# NDT POLICY WATCH **QUARTERLY UPDATE** January – March 2016

INTERNATIONAL AND NATIONAL POLICY DEVELOPMENTS



# tourism

Department: Tourism REPUBLIC OF SOUTH AFRICA

### INTERNATIONAL DEVELOPMENTS

### **CO2 Emission Standards for Aircrafts**

The International Air Transport Association (IATA) welcomed the CO<sub>2</sub> efficiency standard for commercial aircraft developed by the representatives of the International Civil Aviation Organisation (ICAO). IATA indicated that the agreement on carbon emission standard has taken six years of meticulous negotiation and technical work. The standard was then endorsed by ICAO's Committee on Aviation Environmental Protection<sup>1</sup>.

The CO<sub>2</sub> standard for aircrafts includes, amongst other things, the following<sup>2</sup>:

- Reduce aircraft CO<sub>2</sub> emissions by encouraging the integration of fuel efficient technologies into aircraft design and development.
- Ensure that older aircraft models end production in an appropriate time frame or
- Ensure that manufactures invest in new technology to improve efficiency.
- Ensure that new designs go beyond the highest fuel efficiency of today's aircrafts.
- Ensure certification process that new aircrafts need to pass in order to enter service.

Tony Tyler, IATA's Director-General pointed out that the CO<sub>2</sub> standard does not solve all aviation's climate change, however, it is an important element in the comprehensive organisational strategy for tackling carbon emissions. Subsequent to the CO<sub>2</sub> standard, IATA is now focused on the next milestone, which is the implementation of a market based measure to address emissions. The intention is to have an agreement at ICAO's General Assembly later this year.

It is expected that the standard, which comes into force from 2020, will ensure that CO<sub>2</sub> emissions from new aircrafts meet the minimum baseline. The baseline should be understood as maximum fuel burn per flight kilometre, which must not be exceeded. In 2023, this will also apply to existing aircraft designs still in manufacturing process.

The aircraft manufactures also welcomed the new aircraft emission standards. Boeing commended ICAO Committee on Aviation Environmental Protection for reaching an agreement on the first global standard for aircraft carbon-dioxide emissions. Boeing fully supported the new CO<sub>2</sub> emission standards and indicated that they have made significant investments to improve efficiency and environmental performance for its products. According to Boeing, greater fuel efficiency and lower emissions are top priorities for its commercial customers and the standard will ensure that older aircrafts are replaced by newer efficient aircrafts.

Airbus also commended the global agreement and acknowledged the work done by task force experts from government and observers. Airbus also indicated its investment in improving environmental performance by bringing the most eco-efficient aircrafts to the market and committed into meeting emission requirements<sup>3</sup>.

Karantzavelou, V. (February 2016). IATA welcomes new CO2 emissions standards for aircraft. <u>http://www.traveldailynews.com.</u>
Air Transport Action Group. (February 2016). The ICAO CO2 Standard for Aircraft. <u>www.enviro.aero.</u>
Airbus Press Release (February 2016). Airbus commends global agreement on CO2 Standard.

### Safety and Security

Following the disappearance of the Malaysian Airline Flight MH370, a special Multidisciplinary Meeting of the Global Flight Tracking (MMGFT) was convened. The meeting was held at the Internal Civil Aviation Organisation (ICAO) headquarters in Montreal to propose recommendations for future actions. One of the resolutions taken was the need for operators to pursue global tracking of airline flights at a faster pace<sup>4</sup>.

The meeting also initiated the Global Aeronautical Distress and Safety System (GADSS) and called for ICAO to lead the conduct of a Normal Aircraft Tracking Implementation Initiative (NATII), using technologies. In addition, a NATII steering committee was formed and the Asia Pacific Region was selected as a representative area of operations.

Meanwhile Ministers of Tourism and high level officials from various countries deliberated on the need for cooperation between tourism and security administrations to ensure a safe, secure and seamless travel. The meeting stressed the global nature of security challenges and the need to create global solutions while enhancing the collective support to countries affected<sup>5</sup>.

With regard to approaches, participants called for the integration of tourism in international and national emergency systems and highlighted the role of public-private sector cooperation including strong communications and media partnerships. The UNWTO indicated that the role of tourism is still underestimated and the integration of travel and tourism into national emergency structures often happens only after major incidents.

