

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 48 OF 1985

The Aviation Act
(Laws, Volume XV, Cap. 740)

The Aviation (Aerodrome Fees) Regulations, 1985

IN EXERCISE of the powers contained in section *four* of the Aviation Act, the following Regulations are hereby made:

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|--|--------------------------------|
| <p>1. These Regulations may be cited as the Aviation (Aerodrome Fees) Regulations, 1985.</p> | <p>Title</p> |
| <p>2. In these Regulations, unless the context otherwise requires—</p> <p>“domestic flight” means a flight which originates and terminates within Zambia without landing at any place outside Zambia;</p> <p>“international flight” means a flight which originates within Zambia for a destination outside Zambia or which originates outside Zambia and terminates in Zambia;</p> <p>“scheduled aerodrome” means any aerodrome set out in the First Schedule;</p> <p>“weight” means the maximum permissible take-off weight of an aircraft as stated in the certificate of airworthiness or the flight manual of the aircraft.</p> | <p>Interpreta-
tion</p> |
| <p>3. (1) Subject to the provisions of regulations 8, 9 and 10, a landing charge shall be levied and shall become payable in accordance with the weight of the aircraft landing at any scheduled aerodrome—</p> <p>(a) by fixed wing aircraft, at the rates prescribed in the Second Schedule; and</p> <p>(b) by helicopters, at half the rate prescribed in the Second Schedule.</p> <p>(2) Landing charges shall be divided into two categories according to whether the flight is a domestic flight or an international flight.</p> <p>(3) Training flights, aircraft belonging to commercial firms, scheduled airlines or charter operators licensed by the Minister being used on local flights for the purpose of flying practice or training of aircrew employed by such operators shall be charged one landing fee for every two hours of training regardless of the number of touch and go landings made during that period at a scheduled aerodrome:</p> | <p>Day landing
charges</p> |

Provided that the operator shall give, to the aerodrome authority at the scheduled aerodrome concerned, adequate notice of his intended flight.

Surcharge

4. (1) In addition to the charge referred to in regulation 3, there shall be levied a surcharge equal to fifty per cent of the applicable day landing charge for each landing or for each take-off which occurs outside the published hours of operation of the aerodrome:

Provided that where the aircraft departs within one hour of landing, only one surcharge shall be payable.

(2) Where a request has been received for a landing or take-off outside the published hours of operations of an aerodrome, one surcharge shall be payable unless notice of cancellation of the request is received by the aerodrome authority at least twenty-four hours before the proposed time of landing or take-off.

**Surcharge
for alternate
aerodrome**

5. A single surcharge shall be levied and shall become payable where an aerodrome is opened or remains open outside the published hours of operation of that aerodrome for the purpose of acting as an alternate aerodrome for an aircraft at the request of the operator:

Provided that no surcharge shall be levied where cancellation of the request is received by the aerodrome authority in terms of regulation 4 (2).

**Annual
landing
charge**

6. (1) Subject to the other provisions of this regulation, an application for an annual landing permit, to be charged at the rate set out in the Third Schedule, may be made in respect of any aircraft whose weight does not exceed three tonnes and which is used by a registered flying club in respect of the aerodrome at which it is based or which is an aircraft registered in the private category only in respect of any scheduled aerodrome or aerodromes:

Provided that such permit shall not cover any landing made at Lusaka International Airport.

(2) An application for an annual landing permit shall be made to the Director in writing to reach him at least twenty-one days before the date from which the permit is to commence and shall include full details of the operator, the registration marks, type and weight of the aircraft in respect of which the application is made.

(3) If the Director is satisfied that the application has complied with the provisions of this paragraph, he shall, upon payment of the appropriate fee set out in the Third Schedule, issue an annual landing permit.

(4) An annual landing permit shall be valid for a period of twelve months commencing 1st January in the year in which it is issued.

(5) If an aircraft in respect of which there is in force an annual landing permit is grounded during the first half of the year and the Director is satisfied that it is likely to remain unserviceable and grounded during the remaining half of the year, he shall authorise the refund of fifty per cent of the annual landing charges paid in respect of that aircraft for such year.

7. (1) Subject to the provisions of sub-regulation (1) of regulation 9, where hangar facilities exist, charges for the hangerage of aircraft shall be levied and become payable for the use of such facilities at the rates prescribed in the Fourth Schedule in accordance with the weight of the aircraft and the length of the period of hangerage.

