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GENERAL NOTICE

NOTICE 99 OF 2014

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 to make regulations regarding fees for the provision of aviation meteorological services, 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), set out in the Schedule hereto.

Members of the public are invited to submit to the Minister, within 30 days after the publication of the notice in the *Gazette*, written comments or inputs to the following addresses:

By post to: The Director-General: Department of Environmental Affairs
Attention: Ms Babalwa Bokwe
Private Bag X447
Pretoria
0001

By hand at: Second floor (Reception), Fedsure forum building, 315 Corner Pretorius and Lillian Ngoyi Streets, Pretoria, 0001.

By e-mail to: Bbokwe@environment.gov.za, or by fax to: (012) 320 1167.

Any inquiries in connection with the notice can be directed to Mr Tsietsi Mahema at 012 310 3404.

Comments or inputs received after the closing date may not be considered.



BOMO EDITH EDNA MOLEWA
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

SCHEDULE

Liability to pay fees for provision of aviation meteorological services

1. (1) The 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 Act, 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 Weather Service.

Information of flights taking place and payment of fees

2. The Weather Service uses all the relevant information provided by the 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, to calculate the fees contemplated in regulation 1(1) for that flight.

General

3. (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 Weather Service.
- (2) The fees contemplated in regulation 1(1) are payable in respect of—
 - (a) an aircraft engaged in search and rescue operations; or
 - (b) coastal patrol flight of the South African Air Force.

APPENDIX 1

Category 1

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:

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 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 2014 – 31 March 2015: R45.66

1 April 2015 – 31 March 2016: R47.17

1 April 2016 – 31 March 2017: R45.15

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.

Category 2

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.

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