In addition, IATA released the 2015 Safety Performance Report. The report shows that more than 3.5 billion passengers flew safely on 37.6 million flights, with 136 fatalities in 2015 compared to 641 in 2014<sup>6</sup>. It appears that all regions experienced an improvement in terms of Jet hull loss except for North America.

IATA indicated that Africa is moving in the right direction in so far as its aviation safety is concerned. Sub-Saharan Africa had four commercial hull loss accidents in 2015 with two involving jets and two involving turbo props. IATA emphasised the need to continue to bring Africa in line with global performance standards. One tool which was seen as critical, is the registration of Airlines on the IATA Operational Safety Audit (IOSA). To demonstrate the value of being part of IOSA, IATA indicated that the 32 Sub-Saharan African Airlines on the IOSA registry are performing 3.5 times better than non-IOSA operators<sup>7</sup>.

IATA therefore highlighted the need for governments to intensify the implementation of ICAO's safety related standards and recommended practices in line with the Universal Safety Oversight Audit Program. This is important given that only 21 African states had accomplished at least 60% of implementation of the related standards.

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<sup>&</sup>lt;sup>4</sup> ICAO (2016). Global Tracking Initiatives. www.icao.int.

<sup>&</sup>lt;sup>5</sup> UNWTO (2016). Tourism Ministers discuss collaboration between tourism and security.

<sup>&</sup>lt;sup>6</sup> Koumelis T. (2016). IATA releases 2015 Safety Performance.

<sup>&</sup>lt;sup>7</sup> As cited in Koumelis.

Meanwhile, the European Union has introduced Regulations on Flight Time Limitations with a view to prevent air crew fatigue and limit the risk to flight safety. The regulations also emphasise the importance of air operators to ensure that they proactively manage safety risks associated with fatigue both in the cockpit and the cabin. The regulations cover issues such as time-zone crossing and sleep disrupting flight schedules.

### Safe and Seamless Travel, Technology and Sustainability prioritised for Tourism

During the opening ceremony of the 50th edition of ITB Berlin in Germany on the 08<sup>th</sup> March 2016, UNWTO Secretary-General Taleb Rifai emphasised the need to ensure safe and seamless travel. The Secretary-General also reflected on the priorities for the sector, which are the opportunities brought by technology and the need to accelerate the shift towards a more sustainable sector.

Mr Rifai then called for the full integration of tourism into national and international security agendas and warned that "security challenges should not prompt the building of new walls and stressed the need to cooperate, as opposed to isolation. Accordingly, global tourism security challenges demand global solutions and collective capacity. These must enhance security and enable seamless travel. The Secretary-General identified technology as one of the ways to make travel safer and easier. Most importantly, the Secretary General underlined the need to understand the impact of technology on the tourism sector and to maximize new opportunities that improve competitiveness of destinations whilst managing natural resources more effectively<sup>8</sup>.

Furthermore, the Secretary-General called upon the tourism sector to embrace the sustainability agenda. This could be achieved through advancing policies and business strategies that ensure the contribution of the tourism sector to Sustainable Development Goals (SDGs). Therefore, the need for climate change mitigation, effective resource management, poverty reduction and inclusive growth are to be at the centre of tourism development<sup>9</sup>.

### **UNWTO on Zika Virus**

The UNWTO indicated that the World Health Organisation (WHO) declared, on the 1<sup>st</sup> of February 2016, a public Health Emergency of International Concern on the Zika Virus. However, the UNWTO emphasised that the WHO has not declared restrictions on travel to affected areas. Instead, the following travel measures were announced<sup>10</sup>.

- There should be no restriction on travel to or trade with countries, areas and/or territories with Zika virus transmission
- Travellers to areas with Zika Virus transmission should be provided with up to date advice on potential risks and appropriate measures to reduce possibility of exposure to mosquito bites
- WHO standard recommendations on disinfection of aircraft and airports should be implanted

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 <sup>&</sup>lt;sup>8</sup> UNWTO Press Release (March 2016). Safe and seamless travel, technology and sustainability: priorities for tourism.
<sup>9</sup> As cited in UNWTO Press Release.
<sup>10</sup> UNWTO (2016). Under the UNIVTO Statement on Zike Visual

<sup>&</sup>lt;sup>10</sup> UNWTO. (2016). Updated UNWTO Statement on Zika Virus.

