



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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PROKLAMASIE

van die Staatspresident van die Republiek van
Suid-Afrika

No. 220, 1977

REGULASIES VIR DIE BESTUUR VAN DIE WERKSAAMHEDE VAN DIE ADVISERENDE KOMITEE VIR BURGERLIKE LUGVAART, 1977

Kragtens die bevoegdheid my verleen by artikel 5 (1) van die Lugvaartwet, 1962 (Wet 74 van 1962), vaardig ek die regulasies wat in die Bylae hiervan vervat is, hiermee uit.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Durban, op hede die Agt-en-twintigste dag van Julie Eenduisend Negehoenderd Sewe-en-sewentig.

N. DIEDERICH, Staatspresident.

Op las van die Staatspresident-in-rade:

S. L. MULLER.

BYLAE

REGULASIES VIR DIE BESTUUR VAN DIE WERKSAAMHEDE VAN DIE ADVISERENDE KOMITEE VIR BURGERLIKE LUGVAART, 1977

HOOFSTUK 1

ALGEMEEN

Naam

1.1 Hierdie regulasies heet die Regulasies vir die Bestuur van die Werksaamhede van die Adviserende Komitee vir Burgerlike Lugvaart, 1977.

Woordomskrywing

1.2 In hierdie regulasies beteken die uitdrukking "die Wet" die Lugvaartwet, 1962 (Wet 74 van 1962), en, tensy uit die samehang anders blyk, het enige uitdrukking waaraan daar in die Wet 'n betekenis geheg is, wanneer dit in hierdie regulasies gebruik word, daardie betekenis, en beteken—

"besoldiging" die toelae vir die bywoning van vergaderings van die Komitee soos deur die Minister in oorleg met die Minister van Finansies bepaal en die terugbetaling van werklike uitgawes ten opsigte van reis- en verblyf koste wat in verband met ander werksaamhede van die Komitee op versoek van die Voorsitter aangegaan word (remunerasie);

"Komitee" die Adviserende Komitee vir Burgerlike Lugvaart, aangestel kragtens artikel 5 (1) van die Wet (Komitee);

64580—A

PROCLAMATION

by the State President of the Republic of
South Africa

No. 220, 1977

REGULATIONS FOR THE CONDUCT OF THE BUSINESS OF THE CIVIL AVIATION ADVISORY COMMITTEE, 1977

Under and by virtue of the powers vested in me by section 5 (1) of the Aviation Act, 1962 (Act 74 of 1962), I hereby make the regulations contained in the Schedule hereto.

Given under my Hand and the Seal of the Republic of South Africa at Durban this Twenty-eighth day of July, One thousand Nine hundred and Seventy-seven.

N. DIEDERICH, State President.

By Order of the State President-in-Council:

S. L. MULLER.

SCHEDULE

REGULATIONS FOR THE CONDUCT OF THE BUSINESS OF THE CIVIL AVIATION ADVISORY COMMITTEE, 1977

CHAPTER 1

GENERAL

Title

1.1 These regulations may be cited as the Regulations for the Conduct of the Business of the Civil Aviation Advisory Committee, 1977.

Definitions

1.2 In these regulations the expression "the Act" means the Aviation Act, 1962 (Act 74 of 1962), and, unless the context otherwise indicates, any expression used in these regulations to which a meaning has been assigned in the Act bears the meaning so assigned, and—

"Committee" means the Civil Aviation Advisory Committee appointed in terms of section 5 (1) of the Act (Komitee);

"member" means a person appointed by the State President in terms of section 5 (2) and (3) of the Act (lid);

"alternate" means a person appointed by the State President in terms of section 5 (2) and (3) of the Act to represent an association or public body at meetings of the Committee in the absence of the member (sekundus);

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"lid" 'n persoon deur die Staatspresident aangestel kragtens artikel 5 (2) en (3) van die Wet (member);

"sekundus" 'n persoon deur die Staatspresident kragtens artikel 5 (2) en (3) van die Wet aangestel om 'n vereniging of openbare liggaam by afwesigheid van die lid op vergaderings van die Komitee te verteenwoordig (alternate).

