

**Vol. 642**

**28 December  
Desember 2018**

**No. 42139**

For purposes of reference, all Proclamations, Government Notices, General Notices and Board Notices published are included in the following table of contents which thus forms a weekly index. Let yourself be guided by the gazette numbers in the righthand column:

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# Closing times for **ORDINARY WEEKLY** **2018** **GOVERNMENT GAZETTE**

The closing time is **15:00 sharp** on the following days:

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- **05 January**, Friday for the issue of Friday **12 January 2018**
- **12 January**, Friday for the issue of Friday **19 January 2018**
- **19 January**, Friday for the issue of Friday **26 January 2018**
- **26 January**, Friday for the issue of Friday **02 February 2018**
- **02 February**, Friday for the issue of Friday **09 February 2018**
- **09 February**, Friday for the issue of Friday **16 February 2018**
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- **22 March**, Thursday for the issue of Thursday **29 March 2018**
- **28 March**, Wednesday for the issue of Friday **06 April 2018**
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- **13 April**, Friday for the issue of Friday **20 April 2018**
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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

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DEPARTMENT OF SOCIAL DEVELOPMENT

NO. 1428

28 DECEMBER 2018



# LIMPOPO

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PROVINCIAL GOVERNMENT  
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF  
SOCIAL DEVELOPMENT

MANUAL  
ON  
PROMOTION OF ACCESS TO INFORMATION ACT  
NO. 2 OF 2000

SEVENTH EDITION  
2018

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## **2. PARTICULARS IN TERMS OF SECTION 14**

### **The functions and the structure of the Department of Social Development Section 14 (1) (a)**

#### **The functions of the Department of Social Development are:**

To improve, maintain and promote the status, well-being, safety and security of older persons.

To provide social development through integrated poverty alleviation programmes.

To provide protection, care and adoption of children.

To eradicate poverty in an effort to build a better life for all focusing on the following:

- Women's co-operatives

- Youth development

- HIV and AIDS

- Food security

- Older persons

- Social finance

Responding to the impact of HIV and AIDS by providing protection and support to the infected and affected.

To provide Home and Community-Based Care and support programme.

Ensure promotion and protection of the rights of vulnerable groups through the following programmes:

- Child and Youth development

- Social Crime prevention

- Victim Empowerment Programme (VEP)

- Interdepartmental collaboration

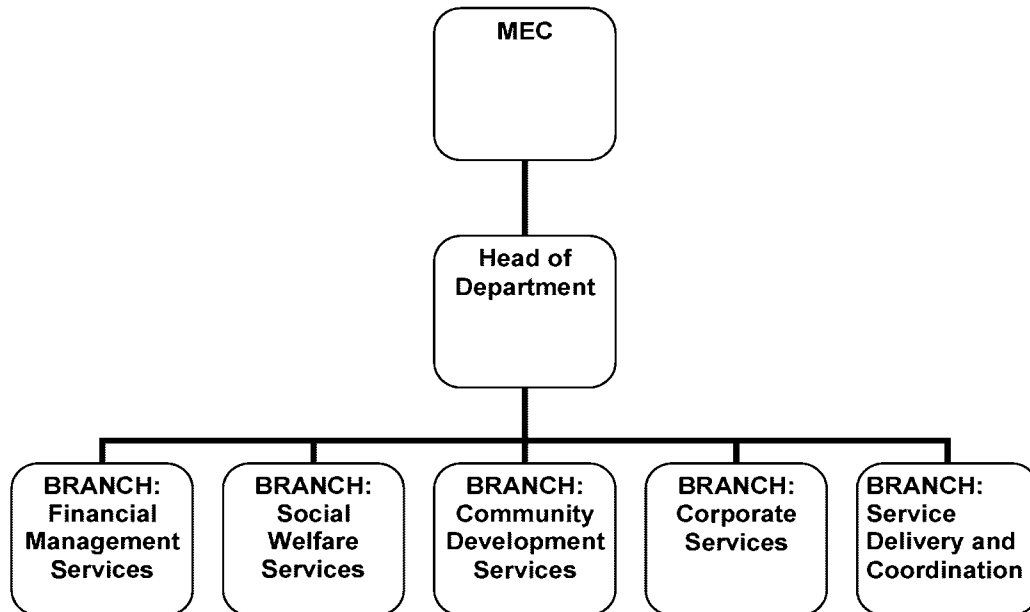
- Services to families

- Prevention and treatment of substance abuse

- Child abuse and neglect

- Women empowerment

- People with disabilities, etc.

**A schematic structure of Department of Social Development, Limpopo Province****The structure of the Department of Social Development**

The MEC is the Political Head of the Department and the administrative wing of the Department is headed by the HOD, who is also the Department's Accounting Officer. The Department consists of 6 (six) Branches as depicted in the Diagram above:

Administratively, the Department consists of the Provincial Head Office situated in Polokwane and the following five District Offices:

- a. Capricorn
- b. Mopani
- c. Sekhukhune
- d. Vhembe
- e. Waterberg

In terms of service delivery, the Department has 1 Welfare Complex (Place of Safety), 1 Old Age Home, 3 Children's Homes and 1 Treatment Centre.

