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GOVERNMENT NOTICE

DEPARTMENT OF TRANSPORT

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AVIATION ACT, 1962 (ACT No. 74 OF 1962)

The Minister of Transport has under section 22 of the Aviation Act, 1962 (Act No. 74 of 1962), and where necessary, after consultation with the Minister of Finance, made the regulations in the Schedule.

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CIVIL AVIATION REGULATIONS, 1997

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PART 1

DEFINITIONS AND ABBREVIATIONS

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Definitions

1.00.1 In these Regulations any word or expression to which a meaning has been assigned in the Act shall have that meaning and, unless the context otherwise indicates -

"accelerate-stop distance available" means the length of the take-off run available plus the length of stopway, if such stopway is declared available and is capable of bearing the mass of the aeroplane under the prevailing operating conditions;

"accident" for the purposes of the definition of "accident" in section 1 of the Act, includes an occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, during which -

- (a) a person is fatally or seriously injured as a result of -
 - (i) being in the aircraft;
 - (ii) direct contact with any part of the aircraft, including parts which have become detached or are released from the aircraft; or
 - (iii) direct exposure to jet blast, rotor or propeller wake, except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to passengers and flight crew; or
- (b) the aircraft sustains damage or structural failure which -
 - (i) adversely affects the structural strength, performance or flight characteristics of the aircraft; and
 - (ii) would normally require major repair or replacement of the affected component, except for engine failure or damage when the damage is limited to the engine, its cowlings or accessories, or for damage limited to propellers, wing tips, antennae, tyres, brakes, fairings, small dents or puncture holes in the aircraft skin; or
- (c) the aircraft is still missing after an official search has been terminated and the wreckage has not been located; or
- (d) the aircraft is in a place where it is completely inaccessible;

"accredited representative" means an authorised officer or authorised person designated by the Commissioner in terms of regulation 12.01.6;

"acoustical change" means any voluntary change in type design which may increase the noise levels of the aircraft;

"acrobatic flight" means manoeuvres intentionally performed by the pilot-in-command of an aircraft and involving an abrupt change in the attitude of the aircraft, an abnormal attitude or an abnormal acceleration, not necessary for normal flight;

"acts of unlawful interference" means sabotage, unlawful seizure of aircraft or any other act by a person which endangers other persons, property or the aircraft;

"additional cabin crew member" means a cabin crew member carried over and above the minimum number required by Subpart 2 of Part 91;

"additional flight deck crew member" means a flight deck crew member carried over and above the minimum number required by Subpart 2 of Part 91;

"adjustable-pitch propeller" means a propeller, the pitch setting of which can be conveniently changed in the course of ordinary field maintenance, but which cannot be changed when the propeller is rotating;

"adviser" means an authorised person designated by the Commissioner in terms of regulation 12.01.7;

"advisory airspace" means an airspace of defined dimensions, within which an air traffic advisory service is available;

"advisory area" means a designated area within a flight information region where air traffic advisory services are available;

"advisory route" means a designated route along which air traffic advisory services are available;

"aerodrome" means an aerodrome as defined in the Act, and for the purposes of these Regulations includes a heliport;

"aerodrome control service" means an air traffic control service provided for the control of aerodrome traffic;

"aerodrome control tower" means an air traffic control unit established to provide an air traffic control service;

"aerodrome flight information service" means a flight information service provided in the area of an aerodrome;

"aerodrome manager" means the person appointed as aerodrome manager in terms of Part 139 by the holder of an aerodrome licence;

"aerodrome operating minima" means the limits of usability of an aerodrome for either take-off or landing, usually expressed in terms of visibility or runway visual range, decision altitude/height or minimum descent altitude/height and cloud conditions;

"aerodrome operational area" means -

- (a) excluding restricted areas and aprons, the movement area at an aerodrome and its associated strips and safety areas; and
- (b) any ground installation or facility provided at an aerodrome for the safety of aircraft operations;

"aerodrome traffic" means all traffic on the manoeuvring area of an aerodrome and all aircraft in, entering or leaving an aerodrome traffic circuit;

"aerodrome traffic area" means an airspace of defined dimensions at an aerodrome where an aerodrome flight information centre is in operation;

