No.0437 - 2023: Fifth Session, Sixth Legislature

**GAUTENG PROVINCIAL LEGISLATURE**

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**ANNOUNCEMENTS,**

**TABLINGS AND**

**COMMITTEE REPORTS**

**========================**

Monday, 04 December 2023

**ANNOUNCEMENTS**

none

**TABLINGS**

none

**COMMITTEE REPORTS**

**1. The Chairperson of the Transport and Logistics Portfolio Committee, Hon. G D Schneemann, tabled the Committee’s Oversight Report on the Annual Report of the Department of Transport and Logistics incl. Gautrain Management Agency and g-FleeT Management for the 2022/2023 financial year, as attached:**

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**Adopted Portfolio Committee on Transport and Logistics Oversight Report on the Annual Report of the Gauteng Department of Transport and Logistics, Gautrain Management Agency and G-fleet Management for the 2022/23 Financial Year**

| **Committee Details** | **Department Details** |
| --- | --- |
| **Name of Committee** | **Transport and Logistics** | **Name of Department** | **Gauteng Department of Transport and Logistics, Gautrain Management Agency and G-fleet Management**  |
| **Which Financial Year** | **Annual Report for the 2022/23 FY** | **Dept. Budget Vote Nr.** | **Vote number 9**  |
|  |  | **Hon. MEC** | **K. Diale-Tlabela**  |
| **Committee Approvals** |
|  | **Name** | **Signed** | **Date** |
| **Hon. Chairperson** | G. Schneemann  |  |  |
| **Adoption and Tabling** |
| **Date of Final Adoption by Committee**  | **Scheduled date of House Tabling** |
| **Tuesday, 28th November 2023** | **Tuesday, 05th December 2023** |

Contents

[1. ABBREVIATIONS 3](#_Toc402005051)

[2. EXECUTIVE SUMMARY 4](#_Toc402005052)-5

[3. INTRODUCTION 6](#_Toc402005057)

[4. PROCESS FOLLOWED 6](#_Toc402005058)

[5. COMPLIANCE AND QUALITY 7](#_Toc402005059)

[6. OVERSIGHT ON TECHNICAL PERFORMANCE 7-1](#_Toc402005065)1

[7. OVERSIGHT ON BUDGET EXPENDITURE 1](#_Toc402005067)2

[8. OVERSIGHT ON RESOLUTION MANAGEMENT 1](#_Toc402005069)3

[9.](#_Toc402005071) F[INDINGS, RECOMMENDATIONS AND IMPLICATIONS ON LAW MAKING 13-1](#_Toc402005072)4

[10. ACKNOWLEDGEMENTS](#_Toc402005073) 15

[11. ADOPTION 1](#_Toc402005074)5

# ABBREVIATIONS

|  |  |
| --- | --- |
| **Abbreviation** | **Full Wording** |
| AG | Auditor-General |
| APP  | Annual Performance Plan |
| BBBEE | Broad Based Black Economic Empowerment |
| DLTC | Driver License Testing Centre |
| FY  | Financial Year |
| GMA | Gautrain Management Agency |
| GPL | Gauteng Provincial Legislature |
| HDI’s | Historically Disadvantaged Individuals |
| HOD  | Head of Department |
| ITMP 25 | 25 Year Gauteng Integrated Transport Master Plan |
| MEC | Member of the Executive Council |
| NDOT | National Department of Transport |
| PFMA  | Public Finance Management Act |
| PRASA | Passenger Rail Agency of South Africa |
| PTOG | Public Transport Operations Grant |
| PwD’s  | People with Disabilities |
| SMME | Small Medium and Micro Enterprises |
| SMF | Supervisory Monitoring Firms |
| SOM | Sector Oversight Model |

# EXECUTIVE SUMMARY

In the financial year under review, the Committee noted that the Department continued to manage four programmes namely, Administration, Transport Infrastructure, Transport Operations and Transport Regulation. Furthermore, the Department had two entities under its wing namely, the Gautrain Management Agency (GMA) responsible for the operations of the Gautrain system and G-fleet Management responsible for provision of fleet services to Government Departments and entities.

The Committee noted that the Department received an allocation of **R****8 484 661 000** and spent **R****7 693 507 000** resulting in an underspending **of R791 154 000 (9,32%)**. GMA received an allocation of **R2 657 566 000** through transfers received from the Department and the entire allocation was spent on planned targets for the period under review. With regards to G-fleet management, the Committee noted that the entity’s allocated budget for the financial year amounted to **R834 536 000** and spent **R749 781 000** resulting in an underspending of **R****80 600 000 (10%).** The Committee noted that underspending of the allocation by the Department slightly increased in the current financial year within Gfleet compared to the previous financial year.

