. This Committee consists of City Councillors, members of the Local Affairs Committees and the

Executive Director of the Public Transport Service Unit. Only the City Councillors have voting rights on this Committee while the other members (members of the Local Affairs Committees, members from the private sector and the Executive Director of the Public Transport Service Unit) serve in an advisory capacity. With regard to the new structure, matters pertaining to municipal bus transport in Durban has been brought back into the arena of municipal politics, the removal of which was the intention for establishing the DTMB.

The public bus transport industry, so long the neglected essential for mass worker mobility, is likely to be an area of considerable emphasis and future investment as the political and demographic face of South Africa changes. With the ongoing process of urbanisation, the need for reliable, affordable and efficient public and public-owned bus services for mobility and job access cannot be overemphasised. This need increases in importance when one considers that owning, maintaining and running a private vehicle will be beyond the means of a large proportion of the public in years to come.

The central government, provincial authorities and especially the local authorities should not view the present expansions in, and popularity of, the combi-taxi industry as an excuse for not improving and expanding the public-owned bus industry. These authorities should view combi-taxis as being a necessary and integral part of the entire public transport network and not as a threat to the bus industry. Just as commuters will patronise bus services for a variety of reasons so they will use combi-taxis for various reasons. There will always be a level of resistance to combi-taxis simply because of their poor safety track record, in terms of careless driving and collisions, and cramped seating conditions.

2. MAIN RECOMMENDATIONS

The kaleidoscopic nature of the changes occurring across the entire spectrum of South African society today, the increasing cost of owning, maintaining and running a private vehicle and the expected urbanisation of the populace is indicative of the demands which will be placed on the public and public-owned bus transport system in the future. In the light of this, the following recommendations could serve as guidelines for developing a public and public-owned bus transport system that will meet commuter needs in terms of reliable, affordable, efficient and convenient bus services in Durban.

RECOMMENDATION ONE

THE DURBAN CITY COUNCIL SHOULD CONSIDER THE APPOINTMENT OF A TRANSPORT MANAGEMENT BOARD

The existing system of administering the municipal bus transport undertaking in Durban lacks the initiative, progressiveness and economic efficiency of commercial management. A solution to this state of affairs is the welding of municipal ownership with commercial management through the appointment of a Transport Management Board. This Board under the guidance of a full/part time Chairman should consist of representatives of industry, labour, commerce, finance and commuter associations. The Board should be responsible for conducting, managing and controlling the whole of the municipal bus transport undertaking with complete freedom to act in all matters of day to day business, but within financial estimates prepared by the Board and approved by the City. The duty of the Board should be the provision, operation and maintenance of an efficient, reliable, affordable and convenient municipal bus service, on a commercial basis, for the benefit of the municipality.

GUIDELINES

The following should be used as guidelines in appointing the Transport Management Board:

- i) In addition to a full/part-time chairman of the Board, the Chief Executive Officer of the undertaking, must be appointed as vice-chairman to ensure absolute continuity of administration and management. The person to be appointed to the post of chairman must be of proven ability and experience in financial and transport matters and the salary package offered should be adequate to attract applicants of the very highest qualifications and calibre. The duties of the Chairman should be principally of a commercial, administrative and planning nature, leaving the day to day administration to be supervised by the vice-chairman as the Chief Executive Officer of the undertaking.

- ii) The remaining members of the Board, of whom there should be eight, would be so chosen as to make the Board fully representative of the council, industry, labour, commerce, finance and commuter associations. Two members should be nominated by the City Council in order to preserve that essential liaison between the Council and the transport undertaking. The remaining six members should be chosen by the Council from nominations received from the local Chamber of Commerce, trade unions, commuter associations and industries with a labour force of at least 100 employees and which are situated within the Durban municipal area.

With the exception of Councillors appointed to the Board, all other members should be appointed for a minimum term of three years. All members should be paid per meeting attended.

In principle, the Board should endeavour to operate the transport undertaking on a break-even basis and it should be permitted to accumulate reasonable reserves. If deficits are incurred, such deficits should be made up from the City Council's Rate Account. Although the Board should be allowed to operate on a purely commercial basis, any uneconomic service which it may operate, in terms of a Council directive, for social or civic reasons, should be subsidised in full by the City Council.

The Board should be given full control over its staff who would then become employees of the Board and not of the City Council. The Board should be empowered to determine the remuneration of these employees, within the limits of estimates approved by the Council, their conditions of service and their job duties and areas of responsibility.

ADVANTAGES

The following are the advantages that could accrue to the Durban City Council if they appoint the proposed Transport Management Board:

- i) The Board would consist of a Chairman chosen for his knowledge of transport and finance, who would be assisted by specialists chosen for their knowledge of the various aspects of commerce, industry, labour and finance and persons with knowledge of commuter needs and problems. The needs of the City would be represented by the members nominated by the Council. The advantages of this body over a committee system of administration is that decisions taken will be based on economic considerations and principles and will not be shadowed by politics.

- ii) The Board would, through its vice-chairman who is a permanent official and long term members, ensure continuity of policy and direction which a committee of council cannot enjoy since it's composition is likely to alter after each municipal election.
- iii) The Board would be free to employ commercial methods of procedure which are more direct, more flexible and much speedier than that which a committee of council can employ.
- iv) The Board, in its activities, will be, to a large extent, free from local politics with their concomitant disadvantages.
- v) The Board will not be hampered in its dealing with staff by the elaborate protective machinery which has been built up around municipal employees.
- vi) The composition of the Board will ensure a strong and desirable commercial influence on policies and methods of operation while retaining a link with the social needs of the City.
- vii) By requesting the City Council to subsidise sub-economic services, the Board would have the effect of causing that body to approach any proposal in that regard with the utmost caution because of the publicity to which such subsidies would be subject.

