

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF TRANSPORT

NO. 4096

17 November 2023

CONVENTION ON THE INTERNATIONAL RECOGNITION OF RIGHTS IN AIRCRAFT ACT, 1993 (ACT No. 59 OF 1993)

FIFTH AMENDMENT OF THE MORTGAGING OF AIRCRAFT REGULATIONS, 2023

INVITATION FOR THE PUBLIC TO COMMENT ON THE PROPOSED FIFTH AMENDMENT OF THE MORTGAGING OF AIRCRAFT REGULATIONS, 2023

I, Sindisiwe Chikunga, MP, Minister of Transport hereby, in terms of section 14 (3) of the Convention on International Recognition of Rights in Aircraft Act, 1993 (Act No. 59 of 1993), publish the Proposed Fifth Amendment of the Mortgaging of Aircraft Regulations set out in the Schedule hereunder for broader public comment.

All interested persons are hereby invited to submit written comment within 30 calendar days from date of publication to:

THE DIRECTOR OF CIVIL AVIATION

Attention: Mr Nhlanhla Jali

Private Bag X 73
Halfway House
1685

or Hand deliver to:

Ikhaya Lokundiza
Building 16 Treur Close
Waterfall Park
Bekker Road
Midrand
1682

Email to:

JaliN@caa.co.za



Ms. S. Chikunga, MP
Minister of Transport

Date: 2023/11/02

SCHEDULE

CONVENTION ON THE INTERNATIONAL RECOGNITION OF RIGHTS IN AIRCRAFT ACT, 1993 (ACT No. 59 OF 1993)

PROPOSED FIFTH AMENDMENT OF THE MORTGAGING OF AIRCRAFT REGULATIONS, 2023

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing regulations.

_____ Words underlined with a solid line indicate insertions in existing regulations.

Interpretation

1. In this Schedule “the Regulations” means the Mortgaging of Aircraft Regulations, 1997, published by Government Notice No. R. 1739 dated 24 December 1997, as amended.

Amendment of Regulation 8 of the Regulations

2. Regulation 8 of the Regulations is hereby amended by the substitution for the following regulation:

“8. Fees

The following fees shall be payable when application is made for:

(a) The recording of a mortgage in the register of aircraft mortgages	[1840.00] <u>2255.00</u>
(b) A notification of the discharge of a mortgage	[1840.00] <u>2255.00</u>
(c) A transfer of mortgages by deed of cession	[1840.00] <u>2255.00</u>
(d) A declaration of transmission of rights in a mortgage	[1840.00] <u>2255.00</u>
(e) A certificate of mortgage	[1370.00] <u>1680.00</u>
[(f) Access to the register of aircraft mortgages	230.00
(g) The furnishing of a copy from the register of aircraft mortgages	1.60]'

Note: the process and fees for obtaining access to the register of aircraft mortgages and copies thereof is stipulated in the SACAA Access to Information Manual obtainable under the PAIA and privacy tab on the Authority's website". "

MOTIVATION

The Mortgaging of Aircraft Regulations provide for the process of registering, transferring and discharging of aircraft mortgages and the fees connected therewith. The Regulations were last amended in 2019 and certain provisions thereof, in particular the fees, have become outdated. The proposed amendment is intended to increase the fees relating to mortgaging by an amount of 20%.