**B. Contact Details (Section 14(1)(b))**

<b>INFORMATION OFFICER</b>	<b>ADDRESS</b>
<b>Head of Department</b>	Private Bag X9710 <b>POLOKWANE</b> 0700 TEL. NO. : +27 15-230 4301 FAX. NO. : +27 15-291 2298 Email: <a href="mailto:daphneyramokgopa@yahoo.com">daphneyramokgopa@yahoo.com</a>
<b>DEPUTY INFORMATION OFFICERS</b>	<b>ADDRESS</b>
<b>Mr. Nkanyane O.P.</b>	Private Bag X9710 <b>POLOKWANE</b> 0700 TEL. NO. : +27 15-230 4370 FAX. NO. : +27 15-291 2182/2335 Email: <a href="mailto:NkanyaneO@dsd.limpopo.gov.za">NkanyaneO@dsd.limpopo.gov.za</a>
<b>Ms Malamule P.J.</b>	Private Bag X9710 <b>POLOKWANE</b> 0700 TEL. NO. : +27 15-230 4350 FAX. NO. : +27 15-291 2182/2335 Email: <a href="mailto:MalamuleP@dsd.limpopo.gov.za">MalamuleP@dsd.limpopo.gov.za</a>
<b>Physical Address</b>	21 Corner Biccard and Rabe Street <b>POLOKWANE</b> 0700 Website: <a href="http://www.dsd.limpopo.gov.za">www.dsd.limpopo.gov.za</a> Email: <a href="mailto:info@dsd.limpopo.gov.za">info@dsd.limpopo.gov.za</a> Telephone No. : +27 15 230 4300 Fax. No. : +27 15 291 2182/2335 Website : <a href="http://www.dsd.limpopo.gov.za">www.dsd.limpopo.gov.za</a>
<b>Postal Address</b>	Department of Social Development Private Bag X9710 <b>POLOKWANE</b> 0700

**C. Section 10 Guide on how to use the Act (Section 14(1) (c))**

The Guide is available from the South African Human Rights Commission. Please direct any enquiries to:

<b>SOUTH AFRICAN HUMAN RIGHTS COMMISSION</b>	<b>ADDRESS</b>

<b>PAIA UNIT</b>	33 Hoofd Street Braampark BRAAMFONTEIN 2198 TEL. NO. : +27 11-877 3600 Email: <a href="mailto:PAIA@sahrc.org.za">PAIA@sahrc.org.za</a>
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**D. Access to the records held by the Department of Social Development Limpopo (Section 14(1) (d))**

**(i) Automatic disclosure (Section 14(1) (e))**

The following are categories of records generated by the Department, which are available without a person having to request access in terms of the Act:

- Approved Departmental Structure
- Departmental contact details
- Quarterly Reports
- Annual Reports
- Service Standards and Norms
- Departmental Strategic Plans
- Annual Performance Plans
- Departmental File Plans
- Acts and Regulations
- News Letters
- Brochures
- Budget Speech
- MEC' speech
- Promotion of Access to Information Manual
- Circular for advertisement of posts
- Public Service Application Forms (Z83)
- Circular for advertisement of Tenders
- Tender documents

**(ii) RECORDS THAT MAY BE REQUESTED [Section 14(1) (d)]**

**Description of the Subjects and Categories of Records held by the Department of Social Development:**

<b>SUBJECT</b>	<b>SUB-CATEGORY</b>
Social Welfare Services  (Manage the provision of an integrated Social Welfare Services to the most vulnerable through the delivery of Social Welfare Services)	Policies and reports on: NGO Funding Management Services. Child and Family Care Victim Empowerment, Substance Abuse and Social Crime Prevention Older Persons and Disabilities Services Non-Institutional HIV/AIDS and Social Relief Transversal Social Works Services

Community Development Services (Provide the provision of Community Development Services)	Policies and reports on: Sustainable Livelihood Services Institutional Capacity Building and Support Services Youth Development Services Community Outreach and Support Services.
Strategy, Policy alignment and monitoring and evaluation	Policies and reports on: Transformation and Transversal Services Monitoring and Evaluation Strategic and Policy Alignment Special Program Coordination Strategic Plans
Financial Management Services	Finance and Tender policies, documents and reports. Supply Chain Management and Procurement Policies Physical Facilities Management Plans and reports Supplier's records Asset and commitment registers
Communication	News Letters Brochures Posters Speeches
Human Resource Development and Training	Organizational Structure Human Resource Development and Training Reports
Human Resource Management	Recruitment Reports Human Resource Management
Information Technology, Information and Records Management	IT Infrastructure Information Management Reports Records Management Services
Labour Relations	Code of Conduct
Physical Facilities Planning and Co-ordination	Buildings' Plans
Population Development	Demographic and Statistical Reports
Transport and Logistical Support	Transport and Maintenance Reports

### (iii) THE REQUEST PROCEDURE

**A requester may be given access to a record in the Department of Social Development if he/she complies with the following:**

- The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is in terms of the requirements of the Promotion of Access to Information Act 2 of 2000.

#### **Nature of the request:**

- A requester must use the form that has been printed in the Government Gazette (Govt. Notice R187 – 15 February 2002) (Form A).
- The requester must also indicate if the request is for a copy of the record or if the requester wants to come in and look at the record at the Offices of the Department.

Alternatively if the record is not a document it can be viewed in the requested form, where possible (S 29(2)).

- If a requester asks for access in a particular form then the requester should get access in the manner that has been asked for. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe a copyright not owned by the state. If for practical reasons access cannot be given in the required form but in an alternate manner, then the fee must be calculated according to the way that the requester first asked for it. (S29 (3) and (4)).
- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any way, e.g. telephone, this must be indicated (S18(2)(e)).
- If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated (S18 (2) (f)).
- If a requester is unable to read or write, or has a disability, then they can make the request for the record orally. The information officer must then fill in the form on behalf of such a requester and give him/her a copy (S (13)).