In relation to the achievement of service delivery targets, the Committee noted that the Department managed to achieve 26 out of 36 (72%) of its APP set targets and in the previous financial year the Department managed to achieve only 13 out of 39 (33%) of its targets. The Committee commends the Department for the improvement in achieving set service delivery targets as compared to the previous financial year. The Committee further noted that most of the planned targets not realised under the four programmes of the Department were mainly due to delays in revising the organisational structure and delay in procurement of outsourced routine roads maintenance, delays in creation of purchase orders, poor performance by some contractors, projects interdicted, and projects terminated, delay in finalising the new bus tenders and the moratorium on the processing of operating licensing that was only lifted in December 2022, as well as the transfer to the Taxi Trust that could not be processed on time. The Committee noted that the Department has adopted a number of intervention measures in addressing the above challenges and the Committee will continue to assess progress on implementation thereof.

In relation to the infrastructure projects, the Committee noted that the Transport Infrastructure programme was able to complete the P39/1 Heavy Rehabilitation from Diepsloot to Muldersdrift and P156/3 (R42) from P155/1 to D2563 Vanderbijlpark. The Committee further noted that work was on-going on the multi-year projects and these included, K73 upgrade between Woodmead Drive and Allandale Road (D58) Mushroom Farm, D483 rehabilitation between P6/1 (Bapsfontein) and D713 Cullinan, K69 Upgrading and doubling of Hans Strijdom (Solomon Mahlangu) from the N4 to Mamelodi to K54, K101 upgrade from D795 Olifantsfontein to N1 Brakfontein, K46 (P79/1) William Nicol dualization upgrade from PWV5 to Diepsloot/N14 Phase 2. The Committee noted that some of the projects were affected by experienced work stoppages and contractor’s cash flow problems amongst other challenges and would appeal to the Department to exercise preventive measures in ensuring that challenges that may be experienced on the projects be expedited within the project timeframes.

In the Transport Operations programme, the Committee noted that the Department was able to achieve most of its planned targets and experienced in finalising new bus contracts and percentage of subsidised bus fleet were electronically monitored due to some operators not complying with the commitment of the required bus fleet as per contract. According to the Department, the challenges around electronic monitoring will be addressed through appointment of the new Supervisory Monitoring Firms for all existing contracts. On new bus contracts, the Department reported that change leadership will assist in addressing this phenomenon. The Committee welcomes the above initiatives and will await the progress on implementation of these interventions.

The Committee noted that the Department and Gfleet received unqualified audit opinions with Emphasis of matters, and the GMA received a clean audit. The Committee commends the GMA for its consistent performance and delivery of services as planned. With regards to Department and G-fleet, the Committee also noted improvements in relation to the audit based on the Annual Financial Statements and Performance information. Furthermore, the Committee noted that the Department has adopted intervention measures to deal with matters raised by the AG and work has already commenced in some of the areas. The Committee is hopeful that the intervention measures may yield positive results to avoid the regression in audit outcomes as experienced in the previous financial years.

In conclusion, the Committee commends the continued level of performance by the GMA in the current and previous financial years. With regards to the Department and G-fleet management, the Committee is of the view that the improved level of performance in the current financial year will require continuous consistent capacitation with required skills and implementation of intervention/remedial measures in areas wherein service delivery is compromised. The Committee is of the view that the approval of the new organisational structure should be fast tracked to enable the Department to respond to the current challenges and find resolution on the challenges experienced.

# INTRODUCTION

The Roads and Transport Portfolio Committee exercises oversight and scrutiny over the Gauteng Department of Transport and Logistics, Gautrain Management Agency and G-fleet Management. This includes planning, budgeting, financial management and reporting by the Provincial Department and its entities. In line with the provisions of the Constitution of the Republic of South Africa (1996), the Public Finance Management Act (1999) creates the basis on which oversight by Legislatures should be exercised. It clearly outlines areas of service delivery that should be reported on, including the responsibilities of officials and the role of the Gauteng Provincial Legislature (GPL) in cases where reports have to be tabled.