Funksies van die Komitee

1.3 Die Komitee funksioneer kragtens die bepalings van artikel 5 (4) van die Wet.

HOOFSTUK 2

SAMESTELLING EN LIDMAATSKAP

Samestelling

2.1 Die Komitee word saamgestel uit verteenwoordigers van—

(a) staatsdepartemente; en

(b) verenigings of openbare liggame wat deur die Staatspresident erken word as verteenwoordigend van die verskillende belange op die gebied van burgerlike lugvaart.

2.2 Die Komitee bestaan uit die volgende lede:

2.2 (1) Staatsdepartemente verteenwoordig:

- | | <i>Lid</i> |
|---|--|
| (a) Departement van Vervoer:... | Kommissaris van Burgerlugvaart; en Hoof: Lugvaartveiligheid |
| (b) Suid-Afrikaanse Weermag:... | Direkteur Lugstafdienste (Suid-Afrikaanse Lugmag); Senior Stafoffisier Vlugdoeltreffendheid (sekundus) |
| (c) Departement van Pos- en Telekommunikasiewese: | Direkteur (Poswese); Assistent-direkteur (Poswese) (sekundus) |
| (d) Suid-Afrikaanse Lugdiens:... | Bestuurshoof; Handelsdirekteur (sekundus) |

(2) Verenigings of Openbare Liggame:

- (a) Handelslugvaartvereniging van Suidelike Afrika
 (b) Die Aëroklub van Suid-Afrika
 (c) Vliegtuigeienaars- en Vlieëniërsvereniging van Suid-Afrika
 (d) Vereniging van Kamers van Koophandel van Suid-Afrika
 (e) Verenigde Munisipale Bestuur van Suid-Afrika
 (f) Suid-Afrikaanse Genootskap van Gelisensieerde Vliegtuigenieurs
 (g) Die Afrikaanse Handelsinstituut
 (h) Suid-Afrikaanse Gefedereerde Kamer van Nywerhede
 (i) Die Vereniging van Lugrederye.

Voorsitter

2.3 Die Voorsitter van die Komitee is die Kommissaris van Burgerlugvaart en in sy afwesigheid die Hoof: Lugvaartveiligheid van die Afdeling Burgerlugvaart van die Departement van Vervoer.

Sekretaris

2.4 Die Sekretaris van die Komitee is 'n amptenaar van die Departement van Vervoer wat deur die Sekretaris van Vervoer aangestel word.

Aanstelling van lede

2.5 'n Lid word kragtens die bepalings van artikel 5 (2) en (3) van die Wet aangestel.

2.6 Die bekleërs van die ampte wat die staatsdepartemente genoem in regulasie 2.2 (1) (a) tot (d) verteenwoordig, word ampshalwe aangestel en is as sodanig nie op besoldiging vir die bywoning van vergaderings van die Komitee geregtig nie.

2.7 'n Lid se dienste word beëindig—

(a) as die termyn waarvoor hy aangestel is, verstryk het;

(b) as hy bedank as lid voordat sy ampstermyn verstryk het;

"remuneration" means the allowance for attending meetings of the Committee as determined by the Minister in consultation with the Minister of Finance and the reimbursement of actual expenditure with respect to transport and subsistence costs incurred in connection with other work of the Committee done at the request of the Chairman (besoldiging).

Functions of the Committee

1.3 The Committee shall function as provided in section 5 (4) of the Act.

CHAPTER 2

CONSTITUTION AND MEMBERSHIP

Constitution

2.1 The Committee shall be constituted of representatives of—

(a) Government Departments; and

(b) associations or public bodies recognised by the State President as representative of the various civil aviation interests.

