

DEPARTMENT OF TRANSPORT

NO. R. 31

19 JANUARY 2018

**CONVENTION ON THE INTERNATIONAL RECOGNITION OF RIGHTS IN AIRCRAFT ACT,
1963 (ACT NO. 59 OF 1993)****THIRD AMENDMENT OF THE MORTGAGING OF AIRCRAFT REGULATIONS, 2017**

I, Mkhacani Joseph Maswanganyi, Minister of Transport hereby, in terms section 14 of the Convention on the International Recognition of Rights in Aircraft Act, 1993 (Act No. 59 of 1993), make the Regulations set out in the Schedule hereunder.



Mr M.J Maswanganyi, MP
Minister of Transport

Date: 21/12/2017

SCHEDULE**DEPARTMENT OF TRANSPORT****CONVENTION ON THE INTERNATIONAL RECOGNITION OF RIGHTS IN AIRCRAFT ACT,
1963 (ACT NO. 59 OF 1993)****THIRD AMENDMENT OF THE MORTGAGING OF AIRCRAFT REGULATIONS, 2017****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.

SCHEDULE**Definition**

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 the Regulations

2. The Regulations are hereby amended by the substitution for the word "Commissioner for Civil Aviation" of the word "Director of Civil Aviation" wherever it appears.

Amendment of regulation 1 of the Regulations

3. Regulation 1 is hereby amended by the substitution for the definition of "company" of the following definition:

“company” means a company as defined in section 1 of the Companies Act, [1973 (Act No. 61 of 1973)] 2008, (Act No. 71 of 2008);”

Substitution of regulation 8 of the Regulations

4. The following regulation is hereby substituted for regulation 8 of the Regulations:

“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 | [1 100,00] <u>1 731,00</u> |
| (b) | a notification of the discharge of a mortgage | [1 100,00] <u>1 731,00</u> |
| (c) | a transfer of mortgage by deed of cession | [1 100,00] <u>1 731,00</u> |
| (d) | a declaration of transmission of rights in a mortgage | [1 100,00] <u>1 731,00</u> |
| (e) | a certificate of mortgage | [820,00] <u>1 290,00</u> |
| (f) | access to the register of aircraft mortgages | [140,00] <u>220,00</u> |
| (g) | the furnishing of information from the register of aircraft mortgages, <u>per page</u> [(R1,00 per page up to a maximum of R200,00)] | [200,00] <u>1.50</u> |

Short title and commencement

5. This Amendment is called the Third Amendment of the Mortgaging of Aircraft Regulations, 2017 and shall come into operation on 1 April 2018.