The purpose of the oversight report is to outline the views of the Roads and Transport Portfolio Committee of the Gauteng Provincial Legislature on the financial and non-financial performance of the Gauteng Department of Roads and Transport, Gautrain Management Agency and Gfleet Management. The oversight is guided by the Sector Oversight Model (SOM). The model requires that the financial expenditure of the programmes as well as sub programme be taken into consideration in alignment with the service delivery performance. This is also done in consideration of policy priorities of the Department as well as provincial, national and global outcomes.

To assess the Department’s financial performance, the Committee considered the overall expenditure against aims, objectives and performance targets. Subsequent to this the Committee assessed the Department’s non-financial performance against the allocated expenditure per programme and sub-programme taking into account the challenges faced by the Department and external factors that have impacted on the Department’s ability to deliver on all planned services.

# PROCESS FOLLOWED

The Speaker of the Gauteng Provincial Legislature formally referred the Annual Performance Report for 2022/23 FY of the Department and its entities in terms of the Standing Rules to the Transport and Logistics Portfolio Committee for consideration and reporting.

The Committee convened and received the presentation of the Research Analysis in the meeting on Thursday, 19th October 2023. Subsequent to that, the Department, Gfleet Management and Gautrain Management Agency presented on the annual report for 2022/23 FY and responses to Committee questions before the Committee on Tuesday, 14th November 2023. Then, the Committee deliberated and adopted its oversight report in a meeting that convened on Tuesday, 28th November 2023.

The Committee through the Chairperson will be tabling the report with recommendations to House for adoption.

# COMPLIANCE AND QUALITY

In line with the GPL Standing Rules the Department including entities timeously submitted their Annual Performance Reports for the 2022/23 FY. The Department and agencies reported on their financial and non-financial performance in line with the requirements of the Public Finance Management Act (PFMA) 1999.

# OVERSIGHT ON TECHNICAL PERFORMANCE

The Committee noted that the Department managed to achieve 26 out of 36 (72%) of its targets against its Annual Performance Plan set targets whilst in the previous financial year the Department also managed to achieve only 13 out of 39 (33,3%) of its targets. The Committee commends the Department for the high level of attainment of planned service delivery targets by the Department taking into consideration that most of the challenge of not achieving targets not achieved have a long history within the Department.

The Committee noted most of the planned targets not realised were planned under the four programmes of the Department and this was attributed to delays in the finalisation of new organisational structure which results in delays in appointment of required skills, delays in some of the tendering processes, work stoppages on on-going roads construction infrastructure projects, court interdicts on planned infrastructure projects, delays on the relocation of residents from road reserves and loss a court case on the advertising and operationalising the new bus contracts. The Committee is hopeful that these targets may be achieved in the near future noting the improvements noted in the current financial year.

## Programme Information

**PROGRAMME 1. Administration**

The programme’s purpose is to conduct the overall management and provides administrative support function to the office of the MEC and the department. The programme has four sub programmes, namely MEC’s office, Management of the Department, Corporate Services and Departmental Strategy.

The Committee noted that the Administration programme was able to meet **5 out of 6 (83%)** of the planned targets in the financial year. The programme’s allocated budget amounted to **R423 578 000,** and the programme recorded an under expenditure amounting to **R27 558 000 (6,51%)** with Corporate support contributing **94%** towards the under spending in this programme.

In terms of the non-financial performance, the Committee noted that the Department was able to meet its set performance targets on the set targets on the procurement expenditure spent on Broad – Based Black Economic Empowerment (B-BBEE) on empowering suppliers, township owned enterprises and Black owned enterprises. The Committee commends the Department on the achievement of these targets as they have resulted in qualified audit opinions in the previous financial years.

The Committee also noted the Department was able to achieve an unqualified audit opinion in the current financial year under review which is an improvement compared to the previous financial years. The Committee further noted that the Auditor-General did raise Emphasis of matters which covered amongst others the Material uncertainties related to contingent liabilities, underspending, Fruitless and Wasteful Expenditure and achievement of predetermined objectives / plans. According to the Department, these challenges are currently receiving attention and an action plan has been adopted on the possible resolutions of the matters raised by AG.

**PROGRAMME 2. Transport Infrastructure**

The purpose of the programme is to provide a balanced equitable road network that is sustainable, integrated, environmentally sensitive and supportive of economic growth and social empowerment. The programme achieves its objectives through four sub-programmes namely Infrastructure Planning, Infrastructure Design, Construction and Maintenance.

