
GENERAL NOTICE

NOTICE 39 OF 2013

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

SOUTH AFRICAN WEATHER SERVICE ACT, 2001 (ACT NO. 8 OF 2001)

PROPOSED REGULATIONS REGARDING FEES FOR THE PROVISION OF AVIATION METEOROLOGICAL SERVICES

I, Bomo Edith Edna Molewa, Minister of Water and Environmental Affairs, hereby give notice of my intention, under section 28(b) read with sections 4(2)(e) and 21(1)(b) of the South African Weather Service Act, 2001 (Act No. 8 of 2001), to make regulations regarding fees for the provision of aviation meteorological services. The proposed regulations are set out in the Schedule hereto.

Members of the public are invited to submit written representations on, or objections to, the proposed regulations within 30 days from the date of publication of this notice in the *Gazette* to the following addresses:

By post to: The Director-General: Environmental Affairs
 Attention: **Ms Babalwa Bokwe**
 South African Weather Service Liaison and Coordination
 Private Bag X447
 Pretoria
 0001

By fax to: 012 320 1167 and email to: Bbokwe@environment.gov.za

Or hand delivered at 315 Pretorius Street, corner Pretorius and Lillian Ngoyi Streets, Fedsure Forum Building, 2nd Floor, North Tower

Representations or objections received after the closing date may not be considered.



BOMO EDITH EDNA MOLEWA
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

SCHEDULE

FEES FOR THE PROVISION OF AVIATION METEOROLOGICAL SERVICES

1. Liability to pay fees for provision of aviation meteorological services

- (1) The Weather Service charges an operator of an aircraft fees for aviation meteorological services as contemplated in Sections 4(2)(e) and 21(1)(b) of the Act, in respect of a flight undertaken within any flight information region established by the Commissioner for Civil Aviation in terms of the Civil Aviation Regulations, 1997, as amended.
- (2) The fees as contemplated in sub regulation (1) are set out in Appendix 1 to these regulations.
- (3) The fees referred to in sub regulation (2) are exclusive of value-added tax and are therefore subject to the appropriate rate as may be applicable to any specific fee.
- (4) The fees as contemplated in sub regulation (1) are payable within 30 days of receipt of an invoice from the Weather Service.

2. Information of flights taking place and payment of fees

In order to calculate in respect of a flight a fee as contemplated in regulation 1(1), the South African Weather Service must use all the relevant information provided by an operator of an aircraft to the Air Traffic and Navigation Services Company of South Africa, which enables that company to calculate an air traffic service charge for the flight.

3. General

- (1) The fees as contemplated in regulation 1(1) are payable in respect of South African and foreign state aircraft, unless other provision has been made by means of a written agreement with the South African Weather Service.
- (2) No fees as contemplated in regulation 1(1) are payable in respect of an aircraft engaged in search and rescue operations and coastal patrol flights of the South African Air Force.

APPENDIX 1

FEES FOR THE PROVISION OF AVIATION METEOROLOGICAL SERVICES

1. Category 1

The fee for the provision of aviation meteorological services in respect of an aircraft with a maximum certificated mass (MCM) of 2000kilograms and above, is calculated according to the following formula:

Fee = $T \times W \times D$

Where T = Tariff amount in ZAR

W = Square root of (MCM in metric tones divided by 50)

D = Distance flown in kilometres within the flight information region of South Africa in kilometre divided by 100

The tariffs for the next three financial years are as follows:

1 April 2013 – 31 March 2014: R36. 72

1 April 2014 – 31 March 2015: R38.75

1 April 2015 – 31 March 2016: R36. 84

Exception rule: Aircraft with a maximum certificated mass(MCM) between 2000 and 4999 kilograms that operate exclusively under Visual Flight Rules (VFR), fall into Category 2 below.

2. Category 2

In respect of an aircraft with a maximum certificated mass (MCM) below 2000 kilograms or those aircraft that qualify according to the exception rule, the tariff is set at zero.