In view of the abovementioned advantages, the Durban City Council should endeavour to establish a Transport Management Board in order to cater for the future public transport needs of commuters in the Durban municipal area.

RECOMMENDATION TWO

THE DURBAN CITY COUNCIL SHOULD CONSIDER PRIVATISING CERTAIN
ANCILLARY IN-HOUSE ACTIVITIES OF THE PUBLIC TRANSPORT SERVICE
UNIT

Due to the fact that all municipal bus undertakings operate at a deficit which is made up from rate income and the increased role of public-owned transport in the future, the Public Transport Service Unit should carry out investigations to identify which ancillary in-house activities can be privatised to enable the Service Unit to operate its passenger transport services on a cost-effective basis. In evaluating activities for privatisation, the guiding factor should be whether those activities can be provided at a cheaper rate and efficiently by private contractors. Activities that are privatisable should be put out to tender.

Activities should be privatised on a contract basis in order to ensure competitive prices. Staff that become redundant as a result of privatisation should be absorbed in other departments of the Council. Redundant staff that cannot be accommodated should qualify for severance pay.

The following ancilliary activities can be considered for privatisation:

- i) Engine, gearbox and differential overhauls.
- ii) Maintenance of buses.
- iii) Auto-electrical work.
- iv) Major bodywork repairs.
- v) Advertising and sign-writing on buses.

BENEFITS OF PRIVATISATION

The benefits to be gained by the Public Transport Service Unit by privatising certain ancilliary activities are numerous. Some of the more pertinent benefits include the following:

- i) With regard to gearbox and differential overhauls and auto-electrical work -
 - (a) guarantees are given by private contractors on the work done. This would not be the case if repairs were carried out in-house; and
 - (b) labour costs are paid only for the time that it takes to repair the bus. If such repairs are carried out in-house, motor mechanics will have to be paid whether there are buses to be repaired or not.
- ii) Current expenditure of the Public Transport Service Unit will be reduced.
- iii) The proceeds to be gained by contracting-out certain activities can be used to -
 - (a) reduce fares;
 - (b) provide affordable, efficient and reliable bus services;
 - (c) partially subsidise uneconomic services which are necessary for social or civic reasons; and
 - (d) partially make-up budget deficits.

- iv) By calling for tenders competitive prices can be obtained and by privatising on a contract basis, the level of service provided by different private contractors can be evaluated.

Cognisance must be taken of the fact that the privatisation of certain ancillary in-house activities municipal are advocated and not the privatisation of the entire Public Transport Service Unit

RECOMMENDATION THREE

THE DEPARTMENT OF TRANSPORT SHOULD CONSIDER THE ESTABLISHMENT OF A REGIONAL BUS TRANSPORT AUTHORITY IN EACH PASSENGER TRANSPORT REGION

Each Joint Services Board or Regional Services Council, should provide bus transport services within their respective regional area in accordance with Schedule 2 of the KwaZulu and Natal Joint Services Act, 1990 (Act 84 of 1990) or the Regional Services Councils Act, 1985 (Act 109 of 1985). For this purpose, each Joint Services Board or Regional Services Council should establish a Regional Bus Authority. For each Regional Bus Authority, a Regional Transport Management Board should be established. This Board should be responsible for the over-all control of the bus authority. The duty of the Board should be the provision, operation and maintenance of an efficient, affordable, reliable and convenient regional bus service, on a commercial basis, for the benefit of the region. Its primary function should be the consideration of matters of policy, organisation and the supervision or review, where necessary, of the general administration of the affairs of the Regional Bus Authority. The Board should have complete freedom to act in all matters of day to day business, but within financial estimates prepared by the Board and approved by the Joint Services Board or Regional Services Council.

COMPOSITION OF THE REGIONAL TRANSPORT MANAGEMENT BOARD

The Regional Transport Management Board should comprise -

- i) the Chairman of the Board who would be appointed on a full/part time basis and a vice-chairman, who would also act as the Chief Executive Officer of the Regional Bus Authority. The latter must be a permanent official in order to ensure absolute continuity of policy and management. The person to be appointed to the post of chairman should ideally be an university graduate with vast experience in business management and/or financial accounting and/or transport administration. The salary offered should be sufficiently high to attract applicants of the very highest qualifications and calibre. The duties of the Chairman should be principally of a commercial, administrative and planning nature, leaving the day to day administration to be supervised by the vice-chairman who would be the chief executive officer of the Regional Bus Transport Authority;

- ii) ten members who are representatives of the Joint Services Board/Regional Services Council, industry, labour, commerce, finance and commuter associations. Two members should be appointed by the Joint Services Board or Regional Services Council from among its members in order to preserve that essential liaison between the Board or Council and the Regional Bus Authority. The remaining eight members should be chosen by the Joint Services Board or the Regional Services Council from nominations received from Chambers of Commerce within the region, trade unions, commuter associations and other interest and pressure groups and industries with a labour force of at least 150 employees and which conduct their businesses within the regional area.

With the exception of Joint Services Board or Regional Services Council members, all other members should be appointed for a minimum term of three years and thereafter be appointed for a further three years. All members should be paid competitive allowances.

