



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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No. 3995

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General Notice

MINISTRY OF WORKS, TRANSPORT AND COMMUNICATION

No. 40

2008

PROPOSED AMENDMENT OF THE NAMIBIAN CIVIL AVIATION REGULATIONS, 2001 AVIATION ACT, 1962 (ACT NO. 74 OF 1962)

Pursuant to regulation 11.03.2 of the Namibian Civil Aviation Regulations, 2001 the chairperson of the Civil Aviation Regulations Committee hereby notifies the general public that the International Air Transport Association (IATA) has proposed that the Minister of Works, Transport and Communication should, under section 22 of the Aviation Act, 1962 (Act No. 74 of 1962) and after consultation with the Minister of Finance, amend the Namibian Civil Aviation Regulations, 2001 to the extent set out in the Schedule.

The Committee hereby invites interested parties to comment on the proposed amendments to the Regulations within 30 days commencing from the date of publication of this notice. The Committee will consider the comments and any representations received at the end of the stated period after which it will make recommendations to the Director who will in turn if satisfied, with the recommendations, submit them to the Minister for approval in terms of regulation 11.03.4.

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the publication of this notice and should be addressed to:

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SCHEDULE

Definition

1. In these regulations “the principal regulations” means the Namibian Civil Aviation Regulations Government Notice No. 1 of 2 January 2001 as amended by Government Notices No. 57 of 1 April 2006 and No. 201 of 20 November 2006.

Amendment of Part 187 of the principal regulations

2. Part 187 of the principal regulations is amended by the substitution for item (2) and (3) in regulation 187.00.22 of the following items:

- (2) The following en-route fees, payable by the operator of an aircraft in respect of a flight undertaken within the Windhoek Flight Information Region, which shall be calculated according to the following formula:
- (a) A minimum charge of N\$ 46.00 for every flight
- (b) Flights with MTOW of less than 5700 kg:
Distance in Nautical Miles x (Square Root of (MTOW))
x N\$0.00416321
The values of MTOW = MTOW in kg for an aircraft, which was engaged in a flight.
- (c) Flights with MTOW of 5700 kg or more
The values of W = Square Root of MTOW in Tones divided by 50
and D = Distance in Km divided by 100, for an aircraft, which was engaged in a flight.

Sr	R=(W x D)	C Value	Charge (N\$)
	$R = (\text{Sqrt}(\text{Aircraft MTOW (Tonnes)/50})) \times (\text{Distance Flown Km in the FIR Per Journey}/100)$		
1	0 to 1	C 1	304.84
2	Above 1 up to 2	C2	609.68
3	Above 2 up to 4	C3	914.52
4	Above 4 up to 8	C4	1219.36
5	Above 8 up to 12	C5	1524.20
6	Above 12 up to 15	C6	1829.04
7	Above 15 up to 20	C7	2133.88
8	Above 20 up to 25	C8	2438.72
9	Above 25 up to 30	C9	2743.56
10	Above 30	C10	3048.40

Note: For Aircraft Operators with an outstanding Account as stipulated the service may be refused, and/or the airspace may be declined. For a helicopter or when a flight is engaged solely for the purpose of aircrew training the enroute fees shall be 20 per cent of the appropriate en-route fees as prescribed. In addition no en-route fees shall be payable in respect of any aircraft engaged in a military, customs and police or search and rescue flight, or test flights to determine the serviceability of aircraft systems or flights ordered by the Director of Civil Aviation.

(3) The following Terminal Control fees, payable by the operator of an aircraft in respect of a flight undertaken within any Terminal Control Area (TMA), which shall be calculated to the following formula:

(a) Flights with MTOW of less than 5700 kg a minimum charge of N\$ 15.95 or based on the formula below, which ever is higher for every flight in a Namibian TMA.

The values of M = MTOW in kg for an aircraft.

$$(0.04324(M-2000)) + 15.95$$

(b) Flights with MTOW of 5700 kg or more, based on the formula below, for every flight in a Namibian TMA.

The values of M = MTOW in kg for an aircraft.

$$(129,62 + (4,55454) \times (\text{Square Root } (M-5700)))$$

Note: For Aircraft Operators with an outstanding Account as stipulated the service may be refused, and/or the airspace may be declined. For a helicopter or when a flight is engaged solely for the purpose of aircrew training the Terminal Control fees shall be 20 per cent of the appropriate Terminal Control fees as prescribed. In addition, no Terminal Control fees shall be payable in respect of any aircraft engaged in a military, customs and police or search and rescue flight, or test flights to determine the serviceability of aircraft systems or flights ordered by the Director of Civil Aviation.