The Committee noted that the Transport Infrastructure programme was able to meet 14 out of 20 (70%) of the planned targets in the financial year. The programme’s allocated budget amounted to **R2 190 186 000** and under spent the budget by **R129 776 000 (5,93%)** with the Maintenance sub programme largely contributing towards the overall under spending by **42%**. According to the Department, the underspending was mainly because of delays in revising the organisational structure and delay in procurement of outsourced routine roads maintenance, delays in creation of purchase orders, poor performance by some contractors, projects interdicted, and projects terminated. **The Committee is concerned over the continuous underspending because of delays in revising the organisational structure and the impact exacted on planned service delivery targets realised under the programme, particularly under Maintenance sub-programme.**

In terms of service delivery performance, the Committee noted that the programme Department dismally failed to virtually assess number of kilometres of surfaced roads due to delays in the appointment of the service provider, also failed to realise the set target for gravelled road visually assessed due to heavy rain experienced in quarter 4 of the financial year under review as well as to meet the set target on the job creation for women and persons with disabilities in the road construction sub programme. **The Committee is concerned over the lack of achievement of the above targets noting the state of the roads in the Province and job creation through EPWP programmes is one of the priorities of the provincial government.**

**PROGRAMME 3. Transport Operations**

The purpose of the programme is to plan, regulate and facilitate the provision of freight and transport services and The Public Transport services and Programme support operations are sub programmes that were funded in the Transport Operations programme.

The Committee noted that the Transport Operations programme was able to meet 3 out of 5 **(60%)** of the planned targets in the financial year. The programme’s allocated budget amounted to **R2 862 866 000** and recorded an under expenditure of **R572 984 000 (20,01%)** with Public Transport Services sub programme largely contributing towards the overall under spending of the programme by **99%.** According to the Department, the underspending was mainly because of the delay in finalising the new bus tenders**.** According to the Department the matter is being addressed and the possible solution is change of leadership within the programme to fast-track finalisation of new bus contracts. **The Committee is concerned over the delays experienced noting the challenges facing the commuters of Hammanskraal and Brakpan.**

In terms of non-financial performance, the Committee noted that the main concern, within this programme, is that not all targeted percentage of subsidised bus fleet were electronically monitored due to some operators not complying with the commitment of the required bus fleet as per contract. According to the Department, SMFs have been appointed for all existing contracts and installation will be fast-tracked within the next financial year.

**PROGRAMME 4. Transport Regulation**

The purpose of the programme is to plan, facilitate the provision of Leaner and Driver Licences, registration of operating licences and the establishment of TOLABS and Provincial Regulatory Entity; public and freight transport services and infrastructure in partnership with national and local government as well as private sector formations. The programme consists of the following programmes namely; Transport Administration and Licensing and Operator License and Permits.

The Committee noted that the Transport Regulation programme was able to meet 4 out of 5 **(80%)** of the planned targets in the financial year. The programme’s allocated budget amounted to **R350 465 000** and recorded an under expenditure amounting to **R60 836 000 (17,36%)**. According to the Department, the underspending was mainly as a result of delays in revising the organisational structure and filling vacant posts, the moratorium on the processing of operating licensing that was only lifted in December 2022, as well as the transfer to the Taxi Trust that could not be processed on time. **The Committee is concerned over the delays in the finalisation of the organisational structure and the impact it exacts on the capacitation and functionality of the service delivery programmes.**

In terms of service delivery, the Committee noted that the Department was able to achieve its set target on the collection of revenue through the Integrated Transport Customer Service centres which include DLTCs, MVRAs and VTS as agents surrendered revenue timeously to the Department as well as through the opening of centres and in the financial year under review R4.5 billion was collected, which is an over-achievement by R68 million from the targeted revenue. The Committee also noted that continuous engagements with all agents on outstanding fees and implementation of biometric access to e-NaTIS to minimise fraudulent activities contributed to the exceeding of set target.

**PROGRAMME 5. Gautrain Management Agency**

The purpose of the agency is to assist the Province in managing the Project and achieving the project objectives; act on behalf of the Province in managing the relationship between the Province and Concessionaires in terms of concession agreements and ensure that the interests of the Province are protected; manage the finances of the Project and the financial securities provided by the Concessionaires and manage assets relating to the Project and promote their preservation and maintenance; ensure sound Corporate Governance and monitor the policy and legislative environment of the Project; and liaise with and promote cooperation between government structures in all three spheres of government in relation to the Project and liaise with persons having an interest in the Project.