"aerodrome traffic zone" means a controlled airspace at an aerodrome where aerodrome control, established for the protection of aerodrome traffic, is in operation as published in an AIP, AIC or NOTAM and designated as an aerodrome traffic zone;

"Aeronautical Information Circular" means a circular containing information which does not qualify for the origination of a NOTAM or for inclusion in the AIP, but which relates to flight

safety, air navigation, technical, administrative or legislative matters, issued by the Commissioner in terms of regulation 11.01.2;

"Aeronautical Information Publication" means a publication containing aeronautical information of a lasting character essential to air navigation, issued by the Commissioner in terms of regulation 11.01.2;

"aeronautical information regulation and control" means a system aimed at advance notification based on common effective dates, of circumstances which require significant changes in operating practices;

"aeroplane" means a power-driven heavier-than-air aircraft deriving its lift in flight mainly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

"AIP Supplement" means the temporary changes to the information contained in the AIP which are published by means of special pages;

"aircraft", for the purposes of these Regulations, means an aircraft as defined in the Act, including its engines, propellers, rotor, components, parts, equipment, instruments, accessories and materials;

"aircraft component" means any component part of an aircraft including a complete airframe or power plant and any operational or emergency equipment fitted to or provided in an aircraft;

"aircraft stand taxilane" means a portion of an apron designated as a taxiway and intended to provide access to aircraft stands only;

"airframe" means fuselage, empennage and wings or rotors;

"air navigation infrastructure" means an air navigation infrastructure as defined in section 1 of the Air Traffic and Navigation Services Company Act, 1993 (Act No. 45 of 1993);

"air service" means an air service as defined in section 1 of the Air Services Licensing Act, 1990 (Act No. 115 of 1990);

"airship" means a power-driven lighter-than-air aircraft;

"air traffic" means all aircraft in flight or operating on the manoeuvring area of an aerodrome;

"air traffic advisory service" means a service provided within advisory airspace to ensure separation, in so far as practical, between aircraft which are operating on IFR flight plans;

"air traffic control clearance" means an authorisation for an aircraft to proceed under conditions specified by an air traffic control unit;

"air traffic controller" means the holder of a valid air traffic service licence and valid rating which permits such holder to provide an air traffic control service;

"air traffic control service" means a service provided for the purpose of -

- (a) preventing collisions -
 - (i) between aircraft; and
 - (ii) on the manoeuvring area between aircraft and obstructions; and
- (b) expediting and maintaining an orderly flow of air traffic;

"air traffic control unit" means an aerodrome control tower, an approach control office or an area control centre or a combination thereof;

"air traffic service" means an aerodrome control service, an approach control service, an area control service, a flight information service, an air traffic advisory service or an alerting service;

"air traffic service assistant" means the holder of an air traffic service licence and rating who provides -

- (a) assistant services to an air traffic controller; or
- (b) coordination services, clearance delivery services, flight information services or aerodrome flight information services;

"air traffic service flight plan" means specified information, relating to the intended flight or portion of a flight of an aircraft, which is provided to an air traffic service unit;

"air traffic service inspector" means an air traffic service inspector designated in terms of section 5(4)(a) of the Act;

"air traffic service personnel" means air traffic controllers and air traffic service assistants;

"air traffic service reporting office" means an air traffic service unit established for the purpose of receiving reports concerning air traffic services and flight plans submitted before the departure of aircraft from an aerodrome;

"air traffic service unit" means an air traffic control unit, flight information centre or air traffic service reporting office;

"airway" means a control area or a portion thereof established in the form of a corridor equipped with radio navigation aids;

"airworthiness data" means any information necessary to ensure that an aircraft or aircraft component can be maintained in an airworthy condition;

"airworthiness standards" includes maintenance standards;

"airworthy" means, when used in relation to an aircraft, that the aircraft is serviceable and meets all the requirements prescribed for the issuing of a certificate of airworthiness and such other requirements as have been prescribed for the continuing validity of such a certificate;

"aisle" means a longitudinal passageway between seats;

"alerting service" means a service provided to notify and assist the appropriate organisations regarding aircraft in need of search and rescue aid and to assist such organisations as appropriate;