**There are two types of fees required to be paid in terms of the Act, being the request fee and the access fee (Section 22):**

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The information officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The request payable to public bodies is R35-00. The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.
- After the information officer has made a decision on the request the requester must be notified of such a decision in the way in which the requester wanted to be notified in.
- If the requester is granted then a further access fee must be paid for the search, preparation, and reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

**E. SERVICES OFFERED BY THE DEPARTMENT**

**(i) Nature of Services**

**Social Welfare Services:**

Manage the provision of an integrated social welfare services to the most vulnerable through the delivery of social welfare services.

NGO Funding and Management Services  
 Child and Family Care Services  
 Victim Empowerment, Substance Abuse and Social Crime Prevention Services  
 Older Persons and Disabilities Services  
 Non-Institutional HIV/AIDS and Social Relief  
 Transversal Social Work Services

#### **Community Development Services**

Provide the provision of community development services.

Sustainable Livelihood Services  
 Institutional Capacity Building and Support Services  
 Youth Development Services  
 Community Outreach and Support Services

#### **Strategy, Policy alignment and monitoring & evaluation**

Manage the development of strategic plan, policy alignment and monitoring and evaluation services.

Transformation and Transversal Services  
 Monitoring and Evaluation  
 Strategic and Policy Alignment Services  
 Special Programme Coordination

#### **Financial Management Services**

Manage a comprehensive financial management services

Financial Planning, Budgeting and Reporting  
 Financial Accounting  
 Supply Chain Management  
 Physical Facilities Management Services  
 Financial Regulatory Compliance and Reporting Services

#### **Corporate Services**

Manage the provision of comprehensive and integrated corporate services

Human Resources Management and Administration Services  
 Auxiliary Services  
 Government Information Management and Technology  
 Information and Records Management  
 Legal Services  
 Security Management Service  
 Communication Services

#### **(ii) HOW TO GAIN ACCESS TO THESE SERVICES**

A request for access to a record must be made on the prescribed form (see Item F) to the Information Officer or Deputy Information Officer at the following address:

<b>Information officer</b>	The Head Of Department, Social Development
<b>Physical Address</b>	21 Corner Biccand and Rabe Street Polokwane

	0700
<b>Postal Address</b>	Private Bag X9710 Polokwane 0700
<b>Telephone</b>	015 230 – 4300
<b>Fax</b>	015 291 – 2182/2335
<b>Email</b>	<a href="mailto:info@dsd.limpopo.gov.za">info@dsd.limpopo.gov.za</a>
<b>Website</b>	<a href="http://www.dsd.limpopo.gov.za">www.dsd.limpopo.gov.za</a>

**F. Arrangement allowing for public participation in the formulation of policy and the exercising of the powers [Section 14(1)(g)]**

Imbizo-Department meetings the community and provides a platform for raising issues of community concerns.

Outreach programmes-Consult with the community on Social Services available in the department.

Internship programmes-There is a recruitment policy in place for the recruitment of the public for such posts.

Consultants and contract workers

**G. The remedies available if the provisions of this Act are not complied with [Section 14(1) (h) ]**

**(i) INTERNAL APPEALS AGAINST DECISIONS.**

An internal appeal against a decision of the Information Officer or Deputy Information Officer may be lodged with the MEC for Health and Social Development, Limpopo, or the person designated in writing by the MEC, on any of the following grounds:

- (a) a refusal to grant access; or
- (b) a decision taken in terms of sections 22, 26 (1) or 29 (3).

A third party may lodge an internal appeal against a decision of the information officer or deputy information officer to grant a request for access.

An internal appeal must-

- a) be lodged in the prescribed, Form B (attached hereto) within 60 days if notice to a third party as required by section 49(1)(b) and within 30 days after decision was taken or notice has been given to the appellant of the decision appealed against;
- b) be delivered or sent to the information officer or deputy information officer at his or her address, fax number or electronic mail address;
- c) identify the subject of the internal appeal and state the reasons thereof and may include any other relevant information known to the appellant;



- d) state the manner and provide the particulars which the appellant desires to be informed of on the decision of the internal appeal in addition to a written reply; and
- e) Specify a postal address or fax number.

An internal appeal which is lodged after the expiry of the prescribed period may, on good cause shown, be allowed by the MEC or the person designated in writing by the MEC.

**(ii) COURT APPLICATIONS REGARDING DECISIONS OF THE MEC OR THE PERSON DESIGNATED IN WRITING BY THE MEC**

A requester or third party may only, after exhausting the internal appeal procedure against a decision of an information officer or deputy information officer, apply to a court for appropriate relief.

A requester whose internal appeal has been unsuccessful or aggrieved by a decision of the MEC or the person designated in writing by the MEC to disallow the late lodging of an internal appeal in terms of section 75 (2) may, by way of an application, within 30 days apply to a court for appropriate relief in terms of section 82.

The unsuccessful third party in an internal appeal to the relevant executing authority may, by way of an application, within 30 days apply to a court for appropriate relief in terms of section 82.

**H. UPDATING OF THE MANUAL [Section 14(2)]**

The Department may, if necessary, update and publish its manual referred to in subsection (1) of Section 14, at intervals of not more than a year.

**I. AVAILABILITY OF THE MANUAL [(Section 14(3))]**

The manual is available in the following languages:

- English
- Sepedi
- Tshivenda
- Tsonga
- Afrikaans

### 3. PRESCRIBED FEES FOR THE DEPARTMENT

#### 3.1 PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY 2002 PRESCRIBES FEES IN RESPECT OF THE GOVERNMENTAL BODIES AS FOLLOWS:

3.1.1 The fee for a copy of the manual as contemplated in regulation 5(c) is R0, 60 for every photocopy of an A4-size page or part thereof.