The UNWTO indicated its continuous monitoring of the situation including close interaction with WHO and the relevant tourism authorities. The UNWTO also pointed out that health and tourism authorities are working together to inform residents, tourists as well as the industry about precautionary measures. With regard to the impact to tourism, the UNWTO highlighted that it is still early to make an effective assessment considering the evolving nature of the situation<sup>11</sup>.

### Improvements on Visa Openness

The UNWTO continues to advocate for visa policies that advance travel facilitation, with a view to promote tourism development thereby increasing socio-economic benefits. The UNWTO's latest Visa Openness Report shows that a share of tourists requiring visa prior to travelling continues to decline. In 2015, 39% of the world population could travel for tourism without obtaining traditional visa prior to departure as compared to only 23 % in 2008<sup>12</sup>. Furthermore, 18% of the world's population was able to travel to a destination without a visa in 2015, whilst another 15% could receive a visa on arrival and 6% was able to obtain eVisas<sup>13</sup>.

The UNWTO also indicated that emerging economies, overall, continue to be more open than advanced economies. South-East Asia, East Africa, Caribbean and Oceania remain the most open areas, whilst Central Africa, North Africa and North America were the most restrictive sub-regions in 2015. The UNWTO Secretary General, Taleb Rifai, therefore appreciated visa facilitation improvements by some governments and emphasized the significance of prioritising travel facilitation as central to stimulating economic growth and job creation.

The Secretary General indicated that the current security challenges should not deter governments from advancing visa facilitation. Instead, enhancing security and facilitating travel should coexist. This should include collaboration to promote a safe, secure and seamless travel environment by using the possibilities offered by technology and international cooperation in data sharing. Most importantly, UNWTO recommends stronger segmentation of travellers in improving visa. It also recommends making use of regional integration, providing accessible information to tourists and avoiding dependence on reciprocal improvements whilst considering unilateral improvement measures.

## United Kingdom abolish Air Passenger Duty for Children

The UK Chancellor announced the abolition of Air Passenger Duty on children's flights. The initiative was first implemented for children under the age of 12 from the 1<sup>st</sup> of May 2015 and travel companies issued refunds. Currently, anyone who books an economy flight taking off after the 1<sup>st</sup> of March 2016 with 12-15 year old child may be due for some cash back.

The report shows that such a move will save a family of four with two kids £26 on a flight to Europe and £142 on a flight to United States of America<sup>14</sup>. Customers were therefore urged to apply for their cash

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<sup>13</sup> As cited in UNWTO Press Release.

<sup>&</sup>lt;sup>11</sup> As cited UNWTO statement on Zika Virus.

<sup>&</sup>lt;sup>12</sup> UNWTO (2016). Visa Openness levels continue to progress. UNWTO Press Release.

<sup>&</sup>lt;sup>14</sup> Koumelis, T. (2016). Air Passenger Duty abolished for under 16s on 1 March 2016. <u>http://www.traveldailynews.com</u>.

back from airlines with a view to put that money back into their holiday spending pot. Some travel companies have already implemented systems proactively to ensure that they are refunded without them having to apply for a refund.

### World Tourism Network on Child Protection and UNWTO 2017 Declaration

The UNWTO's World Tourism Network on Child Protection convened the 31<sup>st</sup> meeting on the 10<sup>th</sup> of March 2016. The meeting provided a platform for tourism stakeholders to exchange experiences and best practices on the protection of children in tourism. These stakeholders consisted of governments; the tourism industry; international organisations; non-governmental organisations; and media associations<sup>15</sup>.

The special focus for this year's meeting at ITB was Responsible Business Strategies and Child Protection in Tourism. This focused on good practices championed by the tourism industry. The World Network on Child Protection seeks to prevent all forms of child and youth exploitation in the tourism sector, including sexual exploitation, child labour and child trafficking.

