# National Assembly Question No: 2713

**Mr R A Lees (DA) to ask the Minister of Transport:**

1. Whether, with regard to the SA Airways (SAA) flights to and/or from Brussels on and/or around 24 February 2021, he will furnish Mr R A Lees with a copy of the full investigation report on the Alpha Floor incident that occurred during the SAA flights; if not, why not; if so, what are the relevant details;
2. what are the relevant details of (a) any complaints and/or charges received from any Belgium and/or other jurisdictions and/or authorities regarding any regulation breaches allegedly committed during the SAA flights and (b) the consequences and/or action taken as a result of the specified complaints and/or charges? NW3227E

# Reply:

**South African Civil Aviation Authority (SACAA)**

1. Unlike the occurrences i.e., accidents/serious incidents conducted under either ICAO Annex 13 or Part 12 of the Civil Aviation Regulations, the SAA Alpha Floor investigation was conducted under Section 73 of the Civil Aviation Act (Act 13 of 2009).

“Section 73 reads -

1. *In addition to the functions referred to in subsection (1) the Civil Aviation Authority has the following functions*:

m) *to investigate aircraft accidents and aircraft incidents that the Aviation Safety Investigation Board has determined not to investigate in terms of Chapter 4 and for purposes of regulatory compliance with this Act*;”

Investigations conducted under the above regulation are meant to determine regulatory compliance and therefore they are not published nor shared with the public as they present the compliance status of the operator and may also include punitive action taken against the operator or licence holder by the Regulator. Regulatory compliance inspections, audits and investigations are of a confidential nature as they may contain individual organisation’s sensitive information.

(2) The SACAA, did not receive nor is aware of any complaints and/or charges received from any Belgium and/or other jurisdiction and/or authority regarding any regulatory breaches allegedly committed by SAA. Our investigation though did reveal that the Alpha Floor activation at OR Tambo for the outbound flight to Brussels was not the first one the operator had experienced; an enforcement action has been taken against the operator for a failure to report both the last occurrence and the three previous occurrences.