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GENERAL NOTICES

NOTICE 264 OF 2001

AIRPORTS COMPANY SOUTH AFRICA LIMITED

AIRPORTS COMPANY ACT, 1993 (ACT No. 44 OF 1993), AS AMENDED

PUBLICATION OF AIRPORT CHARGES

In terms of section 5 (2) (f) of the Airports Company Act, 1993 (Act No. 44 of 1993), as amended, it is hereby published for general notice that as from 1 May 2001 the Airports Company South Africa Limited No. 93/04149/06, will levy the airport charges set out in the Schedule by virtue of a permission granted in terms of section 12 of the said Act.

A. J. WILLIAMSON

Acting Managing Director

SCHEDULE

AIRPORT CHARGES

1. Liability to pay airport charges

- (1) Subject to the provisions of these rules, airport charges shall be payable by the operator of an aircraft to the Company.
- (2) Airport charges consist of—
 - (a) a landing charge, payable at the company airport where a flight terminates;
 - (b) a parking charge, payable at the company airport where an aircraft is parked;
 - (c) a passenger service charge, payable at the company airport where a flight commences.
- (3) Subject to the provisions of these rules, the tariff of landing, parking and passenger service charges shall be as set out in Annexures A, B and C, respectively.

2. Notification of movement of aircraft and payment of charges

- (1) Immediately after an aircraft has landed on a company airport the operator of that aircraft shall give notice to the airport manager, in the form provided by the latter for the purpose, of the time of arrival of that aircraft together with such other information as such operator is required by the airport manager to furnish when completing the notice in the said form.
- (2) Immediately before an aircraft is to take off from a company airport the operator of that aircraft shall give notice to the airport manager, in the form provided by the latter for the purpose, of the expected time of departure of that aircraft, supply such other information as such operator is required by the airport manager to furnish when completing the notice in the said form and pay all airport charges payable to the airport manager, unless such operator has previously entered into an agreement with the Company for payment.
- (3) The operator of an aircraft who has, in terms of subrules (1) and (2) given notice to the airport manager of the arrival or expected departure of that aircraft, shall, as soon as such operator becomes aware of any variation in the information furnished by him in the said notice advise the airport manager of such variation.

3. Landing charges

- (1) The landing charges set out in paragraph 2 of Annexure A shall only apply to an aircraft engaged in a flight which commenced at an airport within one of the States or territories mentioned in that paragraph and—
 - (a) where the operator of such aircraft has the right, granted by the South African aeronautical authority, to take on passengers, cargo or mail at the said airport of departure and to discharge those passengers or at that cargo or mail at the company airport where the flight terminated; or
 - (b) where, notwithstanding the provisions of subrule (2), the flight immediately preceding such flight commenced at an airport within the Republic, irrespective of whether or not the right referred to in subparagraph (a) has been granted to the operator of such aircraft.
- (2) If an aircraft is engaged in a flight between an airport within one of the States or territories mentioned in paragraph 2 of Annexure A and a company airport, and the operator of that aircraft does not have the right referred to in subrule (1), then the previous airport from where such aircraft took off and where such right has been granted to such operator, shall be deemed to be the airport of departure for the purpose of calculating the appropriate landing charge when landing at that company airport.

(3) Notwithstanding the tariffs of landing charges set out in Annexure A, at the Kimberley, East London, Port Elizabeth, George and Upington Airports, a landing charge of 13-68 (excluding VAT) per single landing shall be payable in respect of an aircraft with a maximum certificated mass of not more than 1 500 kg which is not being operated in terms of an air carrier's licence issued under the International Air Services Act, 1949 (Act No. 51 of 1949), or an air service licence issued in terms of the Air Services Licensing Act, 1990 (Act No. 115 of 1990).

(4) A landing charge in respect of a helicopter shall be 20 per cent of the appropriate landing charge prescribed and set out in Annexure A, for an aircraft of equal maximum certificated mass.

(5) When a landing is carried out solely for the purpose of aircrew training, the landing charge shall be 20 per cent of the appropriate charge set out in Annexure A: Provided that, notwithstanding the provisions of subrule (3), at the Kimberley, East London, Port Elizabeth, George and Upington Airports, in respect of all landings during a series of flights carried out solely for the purpose of aircrew training and while the same person is acting as pilot of the aircraft, one charge of R9.05 (excluding VAT) shall be payable where the aircraft has a maximum certificated mass of not more than 500 kg and one charge of R11-17, R13-68 and R17-95 (all exclusive of VAT) where the aircraft has a maximum certificated mass of not more than 1 000, 1 500 and 2 000 kg, respectively.