2.2 The Committee shall consist of the following members:

2.2 (1) Government Departments represented:

- | | <i>Member</i> |
|---|--|
| (a) Department of Transport:... | Commissioner for Civil Aviation; Chief: Aviation Safety |
| (b) South African Defence Force: | Director of Air Staff Duties (South African Air Force); Senior Staff Officer Flight Efficiency (alternate) |
| (c) Department of Posts and Telecommunications: | Director (Posts); Assistant Director (Posts) (alternate) |
| (d) South African Airways:..... | Chief Executive; Commercial Director (alternate) |

(2) Associations or Public Bodies:

- (a) Commercial Aviation Association of Southern Africa
 (b) The Aero Club of South Africa
 (c) Aircraft Owners' and Pilots' Association of South Africa
 (d) Association of Chambers of Commerce of South Africa
 (e) United Municipal Executive of South Africa
 (f) South African Society of Licensed Aircraft Engineers
 (g) Die Afrikaanse Handelsinstituut
 (h) South African Federated Chamber of Industries
 (i) The Airlines Association

Chairman

2.3 The Chairman of the Committee shall be the Commissioner for Civil Aviation and in his absence the Chief: Aviation Safety of the Division of Civil Aviation of the Department of Transport.

Secretary

2.4 The Secretary of the Committee shall be an official of the Department of Transport appointed by the Secretary for Transport.

Appointment of members

2.5 A member shall be appointed in terms of section 5 (2) and (3) of the Act.

2.6 The officials representing the Government Departments mentioned in regulation 2.2 (1) (a) to (d) shall be appointed *ex officio* and shall not be entitled to remuneration for attending meetings of the Committee.

2.7 The services of a member shall terminate—

(a) upon the expiry of the term for which he was appointed;

(b) if he resigns as a member before the expiration of his term of office;

(c) as hy ophou om lid te wees van die vereniging of openbare liggaam wat hom as sy verteenwoordiger benoem het;

(d) as die Staatspresident sy erkenning van die vereniging of openbare liggaam as verteenwoordigend van die verskillende belange op die gebied van burgerlike lugvaart intrek; en

(e) as hy te eniger tyd gedurende sy dienstermyn—

(i) skuldig bevind word aan 'n misdryf waarvoor hy gevonnis word tot gevangenisstraf sonder die keuse van 'n boete;

(ii) insolvent verklaar word; of

(iii) geestelik verstoord raak en deur 'n bevoegde hof aldus verklaar word.

2.8 Wanneer 'n lid se dienste om enige van die redes in regulasie 2.7 (a) tot (e) genoem, beëindig word, nomineer die vereniging of openbare liggaam wat hy verteenwoordig het twee persone, welke nominasies vir oorweging aan die Staatspresident voorgelê word met die oog op die maak van 'n aanstelling deur hom ter aanvulling van die vakature wat aldus ontstaan het.

2.9 Indien 'n vereniging of openbare liggaam versuim om aan die vereiste gestel in regulasie 2.8 te voldoen, word geen aanstelling gemaak nie tot tyd en wyl daar aan die vereiste voldoen is.

Aanstelling van sekundi

2.10 Die sekundi van die lede wat die staatsdepartemente genoem in regulasie 2.2 (1) (a) tot (d) verteenwoordig, word amptshalwe aangestel en is as sodanig nie op besoldiging vir die bywoning van vergaderings van die Komitee geregtig nie.

2.11 Die verenigings of openbare liggame genoem in regulasie 2.2 (2) (a) tot (i), benoem persone as sekundi om dié verenigings of openbare liggame by afwesigheid van die lede te verteenwoordig.

2.12 Indien 'n lid en sy sekundus albei 'n vergadering van die Komitee bywoon, kan hulle albei aan die besprekings deelneem, maar in sodanige geval het die sekundus geen stemreg nie.

2.13 'n Sekundus is nie op besoldiging vir die bywoning van 'n vergadering geregtig wanneer die lid ook op dieselfde vergadering teenwoordig is nie.

2.14 Die bepalings van regulasie 2.7 tot 2.9 is *mutatis mutandis* ook op sekundi van toepassing.

Voorvereiste vir lidmaatskap

2.15 Geen persoon kwalifiseer vir aanstelling as lid of as sekundus in die Komitee nie tensy hy 'n Suid-Afrikaanse burger is.