"all weather operations" means any take-off, en route or landing operations in IMC and operated in accordance with IFR;

"alternate aerodrome" means an aerodrome to which an aircraft may proceed when it becomes impossible or inadvisable to proceed to or to land at the aerodrome of intended landing, and includes a take-off alternate aerodrome, an en route alternate aerodrome and a destination alternate aerodrome;

"altitude" means the vertical distance of a level, a point or an object considered as a point, measured from mean sea level;

"amateur-built aircraft" means an aircraft with not more than four seats and a maximum certificated mass of 2 700 kilograms or less, of which more than 51 per cent of the airframe has been constructed and assembled exclusively for non-commercial purposes;

"amphibious aeroplane" means an aeroplane designed and constructed to take-off and land from land surfaces as well as water surfaces;

"amphibious aircraft" means amphibious aeroplanes and amphibious helicopters;

"amphibious helicopter" means a helicopter equipped with wheels, skids, floats or other devices enabling it to land and take-off from land and the surface of water;

"appliance" means any instrument, mechanism, equipment, part, apparatus, appurtenance or accessory, including communications equipment, which is used or intended to be used in operating or controlling an aircraft in flight, is installed in or attached to the aircraft, and is not part of an airframe, engine or propeller;

"approach control office" means an air traffic control unit established to provide an air traffic control service in the controlled airspace for which it is responsible, to controlled flights arriving at or departing from one or more aerodromes;

"approach control service" means an air traffic control service for arriving or departing controlled flights in controlled airspaces;

"appropriate authority" -

- (a) means any institution, body or person in a State or territory which, on behalf of that State or territory carries out the provisions of the Convention; or
- (b) if such Convention does not apply to a State or territory, means the institution, body or person in that State or territory which on behalf of the State or territory, performs the functions which are performed by an institution, body or person contemplated in paragraph (a),

and which is recognised as such by the Commissioner;

"approved", unless used with reference to another person, means approved in writing by the Commissioner;

"apron" means a defined area on a land aerodrome intended to accommodate aeroplanes for the purpose of loading or unloading passengers or cargo, refuelling, parking or maintenance;

"apron taxiway" means a portion of a taxiway system located on an apron and intended to provide a through taxi route across the apron;

"area control centre" means an air traffic control unit established to provide an air traffic control service to controlled flights in the control area for which it is responsible;

"area control service" means an air traffic control service for controlled flights in control areas;

"assistant service" means a service of assisting licensed air traffic controllers to discharge air traffic service related duties;

"automatic activation device" means an automatic altitude and descent-rate activated device designated to self activate a parachute;

"aviation recreation" means microlighting, gliding, ballooning, gyroplaning, hang gliding, or parachuting or involvement in aviation events;

"balloon" means a non-power-driven lighter-than-air aircraft, and for the purposes of Part 102, includes an airship;

"base jumps" means a parachute descent from an object other than an aircraft;

"break", for the purposes of Part 65, means a period not exceeding 60 minutes within the period of operational duty, during which an air traffic controller is released from all duties;

"cabin crew member" means a flight crew member, other than a flight deck crew member, licensed in terms of Part 64;

"cargo aircraft" means any aircraft, other than a passenger aircraft, which is carrying goods or property;

"cause", for the purposes of Part 12, means any action, omission, event, condition or any combination thereof, which leads to an accident or incident;

"ceiling" means the height above the surface of the base of the lowest layer of cloud below 20 000 feet covering more than half the sky;

"child" means a passenger who has reached his or her second but not his or her twelfth birthday;

"Class C airspace" means that portion of the airspace classified in terms of regulation 172.02.2;

"Class D airspace" means that portion of the airspace classified in terms of regulation 172.02.2;

"Class E airspace" means that portion of the airspace classified in terms of regulation 172.02.2;

"Class G airspace" means that portion of the airspace classified in terms of regulation 172.02.2;

"Class A helicopter-load combination" means a helicopter-load combination in which the external load can not move freely, or be jettisoned, and which does not extend below the landing gear;

"Class B helicopter-load combination" means a helicopter-load combination in which the external load is capable of being jettisoned and which is lifted free of land or water during the helicopter external-load operation;