Hangar
charges

(2) Application for hangerage charges at the monthly rates prescribed in Part II of the Fourth Schedule in respect of the hangerage of an aircraft during the period of any named month may be made to the Director so as to reach him at least twenty-one days before the first day of the named month during which the charging of the monthly rate is requested.

(3) On receipt of an application made in terms of sub-regulation (2), the Director shall, if he is satisfied with the application, grant the charging of the monthly rate.

8. Subject to the provisions of sub-regulation (1) of regulation 9, a parking charge shall be levied and shall become payable at the rate prescribed in the Fifth Schedule in respect of any aircraft which lands at a scheduled aerodrome and remains there for a continuous period of more than three hours:

Parking
charge

Provided that no parking charges shall be levied or become payable by an operator in respect of the parking of an aircraft on a parking site which has been leased to the same operator.

9. (1) No landing, hangar or parking charges shall be charged or become payable in respect of any aircraft—

Exemptions

- (a) owned by the Government or proceeding on Government business;
- (b) exclusively transporting Heads of State, Heads of governments or official delegations for an official visit;
- (c) belonging to the United Nations Organisation or its specialised agencies;
- (d) which, without remuneration, is participating in any search or rescue operation or is undertaking any mission for humanitarian purposes or is rendering any other service to the public;

- (e) if a notice in that behalf is received and acknowledged by the Director at least twenty-four hours before such aircraft undertakes non-commercial operations related to training or testing navigational instruments or other equipment;
 - (f) landing pursuant to instructions given by the Department of Civil Aviation for reasons other than violation of aviation rules;
 - (g) belonging to the Zambia Defence Force; and
 - (h) for which an exemption has been granted with or without conditions by the Director.
- (2) No landing charge shall be charged or become payable in respect of any aircraft—
- (a) if, after prior notice of intended flight has been given, the aircraft is flown on a test flight from any scheduled aerodrome solely for the purpose of testing the aircraft and the aircraft returns at the end of the flight to that aerodrome without making any intermediate landing other than an emergency landing;
 - (b) if the aircraft has departed from a scheduled aerodrome and it has become necessary because of any hazard caused by the weather, or any other circumstances, for the aircraft to return to that aerodrome without making any intermediate landing other than an emergency landing;
 - (c) if the aircraft is being used by a registered flying club at the scheduled aerodrome at which the club is based, unless the aircraft is being so used for commercial purposes.
- (3) During the period of first thirty days from the date of first entering into Zambia, an aircraft which is—
- (a) of a type which has not previously entered Zambia; and
 - (b) being operated solely for sales demonstration purposes; shall be liable to pay only one landing charge in respect of a scheduled aerodrome.
- (4) No parking charge shall be charged or become payable in respect of any locally registered aircraft of a private category when parked at its home base:
- Provided that—
- (a) the operator informs the Director of the designated home base; and
 - (b) Lusaka International Airport may not be so designated.

Payment

10. (1) All payments due in respect of landing, parking and hangarage charges shall be paid, by the captain of the aircraft, to the airport manager or to the officer-in-charge or the designated representative at the scheduled aerodrome for which the

charges apply, unless an alternative arrangement has been or credit facilities have been arranged in terms of sub-regulation (2).

(2) Application for the granting of credit facilities for the payment of charges shall be made through the Director, who shall forward the application with his comments to the Permanent Secretary in the Ministry responsible for civil aviation.

(3) The application shall indicate particulars of the applicant, the reason why credit facilities are sought, proposed payment arrangements and other relevant details and shall be accompanied by a certificate of credit worthiness from the applicant's bankers.

(4) When hangar charges are payable at the monthly rate in terms of sub-regulations (2) and (3) of regulation 7, the amount of the charges shall be paid in advance before the first day of the named month during which hangar facilities are required.

(5) The charges set out in the Schedules are common to all scheduled aerodromes unless it is stated to the contrary.

(6) Unless agreement to the contrary is entered into, between the Government of the Republic of Zambia and the government of the aircraft operator's nationality, the charges calculated in kwacha in accordance with the Second, Third, Fourth and Fifth Schedules shall be paid in United States dollars or pounds sterling, or any other currency acceptable to the Director, at the rate of exchange as last notified by the Bank of Zambia:

Provided that in case of locally registered aircraft the charge shall be paid in kwacha.