HOOFSTUK 3

WERKPROSEDURE

Byeenroep van vergaderings

3.1 Die Komitee hou minstens drie gewone vergaderings per jaar.

3.2 Gewone vergaderings van die Komitee word deur die Sekretaris, in opdrag van die Voorsitter, byeengeroep en word gehou op die tyd en plek wat die Voorsitter bepaal.

3.3 'n Spesiale vergadering van die Komitee word deur die Sekretaris, in opdrag van die Voorsitter, byeengeroep wanneer minstens drie lede van die Komitee die Voorsitter skriftelik daartoe versoek met vermelding van die sake wat op die vergadering bespreek moet word.

3.4 Sake vir bespreking op gewone vergaderings moet breedvoerig toegelig word in 'n memorandum waarvan 30 kopieë die Sekretaris minstens 21 dae voor die datum van die vergadering waarop die bespreking sal plaasvind, moet bereik.

(c) if he ceases to be a member of the association or public body which nominated him as its representative;

(d) if the State President withdraws his recognition of the association or public body as being representative of the various civil aviation interests; and

(e) if, at any time during his term of office, he—

(i) is convicted of any offence for which he is sentenced to imprisonment without the option of a fine;

(ii) is declared insolvent; or

(iii) becomes of unsound mind and is so declared by a competent court.

2.8 When the services of a member are terminated for any of the reasons mentioned in regulation 2.7 (a) to (e), the association or public body which he represented shall nominate two persons and these nominations shall be submitted to the State President to consider an appointment to fill the vacancy thus created.

2.9 If an association or public body shall fail to comply with the requirement set forth in regulation 2.8, no appointment shall be made until such time as that requirement has been met.

Appointment of alternates

2.10 The alternates to the members representing the Government Departments mentioned in regulation 2.2 (1) (a) to (d) shall be appointed *ex officio* and shall not be entitled to remuneration for attending meetings of the Committee.

2.11 The associations or public bodies mentioned in regulation 2.2 (2) (a) to (i) shall nominate alternates to represent them in the absence of the members.

2.12 If both a member and his alternate attend a meeting of the Committee, both may take part in the discussions but in such an event the alternate shall have no right to vote.

2.13 An alternate shall not be entitled to remuneration for attending a meeting if the member is also present at the same meeting.

2.14 The provisions of regulation 2.7 to 2.9 shall apply *mutatis mutandis* to alternates.

Prerequisite for membership

2.15 No person shall qualify for appointment as a member of the Committee or as alternate to any member unless he is a South African citizen.

CHAPTER 3

MODUS OPERANDI

Convening of meetings

3.1 The Committee shall hold at least three ordinary meetings per year.

3.2 Ordinary meetings of the Committee shall be convened by the Secretary by direction of the Chairman and shall be held at such time and place as the Chairman may determine.

3.3 A special meeting of the Committee shall be convened by the Secretary, by direction of the Chairman, if at least three members of the Committee so request the Chairman in writing, stating the matters to be discussed at the meeting.

3.4 Matters for discussion at ordinary meetings shall be set out in detail in a memorandum, 30 copies of which shall reach the Secretary not less than 21 days before the date of the meeting at which the discussion is to take place.

3.5 Kennis van 'n gewone vergadering word skriftelik aan lede van die Komitee gegee minstens 10 dae voor die datum waarop die vergadering gehou gaan word.

3.6 Kennis van 'n spesiale vergadering word aan die lede van die Komitee gegee minstens 72 uur voor die aanvang van sodanige vergadering.

Aanstelling van subkomitees

3.7 Die Komitee kan subkomitees uit sy lede of sekundi aanstel en kan aan dié subkomitees pligte en funksies van sodanige aard opdra, dat hulle die Komitee in die uitvoering van sy eie funksies behulpsaam kan wees.

3.8 Op die eerste vergadering van 'n subkomitee word 'n voorsitter uit die lede van daardie subkomitee gekies, en indien die gekose voorsitter op enige daaropvolgende vergadering van die subkomitee nie kan voorsit nie, kies die subkomitee een van sy lede om by daardie vergadering as voorsitter op te tree.

