



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Regulation Gazette

No. 7033

Regulasiekoerant

Vol. 429

Pretoria, 30 March
Maart 2001

No. 22173



AIDS HELPLINE: 0800-123-22 Prevention is the cure

CONTENTS**INHOUD**

No.	Page No.	Gazette No.	No.	Bladsy No.	Koerant No.
GOVERNMENT NOTICE			GOEWERMENTSKENNISGEWING		
Transport, Department of			Vervoer, Departement van		
<i>Government Notice</i>			<i>Goewermentskennisgewing</i>		
R. 302 South African Civil Aviation Authority Act (40/1998): South African Civil Aviation Aircraft Passenger Safety Charge Regulations, 2001	3	22173	R. 302 Wet op die Suid-Afrikaanse Burgerlike Lugvaart-owerheid (40/1998): Suid-Afrikaanse Burgerlike Lugvaart Vliegtuig-passasiersveiligheidsheffingregulasies, 2001	6	22173

GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF TRANSPORT DEPARTEMENT VAN VERVOER

No. R. 302

30 March 2001

SOUTH AFRICAN CIVIL AVIATION AUTHORITY ACT, 1998 (ACT NO 40 OF 1998)

SOUTH AFRICAN CIVIL AVIATION AIRCRAFT PASSENGER SAFETY CHARGE REGULATIONS, 2001

The Minister of Transport has under section 22 read with section 14(1) of the South African Civil Aviation Authority Act, 1998 (Act No 40 of 1998), and after consultation with the South African Civil Aviation Authority, made the regulations contained in the Schedule hereunder.

SCHEDULE

Definitions

1. In these regulations, unless the context otherwise indicates –

- (a) **"aerodrome"** means an aerodrome as defined in section 1 of the Aviation Act, 1962 (Act No 74 of 1962) and includes a company airport as defined in section 1 of the Airports Company Act, 1993 (Act No 44 of 1993);
- (b) **"aircraft"** means an aircraft as defined in section 1 of the Aviation Act, 1962 (Act No 74 of 1962);
- (c) **"Civil Aviation Aircraft Passenger Safety Charge"** means a charge as contemplated in section 14(1)(a) of the South African Civil Aviation Authority Act 1998 (Act No 40 of 1998);
- (d) **"flight"** means a flight as defined in regulation 1.00.1 of the Civil Aviation Regulations, 1997;
- (e) **"operator"** in relation to an aircraft means any Airline which operates a scheduled domestic or international public air transport service as contemplated in the Air Services Licensing Act, 1990 (Act No 115 of 1990) and the International Air Services Act, 1993 (Act No 60 of 1993); and
- (f) **"passenger"** on a domestic or international flight means a passenger as defined in regulation 1 of the Domestic Air Services Regulations, issued in terms of section 29 of the Air Services Licensing Act 1990, (Act No 115 of 1990);

Liability to pay a Civil Aviation Aircraft Passenger Safety Charge

- 2(1) A Civil Aviation Aircraft Passenger Safety Charge amounting to R4.00 shall be payable by Aircraft Passengers departing on an aircraft from an aerodrome on a scheduled public air transport flight or part of a flight to a destination within or outside the territory of the Republic of South Africa.
- (2) The said Charge shall be included in the price payable in respect of the air ticket concerned.
- (3) The relevant charge is inclusive of Value Added Tax.

Procedures for Payment

- 3(1) Information relating to the total number of departing passengers per operator on domestic and international flights as contemplated in regulation 2, shall be provided at the end of each calendar month relating to the particular month to the Authority –
 - (a) by the Airports Company of South Africa Limited in respect of flights departing from aerodromes owned or controlled by the said Company; and
 - (b) by the relevant aerodrome licence holder or aerodrome operator in respect of flights departing from aerodromes not owned or controlled by the said Company.
- (2) The Authority will on receipt of the information referred to in subregulation (1) invoice each operator of an airline which operates such a domestic or international public air transport service for payment of the said charge.
- (3) Payment of the said Charge by the operators of the airlines concerned is to be made to the Authority within 30 days of the date of the invoice referred to in subregulation (2).
- (4) Interest at a rate of 2% above prime lending rate per annum, compounded monthly, is payable in respect of the outstanding balance of any charge after the due date.
- (5) The operators of the relevant airlines shall, on request of the Authority, provide audited certificates in respect of the information referred to in subregulation (1).

Withdrawal of Regulations

4. The South African Civil Aviation Authority Safety Charge Regulations, 1999 published by Government Notice No R.931 of 30 July 1999, are hereby withdrawn.

Short title and commencement

5. These Regulations shall be called the Civil Aviation Aircraft Passenger Safety Charge Regulations, 2001, and will come into operation on 1 May 2001.
-

No. R. 302

30 Maart 2001

WET OP DIE SUID-AFRIKAANSE BURGERLIKE LUGVAARTOWERHEID, 1998 (WET NO 40 VAN 1998)**SUID-AFRIKAANSE BURGERLIKE LUGVAART
VLIEGTUIGPASSASIEERSVEILIGHEIDSSHEFFING-
REGULASIES, 2001**

Die Minister van Vervoer het kragtens artikel 22 gelees met artikel 14(1) van die Wet op die Suid-Afrikaanse Burgerlike Lugvaartowerheid 1998 (Wet no 40 van 1998) en na oorlegpleging met die Suid-Afrikaanse Burgerlike Lugvaartowerheid, die Regulasies in die Skedule vervat, uitgevaardig.

