




**Procedure for: *Goods vehicles* entering the Port of Richards Bay**

**Document and Record Control**

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 _____ RECOMMENDED BY Herbert Madonsela Acting Senior Operations Manager	17/06/2015 _____ DATE
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 _____ APPROVED BY Preston Khomo Port Manager, Port of Richards Bay	17/06/2015 _____ DATE
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<b>NEXT REVIEW</b>	<b>JUNE 2016</b>
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**AMENDMENT RECORD**

REV.	SECTION AFFECTED/REFERENCE	DATE

## 1. Purpose

The purpose of this document is to ensure that all *Goods vehicles/Goods vehicle Drivers/Goods vehicle Owners* entering the Port of Richards Bay are well advised of the applicable Rules and Regulations upon entry and follow the procedure set out herein.

## 2. Background and Scope

This document applies to:

- all "*goods vehicles*",
- *goods vehicle* drivers,
- *goods vehicle* driver assistant (where applicable),
- *goods vehicle* owners which require access to the Port of Richards Bay,
- all contractors and their employees working on Transnet premises,
- all employees of Transnet whether permanent or temporary employed,

The Authority may make rules for the control and management of ports and the approaches thereto and for the maintenance of safety, security and good order in ports, in accordance with the National Ports Act 12 of 2005, Section 80 (2).

MARSEC levels must be observed and could result in access being denied depending on the MARSEC LEVEL enforce .

This document supersedes any other prior documents in relation to this matter.

## 3. Allocation of responsibilities

The onus is upon *goods vehicle* drivers / *goods vehicle* operators and *goods vehicle* owners, inter alia, with regards to adhering to the rules and regulations detailed within this document. The responsibility for enforcement and management of this Standard Operating Procedure ("SOP") lies with the TNPA Port Security Officer and the TNPA Operations Manager.

## 4. Abbreviations and Definitions

TNPA:	Transnet National Ports Authority
TSA:	Truck Staging Area
RMT:	Road Motor Transport
GCOS:	General Cargo Operating System
PPE:	Personal Protective Equipment
ISPS Code:	International Ship and Port Facilities Security Code

MSDS: Material Safety Data Sheet

- "goods vehicle " means a motor vehicle, other than a motor cycle, motor tricycle, motor car, mini-bus or bus, designed or adapted for the conveyance of goods on a public road and includes a truck-tractor, haulage tractor, adaptor dolly, converter dolly and breakdown vehicle "
- "articulated motor vehicle" means a combination of motor vehicles consisting of a truck-tractor and a semi-trailer.
- "Driver Assistant" someone who is actively involved in assisting the driver to navigate the vehicle safely or unload vehicle safely. All other passengers will not be granted access.
- "Company Premises" Includes any building, premises or property, as well as any vehicles, vessels, trains, aircraft or machines belonging to or leased by TRANSNET SOC LIMITED, trading through its operating division TRANSNET NATIONAL PORTS AUTHORITY.
- "accreditation" means the official authorization by management for the operation of an Information Technology (IT) system, and acceptance by that management of the associated residual risk. Accreditation is based on the certification process as well as other management considerations;
- "assets" means material and immaterial property of an institution. Assets include but are not limited to information in all forms and stored on any media, networks or systems, or material, real property, financial resources, employee trust, public confidence and international reputation;
- "availability" means the condition of being usable on demand to support operations, programmes and services;
- "business continuity planning" includes the development of plans, measures, procedures and arrangements to ensure minimal or no interruption of the availability of critical services and assets;
- "candidate" means an applicant, an employee, a contract employee or a person acting on behalf of a contract appointee or independent contractor;
- "certification" means the issuing of a certificate certifying that a comprehensive evaluation of the technical and non-technical security features of an Information and Communication Technology system (hereinafter referred to as an ICT system) and its related safeguards has been undertaken and that it was established that its design and implementation meets a specific set of security requirements;
- "COMSEC" means the organ of state known as the Electronic Communications Security (Pty) Ltd, which was established in terms of section 2 of the Electronic

Communications Security Act, 2002 (Act No. 68 of 2002) and until such time as COMSEC becomes operational, the South African Communication Security Agency will be in force;

