

DEPARTMENT OF TRANSPORT

NO. 7845

21 August 2026

CIVIL AVIATION ACT, 2009 (ACT NO. 13 of 2009)
THIRTY-SIXTH AMENDMENT OF THE CIVIL AVIATION REGULATIONS, 2026

(The English Text is the official text of the Regulations)

I, Barbara Creecy, Minister of Transport, hereby, in terms of section 155(1) of the Civil Aviation Act, 2009 (Act No. 13 of 2009), make the Regulations set out in the Schedule hereunder.



Ms. B.D Creecy, MP
Minister of Transport

Date: 11/08/2026

SCHEDULE

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

THIRTY-SIXTH AMENDMENT OF THE CIVIL AVIATION REGULATIONS, 2026

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing regulations.

_____ Words underlined with a solid line indicate insertions in existing regulations.

Definitions

In this Schedule “the Regulations” means the Civil Aviation Regulations, 2011 published by Government Notice No. R. 425 dated 1 June 2012, as amended.

Amendment of Part 43 of the Regulations

1. Part 43 of the Regulations is hereby amended by —

(a) the substitution for Regulation 43.02.1 of the following regulation:

“43.02.1 (1) [Each aircraft on the South African Civil Aircraft Register shall be maintained according to an approved aircraft maintenance programme as prescribed in regulation.] A South African registered aeroplane with an MCTOW exceeding 5700kg or a helicopter with a MCTOW exceeding 3175kg shall be maintained according to an approved aircraft maintenance programme as provided in Regulation 43.02.8.

(2) An owner of an aircraft shall draw up or have drawn up a maintenance programme for **[his or her]** such owner’s aircraft in accordance with the provisions

of Document SA-CATS 43.

(3) An owner of an aircraft or a responsible AMO shall submit **[the] an** proposed maintenance programme to the Director for approval.

(4) The Director may approve a proposed aircraft maintenance programme **[either as submitted or as amended by him or her in the interest of aviation safety, provided that the proposed maintenance programme]** if it meets the requirements **[of]** as prescribed in Document SA-CATS 43.

(5) An owner of an aircraft may request the Director for a permanent or temporary amendment to **[the]** an approved aircraft maintenance programme.

(6) **[The]** An owner of an aircraft shall ensure that the design and application of **[the]** an aircraft maintenance programme takes into account human factors principles as prescribed in Document SA-CATS 43.”;

(b) the substitution for Regulation 43.02.5 of the following Regulation:

“43.02.5 (1) An aircraft, its components and installed equipment shall be overhauled **[or substituted]** at such times as stipulated in its approved maintenance programme.

(2) A procedure for reinstating the validity of a certificate of airworthiness deemed suspended when an aircraft is involved in an accident or incident that renders one or more Class I products defective is prescribed in Document SA-CATS 43.

(3) Requirements for the overhaul of components and equipment installed on an aircraft and of engines and propellers are prescribed in Document SA-CATS 43.

“(4) Where the Director has approved a time between overhaul that differs from that recommended or specified by a manufacturer, such time between overhaul shall be specified in an aircraft’s approved maintenance programme.

(5) Where applicable, a piston engine operated on condition shall be specified in an aircraft’s condition monitoring program in accordance with the provisions prescribed in Document SA-CATS 43 Appendix 3.

(6) Where a manufacturer has not recommended or specified the overhaul of an item at certain times and the Director considers its overhaul at certain

intervals necessary in the interest of safety, the Director may prescribe a time between overhaul for such item in the aircraft's approved maintenance programme.

(7) Requirements for the substitution of products, components and parts with new or overhauled items shall be as prescribed in Documents SA-CATS 43.”;

Amendment of Part 91 of the Regulations

2. Part 91 is hereby amended by —

(a) the substitution for the List of Regulations of the following List:

“SUBPART 9: MAINTENANCE

- 91.09.1 General
- 91.09.2 **[Aeroplane]** Aircraft maintenance programme
- 91.09.3 Maintenance responsibilities
- 91.09.4 Maintenance records
- 91.09.5 Modifications and repairs
- 91.09.6 Maintenance release
- 91.09.7 Continuing airworthiness information.”;

(b) the substitution for Regulation 91.09.1 of the following Regulation:

“**91.09.1** (1) **[No]** An owner, operator, or pilot of an aircraft shall not operate **[the]** an aircraft unless such **[an]** aircraft is maintained and released to service in accordance with the provisions of Part 43 or **[Part 24]** Part 44, as applicable **[to the aircraft]**.

(2) An owner or operator of an aircraft may assign the responsibility for **[the]** maintenance and release of his or her aircraft to an approved maintenance organisation by means of a written agreement.

(3) Notwithstanding the provisions of subregulation (1), an aeroplane with a MCTOW not exceeding 5700kg or helicopter not exceeding 3175kg and used solely for private operations where the piston engine fitted has reached or

exceeded the time or calendar time between overhaul limitations, shall, as a minimum, be maintained and released to service in accordance with the provisions prescribed in Document SA-CATS 43 Appendix 3.”;

- (c) the substitution for regulation 91.09.2 of the following regulation:

“[Aeroplane] Aircraft Maintenance Program

91.09.2 [Each owner or operator shall ensure that the aeroplane is maintained in accordance with an aeroplane maintenance programme, or and if applicable, in the aircraft's condition monitoring program and as specified in Document SA-CATS 43 or Document SA-CATS 24 , as applicable] An owner or operator of an aircraft shall ensure that an aircraft is maintained in accordance with an approved aircraft maintenance programme and, where applicable conduct inspections as provided in a condition monitoring programme as prescribed in Document SA-CATS 43 or Document SA-CATS 44, as applicable.”.

Amendment of Part 185 of the Regulations

3. Part 185 is hereby amended by —

- (a) the substitution for regulation 185.01.1 of the following regulation:

“185.01.1 (1) [Any] A person who commits an offence under the Act, or contravenes these Regulations, may be subjected to administrative or criminal action in terms of this Part.

(2) The Director shall establish a system for taking enforcement action against **[any] a** person who has infringed or committed an offence in terms of the Act or these Regulations that is impartial and administratively fair.

(3) The Director shall publish, for the use and guidance of authorised officers, inspectors, authorised persons, and enforcement officers, an enforcement procedure

prescribing the manner in which enforcement actions, duties₁ and responsibilities shall be exercised.”;

(b) the substitution for regulation 185.01.2 of the following regulation:

“**185.01.2** A person commits an offence if **[that]** such person—

- (a) hinders or obstructs an authorised officer, inspector₁ or authorised person in the exercise of his or her powers or the performance of his or her duties;
- (b) when called upon by an authorised officer, inspector₁ or authorised person **[to do so]**, refuses or fails to give his or her name, address, aviation licence₁ record₁ or approval or gives false information;
- (c) obstructs or impedes any other person acting in **[the]** exercising or performance of any privileges, powers₁ or duties conferred on such other person by or under the **[regulations]** Regulations;
- (d) makes or causes to be made, either orally or in writing—
 - (i) any fraudulent, misleading₁ or false statement for the purpose of obtaining any licence, rating, certificate, permit, approval, authorisation, exemption₁ or other document in terms of the **[regulations]** Regulations;
 - (ii) any fraudulent, misleading₁ or false entry in any logbook, record₁ or report which is required to be kept, maintained, made₁ or used to show compliance with any provision of the **[regulations]** Regulations; and
 - (iii) any fraudulent, misleading₁ or false statement to a member of the public to the effect that such a person is a holder of a licence, rating, certificate, permit, approval, authorisation, or exemption that entitles such a person to exercise and enjoy the privilege of rendering an air service for commercial gain under such licence, rating, certificate, permit, approval, authorisation, or exemption.
- (e) falsifies, counterfeits, alters, defaces, mutilates, adds₁ or removes anything **[to,]** from any licence, rating, certificate, permit, approval, authorisation, exemption₁ or other document issued in terms of the **[regulations]** Regulations;
- (f) **[does or causes, or permits to be done or caused, any act contrary to, or fails to comply with, any provision of the regulations, or a direction given or a prohibition made or a condition imposed or a rule, order or directive**

made in terms thereof;] does, causes, or permits to be done any act contrary to any provision of these Regulations, or fails to comply with any provision of these Regulations, or with any direction, prohibition, condition, rule, order or directive issued, made or imposed in terms of the Act or these Regulations;

