



Our Reference: General Exemption Tel. number: 011 545 1091
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 Aerodrome Safety
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Civil Aviation Industry

RE: DECISION IN RESPECT OF GENERAL EXEMPTION

1. The general exemption bears reference.
2. The exemption is granted in terms of section 130 of the Civil Aviation Act, 2009 (Act No. 13 of 2009, as amended) read with Part 11, Subpart 4 of the Civil Aviation Regulations, 2011 (CARs) in terms of which the general exemption from compliance with newly approved CARs 139, Subpart 5 and the associated Civil Aviation Technical Standards (SA-CATS) which are yet to be published, is sought. The general exemption is granted to enable the affected members of the industry to prepare for the implementation and application of the newly approved regulatory provisions and to afford for a period to amend CAR 187 to reflect the fees which will be applicable for the new type aerodromes.
3. CAR 139 Subpart 5 is a new requirement to replace the existing CAR 139 Subpart 2 for Category 1, 2 and 3 aerodromes. Under these new regulations from which an exemption is sought, the following categories of aerodromes are approved:

“(1) The categories of an approved aerodrome are –

Type A – an aerodrome where charter operations take place, and the movements shall be less than 1000 in the busiest consecutive three months;

Type B – an aerodrome where Part 61 training takes place excluding any training for gliders and balloons; and

Type C – an aerodrome that is in proximity of existing facilities or aerodromes where operations may conflict with or create a hazard to other operations.”

4. In order to allow the affected members of the industry to implement and fully comply with the applicable Part 139 Subpart 5 requirements, this exemption is issued.

5. Kindly be advised that this general exemption is hereby **granted** subject to the following conditions:
 - 5.1 It is valid for a period of **180 (one hundred and eighty days)** from the date of signature of this letter;
 - 5.2 During the applicable period of this exemption, aerodromes operating under Categories 1, 2 and 3 shall continue to comply with the existing Part 139 Subpart 2 CARS and SA-CATS;
 - 5.3 The affected industry members shall submit the necessary applications and allow for a period of assessment and approval by SACAA, of their applications during the exemption applicable period; and
 - 5.4 All other applicable provisions of the CARs and South African Technical Standards shall be fully complied with.
6. After the expiry of the exemption period, the affected industry members will be required to comply fully with the applicable legal framework.
7. The Director reserves the right to revoke this exemption should its implementation adversely affect civil aviation safety and security.
8. We trust that the stipulated conditions will be complied with.

Yours faithfully,

Issued by Director of Civil Aviation
Date: 22 December 2023