

ITEM	DISCUSSIONS	RECOMMENDATION(S) / ACTION(S)
1.	<p>Safety Briefing – NPA PE</p> <ul style="list-style-type: none"> • NPA PE Safety Officer provided a Practical Concise Safety Overview in the event of an Emergency. • The Attendance Register would serve as a primary document in the event of a Roll-call • Chairperson thanked NPA PE for same overview. 	No Action Required
2.	<p>WELCOME ADDRESS</p> <p>Chairperson noted that the Honourable Minister / Deputy Minister were unfortunately not able to attend the NPCC at this time due to unforeseen developments.</p> <p>He extended a warm welcome to All at the 2nd Quarter 2012/13 (4th `NPCC Meeting) and encouraged everyone to participate and ensure that all the issues are comprehensively addressed.</p>	
3.	<p>ATTENDANCE AND APOLOGIES</p> <p>The Chairperson apologised for the delayed start of the meeting.</p> <p>It was noted that All the Ports and Labour were in attendance.</p> <p>It was noted that the NPCC Meeting date changed several times which impacted on the availability of Members and Invitees.</p> <p>Apologies</p> <ul style="list-style-type: none"> • Commander Tsietsi Mokhele • Mr. Sobantu Tilayi • Mr. Andrew Thomas • Freight Rail 	
4.	<p>ADOPTION OF THE AGENDA</p> <p>The agenda was adopted with the following changes:</p> <ul style="list-style-type: none"> • Matters arising to be dealt with under same. • 5.3 Short Sea Strategy and 5.4 Transshipment Strategy to stand over until the next meeting. • PE's Container Terminal Berth Dredging instead of Deepening of the Port of PE's Container Berths. <p>Mr. Morwe:</p> <ul style="list-style-type: none"> • Agenda to reflect Matters arising separate from individual reports. <p>Mr. Khan:</p>	

	<ul style="list-style-type: none"> The initial agenda was modified to what it is now. Going forward same will be structured the way the Port PCC agenda is structured; 	
4.	<p>ADOPTION OF THE MINUTES OF THE 8 JUNE 2012.</p> <p>It was agreed that the minutes be adopted with the following changes:</p> <ul style="list-style-type: none"> Page1: Captain Vernal tendered his apologies. Same to be recorded accordingly. Page1: Apologies from Mr. Tau Morwe – Same to be recorded accordingly. <p>Mr. Mike Walwyn move to adopt the Minutes of the Meeting; Same was seconded by Captain Rufus Lekala.</p>	
5.	<p>MATTERS ARISING FROM THE MEETING OF THE 8th JUNE 2012.</p>	
5.1	<p><u>Durban Dig Out Port:</u></p>	
5.1.1	<p>Legislative Requirements:</p> <p>Ms. Fakira: Page 6 of the 8 June 2012 Minutes:</p> <ul style="list-style-type: none"> Meeting the 2019 due date and having a Bill and an Act Promulgated and pronouncing the Port by 2014; Understanding that an Act needed to be established for the Durban Dig Out Port. National Ports Act 2005 Chapter 3 Section 10 states that <i>the Minister may by notice in the Gazette determine Ports in addition to the Ports contemplated in Subsection1</i> which states that all Ports fall under the jurisdiction of the Ports Authority. <p>If all in agreement than the NPCC has to commence a Legislative process to establish a Ports Act for the New Dig Out Port.</p> <p>Mr. Khan:</p> <ul style="list-style-type: none"> NPCC is the PCC for the Durban dig out Port Sale of the Land to Transnet has been completed. Durban Dig Out Port concept has not been approved as far as is known; <p>Mr. Mawethu Vilana proposal in terms of a way forward:</p> <ul style="list-style-type: none"> DOT via ACTSA sold the land to Transnet; Run the Legislative and approval process parallel with the consultation process <p>Mr. Morwe:</p> <ul style="list-style-type: none"> Transnet agreed at Board level that the land be purchased for the purposes of building a Port. NPA started the process of having same area developed into a Port. Acknowledged that Transnet has to work closely with DPE and DOT to ensure that same process is completed on time; Transnet has furthermore started the process of declaring that area a Port; Transnet will be working with DOT and DPE to ensure that same process is completed on time. Studies have started to determine whether the identified site is the appropriate site and to further assess the feasibility of building another Port. 	

Mr. Fanie Pretorius:

- Will the dual process include speaking to people in the area?

Mr. Mhawethu:

- Aligned with the white paper consultation involving communities interested in current activities of the area or the establishment of the port an important step in the process.
- Awareness as to the lobby groups to be consulted;
- PCC central to this process; It is a constitutional requirement to consult as widely as is practical possible;

Mr. Khan:

- Same process should not be confused with the EIA consultation process; This process is a legislative consultative process of the DOT using the PCC (NPCC for the DIA)

Mr. Fanie Pretorius:

Questioned the NPA whether the decision to proceed with the DIA Port is the right decision to make and whether same takes into account all current developments and plans and in particular the Port of Ngqura.

Mr. Tau Morwe:

- Informed the meeting that the NPA's decision is based on the fact that the Port of Durban has long run out of capacity;
- He further advised that the Dig Out through Bay Head not an easier option.
- He advised that they anticipate that the consultation process has become somewhat more complicated with the City added Back of Port as part of this process; I.e. road networks etc. which should have been done previously;

Chairperson – Way forward:

Mr. Mhawethu proposed the following:

- Establish a team under Ms. Fakira to begin the Legislative and Consultative process with all recommendations to be channelled through the NPCC;
- Parallel to this a team comprising of DOT, DPE, Transnet to look at intergovernmental; processes regards the draft bill;
- Upcoming PCC meetings including the Port Of Durban PCC meeting to be instrumental in the first round of consultative meetings;
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Mr. Tau Morwe:

- Current project with two deliverables underway within the NPA; one is the Promulgation of the site in respect of the National Ports Act; second deliverable - putting in place an enabling norm.
- First deliverable involves surveying the Port limits; DOT to embark on consultation process with the Ethekweni Municipality; viability studies have to be done; Key consideration whether DOT accepts Transnet's viability studies; This will be followed by a Strategic Environmental Assessment where after concept will be submitted for Cabinet approval; Said approval will form the basis for amending current Port Limits;
- Second deliverable – Involves DOT and agreeing on the enabling law; drafting same; consultation; proposals to be submitted to Cabinet etc.
- Mr. Morwe undertook to send the project details to the Secretariat;

Mr. Khan:

- Noted that the NPA competence does not involve developing legislation and neither does DPE;
- Reminded the meeting that the DOT is the only entity who has the competence to do develop legislation and should therefore drive same process;
- Acknowledged that NPA commenced with studies to understand whether they

Action:

Mr. Morwe to send project details to the Secretariat;

