

NOTICE 786 OF 2007

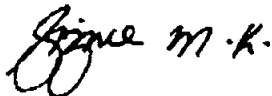
DEPARTMENT OF TRANSPORT

THE 2007/8 – 2011/12 AIRPORTS COMPANY OF SOUTH AFRICA

REGULATING COMMITTEE

PERMISSION TO LEVY AIRPORT CHARGES

It is hereby published for general notice that on 22 June 2007 the Regulating Committee, established by section 11 of the Airports Company Act (Act No. 44 of 1993), issued in terms of section 12 (5) of the said Act to the Airports Company the permission set out in the Schedule.



M.K. Sizwe

Chairperson: Regulating Committee

SCHEDULE**PERMISSION TO LEVY AIRPORT CHARGES FOR 2007/8 – 2011/12**

In this Schedule any word or expression to which a meaning has been assigned in the Aviation Act, 1962 (Act No. 74 of 1962) or the Airports Company Act, 1993 (Act No. 44 of 1993), shall have the meaning so assigned to it, unless the context otherwise indicates.

Subject to the provisions of the Airports Company Act, 1993 (Act No. 44 of 1993), the Airports Company of South Africa (the Company) is hereby authorised to levy airport charges and conduct relevant activities from 1 April 2007 to 31 March 2012 on the following conditions:

1 Limits on airport charges

- (1) The tariff structure will be of the same mathematical format and apply under the same circumstances as immediately before the date of the issuing of this permission.
- (2) In the event of the Company contemplating modifying the structure of airport charges, the Company shall satisfy the Regulating Committee that the resultant charges will have the same material effect as the conditions on airport charges of this permission.
- (3) Notwithstanding subsection (5), the Company shall submit annually to the Committee a report on the implementation of the adjusted tariff structure.

(4)

(a) The Company may during the period of validity of this permission alter the level of airport charges to the maximum limit set by the following formula:

$$RWPTI_t \leq (CPI_t - X_t + CF_t) + K_t$$

Where:

$RWPTI_t$ = the sum of the revenue weighted percentage tariff increases in year t

CPI_t = the CPI forecast at the beginning of period t for the period t

X_t = the subtractive X factor for year t set out in subsection (c)

K_t = the K factor for year t set out in subsection (d)

$$CF_t = (CPI_{t-1} - X_{t-1} + CF_{t-1} - (RWPTI_{t-1} - K_{t-1})) \times (1 + Pr_{t-1})$$

Where

CPI_{t-1} = actual CPI for the year $(t - 1)$

Pr_{t-1} = predominant prime overdraft rate in year $(t - 1)$

$RWPTI_{t-1}$ = the sum of the revenue weighted percentage tariff increases in year $(t - 1)$

The Regulating Committee may, in exceptional circumstances only, implement a further regulatory adjustment to tariffs, where it deems such an adjustment necessary in fulfilling its duties per the Airports Company Act, 1993 (Act No. 44 of 1993).

(b) The CPI as determined by the independent forecast for the Regulating Committee shall be:

- 4.8% in financial year 2007/8
- 4.0% in financial year 2008/9
- 5.7% in financial year 2009/10
- 5.0% in financial year 2010/11
- 4.5% in financial year 2011/12

The Regulating Committee will provide an independently obtained forecast CPI each year by November prior to the period to which the tariff increases relate for use by the Company in calculating the tariff increases for that period.

(c) X shall be:

- 5.0% in financial year 2007/8
- 5.0% in financial year 2008/9
- 7.0% in financial year 2009/10
- 8.0% in financial year 2010/11
- 8.0% in financial year 2011/12

The Committee has included an efficiency component in the X factor of 2% per annum.

In arriving at the X factors for the Permission period, the Committee has taken into consideration the permission application presented by the Company including, *inter alia*, the anticipated traffic volumes, capital expenditure and cost efficiencies as well as the rates of return anticipated.

In estimating a reasonable rate of return for the Company, the Committee has taken into consideration the various economic and market indicators, including bond yields, market risk premiums, the industry risk profile, cost of debt and ideal gearing levels, as well as factors specifically applicable to the Company.

Based on the above, the Committee estimates that a reasonable commercial rate of return for the Company should approximate a 3.1% premium to the risk free rate. This estimate incorporates the risk-reward associated with an anticipated non-aeronautical component of approximately 45% to 50% of total revenue over the permission period.

Clearly, the rate of return is only one of several considerations in applying the price-cap regulation and factors such as actual inflation, capital expenditure, cost efficiencies and traffic volumes would affect the anticipated returns.

(d) K factor

The K factor provides for extraordinary or especially lumpy once-off capital expenditures which are so extensive that they can neither be financed under the terms of the permission in place nor, for strategic reasons, delayed until the next permission. Similarly, where a major capital expenditure programme is significantly curtailed or cancelled, a negative K factor may be required.

At the time of publishing this permission, the K factor is set at nil.

If such circumstances arise during the period of this permission that the Regulating Committee deems it necessary and appropriate, a K factor may be published by the Regulating Committee during the period of this permission.

(e) Correction factor

The performance of the Company for the 2004/5 and 2005/6 financial years has been taken into account in the proposed tariff increases above. No further correction factor in respect of these financial years is deemed to be required.

(f) Base tariffs

The increase determined as set out in section 1 (4) (a) to (e) of this Schedule for the financial year 2007/8 shall be applied to the tariffs set out in Annexure A. As a result of the delay in publication of this Schedule, the Company is permitted to increase its tariffs for the remaining portion of the financial year in excess of the maximum limit set out provided that the revenue weighted percentage tariff increase for the full financial year 2007/8 does not exceed the maximum limit set out above.