In principle, the Regional Transport Management Board should endeavour to operate the Regional Bus Authority on a break-even basis and the Board should be permitted to accumulate reasonable reserves. If deficits are incurred, such deficits should be made up by the Joint Services Board or the Regional Services Council. Although the Board should be allowed to operate on a purely commercial basis, any uneconomic service which it may operate, in terms of a directive from the Joint Services Board or the Regional Services Council, for social and civic reasons, should be subsidised in full by the Council.

POWERS OF THE REGIONAL TRANSPORT MANAGEMENT BOARD

The Regional Transport Management Board should be given powers to, inter alia,

- i) establish new bus routes or services and extend, curtail, vary and abolish existing passenger transport routes;
- ii) enter into agreements with other bus undertakings for the provision of bus services within and to and from the regional area;
- iii) enter into agreements with any body or organisation for supplies and services for the purpose of the business of providing bus transport services;

- iv) acquire by agreement any undertaking or part of an undertaking for the purpose of providing bus transport services;
- v) make applications to, and lodge objections to applications made to, the Local Road Transportation Board and/or National Transport Commission;
- vi) borrow money for the purpose of its business and to invest any monies not immediately required;
- vii) sell any part of its assets which are no longer required for the purpose of providing bus transport services;
- vii) determine the type(s) of buses to be used for its various services; and
- viii) determine salaries, wages, benefits and conditions of service, with regard to employees of the Regional Bus Authority, by negotiation and in terms of market conditions. Ideally such matters should be dealt with through an Association of Regional Transport Management Boards to ensure comparability and facilitate mobility of labour. The Board should be given full control over the staff of the Regional Bus Authority who would then become employees of the Board and not the Joint Services Board or the Regional Services Council.

On appointment, each Regional Transport Management Board in consultation with their respective Joint Services Board or Regional Services Council should formulate a Mission Statement. This document should indicate the purpose, goal and policy of the Board and the Joint Services Board or Regional Services Council and should explain the over-riding business ideas, outline the type and extent of services to be provided as well as the control and organisational hierarchy. In formulating the Board's objectives the following pertinent questions should be answered.

- i) Which are the chief areas to be serviced ?
- ii) What specific type(s) of bus services are to be operated ?
- iii) Will exclusive concession to operate schedule bus services between certain areas be awarded to the Board by the Local Road Transportation Board and/or National Transport Commission ?
- iv) Should only financially viable services be operated ?
- v) Will loss-making essential services and/or loss-making services provided for social or civil reasons be subsidised by the Joint Services Board or Regional Services Council ?

The Board's corporate objectives should be aligned to the needs of the region as a whole, rather than narrowly focussing on the Board's immediate financial results. Ideally, a Regional Bus Authority should develop the following characteristics:

- i) Be primarily dedicated to serve the aims of the Joint Services Board or Regional Services Council and the Regional Transport Management Board and the needs of commuters in the region.
- ii) Be managed, administered and operated efficiently and strive towards long-term financial viability.

With regard to existing municipal bus transport undertakings and private bus companies in the region, the Regional Transport Management Board should acquire these at market related prices for incorporation into the Regional Bus Authority. The personnel of undertakings so acquired should be transferred to the Regional Bus Authority. Where a local authority or private bus company refuses to sell its bus transport undertaking to the Regional Bus Authority, this Authority should co-operate with such authority and as a rule not provide any services in competition with such undertaking.

With regard to finance, each Joint Services Board or Regional Services Council should provide capital and operating funds for their respective Regional Bus Authority. This funding should be gradually reduced as the accumulated reserves of the Regional Bus Authority increase as a result of investments.

In order to reduce cost and improve services, the Regional Transport Management Board should -

- i) provide incentives to its employees. These should involve -
 - (a) the setting of performance measures in all sections of the Regional Bus Authority; and
 - (b) bonus payments to staff who improve their performance or meet predetermined standards. Payments need to be clearly linked to readily identifiable and quantifiable achievements, for example, revenue gains and savings that result from higher bus utilisation and revenue collection, reduced fuel consumption and fewer breakdowns and accidents.

- ii) instruct the senior management of the Regional Bus Authority to develop cost controls covering operation, maintenance, administration and routes. These systems shall be designed to -
 - (a) determine the cost of the various functions and activities of the Regional Bus Authority so that adverse trends can be detected and corrected;

- (b) identify profitable and unprofitable routes and the true cost of services provided to meet social objectives; and
 - (c) measure cost performance and compare it with similar services, including those provided by private operators. The systems developed should be approved by the Regional Transport Management Board;
- iii) ensure that routes and services respond to the needs of the public, are cost effective and can be readily adjusted to meet changing demands;
 - iv) ensure that fares are clearly related to total costs, preferably on a route by route and distance basis; and
 - v) ensure that staffing levels are related to the workload of the Regional Bus Authority.

Once Regional Transport Management Boards have been formed, they should form an Association of Regional Transport Management Boards. The Association should provide a forum for the exchange of ideas, encourage standardisation of equipment and approach, avoid duplication of effort in research and development and facilitate training.

ADVANTAGES

The following are some of the more pertinent advantages of Regional Bus Authorities:

- i) Regional Bus Authorities can ensure the optimum utilisation of scarce resources such as buses, finance and personnel with expertise and skills. This would lead to cost effectiveness and efficiency by economies of scale.

