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GOVERNMENT NOTICE
GOEWERMENTSKENNISGEWING

DEPARTMENT OF TRANSPORT
DEPARTEMENT VAN VERVOER

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.

(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:

No. R. 44 28 Januarie 2011

WET OP BURGERLIKE LUGVAART, 2009

(WET NO. 13 VAN 2009)

Die Minister van Vervoer het kragtens artikel 155(1)(z)(ii) gelees met artikel 74(1)(b) van die Wet op Burgerlike Lugvaart, 2009 (Wet No. 13 van 2009) die Burgerlike Lugvaartowerheid Passasiersveiligheidsheffingregulasies in die Skedule vervat, uitgevaardig.

SKEDULE

"BURGERLIKE LUGVAARTOWERHEID PASSASIERSVEILIGHEIDSHEFFING REGULASIES, 2010

1. Woordomskrywings

In hierdie Regulasies, tensy uit die inhoud die teendeel blyk, beteken –

"Burgerlike Lugvaartowerheid Passasiersveiligheidsheffing" 'n heffing soos bedoel in artikel 74(1)(b) van die Wet op Burgerlike Lugvaart ,2009 (Wet No. 13 van 2009);

"lugvaartuig" 'n lugvaartuig soos omskryf in artikel 1 van die Wet op Burgerlike Lugvaart, 2009 (Wet No. 13 van 2009);

"operateur" met betrekking tot lugvaartuig, enige lugdiens wat 'n geskeduleerde plaaslike of internasionale lugvervoerdiens soos bedoel in die Wet op die Lisensiëring van Lugdienste, 1990 (Wet No. 115 van 1990) en die Wet op Internasionale Lugdienste, 1993 (Wet No. 60 van 1993);

"passasier" op 'n plaaslike of internasionale vlug 'n passasier soos omskryf in regulasie 1 van die Regulasies vir Binnelandse Lugdienste, 1991, uitgevaardig ingevolge artikel 29 van die Wet op die Lisensiëring van Lugdienste, 1990 (Wet No. 115 van 1990);

"vliegveld" soos in artikel 1 van die Wet op Burgerlike Lugvaart, 2009 (Wet No. 13 van 2009) omskryf en sluit 'n maatskappylughawe soos omskryf in artikel 1. van die Lughawensmaatskappywet, 1993 (Wet No. 44 van 1993) in; en

"vlug" 'n vlug soos omskryf in regulasie 1.00. van die Burgerlike Lugvaartregulasies, 1997.

2. Aanspreeklikheid vir die betaling van 'n Burgerlike Lugvaartowerheid Passasiersveiligheidsheffing.

(1) 'n Burgerlike Lugvaartowerheid Passasiersveiligheidsheffing wat R12.00 bedrae, is betaalbaar deur passasiers wat op 'n vliegtuig vanaf 'n vliegveld binne die Republiek van Suid -Afrika op 'n geskeduleerde openbare lugvervoervlug of gedeelte van 'n vlug na 'n bestemming binne of buite die gebied van die Republiek van Suid-Afrika vertrek.

(2) Die Burgerlike Lugvaartowerheid Passasiersveiligheidsheffing is ingesluit in die prys van die betrokke vliegkaartjie.

(3) Belasting op Toegevoegde Waarde is nie betaalbaar op die Burgerlike Lugvaartowerheid Passasiersveiligheidsheffing nie.

3. Prosedure van betaling

(1) Die Burgerlike Lugvaartowerheid Passasiersveiligheidsheffing is betaalbaar aan die Burgerlike Lugvaartowerheid deur 'n operateur met die vertrek van 'n vlug soos bedoel in regulasie 2(1).

(2) Die operateur moet die heffing, verkry in 'n periode van 'n kalendermaand, direk aan die Burgerlike Lugvaartowerheid binne een-en-twintig (21) dae na die laaste dag van die maand waarop die ingesamelde heffing betrekking het,betaal.

(3) Die betaling moet vergesel word van 'n voltooide opgawe vorm soos voorgeskryf in Anneks A.

4. Data Verifikasieproses

(1) Inligting met betrekking tot die totale getal van vertrekkende passasiers per operateur op plaaslike en internasionale vlugte soos bedoel in regulasie 2, sal kwartaalliks verskaf word deur -

(a) die Lughawensmaatskappy van Suid-Afrika Beperk ten opsigte van vlugte wat vanaf vliegvelde deur die betrokke Maatskappy besit of beheer word, vertrek; en

(b) die relevante vliegveldlisensiehouer of vliegveldoperateur ten opsigte van vlugte wat vanaf vliegvelde wat nie deur die betrokke Maatskappy besit of beheer word nie, vertrek.

(2) Die Burgerlike Lugvaartowerheid sal by die ontvangs van die inligting waarna in subregulasie (1) verwys word, die akkuraatheid en volledigheid van die data vanaf die operateurs ontvang ,verifieër.

(3) Rente teen 'n koers van 2% bo die prima-uitleenkoers per jaar, maandeliks vasgestel, moet betaal word ten opsigte van die uitstaande balans van enige Burgerlike Lugvaartowerheid Passasiersveiligheidsheffing .

(4) Die operateurs van die relevante lugdienste sal onderworpe wees aan 'n nakomingsoudit soos bevcel of gedoen deur die Burgerlike Lugvaartowerheid op enige tydstip deur die Burgerlike Lugvaartowerheid bepaal.

5. Intrekking van Regulasies

(1) Die Burgerlike Lugvaart Vliegtuig Passasiersveiligheidsheffingregulasies, 2001, gepubliseer in Goewermentskennisgewing No R. 302 van 30 Maart 2001, word hiermee ingetrek.

6. Kort titel en Inwerkingtreding

Hierdie Regulasies heet die Burgerlike Lugvaartowerheid Passasiersveiligheidsheffing regulasies, 2010, en tree in werking op 01 Maart 2011.

[SUID-AFRIKAANSE BURGERLIKE LUGVAARTOWERHEID LOGO]

ANNEX A

SUID-AFRIKAANSE BURGERLIKE LUGVAARTOWERHEID

Maandelikse Opgawe vir Owerheid Passasiersveiligheidsheffing

Operateurskode:

Naam van Operateur:

Metode van Betaling: Elektroniese Oorplasing ☐ Tjek ☐ Bankdeposito ☐

Opgawe periode:

VERTREKKE

	Passasiers	Tarief	Totaal Betaalbaar R
Betaalde geskeduleerde vertrekkende passasiers		R12	
Nie-betaalde geskeduleerde vertrekkende passasiers		0	
Totale getal van passasiers / betaalbaar			

*Hierdie vorm moet ingevul en teruggestuur word ongeag of die aanspreeklikheid **nul** is.*

Hierdie vorm moet ingedien word met betaling by die Burgerlike Lugvaartowerheid nie later as 21 dae na die laaste dag van die opgaweperiode nie.

Bankbesonderhede:

Suid-Afrikaanse Burgerlike Lugvaartowerheid
Standard Bank
Rekeningnommer: 013007971
Takkode: 011245
Verpligte verwysingskode: Operateurskode

Kontakbesonderhede van persoon wat opgawe voltooi:

Naam:

Telefoonnommer:

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