

2000-05-23

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Regulation Gazette

No. 6807

Regulasiekoerant

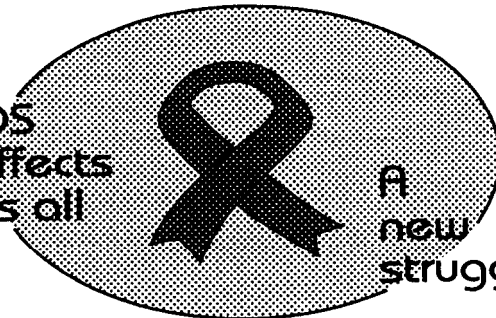
vol. 419

PRETORIA, 19th MAY 2000

No. 21178

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DEPARTMENT OF HEALTH

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DEPARTMENT OF TRANSPORT
DEPARTMENT VAN VERVOER

No. R. 494

19 May 2000

DRAFT AMENDMENT OF THE CIVIL AVIATION SAFETY REGULATIONS, 1981 FOR COMMENT

The National Department of Transport hereby publishes for comment the proposed amendments to the Civil Aviation Safety Regulations, 1981 as set out in the Schedule. Interested persons are invited to submit written comment on the draft regulations by no later than 19 June 2000. Submissions should be marked for the attention of Mr. Johan v d Westhuizen, Private Bag XI 93, Pretoria, 0001, fax no (012) 323-7007 or e-mail at Johan@ndot.pwv.gov.za.

SCHEDULE 1**DRAFT AMENDMENTS OF THE CIVIL AVIATION SAFETY REGULATIONS, 1981**

The Minister of Transport has, under section 2L of the Civil Aviation Offences Act, 1972 (Act No.1 O of 1972), made the regulations in the Schedule.

Amendment of regulation 1 of the Regulations

1. Regulation 1 of the Regulations is hereby amended—
 - (a) by the substitution for the definition “airport management” of the following definition:

“ “airport management” in respect of an airport, means the organisation in control of such an airport and acting through the relevant airport manager or the person in control of such an airport;”;
 - (b) by the insertion after the definition of “air service safety officer” of the following definition:

“ “Chief Executive Officer” means the Chief Executive Officer as defined in the South African Civil Aviation Authority Act, 1998 (Act No. 40 of 1998);”;
 - (c) by the substitution for the definition “Commissioner for Civil Aviation” of the following definition:

““Commissioner” means the Commissioners defined in section 1 of the Aviation Act, 1962 (Act No. 74 of 1962); (Kommissaris); and
 - (d) by the insertion after the definition of “Commissioner” of the following definition:

“ “safety” means a combination of measures and human and material resources intended to safeguard international civil aviation acts against of unlawful interference.”.

Amendment of regulation 3 of Regulations

2. Regulation 3 of the Regulations is hereby amended—
- (a) by the substitution for paragraph (a) of subregulation (1) of the following paragraph:
- “(a) the Commissioner, who shall also be the chairperson of the Committee, and in whose absence a member of the Committee, appointed by the Committee will act as chairperson;”;
- (b) by the substitution for paragraph (b) of subregulation (1) of the following paragraph:
- “(b) an officer, designated by the Chief of the South African National Defence Force;”;
- (c) by the substitution for paragraph (c) of subregulation (1) of the following paragraph:
- “(c) an officer, designated by the National Commissioner of the South African Police Services;”;
- (d) by the substitution for paragraph (e) of subregulation (1) of the following paragraph:
- “(e) an official, designated by the Director-General: Transport;”;
- (e) by the substitution for paragraph (f) of subregulation (1) of the following paragraph:
- “(f) a person designated by the Commissioner, after consultation with the Minister;”;
- (g) by the substitution for paragraph (h) of subregulation (1) of the following paragraph:
- “(h) the Chief Civil Aviation Safety;”;
- (g) by the addition of the following paragraphs to the subregulation (l):
- “(j) an official, designated by the Director-General: National Intelligence;
- (k) the Chairperson of the National Air Transport Facilitation Committee; and
- (l) an official, designated by the Postmaster-General.”; and
- (h) by the insertion after subregulation (1) of the following subregulation:
- “(A) Every person designated, as contemplated under this subregulation, as member of the of the Committee, must, in the opinion of the person designating such a person, have adequate knowledge of civil aviation safety.”;
- (i) by the substitution for subregulation (2) of the following subregulation:
- “(2) The Committee shall meet as often as the Chairperson deems expedient, but not less than four times annually and shall advise, or make recommendations to, the Minister through the Director-General: Transport in accordance with the provisions of these regulations.”;
- (j) by the substitution in subregulation (3) for the words preceding paragraph (a) of the following words:
- “(3) The Committee shall advise, or make recommendations to, the Minister with regard to-”;
- (k) by the addition of the following paragraph to subregulation (3):
- “(e) the effectiveness of safety measures and procedures.”; and.

- (1) **by the substitution for subregulation (5) of the following subregulation:**
- “(5) The Chief Executive Officer shall designate personnel in the Authority to assist the Committee”.**

Amendment of regulation 4 of Regulations

- 3. Regulation 4 of the Regulations is hereby amended—**
- (a) **by the substitution for subregulation (1) of the following:**
- “(1) The Chief Civil Aviation Safety shall draw up a national safety plan, which shall be reviewed regularly, providing for—”.**
- (b) **by the substitution for paragraph (d) of subregulation (1) of the following paragraph:**
- “(d) involvement of airport managements, air carriers and any organisation or body concerned in the application of a national civil aviation safety plan;”;**
- (c) **by the substitution for paragraph (i) of subregulation (1) of the following paragraph:**
- “(i) the integration of safety plans drawn up by airport managements, air carriers and any other bodies concerned in such national safety plan; and”;**
- (d) **by the addition of the following paragraph to the subregulation (1):**
- “(j) the allocation of functions and responsibilities amongst the various Government departments, agencies, airport managements, air carriers and any other bodies concerned in the application of a national safety plan for specific aspects of the safety plan.”.**

Amendment of regulation 5 of Regulations

- 4. Regulation 5 of the Regulations is hereby amended—**
- (a) **by the substitution for subregulation (1) of the following:**
- “(1) The office of a airport safety officer shall be held by—**
- (a) **in the case of a company airport, an authorized person referred to in paragraph (b) of the definition of “authorized person” in section 1 of the Act and shall be designated by the airport management to execute the safety plan for that company airport; and**
- (b) **in the case of an airport other than a company airport, designated as contemplated in section 1 of the Act, a person designated by the airport management with the concurrence of the Chief Civil Aviation Safety to apply the provisions of the safety plan for that airport.**

Amendment of regulation 6 of Regulations

5. Regulation 6 of the Regulations is hereby amended–

by the substitution for paragraph (c) of subregulation (2) of the following paragraph:

“(c) the efficient training and use of personnel with regard to the application of aviation safety measures, in accordance with arrangements made with the Chief Civil Aviation Safety;”.

Amendment of regulation 7 of Regulations

6. Regulation 7 of the Regulations is hereby amended–

by the substitution in paragraph (b) of the regulation for the word “Director” of the words “Chief Civil”.

Amendment of regulation 9 of Regulations

7. Regulation 9 of the Regulations is hereby amended–

by the insertion in paragraph (b) after the word “his” of the words “or her”.