SKEDULE**Woordomskrywings**

1. In hierdie Regulasies, tensy uit die inhoud die teendeel blyk, beteken -
 - (a) **"Burgerlike Lugvaart Vliegtuigpassasiersheffing"** 'n heffing soos bedoel in artikel 14(1)(a) van die Wet op die Suid-Afrikaanse Burgerlike Lugvaartowerheid, 1998 (Wet No 40 van 1998).
 - (b) **"lugvaartuig"** 'n lugvaartuig soos omskryf in artikel 1 van die Lugvaartwet, 1962 (Wet No 74 van 1962);
 - (c) **"operateur"** met betrekking tot lugvaartuig, enige lugdiens wat 'n geskeduleerde plaaslike of internasionale openbare lugvervoerdiens soos bedoel in die Wet op die Lisensiëring van Lugdienste 1990 (Wet No 115 van 1990) en die Wet op Internasionale Lugdienste 1993 (Wet No 60 van 1993);
 - (d) **"passasier"** op 'n binnelandse of buitelandse vlug 'n passasier soos omskryf in regulasie 1 van die Regulasies vir Binnelandse Lugdienste, 1991, uitgevaardig ingevolge artikel 29 van die Wet op die Lisensiëring van Lugdienste, 1990 (Wet No 115 van 1990);
 - (e) **"vliegveld"** soos in artikel 1 van die Lugvaartwet 1962 (Wet No 74 van 1962) omskryf en sluit 'n maatskappylughawe soos omskryf in artikel No 44 van 1993) in; en
 - (f) **"vlug"** 'n vlug soos omskryf in regulasie 1.00.1 van die Burgerlike Lugvaartregulasies, 1997.

Aanspreeklikheid vir die betaling van 'n Burgerlike Lugvaart Vliegtuig-passasiersveiligheidsheffing.

- 2(1) 'n Burgerlike Lugvaart Vliegtuigpassasiersveiligheidsheffing wat R4.00 bedrae, is betaalbaar deur passasiers wat op 'n vliegtuig vanaf 'n vliegveld op 'n geskeduleerde openbare lugvervoervlug of gedeelte van 'n vlug na 'n bestemming binne of buite die gebied van die Republiek van Suid-Afrika vertrek.
- (2) Die genoemde heffing is ingesluit in die prys van die betrokke vliegkaartjie.
- (3) Die relevante heffing sluit Belasting op Toegevoegde Waarde in.

Prosedure van betaling

- 3(1) Inligting met betrekking tot die totale getal van vertrekkende passasiers per operateur op plaaslike en internasionale vlugte soos bedoel in regulasie 2, sal aan die einde van elke kalendermaand met betrekking tot die betrokke maand aan die Owerheid verskaf word deur —
- (a) die Lughawensmaatskappy van Suid-Afrika Beperk ten opsigte van vlugte wat vanaf vliegvelde deur die betrokke Maatskappy besit of beheer word, vertrek, en;
- (b) die relevante vliegveldlisensiehouer of vliegveldoperateur ten opsigte van vlugte wat vanaf vliegvelde wat nie deur die betrokke Maatskappy besit of beheer word nie.
- (2) Die Owerheid sal by die ontvangs van die inligting waarna in subregulasie (1) verwys word, elke operateur van 'n lugdiens wat so 'n plaaslike of internasionale openbare lugvervoerdienst bedryf, vir betaling van die betrokke heffing faktureer.
- (3) Betaling van die betrokke heffing deur die operateurs van die betrokke lugdienste moet aan die Owerheid binne 30 dae na die datum van die faktuur waarna in subregulasie (2) verwys word, gemaak word.
- (4) Rente teen 'n koers van 2% bo die prima-uitleenkoers per jaar, maandeliks vasgestel, moet betaal word ten opsigte van die uitstaande balans van enige gelde na die betaaldatum.
- (5) Die operateurs van die relevante lugdienste sal op versoek van die Owerheid ouditsertifikate ten opsigte van die inligting waarna in subregulasie (1) verwys word, verskaf.

Intrekking van Regulasies

4. Die Burgerlike Lugvaartveiligheidsheffingregulasies, 1999, gepubliseer in Goewermentskennisgewing No R931 van 30 Julie 1999, word hiermee ingetrek.

Kort titel en inwerkingtreding

5. Hierdie Regulasies heet die Burgerlike Lugvaart Vliegtuigpassasiersveiligheidsheffingregulasies, 2001 en tree in werking op 1 Mei 2001.
-

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Publications: Tel: (012) 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504
Subskripsies: Tel: (012) 334-4735, 334-4736, 334-4737
Kaapstad-tak: Tel: (021) 465-7531