3.1.2 The fees for reproduction referred to in regulation 7(1) are as follows:

DESCRIPTION	R
(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine – readable form	0,40
(c) For a copy in a computer-readable form on: i) stiffy disc ii) compact disc	5,00 40,00
(d) i) for a transcription of visual images, for an A4-size page or part thereof ii) For a copy of visual images	22,00 60,00
(e) i) For a transcription of an audio record, for an A4-size page or part thereof ii) For a copy of an audio record	12,00 17,00

3.1.3 The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35, 00.

3.1.4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

	R
(1) (a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine – readable form	0,40
(c) For a copy in a computer-readable form on: i) stiffy disc ii) compact disc	5,00 40,00
(d) i) for a transcription of visual images, for an A4-size page or part thereof ii) For a copy of visual images	22,00 60,00
(e) i) For a transcription of an audio record, for an A4-size page or part	

thereof	<b>12,00</b>
ii) For a copy of an audio record	<b>17,00</b>
(f) To search for and prepare the record for disclosure, R15, 00 for each hour or part of an hour, excluding the first hour, reasonable required for such search and preparation.	

3.2 For purposes of section 22(2) of the Act, the following applies:

3.2.1 Six hours as the hours to be exceeded before a deposit is payable; and

3.2.2 One third of the access fee is payable as a deposit by the requester.

3.3 The actual postage is payable when a copy of a record must be posted to a requester.

**4. PRESCRIBED FORM FOR ACCESS TO A RECORD OF THE DEPARTMENT  
ANNEXURE B OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15  
FEBRUARY 2002**

**FORM A**

**REQUEST FOR ACCESS TO RECORD OF THE DEPARTMENT**

**Section 18(1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000)**

**{Regulation 2}**

**FOR DEPARTMENTAL USE**

**Reference Number: \_\_\_\_\_**

**Request received by:**

**Name: .....**

**Rank: .....**

**Date: .....**

**Place: .....**

**Request fee (if any): R.....**

**Deposit (if any): R.....**

**Access fee: R.....**

**SIGNATURE OF**

**\_\_\_\_\_  
INFORMATION OFFICER/DEPUTY INFORMATION OFFICER**

**A. Particulars of the Department**

**The Information Officers/Deputy Information Officer**

<b>INFORMATION OFFICER</b>	<b>ADDRESS</b>
<b>Head of Department</b>	Private Bag X9710 <b>POLOKWANE</b> 0700 TEL. NO. : +27 15-230 4301 FAX. NO. : +27 15-291 2298 Email: <a href="mailto:daphneyramokgopa@yahoo.com">daphneyramokgopa@yahoo.com</a>
<b>DEPUTY INFORMATION OFFICERS</b>	<b>ADDRESS</b>
<b>Mr. Nkanyane O.P.</b>	Private Bag X9710 <b>POLOKWANE</b> 0700 TEL. NO. : +27 15-230 4370 FAX. NO. : +27 15-291 2182/2335 Email: <a href="mailto:NkanyaneO@dsd.limpopo.gov.za">NkanyaneO@dsd.limpopo.gov.za</a>
<b>Ms. Malamule P.J.</b>	Private Bag X9710 <b>POLOKWANE</b> 0700 TEL. NO. : +27 15-230 4350 FAX. NO. : +27 15-291 2182/2335 Email: <a href="mailto:MalamuleP@dsd.limpopo.gov.za">MalamuleP@dsd.limpopo.gov.za</a>
<b>Physical Address</b>	21 Corner Biccard and Rabe Street <b>POLOKWANE</b> 0700 Website: <a href="http://www.dsd.limpopo.gov.za">www.dsd.limpopo.gov.za</a> Email: <a href="mailto:info@dsd.limpopo.gov.za">info@dsd.limpopo.gov.za</a> Telephone No. : +27 15 230 4350 Fax. No. : +27 15 291 2182/2335

**B. Particulars of Person Requesting Access to the Record**

(a) *The particulars of the person who requests access to the record must be recorded below.*  
 (b) *Furnish and address and/or fax number in the Republic to which information must be sent.*  
 (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

**SURNAME:** .....

**FULL NAMES:** .....

**IDENTITY NUMBER:** .....

**POSTAL ADDRESS:** .....  
 .....  
 .....

TELEPHONE NUMBER: .....

FAX. NUMBER: .....

E-MAIL ADDRESS: .....

Capacity in which request is made, when made on behalf of another person:

.....  
**C. Particulars of Person on whose behalf request is made**

*This section must be completed only if a request for information is made on behalf of another person.*

Surname: .....

Full Names: .....

Identity Number: .....

**D. Particulars of Record**

*(a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*  
*(b) If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

- 1. Description of record or relevant part of the record:
- 2. Reference number, is available:
- 3. Any further particulars of record:

**E. Fees**

*(a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.*  
*(b) You will be notified of the amount required to be paid as the request fee.*  
*(c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*  
*(d) If you qualify for exemption of the payment of any fee, please state the reason therefore.*

**Reason for exemption from payment of fees:**

**F. Form of Access to Record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
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Mark the appropriate box with and "X".

NOTES:

(a) Your indication as to the required form of access depends on the form in which the record is available.

(b) Access in the form requested may be refused in circumstances. In such a case you will be informed if access will be granted in another form.