<p>should continue with the process; It is noted however that the DIA is being discussed as if same is a fait accompli; currently no Legal, Economic and Financial fait accompli in place from the NPA's perspective;</p> <ul style="list-style-type: none"> Registered his concern that discussions and media perspectives imply the imminence of the Port being built whilst the NPA is in the process of assessing relevance, viability etc. etc. of same; Proposed that the NPCC retrace its' steps and review Ms. Fakira's proposal to draft the Act and have same ready; Proceed with the Consultation process ,gauging perspectives, alongside the legislative process; Essentially the NPA has to present to the NPCC; providing a comprehensive overview and motivation for the DIA; the NPCC has to consider the NPA's submission for approval; Same submission has never been presented to the NPCC, Minister of Transport or Cabinet; He reiterated that the motivation with said three processes running parallel are premised on the possibility that same might be approved which will require efficient process management to fast track the project; <p>Chairperson:</p> <ul style="list-style-type: none"> Directed that Mr. Morwe distributes the project document and present a detailed presentation on the business case at the next meeting. Advised that based on same detailed DIA business case the NPCC will then make a decision as to the road map or the way forward. He further directed that Ms. Fakira drafts the legislation required to be reviewed at the next meeting. <p>Mr. Mawethu Vilana</p> <ul style="list-style-type: none"> Proposed in addition that a focussed NPCC team be formed to monitor and review agreed studies, actions etc.; Same team should then brief the Chairperson ahead of the next NPCC sitting; <p>Mr. Khan</p> <ul style="list-style-type: none"> Supported same proposal noting that it would not detract from the legality of the process, instead it will shorten the process from decision to implementation once a decision is made; He encouraged that same team will look at what "a theoretical act" will look like; Ngqura cited as an example has about 10 clauses; In the event the decision is made to support the DIA followed by the Minister's official sign off it will then practically be easier to have same go to Cabinet with a draft establishment Act; The draft Bill will trigger the formal consultation process and involvement of communities particularly considering the complications highlighted by Mr. Morwe; He noted that the community in question has had an adversarial relationship with the Oil industry spanning the last 20 years; He supported that this approach will enable the NPCC to provide traction to the project whilst ensuring that process follows due course; <p>Chairperson:</p> <ul style="list-style-type: none"> Supports that same structure be put in place alongside the actions already agreed; Team to include: DOT, NPA, and DPE He highlighted the importance of timeous engagement with the Ethekweni Municipality; <p>Mr. Khan</p> <ul style="list-style-type: none"> Port of Durban PCC, whose membership includes relevant parties, to be the first consultation touch point. <p>Mr. Hamilton Nxumalo</p> <ul style="list-style-type: none"> Informed the meeting that Transnet Planning has started with the required Engineering studies, Geotechnical investigations assessing structures etc. Same 	<p>Action: NPA to make a detailed presentation on the DIA business case at the next meeting;</p> <p>Action: DOT; Ms. Fakira to draft legislation required and present same at the next meeting;</p>
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	<p>has to be done ahead of the EIA;</p> <p>Chairperson:</p> <ul style="list-style-type: none"> • Same studies should be shared with the task team; <p>Mr. Khan</p> <ul style="list-style-type: none"> • Observed that same studies are required preparatory work that will ultimately inform the decision whether the establishment of the Port will go ahead or not; <p>Mr. Thami Ngqungwana</p> <ul style="list-style-type: none"> • Requested that the NPPC and NPA includes the consideration of opening up a strategic industrial Port area; • He informed the meeting that a team lead by the DOT including the City previously looked at the same land considering various long term economically viable land use applications such as an IDZ, auto industry etc. • Same assessment was halted when learning that Transnet bought the land; <p>Chairperson:</p> <ul style="list-style-type: none"> • Advised that at a strategic and political level the Dig Out Port is supported should it prove to be viable. • He encouraged that combination land uses must be considered • He further observed that a number of strategic Durban - Gauteng processes are premised on the Dig Out Port; <p>Mr. Khan</p> <ul style="list-style-type: none"> • Advised that he was previously involved in the relocation of the Durban International Airport from the old site to the new site; • He observed that the EIA keenly focussed on what would happen to the land once the Airport is relocated to King Shaka. • Economic Development played a strategic role in same process; • Various alternatives were considered at the time including automotive supplier park, property development etc; • Engagement, in so far as the sale of the land from ACTSA to Transnet, between the DOT and Premier amongst others assessed all the reasons considered at the time; • The Process of assessing the land uses involved all the relevant parties including the Local economic office; • The Province was involved in all processes including the SIP under the PICC supporting the 2050 vision including the Dig Out Port; • The next steps now is to look at whether it is physically, technically and financially viable and strategically required; • He stressed that the EIA will include NPA considering other land uses which could either be more or less environmentally friendly as well as human economically sustainable or not etc. <p>Mr. Ngqungwana</p> <ul style="list-style-type: none"> • Highlighted that him and Mr. Khan are in agreement; • He further noted that the DTI in its technical investment evaluations supports that all options be considered prior to a strategic decision being taken; <p>Chairperson:</p> <ul style="list-style-type: none"> • The way forward to determine the viability and feasibility of the Dig Out Port as agreed regards processes and procedures; • Task Team to report back; 	
6.2	<p><u>Port Nolloth</u>: Mr. Hamilton Nxumalo NPA</p> <p>Related Action item 8 June 2012 – NPA to present a detailed update (compliance, commercial viability, risk related issues, Northern Cape government discussions etc.) and recommendations as agreed including the issue of the Harbour Master and</p>	

related technical issues

- Following discussions involving Transnet agreed that the Manager overseeing the Port Nolloth Lighthouse be the same Manager to oversee the Port operations. Same Manager will continue to report to the Harbour Master in Cape Town. Harbour Master in Cape Town will continue to undertake regular visits to Port Nolloth. (Said arrangement currently in place will remain enforced.)
- Infrastructure – Government of the Northern Cape pushing very hard to have the NPA create capacity; currently no known commercial viability options; No commitment from the local community Despite the Northern Cape Government efforts, they are not able to secure volumes;
- NPA looking at restoring original port designs; Restore the Fishing Jetty - FEL studies has commenced in terms of how the work to be done is to be handled;
- Port Nolloth plan includes demolishing an old house;
- Surveys will be carried out to ensure water depth compliance;
- HDS (?) requested to carry out studies and revert with recommendations to be tabled at the next CAPEX committee (expected to meet October – ahead of the next NPCC meeting)

Mr. Morwe:

- Viability of the Port is to be established.
- Port Nolloth economic discussion outstanding; this will require all parties' involvement;
- NPCC to agree on practical deliverables
- Viability studies may have to be included in the current budget to understand how best to maximise the use of Port Nolloth

Ms. Fakira:

- To date the meeting has focussed on the current status which is very important; equally important to take a broader economic view
- Important to understand if Port Nolloth could play a role in the current economic activities going forward;
- Presentation on the growth forecast for the Northern Cape region and related areas required.
- Assessment of the Port of Saldanha capacity given the ore line and other related mining operations taking a current and future view including all feasibility studies done

Chairperson:

Key focus has been on operations.