- “critical service” means a service identified by an institution as a critical service through a Threat and Risk Assessment and the compromise of which will endanger the effective functioning of the institution;
- “document” means –
  - any note or writing, whether produced by hand or by printing, typewriting or any other similar process, in either tangible or electronic format;
  - any copy, plan, picture, sketch or photographic or other representation of any place or article;
  - any disc, tape, card, perforated roll or other device in or on which sound or any signal has been recorded for reproduction;
- “information security” includes, but is not limited to ;
  - document security;
  - physical security measures for the protection of information;
  - information and communication technology security;
  - personnel security;
  - business continuity planning;
  - contingency planning;
  - security screening;
  - technical surveillance counter-measures;
  - dealing with information security breaches;
  - security investigations; and
  - administration and organization of the security function at organs of state;
- “National Intelligence Structures” means the National Intelligence Structures as defined in section 1 of the National Strategic Intelligence Act, (Act 39 of 1994);
- “reliability check” means an investigation into the criminal record, credit record and past performance of an individual or private organ of state to determine his, her or its reliability;
- “risk” means the likelihood of a threat materializing by exploitation of a vulnerability;

- "screening investigator" means a staff member of a National Intelligence Structure designated by the head of the relevant National Intelligence Structure to conduct security clearance investigations;
- "security breach" means the negligent or intentional transgression of or failure to comply with security measures;
- "security clearance" means a certificate issued to a candidate after the successful completion of a security screening investigation, specifying the level of classified information to which the candidate may have access subject to the need-to-know principle;
- "site access clearance" means clearance required for access to installations critical to the national interests;
- "Technical Surveillance Countermeasures" (TSCM) means the process involved in the detection, localization, identification and neutralization of technical surveillance of an individual, an organ of state, facility, or vehicle;
- "technical/electronic surveillance" means the interception or monitoring of sensitive or proprietary information or activities (also referred to as bugging);
- "threat" means any potential event or act, deliberate or accidental, that could cause injury to persons, compromise the integrity of information or could cause the loss or damage of assets;
- "Threat and Risk Assessment" (TRA) means, within the context of security risk management, the process through which it is determined when to avoid, reduce, and accept risk, as well as how to diminish the potential impact of a threatening event;
- "vulnerability" means a deficiency related to security that could permit a threat to materialize.
- "Security level 1" means the level for which minimum appropriate protective security measures shall be maintained at all times.
- "Security level 2" means the level for which appropriate additional protective security measures shall be maintained for a period of time as a result of heightened risk of a security incident.
- "Security level 3" means the level for which further specific protective security measures shall be maintained for a limited period of time when a security incident is probable or imminent, although it may not be possible to identify the specific target.

## **5. APPLICABLE LEGISLATION AND OTHER REGULATORY FRAMEWORK DOCUMENTS**

### **1. Applicable Legislation**

- 1.1 The Constitution Act 108 of 1996
- 1.2 The National Ports Authority Act 12 of 2005
- 1.3 Control of Access to Public Premises and Vehicles Act 53 of 1985 as amended
- 1.4 The Criminal Procedure Act 51 of 1977 as amended
- 1.5 The Protection of Information Act 84 of 1982 as amended
- 1.6 The Occupational Health and Safety Act 85 of 1993 as amended
- 1.7 The Promotion of Access to Information Act 2 of 2000
- 1.8 Firearms Control Act 60 of 2000
- 1.9 State Information Technology Act 88 of 1998
- 1.10 Private Security Industry Regulation Act 56 of 2001
- 1.11 Trespass Act 6 of 1959 as amended
- 1.12 National Archives of South Africa Act, 43 of 1996
- 1.13 Fire Brigade Services Act, 99 of 1987 as amended
- 1.14 Public Finance Management Act, 1 of 1999
- 1.15 Public Service Regulations, of 2001
- 1.16 The National Strategic Intelligence Act, 39 of 1994
- 1.17 The National Key Points Act 102 of 1980
- 1.18 The Corruption Act, 94 of 1992
- 1.19 Prevention of Organized Crime Act, 121 of 1998
- 1.20 Protected Disclosures Act, 26 of 2000
- 1.21 Telecommunications Act, 2 of 2000
- 1.22 Prevention of Interception and Monitoring Act, 70 of 2002
- 1.23 Electronic Communication Security Act, 68 of 2002
- 1.24 The National Building Regulations and Standards Act, 103 of 1956 as amended
- 1.25 The Prevention and Combating of Corrupt Activities Act 12 of 2004
- 1.26 National Environmental Management Act, 107 of 1995

**2. Other Regulatory Framework Documents**

- 2.1 Minimum Information Security Standards (MISS), Second Edition March 1998;
- 2.2 Minimum Physical Security Standards (MPSS)
- 2.3 International Ship and Port Facility Security Code and SOLAS Amendments 2002;
- 2.4 Merchant Shipping Act (Maritime Security Regulations) of 2004
- 2.5 Risk Management Standard GRB 1.1 Transnet Generic Security Standard;
- 2.6 White Paper on Intelligence (1995)
- 2.7 SACSA/090/1(4) Communication Security in the RSA
- 2.8 SSA Guidance Documents: ICT Policy and Standards: Part 1 & 2
- 2.9 ISO 17799
- 2.10 National Building Regulations