11. The charges set out in the Second, Fourth and Fifth Schedules shall come into effect in three stages so that the charges set out in the First Column shall come into effect upon the commencement of these Regulations, the charges set out in the Second Column shall come into effect upon the expiry of six months from the commencement of these Regulations, and the charges set out in the Third Column shall come into effect upon the expiry of twelve months from the commencement of these Regulations.

Staggering
of charges

12. All inquiries concerning the payment of charges in terms of these Regulations shall be addressed to the Director.

Inquiries

13. The Aviation (Aerodrome Fees) Notice, 1984, is hereby revoked.

Revocation
of S.I. No. 33
of 1984

LUSAKA

3rd April, 1985

[MPTC.103/26/1.CONF.]

[DCA.104/11/2]

F. CHUULA,
*Minister of Power, Transport and
Communications*

FIRST SCHEDULE

(Regulation 2)

SCHEDULED AERODROMES

Category I

Livingstone
Luauka International
Mfuwo
Ndola

Category II

Chipata
Kasama
Luauka City
Mansa
Mongu
Solwezi
Zambezi

Category III

Kalabo
Kasabu Bay
Lilayi
Lukulu
Ngoma
Senanga
Seheke
Southdowns

SECOND SCHEDULE

(Regulation 3)

DAY LANDING CHARGES: INTERNATIONAL FLIGHTS
(FIXED WING AIRCRAFT)

PART I: CATEGORY I AERODROME

Charges for each tonne or part thereof

Aircraft Weight (Metric tonne)	First Column	Second Column	Third Column
	K	K	K
First 25 tonnes ..	4	6	8
Next 75 tonnes ..	6	8	10
Over 100 tonnes ..	8	10	12

PART II: CATEGORY II AND III AERODROME

1. Landing charge at Category II aerodrome will be at seventy per centum of the charges payable at Category I aerodrome.
2. Landing charge at Category III aerodrome will be at fifty per centum of the charges payable at Category I aerodrome.

NOTES

- (a) Minimum landing charge for an aircraft whose weight is more than two tonnes is K30,00.
- (b) Lighting charge of twenty-five per centum of the day landing charges shall be levied and payable for all night landing or take-off at scheduled aerodromes equipped with night landing facilities.
- (c) Charges for helicopters shall be at fifty per centum of the charges applicable to fixed wing aircrafts.
- (d) Charges for domestic flights shall be at fifty per centum of the charges applicable to international flights.

THIRD SCHEDULE

(Regulation 6)

Annual landing charge shall be six hundred kwacha.

FOURTH SCHEDULE

(Regulation 7)

PART I

DAILY RATE OF HANGAR CHARGES: CATEGORY I AERODROME

For each tonne or part thereof per twenty-four hours or part thereof

<i>Aircraft Weight (Metric tonne)</i>	<i>First Column</i>	<i>Second Column</i>	<i>Third Column</i>
	K	K	K
First 25 tonne	3	4	5
Next 75 tonne	4	5	6
Over 100 tonne	5	6	7

PART II

WEEKLY AND MONTHLY CHARGES:

CATEGORY I AERODROME

1. Weekly rate is five times the twenty-four hour charge.
2. Monthly rate is eighteen times the twenty-four hour charge.

NOTE

Minimum hangar charge is K50.00.

FIFTH SCHEDULE

(Regulation 8)

PARKING CHARGES

PART I

CATEGORY I AERODROME

Fee for each tonne or part thereof per hour or part thereof

<i>Aircraft Weight (Metric tonne)</i>	<i>First Column</i>	<i>Second Column</i>	<i>Third Column</i>
	Ngwee	Ngwee	Ngwee
First 25 tonne	30	45	60
Next 75 tonne	20	30	40
Over 100 tonne	10	15	20

PART II

CATEGORIES II AND III AERODROMES

1. Parking fees at Category II aerodromes will be at fifty per centum of the charges payable at Category I aerodrome.
2. Parking fees at Category III aerodrome will be at twenty-five per centum of the charges payable at Category I aerodrome.

NOTES

1. First three hours after landing shall be free of charge.
2. Minimum parking charge for an aircraft whose weight is more than two tonnes is K 15.00.