- The observations from both Mr Morwe and Ms. Fakira respectively take a longer term strategic view.

Captain Campbell:

- Echoed previous sentiments; fish stocks moved south hence the induced economic recession

Mr. Walwyn:

Reflected on the many fishing harbours (not all falling under the NPA jurisdiction) such as Lamberts, Hermanus Bay etc. Should Port Nolloth not follow a similar progression as the other fishing harbours if reviving the fishing sector is the only economic activity?

Mr. Mawethu Vilana:

- Observed that Port Nolloth is considered a key pillar in the economic strategy for the Northern Cape Government;
- Stressed the importance of engagement between the Northern Cape Government, NPA and DOT at a strategic level.

	<ul style="list-style-type: none"> • He noted that several economic studies were previously done taking Port Nolloth into account; • He reminded the NPA of the strategic decision taken in 2002 to not have port cities but instead to have a Port Network under the jurisdiction of the NPA. • In the instance where it may not be commercially viable but no less important to develop economically that cross subsidisation be considered an same be declared as such; A similar decision was made regards Transnet; TFR an important example of an entity which is needed yet relies heavily on the benefits of cross subsidisation; the Railways is a key pillar of South Africa’s economy and therefore Transnet; It is evident that is there TFR is reflecting progressive turn-around which once again proves that it needed to be cushioned for a period; <p>Mr. Khan:</p> <ul style="list-style-type: none"> • NPA and in particular Mr. Nxumalo has shown professional willingness to engage the Northern Cape and explore economic possibilities. • He reminded the meeting that NPA cannot develop a traffic case or an economic development case. Same can only be developed by the Province. • The Port as a network has an obligation to respond to same by providing relevant infrastructure; • It is a concern that NPA is considering making several investments although they understand that same investments may not be good investments; Same investments are likely made to appease the NPCC. • The NPCC and NPA should seriously consider delaying same investment (R23m) until such time that further studies are carried out; • Ultimately the economic development agenda sets the Port agenda; <p>Chairperson:</p> <ul style="list-style-type: none"> • Reminded the meeting that the Port Nolloth debate is at a strategic level; • Important to understand the what economic activities Port Nolloth should be supporting; • Northern Cape Government also approached DOTto lobby NPA to not close the Port. • Growth and Development strategy at broad conceptual stage; • He noted Port Nolloth’s importance in terms of development purposes; • DOT’s integrated Transport Planning office to drive this process and contextualise Port Nolloth’s importance within the National and Regional ; • Mr. Mawethu Vilana to revert with a developmental case; <p>Mr. Ngqungwana:</p> <ul style="list-style-type: none"> • Noted that DTI should work closely with DOT on same Developmental case for Port Nolloth. • Northern Cape mining activities only linked to Saldanha. • DTI and DOT recently reviewed strategic focus areas which clearly did not include Port Nolloth; • He reiterated that within the SPZ and other economic strategic areas there is clearly a case to work together and include Port Nolloth in this instance. Important to ensure alignment. <p>Chairperson: Way forward: Mr. Mawethu Vilana tasked to involve all parties and revert with a developmental case for Port Nolloth; Update to be provided at the next meeting;</p>	<p>Action: Mr. Mawethu Vilana to involve all parties and draft a developmental case ; Feedback to be provided at the next meeting;</p>
5.3	<p><u>TFR Update</u></p> <ul style="list-style-type: none"> • TFR was invited • NPCC Meeting date changed several times • TFR related items to stand over to be addressed at the next meeting; 	<p>Action <i>TFR to be invited to the next meeting to address same issues.</i></p>

5.4	<p><u>TNPA:</u></p> <p>Mr. Morwe indicated that NPA will submit a formal report going forward: Key Issues of interest to all:</p>	
5.4.1	Tariff Application submitted to the Ports Regulator	
5.4.2	Tariff Methodology submitted to the Ports Regulator	
5.4.3	<p>Licencing Of Terminal Operators:</p> <ul style="list-style-type: none"> • Same has been completed; • Licencing process first phase did not include the performance standards for the different terminals; Same will be included in the second phase • 89 Licences issued in total; • One or two Terminal Operators having queries regards the detail; Discussions at hand with querying operators; • NPA now has a compliance unit in place addressing both legalities and operational imperatives. • 	
5.4.4	<p>Ngqura Terminal Licence process:</p> <ul style="list-style-type: none"> • Progress being made with the Ngqura process; • NPA has appointed a special Port advisor to ensure that same is robust and meets world class standard requirements; • Previous meeting – Discussion as to whether TPT is eligible to bid; All agreed that the process is an open process which does not preclude TPT; Group Legal at a Transnet level initially considered that the RFP Assessors should be people outside Transnet. TNPA reviewed its competency regards S56 processes which in the instance outsiders are brought in could affect what happens with the Port system. • Technically the NPA will make a decision of which same will have to be submitted to the Transnet board; The Transnet board in turn will have to make a recommendation based on the NPA decision; Same could be misconstrued as biased either way; He highlighted that the dilemma the NPA faces in respect of the S56 process inherently lies in perceptions regards the fairness/ credibility of said process; • DOT may be required to offer advice on this pre-empted dilemma. <p>Mr. Khan:</p> <ul style="list-style-type: none"> • Made reference to a related matter in a newspaper article in which Mr. Morwe was quoted out of context. His suspicions were confirmed When he confirmed same with Mr. Morwe. • He submitted that Mr. Morwe’s concerns regards perceptions about the Transnet Board biasedness pales in comparison to him (Mr. Morwe / Transnet) being quoted out of context; • He noted the Report containing that Mr. Morwe made a statement and NPA submitted same report to the Public Enterprises Portfolio committee. <p>Mr. Morwe:</p> <ul style="list-style-type: none"> • Noted that said Portfolio committee visited a number of Ports; In the instance questioned they visited the Port of Ngqura; • The NPA did not submit a report instead it was the committee who prepares reports for the Portfolio committee who did; • During the Portfolio Port-walk-about the Chairperson and a member of the Portfolio committee engaged one of the employees who happen to be a crane operator. 	

- The Employee expressed concern that TPT does not have a licence;
- Following the Walk-about the Committee questioned as to what legislative challenges Transnet faces.
- One of the challenges TPT brought table was the licencing process.
- TPT and Labour both present / No Reporters (Media) present.
- Someone party to the meeting quoted Mr. Morwe out of context.
- Somewhat difficult to respond to information that was leaked.

