



Civil Aviation Authority secures first major conviction against an aviator

Midrand, Johannesburg, 26-02-2014. The South African Civil Aviation Authority (SACAA) has secured its first major conviction against unscrupulous behaviour in the civil aviation industry. In what is undoubtedly a precedent-setting conviction, the Port Elizabeth Magistrates Court handed down a term of imprisonment of one (1) year on a charge of forgery and a term of imprisonment of three (3) years on the second charge of contravening various applicable civil aviation regulations to an aspiring pilot. In addition, the court ordered that the accused's private pilot's licence be cancelled.

With regard to the forgery charge, the accused, Mr Nedson Likhunya, used Mr Saponuchi Amadi's private pilot's licence number and altered the document by replacing the photo of the rightful licence holder, i.e. Mr Amadi with his own. On the second charge, Mr Likhunya was caught and convicted for writing an examination towards a commercial pilot's licence on behalf of Mr Amadi, a private pilot licence holder.

His accomplice, Mr Amadi, pleaded guilty on charges pertaining to the contravention of Part 185.00.1 (d) (i) of the Civil Aviation regulations, by allowing Mr Likhunya to write an examination towards a commercial pilot's licence on his behalf. Mr Amadi was sentenced to three years' imprisonment with an alternative of a R10 000.00 monetary fine. Two of the three years were suspended for five years.

According to the SACAA's Director of Civil Aviation, Ms Poppy Khoza, the conviction is a major victory against fraudulent behaviour in the civil aviation industry in this country. "The SACAA and other key industry role-players are working hard to ensure that South African skies are the safest; but these two individuals clearly do not share our view. Moreover, such lawbreakers seem to be oblivious of the fact that in the aviation industry, there is absolutely no room for error. Errors, whether deliberate or not, simply lead to loss of lives," Khoza said.

Adding that "one life lost is just one too many," Ms Khoza said that the actions of the two individuals corroborate with the facts, which illustrate that a significant number of aircraft accidents are caused by man, and not machine.

“The SACAA will continue to intensify its oversight responsibilities, particularly over training schools and licence holders. In addition, we will consistently review and augment our examination and oversight processes in order to ensure that only those who have passed their tests on merit and hold valid licences get to take to the skies. Moreover, we would also like to see aviation penalties bolstered; and hence the SACAA will be intensifying collaboration with law enforcement entities in order to root out any fraudulent activities in aviation,” said Khoza.

According to Khoza, the SACAA’s Aviation Regulation Enforcement Department successfully administered 83 cases in the 2012/2013 financial year compared to 32 the preceding year. In addition to opening criminal cases against some of the culprits, other penalties included the withdrawal of aircraft certificates of airworthiness as well as medical certificates. Other lawbreakers were issued with penalty notices and warning letters, whilst others had their various licences, certificates or approvals suspended or downgraded or cancelled. Culprits ranged from air traffic controllers through to pilot’s licence holders, air operating certificate holders, aircraft maintenance organisations, aviation training schools, aircraft maintenance engineers, aviation security regulated agents, and airport licence holders.

Khoza appealed to members of the public and aviation industry to report any unbecoming civil aviation behaviour to the SACAA. This can be done confidentially through the SACAA’s Tip-offs Anonymous facility, 0800 997 263 (free call) or sacaa@tip-offs.com, and the Confidential Aviation Hazard Reporting System (CAHRS) cahrs@caa.co.za or 011 545 1453 (fax) or 011 545 1242 (telephone).

“We hope that these convictions will send a clear message to other unprincipled individuals that the SACAA will not tolerate any form of unethical conduct by any member of the aviation community or the Regulator’s personnel. With the high number of accidents, we cannot afford to fold our arms and observe the carnage that is going on in the general aviation sector. The SACAA will continue to work hand in hand with other role players and government law enforcement agencies to hunt down those that violate prescribed civil aviation rules. The SACAA will also continue to lobby for harsher penalties against devious characters in aviation. If we don’t, substantial numbers of people in our communities will continue to lose their loved ones,” Khoza asserted.

She alluded to the possibility of introducing a name and shame system where members of the public and aviators can get to know the individuals and organisations that repeatedly show a lack of the requisite airmanship ethos; and are a danger to society.

-ENDS-

About the SACAA:

The South African Civil Aviation Authority (SACAA) was established on 1 October 1998 following the enactment of the South African Civil Aviation Authority Act, No.40, in September of the same year. The SACAA promotes and maintains a safe, secure and sustainable civil aviation environment, by regulating and overseeing the functioning and development of the industry in an efficient, cost-effective, and customer-friendly manner according to international standards.

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