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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF TRANSPORT**NOTICE 1841 OF 2023****AIR SERVICE LICENSING ACT, 1990 (ACT NO.115 OF 1990)
APPLICATION FOR THE GRANT OR AMENDMENT OF DOMESTIC AIR
SERVICE LICENCE**

Pursuant to the provisions of section 15 (1) (b) of Act No. 115 of 1990 and Regulation 8 of the Domestic Air Regulations, 1991, it is hereby notified for general information that the application detail of which appear in the appendix, will be considered by the Air Service Licensing Council. Representation in accordance with section 15 (3) of the Act No. 115 of 1990 in support of, or in position, an application, should reach the Air Service Licensing Council, Private Box X 193, Pretoria, 0001 or by email at: domesticcouncil@dot.gov.za within 21 days of date of the publication thereof.

APPENDIX I (New Applications)

(A) Full name and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class of license applied for. (D) Type of air service to which application applies. (E) Category of aircraft to which application applies.

APPENDIX II

(A) Full Name and trade name of the applicant. (B) Full business or residential address the applicant. (C) The Class and number of license in respect of which the amendment is sought (D) Type of air service and the amendment thereto which is being applied for (E) Category of aircraft and the amendment thereto which is being applied for. (F) Amendment referred to in section 14(2) (b) to.

(A) Avcon Jet Africa (Pty) Ltd trading as Avcon Jet Africa. (B) Grand Central Airport Hanger X, New Road, Midrand, 1685 (C) Class II; N1133D (D) Type N1 & N2. (E) Category A2, A3 & A4. (F) Changes to MP: K. Moller appointed as Accountable Manager, J. F Naude appointed as RP: Flight Operations, G. Kritzinger appointed as Flight Safety Officer, G. Kritzinger appointed as Quality Assurance Manager, R. Goncalves appointed as Responsible Person: Aircraft & J. Jacobs appointed as Security Manager.

(A) Tzaneen Charter Flights trading as Tzaneen Charter Flights. (B) 8 Industria Street, Tzaneen, Limpopo, 0850 (C) Class II (N1047D) (D) Type N1 & N2. (E) Category A3, A4 & H2. (F) Changes to the MP: Jannike Bester replaces Rudi Botes as the Accountable Manager and Jannike Bester replaces Rudi Botes as the Responsible Person: Operations.

(A) Tzaneen Charter Flights trading as Tzaneen Charter Flights. (B) 8 Industria Street, Tzaneen, Limpopo, 0850. (C) Class III (G1320D) (D) Type G2, G3, G4, G5, G8, G10, G11, G13 & G15. (E) Category A3, A4 & H2. (F) Changes to the MP: Jannike Bester replaces Rudi Botes as the Accountable Manager and Jannike Bester replaces Rudi Botes as the Responsible Person: Operations.

SURRENDERED LICENSE

(A) Full name and trade name of the applicant. (B) Full business or residential address. (C) Class of licence. (D) Type of air service. (E) Category of aircraft.

(A) Grace Air (Pty) Ltd (B) Grace Air Hangar, General Aviation Area, George Airport, George. (C) Class II: N956D (D) Type N1 & N2. (E) Category H2.

ANNEXURE III (HOW TO APPLY FOR AN EXEMPTION APPLICATION)**1. APPLICATION FOR AN EXEMPTION:****1.1. Who may apply for an exemption?**

An applicant for a new license, inclusive of an existing licensee, who currently holds a valid Air Service License may apply for an exemption from the provisions of Section 16(4)(e) of Act No. 115 of 1990.

1.2. When to apply for an exemption?

1.2.1. An application must be received at least 3 (three) months prior to when the exemption is required. The intention behind a 3 (three) month timeframe is to:

1.2.1.1. Ensure that the exemption application is given proper consideration;

1.2.1.2. Encourage industry to adopt proper planning and management fall back strategies; and

1.2.1.3. Ensure that an exemption is absolutely necessary rather than a convenient method of complying with Act No. 115 of 1990.

1.2.2. However, Council is aware there may be unforeseen circumstances when an exemption will be required within a very short time frame. In these circumstances Council will consider a late application provided the applicant submits suitable justification as to why the application was not submitted 3 (three) months prior to when the exemption is required. It must be noted that Council will not accept poor planning or commercial impact on business as suitable justification.