Mr. Khan:

- NPCC Committee to take comfort in that Mr. Morwe's, as stated, never made said statements;
- The NPA is neutral as to who is the preferred bidder; ultimately the NPA will be paid its concession fee;

Mr. Morwe:

- Informed the NPCC that the NPA subsequently presented the financial results to the Portfolio committee;
- Reiterated that the NPA will be following the S56 process with the Ngqura Terminals;
- Encouraged that the NPCC apply its mind following the completion of the RFP process; Particularly how the credibility of the process may be seen from a stakeholder perspective; further assessing the likely implications should the outcomes be submitted to Transnet and or should same be submitted to an external independent competent committee to assess for fairness, transparency, credibility of the process and when in agreement provide support to the recommendations submitted etc. where after same decision will then be submitted to Transnet;
- He noted that there may be value in DOT / PRSA / NPCC applying its mind on the matter as outlined above.
- He observed that NPA is neutral and it is important that customers and stakeholders widely acknowledge the process as credible;
- The most recent S56 process completed saw Grindrod Calulo won the right to construct, operate, transfer the liquid bulk facilities. NPA facilitated the entire process and submitted its recommendations to the Transnet Board; TPT did not bid in this instance and hence no issues;
- The Manganese Terminal S56 process anticipated to be more complicated; TNPA made the decision that TPT does not have a licence; Terminal Licence in PE not transferrable to Ngqura; New Port= new process hence the S56 process;

Mr. Pretorius:

- DIA Port with no operator should be open for all including TPT to apply;
- Many lessons learnt along the way;

Mr. Mawethu Vilana:

- Ngqura - DOT sought legal opinion;
- Transnet legally bound to operate the port
- Clarification as to the NPA involving the NPCC in the Assessment process

Mr. Morwe

- Observed, as stated earlier that the NPCC, DOT, PRSA not get involved but instead consider the implications of the decision to recommend a preferred bidder be assessed for fairness, veracity, credibility ahead of the submission to Transnet;

Mr. Khan:

- Clarified as to any legal impediments to TPT bidding; TPT like any other Terminal reserves the right to bid;

- However, contracting is complicated as NPA is not a company neither is TPT;
- Currently contracting as business units with each other;
- Legally complicated;
- However, similar to the current set of S56 processes – Contracting between 2 parties, legally part of the same company has a different set of implications;
- An arrangement has to be found in respect of managing same;

Mr. Dana:

- Enquired as to the possibility of corporatizing the NPA within Transnet;

Mr. Khan:

- Noted that same is a requirement of the Ports Act; that NPA be corporatized within Transnet as a subsidiary; Thereafter NPA PTY LTD
- Observed that Corporatizing the NPA is a two phase process

Mr. Dana

Consideration be given to the different legal entities within Transnet;

Mr. Mohammed

- Observed that “other considerations” discussed from a Transnet perspective created funding / financial obligations from which the NPA in its current structure benefits;
- He noted that with the NPA’s corporatisation, tax for example will be treated differently;
- He noted that same will significantly impact Transnet’s viability;

Mr. Khan:

- Noted that the current structure binds the organisation from a funding perspective;
- Highlighted that there has to be a number of ways to look at these mechanisms and structures using TPT as an example.
- He cautioned that these are policy debates that should be happening at a different level; He further cautioned that artificial structures not be used for the same of creating same;

Chairperson:

- Supported Mr. Morwe in that it is important to anticipate the issues as highlighted;

Ms. Fakira:

- Considering the issue of transparency raised by Mr. Morwe with step 1 in the process involving Transnet adjudicating the process; Particularly with TPT belonging to Transnet;
- She noted that it is important to look at the Board that will ultimately make the decision on the bid involving TPT; In TPT’s case there has to be some independence;

Mr. Khan:

- Noted the importance of having the same understanding as Mr. Morwe has and therefore deal with the issue in that context;
- Highlighted that Mr. Morwe indicated that NPA will do the adjudication and Transnet approval;
- He noted that what Mr. Morwe raised must be considered seriously as the NPA

	<p>will expose itself to litigation should the process not be considered as fair and transparent;</p> <ul style="list-style-type: none"> • He acknowledged that same may not be easily solved in the meeting but should be discussed with the respective principals following the meeting and then advise the NPA accordingly; <p>Mr. Morwe:</p> <ul style="list-style-type: none"> • Informed the meeting that the DOT is busy with the process of amending the Ports Act; • He suggested that instead of the DOT focussing on the amendment of the Ports Act – “must Corporatize the NPA” into “may Corporatize the NPA”; that the DOT instead look at the various legal structures and that the NPA would therefore be legally be more independent in its decisions; <p>Mr. Pretorius:</p> <p>Supported Mr. Morwe’s proposal to look at the bigger picture and structure accordingly;</p> <p>Mr. Khan:</p> <ul style="list-style-type: none"> • Echoed Mr. Morwe’s proposal; he agreed that the proposed amendment “may’ inherently focuses on the status quo with a shift in focussing on its liabilities; • He noted that the current process may not be publically defensive; • He commended Mr. Morwe for taking this strategic view and looking at the macro picture in making his proposal; • Observed that the current process is not without legal risks with onerous consequences • Using Ngqura as an example he noted that it is important to not get into a stalemate situation where TPT cannot legally operate the Terminal and at the same time have a situation where no other operator is allowed to legally operate the terminal; <p>Mr. Morwe:</p> <ul style="list-style-type: none"> • Expanded on his earlier point saying that NPA’s competency is not the issue • His concern is that the current arrangement may not be suitable; 	
6.	<p><u>SAMSA</u></p> <ul style="list-style-type: none"> • No additional issues • Issues to be discussed at forthcoming meetings will be circulated ahead of the meeting as expected of all parties. 	
7. 7.1	<p><u>DOT –Ms. Fakira provided feedback</u></p> <p>***Balance of Department Action items emanating from the previous meeting parked; Feedback will be provided at the next meeting***</p> <p>Ports Act Amendments:</p> <ul style="list-style-type: none"> • Extensive earlier discussion. • Same necessitating that DOT / DPE/ NPA go back to the drawing board and review lessons learned with Ngqura and take into consideration issues raised 	

