

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 3147

10 March 2023

THE SOUTH AFRICAN WEATHER SERVICE ACT, 2001
(ACT NO. 8 OF 2001)PROPOSED REGULATIONS REGARDING FEES FOR THE PROVISION OF AVIATION
METEOROLOGICAL SERVICES

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby give notice of my intention to make regulations regarding fees for the provision of aviation meteorological services, under section 28(1)(b) read with sections 4(2)(e) and 21(1)(b) of the South African Weather Service Act, 2001 (Act No. 8 of 2001), as set out in the Schedule hereto.

Members of the public are invited to submit, within 30 (thirty) days of the publication of the notice in the Government Gazette, or in the newspaper, whichever date is the last date, written comments on the draft regulations to the following address:

By post to: The Director-General
Department of Forestry, Fisheries and the Environment
Attention: Ms Enny Tsebe
Private Bag X447
PRETORIA
0001

By hand at: Ground Floor (Reception), Environmental House, 473 Steve Biko Road, Arcadia, Pretoria

By email to: ETsebe@dfre.gov.za

Any enquiries in connection with the draft Notice can be directed to Ms Enny Tsebe at (012) 399 8878 or by email at ETsebe@dfre.gov.za

Comments received after the closing date may not be considered.



BARBARA DALLAS CREECY

MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

REGULATIONS REGARDING FEES FOR THE PROVISION OF AVIATION METEOROLOGICAL SERVICES

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

- (1) The South African Weather Service charges the operator of an aircraft fees for aviation meteorological services contemplated in sections 4(2)(e) and 21(1)(b) of the South African Weather Service Act, 2001 (Act No. 8 of 2001), in respect of a flight undertaken within any flight information region established by the Director for Civil Aviation in terms of the Civil Aviation Act, 2009 (Act No. 13 of 2009).
- (2) The fees 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 contemplated in sub regulation (1) are payable within 30 days of receipt of an invoice from the South African Weather Service.

2. Information of flights taking place and payment of fees

The South African Weather Service uses all the relevant information provided by the operator of an aircraft to the Air Traffic and Navigation Services Company SOC Limited of South Africa, which enables that company to calculate an air traffic service charge for the flight, to calculate the fees as contemplated in regulation 1(1) and (2) for that flight.

3. General

- (1) The fees contemplated in regulation 1(1) and (2) 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 contemplated in regulation 1(1) and (2) are payable in respect of an aircraft engaged in search and rescue operations and coastal patrol flights of the South African Air Force.

4. Repeal of Regulations Regarding Fees for the Provision of Aviation Meteorological Services, 2022

The Regulations Regarding the Provision of Aviation Meteorological Services Regulations, published under Government Notice No. 2275 in Government Gazette No. 47124 of 12 July 2022, are hereby repealed.

5. Short title and commencement

These regulations are called the Regulations Regarding Fees for the Provision of Meteorological Services, 2023, and take effect on the date of publication in the *Gazette*.

APPENDIX 1

1. Category 1

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

$$\text{Fee} = T \times W \times D$$

Where T = Tariff amount in ZAR

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

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

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

| | |
|-------------------------------|--------|
| 1 April 2023 – 31 March 2024: | R56.91 |
| 1 April 2024 – 31 March 2025: | R61.45 |
| 1 April 2025 – 31 March 2026: | R64.81 |

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.