The Committee noted that the agency met 29 out of 29 **(100%)** of the planned outputs, in the financial year under review. The Department transferred a total of **R2 657 566 000** to the Gautrain Management Agency (GMA), and agency’s actual expenditure amounted to **R2 975 765 000** resulting in an overspending of **R318 200 000** which the agency has reported as funds allocated from previous financial year**.** The Committee also noted that the agency received additional funds amounting to **R325 946 000** which was allocated through the 2022/23 FY adjustment budget process to cover the shortfall in the Patronage Guarantee including funds utilized from prior periods allowed the GMA to end the year as a going concern.

In relation to the Auditor-General’s opinion, the Committee commends the agency for the consistent performance it has obtained and maintained over the current and previous financial years in achieving a clean audit on its financial management.

**G-FLEET MANAGEMENT**

The purpose of the entity is to respond to client Department’s requirements for fleet management services driven by the strategic objectives, namely, to improve operations and customer service; develop adequate management capacity and controls; improve quality and cost effective of fleet; maintain and improve levels of self-sustainability; develop professional skills and expertise of all staff and broadly consult key stakeholders on positioning as public entity.

The Committee noted that the entity was able to achieve 6 out of 10 **(60%)** of the planned performance indicators across all programmes. The entity had a budget allocation of **R** **834, 536 000** in the financial under review and recorded an under spending of **R86 000 000 (10%)**. The Committee noted the underspending was mainly attributed to the delays in the filling of advertised vacant positions, payment of notch increases and bonus payments, the delay by the Department for submitting invoices in relation to work undertaken by the Compliance Office on behalf of entity in relation to audit support, the delay in finalising the appointment and installation of surveillance and automated access controls at Gfleet premise, the application of strict cost containment measures, actual expenditure on fuel being less than that projected during the adjustment budget and delay in the delivery of new vehicles due to the application of the year end cut-off processes.

In relation to service delivery targets, the Committee noted that in the current financial year the entity was able to meet some of its planned set targets however, the entity continued to experience challenges with regards to in-service vehicles tracked and average debtor’s collection period. According to the entity, measures have been put in place to engage with service providers and client Departments on the above challenges and interventions may yield results in the next financial year. The Committee will continue to assess progress made in achieving the above service delivery targets.

In relation to the AG’s opinion, the Committee noted that the entity has improved from a qualified to an unqualified audit opinion with emphasis of matter on predetermined objectives and other matters. The Committee commends the entity for the improvement realised in relation to Annual Financial Statements (AFS) and for Performance Information in the financial year under review. Furthermore, the Committee would encourage the Department and entity to address emphasis of matter as raised by the AG to maintain the upward level in the audit outcomes.

# OVERSIGHT ON BUDGET EXPENDITURE

**7.1 DEPARTMENT OF ROADS AND TRANSPORT**

Table 1: Overall Budget expenditure 2022/23 FY

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **2022/23** |  |  |  | **2021/22** |
| **R’000** | **Final Appropriation** | **Actual Expenditure** | **Under Expenditure** | **% Under Expenditure** | **% Under Expenditure** |
| Administration  | 423 578 | 396 020 | 27 558 | 6,51% | 5,17% |
| Transport Infrastructure | 2 190 186 | 2 060 410 | 129 776 | 5,93% | 7,85% |
| Transport Operations | 2 862 866 | 2 289 882 | 572 984 | 20,01% | 17,95% |
| Transport Regulation  | 350 465 | 289 629 | 60 836 | 17,36% | 11,29% |
| Gautrain Rapid Rail Link | 2 657 566 | 2 657 566 | 0 | 0,00% | 0,00% |
| **Total** | **8 484 661** | **7 693 507** | **791 154** | **9,32%** | **9,09%** |

Source: DRT 2022/23 FY Annual Report and Research Analysis

Table 1 above shows that the final appropriation for the Department for the financial year under review amounted to **R8 484 661 000,** managed to spend an amount of **R7 693 507 000** and underspent by an amount of **R791 154 000 (9,32%)**. The Committee noted that under spending increased from **9,09%** in the previous financial year to **9,32%** in the financial year under review.