- ii) Overall transportation planning could be facilitated.
- iii) Better co-ordination of services in a region and the elimination of unnecessary competition as a result of the demarcation of areas. Co-ordination will ensure that route duplication is avoided.
- iv) Control is simplified in view of the fact that one operation is responsible for the provision of bus services in demarcated areas.

The advantages of a Regional Transport Management Board are similar to those outlined in Recommendation One.

3. ADDITIONAL RECOMMENDATIONS

In addition to the main recommendations, cognisance should be taken of the following supplementary recommendations:

- i) The Government should classify the public-owned bus transportation industry as one of the strategic industries and therefore do everything in its power to stimulate and expand the industry and to ensure that this industry, from an energy point of view, will always be operational.
- ii) Municipal and regional bus undertakings should consider the use of smaller buses, such as the Mynah buses, for their off-peak services where demand is minimum. This will involve lower running costs and effect fuel savings.

- iii) In order to reverse people's travelling habits from private car and combi-taxi's, municipal and regional bus undertakings should, inter alia,
- (a) strive towards providing affordable, reliable, convenient and efficient public-owned bus services;
 - (b) market their services; and
 - (c) amend their time-tables in accordance with commuter travelling patterns, needs and demands. Regional and municipal bus undertakings should periodically consult with representatives of commuter associations to determine their needs and hear their complaints with regard to services provided.

Finally, it should be noted that the aforementioned recommendations should not be viewed as a panacea for all the bus transportation problems in Durban or South Africa but merely as a sincere endeavour towards finding solutions, under the difficult prevailing circumstances, to ensure that commuters are provided with affordable, reliable, convenient, efficient and effective public-owned bus services.

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Mr D. Coleman, Staff Administrator: Public Transport Service Unit, on 8 July 1991.

Mr M.G.W. Cuthbert, then General Manager: Durban Transport Department, and now Executive Director: Public Transport Service Unit, on 5 April 1989 and 10 July 1991.

Mr Piet Geringer, Deputy Director, Road Transportation: Department of Transport, on 9 July 1990.

Mr C.M. Harris, Assistant Town Clerk: Durban City Council, on 15 May 1991.

Mr E. Hughes, Director: Finance and Information Services: Public Transport Service Unit, on 26 July 1991 and 14 August 1991.

Mr D. Jordan, Personnel/Industrial Relations Manager: Public Transport Service Unit, on 3 July 1991.

Interview with Mrs J.L. Muscat, Acting Marketing Manager: Public Transport Service Unit, on 5 April 1991 and 5 July 1991.

Mr C. Nagooroo, Financial Officer: Durban City Treasurers Department, on 19 February 1990.

Mr T. Palmer, Assistant City Treasurer (Accounting): Durban City Council, on 17 August 1990.

Mr P. Rush, Senior Personnel Officer: Public Transport Service Unit, on 21 June 1991 and 24 July 1991.

1. WAYBILL

NAME: *WAD. M. K. Z.*

NO. *401*

BOX No. *344*

SERVICE CODE 1

PA. T.R.B

TELEPHONE Nos. 319054/319057

DATE: *1990 2. 7.* 19

SHIFT No. *DR-0994*

DESTINATION 3256	Route No.	IN OUT	PASSENGERS		COUPONS		10c CASH		AMOUNT		1c CASH		AMOUNT		STAT COL		TRIP	
			Dial Reading	No.	Dial Reading	No.	Dial Reading	No.	R	c	Dial Reading	R	c	Dial Reading	Code	km	TIME	
<i>Run DR-0994</i>			<i>098 99</i>		<i>00 00</i>		<i>213 01</i>		<i>00</i>		<i>121 30</i>		<i>00</i>	<i>114</i>				
<i>U. DEPOT REPT 1435</i>																		
<i>U. DEPOT</i>	<i>9161</i>																	
<i>VIA V TERMINUS</i>																		
<i>TURN RIGHT AT</i>																		
<i>V ROBBOT</i>																		
<i>V ROBBOT BUS STOP</i>	<i>209</i>	<i>0</i>	<i>098 99</i>		<i>00 00</i>		<i>213 01</i>		<i>00</i>		<i>121 30</i>		<i>00</i>	<i>114</i>			<i>450</i>	<i>15</i>
<i>LIMLAZI U</i>																		
<i>LIMLAZI U</i>	<i>9161</i>	<i>0</i>	<i>099 03</i>	<i>04</i>	<i>00 68 68</i>		<i>213 05</i>	<i>04</i>	<i>00</i>		<i>121 30</i>	<i>00</i>	<i>00</i>	<i>114</i>			<i>1540</i>	<i>60</i>
<i>SPL SIGNS</i>																		
<i>SOUTHMAN F. WAY</i>																		
<i>HULLETS GLIDE OFF</i>																		
<i>ROSSBURGH</i>		<i>1</i>	<i>099 09</i>	<i>00</i>	<i>00 68 20</i>		<i>213 05</i>	<i>02</i>	<i>00</i>		<i>21 30</i>	<i>00</i>	<i>00</i>	<i>114</i>			<i>2130</i>	<i>60</i>
<i>ROSSBURGH</i>	<i>213</i>																	
<i>VIA LXM</i>																		
<i>LIMLAZI STN</i>																		
<i>LIMLAZI STN</i>	<i>9161</i>	<i>0</i>	<i>099 14</i>	<i>16</i>	<i>01 29 61</i>		<i>213 20</i>	<i>15</i>	<i>00</i>		<i>127 30</i>	<i>06</i>	<i>00</i>	<i>114</i>			<i>2230</i>	<i>60</i>
<i>U. DEPOT</i>	<i>1810</i>																	
<i>SOT</i>	<i>1820</i>	<i>1</i>	<i>099 19</i>	<i>02</i>	<i>00 29 20</i>		<i>213 20</i>	<i>00</i>	<i>00</i>		<i>127 30</i>			<i>114</i>			<i>600</i>	<i>10</i>
<i>M - THURS</i>																		