Meanwhile the UNWTO General Assembly declared 2017 as the International Year of Sustainable Tourism for Development. The resolution was adopted on the 4<sup>th</sup> of December 2015 and states that the *"importance of international tourism and particularly of the designation of an international year of sustainable tourism for development, in fostering better understanding among people everywhere, in leading to a greater awareness of the rich heritage of various civilizations and bringing about a better appreciation of the inherent values of different cultures, thereby contributing to the strengthening of peace in the world"<sup>16</sup>.* 

### 2. NATIONAL POLICY AND LEGISLATIVE DEVELOPMENTS

## Draft Regulations for Tourist Guiding published for public comment

On the 15<sup>th</sup> of March 2016, the Minister of Tourism published the Draft Regulations for Tourist Guiding for public comment. The intention to develop the tourist guide regulation is in line with Chapter 6 of the Tourism Act of 2014. Chapter 6 of the Act deals with, amongst other things, procedure relating to the registration of tourist guides; national registrar; provincial registrar; competence; code of conduct and ethics; reporting of contraventions and lodging of complaints.

The Draft Regulations for Tourist Guiding clarifies the registration requirements and proposes that the registration fee should be Two Hundred and Forty Rands. The draft regulations also empowers the Provincial Registrars to issue certificates of registration upon satisfying themselves that all requirements have been met. The draft regulations also empowers the National Registrar to adopt a code of conduct after consultation with the Member of Executive Committee (MEC), Provincial Registrars and stakeholder groupings. The draft regulations also deals with disciplinary measures by Provincial Registrars including appeal processes to persons aggrieved by their decisions. Inputs are expected within sixty days from

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<sup>&</sup>lt;sup>15</sup> 31<sup>st</sup> meeting of the World Tourism Network on Child Protection.

the date of the publication. Inputs can be sent by post to the following address: attention to Uveshnee Pillay, The Director-General, Department of Tourism, Private Bag x 424, Pretoria, 0001. Or hand deliver at Ground Floor, Tourism House, 17 Trevenna Street, Sunnyside or email <u>upillay@tourism.gov.za</u>.

### Declaration of Robben Island Marine Protected Area.

The Minister of Environmental Affairs has published, for public comment, the declaration of Robben Island Marine Protected Area under Section 22 of the National Environmental Management: Protected Areas Act 2003. Section 22 A of the Act empowers the Minister to declare an area as a marine protected area and as part of an existing marine protected area.

The publication outlined the purpose for declaring Robben Island Marine Protected Area, which is:

- To contribute to a national and global representative system of marine areas by providing protection to coastal, island and offshore benthic and pelagic ecosystems in this region
- To conserve and protect threatened ecosystems
- To conserve and protect the biodiversity and ecological processes associated with these ecosystems
- To contribute to the conservation and protection of African Penguin, bank and Cape cormorants and other threatened seabird and shorebird species
- To protect an area of significant cultural heritage, scenic area with tourism value, a South African National Heritage site and a World Heritage Site, and
- To facilitate species management by supporting fisheries recovery and enhanced species abundance in adjacent areas for west coast rock lobster, abalone and other overexploited species.

Stakeholders wishing to submit comments or representations were invited to do so within 90 days from the date of publication, which is the 3<sup>rd</sup> of February 2015. Inputs can be submitted to <u>MPARegs@environmental.gov.za</u>; or post to The Deputy Director General, Environmental Affairs, Oceans and Coasts, Attention Xola Mkefe, P.O Box 52126, V and A Waterfront, Cape Town, 8002 or Hand deliver at East Pier Building 2, East Pier Road, V&A Waterfront.

## **Expropriation Bill 2015**

Parliament has passed the Expropriation Bill 2015. The Bill provides for the expropriation of property for public purpose or in the public interest in line with Section 25 of the Constitution of South Africa.

The Bill empowers the Minister to expropriate property for public purpose or in the public interest. According to the Bill, if an organ of state, other than an expropriating authority requires particular property for public purpose or public interest, then the Minister must expropriate that property on behalf of that organ of state upon its written request. This requires investigation and gathering of information.

The Bill however, stresses that an expropriation authority may not expropriate property arbitrarily or for a purpose other than public purpose or public interest. In addition, the Bill indicates that the power to expropriate may not be exercised unless the expropriating authority has without success attempted to

reach an agreement with the owner or the holder of an unregistered right in property for the acquisition thereof on reasonable terms.