**6. Procedure**

Procedure	Responsible Person
<p>6.1 All <i>goods vehicle</i> Owners to purchase a <i>Goods vehicle</i> Permit prior to entry:</p> <ul style="list-style-type: none"> <li>• The following are the banking account details into which payment can be made in respect of the purchase of a <i>goods vehicle</i> permit from the Port of Richards Bay, as well as the cost of the permit can be found in the TNPA Tariff book that is available in the TNPA website.</li> </ul> <p style="padding-left: 40px;">Standard Bank  Account Name: Transnet National Ports Authority  Account Number: 062525077  Branch Code: 058030  Amount: as per TNPA tariff book</p> <ul style="list-style-type: none"> <li>• Proof of payment must be produced on collection of the <i>Goods vehicle</i> Permit</li> <li>• The person collecting the <i>goods vehicle</i> permits will be deemed as a representative of the Transport company and will be required to sign for the permit/s as well as the TNPA rules and regulations as further set out within this procedure.</li> </ul>	<p style="text-align: center;"><i>Goods vehicle</i> owner</p>

Procedure	Responsible Person
<p>6.2 A replacement permit will be issued without charge if required on the basis of the following reasons:</p> <ul style="list-style-type: none"> <li>• Change of registration (proof of such, i.e. License certificates reflecting the old and new registration numbers, to be supplied on application of a replacement disc)</li> <li>• Lost discs</li> <li>• Stolen discs</li> <li>• Damaged discs</li> </ul> <p>An affidavit from the responsible person / driver/ owner detailing the events must also accompany the reapplication process.</p> <p>The first incident for a replacement disc will be free of charge, thereafter a new disc will need to be purchased following the process as set out under item 6.1 of this document.</p>	
<p>6.3 All <i>goods vehicle</i> drivers and driver assistants (where permitted) to have valid port access permits.</p>	<p><i>Goods vehicle</i> Driver</p>
<p>6.4 MARSEC levels to be observed, and could result in access being denied depending on the MARSEC LEVEL enforce.</p>	
<p>6.5 All <i>goods vehicle</i> drivers, if not a South African citizen, to be employed in terms of the Immigration Act 13 of 2002 and to have a valid work permit/VISA.</p>	<p><i>Goods vehicle</i> owner</p>
<p>6.6 The <i>goods vehicle</i> driver as well as the driver assistant (where permitted) to be in possession of a valid driver's license/Professional Drivers Permit (PrDP) category G (Goods) and D (Dangerous Goods) to operate such a vehicle.</p>	<p><i>Goods vehicle</i> Driver / <i>Goods vehicle</i> owner</p>
<p>6.7 All goods vehicles to be in a roadworthy condition, free of all defects.</p>	<p><i>Goods vehicle</i> driver / <i>Goods vehicle</i> owner</p>
<p>6.8 All <i>goods vehicle</i> drivers are to comply with all Security, Safety and Environmental requirements in all applicable legislation.</p>	<p><i>Goods vehicle</i> driver</p>
<p>6.9 All <i>goods vehicle</i> drivers / owners are to arrive on the port premises in a sober state as mandatory breathalizing will be conducted upon entry and egress of the port</p>	<p><i>Goods vehicle</i> driver/ <i>Goods</i></p>



