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GENERAL NOTICES

NOTICE 1165 OF 2014

DEPARTMENT OF TRANSPORT

**THE 2015/16 – 2019/20 PERMISSION FOR AIRPORTS
COMPANY SOUTH AFRICA**

REGULATING COMMITTEE

PERMISSION TO LEVY AIRPORT CHARGES

It is hereby published for general notice that on 21 November 2014 the Regulating Committee established by Section 11 of the Airports Company Act (Act 44 of 1993), issued in terms of Section 12 (5) of the said Act to the Airports Company, the Permission set out in the Schedule. This Permission will be effective from 1 April 2015 to 31 March 2020.



Unathi Mntonintshi

Chairperson of the Regulating Committee

December 2014

SCHEDULE**PERMISSION TO LEVY AIRPORT CHARGES FOR 2015/16-2019/20**

In this Schedule any word or expression to which a meaning has been assigned in the Aviation Act, 1962 (Act No. 74 of 1962) or the Airports Company Act, 1993 (Act No. 44 of 1993), shall have the meaning so assigned to it, unless the context otherwise indicates.

Subject to the provisions of the Airports Company Act, 1993 (Act No. 44 of 1993), the Airports Company South Africa (the Company) is hereby authorised to levy airport charges and conduct relevant activities from 1 April 2015 to 31 March 2020 on the following conditions:

1. Limits on airport charges

- (1) The tariff structure will be of the same mathematical format and apply under the same circumstances as immediately before the date of the issuing of this permission.
- (2) In the event of the Company contemplating modifying the structure of airport charges, the Company shall satisfy the Regulating Committee that the resultant charges will have the same material effect as the conditions on airport charges of this permission.
- (3) Notwithstanding subsection (5), the Company shall submit annually to the Committee a report on the implementation of the adjusted tariff structure.

(4)

(a) The Company may during the period of validity of this permission alter the level of airport charges to the maximum limit set by the following formula:

$$RWPTI_1 \leq (CPI_t - X_t + CF_t) + K_t$$

Where:

- $RWPTI_1$ = the sum of the revenue weighted percentage tariff increases in year t
 CPI_t = the CPI forecast at the beginning of period t for the period t
 X_t = the subtractive X factor for year t set out in subsection (c)
 K_t = the K factor for year t set out in subsection (d)

$$CF_2 = (CPI_{t-2} - X_{t-1} + CF_{t-1} - (RWPTI_{t-2} - K_{t-2})) \times (1 + Pr_{t-2})$$

Where

CPI_{t-2}	=	actual CPI for the year (t-2)
Pr_{t-2}	=	predominant prime overdraft rate
$RWPTI_{t-2}$	=	the sum of the permitted revenue weighted percentage tariff increases in year (t-2)

The Regulating Committee may, in exceptional circumstances only, implement a further regulatory adjustment to tariffs, where it deems such an adjustment necessary in fulfilling its duties per the Airports Company Act, 1993 (Act No. 44 of 1993).

(b) The CPI as determined by the independent forecast for the Regulating Committee shall be:

5.7% in financial year 2015/16

5.6% in financial year 2016/17

5.4% in financial year 2017/18

5.3% in financial year 2018/19

5.4% in financial year 2019/20

(c) X shall be:

5.7% in financial year 2015/16

5.6% in financial year 2016/17

5.4% in financial year 2017/18

5.3% in financial year 2018/19

5.4% in financial year 2019/20

In arriving at the X factors for the Permission period, the Committee has taken into consideration the permission application presented by the Company.

(d) K factor

The K factor provides for extraordinary or especially lumpy once-off capital expenditures which are so extensive that they can neither be financed under the terms of the permission in place nor, for strategic reasons, delayed until the next permission. Similarly, where a major capital expenditure programme is significantly curtailed or cancelled, a negative K factor may be required.

At the time of publishing this permission, the K factor is set at nil.

If such circumstances arise during the period of this permission that the Regulating Committee deems it necessary and appropriate, a K factor may be published by the Regulating Committee during the period of this permission.

(e) Correction factor

The performance of the Company for the 2013/14 financial year has not yet been considered. A correction factor has not yet been calculated in respect of this financial year.