(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

<b>1. If the record is in written or printed form-</b>			
	copy of record*		inspection of record

**2. If record consists of visual images-**

(This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

	View the images		Copy of the images*		Transcription of the images*
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**3. If the record consists of recorded words or information which can be reproduced in sound-**

	Listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)
--	---	--	--

**4. If record is held on computer or in an electronic or machine-readable form-**

	Printed copy of record*		Printed copy of information derived from the record*		Copy in computer readable form* (stiffy or compact disc)
--	-------------------------	--	--	--	--

<p>*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?</p> <p><b>A postal fee is payable.</b></p>	<p>YES</p>	<p>NO</p>
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*Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.*

*In which language would you prefer the record? .....*

**G. Notice of decision regarding request for access**

*You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.*

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20

\_\_\_\_\_  
**SIGNATURE OF REQUESTER/  
PERSON ON WHO'S BEHALF REQUEST IS MADE**



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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**NATIONAL TREASURY****NOTICE 817 OF 2018****RATE OF INTEREST ON GOVERNMENT LOANS**

It is hereby notified that the Minister of Finance has, in terms of Section 80(1)(a) and (b) of the Public Finance Management Act, 1999 (Act No. 1 of 1999), fixed the Standard Interest Rate applicable, from **1 January 2019** and until further notice, to loans granted by the State out of a Revenue Fund, and /or to all other debts which must be paid into a Revenue Fund, at Ten, two five percent (**10,25%**) per annum.

The above-mentioned Standard Interest Rate is applicable from **1 January 2019** and until further notice, to all drawings of loans from State money, except loans in respect of which other rates of interest are specifically authorized by legislation or the Minister of Finance.

**DEPARTMENT OF TRANSPORT****NOTICE 818 OF 2018****AIR TRAFFIC AND NAVIGATION SERVICES COMPANY SOC LIMITED**

AIR TRAFFIC AND NAVIGATION SERVICES COMPANY ACT, 1993 (ACT No. 45 OF 1993)

**PUBLICATION OF AIR TRAFFIC SERVICE CHARGES**

In terms of section 5(2)(f) of the Air Traffic and Navigation Services Company Act, 1993 (Act No. 45 of 1993), it is hereby published for general notice that as from **1 April 2019** the Air Traffic and Navigation Services Company SOC Limited, registration number 1993/004150/06, will levy the air traffic service charges according to the rules set out in the Schedule.

**S THOBELA**

Chairman: Board of Directors

December 2018

**SCHEDULE**  
**AIR TRAFFIC SERVICE CHARGES**

**1. Interpretation**

For the purposes of these Rules, unless the context indicates otherwise –

- (a) “ACSA” means Airports Company South Africa SOC Limited;
- (b) “ACSA airport” means a company airport as defined in section 1 of the Airports Company Act;
- (c) “ACSA TMA airspace” means TMA airspace associated with an ACSA airport, but in which may also be non-ACSA airports;
- (d) “AIC” means an Aeronautical Information Circular;
- (e) “AIP” means an Aeronautical Information Publication;
- (f) “Aircraft” means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the surface of the earth, and includes any non-type certificated aircraft;
- (g) “Airport” means an aerodrome as defined in section 1 of the Civil Aviation Act, 2009 (Act No. 13 of 2009), and includes an ACSA airport;
- (h) “Airports Company Act” means the Airports Company Act, 1993 (Act No. 44 of 1993), as amended;
- (i) “Air traffic control unit” means an aerodrome control tower, an approach control office or an area control centre or a combination thereof;
- (j) “Air Traffic Management (ATM) services” includes without limitation –
  - (i) airspace organisation and management services;
  - (ii) information management services;
  - (iii) alerting services;

- (iv) advisory services;
  - (v) conflict management services;
  - (vi) traffic synchronisation services;
  - (vii) flight information services; and
  - (viii) demand and capacity balancing services;
- (k) “Air traffic service charge” means an amount levied by the Company on the operator of an aircraft in connection with the provision of air traffic services to that operator;
- (l) “Air traffic service reporting office” means an air traffic service unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before the departure of an aircraft from an aerodrome;
- (m) “Air traffic service unit” means an air traffic control unit, flight information centre or air traffic service reporting office;
- (n) “Alerting service” means a service provided to notify the appropriate organisations regarding aircraft in need of search and rescue aid and to assist such organisations as appropriate;
- (o) “Area (*en route*) airspace” means airspace that excludes –
- (i) aerodrome airspace;
  - (ii) TMA airspace; and
  - (iii) FIS-only airspace, when the Company has determined its dimensions;
- (p) “ATM” means Air Traffic Management;
- (q) “BSC” means business sustaining cost;
- (r) “Civil Aviation Regulations” means the Civil Aviation Regulations, 1997, as amended;
- (s) “Company” means Air Traffic and Navigation Services Company SOC Limited;
- (t) “Company representative” means a person designated by the Company for the purposes of these Rules;

- (u) “d” means flight distance;
- (v) “FAOR” means OR Tambo International Airport;
- (w) “FAKN” means Kruger Mpumalanga International Airport;
- (x) “FARB” means Richards Bay Airport;
- (y) “FC” means fixed cost;
- (z) “FIS-only airspace” means airspace in which flight information services are provided exclusively;
- (aa) “Flight” means from the moment an aircraft commences its take-off until the moment it completes its next landing;
- (bb) “Flight information centre” means an air traffic service unit established to provide flight information services and alerting services;
- (cc) “Flight information service” means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights;
- (dd) “Flight plan” means specified information provided to air traffic service units relative to an intended movement of an aircraft;
- (ee) “Gateway” means the point of entry into or exit from the South African flight information region;
- (ff) “Maximum Certificated Mass” means the maximum permissible mass shown in the aircraft flight manual or other document associated with the certificate of airworthiness at which an aircraft may commence its take-off under standard atmospheric conditions at sea level;
- (gg) “MCM” means Maximum Certificated Mass;
- (hh) “Movement” means a flight, or a portion of a flight, through any aerodrome airspace, TMA airspace or area (*en route*) airspace;