<p>7.2</p> <p>7.3</p>	<p>earlier</p> <p>Maritime Transport Policy</p> <ul style="list-style-type: none"> • Good progress reported • Intention to make same available for public comment; Date to be advised <p>Ngqura Directive:</p> <ul style="list-style-type: none"> • Same has been submitted for Ministerial amendment • Expected to have signed directive within a week from the meeting date 	
<p>8.</p>	<p>Ports Regulator SA</p> <p>The NPA has submitted the following documents:</p> <ul style="list-style-type: none"> • NPA Pricing Strategy: how they price different commodities etc. expected to be made available for comment early in the new year; Tariff strategy ultimately assessing who is to pay for what; Issues looking at where there is job creation and charges are too high with the reverse where limited job creation too little is charged to be assessed; <ul style="list-style-type: none"> ○ Typically the Pricing Strategy will be looking at the price of a ton of coal vs. a container vs. vessel mooring charges vs. the Terminal Operator's rental i.e. TPT, Grindrod etc.; ○ Important that the NPCC be involved ○ Responding to the Pricing Strategy will require legal, economic context, understanding of state policy etc.; Important to ensure a multidisciplinary team • Pricing Methodology: How it has come to a determination as to which factors to take into account and how it has applied same; Methods used to determine the amount of money the NPA may make or not make within a period of time; What it is that they may charge depending on the model used and the respective parameters of same i.e. Revenue Requirements Model etc.; Essentially how much the NPA would be allowed to recover; <ul style="list-style-type: none"> ○ Objective to have a more consensus based approach to the Tariff Methodology and strategy ahead of 1 August 2013 taking all the Ports users and Key stakeholders into account throughout the process; ○ Responding to the Tariff Strategy will require legal, economic context, understanding of state policy etc.; Equally important to have a corporate finance specialist as part of the multidisciplinary team; ○ Ultimately the agreed Pricing Methodology would have to sufficiently sound to be applied to several rolling years; ○ Ultimately there should be a multi-year pricing approach to allow for predictability and forward planning regards investment etc.; • NPA Tariff Application for 2014/15: Important to understand that the NPA submitted its application 1 August 2012; On receipt of same PRSA takes where after same is published for comment; The 14/15 Application had several material omissions which required further engagement with the NPA to ensure compliance; The revised 2014/15 Application was re-submitted 20 September 2012. Same is being reviewed to ensure that compliance requirements are met; The Application will be published on the PRSA web site for comment once the Compliance Requirements are met. All PCC's will be informed of the date and Regulatory road shows; <ul style="list-style-type: none"> ○ Mr. Khan informed the meeting that the tariff decision was made and communicated 31 March 2012; The earlier non-compliance has resulted in tighter timeframes; ○ It is expected that the road shows will now take place during the 3rd week in November; Same could change and will be confirmed; ○ Closing date for public comments likely to be mid-December - same to 	

<p>be confirmed;</p> <ul style="list-style-type: none"> ○ Analysis of comments in relation to the Application mid-December to mid-January 2013. <ul style="list-style-type: none"> • NPCC response to the Tariff Application to be directed both at the PRSA and Minister of Transport; Important to agree as to who will be part of the NPCC Tariff response team; • Mr. Khan encouraged Port users to not only submit one line comments stating that prices are too high but instead to comment comprehensively; Analyses have shown that some prices are too high and others are too low; • NPA adjusted certain prices; Research dealing with Iron Ore, Containers, Coal and automotives; Same to be published soon; • Concern that everyone agreed last year that NPA has an obligation to manage the Port system as a system; Important that pricing accords with the various activities and focus areas; i.e with the dredging in the Port of Durban it is important to price transshipments away from Durban and direct same to the Port of Ngqura; • Pricing has not been used strategically within the Port system which is a concern; Staying with the Port of Durban example the 400k teu's to be redirected should ideally not be Durban exports but transshipment in the main; • Strategic Pricing a shortcoming in the current application; • Consultative process for both the Pricing strategy and Pricing Methodology to be completed by latest 1 July 2013; • NPA was requested 3 years ago to submit both the Pricing Strategy and Pricing Methodology 3 years ago; finally submitted and consultation process is to commence soon; <p>NPCC Tariff Response - Ms Schwartz:</p> <ul style="list-style-type: none"> • NPA previously recused itself and NPCC representatives other than the NPA were nominated to represent that particular port. • Proposed dates will be send to all NPCC representatives as soon as the road show dates become available • Same date will be finalised and communicated to the respective Representatives as soon as the Regulatory Road show dates have been confirmed as the NPCC tariff response workshop will follow same; <p>Mr. Khan:</p> <ul style="list-style-type: none"> • Important that all NPCC members other than the NPA members be engaged in the response; DTI etc. to be included <p>Ms. Fakira:</p> <ul style="list-style-type: none"> • DOT will facilitate required flights and accommodation as was done last year. <p>Mr. Khan</p> <ul style="list-style-type: none"> • Proposed that the NPCC response workshop / meeting be done as soon as the Application has been published but ahead of the Public road show if practically possible; <p>Chairperson:</p> <ul style="list-style-type: none"> • Public Perception regards NPA prices to be managed and explain appropriately <p>Mr. Khan:</p> <ul style="list-style-type: none"> • On-going awareness being created as to the nuances of the NPA pricing strategy and the context thereof when drawing comparisons; • Public being made aware of the Regulators long term role and how same relates to the NPA's pricing; • Current approach a long term approach which seeks to ensure sustainability; • Pubic members who genuinely want to understand the tariff approach has an open invitation over and above the public awareness campaigns 	<p>Action: Ports Regulator to advise comment period for the Pricing Strategy and Pricing Methodology;</p> <p>Action: Ports Regulator to advise Regulatory Road Show dates</p> <p>Action: DOT / Ms. Schwartz to communicate / facilitate proposed date for the NPCC Response Prep workshop.</p>
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	<p>Mr. Mawethu Vilana:</p> <ul style="list-style-type: none"> • Important to understand how the NPA's pricing strategy relates to the industrial development strategy of the country; • Important to look at how we price what comes in and goes out of the country and how same is linked to the industrial strategy • Important to understand the pricing strategy in the interest of beneficiation; • PRSA /DOT/DTI/NPA to have beneficiation pricing alignment discussion <p>Mr. Khan:</p> <ul style="list-style-type: none"> • Been having similar discussions with Mr. Morwe and various NPA Executives; • Message last 3 years to NPA that the NPA's pricing Strategy is not aligned with Government's Development Policy; • Some of what is being questioned can be found within the Pricing Strategy • Policy departments such as DTI / DOT to clearly articulate what is required from an industrial development perspective; • Tariff Strategy will allow for an open transparent debate; 	<p>Action: PRSA/DOT/DTI/NPA to have beneficiation pricing alignment discussion;</p>
8.	Port Consultative Committees:	
8.1	<p><u>Port of Saldanha:– Mr. Arthur Martin</u></p> <p>NPA Leases/ Response to leases and RFP's</p> <ul style="list-style-type: none"> • Delays to Tenders / slow decision making - negative impact on business. <p>Mr. Morwe:</p> <ul style="list-style-type: none"> • DOA of leases – NPA CEO only sign up to 5 years. • Intention is to get rid of bureaucracy • Transnet deals all with all Long term leases • All long term leases beyond 5 years can only be signed by Transnet • Transnet has an acquisition and disposals committee to deal with leases beyond 10 years. 	
8.2	<u>Port Of Cape Town: Mr. Mike Walwyn</u>	Updates to be provided in respect of progress made.
8.2.1	<p>Performance Indicators:</p> <ul style="list-style-type: none"> • Several discussions held to determine relevant measures. • Preparing recommendations to be submitted at the next PCC. • Other Regional PCC's might find same useful 	
8.2.2	<p>Hazardous Cargoes:</p> <ul style="list-style-type: none"> • Serious Concern in Cape Town that the status of Hazardous cargoes in Cape Town does not get enough attention. • Cargo moving in and out of the Port which should not <p>Ms. S Schwartz:</p> <ul style="list-style-type: none"> • Mr. Mphalwa has assisted by writing to the DOT Official responsible for Hazardous cargoes who in return has not responded. • Getting DOT Official responsible for Hazardous cargoes has been an impossible task; • Ultimately DOT Officials at National and Provincial level will have to get involve to ensure compliance and this challenge has slowed progress; 	
8.2.3	<p>Ship Repair Concessioning</p> <ul style="list-style-type: none"> • Guidance required regards the Ship Repair Concessioning Status quo 	