(f) Base tariffs

The zero percent increase determined as set out in section 1 (4) (a) to (e) of this Schedule for the financial year 2014/15 shall be applied to the tariffs set out in Annexure A.

(g) Regulatory Asset Base

This increase is 0% and is in terms of the agreement reached between the industry and the Regulating Committee. The application was not accompanied by a five year business plan or any other information, and therefore the Regulatory Asset Base valuation and implementation as set out in the Approach Document issued September 2014 were not applied in this instance.

- (5) The Company shall furnish the Regulating Committee with such information as may be agreed upon from time to time. In the absence of such agreement any information as may be requested by the Regulating Committee in order to enable the Committee to apply the conditions of this permission.
- (6) Notwithstanding subsection (5), the Company shall submit annually to the Committee a detailed audited variance analysis report, including key performance indicators, setting out how the main underlying assumptions of the business plan on which this permission is based compare to actual events. In addition, the Company shall furnish an audited certificate setting out the actual revenue weighted percentage tariff increase for the period.
- (7) The Regulating Committee expects the Company to set its total revenues such that it reflects an efficient underlying total cost base and a reasonable profit margin.
- (8) It also encourages the Company to exercise a degree of restraint in implementing its tariff increases where it anticipates that excessive profits will be generated.
- (9) The tariff increases implemented should be fairly balanced between the users (i.e. passengers and airlines). The revenue weighted percentage tariff increase applied to passengers may not exceed the revenue weighted percentage tariff increase applied to airlines.

2 Service Standards

- (1) The Company shall maintain the level of service of any relevant activity at the same level or higher as that provided immediately before the date of the issuing of this permission. Provided that the Company may alter a level of service only if –
 - (a) the Company has applied to the Regulating Committee for the approval of such an alteration;
 - (b) the Company has satisfied the Regulating Committee that such an alteration will not materially affect users of any such relevant activity.
- (2) The Company shall be responsible for the monitoring on a regular basis of those relevant activities at Company airports as may be agreed from time to time between the Company and the Regulating Committee. In the absence of such an agreement, the Regulating Committee shall determine those relevant activities at Company airports to be monitored. The Company shall report the results of such monitoring to the Regulating Committee in the format and at such intervals as the Committee may prescribe from time to time.

ANNEXURE A

The tariffs to which the revenue weighted percentage tariff increase for the financial year 2015/16 may be applied are set out below.

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
	R
500	86.54
1 000	128.30
1 500	164.03
2 000	198.09
2 500	233.79
3 000	269.49
4 000	376.13
5 000	479.89
6 000	584.80
7 000	693.04
8 000	797.45
9 000	897.25
10 000	1007.78
and thereafter, for every additional 2 000 kg or part thereof	152.38

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
	R
500	97.58
1 000	151.21
1 500	213.67
2 000	270.61
2 500	328.65
3 000	388.31
4 000	528.94
5 000	667.97
6 000	805.76
7 000	946.92
8 000	1084.16
9 000	1222.04
10 000	1363.17
and thereafter, for every additional 2 000 kg or part thereof	226.56

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 of territory other than those mentioned in paragraph 1 or 2:

Maximum certificated mass in kg of the aircraft up to and including:-	Per single landing VAT Exclusive
	R
500	108.86
1 000	174.63
1 500	262.82
2 000	342.04
2 500	422.99
3 000	506.07
4 000	682.96
5 000	855.43
6 000	1026.14
7 000	1199.73
8 000	1369.85
9 000	1543.99
10 000	1718.62
and thereafter, for every additional 2 000 kg or part thereof	300.71

AIRPORT CHARGES: PARKING CHARGES

Maximum certificated mass in kg of the aircraft up to and including:-	Per single landing VAT Exclusive
	R
2 000	65.43
3 000	134.55
4 000	191.57
5 000	263.03
10 000	387.29
15 000	509.25
20 000	641.95
25 000	766.26
50 000	1013.66
75 000	1261.67
100 000	1512.65
150 000	1902.93
200 000	2296.31
300 000	2625.40
400 000	3306.69
and thereafter, for every additional 100 000 kg or part thereof	509.25

AIRPORT CHARGES: PASSENGER SERVICE CHARGES

	VAT Exclusive R
1. Passenger service charge per embarking passenger where such passengers will disembark from the aircraft at an airport within the Republic	111.40
2. Passenger service charge per embarking passengers where such passengers will disembark from the aircraft at an airport within Botswana, Lesotho, Namibia or Swaziland	230.70
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	303.51

All definitions and clauses set out in general notice 1669 of 2009: Publication of airport charges dated 30 December 2009 will continue to apply.

