**ANNEXURE A**

 **(What litigation has taken place in each month in respect of SACAA and what the related costs?)**

| **LEGAL MATTERS INSTITUTED AGAINST SACAA – OVER THE PAST 12 MONTHS:** |
| --- |
| # | (1)(a) Details of the litigation  | (1)(b) Reasons in each case | (2)(a) What was the outcome? | (2)(b)(i) Which matters are outstanding? | (2)(b)(ii) Why is the matter outstanding? | (3)(a) Cost for 2018/19 Financial year | (3)(b) Why this cost? |
| Applicant/Plaintiff | Respondent |
| 1 | Berwick(Partially finalized – pending legal costs being paid to SACAA) | SACAA | The SACAA, the South African Hang-gliding and Paragliding Association (SAHPA) and the Minister of Transport were sued by Berwick who was injured in a paragliding accident.  | SACAA defended claim successfully | Finalised | N/A | R 803,825.92 | Legal fees |
| 2 | Ruiter | DCA; Minister of Transport, SACAA and SAA  | An application to set aside a decision taken by the Director in respect of a medical certificate. | Settlement | Pending  | Cost recovery | R3,375.54 | Legal fees |
| 3 | ALPA-SA(Zerwick) | Director, Gawie Bestbier , Thabang Phahlane and the Minister | Zerwick appealed against an enforcement decision for non-compliance with SACAA regulations. The enforcement action of the Inspector was upheld on appeal to the DCA. | High Court Appeal pending | Pending | Re-hearing of appeal | R350,819.55 | Legal fees |
| 4 | SB Keyser(*Partially finalized – pending legal costs being paid to SACAA)* | SACAA | An appeal against the judgement delivered by the Civil Aviation Appeal Committee.  | Appeal dismissed in favour of SACAA | Pending | Cost recovery | R 217,728.44 | Legal fees |
| 5 | SB Keyser | Director | An urgent application in the High Court to set aside the notice of intention to suspend a Pilot Licence.  | Pending High Court appeal | Pending  | Awaiting judgement | R 1,046,139.50 | Legal fees |
| 6 | Kelderman | SACAA | High Court appeal against the Director’s decision to issue a fine, which was confirmed by the Appeal Committee.  | Pending High Court appeal | Pending | Awaiting date of set down | R184,915.00 | Legal fees |
| 7 | Quantum Leap Investments (PTY) Ltd | SACAA & Civil Aviation Appeals Committee (CAAC) | SACAA appeal against the judgement of the Appeals Committee relating to a licensing compliance. | Appeal was dismissed | Finalised | N/A | R235,923.52 | Legal fees |
| 8 | South African Flight Training Academy | Minister of Transport / SACAA | SACAA sued for damages for loss of income and reputational harm.  | Pending trial action  | Pending | Exchange of pleadings and interim application | R 537,580.25 | Legal fees |
| 9 | Former Employee | SACAA | Labour matter. | CCMA referral for arbitration  | Pending | Awaiting transcript | None | Legal fees |
| 10 | Kishugu Aviation (Pty) Ltd and others // Minister of Transport*(The matter closed)* | SACAA | **Kishugu** is requesting the setting aside of findings of an accident investigation report. | Withdrawal of the matter | Finalised | N/A | R 199 797.67 | Legal fees |
| 11 | National Union of Metal Workers on behalf of a Former Employee | SACAA | Labour matter | Labour court review  | Pending | Interim applications | Not billed as yet | N/A |
| 12 | AAL-SA *(Matter closed)* | SACAA | Aircraft registration matter. An application was launched to compel the SACAA to register aircraft. | Application was dismissed | Finalised | N/A | None | N/A |
| 13 | AEROPRECISION  | SACAA:  | **AEROPRECISION** issued summons claiming damages for enforcement action taken by the SACAA.  | Decision in SACAA favour with cost | Pending | Recovery of cost | R48,604.75Matter commenced in 2014. Payment made in 2014 amounting to total mentioned above | Legal fees |
| 14 | Bosman | SACAA | **Bosman,** a Commercial Pilot licence holder challenged the suspension of his licence through an urgent High Court application, at the Civil Aviation Appeal Committee and instituted an appeal in the High Court, Gauteng North against a decision of the Civil Aviation Appeal Committee.  | High Court Appeal pending | Pending | N/A | R746,351.26 | Legal fees |
| 15 | Former Employee | SACAA | Labour matter. | Pending claim for damages | Pending | N/A | No bill as yet | N/A |
| 16 | Fair Aviation | SACAA | FAIR AVIATION sought an interim interdict in the High Court, asking the court to condone a non-compliance to civil aviation regulations. | Dismissal of application | Finalised | N/A | R177,606.70 | Legal fees |
| 17 | Former Employee | SACAA | Labour matter. | Pending labour court review | Pending | Employee raising funds for legal representation  | No bill as yet | N/A |
| 18 | CEMAIR | SACAA | CEMAIR instituted two urgent applications in the High Court, seeking interim interdicts to set aside audit findings that resulted in the suspension of their operations. | 1st application was settled. 2nd application was dismissed by the court | Finalised | N/A | No payment yet | N/A |

| **LEGAL MATTERS INSTITUTED BY SACAA – OVER THE PAST 12 MONTHS:** |
| --- |
| # | (1)(a) Details of the litigation  | (1)(b) Reasons in each case | (2)(a) What was the outcome? | (2)(b)(i) Which matters are outstanding? | (2)(b)(ii) Why is the matter outstanding? | (3)(a) Cost for 2018/19 Financial year | (3)(b) Why this cost? |
| Applicant/Plaintiff | Respondent |
| 1 | Former Employee **(**Matter closed ) | SACAA | Labour matter | Claim could not be pursued due to the absence of the employee in South Africa | N/A | N/A | R149,838.05 | Legal fees |
| 2 | SACAA | Phoebus Apollo Aviation | SACAA served summons to recover costs from a service provider. | Settlement agreement | Finalised | N/A | R30, 898.97 | Legal fees |
| 3 | SACAA  | AOPA DEFAMATION CASE | SACAA instituted a defamatory lawsuit against an association.  | Awaiting trial date | Pending | Interim applications  | R291 909.94 | Legal fees |
| 4 | SACAA | Interface Technologies | SACAA issued summons for recovery of outstanding debt against an operator. | Court order in favour of SACAA | Finalised | N/A | R157 671.59 | Legal fees |
| 5 | SACAA | Tshungu Multimedia Enterprises | Setting aside of a tender related decision in favour of SACAA. | Decision successfully overturned | Finalised | N/A | R438,671.75 | Legal fees |