8.2.4	<ul style="list-style-type: none"> • How Ship Repair facilities will be improved? • Growth in Oil & Gas and specifically the nodes and what is considered to be happening where? Attitude towards concessioning? <p>Mr. Khan:</p> <ul style="list-style-type: none"> • Important to make a clear National decision as to what goes where. • Relationship between Cape Town and Saldanha a good example where some Rigs can get into Cape Town and others make more sense to go to Saldanha. • NPA withdrew the tender which would have allowed operators to manage the terminal; Ship Repair concessioning process was stopped; NPA reverted back to operating the facility which requires an Investment programme and strategic decisions made and communicated; • This has market implications for Repairers i.e direct influence owning the game; more important the concerns that Repairers have regards facilities not meeting requirements and generally the way facilities are being run; • The NPA has to share make strategic decisions in respect of its Ship repair and Oil & Gas service capability per port aligned with the Market; It cannot for example “install a bunch of ship lift facilities in each of the ports” • NPA has to share its Ship Repair facilities investment plan for each of the Ports; Strategic articulation of as to what activities will be done at which port etc. Different size vessels to be served at which Port; • Ship Repair Strategic Investment review an important consideration and decision for the NPCC <ul style="list-style-type: none"> ○ NPA’s investment plan ○ Slicing up the pie – which activities will be handled at which port <p>Mr. Walwyn:</p> <ul style="list-style-type: none"> • SA becoming steadily more uncompetitive with its neighbour, • Ship Repair / Oil & Gas good business for South Africa and creates employment • Rigs calling South Africa spends large amounts of monies; Current rig in port planned spend in the approximately R400m • economically unhealthy for the country • Media speculation has to be clarified by NPA <p>Ms. Fakira:</p> <ul style="list-style-type: none"> • NPA / Transnet is to come back to the NPCC to present NPA’s strategy as to the different specialised areas for each of the Ports; Providing an overview of the Port Centre of Excellence perspectives • From the DOT perspective it is definitely promoting investment into dry-docking etc. <p>Mr. Morwe:</p> <ul style="list-style-type: none"> • The Strategy will be shared at the next NPCC meeting. • Important to differentiate between new facilities and existing facilities • Marketing strategy will be shared; Previously Ports were not marketed in terms of its capacities; • Section 56 process – dry dock facilities (Cape Size) will go ahead in Saldanha and Richards Bay <p>Mr. Pretorius:</p> <ul style="list-style-type: none"> • 50 Year Plan – Great – should be prioritised though <p>Mr. Morwe:</p>	<p>Action:</p> <p>NPA to present overall Strategy, prioritisation and specialisation focus per port. Same to include investment plan;</p>
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	<ul style="list-style-type: none"> • This the plan NPA will be sharing; Richards Bay an example as to where it does not make business sense to create container capacity; Hinterland studies done which happen to support Richards Bay focus of being a Bulk port; <p>Mr. Mawethu Vilana:</p> <p>Realignment process requirement in synchronising the NPCC process, Policy process and the Port Strategy.</p> <p>Mr. Khan:</p> <ul style="list-style-type: none"> • Prioritisation shown within the first phase for each of the ports; • Next step would be for the NPCC to engage and understand the nuances and agree or not. If sitting in one PCC it could be difficult to understand the overall strategy; • PCC's and NPCC to engage on prioritisation; <p>Ms. Schwartz:</p> <p>Red flag:</p> <ul style="list-style-type: none"> • Oil & Gas – SA currently seem to not have specified requirements in respect of local content when issuing licences; Competitor countries have clearly specified local content issues which assist in the work attracted to that country; • Direct impact on job creation • Direct impact on work Vessel Owners bring to SA or not; <p>Maintenance of Navigation lights in the Fishing Harbours:</p> <ul style="list-style-type: none"> • This issue has been flagged as unresolved hence it being raised again • Same has not been resolved and seemingly remains a safety hazard, navigational hazard etc. • Important to understand who the responsible party is and to get some traction. <p>Captain Lekala:</p> <ul style="list-style-type: none"> • Issue dealt with at the previous meeting; • NPA has contracts with the DEA who looks after the Lights. • It is important that NPA be informed In the event where maintenance is not being carried out it <p>Captain Campbell:</p> <ul style="list-style-type: none"> • SAMSA discharges the DOT responsibilities as is determined in SOLACE; • Issue to be brought to SAMSA's attention; 	
8.3	<p><u>Mossel Bay: Mr. Ndebele</u></p> <ul style="list-style-type: none"> • Issue: Declaring the Port of Mossel Bay a port of entry; Short and Long term solution; Request NPCC to intervene. • Challenges with Petro SA crew changes/ concern as to how same is to be managed with a big project scheduled to start in December; • Port of Mossel Bay attracting cruise liners and season about to start; • No commitment from Home Affairs as to how same is to be handled 	<p><i>NPCC to intervene.</i></p> <p>Action: <i>NPCC intervention still required; DOT to provide an update at the next meeting;</i></p>