"Class C helicopter-load combination" means a helicopter-load combination in which the external load is capable of being jettisoned and which remains in contact with land or water during the helicopter external-load operation;

"Class D helicopter-load combination" means a helicopter-load combination, other than a Class A, Class B or Class C helicopter-load combination, which has been approved by the Commissioner for a specific helicopter external-load operation;

"Class I product" means a complete aircraft, aircraft engine or propeller, which -

- (a) has been type certificated in accordance with the provisions of these Regulations and for which South African Specifications or type certificate data sheets have been issued; or

- (b) is identical to a type certificated product referred to in paragraph (a) in all respects except as is otherwise acceptable to the appropriate authority of the importing State;

"Class II product" means -

- (a) a major component of a Class I product, including wings, fuselages, empennage assemblies, landing gears, power transmissions, control surfaces and installed equipment, the failure of which will jeopardise the safety of a Class I product; or
- (b) a part, material or appliance, approved and manufactured under the TSO system as prescribed in Subpart 12 of Part 21;

"Class III product" means any part or component which is not a Class I or a Class II product and includes parts;

"clearance delivery service" means a service specifically dedicated to the issuing of air traffic control clearances to pilots on behalf of one or more air traffic service units;

"close corporation" means a close corporation as defined in section 1 of the Close Corporations Act, 1984 (Act No. 69 of 1984);

"cloud ceiling" means the height above the ground or water of the base of the lowest layer of cloud situated below 20 000 feet and covering more than half the sky;

"commercial air transport helicopter" means, for the purposes of Part 127, a helicopter engaged in a commercial air transport operation;

"commercial air transport operation" means an air service as defined in section 1 of the Air Services Licensing Act, 1990 (Act No 115 of 1990), including -

- (a) the classes of air services referred to in regulation 2 of the Domestic Air Services Regulations, 1991; and
- (b) the classes of international air services referred to in regulation 2 of the International Air Services Regulations, 1994;

"communication failure procedure" means a procedure as published in the AIP;

"company" means a company as defined in section 1 of the Companies Act, 1973 (Act No. 61 of 1973);

"composite structures or components" means aircraft components which are manufactured of fibres embedded in a polymer matrix;

"condition", which may be imposed by the Commissioner or any person, body or institution as a functionary, on, and which must be complied with by, any other person, body or institution in case of applications for approval, consent or permission in connection with any matter, object or activity, or in any other case with regard to anything else, means, subject to other relevant provisions of the Act, these Regulations or any other applicable and relevant law, a condition -

- (a) which is clear, reasonable, practically executable and appropriate to the relevant matter;
- (b) which is calculated to achieve the particular objectives of the relevant empowering provision, read with the Act and these Regulations and any

other relevant and appropriate law, and, in general, the promotion of civil aviation safety and the public interest;

(c) which may during the period of validity of the matter in respect of which the condition is imposed (if any) from time to time be amended on written application of the person, body or institution in respect of which the condition applies;

(d) which provides that if the functionary imposing the condition is satisfied, after the person, body or institution referred to in paragraph (c) has been afforded a reasonable opportunity to be heard, that a contravention or failure to comply with the condition or a provision thereof has occurred, the functionary may, in his, her or its discretion, permit the person, body or institution within a stated period to cease the contravention or rectify the failure to comply, to the satisfaction of the functionary, or to notify that person, body or institution that the condition is deemed as having lapsed and that such person, body or institution shall forthwith cease carrying out any activity in respect of which the lapsed condition applied; and

(e) which is to be reduced to writing, delivered to the other person, body or institution in a manner ensuring proper receipt thereof, and recorded by the functionary imposing the condition in an appropriate manner;

"configuration" means a particular combination of the positions of the moveable elements which affect the aerodynamic characteristics of the aircraft;

"contaminated runway" means a runway of which more than 25 per cent of the runway surface area within the required length and width being used is covered with -

(a) surface water more than three millimetres deep;

(b) slush or loose snow, equivalent to more than three millimetres of water;

(c) snow which has been compressed into a solid mass which resists further compression and will hold together or break into lumps if picked up; or

(d) ice, including wet ice;

"control area" means a controlled airspace extending upwards from a specified height above the surface without an upper limit, unless an upper limit is specified as published in an AIP, AIC or NOTAM and designated as a control area;