3.9 'n Subkomitee het die reg om 'n persoon wat nie 'n lid of 'n sekondus van 'n lid van die Komitee is nie, te koöpteer om hom behulpsaam te wees in die uitvoering van die pligte en funksies wat deur die Komitee aan hom opgedra is.

3.10 'n Lid of sy sekondus, na gelang van die geval, wat 'n vergadering van 'n subkomitee bywoon, ontvang besoldiging volgens dieselfde skaal as wat op die bywoning van vergaderings van die Komitee van toepassing is. 'n Persoon wat kragtens regulasie 3.9 gekoöpteer is, is nie op vergoeding vir die bywoning van vergaderings geregtig nie.

3.11 Die Sekretaris van die Komitee tree ook op as die sekretaris van elke subkomitee.

Notule van vergaderings

3.12 Notule word gehou van die besprekings op elke vergadering van die Komitee en van elke subkomitee, en op die daaropvolgende vergadering van die Komitee of subkomitee, na gelang van die geval, word die notule goedgekeur en deur die Voorsitter onderteken.

Kworum by vergaderings

3.13 Op alle vergaderings van die Komitee of 'n subkomitee maak twee-derdes van die volle getal lede van die Komitee of subkomitee 'n kworum uit: Met dien verstande dat, in die geval van 'n spesiale vergadering van die Komitee, die kworum met twee lede verminder word.

Besluite van vergaderings

3.14 Op alle vergaderings van die Komitee of van 'n subkomitee word daar oor alle voorstelle by meerderheid van stemme van die teenwoordige lede beslis.

3.15 In geval van 'n staking van stemme bring die Voorsitter van die vergadering 'n beslissende stem uit.

3.16 Wanneer 'n lid van die Komitee of van 'n subkomitee in die minderheid is, kan hy die feit dat hy teen 'n besluit gestem het, en die redes daarvoor, in die notule laat aanteken.

3.5 Notice of an ordinary meeting shall be given in writing to members of the Committee not less than 10 days before the date on which the meeting is to be held.

3.6 Notice of a special meeting shall be given to members of the Committee not less than 72 hours before the commencement of such meeting.

Appointment of subcommittees

3.7 The Committee may appoint subcommittees of its members or alternates and may assign to such subcommittees duties and functions aimed at assisting the Committee in the performance of its own functions.

3.8 At the first meeting of a subcommittee a chairman shall be elected from the members of that subcommittee, and if the elected chairman cannot take the chair at any subsequent meeting of the subcommittee, the subcommittee shall elect one of its members to act as chairman at that meeting.

3.9 A subcommittee shall have the right to co-opt any person who is not a member or alternate to a member of the Committee to assist it in the performance of the duties and functions assigned to it by the Committee.

3.10 A member or his alternate, as the case may be, attending a meeting of a subcommittee shall receive remuneration on the scale applicable to the attendance of meetings of the Committee. Any person co-opted in terms of regulation 3.9 shall not be entitled to remuneration for the attendance of meetings.

3.11 The Secretary of the Committee shall also act as secretary of every subcommittee.

Minutes of meetings

3.12 Minutes of discussions at every meeting of the Committee and of every subcommittee shall be kept and such minutes shall be approved at the following meeting of the Committee or subcommittee, as the case may be, and signed by the Chairman.

Quorum at meetings

3.13 At all meetings of the Committee or of a subcommittee two thirds of the members of the Committee or subcommittee shall constitute a quorum: Provided that at a special meeting of the Committee the quorum shall be reduced by two members.

Decisions of meetings

3.14 At all meetings of the Committee or of a subcommittee all proposals shall be determined by a majority of votes of the members present.

3.15 In the case of an equality of votes, the Chairman of the meeting shall bring out a casting vote.

3.16 Any member of the Committee or of a subcommittee when in the minority may have recorded in the minutes the fact of his dissent from any resolution and his reasons for such dissent.

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