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Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS			
Transport, Department of / Vervoer, Departement van			
215	National Land Transport Act (5/2009): Amendment to Regulations Relating to Integrated Fare Systems.....	44274	3

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF TRANSPORT

NO. 215

12 March 2021

**NATIONAL LAND TRANSPORT ACT, 2009
AMENDMENT TO REGULATIONS RELATING TO INTEGRATED FARE SYSTEMS**

The Minister of Transport in terms of section 8(1) (b) of the National Land Transport Act, 2009 (Act No. 5 of 2009), hereby publishes for comments the draft Amendments to the Regulations Relating to Integrated Fare Systems.

Interested persons are invited to submit written comments on these draft Amendment to the Regulations Relating to Integrated fare systems Regulations to the Director-General, Department of Transport for the attention of Mr Ibrahim Seedat or Mr. Sello Mokubyane within 30 days after the date of publication of this notice:

The Department of Transport
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SCHEDULE

GENERAL EXPLANATORY NOTE:

[] Words in bold typed in square brackets indicate omissions/deletions from existing enactments

_____ Words underlined with a solid line indicate insertions in existing enactments

Definitions

1. In these regulations, the “Regulations” means the Regulations Relating to Integrated Fare Systems, published under Notice No. R. 511 of Gazette No. 34363 of 17 June 2011.

Amendment of regulation 1 of Regulations

2. Regulation 1 of the Regulations is hereby amended—

(a) by the addition of the following definition before the definitions of AFC:

“**ABT** means the Account Based Ticketing fare collection system as specified by the Department of Transport.”;

‘**ABT data structure**’ means an Automated Fare Collection data structure, which utilises a specified file structure on an ABT compliant issued fare media for electronically recording and retrieving transit products and public transport trip related data;

‘**ABT issued fare media**’ means a fare media issued by a participating fare media issuer that is compliant with the ABT Data Structure and specifications as specified in the AFC Guideline or included in a directive issued by the NDoT from time to time;

‘**ABT fare media system**’ means a fare collection system, which comprises—

- (a) ABT issued fare media;
- (b) an ABT issued fare media distribution network and value loading infrastructure;
- (c) a fare transaction acceptance and initiation infrastructure and transaction processing function;
- (d) an account hosting and transaction processing function;
- (e) an electronic fare transaction processing, and settlement function;

(f) associated information systems utilised for the management and analysis of fare schedules and data so collected and their conversion into information;;

(b) by the deletion of definition of “AFC data structure”;

(c) by the substitution of the definition of “AFC Guidelines” for the following :

“ ‘AFC Guideline’ means the Automated Fare Collection Guideline Document, issued by the National Department of Transport which includes the technical specifications for the –

(a) [AFC] EMV data structure; [and]

(b) ABT data structure; and

(c) additional technical specifications, rules and standards relevant to AFC;”; **[IOS for information Systems in Government, and which is obtainable from the Department;]**

(d) by the substitution of the definition of “AFC system” for the following:

“ ‘AFC system’ means the automated fare collection system, which–

(a) enables the electronic collection of public transport fares and associated data; **[and]**

(b) comprises a bank issued fare media system; and

(c) comprises a NDoT sanctioned ABT issued fare media system;”;

(e) by the substitution of the definition of “Bank issued fare media” for the following:

“ ‘Bank issued fare media’ means a **[participating]** bank issued payment instrument based on EMV contactless specifications **[and conforming to the requirements of the AFC data structure];**”;

(f) by the substitution of the definition of “Bank issued fare media system” for the following:

“ ‘Bank issued fare media system’ means a fare collection system, which comprises—

(a) a payment transaction initiation and acceptance infrastructure and acquiring function [instrument distribution network and value loading infrastructure];

(b) an electronic payment transaction clearing and settlement function; and

[a payment transaction initiated and acceptance infrastructure and acquiring function; and]

- (c) associated information systems utilised for the management and analysis of fare schedules and data so collected and their conversion into information;”;

- (g) by the insertion of the definition of “EMV data structure” after the definition of “EMV”;

“ ‘EMV data structure’ means the automated fare collection data structure, which utilises specific tags on the EMV chip of bank issued fare media for electronically recording and retrieving transit products and public transport trip related data.”;

- (h) by the deletion of definitions of “EMVCo” and “EMV specifications”;

- (i) by the substitution of the definition of “legacy AFC system” with the following definition:

“ ‘legacy AFC system’ means any existing AFC system, whether fully operational or not [of which the banking industry does not form part through any bank issued fare media];”;

- (j) by the insertion of the following definition before the definition of “participating banks”;

“ ‘NDoT’ means the National Department of Transport;”;

- (k) by the deletion of the definition of “MIOS for information systems in Government”;

- (l) by the insertion after the definition of “Payments Association of South Africa” of the following definition:

“ ‘PTO’ – means Public Transport Operator;”;

- (m) by the insertion of the following definition before the definition of “STANSA SC71H Committee”;

“ ‘SANRAL’ means the South African National Roads Agency SOC Ltd;”;

(n) by the insertion of the following definition before the definition of “the Act”;

“ ‘TCH’ means the Transaction Clearing House technology and infrastructure hosted by the SANRAL at its Central Operations Centre and that provides account hosting and transaction processing services to PTOs;.”

Amendment of regulation 2 of Regulations

3. Regulation 2 of the Regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

“(2) The requirements must be read together with the AFC G[g]uideline”.

Substitution of regulation 3 of the Regulations

4. **The following** regulation 3 is hereby substituted for regulation 3 of the Regulations:

“Requirements for AFC system implementation in public transport

3. In order to achieve an integrated AFC system for public transport, that is compatible and interoperable nationally, the following minimum requirements apply to AFC system implementation in public transport:

(a) ABT fare media system–

- (i) AFC must be made through ABT issued fare media;
- (ii) AFC must be interoperable through all public transport services;
- (iii) clearing and settlement of fare transactions must take place through the TCH in accordance with the directives issued by the NDoT;
- (iv) passengers must be able to obtain ABT fare media from a participating Operator or a third party issuer;
- (v) the ABT fare media system must adhere to the standards and specifications as issued by the NDoT; and
- (vi) the ABT data structure must be loaded onto all issued ABT fare media;

(b) Bank issued fare media system-

- (i) AFC must be made through any bank issued fare media;

- (ii) AFC must be interoperable through all participating banks;
 - (iii) clearing and settlement of payment transactions must take place through the National Payment System in accordance with the National Payment System Act, 1998 (Act No. 78 of 1998);
 - (iv) passengers with a suitable bank account must be able to use bank issued fare media obtained as a result of their relationship with a bank;
 - (v) the payment system must adhere to the banking and payment regulatory framework; and
 - (vi) optionally and as required by a PTO, the EMV data structure may need to be loaded onto the bank issued fare media;
- (c) occasional or infrequent passengers of public transport services which have implemented AFC may be able to obtain a prepaid single trip ticket from the public transport operator who is providing the single trip public transport service or any third party operating in conjunction with that operator: Provided that—
- (i) the prepaid single trip ticket is issued exclusively for the redemption of the single trip public transport service provided by that operator;
 - (ii) the prepaid single trip ticket consists of any appropriate fare media; and
 - (iii) the prepaid single trip ticket is non-reloadable;
- (d) in the transportation data system for those public transport services that have implemented AFC—
- (i) public transport data must be collected electronically through the AFC system concurrently with the payment or redemption transaction;
 - (ii) the relevant organ of state must take ownership of the data collected through the AFC system;
 - (iii) data must be collected for planning and operational purposes, and must include data per transaction on location, fare and passenger;
 - (iv) the database must enable the extraction of suitable data by the relevant organ of state for planning, monitoring, subsidy management and related purposes; and
 - (v) the data system must comply with the MIOS for Information Systems in Government;
- (e) the AFC system must be flexible to accommodate fare structures based on local needs, but must be aligned with any national fare policy, which may be adopted from time to time;
- (f) the AFC system must comply with the relevant standards endorsed by the STANSA SC71H Committee, which conform to these requirements, or, if there are no such

- standards, international non-proprietary open standards, to ensure compatibility as contemplated in section 8(1)(b) of the Act; and
- (g) legacy AFC systems, which do not comply with these requirements, must be either upgraded to comply with them or be phased out.”.

Amendment of regulation 4 of Regulations

5. Regulation 4 of the Regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

“(2) Any legacy AFC system must be able to accept ABT issued fare media and bank issued fare media within **[five]** three years from the date of publication of these Regulations.”.

Short title

6. These Regulations are called the Regulations Relating to Integrated Fare Systems Amendment Regulations, 2021 and are published for comments.

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