ANNEXURE A
 WAYBILL

(iii) state in detail the nature of the goods

4. State in detail between which points and/or within which area you wish to undertake conveyance.

N.B.—Where persons or goods are to be conveyed between fixed points, a detailed description of both the forward and return journeys must be furnished in such a manner as to leave no doubt as to the exact route to be followed on the forward and return journeys. A comprehensive sketch map of the route indicating distances between points on the route(s) may be attached. In respect of a taxi indicate the point where the vehicle will be operated from and in respect of organised groups indicate the area/radius wherein the transport will be undertaken.

.....

5. Time-tables and scale of charges, where applicable, must be submitted in an annexure.

6. State reasons why existing transport facilities cannot be used. Letters and documents in support of the application may be submitted.....

.....

7. If this application is in respect of an amendment of an existing permit, state reasons for the amendment

.....

8. If this application is in respect of an amendment of the vehicle particulars of your permit, state the number(s) of the permit(s) and the registration number(s) of the vehicle(s) as recorded on the permit(s)

9. (a) Furnish details of any other person or company having any interests whatever in the road transportation dealt with in this application

.....

(b) Furnish full particulars of any interests, arrangements or agreements whatever you have or may have in any other road transportation business

.....

10. If you already are in possession of a public or private road carrier permit(s), state—

(a) the name of the local board which issued the permit(s)

(b) the number(s) and date(s) of the permit(s)

(c) the registration number(s) of the vehicle(s) involved

11. If a previous application has been refused or has not yet been disposed of, state—

(a) name of local board to which application was made

(b) date of application

I hereby declare that the above-mentioned statement is true to the best of my knowledge and belief and that I make this statement knowing that if it is tendered in evidence I would be liable to prosecution if I wilfully stated in it anything which I know to be false or which I do not believe to be true.

I know and understand the contents of this statement.

Date

Place

Applicant/Assignee

ANNEXURE C

RULE 12 of the DTMB Rules

"CONTRACTS

- (a) The Board (DTMB) is hereby empowered (subject to these rules and sub-rule (b) hereof), to enter into contracts on behalf of and in the name of the Council for:
- (i) The supply of vehicles and any spare parts and accessories including spare engines and other unit spares (but excluding tyres and tubes) requisite for the transport undertaking).
 - (ii) The supply of any machine tools and equipment reasonably required for the maintenance and servicing of such vehicles.
 - (iii) The execution of works or the provision of services requisite for the transport undertaking.
 - (iv) The disposal of movable assets appertaining to the undertaking.
- (b) It is recorded that by Section 183 of Ordinance 18 of 1976 the exercise by the Board of the power to enter contracts is subject to the following provisos:-
- (i) the references in Section 187, 188 and 189 of Ordinance No. 25 of 1974 to the Council shall, for the purposes of this section, be deemed to be references to the Board;
 - (ii) for the purposes of estimated expenditure in respect of which tenders need not be called for in terms of Section 187 (1) of Ordinance No. 25 of 1974 the Board shall be deemed to be a borough, other than the City of Durban, in which the total value of rateable property exceeds R4 000 000;
 - (iii) it shall not be requisite for tenders called for by the Board to be considered and reported on by the Tender Board constituted in terms of this Ordinance;
 - (iv) the Board shall have the same powers as are conferred upon the Council by Section 114(2) of this Ordinance;

- (v) the Board shall have for the purpose of disposing of any movable assets of the transport undertaking not exceeding an estimated value of R500,00, the same powers as are conferred on the Council by Section 116 of this Ordinance.

12. (bis)

- (a) The powers conferred upon the Board by Section 183 of Ordinance No. 18 of 1976 (as amended) insofar as they relate to contracts referred to in Section 12(a) and 12(b)(ii) are hereby delegated to the General Manager subject to the provisions of this Rule.
- (b) Before any contract involving an estimated expenditure of more than R1 500 but less than R25 000 in any one calendar month is concluded, at least three quotations shall, wherever practicable, be obtained by the General Manager.
- (c) The General Manager shall accept the quotation which appears to him to be the most favourable.
- (d) The powers conferred upon the Board by Section 189 of Ordinance No. 25 of 1974 as read with Sections 116 and 183 of Ordinance No. 18 of 1976 insofar as they relate to the disposal of movable assets are hereby delegated to the General Manager subject to the estimated value of any one item not exceeding R500, and provided that every such asset has been fully depreciated.*

* Durban Transport Management Board: Rules, Durban Transport Management Board, Durban, 1990, pp. 10-11.

ANNEXURE D

JOB SPECIFICATION FORM

OURBAN TRANSPORT MANAGEMENT BOARD

CONFIDENTIAL

JOB SPECIFICATION

Job Title.....

Supervisory	Non-Supervisory
-------------	-----------------

Division.....Section.....

Replacement

YES	NO
-----	----

 If yes, name of present holder.....

1. OVERALL FUNCTION

Supervision received from.....