- (ii) “Non-type certificated aircraft” means any aircraft that does not qualify for the issue of a certificate of airworthiness in terms of Part 21 of the Civil Aviation Regulations and includes any type certificated aircraft that has been scrapped, of which the original identification plate has been removed and returned to the applicable aviation authority and is rebuilt as a full-scale replica;
- (jj) “NOTAM” means a Notice to Airmen;
- (kk) “Operator” means a person or legal entity, holding a valid licence and operating certificate or equivalent thereof authorising such person or entity to conduct scheduled, non-scheduled or general air services, and includes –
- (i) a licensee as defined in section 1 of the Air Services Licensing Act, 1990 (Act No. 115 of 1990), as amended, or a licensee as defined in section 1 of the International Air Services Act, 1993 (Act No. 60 of 1993), as amended;
  - (ii) any airline of another State which operates a scheduled international public air transport service in terms of an air transport service agreement as contemplated in section 35(1) of the International Air Services Act, 1993, as amended, or a permit holder as defined in section 1 of the said Act;
  - (iii) the registered owner of such aircraft; and
  - (iv) any person or legal entity who uses an aircraft on behalf of an operator;
- (ll) “Registered owner”, in relation to an aircraft, means the person in whose name such aircraft is registered, and includes any person who is or has been acting as agent in South Africa for a foreign owner, or any person by whom the aircraft is hired at the time;
- (mm) “Regulating Committee” means the Regulating Committee established by section 11 of the Airports Company Act;
- (nn) “South African flight information region” means the geographical area consisting of the flight information regions of Johannesburg, Cape Town and Johannesburg Oceanic;
- (oo) “South African Maritime and Aeronautical Search and Rescue Act” means the South African Maritime and Aeronautical Search and Rescue Act, 2002 (Act No. 44 of 2002);

- (pp) “Standard Terms and Conditions” are the terms and conditions of payment set out on the invoice;
- (qq) “State aircraft” means aircraft used in military, customs and police services;
- (rr) “Terminal control area” means a control area normally established at the confluence of air traffic service routes in the vicinity of one or more ACSA airports as published in an AIP, AIC or NOTAM and designated as a terminal control area;
- (ss) “TMA” means terminal control area; and
- (tt) “VC” means variable cost.

## **2. Right to levy air traffic service charges**

The Company is entitled to levy the air traffic service charges by virtue of a permission issued by the Regulating Committee on 23 December 2016 for the period from 1 April 2017 to 31 March 2020 in terms of section 11(5) of the Air Traffic and Navigation Services Company Act, 1993.

## **3. Air traffic service charges**

### **3.1 There are three air traffic service charges:**

- (a) An Aerodrome Charge, payable for ATM services, specific to aerodrome airspace and maneuvering area, provided by the Company in respect of a flight that takes off from or lands at an ACSA airport;
- (b) a TMA Access Charge, payable for ATM services, specific to terminal airspace, provided by the Company in respect of a flight that departs from or arrives at ACSA TMA airspace, where the airport of origin or destination is within that ACSA TMA airspace;
- (c) an Area Charge, payable for ATM services specific to area (*en route*) airspace provided by the Company in respect of a flight undertaken within a flight information region established by the Commissioner for Civil Aviation in terms of the Civil Aviation Regulations.

**4. Cost components**

4.1 Charges consist of the following cost components:

- (a) A variable cost component (VC);
- (b) a business sustaining cost component (BSC); and
- (c) a fixed cost component (FC).

4.2 VCs are treated as follows:

- (a) VCs are charged for each flight undertaken at a standard rate per movement;
- (b) VCs are the same for Aerodrome Charges, TMA Access Charges and Area Charges.

4.3 BSCs are treated as follows:

- (a) BSCs are charged for each movement undertaken in relation to the MCM of an aircraft;
- (b) BSCs are the same for Aerodrome Charges, TMA Access Charges and Area Charges.

4.4 FCs are treated as follows:

- (a) FCs are charged for each movement undertaken in relation to the MCM of an aircraft, and for Area Charges, also in relation to d within Company managed airspace;
- (b) Aerodrome Charges, TMA Access Charges and Area Charges each have a unique FC.

**5. Independent variables**

For purposes of charging, the independent variables of the tariff formulas set out in the Appendix are the following:

- (a) Published MCM expressed in kilograms;



- (b) “d”, measured on the basis of the great circle distance in nautical miles (rounded to the nearest nautical mile) along that portion of the flight path of an aircraft, which is within the boundaries of the South African flight information region, from the take-off airport or gateway to the landing airport or gateway. It excludes distance flown in the ACSA TMA airspace above the take-off or landing airport or the TMA airspace above FAKN or FARB, which TMA airspace is for charging purposes a radius of 35 nautical miles around the airport, irrespective of the actual radius.

## 6. Mass categories

6.1 Subject to the exceptions described in rules 6.2 and 6.3 below, the following aircraft mass categories apply:

- (a) Aircraft with a MCM of 15 000 kilograms or less are charged as follows:
- (i) VC per movement;
  - (ii) BSC based on MCM; and
  - (iii) FC based on MCM, and for Area Charge, also based on d, but no Area Charge is levied if d equals zero;
- (b) aircraft with a MCM of more than 15 000 kilograms are charged as follows:
- (i) VC per movement;
  - (ii) BSC based on the square root of MCM; and
  - (iii) FC based on the square root of MCM, and for Area Charge, also based on d, but no Area Charge is levied if d equals zero.

