

Urban Passenger Transport Services

Procedures for the Consideration of Operational Permit Applications

Issued under the Urban Passenger Transport Services Bye-Laws 2008 | Greater Accra Passenger Transport Executive (GAPTE)

1. Introduction

The District Assembly (Urban Passenger Transport Services) Bye-Laws 2009 mandate the Assembly to regulate urban passenger transport services within its area of jurisdiction. The primary instrument for implementing this mandate is the Operational Permit.

These procedures provide guidance on how applications for Operational Permits to provide urban passenger transport services are assessed, determined, and, where appropriate, appealed.

2. Enabling Legislation

These procedures are issued under the powers conferred on the Assembly by Section 79 of the Local Government Act (Act 462), through which the Urban Passenger Transport Services Bye-Laws have been passed to regulate the provision of urban passenger transport services.

All Operational Permits issued under these procedures must be in compliance with the Road Traffic Act (Act 683) and other relevant transport legislation in force.

3. Operational Permit Framework

3.1 Types of Operational Permit

All urban passenger transport services within the Assembly's jurisdiction require an Operational Permit. The following permit types are available:

- **Type A Route Operation Permit:** Issued for a period not exceeding 12 months, renewable at the Assembly's discretion subject to satisfactory performance.
- **Type B Route Operation Permit:** Issued for a period not exceeding 3 years, renewable at the Assembly's discretion. Issued only to operators who can demonstrate compliance with published service standards and operational capability requirements. Provides a defined level of protection against route encroachment.
- **Route Service Contract:** A contract entered into by the Assembly with an operator or group of operators to provide specified services along specified routes.
- **Terminal Management Contract:** A contract entered into by the Assembly with one or more companies for the management of its terminals.

3.2 Eligibility for Registration

To be eligible to apply for an Operational Permit, applicants must:

1. Be an existing group of operators legally associated as a Union, Cooperative, Association, Limited Liability Company, Partnership, or other recognised association, currently providing transport services in the Metropolis.
2. Be a Ghana-based entity.
3. Be duly registered with the appropriate body or bodies recognised under Ghanaian law.

3.3 Conditions Attached to All Operational Permits

The following conditions apply to all Operational Permits:

4. Operational Permits are not transferable.
5. Permit holders accept that their operations may be inspected by the Assembly or authorised agents through terminal visits or spot inspections of vehicles and equipment.
6. Permit holders must provide the services for which the permit was granted without variation. Failure to maintain the required service level may constitute grounds for revocation.
7. Operators must continue to operate within the limits of their existing permit while any application for a higher permit class is under consideration.
8. Sub-contracting of services requires prior authorisation from the Assembly.
9. Where a permit holder decides to terminate services, three months written notice must be provided to the Assembly, setting out the reasons for termination.
10. The Assembly may revoke a permit at any time during its currency on the same grounds that would justify refusal of renewal, or if it is satisfied that the permit was obtained by fraud or misrepresentation.
11. The Assembly may amend the conditions of an Operational Permit by prior notice served on the permit holder. Amendments take immediate effect upon service of notice.
12. A permit holder intending to suspend operations must provide the Assembly with three months clear written notice in advance of suspension.

4. Application Procedures

4.1 Required Documentation

A valid application for an Operational Permit must be submitted on the prescribed form (PTA.1, PTB.1, RSC.1, or TMC.1, as applicable) and include:

13. A duly completed application form.
14. A detailed description of the route and timetable for the proposed service, including all pick-up and set-down points on both the outward and return journeys. For Type B Permits and Route Service Contracts, departure and arrival times at each point must be included.
15. Valid DVLA certificates and licences covering all vehicles and drivers.
16. Valid insurance certificates covering all vehicles.
17. Evidence of capacity to deliver the required service level.
18. Evidence of group affiliation (union, cooperative, or association) where applicable.

19. Company registration documents where applicable.
20. Evidence of compliance with tax obligations.
21. Any other information specifically required by the Assembly.

Applications will not be deemed valid until all required documentation has been provided. Incomplete applications will be returned to the applicant without being registered for processing.

4.2 Assessment of Applications

Valid applications will be assessed by the Assembly in accordance with its published assessment criteria. The Assembly will advise the applicant in writing of its decision — acceptance or refusal — within the prescribed timeframe.

5. Appeals Procedure

5.1 Conditions for Appeal

Applicants who have been refused an Operational Permit may appeal the decision. To be eligible to appeal, the applicant must have submitted a valid application that was refused on grounds that the applicant considers incorrect or unjust.

5.2 Appeal Process

An appeal must be submitted in writing to the Assembly within the prescribed period following notification of refusal. The appeal submission should set out clearly the grounds for the appeal and include any supporting documentation or evidence.

5.3 Complaints

Members of the public and transport service users may submit complaints regarding the conduct of permit holders or the adequacy of services to the Assembly's Urban Passenger Transport Unit (UPTU). Complaints will be investigated and, where warranted, may result in review of the relevant Operational Permit.

6. Authority and Administration

Authority for the implementation and administration of these procedures rests with the Assembly's Urban Passenger Transport Unit. All enquiries regarding permit applications, permit conditions, appeals, and complaints should be directed to the UPTU Offices.

7. Changes to Procedures

These procedures may be amended by the Assembly from time to time. Permit holders and applicants will be notified of material changes to the procedures that affect their operations or pending applications.