Supervises.....Skilled.....Semi-Skilled

WORK PERFORMED

2. OUTIES: Daily and regularly recurring

3. OUTIES: Performed at irregular intervals

Prepared By _____ DIVISION/SECTION _____

Approved by _____ DATE _____

3. SUPERVISION OF OTHERS

3.1 Number of employees _____ Skilled _____ Semi-skilled _____

3.2 Has full/has no authority to instruct or assign work.

4. RESPONSIBILITY FOR ASSETS

Names of machines, material, cash etc.	Approximate value

5. WHAT IS HIS SOURCE OF INSTRUCTION ?

MARK WITH

VERBAL

WRITTEN

SPECIFICATIONS

6. CONTACTS

Mark with

	PERSONAL	CORRESPONDENCE	TELEPHONE
OTHER DEPARTMENTS			
PUBLIC			
OTHER FIRMS			
GOVERNMENT DEPARTMENTS			

7. DECISIONS (Without consulting Supervisor)

8. RECORDS AND REPORTS COMPLETED

9.1 SUPERVISION RECEIVED

By whom ? _____

How often ? _____

9.2 CHECKING OF COMPLETED WORK

By whom ? _____

How often ? _____

10. PHYSICAL REQUIREMENTS (Co-ordination, skills, eyesight etc.)

11. WORKING CONDITIONS (Noise, heat, dust, fumes etc., considered unfavourable)

12. HAZARDS (Dangers, accident hazards, threats to safety)

13. RELATION TO OTHER JOBS (Immediately below and above)

14. MENTAL COMPLEXITY (Initiative, judgement, analytical requirements)

15. MENTAL ATTENTION (Degree of mental concentration and alertness)

16. RESPONSIBILITY FOR CONFIDENTIAL INFORMATION

17. IN YOUR OPINION, AND FROM YOUR EXPERIENCE, REQUIREMENTS REGARDING THE FOLLOWING:

1. Education Mark with

STANDARD	0 - 5	6	7	8	9	10	HIGHER (SPECIFY) OR OTHER
----------	-------	---	---	---	---	----	------------------------------

2. Experience (Kind and length)

3. Age

Minimum _____ years Maximum _____ years

4. TRAINING Mark with

4.1 TYPE OF TRAINING

FORMAL	ON-THE-JOB	BOTH
--------	------------	------

4.2 LENGTH OF TIME NECESSARY TO ACHIEVE AN ACCEPTABLE PERFORMANCE LEVEL ON THE JOB

(Total training, and experience on the job after training) Mark with

LESS THAN 1 WEEK	1 - 2 WEEKS	2 - 4 WEEKS	4 - 6 WEEKS	6 - 8 WEEKS
8 - 12 WEEKS	3 - 6 MONTHS	6 - 9 MONTHS	9 - 12 MONTHS	LONGER (SPECIFY)

ANNEXURE F

DURBAN TRANSPORT MANAGEMENT BOARD

JOB DESCRIPTION AND DUTY SCHEDULE

As at : JUNE 1990

Position: OPERATIONS MANAGER Grade: D5

(Authorised Designation)

Division TRAFFIC Section

Sub Section

Immediate Superior ASSISTANT GENERAL MANAGER (OPERATIONS)

Immediate Subordinates DEPOT MANAGERS

MANAGER : INSPECTORATE

Colleagues reporting to same superior ADMINISTRATION MANAGER

MARKETING MANAGER

Purpose of Job

CONTROL TRAFFIC OPERATIONS AT THE VARIOUS DEPOTS, AND MEET THE OBJECTIVES SET FOR EACH OF THE SERVICES.

Relationships

Internal : PERSONNEL
FLEET MAINTENANCE
FINANCIAL SECTION

External : PINETOWN BUS OPERATORS
CITY ENGINEER'S TRAFFIC & TRANSPORTATION OFFICIALS
BEACH VISITORS AND TRAFFIC SUB COMMITTEE
S.A.P. AND CITY POLICE
PINETOWN & NEW GERMANY PROTECTION SERVICES UNITS
SUNDRY INDUSTRIAL ORGANISATIONS
LIAISE WITH BUS OPERATORS DIRECTOR AND WITH COMMUNITY REPS AND COUNCILLORS

RESPONSIBILITIES

Key Performance Areas

KNOWLEDGE OF OPERATIONS
MANAGEMENT OF OPERATIONS FUNCTION
SUPERVISION OF OPERATIONS STAFF
COMMUNICATION

Specific Duties

- APPLY OPERATIONS KNOWLEDGE TO SOLVE DAY TO DAY PROBLEMS.
 - CO-ORDINATE INVESTIGATIONS INTO EXPANSION OF SERVICE INTO OTHER AREAS AND SUBMIT APPROPRIATE RECOMMENDATIONS.
 - MONITOR PERFORMANCE AGAINST TARGETS.
 - CO-ORDINATE THE INVESTIGATION OF AUDIT QUERIES AND SUBMIT REPORTS
 - CONDUCT OR CO-ORDINATE SPECIAL PROJECTS OR INVESTIGATIONS.
 - MONITOR THE CONTROL OF EQUIPMENT HELD AT DEPOTS.
 - MOTIVATE SUBORDINATE STAFF AND CONTROL THEIR ACTIVITIES.
 - LIAISE WITH UNION REPRESENTATIVES AS NECESSARY.
 - HANDLE GRIEVANCES AS SET OUT IN GRIEVANCE PROCEDURE.
-
-

Other Responsibilities

- DEPUTISE AS REQUIRED FOR AGM (OPS)
 - ASSIST IN THE COMPILATION OF ANNUAL ESTIMATES.
 - RESPOND TO PUBLIC ENQUIRIES, COMPLAINTS AND REQUESTS.
 - REPRESENT THE DTMB ON SUNDRY COMMITTEES.
 - PARTICIPATE IN NEGOTIATIONS WITH UNIONS AS REQUIRED.
-
-

Limits of Authority

MAY NOT DEVIATE FROM POLICY OR EXCEED BUDGETS/ESTIMATES.
MAY OTHERWISE USE DISCRETION TO ACHIEVE JOB PURPOSE.