Procedure	Responsible Person
premises (ZERO tolerance to alcohol)	<i>vehicle</i> owner
6.10 All <i>goods vehicle</i> drivers to comply with signage throughout the port premises.	<i>Goods vehicle</i> driver
<p>6.11 All <i>goods vehicles</i> to report to the truck staging area upon access and egress. Furthermore, the <i>goods vehicle</i> driver must ensure and/or comply to the following when reporting to the truck staging area:</p> <ul style="list-style-type: none"> <li>• Driver to have the necessary ID and vehicle permits before entry</li> <li>• Alcohol Testing and cab search to be conducted at the TNPA entrance</li> <li>• <i>Goods vehicle</i> to have no leaks and must be properly tarped.</li> <li>• <i>Goods vehicle</i> to be roadworthy</li> <li>• Ensure all equipment, revolving lights and reverse sirens are working</li> <li>• Random Cargo/seal checks to be conducted on RMT's at TNPA entrance. Any deviations to be elevated to the Security Supervisor and such to be remedied with the Customer/Agent before entering the TSA</li> <li>• Verification of delivery note to GCOS system</li> </ul>	<i>Goods vehicle</i> driver
6.12 All <i>goods vehicle</i> drivers are to ensure that the <i>goods vehicles</i> are weighed at the weigh in areas (truck staging and terminals) where available.	<i>Goods vehicle</i> driver
6.13 All <i>goods vehicle</i> drivers are to ensure that they have all relevant and valid licenses and permits to operate in terms of the National Ports Act 12 of 2005 (Port Rules)	<i>Goods vehicle</i> driver
6.14 All <i>goods vehicle</i> drivers and owners involved in damages to Transnet property must immediately report such damage to TNPA Control Room (035 905 4626). Furthermore, the <i>goods vehicle</i> drivers / owners will be and remain liable for all costs resulting from such damage.	<i>Goods vehicle</i> driver/ <i>Goods vehicle</i> owners
6.15 <i>Goods vehicle</i> drivers / owners will be held liable for any costs pertaining to spillages in terms of clean-up costs relating to ground contamination etc.	<i>Goods vehicle</i> driver/ <i>Goods vehicle</i> owners
6.16 All <i>goods vehicle</i> drivers/owners must ensure every <i>goods vehicle</i> driver entering the port/ port facilities/ terminals must have full Personal Protective Equipment applicable to the areas to be entered, including, but not limited to;	<i>Goods vehicle</i> driver/ <i>Goods vehicle</i> owners

Procedure	Responsible Person
<ul style="list-style-type: none"> <li>• Hardhats,</li> <li>• reflective jackets,</li> <li>• safety boots,</li> </ul>	
<p>6.17 All <i>goods vehicles</i> over 3T are to have the following fitted:</p> <ul style="list-style-type: none"> <li>• Strobe lights</li> <li>• Audible reverse hooters</li> <li>• Safety / breakdown equipment eg. Triangle</li> <li>• All applicable reflective strips to be visible on the <i>goods vehicle</i></li> <li>• All <i>goods vehicles</i> to drive with the lights on when entering the port</li> </ul>	<i>Goods vehicle</i> owner
<p>6.18 Any vehicle maintenance &amp; repairs are not allowed within the Port premises. All <i>goods vehicles</i> to be towed to the applicable service provider premises for repairs. No mechanic will be allowed into the TSA to repair trucks. All trucks must be repaired / serviced off site. If a breakdown has occurred, a tow truck must be arranged and the truck removed to an appropriate facility for repairs.</p>	<i>Goods vehicle</i> owner
<p>6.19 All <i>goods vehicle</i> drivers/owners are hereby informed that the port roads are policed by security as well as municipal traffic Officials. Sanctions and monetary traffic fines are issued for traffic violations.</p>	<i>Goods vehicle</i> driver/ <i>Goods vehicle</i> owner

## 7. Cartage Activities

Procedure	Responsible Person
<p>7.1 <i>Goods vehicle</i> drivers within the port may not transport any container / cargo unless the container / cargo is properly secured, with the necessary locks designed to transport containers / cargo by land.</p>	<i>Goods vehicle</i> driver
<p>7.2 The discharging gate on the box/bin of a <i>goods vehicle</i> shall have an adequate seal to prevent spillage of any material/cargo during transit.</p>	<i>Goods vehicle</i> driver

<b>Procedure</b>	<b>Responsible Person</b>
7.3 The amount of material/cargo shall not be such that it allows for any spillage from the top level of the box/bin. The level should at least 100mm lower than the upper edges of the loading box/bin.	<i>Goods vehicle driver</i>
7.4 The material/cargo loaded into the loading box/bin shall be covered properly and secured before leaving the loading area. Covers shall be secured at both ends and both sides of the loading box/bin in such a manner that no material/cargo will spill from the box/bin during transportation.	<i>Goods vehicle driver</i>
7.5 No load shall be greater than the rated weight capacity of the <i>goods vehicle</i> as specified by the manufacturer and must not exceed the limits imposed by South African legislation.	<i>Goods vehicle driver</i>