The Bill also state that the amount of compensation to be paid to an expropriated owner/ holder must be just and equitable reflecting an equitable balance between the public interest and the owner. The Bill is expected to be deliberated upon in the National Council of Provinces.

### White Paper on National Health Insurance published for comments

The Department of Health (DOH) published the White Paper on National Health Insurance (NHI) for comments. The white paper indicated that the National Health Insurance is a health financing system that is designed to pool funds to provide access to quality, affordable personal health services for all South Africans based on their health needs, irrespective of their socio-economic status. It is also aimed at ensuring that the use of health services does not result in financial hardships for individuals and their families.

The white paper emphasises that NHI is consistent with the Constitution which requires the state to take reasonable legislative and other measures, within its available resources to achieve progressive realisation of the right to have access to healthcare services including reproductive health.

In addition, the white paper indicates that NHI is consistent with the global vision that health care should be seen as a social investment and therefore not be subjected to market forces, where it is treated as normal commodity of trade.

The white paper also indicates that the NHI will be based on principles such as the right to access health care; social solidarity; equity; healthcare as a public good; affordability; efficiency; effectiveness and appropriateness. Ultimately, the NHI seeks to ensure universal health coverage for all South Africans whilst improving the quality of healthcare services, irrespective of socio-economic status of the user.

DOH indicated that all interested are invited to submit their comments or representations to The Director General: Private Bag x 828, Pretoria, 0001 or <u>nhi@health.gov.za</u>.

## South African Qualifications Authority (SAQA) Language Policy

SAQA has developed and released a proposed language policy regarding the use of official languages for government purposes for public comment. The proposed language policy seeks to provide guidance on the use of English by SAQA for its day to day activities. This includes communicating with the general public and individuals who use an indigenous South African language other than English and are not proficient in English.

SAQA indicated that the policy is in line with section 6 of the Constitution of the Republic of South Africa, which affords equal status to all languages. Section 6 (3) also states that "national and provincial government may use any particular official languages for the purpose of government, taking into account usage; practicality; expense; regional circumstances and the balance of needs and preferences of the population as whole or the province, but national government or provincial government must use at least two official languages".

Accordingly, SAQA has taken a decision to use English as a language of business and operations, and to use English, IsiZulu and seSotho for oral communication with the public. The decision, according to SAQA, is taken mindful of the government's objectives which seeks to promote multilingualism; support and granting equal access to information; eradicate marginalisation of indigenous languages; foster respect for language rights; and use language accessible to all. Comments can be submitted to Imalambe@saqa.co.za

### North West Biodiversity Bill published for comments

The Member of the Executive Council (MEC) for the Department of Rural, Environment and Agricultural Development, Honourable Manketsi Tlhape, published the North West Biodiversity Bill 2016 for public comment on the Provincial Gazette Notice No 18 of 2016.

The Bill seeks to provide for the management and conservation of the North West Province's biophysical environment and protected areas within the framework of the National Environmental Management Act, 1998 (Act 107 of 1998). The Bill further provides for the protection of species and ecological-systems that warrant provincial protection as well as for the sustainable use of indigenous biological resources and matters connected therewith.

Interested parties were invited to submit their written comments and representations on the proposed Bill to: The Director Biodiversity Management, Private Bag x2039, Mabatho, 2735 or email to JDenga@nwpg.gov.za or ADikolomela@nwpg.gov.za

### 3. ADMINISTRATIVE MATTERS

### Buffalo City Municipality on Mandela Exhibition

The Buffalo City Metro commemorated the release of former President Nelson Mandela with an exhibition at Ann Bryant Gallery on the 11<sup>th</sup> of February 2016. The exhibition, which was titled "On the Trail of Nelson Mandela" showcased the life of Nelson Mandela, with paintings both in acrylic on canvas and acrylic on paper.

The city indicated that the paintings will remind visitors about the life and times of Nelson Mandela. This includes the time he spent in Robben Island; his childhood in Mqhekezweni; his release from Victor Visser Prison, his Inauguration as the President in 1994 and his home in Soweto<sup>17</sup>. The city reported that these paintings were done by the German artist Dagmar Schmidt, who indicated that the exhibition will move to Soweto in March 2016.