ANNEXURE G

MAN SPECIFICATION

POSITION	OPERATIONS MANAGER	TMB	D5
DIVISION	TRAFFIC	DATE	JUNE 1990
CRITERIA	MINIMUM REQUIREMENTS	PREFERRED OR ADDITIONAL	
AGE	30	35 - 45	
EDUCATION	X OR EQUIVALENT ADVANCED CERTIFICATE RAU	B COMMERCE DEGREE OR RAU DIPLOMA	
EXPERIENCE	5 YEARS MANAGEMENT	5-10 YEARS MANAGEMENT EXPER- IENCE IN A UNIONISED PUBLIC TRANSPORT ENVIRONMENT.	
SKILLS	REPORT WRITING NEGOTIATION ORGANISATIONAL MAN MANAGEMENT PLANNING	FINANCIAL BUDGETING	
KNOWLEDGE	SCHEDULING TRANSPORTATION ECONOMICS TRANSPORTATION LEGISLATION INDUSTRIAL RELATIONS PRAC- TISE.		
ABILITY	TO ANALYSE SITUATIONS FACTS AND FIGURES. TO COMMUNICATE VERBALLY AND PERSUADE. TO MANAGE PEOPLE. TO APPLY KNOWLEDGE.	TO PAY ATTENTION TO DETAIL COPE WITH PRESSURE FLEXIBILITY	
PERSONAL QUALITIES	STRENGTH OF CHARACTER INTEGRITY JUDGEMENT DRIVE INITIATIVE OBJECTIVITY	VISION LEADERSHIP	

ANNEXURE H



DURBAN TRANSPORT MANAGEMENT BOARD
DURBANSE VERVOERBEHEERRAAD

P.O. BOX 1746 DURBAN 4000, 102 ALICE STREET, DURBAN 4001
TELEPHONE: NAT. (031) 314126 INTERNAT: 27 31 31-4126 TELEX No. 6-23297
TELEFAX No. (031) 315108. T.A. TRANSBOARD

POSBUS 1746 DURBAN 4000, ALICESTRAAT 102, DURBAN 4001
TELEFOON: NAS. (031) 314126 INTERNAS: 27 31 31-4126 TELEKS Nr. 6-23297
TELEFAX Nr. (031) 315108. T.A. TRANSBOARD

PERSONNEL/INDUSTRIAL
RELATIONS MANAGER. 3C94126
DMJ/YDG/STAFF 3095108
WEF 27/01/1990

DATE

Mr NAME (Badge No. BADGE)
Service No. NUMBER
Durban Transport Management Board
DEPOT

Dear Mr MISTER

APPOINTMENT : ONE MAN OPERATOR : TMB GRADE 32

Congratulations on your appointment to the position of One-Man Operator, effective from APPDATE .

REMUNERATION PACKAGE

Your commencing salary will be SALARY This salary will be increased each year until you reach the maximum for this grade, which is currently MAXSAL per month. An allowance is payable in instances where a spreadover shift exceeds 12 hours.

The following deductions will be made from your salary:

- Pension Fund membership @ 8,6%
- P.A.Y.E. @ RATE Rate
- U.I.F. @ 0,9%

NOTE: The DTMB accepts the principle of freedom of association and acknowledges employee membership of the following Trade Unions: Durban Integrated Municipal Employees' Society; Durban Municipal Employees' Society; Transport & General Workers' Union; National Transport & Allied Workers' Union of SA. Should you decide to join one of these Unions, please submit your stop order for Union Membership to the Staff Office.

Medical Aid facilities are available, but membership is voluntary. You are required to make a decision in this regard within six months of appointment. You should note that this decision is irrevocable.

Your package also includes the following:

ANNUAL BONUS

The DTMB pays a 13th cheque with your November salary each year with the exception of your first year, when your bonus will be paid to you the month following your anniversary date and will be calculated according to the actual period worked during the bonus year which runs from 1 September to 31 August.

HOUSING SUBSIDY

A housing subsidy is payable in certain circumstances and details of this scheme can be obtained from the Staff Office.

LEAVE AND SICK LEAVE BENEFITS

The DTMB's benefits in this regard are covered in the attached schedule.



CONDITIONS OF EMPLOYMENT

Your appointment to this position is however subject to your acceptance of the following specific conditions of employment, domestic regulations for One Man Operators and Code of Conduct (see attached copies), for which purpose you are required to sign and return the attached duplicate copy of this letter. Please note that these conditions and others are spelt out in greater detail in the Conditions of Service for Graded Staff, a copy of which is available on request. For your information copies of Clauses 35(b) and (c) as well as the Grievance Procedure are also attached.

PROBATIONARY PERIOD

Appointment to this position is subject to you serving a six month probationary period during which two weeks' notice is to be given by either party.

NOTICE PERIOD

Two weeks' notice is required. Failure to give the prescribed notice may result in the withholding of pay to the equivalent value of notice period not adhered to.

