

DEPARTMENT OF TRANSPORT

NO. R. 1422

15 DECEMBER 2017

**CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT ACT, 2007
(ACT NO. 4 OF 2007)****CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT
REGULATIONS, 2017**

The Minister of Transport intends, in terms section 5 of the Convention on International Interests in Mobile Equipment Act, 2007 (Act No. 4 of 2007), to make regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations as follows:

Postal address: Director of Civil Aviation
Private Bag X 73
Halfway House
1685

Or by email to: sonjanim@caa.co.za or skosanas@caa.co.za

The closing date for comments on the Regulations is 19 January 2018 from the date of publication of this Notice in the Gazette.

MOTIVATION

The proposed regulations intend to provide fees for SACAA by charging a processing fee to cover the administrative costs associated with the recording, revocation of IDERA and certified designee's applications. The basis for the proposed fees emanates from the combination of many factors such as the comparative study conducted with other aviation regulators, the duration of SACAA's internal processes of approval of IDERA and the hourly rate for services that are provided by the SACAA for which no specific fee has been set out.

SCHEDULE

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.

1. Definitions and abbreviations

(a) Definitions

In these Regulations, a word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned to it, and unless the context otherwise indicates—

“authorised party” means an entity or person in favour of whom an IDERA has been issued;

“certified designee” means an entity or person appointed by the authorised party to act on his, her or its behalf;

“Director” means the Director of Civil Aviation appointed in terms of section 85 of the Civil Aviation Act, 2009 (Act No.13 of 2009);

“Protocol” means Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment, 2001; and

“the Act” means the Convention on the International Interests in Mobile Equipment Act, 2007, (Act No.4 of 2007).

(b) Abbreviations

“IDERA” means Irrevocable de-registration and export request authorization.

2. IDERA

(1) The owner or operator of an aircraft who has issued an IDERA in favour of an authorised party and who wishes to record such IDERA on behalf of the authorised party in terms of article XIII of the Protocol shall apply to the Director for the recording of an IDERA.

(2) The application referred to in sub-regulation (1) shall be submitted in the prescribed form and shall be accompanied by a power of attorney and appropriate fee as prescribed by regulation 6.

3. Certified designee for IDERA

An authorised party who has a valid recorded IDERA shall apply to the Director for recording of certified designee in the prescribed form together with appropriate fee as prescribed by regulation 6.

4. Revocation of IDERA

An authorised party who wishes to revoke an IDERA recorded in terms of article XIII of the Protocol shall apply to the Director in a prescribed form together with appropriate fee as prescribed by regulation 6.

5. Revocation of certified designee

An authorised party or a certified designee who wishes to revoke the authorization of the certified designee in terms of article XIII of the Protocol shall apply to the Director in a prescribed form together with appropriate fee as prescribed by regulation 6.

6. Fees

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

<u>(a) recording of IDERA</u>	<u>1 550,00</u>
<u>(b) revocation of IDERA</u>	<u>1 250,00</u>
<u>(c) recording of certified designee</u>	<u>1 350,00</u>
<u>(d) revocation of certified designee</u>	<u>1 250,00</u>

7. Short title and commencement

These regulations are called Convention on International interests in Mobile Equipment Regulations, 2017 and shall come into operation 30 days after the date of publication in the Gazette.