- (g) exercises a privilege granted by, or uses, any licence, rating, certificate, permit, approval, authorisation, exemption, or other document issued under the **[regulations]** Regulations, of which he [,] or she **[or it]** is not **[the]** a holder;
- (h) unless otherwise authorised in the Regulations, permits a licence, rating, certificate, permit, approval, authorisation, exemption, or other document issued under the **[regulations]** Regulations, of which he [,] or she **[or it]** is **[the]** a holder, to be used, or a privilege granted thereby, to be exercised, by any other person;
- (i) **[operates or attempts to operate any an aircraft in respect of which no valid certificate of registration, and certificate of airworthiness, or authority to fly have been issued;] operates or attempts to operate an aircraft which does not have a valid certificate of registration, certificate of airworthiness, or authority to fly;**
- (j) **[commits any act, whether by interference with any flight crew member, ATS personnel member, or AME, by tampering with any aircraft, or any part thereof, or by disorderly conduct or otherwise, which is likely to endanger the safety of any aircraft or its occupants] interferes with a flight crew member, ATS personnel member, or an AME;**
- (k) without the permission of an aerodrome **[or heliport]** operator, enters any place within the boundaries of a licensed aerodrome **[or heliport]** which has been closed to the public;
- (l) gives false information pertaining to the investigation of any aviation accident, **[or]** incident; **[and]**
- (m) fails to comply or contravenes any provision of the Act **[and]** or these Regulations;
- (n) tampers with any aircraft or any part thereof; or

(o) engage in disorderly conduct or any conduct that is likely to endanger the safety of an aircraft or any person on board such aircraft.”;

(c) the substitution in the list of Regulations of the following list of Regulations:
“SUBPART 2: ENFORCEMENT

- 185.02.1 General
- 185.02.2 Notice of **[investigation]** intended enforcement action
- 185.02.3 Penalty notice
- 185.02.4 Service of documents and records
- 185.02.5 Protection of information
- 185.02.6 General provisions regarding penalties.”;

(d) the substitution for Regulation 185.02.1 of the following Regulation:

“**185.02.1** An enforcement officer may take administrative action which may result in the imposition of a **[penalty]** sanction as **[prescribed]** provided in Regulation 185.03.1 where it is established, on a balance of probabilities, that the conduct of a person or entity constitutes an offence **[and that such conduct was grossly negligent or wilful]** in terms of this Part.”;

(e) the substitution for Regulation 185.02.2 of the following Regulation:

“Notice of **[investigation]** intended enforcement action

185.02.2 (1) An enforcement officer shall issue a notice of intended **[investigation]** enforcement action to an alleged offender on the appropriate form which shall—

- (a) specify the nature of **[the]** an alleged offence committed;
- (b) include evidence being relied upon pertaining to **[the]** an alleged offence;
- (c) invite **[the]** an alleged offender to make representations **[either orally or]** in writing on the allegations within 30 days of the issue or service of **[the]** a notice.

(2) Following **[an investigation]** a notice of intended enforcement action, an enforcement officer must inform **[the]** an alleged offender of the outcome **[of such**

investigation,] either by issuing a notice of no further action or by issuing **[the] an** offender with a notice of appropriate **[penalty] sanction** as prescribed in Regulation 185.03.1.”;

(f) the substitution for Regulation 185.02.3 of the following Regulation:

“185.02.3 (1) An enforcement officer shall issue a penalty notice on the appropriate form if he or she is satisfied, **[following an investigation]** based on the outcome of [the] an investigation, evidence and available information that the alleged offender has committed the offence.

(2) A penalty notice shall—

- (a) specify the nature of **[the] an** alleged offence committed;
- (b) include evidence being relied upon pertaining to **[the] an** alleged offence;
- (c) specify **[the]an** administrative penalty payable for **[the] such** offence;
- (d) invite **[the]an** alleged offender to make representations **[either orally or]** in writing on the allegations or pay **[the] a** monetary penalty within 30 days of the issue or service of **[the] a** notice; and
- (e) specify the rights and obligations pertaining to **[the] a** notice.

(3) If an alleged offender pays **[the] an** administrative penalty referred to in **[sub-regulation] subregulation (2).**~~[—]~~

[(a)] any liability of **[the alleged] such** offender specified in **[the] a** notice is considered as discharged. **[; and**

(b) the alleged offender shall not be regarded as having been convicted of an offence] .”;

(g) the substitution for Regulation 185.02.4 of the following Regulation:

“185.02.4 (1) **[Any] A** notice served to an individual in terms of this subpart shall be served—

- (a) by giving it to an individual personally;

- (b) by leaving it at, or by sending it per registered mail to **[the address of]** the place of residence or business of the individual's address last known to the Director or the enforcement officer;
- (c) by giving it, at the place of residence or business of **[the] such** individual **[last known to the Director or enforcement officer]**, to an individual who is, or is reasonably believed to be, above the age of 16 years and apparently an occupant of, or employed at **[the] such** place; **[or]**
- (d) by sending it to the last known email address of **[the] such [individual]** alleged offender; or
- (e) by sending it to an alleged offender's personal social media account through direct messaging.

(2) **[Any]** A notice served to an entity in terms of this **[subpart]** Subpart shall be served—

- (a) by sending it per registered mail to the head office, registered office, principal place of business or other postal address of **[the] such** entity;
- (b) by giving it to an individual who is, or is reasonably believed to be, an officer of, or in the service of **[the] such** entity and above the age of 16 years, at the head office, registered office, principal office, or other place of business of **[the] such** entity; **[or]**
- (c) by sending it to the last known email address of **[the] such** entity or **[a] its** representative of the entity; or
- (d) by sending it to such entity's business social media account through direct messaging.

(3) The Director shall ensure that—

- (a) proper records of all enforcement actions taken in terms of this **[regulation]** Regulation are kept in the premises of the Authority; and
- (b) copies of all notices issued, reports written and decisions taken in respect of any alleged offence and any investigation undertaken in terms of this Part are retained on the individual's or entity's file.”;

(h) the substitution for Regulation 185.02.5 of the following Regulation:

“**185.02.5 [No]** Information obtained under the voluntary reporting system prescribed in Part 140 shall not be used against **[the]** a person reporting such information in any enforcement action taken in terms of this Part.”;

(i) the substitution in the list of Regulations of the following list of Regulations:

“SUBPART 3: **[PENALTIES]** SANCTIONS”

185.03.1 **[Penalties]** Sanctions

185.03.2 Administrative penalty

[Penalties] Sanctions

185.03.1 The following **[penalties]** sanctions may be imposed on an offender following an investigation:

- (a) **[verbal]** counselling letter;
- (b) letter of warning;
- (c) remedial training;
- (d) administrative **[penalties]**penalty; and
- (e) suspension, downgrade, endorsement, revocation, or cancellation.”;

(j) the substitution for Regulation 185.03.2 of the following Regulation:

“**185.03.1(1)** An administrative penalty imposed in accordance with Regulation 185.03.1 shall be commensurate with the severity of **[the]** an offence and shall at least be equal to the amounts prescribed in Table 1 or 2, as applicable.