ORDINARY HOURS OF WORK

Your ordinary hours of work will not exceed:-

- (i) 46 hours in any one week over 6 days.
- (ii) 10 hours on any one day except public holidays.
- (iii) 8 hours on any public holiday.

Please note that your day off will be determined by your shift and may not necessarily be a Sunday.

SPREADOVER

The ordinary hours of work in any one day and all meal breaks may be included within a spreadover of fourteen hours.

OVERTIME

As we provide an essential service, you will be required to work such legal overtime as may be determined by the DTMB in consultation with you from time to time, for which you will be compensated according to the overtime group applicable to your position.

DEDUCTIONS

The General Manager shall have the right to deduct from an employee's pay any cash shortage incurred. A deduction from the total monthly remuneration set out above shall be made in respect of any absence from duty not granted as paid leave or sick leave or by any special authority of the Board.

PUBLIC DRIVING PERMIT

Should your PDP be withdrawn or lapse for any reason, your services may be terminated.

DEPOT ALLOCATION

The DTMB reserves the right to utilise your services at any of its depots or Lines. The provision of staff transport is at the discretion of Management.

We take this opportunity of welcoming you to the DTMB and hope that your employment with us will be a happy experience.

Please sign the attached copy of this letter to indicate your acceptance of the Conditions of Employment and return it to the Staff Office, marked for the attention of D Coleman.

Yours sincerely

GENERAL MANAGER

LEAVE AND SICK LEAVE CONDITIONS

LJH/YDG

A) LEAVE:

GRADED STAFF			NON-GRADED STAFF		
6 DAY WEEK			6 DAY WEEK		
	VACATION	MAXIMUM ACCUMULATION		VACATION	MAXIMUM ACCUMULATION
1st Year	30 Days	150 Days	1st and 2nd Year	25 Days	120 Days
2nd Year	33 Days	150 Days	3rd to 9th Year	31 Days	120 Days
Thereafter	36 Days	150 Days	From 10th Year	33 Days	120 Days
LONG SERVICE LEAVE: On Anniversary Date			LONG SERVICE LEAVE: On Anniversary Date		
AFTER 20 YEARS SERVICE	3 Days	180 Days	AFTER 20 YEARS SERVICE	3 Days	150 Days
" 30 " "	5 Days	230 Days	" 30 " "	5 Days	200 Days
" 40 " "	6 Days	240 Days	" 40 " "	6 Days	210 Days
5 DAY WEEK			5 DAY WEEK		
1st Year	25 Days	125 Days	1st and 2nd Year	20 Days	100 Days
2nd Year	27 Days	125 Days	3rd to 9th Year	25 Days	100 Days
Thereafter	30 Days	125 Days	From 10th Year	27 Days	100 Days
LONG SERVICE LEAVE: On Anniversary Date			LONG SERVICE LEAVE: On Anniversary Date		
AFTER 20 YEARS SERVICE	2 Days	150 Days	AFTER 20 YEARS SERVICE	2 Days	125 Days
" 30 " "	4 Days	185 Days	" 30 " "	4 Days	160 Days
" 40 " "	5 Days	200 Days	" 40 " "	5 Days	175 Days

(B) SICK LEAVE :

GRADED STAFF			NON-GRADED STAFF		
6 DAY WEEK			6 DAY WEEK		
	SICK LEAVE	MAXIMUM ACCUMULATION		SICK LEAVE	MAXIMUM ACCUMULATION
AFTER COMPLETION OF 6 MONTHS SERVICE	13 Days	-	AFTER COMPLETION OF 1 MONTHS SERVICE	12 Days	*
AFTER COMPLETION OF 12 MONTHS SERVICE	26 Days *	-	AFTER COMPLETION OF 12 MONTHS-BALANCE UP TO	12 Days	*
THEREAFTER EACH YEAR	26 Days	150 Days	THEREAFTER UNTIL COMPLETION OF 20 YEARS (BASED ON ANNIVERSARY DATE)	12 Days	*
AFTER 20 YEARS SERVICE	26 Days	180 Days			
AFTER 30 YEARS SERVICE	26 Days	230 Days			
AFTER 40 YEARS SERVICE	26 Days	240 Days	AFTER 20 YEARS SERVICE	18 Days	*
* I.E. AN ADDITIONAL 13 DAYS			* MAXIMUM ACCUMULATION BASED ON SICK LEAVE NOT UTILISED OVER 3 PREVIOUS YEAR CYCLES		
5 DAY WEEK			5 DAY WEEK		
AFTER COMPLETION OF 6 MONTHS SERVICE	11 Days	-	AFTER COMPLETION OF 1 MONTHS SERVICE	10 Days	*
AFTER COMPLETION OF 12 MONTHS SERVICE	22 Days *	-	AFTER COMPLETION OF 12 MONTHS-BALANCE UP TO	10 Days	*
THEREAFTER EACH YEAR	22 Days	125 Days	THEREAFTER UNTIL COMPLETION OF 20 YEARS (BASED ON ANNIVERSARY DATE)	10 Days	*
AFTER 20 YEARS SERVICE	22 Days	150 Days			
AFTER 30 YEARS SERVICE	22 Days	185 Days			
AFTER 40 YEARS SERVICE	22 Days	200 Days	AFTER 20 YEARS SERVICE	15 Days	*
* I.E. AN ADDITIONAL 11 DAYS			* MAXIMUM ACCUMULATION BASED ON SICK LEAVE NOT UTILISED		