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GOVERNMENT NOTICE  
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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**

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**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.
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