4. Parking charges

(1) A parking charge shall be payable after an aircraft has been parked at a company airport for a period exceeding four hours: Provided that the parking charge payable shall be doubled if such aircraft has been parked at Johannesburg International Airport at a parking bay where a passenger loading bridge is in operation.

(2) A parking charge shall be calculated for any period of 24 hours or any part thereof for which an aircraft has been parked.

5. Passenger service charges

(1) The passenger service charge shall be calculated on the basis of the number of embarking passengers on an aircraft and the appropriate tariff applicable to each passenger as set out in Annexure C.

(2) The following passengers shall not be regarded as embarking passengers:

- (a) A passenger who does not disembark from an aircraft after such an aircraft has landed at a company airport and who remains on board that aircraft until such aircraft takes off from that company airport; or
- (b) a passenger who is not older than two years of age.

6. ACS Security Charge

(1) The company is required as the manager of Aviation Co-Ordination Services (Pty) Ltd (ACS) to collect a security charge from operators of aircraft departing to international destinations from Johannesburg, Cape Town and Durban International Airports and levied on passengers travelling on such aircraft at the tariff set out in Annexure D below. Operators will be invoiced by ACS, to whom the security charge is paid, and who is responsible for its administration, its application and consequences thereof.

7. General rules

(1) Airport charges shall be payable in respect of South African and foreign state aircraft unless other provision has been made by means of an agreement with the Company.

(2) No airport charge shall be payable in respect of—

- (a) an aircraft engaged in any flight for the calibration of any air navigation infrastructure;
- (b) an aircraft engaged in search and rescue operations; and
- (c) an aircraft engaged in a test flight, when such flight is required by the Commissioner for Civil Aviation in terms of the regulations made under the Aviation Act, 1962 (Act No. 74 of 1962), for the purpose of issuing or rendering effective a certificate of airworthiness or after any major modification to an aircraft.

8. Interpretation

For the purposes of these rules, unless the context otherwise indicates—

- (a) "aircraft" means an aircraft as defined in section 1 of Aviation Act, 1962;
- (b) "air navigation infrastructure" means air navigation infrastructure as defined in section 1 of the Air Traffic and Navigation Services Company Act, 1993 (Act No. 45 of 1993);
- (c) "airport" means an airport as defined in section 1 of the Aviation Act, 1962, and includes a company airport;
- (d) "airport charge" means a landing charge, a parking charge and/or a passengers service charge;
- (e) "airport manager" means a person designated by the Company for the purpose of these rules;
- (f) "Company" means the Airports Company South Africa Limited.
- (g) "company airport" means a company airport as defined in section 1 of the Airports Company Act, 1993 (Act No. 44 of 1993);

- (h) "crew member" means a person assigned by an operator to do duty on an aircraft during flight time;
- (i) "flight" means a flight as defined in regulation 1.3 of the Air Navigation Regulations, 1976, as amended;
- (j) "helicopter" means a helicopter as defined in regulation 1.3 of the Air Navigation Regulations, 1976, as amended;
- (k) "international flight" means a flight which commences or terminates at an airport outside the Republic;
- (l) "maximum certificated mass" means a maximum certificated mass as defined in regulation 1.3 of the Air Navigation Regulations, 1976, as amended;
- (m) "operator", in relation to an aircraft, means—
 - (i) a licensee as defined in section 1 of the Air Services Licensing Act, 1990 (Act No. 115 of 1990), or an air carrier as defined in section 1 of the International Air Services Act, 1949 (Act No. 51 of 1949);
 - (ii) any airline of another State which operates a scheduled international air transport service in terms of a bilateral agreement as contemplated in section 2 (2) (a) of the International Air Services Act, 1949; or any person who uses an aircraft under an authorisation by the Commissioner for Civil Aviation as contemplated in section 2 (2A) of the said Act;
 - (iii) the owner of such aircraft;
- (n) "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 the Republic for a foreign owner, or a person by whom such aircraft is hired at the time;
- (o) "passenger" means any person other than a crew member on board on aircraft in flight;
- (p) "state aircraft" means any state aircraft as contemplated in article 3 of the Convention of International Civil Aviation signed at Chicago on 7 December 1944.