# OVERSIGHT ON RESOLUTION MANAGEMENT

Information on the Department’s implementation of House Resolutions for the period under review

| **RESOLUTIONS MANAGEMENT** |
| --- |
| **RESOLUTIONS PASSED DURING ALL 4 QUARTERS LEADING UP TO THIS ANNUAL REPORT** |
| **Total number of Resolutions passed during the Previous Quarters** |
| *22* |
| **Nature of Resolutions** |
| *The resolutions were service delivery driven and on principles of good governance* |
| **RESOLUTIONS / ACTIONS NOW DUE (OR PAST DUE)** |
| ***Number of Resolution Responses / Action now due*** |
| *15* |
| **RESOLUTIONS CLOSED** |
| ***From those now due, how many Resolutions are now satisfactorily closed*** |
| *4* |
| **REASONS** |
| ***Reasons for Resolutions not yet closed*** |
| *The Committee is continuously engaging with the Department and its entities on the challenges regarding the skills capacitation to enhance implementation of planned infrastructure projects. These challenges have led to delays in the implementation of key service delivery projects and most of the Committee resolutions are based on these projects. These include K46, K54, K69, Vereeniging Taxi Rank, introduction of new bus contracts and Sebokeng DLTC/TOLAB.* |
| ***Measures taken by the Committee to ensure speedy Closure of Resolutions due but still open*** |
| *The Committee will continue to engage the Department and its entities as well as affected stakeholders to ensure challenges noted are resolved and implementation of these projects may be realised within the revised timeframes and allocated budgets.*  |

# FINDINGS, RECOMMENDATIONS AND IMPLICATIONS ON LAW MAKING

1. Committee Findings / Concerns

The Committee is concerned about:

**Overall Performance**

1. The Emphasis of matter raised by the Auditor-General on the performance of the Department

 and Gfleet Management.

**Department of Roads and Transport**

2. The continuous delays in revising the organisational structure and the impact exacted on planned

 service delivery targets realised within the Department and Gfleet.

 3. The lack of achievement of the set targets on virtually assessed number of kilometres of surfaced

 roads, gravel roads visually assessed and on the job creation for women and persons with

 disabilities in the road construction sub programme noting the state of the roads in the Province.

4. The continued delays in finalising new bus contracts noting the challenges facing the commuters of

 Hammanskraal and Brakpan.

1. Committee Recommendations

It is recommended that the Department and entities should provide detailed report on the following recommendations by 06th February 2024:

**Overall Performance**

1. On the implementation plan, and progress thereof, to address Emphasis of Matter as raised

 by the Auditor-General on the audit opinion on the performance of Department and Gfleet

 Management.

**Department of Roads and Transport**

2.On the progress on the finalisation and implementation of the new organisational structure within the

 Department and Gfleet.

3. On the progress on the implementation of intervention plans to ensure achievement of the road

 construction sub-programme set service delivery targets noting the state of roads in the Province.

4. On the progress on finalising the new bus contracts in the Province taking into consideration the

 challenges faced by commuters across the Province.

5. On the progress on the implementation of change leadership within the Transport Operations

 Programme.

# ACKNOWLEDGEMENTS

Appreciation is expressed to all Members of the Committee for their commitment to the oversight process as well as MEC K. Diale-Tlabela, HOD Dr. T. Mdadane and officials from the Department and its entities for their cooperation during the annual report process.

Gratitude goes to Members: Ms M. Mfikoe, Mr. T. Munyai, Ms. D. Ledwaba, Ms N. Mhlakaza-Manamela, Mr. F. Nel, Mr E. Du Plessis, Ms N. Radebe and Ms M. Masoleng for their commitment to the oversight process.

On behalf of the Committee, the Committee's appreciation and gratitude also goes to the following persons: Group Committee Coordinator, Mr. T. Bodibe; Committee Researcher Mr. F. Thaba; Committee Coordinator Mr. S. Mthiyane; Committee Administrator, Ms. H. Mtshizana; Hansard Recorder Ms. N. Zondo; Information Officer, Mr L. Ncume; Media Officer, Ms T. Nzuke; Public Participation Officer, Mr. B. Dhlomo; Service Officer, Ms. S. Sithole for their devoted assistance.

# ADOPTION

After due consideration the Roads and Transport Portfolio Committee unanimously adopted the Oversight Report on the Gauteng Department of Transport and Logistics, Gautrain Management Agency and G-fleet Management Annual Performance Report for the 2022/23 FY.

In terms of Rule 117 (2)(c) read together with Rule 164, the Committee presents to this House and recommends the adoption of the Committee’s Oversight Report on the Gauteng Department of Transport and Logistics, Gautrain Management Agency and G-fleet Management Annual Performance Report for the 2022/23 FY.