1.3. Where to apply for an exemption?

An application for an exemption must be submitted to Council via the offices of the Council Secretariat and the applicant must use the TV2/339 Form, a copy of which together with the supporting documents must be submitted in **hard copy** in 7 (seven) fold and **electronically**, marked as an Exemption Application and submitted as follows:

Physical address:

Air Services Licensing Council
Secretary of Council
Attention: Ms Patricia Mantsina / Mr. Macdonald Motau
Department of Transport
Forum Building
159 Struben Street
Pretoria
0001

Email address:

DomesticCouncil@dot.gov.za

1.4. How to apply for an exemption?

The application to Council must be in the TV 339 Form, which must be accompanied with the following:

- 1.4.1. A Cover Letter / Application Letter, which must be placed in the letterhead of the applicant wherein the applicant's name and address must be set out. The application should also include the name of the legal entity to which Council will issue the exemption;
- 1.4.2. The application should also include the name and contact details of the primary point of contact for Council in that organisation;
- 1.4.3. The relevant provisions of Act No. 115 of 1990 from which the exemption is sought;
- 1.4.4. The details of the aircraft, person, or thing to be covered by the exemption and if applicable, this may include type, model, serial number or registration of the aircraft. If the exemption will affect a particular kind of operation, the kind of operation concerned;
- 1.4.5. The reasons why the applicant needs the exemption. The reasons provided should be detailed and fulsome and therefore not providing adequate information will result in delays to the processing of the application;
- 1.4.6. The date on which the exemption is required to commence;
- 1.4.7. The required duration of the exemption (eg: number of months), which cannot be more than 12 (twelve) months after it commences.

2. ADJUDICATION OF THE APPLICATION:

- 2.1. Considerable research and investigation is often required before Council can make a decision to grant or refuse the exemption. Therefore, the application should be made at least 3 (three) months before the requested start date. Only in exceptional circumstances will Council consider an application with a start date that is less than 3 (three) months.
- 2.2. In processing each application, Council will consider all the information provided as well as anything in its records concerning the applicant. If there is anything adverse to the applicant in its records, which Council intends to take into account, Council will inform the applicant in writing that it intends to take this information into account and will invite the applicant to make a written submission about the matter within a reasonable period. If the applicant responds with a written submission within that time, then Council will take the response into consideration.
- 2.3. To the extent that an application does not provide either information required by Council or information which is necessary for proper consideration of the application, Council may request further information. In the adjudication process, Council may request the applicant to:
 - 2.3.1. Provide further information;

- 2.3.2. Provide a copy of specific document(s);
 - 2.3.3. Attend a Council meeting to answer specific questions pertaining to the application.
- 2.4. If the applicant previously held an exemption that was revoked, Council will take the reasons for the revocation into account as well as the evidence that the applicant submits about their capacity to carry out the functions necessary to gain the exemption.

3. REVOKED EXEMPTION

- 3.1. A licensee applying for the renewal of an existing exemption must apply as if the application is for a new exemption, with the additional requirement that they must include a statement of the additional reasons why the exemption is still necessary, or the reasons why a continuation of the exemption is necessary.
- 3.2. An applicant for the renewal of an exemption should be aware that a renewal application does not automatically entitle the person to the granting of a further exemption in the same or similar terms. Each application will be assessed on its own merits at the time of the application.

4. NOTIFICATION OF DECISION

- 4.1. Council will notify the applicant in writing of its decision by means of a Record of Decision (“**RoD**”) and thereafter issue an Amended Licence.
- 4.2. Where Council refuses to grant an exemption, or imposes conditions not sought by the applicant, then Council will give reasons for its decision and will accordingly register such conditions in its License Register.
- 4.3. The exemption will be published in the government gazette as per the provisions of Section 15(1) of Act No. 115 of 1990.
- 4.4. An exemption that is subject to conditions may be varied either by Council or on application of the applicant. Council may also revoke an exemption where in Council’s reasonable opinion, the relevant exemption criteria is no longer satisfied.

**DEPARTMENT OF TRANSPORT
INTERNATIONAL AIR SERVICE ACT, (ACT NO.60 OF 1993)
GRANT /AMENDMENT OF INTERNATIONAL AIR SERVICE LICENSE**

Pursuant to the provisions of section 17 (12) of Act No.60 of 1993 and Regulation 15 (1) and 15 (2) of the International Air Regulations,1994, it is hereby notified for general information that the applications, detail of which appear in the Schedules hereto, will be considered by the International Air Services Council (Council) representation in accordance with section 16(3) of the Act No. 60 of 1993 and regulation 25(1) of International Air Services Regulation, 1994, against or in favour of an application, should reach the Chairman of the International Air Services Council at Department of Transport, Private Bag X 193, Pretoria, 0001 or by email at: internationalcouncil@dot.gov.za within 28 days of the publication hereof. It must be stated whether the party or parties making such representation is / are prepared to be represent or represented at the possible hearing of the application.

APPENDIX II

(A) Full name, surname and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class and number of license in which the amendment is made. (D) Type of International Air Service in respect of which the amendment was made. (E) Category or kind of aircraft to which license was made. (F) Airport in respect of which the amendment was made. (G) Area to be served. (H) Frequency of flight.

(A) **Avcon Jet Africa (Pty) Ltd trading as Avcon Jet Africa.** (B) Grand Central Airport Hanger X, New Road, Midrand, 1685. (C) Class II; I/N267 (D) Type N1 & N2. (E) Category A1, A2, A3 & A4. (F) N/A. (G) Worldwide (H) N/A.