(2) Where an administrative penalty is issued in a form of a spot fine, such spot fine may be imposed by an enforcement officer immediately upon receipt of an audit or inspection report with a serious regulatory contravention.

(3) A spot fine issued in terms of subregulation (2) shall be issued in line with the amounts provided in Table 1 and Table 2.

(4) If any person fails to pay an administrative penalty imposed on that person in terms of this Part, within the specified period, the Director may, by civil action in a

competent court, recover such administrative penalty from such person as prescribed in section 144 of the Act.

TABLE 1

MAXIMUM ADMINISTRATIVE PENALTIES: NATURAL PERSONS			
REGULATION	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE
185.01.2 (a)	[R5 000] <u>R10 000</u>	[R10 000] <u>R20 000</u>	[R16 000] <u>R32 000</u>
185.01.2(b)	[R5 000] <u>R10 000</u>	[R10 000] <u>R20 000</u>	[R16 000] <u>R32 000</u>
185.01.2(c)	[R5 000] <u>R10 000</u>	[R10 000] <u>R20 000</u>	[R16 000] <u>R32 000</u>
185.01.2(d)	[R10 000] <u>R20 000</u>	[R20 000] <u>R20 000</u>	[R32 000] <u>R64 000</u>
185.01.2(e)	[R10 000] <u>R20 000</u>	[R20 000] <u>R20 000</u>	[R32 000] <u>R64 000</u>
185.01.2(f)	[R10 000] <u>R20 000</u>	[R20 000] <u>R20 000</u>	[R32 000] <u>R64 000</u>
185.01.2(g)	[R10 000] <u>R20 000</u>	[R20 000] <u>R40 000</u>	[R32 000] <u>R64 000</u>
185.01.2(h)	[R10 000] <u>R20 000</u>	[R20 000] <u>R40 000</u>	[R32 000] <u>R64 000</u>
185.01.2(i)	[R10 000] <u>R20 000</u>	[R20 000] <u>R40 000</u>	[R32 000] <u>R64 000</u>
185.01.2(j), (n) and (o)	[R10 000] <u>R20 000</u>	[R20 000] <u>R40 000</u>	[R32 000] <u>R64 000</u>
185.01.2(k)	[R5 000] <u>R10 000</u>	[R10 000] <u>R20 000</u>	[R16 000] <u>R32 000</u>

185.01.2(l)	[R10 000] <u>R20 000</u>	[R20 000] <u>R40 000</u>	[R32 000] <u>R64 000</u>
185.01.2(m)	Discretionary	Discretionary	Discretionary

TABLE 2

MAXIMUM ADMINISTRATIVE PENALTIES: LEGAL PERSONS			
REGULATION	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE
185.01.2 (a)	[R16 000] <u>R32 000</u>	[R32 000] <u>R64 000</u>	[R64 000] <u>R128 000</u>
185.01.2(b)	[R16 000] <u>R32 000</u>	[R32 000] <u>R64 000</u>	[R64 000] <u>R128 000</u>
185.01.2(c)	[R16 000] <u>R32 000</u>	[R32 000] <u>R64 000</u>	[R64 000] <u>R128 000</u>
185.01.2(d)	[R24 000] <u>R48 000</u>	[R48 000] <u>R96 000</u>	[R96 000] <u>R192 000</u>
185.01.2(e)	[R24 000] <u>R48 000</u>	[R48 000] <u>R96 000</u>	[R96 000] <u>R192 000</u>
185.01.2(f)	[R24 000] <u>R48 000</u>	[R48 000] <u>R96 000</u>	[R96 000] <u>R192 000</u>
185.01.2(g)	[R40 000] <u>R80 000</u>	[R80 000] <u>R160 000</u>	[R160 000] <u>R320 000</u>
185.01.2(h)	[R40 000] <u>R80 000</u>	[R80 000] <u>R160 000</u>	[R160 000] <u>R320 000</u>
185.01.2(i)	[R40 000] <u>R80 000</u>	[R80 000] <u>R160 000</u>	[R160 000] <u>R320 000</u>
185.01.2(j),(o) and (n)	[R24 000] <u>R48 000</u>	[R48 000] <u>R96 000</u>	[R96 000] <u>R192 600</u>
185.01.2(k)	[R16 000] <u>R32 000</u>	[R32 000] <u>R64 000</u>	[R64 000] <u>R128 000</u>

185.01.2(l)	[R10 000] <u>R20 000</u>	[R20 000] <u>R40 000</u>	[R32 000] <u>R64 000</u>
185.01.2(m)	Discretionary	Discretionary	Discretionary

(k) the substitution for Regulation 185.04.1 of the following Regulation:

“Suspension, revocation, cancellation, downgrade, or endorsement

185.04.1 (1) An authorised officer, inspector or authorised person may endorse, revoke, suspend, downgrade, or vary a registration, certificate, approval, licence, or authorisation issued under these Regulations, if—

- (a) **[immediate endorsement, revocation, suspension, downgrade, or varying]** such action is necessary in the interests of aviation safety or security;
- (b) an authorised officer, inspector or authorised person is prevented by **[the]** a holder of the registration, certificate, approval, licence, or authorisation from carrying out any safety or security inspection or audit or from performing any of the functions that **[the]**an authorised officer, inspector, or authorised person is permitted to perform in terms of the Act and these Regulations; or
- (c) it is evident that **[the]** a holder of **[the]** a registration, certificate, approval, licence or authorisation does not comply with the relevant requirements **[prescribed in the regulations]** as provided in these Regulations, after such holder has been given at least 14 days within which to comply therewith.

(2) A notice of endorsement, revocation, suspension, downgrade or varying must be given in writing, and must comply with the provisions of section 117 of the Act.

(3) An authorised officer, inspector or authorised person who has endorsed, revoked, suspended, downgraded, or varied a registration, certificate, approval, licence, or authorisation must, after expiry of the 30 days appeal period outlined in Regulation 185.04.2, **[within 7 days]** submit a report in writing to the Director with **[a]** proof that a copy **[thereof]** of such applicable enforcement decision has been submitted to **[the]** a person concerned, stating the reasons why, in his or her opinion, such registration, certificate, approval, or authorisation should be revoked or cancelled.”;

(l) the substitution for Regulation 185.04.2 of the following Regulation:

“185.04.2 (1) A person whose rights have been detrimentally affected by an administrative action taken by an inspector, authorised officer, authorised person, or enforcement officer in terms of the Act or this Part, may, after payment of the fee prescribed in Part 187, appeal against such a decision.

(2) An appeal in terms of **[sub-regulation]** subregulation (1) must be lodged with the Director within 30 days after the furnishing of reasons for **[the]** a decision.

(3) The Director must within three days of receiving such appeal in writing confirm, amend, or withdraw **[the]** a decision.

(4) The Director must within 14 days furnish written reasons to **[the]** an appellant for any decision taken in terms of **[sub-regulation]** subregulation (3).