"controlled airspace" means an airspace of defined dimensions within which an air traffic control service is provided to IFR flights and to VFR flights in accordance with the airspace classification as prescribed in regulation 172.02.2;

"controlled flight" means any flight which is subject to an air traffic control clearance;

"control system" means a system by which the flight path, attitude or propulsive force of an aircraft is changed, including the flight, engine and propeller controls, the related system controls and the associated operating mechanisms;

"control zone" means a controlled airspace extending upwards from the surface to a specified upper limit as published in an AIP, AIC or NOTAM;

"conveyance by air" means conveyance in an aircraft in flight;

"coordination service" means a service of coordinating the discharge of air traffic service related duties by a licensed air traffic service assistant;

"co-pilot" means a licensed pilot serving in any piloting capacity other than as pilot-in-command but excluding a pilot who is on board the aircraft for the sole purpose of receiving flight instruction;

"critical phases of flight" includes all ground operations involving taxi, take-off, climb to cruise up to 10 000 feet and approach from cruise below 10 000 feet;

"cross country flight" when used in connection with the acquisition of flight experience required for a pilot licence, means a flight between a point of departure and a point of landing not less than 20 nautical miles apart;

"cull" includes the selection, counting and herding of game and livestock;

"current flight plan" means the air traffic service flight plan, including changes, if any, brought about by subsequent clearances;

"damp runway" means a runway of which the surface is not dry and on which the moisture does not give the runway a shiny appearance;

"dangerous goods" means articles or substances which are capable of posing significant risk to health, safety or property when conveyed by air;

"dangerous goods accident" means an accident associated with and related to the conveyance of dangerous goods by air;

"dangerous goods incident" means an incident, other than a dangerous goods accident, associated with and related to the conveyance of dangerous goods by air, and for the purposes of Part 92, includes injury to a person, property damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained or which seriously jeopardizes the aircraft or its occupants;

"date of application" when used in connection with the issuing, renewal or reissuing of a licence, certificate or rating, means the date on which the application is received in the prescribed form by the Commissioner;

"day" means the period of time from 15 minutes before sunrise to 15 minutes after sunset, sunrise and sunset being as given in the publication "Times of Sunrise, Sunset and Local Apparent Noon of the South African Astronomical Observatory" or in a similar publication issued by a recognised astronomical observatory;

"decision altitude/height" means a specified altitude or height in a precision approach at which a missed approach is initiated if the required visual reference to continue the approach has not been established;

"defined point" -

- (a) in relation to a defined point after take-off, means the point, within the take-off and initial climb phase, before which the helicopter's ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required; and

- (b) in relation to a defined point before landing, means the point, within the approach and landing phase, after which the helicopter's ability to continue the flight safely, with one engine inoperative, is not assured and a forced landing may be required;

"designated aviation medical examiner" means an aviation medical examiner designated by the Commissioner in terms of regulation 67.00.4;

"destination alternate aerodrome" means an aerodrome specified in the air traffic service flight plan to which a flight may proceed when it becomes impossible or inadvisable to land at the aerodrome of intended landing;

"disembarkation" means the leaving of an aircraft after a landing, except by flight crew or passengers continuing on the next stage of the same through-flight;