6.2 Charges for aircraft with a MCM of 5 000 kilograms or less are zero-rated with respect to –

- (a) Area Charges; and
- (b) Aerodrome Charges or TMA Access Charges at ACSA airports or ACSA TMA airspace other than FAOR subject to the operators of such aircraft adhering to operating procedures around non-FAOR airports as the Company may establish from time to time.

6.3 For aircraft with a MCM of 5 000 kilograms or less at FAOR, the FC components that would otherwise have applied, are replaced with –

- (a) a minimum FC in the calculation of the Aerodrome Charge; and
- (b) a minimum FC in the calculation of the TMA Access Charge.

**7. Formulas and coefficients**

Subject to these Rules, the tariff formulas and tariff coefficients are set out in the Appendix attached.

**8. Payment of air traffic service charges and security deposits**

8.1 Any document produced by the Company on which it is recorded that an ATM service was provided is deemed to be sufficient evidence that the ATM service was indeed provided.

8.2 The operator of an aircraft which is engaged in a flight in respect of which the operator is liable to pay an air traffic service charge in terms of these Rules and in the case where the flight –

- (a) terminates at an ACSA airport, must pay the air traffic service charge to the Company representative at that ACSA airport before that aircraft is to take off from that ACSA airport;
- (b) commences at an ACSA airport and terminates at an airport other than an ACSA airport, must pay the air traffic service charge to the Company representative at that ACSA airport before that aircraft is to take off from that ACSA airport;
- (c) commences and terminates at airports other than ACSA airports, must pay the air traffic service charge to the Company within 30 days of receipt of an invoice from the Company in respect of the air traffic service charge,

unless the operator has previously entered into an agreement with the Company for payment.

8.3 The operator of an aircraft shall –

- (a) deposit with the Company an amount, or

(b) provide the Company with a letter of guarantee by a financial institution in a format acceptable to the Company that an amount has been set aside,

as security against the risk of default on payment.

8.4 The Company shall determine the amount referred to in section 8.3 with reference to the actual or expected invoices of an operator, which amount shall be limited to the maximum amount of two months' invoicing.

8.5 The Company may annually revise, and an operator may annually apply for a revision of the amount in section 8.3, with reference to actual or expected invoicing.

8.6 No interest is payable by the Company on any deposit or letter of guarantee held by it in terms of these Rules.

8.7 The Company may charge interest on an outstanding invoice as provided for in the Standard Terms and Conditions.

8.8 The Company is not obliged to withdraw, modify or reissue an invoice after six months from the date of the invoice.

## **9. General rules, exemptions and exceptions**

9.1 The tariffs set out in these Rules, including the Appendix, are exclusive of Value-Added Tax and are therefore subject to the appropriate rate applicable to any specific tariff.

9.2 Air traffic service charges are payable by the operator of an aircraft to the Company.

9.3 Air traffic service charges are payable in respect of South African and foreign state aircraft, unless other provision has been made by means of an agreement with the Company.

9.4 Air traffic service charges are payable in respect of helicopters, except at FAOR where no TMA Access Charge is levied.

9.5 No air traffic service charge is payable in respect of an aircraft engaged in any flight for the calibration of any air navigation infrastructure.

- 9.6 Air traffic service charges are payable in respect of an aircraft engaged in emergency medical service operations, unless exempted on a case-by-case basis by means of an agreement with the Company.
- 9.7 Subject to rule 9.9 below, no air traffic service charge is payable in respect of an aircraft requisitioned for and engaged in search and rescue operations in terms of the South African Maritime and Aeronautical Search and Rescue Act.
- 9.8 Air traffic service charges are payable in respect of an aircraft engaged in search and rescue operations, which aircraft has not been requisitioned in terms of the South African Maritime and Aeronautical Search and Rescue Act, unless exempted on a case-by-case basis by means of an agreement with the Company.
- 9.9 Search mission co-ordination services are payable by the relevant authority or any operator at a rate of **R1,549.58** per hour or part thereof, where these services fall outside of the normal scope of alerting services and assistance to agencies involved in search and rescue operations, in particular where services are activated due to negligence in canceling service requests.
- 9.10 (a) Aerodrome Charges and TMA Access Charges are payable in respect of Aerodrome and TMA Access movements solely for the purpose of air crew training at a discount of 70% of the applicable standard Aerodrome Charge or standard TMA Access Charge.
- (b) Training movements attract charges as follows:
- (i) An Aerodrome Charge is levied for each training movement upon take-off and upon landing from or at an ACSA airport, discounted as described in rule 9.10(a) above;
  - (ii) for a training movement that does not exit the aerodrome airspace, one Aerodrome Charge is levied for each circuit flown, discounted as described in rule 9.10(a) above; and
  - (iii) for a training movement that exits the aerodrome airspace into TMA airspace, rule 9.10(b)(i) above applies for each take-off and each landing, and a TMA Access Charge is levied for each circuit flown within the TMA airspace.
- (c) For the purposes of this rule, the words “take-off” and “landing” are construed to include the use of ATM services required for take-off and landing.

- 9.11 For oceanic flights over the Indian Ocean or the Atlantic Ocean within the South African flight information region, including those to and from Antarctica, the FC component of the Area Charge is 50% of the standard Area Charge.
- 9.12 Extended air traffic service charges at a rate of **R3,099.15** per hour or part thereof, are payable by an operator for the extension of existing air traffic services beyond the normal negotiated and planned service amendments as documented in the Integrated Aeronautical Information Package (IAIP).
- 9.13 No Area Charge is payable in respect of any aircraft engaged in a flight that takes off and lands at the same airport.
- 9.14 The Company reserves the right to exempt the operator of an aircraft from payment of, or discount, any of the air traffic service charges if the Company is satisfied that the application of these Rules would amount to an unfair repetition of the same charge.