**DEPARTMENT OF TRANSPORT
INTERNATIONAL AIR SERVICE ACT, (ACT NO.60 OF 1993)
GRANT /AMENDMENT OF INTERNATIONAL AIR SERVICE LICENSE**

Pursuant to the provisions of section 24 (1(a) and (b) and 25 (5) of Act No.60 of 1993 and Regulation 16 (1) and 17 (1) of the International Air Regulations,1994, it is hereby notified for general information that the applications, detail of which appear in the Schedules hereto, will be considered by the International Air Services Council (Council) representation in accordance with section 24(3) of the Act No. 60 of 1993 and regulation 25(2) of International Air Services Regulation, 1994, against or in favour of an application, should reach the Chairman of the International Air Services Council at Department of Transport, Private Bag X 193, Pretoria, 0001 or by email at: internationalcouncil@dot.gov.za within 21 days of the publication hereof. It must be stated whether the party or parties making such representation is / are prepared to be represent or represented at the possible hearing of the application.

APPENDIX I (New/renewal)

(A) **AIR BOTSWANA CORPORATION** (B) P.O. Box 92, Gaborone, Botswana. (C) Class I. (D) Type S1. (E) A1 and A2 – ATR72-600 – Reg: A2-ABK, A2-ABL; and Embraer ERJ 170-100L – Reg: A2-ABM. (F) and (G) S1: Gaborone – O R Tambo International Airport – Gaborone (41 flights per week) / Gaborone – Cape Town International Airport – Gaborone (06 flights per week) / Maun – O R Tambo International Airport – Maun (14 flights per week). (H) Sixty-one (61) flights per week.

(A) **AIR MAURITIUS LIMITED** (B) Air Mauritius Centre, President John Kennedy Street, Port Louis, Mauritius. (C) Class I. (D) Type S1. (E) A1 – A350-941 – Reg: 3B-NBP, 3B-NBQ, 3B-NCE, 3B-NCF; A330-202 – Reg: 3B-NCL; A330-941 – Reg: 3B-NBU, 3B-NBV. (F) and (G) S1: Points in Mauritius – O R Tambo International Airport – Mauritius / Mauritius – Cape Town International Airport – Mauritius. (H) S1: Twenty One (21) return flights per week to align with the Bilateral Agreement between Mauritius and the Republic of South Africa.

APPENDIX II (Amendments)

(A) ETHIOPIAN AIRWAYS (B) Iconic Business Park , 251 Kent Avenue, Ferndale Randburg, Johannesburg. (C) Class I. (D) Type S1. (E) A1 fleet: A350-941 – Reg: ET-AZN (F) and (G) Addis Ababa – O R Tambo – Addis Ababa (21 flights per week) / Addis Ababa – Cape Town – Addis Ababa (14 flights per week). (H) (Thirty-Five (35) per week.

(A) FEDERAL EXPRESS CORPORATION (“FEDEX”). (B) 3610 Hacks Cross Road, Memphis Tennessee, 38125. (C) Class I. (D) Type S2. (E) A1 fleet: B777F – Reg: N847FD, N848FD, N873FD, N849FD and N871FD. (F) and (G) Memphis International – Dubai – O R Tambo (Johannesburg) – Nairobi - Dubai – Milano (Italy) – Memphis International and Memphis to Johannesburg via Nairobi, Paris and Liege. (Fifth freedom traffic rights may be exercised at any intermediate or beyond points). (H) One (01) return cargo flight per week.

(A) SAUDI ARABIAN AIRLINES (CARGO) (B) P.O. Box 167, cc: 919 Flight Operations Building # 241 King Abdul Aziz International Airport, Jeddah, 21231 Kingdom of Saudi Arabia. (C) Class I. (D) Type S1. (E) A1 fleet: B747-400 – Reg: 9H-AKA , 9H-AKF, and 9H-AKJ. (F) and (G) Jeddah – O R Tambo (Johannesburg) – Nairobi - Jeddah. (No fifth freedom traffic rights may be exercised at any intermediate or beyond points.) (H) Four (04) return flights per week.

(A) AIR FRANCE. (B) 45 rue de Paris, 95747 Roissy CDG Cedex – 93290 Tremblay en France, France. (C) Class I. (D) Type S1. (E) A1 – **B777F28 – Reg: F-GUOC and F-GUOB.** (F) and (G) Charles de Gaulle Airport (Paris, France) – O R Tambo International Airport (Johannesburg) – Charles de Gaulle Airport (Paris, France) @ Seven (07) flights per week / Charles de Gaulle Airport (Paris, France) - Cape Town International Airport - Charles de Gaulle Airport (Paris, France) @ Seven (07) flights per week. (H) Fourteen (14) flights per week.

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