"Document SA-CATS-ACCID and INCID" means a document on the South African Civil Aviation Technical Standards relating to Aviation Accident and Incident Investigation, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-AH" means a document on the South African Civil Aviation Technical Standards relating to Aerodromes and Heliports, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-AIRS" means a document on the South African Civil Aviation Technical Standards relating to Aeronautical Information and Related Services, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-AMEL" means a document on the South African Civil Aviation Technical Standards relating to Aircraft Maintenance Engineer Licensing, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-AMO" means a document on the South African Civil Aviation Technical Standards relating to Aircraft Maintenance Organisations, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-AR" means a document on the South African Civil Aviation Technical Standards relating to Airworthiness Requirements, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-ARM" means a document on the South African Civil Aviation Technical Standards relating to Aircraft Registration and Marking, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-ARO" means a document on the South African Civil Aviation Technical Standards relating to Aviation Recreation Organisations, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-ATO" means a document on the South African Civil Aviation Technical Standards relating to Aviation Training Organisations, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-ATS" means a document on the South African Civil Aviation Technical Standards relating to Air Traffic Services, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-ATSPL" means a document on the South African Civil Aviation Technical Standards relating to Air Traffic Service Personnel Licensing, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-DG" means a document on the South African Civil Aviation Technical Standards relating to the Conveyance of Dangerous Goods, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-DO" means a document on the South African Civil Aviation Technical Standards relating to Design Organisations, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-ENVIRO" means a document on the South African Civil Aviation Technical Standards relating to Environment Protection, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-FCL" means a document on the South African Civil Aviation Technical Standards relating to Flight Crew Licensing, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-GMR" means a document on the South African Civil Aviation Technical Standards relating to General Maintenance Rules, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-MORG" means a document on the South African Civil Aviation Technical Standards relating to Manufacturing Organisations, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-MR" means a document on the South African Civil Aviation Technical Standards relating to Medical Requirements, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 91" means a document on the South African Civil Aviation Technical Standards relating to General Operating and Flight Rules, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 98" means a document on the South African Civil Aviation Technical Standards relating to Operation of Powered Paragliders, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 100" means a document on the South African Civil Aviation Technical Standards relating to Operation of Gyroplanes, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 101" means a document on the South African Civil Aviation Technical Standards relating to Operation of Unmanned Free Balloons, Kites and Remotely Piloted Aircraft, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 102" means a document on the South African Civil Aviation Technical Standards relating to Operation of Free Balloons and Airships, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 103" means a document on the South African Civil Aviation Technical Standards relating to Operation of Microlight Aeroplanes, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 104" means a document on the South African Civil Aviation Technical Standards relating to Operation of Gliders, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 105" means a document on the South African Civil Aviation Technical Standards relating to Operation of Parachutes, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 106" means a document on the South African Civil Aviation Technical Standards relating to Operation of Hang Gliders, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 121" means a document on the South African Civil Aviation Technical Standards relating to Air Transport Operations of Large Aeroplanes, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 127" means a document on the South African Civil Aviation Technical Standards relating to Air Transport Operations of Helicopters, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 133" means a document on the South African Civil Aviation Technical Standards relating to Helicopter External-load Operations, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 135" means a document on the South African Civil Aviation Technical Standards relating to Air Transport Operations of Small Aeroplanes, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 137" means a document on the South African Civil Aviation Technical Standards relating to Agricultural Operations, which is published by the Commissioner in terms of the Act;

"Document SA-CATS-OPS 138" means a document on the South African Civil Aviation Technical Standards relating to Emergency Medical Service Operations, which is published by the Commissioner in terms of the Act;

"dry operating mass" means the total mass of the aircraft ready for a specific type of operation, excluding all usable fuel and traffic load, and includes -

- (a) flight crew members and flight crew member baggage;
- (b) catering and removable passenger service equipment; and
- (c) portable water and lavatory chemicals;

"dry runway" means a dry runway which is neither wet nor contaminated, and includes those paved runways which have been specially prepared with grooves or porous pavement and maintained to retain "effectively dry" braking action even when moisture is present;

"elevated heliport" means a heliport located on a raised structure on land;

"embarkation" means the boarding of an aircraft for the purpose of commencing a flight, except by such flight crew or passengers who have embarked on a previous stage of the same through-flight;

"emergency locator transmitter" means equipment which broadcast distinctive signals on designated frequencies and, depending on application, may either sense a crash and operate automatically or be manually activated;

"emergency parachute" means a parachute assembly designed and intended to be used by persons in an emergency;

"emission change" means any voluntary change in type design of the aircraft or engine which may increase fuel venting or engine emission;

"en route alternate aerodrome" means an aerodrome at which an aircraft would be able to land after experiencing an abnormal or emergency condition while en route;

"en route safe altitude" means an altitude which will ensure a separation height of at least 1 500 feet above the highest obstacle located within five nautical miles of the aircraft in flight;

