



NTA

NATIONAL TAXI ALLIANCE

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MEMORANDUM OF GRIEVANCES

TO : THE MINISTER OF TRANSPORT
ATT : HON MINISTER FIKILE MBALULA
FROM : NATIONAL TAXI ALLIANCE
DATE : 18 NOVEMBER 2020

We have been mandated by the general members and affiliates of the National Taxi Alliance to submit the grievances indicated herein below for your attention and consideration.

This memorandum of grievances accompanied by the protest march happens at the backdrop of numerous meetings held between yourselves and the leadership of the NTA, whereat you have demonstrated your unwillingness to respect and grant the NTA its constitutional rights of freedom of association and the right to be served by government. You have consistently paid lip service to the important issues negatively impacting the taxi industry by resorting to partisan politics and statements bordering on emotional black mail.

In correspondences to you, notably the 26 August 2020 and 30 September 2020 letters, we have demonstrated our willingness to work with you and your department and unfortunately you chose to ignore our overtures and pleas.

1. FREEDOM OF ASSOCIATION

- 1.1. Your invitation to the NTA to participate at the National Taxi Lekgotla, was flawed, malicious and disrespectful to the NTA leadership, members and the organization itself for the reasons stated below.
- 1.2. On 19 August 2020 you invited the President of the National Taxi Alliance Mr. Mohanoe Francis Masitsa to the launch of the National Taxi Lekgotla discourse, whereat you had invited four Trade Union federations, four business representative bodies and other sectors representative bodies in their sectorial multiplicity.
- 1.3. All of the invited organizations appeared on the programme of the event and were afforded speaking rights at the launch. To its humiliation, embarrassment and ridicule, the NTA was invited without speaking rights which resulted in us demanding to be treated fairly and ultimately our withdrawal after you failed to change the status quo.
- 1.4. Your department subsequently sent us the documents outlining the intended objectives of the National Lekgotla wherein we discovered that the main purpose of the Lekgotla is to systematically assimilate the National Taxi Alliance into Santaco for the purposes of

- 1.5. We were also perplexed by the humanly impossible time limit allocated for the completion of some of the positive processes and projects aimed at effecting changes in pursuit of a formalized, regulated and professionalized taxi industry. Those processes would not realize finality in less than seven to eight months.
- 1.6. Your public speeches during and after the National Taxi Lekgotla, where you were quoted saying you were going to force the Lekgotla resolutions on the NTA members, seriously challenged your understanding and appreciation of the supremacy and inviolability of the constitution of our country and are bordering on rule by decree.
- 1.7. Our demands;
 - 1.7.1. We demand that you acknowledge and respect the existence of the National Taxi Alliance as an independent body formed and duly mandated by legitimate taxi structures and taxi operators existing and operating within the prescripts of both the constitution of our country and applicable legislation.
 - 1.7.2. We demand that you fully recognize the NTA as a critical stakeholder both in the taxi industry and in public transport and allow it to fully articulate the hopes and aspirations of its members, promote and defend the interests of its own members and to represent its affiliates and members in all spheres of government in its own name.
 - 1.7.3. We demand that you respect the freedoms and liberties enshrined in the constitution of our country that allow the NTA members and structures freedoms of association and trade.
 - 1.7.4. We demand that you halt all the processes that seek to deliver the taxi industry to the highest bidder wherein taxi operators will lose the routes they are licensed to operate to the mafia and lose their freedom of trade.
 - 1.7.5. We demand that, you immediately publish the taxi industry subsidy regime modalities and reveal the magnitude of the subsidy which must be broken into two categories, the interim taxi subsidy and the final taxi subsidy. The interim subsidy must allow the taxi industry to receive subsidy in its current format, while working on the modalities of a final subsidy regime after the finalization of the 'requisite' conditional regulation and formalization processes. We believe the process will take a lot of time and a lot of consultation with between government, the taxi industry and experts. There is enough technology in the country able to distribute and manage the subsidization of the taxi industry in the interim.
 - 1.7.6. We demand that interprovincial taxi operators, cross border taxi operators and drivers be compensated through your ministry and department for double jeopardy loss of income due to the sustained Covid -19 70% loading capacity regulations.

2. TAXI RELIEF FUND

- 2.1 On 9 June 2020 you announce the R1. 135-billion-rand Taxi Relief Fund to assist the taxi industry to mitigate the negative impact of the Covid -19 lockdown to the sector. The relief fund formed the core part of our discussions in most of our meetings and it was tacit between yourself and the NTA leadership that the severe impact of the lockdown has virtually ruined the Taxi industry to the extent that government has to intervene to save the industry.
- 2.2 Having been assured by you and the Director General in a number of meetings, that the pledged relief fund amount was final and non-negotiable, we relented and grudgingly accepted the fund amount with the following condition: that
- 2.2.1 The fund must be distributed directly into taxi operators bank account using the South African Revenue Service (SARS) infrastructure and in turn taxi operators will pass over the driver's portion to the drivers. For reasons that all legal taxi operators are registered with SARS, we consider SARS appropriately and sufficiently resourced to pay the relief funds directly into bank account of recipients.
- 2.2.2 The fund must exclude E-hailing, for reasons that at the time of the announcement E-hailing was not legislated as a public transport mode and secondly, E-hailing is an elite organised lift club.
- 2.2.3 Only the minibus taxis, cross border taxis, meter taxis and 4 +1 taxis should benefit from the relief fund for reasons stated in clause 2.2.2. Above.
- 2.2.4 The unilaterally imposed stringent requirements to qualify for accessing the funds must be relaxed as it was our belief at the time, that the requirements were to be discussed for future implementation at the National Taxi Lekgotla before systematically left us out of the Lekgotla.
- 2.2.5 It is not fair for government to use the plight of the negatively impacted taxis operators to black mail them into registering taxi companies and transfer their taxis and operating licences to the company, register for cooperate tax as opposed to the current personal tax and comply with the labour relations Act as a pre-condition to access the relief fund.

3 OUR DEMANDS

- 3.1 We demand a written response to the demands outlined below within fourteen days of receiving this memorandum
- 3.1.1 Confirmation that the whole pledged taxi relief fund is still available and ready for release.

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3.1.2. How much amount each taxi operator will receive per taxi, taking into account the portion to be passed over to drivers by operators.

3.1.3. Your acceptance that payments will be done through SARS and not through NTA or Santaco.

3.1.4. When payments of the relief fund will be made?

3.2 We demand that in the spirit of rationality, reasonableness and cooperation you waive the stringent conditions specified in clause 2.2.5. Of this memorandum of grievances within fourteen days of receiving this memorandum.

We await your written response to the grievances contained herein within fourteen of signatory to this Memorandum to be addressed to the National Taxi Alliance Secretariat at the address appearing on the letter head of this Memorandum.

.....
President

Duly Authorized on behalf of the National Taxi Alliance

.....
General Secretary

Duly Authorized on behalf of the National Taxi Alliance

Received by
(Name and Surname)

Position

Date of Receipt