### Support for Informal Traders in Cape Town

The City of Cape Town handed over the certificates to first graduates of the Informal Traders Upliftment Project. The project seeks to enhance business skills of informal traders. One hundred and sixteen (116)

<sup>&</sup>lt;sup>17</sup> Buffalo City Metro (February 2016). Mandela Exhibition at Ann Bryant <u>http://www.buffalocitymetro.gov.za</u>.

informal traders around the city from areas such as Nyanga; Khayelitsha; Manenberg; and Athlone completed a six weeks development course aimed at growing and developing their business skills<sup>18</sup>.

The city indicated that this was a collaboration between the Department of Small Business (SBD) and the Wholesale and Retail Sector Education and Training Authority (W&RSETA). The collaboration seeks to identify traders and create awareness of the Informal Traders Upliftment Project (ITUP). It was also reported that the ITUP initiative is part of the National Business Upliftment Strategy to include informal economy in the national economic growth plan. This strategy seeks to grow informal businesses and traders so that they can participate in the formal economy. Thereby transforming the lives of those in the sector.

The city intends to pursue ways of collaborating further with SBD and W&RSETA to broaden the program and its accessibility. The second program is expected to be rolled out in April 2016. The program will focus on financial management, significance of customer care, and marketing.

## Rates Policy, Business Tariffs and Heritage Monument for EThekwini Municipality

The 2016/2017 eThekwini Draft Rates Policy regulates the power of the municipality in imposing rates on property in a sustainable, fair and equitable manner. With regard to rebates, the policy exempt certain Public Benefit Organisations whose activities benefits the public. These organisations include, amongst others, Heritage sites, Health Care Institutions and Humanitarian institutions.

For the heritage site property to qualify for rebates, it has to be registered in the name of the heritage trust and must be used for promoting the heritage of the country as a whole. Commercial Accommodation such as Bed and Breakfast may also qualify for rebates upon application and the rebate may not exceed an amount or a percentage determined by the Council on its annual budget. The criteria for Bed and Breakfast/ Guest House/ Back-packer lodge/Holiday Accommodation includes the following<sup>19</sup>:

- Owner of property except for holiday accommodation have to reside in the property
- Property must be registered with Community Tourism Organisation (CTO) and Economic Development Tourism Environmental Affairs & meet standards set by Durban Tourism
- Provision of information in relation to size of property, number of rooms & facilities available for guests
- CTO must certify the rebate renewal application

The policy indicates that rebates for Bed and Breakfast, Guest Lodges; Back-packer Lodges; and Holiday accommodation will consider the number of beds and is subject to determination by the Council, in its annual budget. With regard to business tariffs, the eThekwini Executive Committee approved increases of the Licensing Services Output Unit by 5% with effect from the 1<sup>st</sup> of July 2016.

Restaurants, takeaways and tuck-shops will see an increase from R439 in 2015/16 to R526 in 2016/17; health care facilities and nightclubs from R2 178 in the previous year to R2 607 in 2016/17.

<sup>&</sup>lt;sup>18</sup> City of Cape Town. (2016). City gives traders a hand up. <u>https://www.capetown.gov.za</u>.

<sup>&</sup>lt;sup>19</sup> EThekwini Municipality Draft 2016/17 Rates Policy.

Accommodation establishments such as Bed and Breakfast, Lodges and Guests Houses will pay R526 in 2016/17 from R439 in 2015/16<sup>20</sup>.

Meanwhile the municipality is also intending to build the 1860 monument, which commemorates the arrival of indentured labourers in South Africa. According to the city, a decision to build the monument was made during the 150<sup>th</sup> celebration of the arrival of Indian Indentured labours in South Africa. The proposed site, it was reported, is alongside the Ushaka Beach promenade.

It was estimated that the project will cost R4.8 million and is funded by the Directorate of the Office of the Premier, KwaZulu-Natal<sup>21</sup>. Accordingly, the funds have been transferred to the eThekwini Municipality for implementation.

<sup>&</sup>lt;sup>20</sup> EThekwini increases business tariffs.

<sup>&</sup>lt;sup>21</sup> EThekwini Municipality (2016). City to build 1860 heritage monument. <u>http://www.durban.org.za</u>.

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