NOTICE 1166 OF 2014
DEPARTMENT OF TRANSPORT
THE 2015/16 – 2019/20 PERMISSION FOR AIR TRAFFIC AND
NAVIGATION SERVICES COMPANY

REGULATING COMMITTEE

PERMISSION TO LEVY AIR TRAFFIC SERVICE CHARGES

It is hereby published for general notice that on 21 November 2014 the Regulating Committee established by Section 11 of the Airports Company Act (Act 44 of 1993), issued in terms of Section 11 (5) of the ATNS Company Act to the ATNS Company, the Permission set out in the Schedule. This Permission will be effective from 1 April 2015 to 31 March 2020.



Unathi Mntonintshi

Chairperson of the Regulating Committee

December 2014

SCHEDULE

PERMISSION TO LEVY AIR TRAFFIC SERVICE CHARGES FOR 2015/16-2019/20

In this Schedule any word or expression to which a meaning has been assigned in the Aviation Act, 1962 (Act No. 74 of 1962) or the ATNS Company Act, 1993 (Act No. 45 of 1993), shall have the meaning so assigned to it, unless the context otherwise indicates.

Subject to the provisions of the ATNS Company Act, 1993 (Act No. 45 of 1993), the ATNS Company (the Company) is hereby authorised to levy air traffic services charges, provide air navigation infrastructure and conduct air traffic services and air navigation services from 1 April 2015 to 31 March 2020 on the following conditions:

1 Limits on air traffic service charges

- (1) The tariff structure will be of the same mathematical format and apply under the same circumstances as immediately before the date of the issuing of this permission.
- (2) In the event of the Company contemplating modifying the structure of airport charges, the Company shall satisfy the Regulating Committee that the resultant charges will have the same material effect as the conditions on airport charges of this permission.
- (3) Notwithstanding subsection (5), the Company shall submit annually to the Committee a report on the implementation of the adjusted tariff structure.
- (4)
 - (a) The Company may during the period of validity of this permission alter the level of air traffic service charges to the maximum limit set by the following formula:

$$RWPTI_t \leq (CPI_t - X_t + CF_t) + K_t$$

Where:

$RWPTI_t$ = the sum of the revenue weighted percentage tariff increases in year t

CPI_t = the CPI forecast at the beginning of period t for the period t

X_t = the subtractive X factor for year t set out in subsection (c)

K_t = the K factor for year t set out in subsection (d)

$CF_t = (CPI_{t-2} - X_{t-2} + CF_{t-2} - (RWPTI_{t-2} - K_{t-2})) \times (1 + Pr_{t-2})$

Where

CPI_{t-2} = actual CPI for the year $(t-2)$

Pr_{t-2} = predominant prime overdraft rate in year $(t-2)$

$RWPTI_{t-2}$ = the sum of the revenue weighted percentage tariff increases in year $(t-2)$

The Regulating Committee may, in exceptional circumstances only, implement a further regulatory adjustment to tariffs, where it deems such an adjustment necessary in fulfilling its duties per the ATNS Company Act, 1993 (Act No. 45 of 1993).

(b) The CPI as determined by the independent forecast for the Regulating Committee shall be:

5.7% in financial year 2015/16

5.6% in financial year 2016/17

5.4% in financial year 2017/18

5.3% in financial year 2018/19

5.4% in financial year 2019/20

(c) X shall be

5.7% in financial year 2015/16

5.6% in financial year 2016/17

5.4% in financial year 2017/18

5.3% in financial year 2018/19

5.4% in financial year 2019/20

In arriving at the X factors for the Permission period, the Committee has taken into consideration the permission application presented by the Company.