(5) **[Any]** A person aggrieved by a decision taken in terms of **[sub-regulation]** subregulation (3) may appeal against such decision within five days of receipt of the reasons referred to in **[sub-regulation]** subregulation (3) to an appeal committee contemplated under section 122 of the Act.

(6) In adjudicating **[the]** an appeal contemplated in **[sub-regulation]** subregulation (3) the Director may afford **[the]** an appellant—

- (a) a reasonable opportunity to make written representations;
- (b) the opportunity to present and dispute information and arguments; and
- (c) the opportunity to appear in person.

(7) The Director may, on good cause shown condone any non-compliance with the time period contemplated in **[sub-regulation]** subregulation (2).

(8) (a) If the Director sets aside any decision of an authorised officer, authorised person, inspector, or enforcement officer, **[the]** a fee referred to in **[sub-regulation]** subregulation (1) must be refunded to **[the]** an appellant.

(b) If the Director varies any such decision, **[he or she]** the Director may direct that the whole or any part of such fees be refunded to **[the]** an appellant.

(9) An appeal lodged in terms of this section does not suspend **[the]** a decision of **[the]** an authorised officer, authorised person, inspector, or enforcement officer.

(10) A person whose licence, rating, certificate, or approval is cancelled or revoked by the Director shall comply with the requirements for initial issuance of such licence, rating, certificate, or approval.

(11) An application for the initial issuance of a revoked or cancelled licence, rating, certificate, or approval in terms of subregulation (10), shall not be made within a period of 60 months calculated from the date of cancellation or revocation of such licence, rating, certificate, or approval.”;

(m) the deletion of Regulation 185.04.3.”;

(n) the substitution for Regulation 185.04.4 of the following regulation:

“**185.04.4** (1) **[Any]** A person aggrieved by a decision taken by the Director referred to in [sub-regulations] subregulation (2) (a) to (e) of this Regulation, may lodge an appeal with the appeal committee established in terms of section 122 of the Act, against such decision within 30 days after receipt of the reasons for **[the]** a decision.

(2) **[Any]** A person or entity, as the case may be, may appeal against—

(a) a decision or decisions taken in terms of sections 98 (5) and 118 (3) of the Act;

(b) a decision by the Director to—

(i) refuse such person’s application for exemption, registration, licence, certificate, approval, or authorisation, or to designate **[one or more Persons]** a person as **[inspectors]** inspector, authorised **[officers]** officer or **[persons]** person in terms of the Act;

(ii) issue, subject to any condition or restriction, such person’s exemption, registration, licence, certificate, approval, or authorisation in terms of the Act; or

(iii) suspend, revoke, cancel, endorse, or vary such person’s exemption, registration, licence, certificate, approval, or authorisation in terms of the Act;

(c) a decision taken in regard to **[the]** designation or withdrawal of a designation as **[inspectors]** inspector, **[authorised officers]** authorised officer or **[authorised persons]** authorised persons contemplated in section 88 (1) of the Act;

- (d) a decision refusing to lift the grounding order as contemplated in section 115 (2) of the Act;
- (e) **[any]** a decision taken in terms of section 130 of the Act; or
- (f) the issuance, amendment or withdrawal of technical standards for civil aviation in terms of section 163 of the Act .”.

Short Title and Commencement

These Regulations are called the Thirty-Sixth Amendment of Civil Aviation Regulations, 2026 and shall come into operation upon Publication in the Government Gazette.

DEPARTEMENT VAN VERVOER

NO. 7845

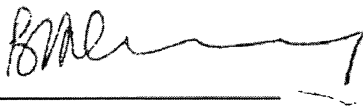
21 Augustus 2026

WET OP BURGERLUGVAART, 2009 (WET NO. 13 VAN 2009)

SES-EN-DERTIGSTE WYSIGING VAN DIE BURGERLUGVAARTREGULASIES,
2026

(Die Engelse teks is die amptelike teks van die Regulasies)

Ek, Barbara Creecy, Minister van Vervoer, maak hierby, ingevolge artikel 155(1) van die Wet op Burgerlugvaart, 2009 (Wet No. 13 van 2009), die Regulasies in die Bylae hierby bekend.



Mev. B.D. Creecy, MP

Minister van Vervoer

Datum: 11/08/2026

SKEDULE**WET OP BURGERLUGVAART, 2009 (WET NO. 13 VAN 2009)****SES-EN-DERTIGSTE WYSIGING VAN DIE BURGERLUGVAARTREGULASIES,
2026****ALGEMENE VERDUIDELIKENDE AANTEKENING:**

[] Woorde in vetdruk tussen vierkantige hakies dui skrappings uit bestaande regulasies aan.

_____ Woorde wat met 'n volstreep onderstreep word, dui invoegings in bestaande regulasies aan.

Definisies

In hierdie Bylae beteken “die Regulasies” die Burgerlugvaartregulasies, 2011, gepubliseer onder Goewermenskennisgewing No. R.425 van 1 Junie 2012, soos van tyd tot tyd gewysig.

Wysiging van Deel 43 van die Regulasies

1. Deel 43 van die Regulasies word hierby gewysig deur—

(a) die vervanging van Regulasie 43.02.1 met die volgende regulasie:

“43.02.1 (1) [Elke lugvaartuig op die Suid-Afrikaanse Burgerlugvaartuig register moet in stand gehou word volgens 'n goedgekeurde lugvaartuigonderhoudsprogram soos voorgeskryf in regulasie.] 'n Suid-Afrikaans geregistreerde vliegtuig met 'n MCTOW van meer as 5700 kg of 'n helikopter met 'n MCTOW van meer as 3175 kg moet in stand gehou word ooreenkomstig 'n goedgekeurde lugvaartuigonderhoudsprogram soos voorgeskryf in Regulasie 43.02.8.

- (2) 'n Eienaar van 'n lugvaartuig moet 'n lugvaartuigonderhoudsprogram vir die vliegtuig opstel of laat opstel ooreenkomstig die bepalings van Dokument SA-CATS 43.
- (3) 'n Eienaar van 'n lugvaartuig of 'n verantwoordelike goedgekeurde lugvaartonderhoudsorganisasie (AMO) moet 'n voorgestelde lugvaartuigonderhoudsprogram aan die Direkteur voorlê vir goedkeuring.
- (4) Die Direkteur kan 'n voorgestelde lugvaartuigonderhoudsprogram goedkeur indien dit aan die vereistes van Dokument SA-CATS 43 voldoen.
- (5) 'n Eienaar van 'n lugvaartuig kan die Direkteur versoek om 'n permanente of tydelike wysiging van 'n goedgekeurde lugvaartuigonderhoudsprogram.
- (6) **[Die]** 'n Eienaar van 'n lugvaartuig moet verseker dat die ontwerp en toepassing van **[die]** 'n lugvaartuigonderhoudsprogram rekening hou met die beginsels van menslike faktore soos voorgeskryf in Dokument SA-CATS 43."

- (b) die vervanging van regulasie 43.02.5 deur die volgende regulasie:

"43.02.5 (1) 'n Lugvaartuig, sy komponente en geïnstalleerde toerusting moet op die tydstip of met die tussenposes wat voorgeskryf word in sy goedgekeurde onderhoudsprogram, opgeknip **[of vervang]** word.

