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Our Reference: General Exemption
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CIVIL AVIATION INDUSTRY**RE: DECISION IN RESPECT OF GENERAL EXEMPTION**

1. The general exemption dated 22 December 2023, bears' reference.
2. The exemption application is submitted in terms section 130 of the Civil Aviation Act, 2009 (Act No. 13 of 2009) read with Part 11, Subpart 4 of the Civil Aviation Regulations, 2011 (CARs) in terms of which, an application has been made for the Director to extend the general exemption granted on 22 December 2024, which sought to exempt members of the civil aviation industry from complying with the provisions of the CARs and South African Civil Aviation Technical Standards (SA-CATS) 139, Subpart 5, to enable the affected industry members to prepare for the implementation and application of the said regulatory provisions.
3. SACAA is also in the process of amending CAR 187 to reflect the fees which will be applicable for the new categories of aerodromes.
4. 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."

5. Part 139 CARs were promulgated on 10 November 2023, and the CATS were submitted to the DCA and approved in January 2024. On 22 December 2023, a general exemption was issued for a period of 180 days, to enable the affected civil aviation industry members to prepare for the implementation and application of the

regulatory provisions of the new CAR 139 Subpart 5.

6. Essential to the implementation of the new CAR 139 Subpart 5 is the amendment of CAR 187 to include the associated fees for the new type of aerodrome categories in CAR 139 Subpart 5. While development of the associated CAR 187 is necessary, this will not halt the implementation of CAR 139 Subpart 5 as there is an hourly rate that is meant to cater for such eventualities.
7. To allow the affected members of the industry to implement and fully comply with the applicable Part 139 Subpart 5 requirements, the 22 December 2023 exemption is extended, subject to the following conditions:
 - 7.1 The extension is valid for a period of **180 (one hundred and eighty days)** from the date of signature of this letter;
 - 7.2 During the applicable period of the exemption, aerodromes operating under Categories 1, 2 and 3 shall continue to comply with the existing Part 139 Subpart 2 CARs and associated SA-CATS;
 - 7.3 Take note that, in accordance with section 130(3) of the Civil Aviation Act, 2009, the DCA can extend an exemption for a further period not exceeding 180 days. As this is the second and last 180 days exemption allowable in terms of the CARs, after the expiry of this exemption extension period, the affected parties will be required to fully comply with the current legal framework as there is no further exemption extension that is legally permissible; and
 - 7.4 All other applicable provisions of the CARs and SA-CATS shall be fully complied with.
8. The Director reserves the right to suspend and/or revoke this exemption, if it is deemed necessary to do so in the interests of aviation safety and/or security.
9. We trust that the conditions will be complied with, in the interests of aviation safety and/or security.

Yours faithfully,



Issued by:
Ms Poppy Khoza
Director of Civil Aviation

Date: 03 JUL 2024