ANNEXURE A

AIRPORT CHARGES: LANDING CHARGES

1. The landing charge in respect of an aircraft which lands at a company airport and which has been engaged in a flight where the airport of departure of that aircraft was within the Republic:

Maximum certificated mass in kg of the aircraft up to and including—	Per single landing	
	VAT	
	Exclusive	Inclusive
	R	R
500.....	19,46	22,18
1 000.....	28,87	32,91
1 500.....	36,91	42,08
2 000.....	44,57	50,80
2 500.....	52,60	59,96
3 000.....	60,63	69,12
4 000.....	84,61	96,46
5 000.....	107,96	123,07
6 000.....	131,57	149,99
7 000.....	155,92	177,75
8 000.....	179,40	204,51
9 000.....	201,86	230,12
10 000.....	226,73	258,47
and thereafter, for every additional 2 000 kg or part thereof.....	34,28	39,08

2. The landing charge in respect of an aircraft which lands at a company airport and which has been engaged in a flight where the airport of departure of that aircraft was within Botswana, Lesotho, Namibia or Swaziland:

Maximum certificated mass in kg of the aircraft up to and including—	Per single landing	
	VAT	
	Exclusive	Inclusive
	R	R
500.....	21,96	25,04
1 000.....	34,02	38,78
1 500.....	48,08	54,81
2 000.....	60,88	69,41
2 500.....	73,94	84,29
3 000.....	87,37	99,61
4 000.....	119,00	135,66
5 000.....	150,27	171,31
6 000.....	181,27	206,65
7 000.....	213,04	242,86
8 000.....	243,91	278,06
9 000.....	274,93	313,42
10 000.....	306,68	349,62
and thereafter, for every additional 2 000 kg or part thereof.....	50,97	58,10

ANNEXURE A

AIRPORT CHARGES: LANDING CHARGES

3. The landing charge in respect of an aircraft which lands at a company airport and which has been engaged in a flight where the airport of departure of that aircraft was within the State or territory other than those mentioned in paragraphs 1 and 2:

Maximum certificated mass in kg of the aircraft up to and including—	Per single landing	
	VAT	
	Exclusive	Inclusive
	R	R
500.....	24,49	27,91
1 000.....	39,29	44,79
1 500.....	59,12	67,40
2 000.....	76,95	87,72
2 500.....	95,16	108,48
3 000.....	113,86	129,81
4 000.....	153,65	175,16
5 000.....	192,44	219,38
6 000.....	230,86	263,18
7 000.....	269,91	307,69
8 000.....	308,18	351,33
9 000.....	347,36	395,99
10 000.....	386,65	440,79
and thereafter, for every additional 2 000 kg or part thereof.....	67,65	77,13

ANNEXURE B**AIRPORT CHARGES: PARKING CHARGES**

Maximum certificated mass in kg of the aircraft up to and including—	Per 24 hours or part thereof	
	VAT	
	Exclusive	Inclusive
	R	R
2 000.....	13,68	15,59
3 000.....	28,12	32,06
4 000.....	40,05	45,65
5 000.....	54,99	62,69
10 000.....	80,96	92,30
15 000.....	106,46	121,37
20 000.....	134,20	152,99
25 000.....	160,19	182,61
50 000.....	211,91	241,58
75 000.....	263,75	300,68
100 000.....	316,23	360,50
150 000.....	397,82	453,52
200 000.....	480,06	547,52
300 000.....	548,85	625,69
400 000.....	691,28	788,06
and thereafter, for every additional 100 000 kg or part thereof.....	106,46	121,37

ANNEXURE C**AIRPORT CHARGES: PASSENGER SERVICE CHARGES**

	VAT	
	Exclusive	Inclusive
	R	R
1. Passenger service charge per embarking passenger where such passengers will disembark from the aircraft at an airport within the Republic.....	26,32	30,00
2. Passenger service charge per embarking passengers where such passengers will disembark from the aircraft at an airport within Botswana, Lesotho, Namibia or Swaziland.....	55,26	63,00
3. Passenger service charge per embarking passenger where such passengers will disembark from the aircraft within any State or territory other than those mentioned in paragraphs 1 and 2.....	75,44	86,00

ANNEXURE D**ACS CHARGES: SECURITY CHARGE**

	VAT	
	Exclusive	Inclusive
	R	R
1. Passenger service charge per embarking passenger where such passengers will disembark from the aircraft within any State or territory other than the Republic, Botswana, Lesotho, Namibia or Swaziland.....	8,77	10,00

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