(2) 'n Prosedure vir die herstel van die geldigheid van 'n lugwaardigheidsertifikaat wat as opgeskort beskou word wanneer 'n lugvaartuig betrokke is by 'n ongeluk of voorval wat een of meer Klas I-produkte gebrekkig maak, word voorgeskryf in Dokument SA-CATS 43.

(3) Vereistes vir die opknapping van komponente en toerusting wat op 'n lugvaartuig geïnstalleer is en van enjins en skroewe word voorgeskryf in Dokument SA-CATS 43.

"(4) Indien die Direkteur 'n tydperk tussen opknappings goedgekeur het wat verskil van die tyd wat deur 'n vervaardiger aanbeveel of gespesifiseer word, moet sodanige tydperk tussen opknappings in 'n lugvaartuig se goedgekeurde onderhoudsprogram gespesifiseer word.

(5) Indien van toepassing, moet 'n suierenjin wat onder toestandmonitering bedryf word, gespesifiseer word in 'n lugvaartuig se toestandmoniteringsprogram ooreenkomstig die bepalings voorgeskryf in Dokument SA-CATS 43 Aangangsel 3.

(6) Indien 'n vervaardiger nie die opknapping van 'n item op sekere tye aanbeveel of gespesifiseer het nie en die Direkteur die opknapping daarvan met sekere tussenposes in belang van veiligheid nodig ag, kan die Direkteur 'n tydperk tussen opknappings voorskryf vir sodanige item in die lugvaartuig se goedgekeurde onderhoudsprogram.

(7) Vereistes vir die vervanging van produkte, komponente en onderdele met nuwe of opgeknapte items sal wees soos voorgeskryf in Dokument SA-CATS 43."

Wysiging van Deel 91 van die Regulasies

2. Deel 91 word hierby gewysig deur—

(a) die vervanging van die Lys van Regulasies deur die volgende Lys:

"ONDERDEEL 9: ONDERHOUD

- 91.09.1 Algemeen
- 91.09.2 **[Vliegtuig]** Lugvaartuigonderhoudsprogram
- 91.09.3 Onderhoudsverantwoordelikhede
- 91.09.4 Onderhoudsrekords
- 91.09.5 Wysigings en herstelwerk
- 91.09.6 Onderhoudsvrystelling
- 91.09.7 Inligting oor voortgesette lugwaardigheid";

(b) die vervanging van Regulasie 91.09.1 deur die volgende Regulasie:

"91.09.1 (1) [Geen] 'n Eienaar, operateur of vlieënier van 'n lugvaartuig mag nie 'n lugvaartuig bedryf tensy so 'n vliegtuig in stand gehou is en vir diens vrygestel is ooreenkomstig die bepalings van Deel 43 of **[Deel 24]** Deel 44, soos van toepassing **[op die lugvaartuig]** nie.

(2) 'n Eienaar of operateur van 'n lugvaartuig mag die verantwoordelikheid vir **[die]** instandhouding en vrystelling van sy of haar vliegtuig deur middel van 'n skriftelike ooreenkoms aan 'n goedgekeurde lugvaartonderhoudsorganisasie (AMO) oordra.

(3) Ondanks die bepalinge van subregulasie (1), 'n vliegtuig met 'n gesertifiseerde maksimum opstygmasse (MCTOW) van hoogstens 5700 kg of 'n helikopter van hoogstens 3175 kg en wat uitsluitlik vir privaat operasies gebruik word waar die aangebringde suierenjin die voorgeskrewe tyd- of kalenderperk tussen opknappings bereik of oorskry het, moet, as 'n minimum, gehandhaaf en vrygestel word vir diens ooreenkomstig die bepalinge voorgeskryf in Dokument SA-CATS 43 Aanhangsel 3.”;

(c) die vervanging van regulasie 91.09.2 met die volgende regulasie:

[Vliegtuig] Lugvaartuigonderhoudsprogram

“91.09.2 [Elke eienaar of operateur moet verseker dat die vliegtuig in stand gehou word ooreenkomstig 'n lugvaartuigonderhoudsprogram, of en indien van toepassing, in die lugvaartuig se toestandmoniteringsprogram en soos gespesifiseer in Dokument SA-CATS 43 of Dokument SA-CATS 24, soos van toepassing] 'n Eienaar of operateur van 'n vliegtuig moet verseker dat 'n lugvaartuig in stand gehou word ooreenkomstig 'n goedgekeurde lugvaartuigonderhoudsprogram en, waar van toepassing, inspeksies uitvoer ooreenkomstig 'n toestandmoniteringsprogram soos voorgeskryf in Dokument SA-CATS 43 of Dokument SA-CATS 44, soos van toepassing.

Wysiging van Deel 185 van die Regulasies

3. Deel 185 word hierby gewysig deur—

(a) die vervanging van regulasie 185.01.1 met die volgende regulasie:

“185.01.1 (1) [Enige] 'n Persoon wat 'n oortreding ingevolge die Wet pleeg, of hierdie Regulasies oortree, kan aan administratiewe of strafregtelike verrigtinge onderwerp word ingevolge hierdie Deel.

kommersiële gewin te verrig kragtens sodanige lisensie, gradering, sertifikaat, permit, goedkeuring, magtiging of vrystelling.

- (e) vervals, namaak, verander, ontsier, skend, voeg by of verwyder enigiets **[aan]** enige lisensie, gradering, sertifikaat, permit, goedkeuring, magtiging, vrystelling of ander dokument wat ingevolge die **[regulasies]** Regulasies uitgereik is;
- (f) **[verrig of veroorsaak, of laat toe dat enige handeling gedoen of veroorsaak word, strydig met, of versuim om te voldoen aan, enige bepaling van die regulasies, of 'n opdrag gegee of 'n verbod gemaak of 'n voorwaarde opgelê of 'n reël, bevel of opdrag gemaak ingevolge daarvan];** enige handeling strydig met enige bepaling van hierdie Regulasies verrig, veroorsaak of toelaat dat dit verrig word, of versuim om te voldoen aan enige bepaling van hierdie Regulasies, of aan enige aanwysing, verbod, voorwaarde, reël, bevel of riglyn uitgereik, gemaak of opgelê ingevolge die Wet of hierdie Regulasies;
- (g) 'n voorreg uitoefen wat toegestaan word deur, of gebruik maak van, enige lisensie, gradering, sertifikaat, permit, goedkeuring, magtiging, vrystelling of ander dokument uitgereik kragtens die **[regulasies]** Regulasies, waarvan hy **[,]** of sy **[of dit]** nie **[die]** houer is nie;
- (h) tensy anders gemagtig in die Regulasies, toelaat dat 'n lisensie, gradering, sertifikaat, permit, goedkeuring, magtiging, vrystelling of ander dokument uitgereik kragtens die **[regulasies]** Regulasies, waarvan hy **[,]** of sy **[of dit]** **[die]** houer is, aangewend word, of 'n voorreg wat daardeur verleen word, uitgeoefen word, deur enige ander persoon;
- (i) **[bedryf of poog om enige lugvaartuig te bedryf ten opsigte waarvan geen geldige registrasiesertifikaat en lugwaardigheidsertifikaat of vliegmagtiging uitgereik is nie];** 'n lugvaartuig bedryf of probeer bedryf wat nie 'n geldige registrasiesertifikaat, lugwaardigheidsertifikaat of vliegmagtiging het nie;
- (j) **[pleeg enige daad, hetsy deur inmenging met enige vlugbemanningslid, lugverkeerdienpersoneellid of vliegondersoeker, deur te peuter met**

enige lugvaartuig of enige deel daarvan, of deur wanordelike gedrag of andersins, wat waarskynlik die veiligheid van enige lugvaartuig of sy insittendes in gevaar sal stel] 'n vlugbemanningslid, vlugverkeerdienspersoneellid of 'n vliegondersteuner belemmer;