	<ul style="list-style-type: none"> • Crew changes currently being done from Cape Town or PE ; Arrangement is not working; • This issue was raised at the previous NPCC meeting; No progress • 2007 / 2008 had immigration officials in Mossel Bay; Arrangement worked well; <p>Ms. Dweba:</p> <ul style="list-style-type: none"> • An Official from the Department of Home Affairs attended the previous PCC Meeting; • Short Term solution proposed was to have a mobile office in George to ensure the availability of a temporary structure and deal with the Crew changes • Previous statistics indicated that the Port of Mosel Bay and Port of Saldanha do not warrant to be declared Ports of entry respectively; Same has to be investigated; • It was indicated that the issue was to be elevated to the Security Ministerial Cluster; • DOT wrote a letter to the Department of Home Affairs and the issue is currently being discussed at the Security Ministerial cluster; • The date to provide the service was September 2012. <p>Mr. Ndebele</p> <ul style="list-style-type: none"> • An update was to have been provided by the end of August; • Following the meeting there has not been any progress since. <p>Mr. Khan:</p> <ul style="list-style-type: none"> • Home Affairs previously indicated that the service would be provided from George and Mossel Bay. • Home Affairs officials were going to start occupying the temporary facilities in Mossel Bay as and when vessels arrive; • A service is currently being provided out of the George office. • Vessels have to submit their documentation 96hrs ahead of arrival which provides Home Affairs with a small window to ensure that they are available. <p>Mr. Morwe:</p> <ul style="list-style-type: none"> • Multi-Agency task team investigating and implementing solutions for these types of issues. • Cape Town Pilot case – Section 56 process for the Cruise liner facility a direct outflow of that process. • Same process will be duplicated across the Port system. • Undertook to elevate this issue to the Task Team and provide an update at the next meeting; 	<p>Action: <i>Mr. Morwe to elevate the Port of Mossel Bay Port of Entry Challenges to the Task Team and provide an update at the next meeting</i></p>
8.4	<p><u>Port of Port Elizabeth - Mr. Rajesh Dana</u></p> <p>Berth Deepening of the PECT , Entrance Channel and Basin– Mr. Rajesh Dana</p> <ul style="list-style-type: none"> • Purpose of submission is to solicit support and approval; • Historically PECT served its local hinterland, Nelson Mandela Bay with within which the Automotive and Agriculture sector plays a key role; • PECT has experienced volume decline which can be attributed to the global economic recession; operationalization of Ngqura Container Terminal and the change in Shipping Strategies 	

	<ul style="list-style-type: none"> • Change in Shipping Strategies included amongst others vessel sizes, vessel consolidation amongst routes and cargo consolidation across vessels; • PECT – 300k TEU throughout 2011/12; 333 vessel calls, average parcel size of 888; handling rate of 27 moves per hour; • Vessel turn-around time of 28hrs; berth occupancy at 52% • Request received from Industry (Shipping Lines, terminal operators and cargo owners) to deepen PECT • TNPA in turn conducted a front end research, reviewed a few options and narrowed same down to 3 options • Key study outcome that deepening is a viable option; FEL study considers potentially increasing container capacity from 500k to 1.5m teu's. To increase Berth capacity from 2 berths to 3 berths, draft from 12.2m to 16m; • Estimated cost R6 300 per teu. • Growth in the motor industry together with sustained cargo volumes will displace the handling of cars at the Charl Malan quay at the Southern Port precinct; • Charl Malan quay expected to be freed up for exclusive use of Containers; • National Port systems view – Important to embrace complimentary port approach • Project affords Nelson Mandela Bay a 7 berth, 3500 capacity translating into berthing on arrival service; • It is believed that this project supports creating capacity ahead of demand in a rational order. • PECT recently secured additional volumes; • Expansion complimented by what the Terminal Operator has already committed to which is to improve Terminal Handling equipment and human resource input. • PECT has received accolades for high levels of efficiency; coupled to this PECT is offering competitive dwell times; • Beneficiation of transshipment containers fast gaining acceptance; aligned with the NPA strategy; Aligned with national perspective on economic growth, job creation and poverty alleviation; <p>Chairman:</p> <ul style="list-style-type: none"> • Support widely indicated within the NPCC. • NPCC officially supports the PECT berth deepening project; 	<p>Resolution <i>The NPCC supports the deepening of the PECT.</i></p>
<p>8.5</p> <p>8.5.1</p> <p>8.5.2</p> <p>8.5.3</p>	<p>Port of Ngqura – Mr. Arthur Waters</p> <p>Section 56 Tender process for the NCT</p> <ul style="list-style-type: none"> • Job protection a serious concern • Further appointment of ops gangs highlights the uncertainties; <p>Technical glitch in the handover of the last two NCT berths</p> <ul style="list-style-type: none"> • Expected to be resolved within a week; <p>Ngqura being a Transshipment hub port and being marketed and priced accordingly</p> <ul style="list-style-type: none"> • Pricing strategy has to be reviewed • Equalisation of rail rates to be reconsidered • Diverting 400k teu's away from Durban will require a comprehensive approach as we should essentially not lose volumes to competitor counties. <p>Mr. Morwe:</p> <ul style="list-style-type: none"> • Issue of two berths – DOT resolving same • NPA will not discuss job guarantees from a TPT perspective; however from a RFP an RFP perspective there will be a level of assurance that a new Operator will be able to simply fire current staff; 	<p>Action :</p>

	<p>Mr. Khan:</p> <ul style="list-style-type: none"> • TPT aside:It is important to appreciate the implications of having taken a large number of people from their jobs at the time and re-established them within Ngqura • Employees across the board cannot be penalised for the legal problems currently being resolved; • Entire S56 process must provide some sort of labour protection; • S56 process must deal with the labour security context in a meaningful way; • In the establishment of the Terminal the letter of the law was not followed; understood that same is being corrected; • <p>Mr. Mawethu Vilana:</p> <ul style="list-style-type: none"> • Learning experience; In the event of a concession process; Workers employed at the time will find protection under S117. • <p>SATAWU:</p> <ul style="list-style-type: none"> • Does not agree with finding protection under S117 • Regardless of what happens to the TPT licence in Ngqura; SATAWU would not support employees being subjected to S197 of the LRA; • Whilst relocations have taken place people may not have intended initially to move from where they were; • SATAWU will protect employees and will not allow for workers to be further displaced; <p>Mr. Mawethu Vilana:</p> <ul style="list-style-type: none"> • Clarified that there is protection and that there is a precedent of previous instances within the Transport sector; <p>Chairman:</p> <ul style="list-style-type: none"> • Supports that workers will be protected and that a legal framework be established in support of same; • TNPA to look at the principal of protecting the workers and provide feedback at the next meeting to which Mr. Morwe agreed to; • Action: A workgroup involving TNPA/DOT/ Labour to investigate the Labour concerns central to the Ngqura Licence. 	<p>TNPA to investigate the principal of protecting the workers and provide feedback at the next meeting; Further Action: DOT and Labour to meet with TNPA;</p>
<p>8.6</p> <p>8.6.1</p>	<p>Port of East London - Ms Tantaswa Cici</p> <p>Grain Elevator:</p> <ul style="list-style-type: none"> • Purpose of submission to get support to drive the process forward and assess existing strategies that could support better functioning and maximization of the Grain elevator; • Grain Elevator is being upgraded to enhance safety and productivity; • Frustration – Underutilisation a growing concern • East London PCC requested to see how the national policies / strategies of food security can be aligned with same to find common benefits for the country; • Current capacity 4m tonnes; actual volumes approximately 80k – 100k tonnes; 	<p><i>Recommendation:</i></p>

