
GOVERNMENT NOTICE

DEPARTMENT OF TRANSPORT

No. R. 44

28 January 2011

CIVIL AVIATION ACT, 2009 (ACT NO. 13 OF 2009)

The Minister of Transport has under section 155(z)(ii), read with section 74(1)(b), of the Civil Aviation Act, 2009, (Act No. 13 of 2009) made the Civil Aviation Authority Passenger Safety Charge Regulations contained in the Schedule hereunder.

SCHEDULE

"CIVIL AVIATION AUTHORITY PASSENGER SAFETY CHARGE REGULATIONS, 2010"

1. Definitions

In these regulations, unless the context otherwise indicates –

"aerodrome" means an aerodrome as defined in section 1 of the Civil Aviation Act, 2009 (Act No. 13 of 2009), and includes a company airport as defined in section 1 of the Airports Company Act, 1993 (Act No. 44 of 1993);

"aircraft" means an aircraft as defined in section 1 of the Civil Aviation Act, 2009 (Act No. 13 of 2009);

"Civil Aviation Authority Passenger Safety Charge" means a charge as contemplated in section 74(1) (b) of the Civil Aviation Act, 2009 (Act No. 13 of 2009);

"flight" means a flight as defined in regulation 1.00.1 of the Civil Aviation Regulations, 1997;

"operator" in relation to an aircraft means any airline which operates a scheduled domestic or international air 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

"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).

2. Liability to pay a Civil Aviation Authority Passenger Safety Charge

- (1) A Civil Aviation Authority Passenger Safety Charge amounting to R12.00 shall be payable by aircraft passengers departing on an aircraft from an aerodrome within the Republic of South Africa 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 Civil Aviation Authority Passenger Safety Charge shall be included in the price payable in respect of the air ticket concerned.
- (3) Value Added Tax is not payable on the Civil Aviation Authority Passenger Safety Charge.

3. Procedure for payment

- (1) The Civil Aviation Authority Passenger Safety Charge becomes due to the Civil Aviation Authority by an operator on the departure of a flight as contemplated in sub-regulation 2(1).
- (2) The operator shall pay, directly to the Civil Aviation Authority, the Civil Aviation Authority Passenger Safety Charge, collected over a period of a calendar month, within twenty-one (21) days after the last day of the month to which the collected charge relates.
- (3) The payment referred to in sub-regulation 3(2) shall be accompanied by a duly completed return form, as prescribed in Annex A.

4. Data verification procedure

- (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 quarterly: –
 - (a) by the Airports Company Limited of South Africa, 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 Civil Aviation Authority shall, on receipt of the information referred to in sub-regulation (1), verify the accuracy and completeness of data received from the operators involved.

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- (3) Interest at a rate of 2% above prime lending rate per annum, compounded monthly, is payable in respect of the outstanding balance of any Civil Aviation Authority Passenger Safety Charge after the due date.
 - (4) The operators of the relevant airlines will be subjected to a compliance audit as instructed or done by the Civil Aviation Authority at any period determined by the Civil Aviation Authority.

5. Withdrawal of regulations

The Civil Aviation Aircraft Passenger Safety Charge Regulations, 2001 published under Government Notice No. R302 of 30 March 2001, are hereby withdrawn.

6. Short title and commencement

These Regulations are called the Civil Aviation Authority Passenger Safety Charge Regulations, 2010, and shall come into operation on 01 March 2011.

SOUTH AFRICAN
CIVIL AVIATION
AUTHORITY LOGO

ANNEX A**SOUTH AFRICAN CIVIL AVIATION AUTHORITY****Monthly Return for Civil Aviation Authority Passenger Safety Charge**

Operator Code: _____

Operator Name: _____

Method of Payment: Electronic Transfer ☐ Cheque ☐ Bank deposit ☐

Return Period: _____

DEPARTURES

	Passengers	X Rate	Total Payable R
Chargeable scheduled departing passengers		R12	
Non-chargeable scheduled departing passengers		0	
Total number of passengers / payable			

The form must be completed and returned regardless of whether the liability is nil.

This form must be submitted with payment to the Civil Aviation Authority not later than 21 days after the last day of the return period.

Banking details:

South African Civil Aviation Authority
Standard Bank
Account number: 013007971
Branch code: 011245
Compulsory reference code: Operator Code

Contact details of person completing the return:

Name: _____

Tel number: _____