- (k) sonder die toestemming van 'n vliegveld-[**of helihawe**]-operator, enige plek binne die grense van 'n gelisensieerde vliegveld [**of helihawe**] betree wat vir die publiek gesluit is;
- (l) gee valse inligting met betrekking tot die ondersoek na enige lugvaartongeluk, [**of**] voorval; [**en**]
- (m) versuim om te voldoen aan of oortree enige bepaling van die Wet [**en**] of hierdie Regulasies;
- (n) peuter met enige lugvaartuig of enige deel daarvan; of
- (o) deelneem aan wanordelike gedrag of enige gedrag wat waarskynlik die veiligheid van die lugvaart bedryf of enige persoon aan boord van sodanige lugvaartuig in gevaar sal stel";

- (c) die vervanging in die lys van Regulasies met die volgende lys van Regulasies:
"SUBDEELD 2: AFDWINGING

185.02.1	Algemeen
185.02.2	Kennisgewing van [ondersoek] beoogde handhawingsaksie
185.02.3	Boetekennisgewing
185.02.4	Betekening van dokumente en rekords
185.02.5	Beskerming van inligting
185.02.6	Algemene bepalings rakende strawwe"

- (d) die vervanging van Regulasie 185.02.1 deur die volgende Regulasie:

"**185.02.1** 'n Handhawingsbeampte kan administratiewe handhawingsmaatreëls tref wat kan lei tot die oplegging van 'n [**straf**] sanksie soos [**voorgeskryf**] bepaal in Regulasie 185.03.1 waar dit, op 'n oorwig van waarskynlikhede, vasgestel word dat

die gedrag van 'n persoon of entiteit 'n oortreding uitmaak **[en dat sodanige gedrag grof nalatig of opsetlik was]** ingevolge hierdie Deel.”

(e) die vervanging van Regulasie 185.02.2 deur die volgende Regulasie:

"Kennisgewing van [ondersoek] beoogde handhawingsaksie

185.02.2 (1) 'n Handhawingsbeampte moet 'n kennisgewing van beoogde **[ondersoek]** handhawingsaksie aan 'n beweerde oortreder uitreik op die toepaslike vorm, wat—

- (a) die aard van **[die]** 'n beweerde oortreding wat gepleeg is, spesifiseer;
- (b) getuienis insluit waarop gesteun word met betrekking tot **[die]** 'n beweerde oortreding;
- (c) **[die]** beweerde oortreder nooi om binne 30 dae na die uitreiking of betekening van **[die]** kennisgewing **[mondeling of]** skriftelik verhoër oor die bewerings te rig.

(2) Na aanleiding van 'n kennisgewing van beoogde handhawingsaksie **[van 'n ondersoek]**, moet 'n handhawingsbeampte **[die]** beweerde oortreder in kennis stel van die uitslag **[van sodanige ondersoek]**, óf deur 'n kennisgewing dat geen verdere handhawingsoptrede geneem sal word nie uit te reik óf deur 'n kennisgewing van gepaste **[straf]** sanksie aan **[die]** oortreder uit te reik soos voorgeskryf in Regulasie 185.03.1.”

(f) die vervanging van Regulasie 185.02.3 deur die volgende Regulasie:

"185.02.3 (1) 'n Handhawingsbeampte moet 'n boetekennisgewing op die toepaslike vorm uitreik indien hy of sy tevrede is, **[na 'n ondersoek]** op grond van die bevindinge van **[die]** ondersoek, bewyse en beskikbare inligting dat die beweerde oortreder die oortreding gepleeg het.

(2) 'n Boetekennisgewing moet—

- (a) die aard spesifiseer van **[die]** 'n beweerde oortreding wat gepleeg is;
- (b) getuienis insluit waarop gesteun word met betrekking tot **[die]** 'n beweerde oortreding;

- (c) 'n administratiewe boete spesifiseer wat vir sodanige oortreding betaalbaar is;
- (d) die beweerde oortreder nooi om mondelinge of skriftelike vertoë oor die bewerings te rig of 'n administratiewe boete te betaal binne 30 dae na **[die]** uitreiking of betekening van 'n kennisgewing; en
- (e) die regte en verpligtinge met betrekking tot **[die]** 'n kennisgewing spesifiseer.

(3) Indien 'n beweerde oortreder **[die]** administratiewe boete waarna in [subregulasie] subregulasie (2) verwys word, betaal, **[—]**

[(a)]enige aanspreeklikheid van [die beweerde] sodanige oortreder wat in [die] kennisgewing gespesifiseer word, word as kwytskeld beskou. [; en (b) die beweerde oortreder word nie as skuldig aan 'n misdryf geag nie aan 'n misdryf nie]";

(g) die vervanging van Regulasie 185.02.4 deur die volgende Regulasie:

"185.02.4 (1) [Enige] 'n Kennisgewing wat aan 'n individu ingevolge hierdie subdeel beteken word, moet beteken word—

- (a) deur dit persoonlik aan 'n individu te gee;
- (b) deur dit af te lewer by, of deur dit per geregistreerde pos te stuur na **[die adres van]** die individu se laaste bekende woon- of besigheidsadres aan die Direkteur of die handhawingsbeampte;
- (c) deur dit te gee, by die woonplek of besigheidsplek van **[die] sodanige** individu **[laas bekend aan die Direkteur of handhawingsbeampte]**, aan 'n individu wat ouer as 16 jaar is, of redelikerwys vermoed word te wees, en blykbaar 'n bewoner van, of in diens van **[die] sodanige** plek is; **[of]**
- (d) deur dit te stuur na die laaste bekende e-posadres van **[die] sodanige [individuele]** beweerde oortreder; of
- (e) deur dit deur middel van direkte elektroniese boodskappe na 'n beweerde oortreder se persoonlike sosialemediarekening te stuur.

(2) **[Enige]** 'n Kennisgewing wat aan 'n entiteit ingevolge hierdie **[subdeel] Subdeel** beteken word, moet beteken word—

- (a) deur dit per geregistreerde pos te stuur na die hoofkantoor, geregistreerde kantoor, hoofplek van besigheid of ander posadres van **[die]** sodanige entiteit;
- (b) deur dit te gee aan 'n individu wat 'n beampte van, of in diens van **[die]** sodanige entiteit is, of redelikerwys vermoed word te wees, en ouer as 16 jaar is, by die hoofkantoor, geregistreerde kantoor, hoofkantoor of ander plek van besigheid van **[die]** sodanige entiteit; **[of]**
- (c) deur dit te stuur na die laaste bekende e-posadres van **[die]** sodanige entiteit of **[’n]** sy verteenwoordiger van die entiteit; of
- (d) deur dit na sodanige entiteit se besigheid se sosialemediarekening deur middel van direkte elektroniese boodskappe te stuur.

(3) Die Direkteur moet verseker dat—

- (a) behoorlike rekords van alle handhawingsaksies wat ingevolge hierdie **[regulasie]** Regulasie geneem word, moet op die perseel van die Owerheid gehou; en
- (b) afskrifte van alle uitgereikte kennisgewings, geskrewe verslae en besluite wat geneem is met betrekking tot enige beweerde oortreding en enige ondersoek wat ingevolge hierdie Deel onderneem word, word op die individu of entiteit se lêer bewaar.”