#### **10. Withholding of services**

The Company may withhold services –

- (a) until such time that the operator provides evidence to the Company that the deposit or guarantee referred to in section 8.3 has been provided, or
- (b) if the operator has failed to settle an invoice as per the Standard Terms and Conditions.

**APPENDIX**  
**TARIFF FORMULAS AND COEFFICIENTS**

1. An air traffic service charge is composed of the sum of VC, BSC and FC for each discrete Aerodrome, TMA Access and Area movement undertaken, according to the following mass categories and locations:

Main Mass Category	Cost Component	Formulas & Coefficients		
		Aerodrome Charge	TMA Access Charge	Area Charge
FAOR ≤ 5 000 kg	VC	R30.56	R30.56	
	BSC	R124.18/10 000.MCM	R124.18/10 000.MCM	
	FC	R65.52	R121.03	
5 000 kg < MCM ≤ 15 000 kg	VC	R30.56	R30.56	R30.56
	BSC	R124.18/10 000.MCM	R124.18/10 000.MCM	R124.18/10 000.MCM
	FC	R131.05/10 000.MCM	R24.21/1 000.MCM	R17.37/100 000.MCM.d
> 15 000 kg	VC	R30.56	R30.56	R30.56
	BSC	R152.06/100. √MCM	R152.06/100. √MCM	R152.06/100. √MCM
	FC	R160.52/100. √MCM	R296.49/100. √MCM	R212.84/10 000. √MCM.d

2. Each Rand-value coefficient in the table above is multiplied by –
- 100% for a domestic flight;
  - 100% for a regional flight: and
  - 100% for an international flight,

except in the case of FCs for Aerodrome and TMA Access Charges at FAOR for aircraft with MCM ≤ 5 000 kg where the coefficient as stated in the table applies.

3. As an illustration, assume the following flights:

Example 1

Domestic flight from FAOR to FACT, with aircraft with MCM = 100 000 kg and d = 686 miles

$$\begin{aligned}
 \text{Charge} &= [\text{Aerodrome Charge at FAOR} + \text{TMA Access Charge at FAOR} + \text{Area Charge} + \text{TMA} \\
 &\quad \text{Access Charge at FACT} + \text{Aerodrome Charge at FACT}] \times 100\% \\
 &= [[\text{VC}_{\text{Aero}} + \text{BSC}_{\text{Aero}} + \text{FC}_{\text{Aero}}] + [\text{VC}_{\text{TMA}} + \text{BSC}_{\text{TMA}} + \text{FC}_{\text{TMA}}] + [\text{VC}_{\text{Area}} + \text{BSC}_{\text{Area}} + \text{FC}_{\text{Area}}] \\
 &\quad + [\text{VC}_{\text{TMA}} + \text{BSC}_{\text{TMA}} + \text{FC}_{\text{TMA}}] + [\text{VC}_{\text{Aero}} + \text{BSC}_{\text{Aero}} + \text{FC}_{\text{Aero}}]] \times 100\%
 \end{aligned}$$

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$$\begin{aligned}
&= [[R30.56 + (R152.06/100 \times \sqrt{100\ 000}) + (R160.52/100 \times \sqrt{100\ 000})] + [R30.56 + \\
&\quad (R152.06/100 \times \sqrt{100\ 000}) + (R296.49/100 \times \sqrt{100\ 000})] + [R30.56 + (R152.06/100 \times \\
&\quad \sqrt{100\ 000}) + (R212.84/10\ 000 \times \sqrt{100\ 000} \times (686-35-35))] + [R30.56 + (R152.06/100 \times \\
&\quad \sqrt{100\ 000}) + (R296.49/100 \times \sqrt{100\ 000})] + [R30.56 + (R152.06/100 \times \sqrt{100\ 000}) + \\
&\quad (R160.52/100 \times \sqrt{100\ 000})] \times 100\% \\
&= [(R30.56 \times 5) + (R152.06/100 \times \sqrt{100\ 000} \times 5) + (R152.06/100 \times \sqrt{100\ 000} \times 2) + \\
&\quad (R296.49/100 \times \sqrt{100\ 000} \times 2) + (R212.84/10\ 000 \times \sqrt{100\ 000} \times 616)] \times 100\% \\
&= R9,593.38
\end{aligned}$$

Example 2

International flight from FAOR to international gateway, with aircraft with MCM = 4 500 kg  
and d = 211 miles

$$\begin{aligned}
\text{Charge} &= [\text{Aerodrome Charge at FAOR} + \text{TMA Access Charge at FAOR}] \times 100\% \\
&= [[VC_{\text{Aero}} + BSC_{\text{Aero}}] \times 100\% + FC_{\text{Aero}}] + [[VC_{\text{TMA}} + BSC_{\text{TMA}}] \times 100\% + FC_{\text{TMA}}] \\
&= [[R30.56 + (R124.18/10\ 000 \times 4\ 500)] \times 100\% + R65.52] + [[R30.56 + (R124.18/10\ 000 \times \\
&\quad 4\ 500)] \times 100\% + R121.03] \\
&= [(R30.56 \times 2) + (R124.18/10\ 000 \times 4\ 500 \times 2)] \times 100\% + R65.52 + R121.03 \\
&= R359.44
\end{aligned}$$