- 90% imports; Export subject to local crop and what is happening in the Port of Durban;
- National directive required – involve the Department of Agriculture, rural development etc.; informing provincial department;

Mr. Morwe:

- Owner of the asset, NPA will be involved in developing national debate in this regard and looking at the improvement of the asset;
- Only other facility in SA is in the Port of Durban hence the strategic importance of both facilities.
- Mr. Morwe recommend that a national task team be put together;

Mr. Khan:

- Issue centred around the lack of volume throughput and not so much the improvement of the asset;
- Food security looks at feeding schemes with a particular pricing strategy and related dynamics which will have to be taken into account;
- Erratic volumes; Traffic diversion may be the solution to create a sustainable base; Another requirement was that there be sufficient grain wagons be available in and out of East London;
- Ideally sufficient volumes to recover investment and sustain employment;
- Import / Export grain split to be assessed for both Durban and East London with the objective of keeping sustainable volume throughput in both ports;
- Furthermore how the diversion can fit into the development strategy of the Eastern Cape and ensuring retention of the viability of the facility; Rail must be part of the discussion.

Captain Campbell:

- Ship loaders for export cargo the problem; They would have to load thru skips; not economically viable for all parties; The elevator itself is not the problem;
- Import facility for weed a privately owned facility;

Mr. Khan:

- To make further investment the current and future traffic base would have to justify the investment;
- Issue of traffic diversion to change the base of traffic flow and smooth out spikes
- Not seasonal

Mr. Walwyn:

- Most valuable point that nothing can be considered without TFR's involvement which essentially needs to unpack wagon availability and rail equalisation;

Chairman:

- Supports that the local PCC comes with options for the NPCC consider.

Mr. Khan:

Action:
Options regards the Grain Elevator including a national task team to be presented at the next

	<ul style="list-style-type: none"> • Rail equalisation for Ngqura to be dealt with; • Proposed that the Durban and Ngqura PCC engage on this issue with the NPAs to what possible strategies on the pricing can be used to support cargo shift; • Long term the NPA will have to look at repositioning of the Port system; <p>Mr. Mawethu Vilana: NPA to present same as part of their pricing strategy perspective;</p>	<p><i>NPCC meeting;</i></p> <p>Action: <i>Port of Durban and Ngqura PCC together with the NPA to discuss strategies to support the shift of Transshipments;</i></p>
8.7	Port of Durban – Mr. Fanie Pretorius	
8.7.1	Review of the Durban Capex program:	
	<ul style="list-style-type: none"> • Capex site inspection and discussion scheduled for November 2012; • Feedback will be provided to the NPCC following same; 	
8.7.2	KPI's	
	<ul style="list-style-type: none"> • Interaction with various port users • Liaise with Mr. Walwyn to see how to localise standard KPI measures for respective ports so as to not duplicate efforts; 	<p>Action: <i>Mr. Pretorius to circulate Report</i></p>
8.8	Port Of Richards Bay – No formal submissions tabled	
8.8.1	<p>Non Attendance of Members – Local and Provincial Government:</p> <ul style="list-style-type: none"> • Huge concern and negative impact on the Port of Richards Bay PCC • Local Government nominated someone new confirming that they understand the strategic importance of the Richards Bay PCC. • Provincial Government has been non-existent; call from Richards Bay PCC that NPCC intervenes to have Provincial government on-board; <p>Ms. Schwartz:</p> <ul style="list-style-type: none"> • Ms. Thato Tsautse from Durban has spoken with the MEC in Durban about provincial representation for both Durban and Richards Bay; • Names will be forwarded to both the DG and Captain Jones on receipt; • Two names as they will be each other's alternates which allows for continuity. <p>Mr. Khan:</p> <ul style="list-style-type: none"> • Technically there is not such allowance as having alternates. • Due to the challenges around memberships across the PCC's Alternates had to be considered. • Same will have to be amended to be legitimate, 	TNPA
8.8.2	Fire Arms Control Act:	
	<ul style="list-style-type: none"> • Min. 21 day notification to SAPS • Increase in vessels (4-5 a week in total) carrying weapons and security staff; these vessels would be coming thru the Gulf of Aden and areas affected by piracy; • In the main - concern is where a vessel has been diverted and now has to call at a SA port; issue with the timing in obtaining a permit 21 days is not achievable; 	

	<ul style="list-style-type: none"> • Cost implications to the Shipping Line and everyone else in that particular logistic chain where they are looking at ad-hoc ship calls to SA; • SAPS view that it is a national legislation and compliance is not negotiable • Richards Bay PCC of the view that this might not be the right response; There might be certain times and certain situations warranting concessions and special dispensations; • Request to consider an amendment to the Act where there is a clause build into the Act to allow for reducing the notification period in special circumstances that would need to be clearly specified; • SAPS engaged at a local level <p>Captain Lekala:</p> <ul style="list-style-type: none"> • Strongly caution the NPCC against that as it would expose SA at a broader level to a number of risks; • This is a national security issue and should not influence productivity in the port; • Important to not establish precedent; <p>Mr. Khan:</p> <ul style="list-style-type: none"> • Not for this committee to decide given the risk exposure for the country. • SAPS to take a view on this issue; <p>Captain Jones:</p> <ul style="list-style-type: none"> • Issue raised by the Lines hence it being elevated to the NPCC; <p>Captain Lekala:</p> <ul style="list-style-type: none"> • Same problem in Durban 4 years; • Ruling made to maintain enforce compliance • Captain Lekala to send a copy of the previous meeting outcome to the Secretary of the NPCC who will in turn circulate to the Richards Bay PCC. 	
9.	<p>Next Meeting:</p> <p>The next meeting is scheduled to take place 09:00, 7 December 2012.</p> <p>This date has since been revised twice. Meeting date to be advised</p> <p>Recapping of Task Teams:</p> <ul style="list-style-type: none"> • Port Nolloth Task Team • Dig Out Port Task Team – DPE/DOT/NPA / DTI • Pricing Strategy Task Team – Durban / Ngqura / East London 	All
9.	<p>Closing Remarks</p> <p>The Chairperson thanked everybody for attending the meeting and contributions made. He declared the meeting adjourned.</p> <p>-----All invited to a light lunch-----</p>	

Approved by

Chairperson of the PCC

Date

Secretariat of the PCC

Date