(h) die vervanging van Regulasie 185.02.5 deur die volgende Regulasie:

“**185.02.5 [Geen]** Inligting wat verkry is kragtens die vrywillige verslagdoeningstelsel voorgeskryf in Deel 140, mag nie teen **[die]** ‘n persoon wat sodanige inligting rapporteer, gebruik word in enige handhawingsaksie wat ingevolge hierdie Deel geneem word nie.”

(i) die vervanging in die lys van Regulasies met die volgende lys van Regulasies:

“ONDERDEEL 3: **[STRAFMAATREËLS]** SANKSIES

185.03.1 **[Straf]** Sanksies

185.03.2 Administratiewe boete”;

[Strafmaatreëls] Sanksies

185.03.1 Die volgende **[straf]** sanksies kan na 'n ondersoek aan 'n oortreder opgelê word:

- (a) **[verbaal]** beradingsbrief;
- (b) waarskuwingsbrief;
- (c) remediërende opleiding;
- (d) administratiewe **[straf]** boete; en
- (e) skorsing, afgradering, endossement, herroeping of kansellasië.”

(j) die vervanging van Regulasie 185.03.2 deur die volgende Regulasie:

“**185.03.1** “(1) 'n Administratiewe boete wat ingevolge regulasie 185.03.1 opgelê word, moet in verhouding staan tot die erns van die oortreding en mag nie minder wees as die toepaslike bedrag wat in Tabel 1 of Tabel 2 voorgeskryf word nie.

(2) Indien 'n administratiewe boete in die vorm van 'n onmiddellike administratiewe boete uitgereik word, kan sodanige onmiddellike administratiewe boete deur 'n handhawingsbeampte opgelê word onmiddellik na ontvangs van 'n audit- of inspeksieverslag met 'n ernstige regulatoriese nie-nakoming.

(3) 'n Boete wat ingevolge subregulasie (2) uitgereik word, word uitgereik ooreenkomstig die bedrae wat in Tabel 1 en Tabel 2 verskaf word.

(4) Indien enige persoon versuim om 'n administratiewe boete wat ingevolge hierdie Deel aan sodanige persoon opgelê is, binne die gespesifiseerde tydperk te betaal, kan die Direkteur, deur middel van siviele verrigtinge in 'n bevoegde hof, sodanige administratiewe boete van sodanige persoon verhaal soos voorgeskryf in artikel 144 van die Wet.

TABEL 1

MAKSIMUM BEDRAE VAN ADMINISTRATIEWE BOETES: NATUURLIKE PERSONE			
REGULASIE	EERSTE OORTREDING	TWEEDE OORTREDING	DERDE OORTREDING

185.01.2(a)	[R5 000] <u>R10 000</u>	[R10 000] <u>R20 000</u>	[R16 000] <u>R32 000</u>
185.01.2(b)	[R5 000] <u>R10 000</u>	[R10 000] <u>R20 000</u>	[R16 000] <u>R32 000</u>
185.01.2(c)	[R5 000] <u>R10 000</u>	[R10 000] <u>R20 000</u>	[R16 000] <u>R32 000</u>
185.01.2(d)	[R10 000] <u>R20 000</u>	[R20 000] <u>R20 000</u>	[R32 000] <u>R64 000</u>
185.01.2(e)	[R10 000] <u>R20 000</u>	[R20 000] <u>R20 000</u>	[R32 000] <u>R64 000</u>
185.01.2(f)	[R10 000] <u>R20 000</u>	[R20 000] <u>R20 000</u>	[R32 000] <u>R64 000</u>
185.01.2(g)	[R10 000] <u>R20 000</u>	[R20 000] <u>R40 000</u>	[R32 000] <u>R64 000</u>
185.01.2(h)	[R10 000] <u>R20 000</u>	[R20 000] <u>R40 000</u>	[R32 000] <u>R64 000</u>
185.01.2(i)	[R10 000] <u>R20 000</u>	[R20 000] <u>R40 000</u>	[R32 000] <u>R64 000</u>
185.01.2(j), (n) en (o)	[R10 000] <u>R20 000</u>	[R20 000] <u>R40 000</u>	[R32 000] <u>R64 000</u>
185.01.2(k)	[R5 000] <u>R10 000</u>	[R10 000] <u>R20 000</u>	[R16 000] <u>R32 000</u>
185.01.2(l)	[R10 000] <u>R20 000</u>	[R20 000] <u>R40 000</u>	[R32 000] <u>R64 000</u>
185.01.2(m)	Diskresionêr	Diskresionêr	Diskresionêr

TABEL 2

MAKSIMUM BEDRAE VAN ADMINISTRATIEWE BOETES: REGSPERSONE
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REGULASIE	1STE OORTREDING	2DE OORTREDING	3DE OORTREDING
185.01.2(a)	[R16 000] <u>R32 000</u>	[R32 000] <u>R64 000</u>	[R64 000] <u>R128 000</u>
185.01.2(b)	[R16 000] <u>R32 000</u>	[R32 000] <u>R64 000</u>	[R64 000] <u>R128 000</u>
185.01.2(c)	[R16 000] <u>R32 000</u>	[R32 000] <u>R64 000</u>	[R64 000] <u>R128 000</u>
185.01.2(d)	[R24 000] <u>R48 000</u>	[R48 000] <u>R96 000</u>	[R96 000] <u>R192 000</u>
185.01.2(e)	[R24 000] <u>R48 000</u>	[R48 000] <u>R96 000</u>	[R96 000] <u>R192 000</u>
185.01.2(f)	[R24 000] <u>R48 000</u>	[R48 000] <u>R96 000</u>	[R96 000] <u>R192 000</u>
185.01.2(g)	[R40 000] <u>R80 000</u>	[R80 000] <u>R160 000</u>	[R160 000] <u>R320 000</u>
185.01.2(h)	[R40 000] <u>R80 000</u>	[R80 000] <u>R160 000</u>	[R160 000] <u>R320 000</u>
185.01.2(i)	[R40 000] <u>R80 000</u>	[R80 000] <u>R160 000</u>	[R160 000] <u>R320 000</u>
185.01.2(j), (n) en (o)	[R24 000] <u>R48 000</u>	[R48 000] <u>R96 000</u>	[R96 000] <u>R192 600</u>
185.01.2(k)	[R16 000] <u>R32 000</u>	[R32 000] <u>R64 000</u>	[R64 000] <u>R128 000</u>
185.01.2(l)	[R10 000] <u>R20 000</u>	[R20 000] <u>R40 000</u>	[R32 000] <u>R64 000</u>
185.01.2(m)	Diskresionêr	Diskresionêr	Diskresionêr

(k) die vervanging van Regulasie 185.04.1 deur die volgende Regulasie:

"Skorsing, herroeping, kansellasië, afgradering of endossement"

185.04.1 (1) 'n Gemagtigde beampte, inspekteur of gemagtigde persoon kan 'n registrasie, sertifikaat, goedkeuring, lisensie of magtiging wat ingevolge hierdie Regulasies uitgereik is, endosseer, herroep, opskort, afgradeer of wysig, indien—

(a) **[onmiddellike endossement, herroeping, opskorting, afgradering of wysiging]** sodanige optrede noodsaaklik is in die belang van lugvaartveiligheid of -sekuriteit;

(b) 'n Gemagtigde beampte, inspekteur of gemagtigde persoon word deur 'n houer van die registrasie, sertifikaat, goedkeuring, lisensie of magtiging verhinder om enige veiligheids- of sekuriteitsinspeksie of oudit uit te voer of om enige van die funksies te verrig wat 'n gemagtigde beampte, inspekteur of gemagtigde persoon ingevolge die Wet en hierdie Regulasies mag verrig; of

(c) dit blyk dat **[die]** 'n houer van **[die]** 'n registrasie, sertifikaat, goedkeuring, lisensie of magtiging nie voldoen aan die toepaslike vereistes **[voorgeskryf in die regulasies]** soos voorgeskryf in hierdie Regulasies nie, nadat sodanige houer minstens 14 dae gegun is om daaraan te voldoen.