(d) K factor

The K factor provides for extraordinary or especially lumpy once-off capital expenditures which are so extensive that they can neither be financed under the terms of the permission in place nor, for strategic reasons, delayed until the next permission. Similarly, where a major capital expenditure programme is significantly curtailed or cancelled, a negative K factor may be required.

At the time of publishing this permission, the K factor is set at nil.

If such circumstances arise during the period of this permission that the Regulating Committee deems it necessary and appropriate, a K factor may be published by the Regulating Committee during the period of this permission.

(e) Correction factor

The performance of the Company for the 2013/14 financial year has not yet been considered. A correction factor has not yet been calculated in respect of this financial year.

(f) Base tariffs

The zero percent increase determined as set out in section 1 (4) (a) to (e) of this Schedule for the financial year 2014/15 shall be applied to the tariffs set out in Annexure A.

(g) Regulatory Asset Base

This increase is 0% and is in terms of the agreement reached between the industry and the Regulating Committee. The application was not accompanied by a five year business plan and therefore the Regulatory Asset Base valuation and implementation as set out in the Approach Document issued September 2014 were not applied in this instance.

- (5) The Company shall furnish the Regulating Committee with such information as may be agreed upon from time to time. In the absence of such agreement any information as may be requested by the Regulating Committee in order to enable the Committee to apply the conditions of this permission.
- (6) Notwithstanding subsection (5), the Company shall submit annually to the Committee a detailed audited variance analysis report, including key performance indicators, setting out how the main underlying assumptions of the business plan on which this permission is based compare to actual events. In addition, the Company shall furnish an audited certificate setting out the actual revenue weighted percentage tariff increase for the period.
- (7) Other issues
In the interest of a more equitable balance amongst all stakeholders, the phasing out of origin-destination differentiation over 10 years as set out in section 10.14 of Notice 145 of 2006: Publication of Air Traffic Service Charges (published by the Company on 3 February 2006) will continue to be applied.
- (8) The Regulating Committee expects the Company to set its total revenues such that it reflects an efficient underlying total cost base and a reasonable profit margin.
It also encourages the Company to exercise a degree of restraint in implementing its tariff increases where it anticipates that excessive profits will be generated.

2 Service Standards

- (1) The Company shall maintain the level of service of any relevant activity at the same level or higher than that provided immediately before the date of the issuing of this permission. Provided that the Company may alter a level of service only if –
 - (a) the Company has applied to the Regulating Committee for the approval of such an alteration;
 - (b) the Company has satisfied the Regulating Committee that such an alteration will not materially affect users of any such relevant activity.
- (2) The Company shall be responsible for the monitoring on a regular basis of the level of any air traffic service or any air navigation service, as may be agreed from time to time between the Company and the Regulating Committee. In the absence of such an agreement, the Regulating Committee shall determine the air traffic service and air navigation service to be monitored. The Company shall report the results of such monitoring to the Regulating Committee in the format and at such intervals as the Committee may prescribe from time to time.

ANNEXURE A

The tariffs to which the revenue weighted percentage tariff increase for the financial year 2015/16 may be applied are set out below.

AIR TRAFFIC SERVICE CHARGES: 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 000kg	VC	R27,87	R27,87	
	BSC	R113,24/10 000.MCM	R113,24/10 000.MCM	
	FC	R59,74	R110,38	
5 000kg < MCM ≤ 15 000 kg	VC	R27,87	R27,87	R27,87
	BSC	R113,24/10 000.MCM	R113,24/10 000.MCM	R113,24/10 000.MCM
	FC	R119,51/10 000.MCM	R22,08/1 000.MCM	R15,84/100 000.MCM.d
> 15 000 kg	VC	R27,87	R27,87	R27,87
	BSC	R138,67/100.√MCM	R138,67/100.√MCM	R138,67/100.√MCM
	FC	R146,38/100.√MCM	R270,38/100.√MCM	R194,09/10 000.√MCM.d

2. Each Rand-value coefficient in the table above is multiplied by:

- (a) 100% for a domestic flight;
- (b) 100% for a regional flight; and
- (c) 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.

All definitions and clauses set out in general notice 228 of 2009: Publication of air traffic service charges dated February 2009 will continue to apply.

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