### **8. Environmental Procedures**

PROCEDURE	RESPONSE PERSONS
8.1 All goods vehicles entering the Port of Richards Bay must be fitted with a fully equipped spill kit.	Goods vehicle owner.
8.2 The goods vehicle must always have on board an MSDS for the material being conveyed and the fuel.	Goods vehicle owner.
8.3 The goods vehicle driver must be suitably trained on how to use the spill kit and must have emergency contact details for a response company to assist should large spillages occur.	Goods vehicle owner.
8.4 The goods vehicle driver must undertake the clean-up of the minor and manageable spillages as soon as possible to avoid environmental impact and traffic disruption.	Goods vehicle driver.
8.5 TNPA Emergency services will attend to all spillages incidents in the Port and will take over the incident management should the goods vehicle driver be unable to adequately attend to the incident.	TNPA Emergency Services.
8.6 The goods vehicle owner will be responsible for payments to be made to Emergency services for the	Goods vehicle owner.

incident response.	
8.7 In case of large spillages, the goods vehicle driver must alert the goods vehicle's response company to assist with effective clean-up of the spilled material.	Goods vehicle owner.
8.8 Any costs that may be incurred or surface as a result of claims from the environmental incidents will be borne by the goods vehicle owner.	Goods vehicle owner.
8.9 Goods vehicle owner must ensure that environmental incidents are reported to Department of Environmental Affairs as per NEMA Section 30. Should the goods vehicle owner neglect this responsibility, TNPA Environment will report the incident and goods vehicle owner will need to undertake all measures required to attend to the incident to closure.	Goods vehicle owner.
8.10 Goods vehicle driver must ensure that waste generated in goods vehicle is disposed accordingly in suitable waste receptacle. If no receptacle can be accessed, the goods vehicle driver must dispose the waste in his next stop. Littering in the Port is strictly prohibited. Actions will be taken against anyone observed polluting.	Goods vehicle driver.

## 9. Prohibited Actions

<b>Procedure</b>	<b>Responsible Person</b>
9.1 No overnight stays within the port premises	<i>Goods vehicle driver / driver assistant / passenger</i>
9.2 No cooking of food, washing of clothes or bathing permitted within the port premises. Drivers are to use only designated ablution facilities	<i>Goods vehicle driver / driver assistant / passenger</i>
9.3 No firearms permitted within the port premises	<i>Goods vehicle driver / driver assistant / passenger</i>
9.4 No unauthorized passengers permitted to enter the port	<i>Goods vehicle driver / driver assistant / passenger</i>
9.5 No minors permitted within the operational areas	<i>Goods vehicle driver / driver assistant / passenger</i>
9.6 No swapping of harbour carrier permits	<i>Goods vehicle driver / driver assistant / passenger</i>

9.7 No Stopping in unauthorized areas	<i>Goods vehicle driver / driver assistant / passenger</i>
9.8 No double parking within the port premises	<i>Goods vehicle driver / driver assistant / passenger</i>
9.9 No loitering permitted	<i>Goods vehicle driver / driver assistant / passenger</i>
9.10 No alcohol or drugs are permitted within the port premises	<i>Goods vehicle driver / driver assistant / passenger</i>
9.11 No overtaking on any of the port roads	<i>Goods vehicle driver / driver assistant / passenger</i>
9.12 No washing of cargo bins anywhere within the port premises	<i>Goods vehicle driver / driver assistant / passenger</i>
9.13 Do not leave the <i>goods vehicle</i> unattended at any time	<i>Goods vehicle driver / driver assistant / passenger</i>
9.14 No Payment of unauthorized persons to untarp cargo bins	<i>Goods vehicle driver / driver assistant / passenger</i>
9.15 No photography or videography equipment allowed within the port premises unless duly authorized by the Port Security Officer	<i>Goods vehicle driver / driver assistant / passenger</i>
9.16 No duplication/tampering of vehicle or personal access permits is allowed	<i>Goods vehicle driver / driver assistant / passenger</i>
9.17 No open flames / fires are permitted within the port premises	<i>Goods vehicle driver / driver assistant / passenger</i>

**Indemnity**

**In consideration of Transnet Ltd ( Registration Number 90/00900/06 ), on behalf of the said Company indemnify the Transnet against all claims and actions and hold it harmless against all losses sustained by it by reason of :**

- 1) any damage or loss to movable or immovable property ( including consequential damages directly flowing from physical damage to such property ) owned by the Transnet, the said Company or any third party; and/or**
- 2) the death of or injury to any person; and/or**
- 3) any legal costs or expenses reasonably incurred in connection with claims or actions arising out of any of the foregoing,**

**whenever the damage, loss, death or injury contemplated in 1, 2 and 3 above is/are due to or arises out of the Activity, provided that the said Company shall not be liable under this indemnity for any such damage, loss, death or injury which is attributable to the willful misconduct of any servant or employee of the Transnet acting within the course and scope of his/her employment with the Transnet.**