(2) 'n Kennisgewing van endossement, herroeping, skorsing, afgradering of wysiging moet skriftelik gegee word en moet voldoen aan die bepalings van artikel 117 van die Wet.

(3) 'n Gemagtigde beampte, inspekteur of gemagtigde persoon wat 'n registrasie, sertifikaat, goedkeuring, lisensie of magtiging onderskryf, herroep, opgeskort, afgegradeer of gewysig het, moet, na verstryking van die 30-dae appèlperiode uiteengesit in Regulasie 185.04.2, **[binne 7 dae]** 'n skriftelike verslag aan die Direkteur voorlê met **[n]** bewys van betekening van 'n afskrif **[daarvan]** van sodanige toepaslike handhawingsbesluit aan **[die]** betrokke persoon beteken is, met vermelding van die redes waarom hy of sy van mening is dat, sodanige registrasie, sertifikaat, goedkeuring of magtiging herroep of gekanselleer moet word.”

(l) die vervanging van Regulasie 185.04.2 deur die volgende Regulasie:

185.04.2 (1) 'n Persoon wie se regte nadelig beïnvloed is deur 'n administratiewe optrede wat deur 'n inspekteur, gemagtigde beampte, gemagtigde persoon of handhawingsbeampte ingevolge die Wet of hierdie Deel geneem is, kan, na betaling van die fooi voorgeskryf in Deel 187, teen so 'n besluit appèl aanteken.

(2) 'n Appèl ingevolge **[subregulasie]** subregulasie (1) moet binne 30 dae na die verstrekking van redes vir **[die]** besluit by die Direkteur ingedien word.

(3) Die Direkteur moet binne drie dae na ontvangs van sodanige appèl skriftelik 'n besluit bevestig, wysig of terugtrek.

(4) Die Direkteur moet binne 14 dae skriftelike redes aan **[die]** 'n appellant verskaf vir enige besluit wat ingevolge **[subregulasie]** subregulasie (3) geneem is.

(5) **[Enige]** 'n Persoon wat gegrieweerd voel deur 'n besluit wat ingevolge [subregulasie] subregulasie (3) geneem is, kan binne vyf dae na ontvangs van die redes waarna in **[subregulasie]** subregulasie (3) verwys word, teen sodanige besluit appelleer by 'n appèlkomitee soos beoog ingevolge artikel 122 van die Wet.

(6) By die beregting van 'n appèl soos beoog in **[subregulasie]** subregulasie (3) kan die Direkteur 'n appellant die volgende gee—

- (a) 'n redelike geleentheid om skriftelike verhoë te rig;
- (b) die geleentheid om inligting en argumente aan te bied en te betwis; en
- (c) die geleentheid om persoonlik te verskyn.

(7) Die Direkteur kan, indien gegronde redes aangevoer word, enige nie-nakoming van die tydperk beoog in **[subregulasie]** subregulasie (2) goedkeur.

(8) (a) Indien die Direkteur enige besluit van 'n gemagtigde beampte, gemagtigde persoon, inspekteur of handhawingsbeampte tersyde stel, moet **[die]** 'n fooi waarna in **[subregulasie]** subregulasie (1) verwys word, aan **[die]** 'n appellant terugbetaal word.

(b) Indien die Direkteur so 'n besluit wysig, kan **[hy of sy]** die Direkteur gelas dat die geheel of 'n gedeelte van sodanige fooie aan **[die]** 'n appellant terugbetaal word.

(9) 'n Appèl wat ingevolge hierdie artikel ingedien word, skort nie **[die]** 'n besluit van **[die]** 'n gemagtigde beampte, gemagtigde persoon, inspekteur of handhawingsbeampte op nie.

(10) 'n Persoon wie se lisensie, gradering, sertifikaat of goedkeuring deur die Direkteur gekanselleer of herroep word, moet voldoen aan die vereistes vir die aanvanklike uitreiking van sodanige lisensie, gradering, sertifikaat of goedkeuring.

(11) 'n Aansoek om die aanvanklike uitreiking van 'n herroepde of gekanselleerde lisensie, gradering, sertifikaat of goedkeuring ingevolge subregulasie (10) mag nie binne 'n tydperk van 60 maande bereken vanaf die datum van kansellering of herroeping van sodanige lisensie, gradering, sertifikaat of goedkeuring gedoen word nie.”

(m) die skapping van Regulasie 185.04.3.”;

(n) die vervanging van Regulasie 185.04.4 met die volgende regulasie:

“**185.04.4** (1) **[Enige]** 'n Persoon wat gegrieweerd is deur 'n besluit geneem deur die Direkteur waarna verwys word in **[subregulasies]** subregulasie (2) (a) tot (e) van hierdie Regulasie, kan binne 30 dae na ontvangs van die redes vir **[die]** besluit 'n appèl aanteken by die appèlkomitee wat ingevolge artikel 122 van die Wet ingestel is, teen sodanige besluit.

(2) **[Enige]** 'n Persoon of entiteit, na gelang van die geval, kan appelleer teen—

(a) 'n besluit of besluite geneem ingevolge artikels 98 (5) en 118 (3) van die Wet;

(b) 'n besluit deur die Direkteur om—

(i) sodanige persoon se aansoek om vrystelling, registrasie, lisensie, sertifikaat, goedkeuring weier, of magtiging, of om **[een of meer Persone]** 'n persoon as **[inspekteurs]** inspekteur, gemagtigde **[beampes]** beampte of **[persone]** persoon ingevolge die Wet aan te wys;

(ii) uitreik, onderworpe aan enige voorwaarde of beperking, sodanige persoon se vrystelling, registrasie, lisensie, sertifikaat, goedkeuring, of magtiging ingevolge die Wet; of

(iii) opskort, herroep, sodanige persoon se vrystelling, registrasie, lisensie, sertifikaat, goedkeuring of magtiging ingevolge die Wet kanselleer, endosseer of wysig;

(c) 'n besluit geneem met betrekking tot **[die]** aanwysing of intrekking van 'n aanwysing as **[inspekteurs]** inspekteur, **[gemagtigde beamptes]** gemagtigde beampte of **[gemagtigde persone]** gemagtigde persone soos beoog in artikel 88 (1) van die Wet;

- (d) 'n besluit wat weier om die grondingsbevel op te hef soos beoog in artikel 115 (2) van die Wet;
- (e) **[enige]** 'n besluit geneem ingevolge artikel 130 van die Wet; of
- (f) die uitreiking, wysiging of terugtrekking van tegniese standaarde vir burgerlugvaart ingevolge artikel 163 van die Wet.”.

Kort Titel en Aanvang

Hierdie Regulasies heet die Ses-en-dertigste Wysiging van die Burgerlugvaartregulasies, 2026, en tree op die datum van publikasie in die Staatskoerant in werking.