(g) Regulatory Asset Base

In arriving at the X factors for the Permission period, the Committee has applied the principles for the valuation and implementation of the Regulatory Asset Base as published by the Committee in November 2006.

- (5) The Company shall furnish the Regulating Committee with such information as may be agreed upon from time to time. In the absence of such agreement any information as may be requested by the Regulating Committee in order to enable the Committee to apply the conditions of this permission.
- (6) Notwithstanding subsection (5), the Company shall submit annually to the Committee a detailed variance analysis report, including key performance indicators, setting out how the main underlying assumptions of the business plan on which this permission is based compare to actual events. In addition, the Company shall furnish an audited certificate setting out the actual revenue weighted percentage tariff increase for the period.
- (7) The Regulating Committee expects the Company to set its total revenues such that it reflects an efficient underlying total cost base and a reasonable profit margin.

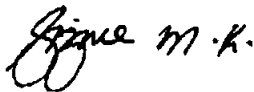
It also encourages the Company to exercise a degree of restraint in implementing its tariff increases where it anticipates that excessive profits will be generated.

The tariff increases implemented should be fairly balanced between the users (i.e. passengers and airlines). The revenue weighted percentage tariff increase applied to passengers may not exceed the revenue weighted percentage tariff increase applied to airlines.

2 Service Standards

- (1) The Company shall maintain the level of service of any relevant activity at the same level or higher as that provided immediately before the date of the issuing of this permission. Provided that the Company may alter a level of service only if –
 - (a) the Company has applied to the Regulating Committee for the approval of such an alteration;
 - (b) the Company has satisfied the Regulating Committee that such an alteration will not materially affect users of any such relevant activity.
- (2) The Company shall be responsible for the monitoring on a regular basis of those relevant activities at Company airports as may be agreed from time to time between the Company and the Regulating Committee. In the absence of such an agreement, the Regulating Committee shall determine those relevant activities at Company airports to be monitored. The Company shall report the results of such monitoring to the Regulating Committee in the format and at such intervals as the Committee may prescribe from time to time.

Signed at Pretoria this 22nd day of June 2007



M.K. Sizwe

Chairperson: Regulating Committee

ANNEXURE A

The tariffs to which the revenue weighted percentage tariff increase for the financial year 2007/8 may be applied are set out below.

AIRPORT CHARGES: LANDING CHARGES

1. The landing charge in respect of an aircraft which lands at a company airport and which has been engaged in a flight where the airport of departure of that aircraft was within the Republic:

Maximum certificated mass in kg of the aircraft up to and including:-	Per single landing VAT Exclusive R
500	22.79
1 000	33.79
1 500	43.20
2 000	52.17
2 500	61.57
3 000	70.97
4 000	99.05
5 000	126.38
6 000	154.00
7 000	182.51
8 000	210.00
9 000	236.29
10 000	265.39
and thereafter, for every additional 2 000 kg or part thereof	40.13

2. The landing charge in respect of an aircraft which lands at a company airport and which has been engaged in a flight where the airport of departure of that aircraft was within Botswana, Lesotho, Namibia or Swaziland:

Maximum certificated mass in kg of the aircraft up to and including:-	Per single landing VAT Exclusive R
500	25.70
1 000	39.82
1 500	56.27
2 000	71.26
2 500	86.55
3 000	102.26
4 000	139.29
5 000	175.91
6 000	212.19
7 000	249.37
8 000	285.51
9 000	321.82
10 000	358.98
and thereafter, for every additional 2 000 kg or part thereof	59.66

3. The landing charge in respect of an aircraft which lands at a company airport and which has been engaged in a flight where the airport of departure of that aircraft was within the State of territory other than those mentioned in paragraph 1 or 2:

Maximum certificated mass in kg of the aircraft up to and including:-	Per single landing VAT Exclusive R
500	28.67
1 000	45.99
1 500	69.21
2 000	90.07
2 500	111.39
3 000	133.27
4 000	179.85
5 000	225.27
6 000	270.23
7 000	315.94
8 000	360.74
9 000	406.60
10 000	452.59
and thereafter, for every additional 2 000 kg or part thereof	79.19

AIRPORT CHARGES: PARKING CHARGES

Maximum certificated mass in kg of the aircraft up to and including:-	Per 24 hours or part thereof VAT Exclusive R
2 000	17.23
3 000	35.43
4 000	50.45
5 000	69.27
10 000	101.99
15 000	134.11
20 000	169.05
25 000	201.79
50 000	266.94
75 000	332.25
100 000	398.35
150 000	501.13
200 000	604.72
300 000	691.38
400 000	870.80
and thereafter, for every additional 100 000 kg or part thereof	134.11

AIRPORT CHARGES: PASSENGER SERVICE CHARGES

	VAT Exclusive R
1. Passenger service charge per embarking passenger where such passengers will disembark from the aircraft at an airport within the Republic	29.19
2. Passenger service charge per embarking passengers where such passengers will disembark from the aircraft at an airport within Botswana, Lesotho, Namibia or Swaziland	61.00
3. Passenger service charge per embarking passenger where such passengers will disembark from the aircraft within any State or territory other than those mentioned in paragraphs 1 and 2	79.85

All definitions and clauses set out in general notice 340 of 2006: Publication of airport charges dated 28 February 2006 will continue to apply.