"ensure", in relation to any person, body or institution and in respect of any matter, activity, process, condition, requirement or other person, or anything else, means to take, considering the nature and context of the provision requiring the ensuring, and any other appropriate legal provisions, in good faith, all necessary, and all reasonably incidental and practically executable preliminary, precedent and precautionary steps in order to be able and prepared to take, and afterwards to take, all necessary and reasonably incidental and practically executable steps, to substantially achieve the clear particular objectives of the provision requiring the ensuring and, in general, the promotion of civil aviation safety and the public interest;

"estimated time of arrival" -

- (a) in respect of IFR flights, means the time at which it is estimated that the aircraft will arrive over that designated point, defined by reference to navigation aids, from which it is intended that an instrument approach procedure will be commenced or, if no navigation aid is associated with the aerodrome, the time at which the aircraft will arrive over the aerodrome; and
- (b) in respect of VFR flights, the time at which it is estimated that the aircraft will arrive over the aerodrome;

"examiner" means an authorised officer or authorised person designated by the Commissioner in terms of regulation 61.01.17;

"extended range operations" means flights conducted over a route that contain a point further than one hour flying time at the approved one-engine inoperative cruise speed, under standard conditions in still air, from an adequate aerodrome;

"extended range operations with twin-engine aircraft" means flights conducted with a twin-engine aircraft, over a route that contain a point further than one hour flying time at the approved one-engine inoperative cruise speed, under standard conditions in still air, from an adequate aerodrome;

"facility" for the purposes of Part 172, means any facility used for providing an air traffic control service;

"final approach fix" means the fix from which the final approach (IFR) to an aerodrome is executed and which identifies the beginning of the final approach segment;

"first aid" means first aid appropriate to the type of aircraft, and includes -

- (a) the recognition and treatment of food poisoning;

- (b) the recognition and treatment of contamination of the skin and eyes by aviation fuel and other fluids;
- (c) the recognition and treatment of hypoxia and hyperventilation;
- (d) first aid associated with survival training, appropriate to the routes to be operated; and
- (e) other related aeromedical aspects;

"flight" means from the moment an aircraft commences its take-off until the moment it completes its next landing;

"flight crew member" means a person licensed in terms of Part 61, 63 or 64 and assigned by an operator to duty on an aircraft during flight;

"flight deck crew member" means a licensed flight crew member charged by the operator of an aircraft with duties essential to the operation of an aircraft;

"flight information centre" means an air traffic service unit established to provide flight information services and alerting services;

"flight information region" means an airspace of defined dimensions within which flight information services and alerting services are provided;

"flight information service" means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights;

"flight instructor" means a pilot who is the holder of the appropriate flight instructor rating;

"flight level" means a surface of constant atmospheric pressure, expressed as a number in hundreds of feet, relating to a specific pressure datum of 1 013,2 millibars;

"flight recorder" means a flight data recorder and a cockpit voice recorder;

"flight time" means the total time occupied in flight together with the time occupied from the moment the aircraft first moves under its own power for the purpose of taking off until the moment it comes to rest at the end of the flight;

"flight visibility" means the visibility forward from the cockpit of an aircraft in flight;

"glider" means a non-power-driven heavier-than-air aircraft other than a hang glider, deriving its lift in flight mainly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight, and for the purposes of these Regulations, includes a powered glider;

"ground visibility" means the visibility at an aerodrome;

"gyroplane" means a heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors which rotate freely on substantially vertical axes;

"handicapped passenger" means a passenger who is physically or mentally handicapped due to illness, injury, congenital malfunction or other temporary or permanent incapacity or disability;

"hang glider" means a non-power-driven heavier-than-air aircraft capable of being carried, foot launched and landed solely by the energy and use of the pilot's legs, having -

- (a) a rigid primary structure with pilot weightshift as the primary method of control; or
- (b) a rigid primary structure with movable aerodynamic surfaces as the primary method of control in at least two axes,

and for the purposes of Part 106, includes a paraglider;

"hazard" means any act, omission, event or condition or a combination thereof that could lead to or result in an accident or incident;

"heavier-than-air aircraft" means any aircraft deriving its lift in flight mainly from aerodynamic forces;

"height" means -

- (a) the vertical distance of a level, a point or an object considered as a point, measured from a specific datum;
- (b) the vertical dimension of an object;

"helicopter" means a heavier-than-air aircraft supported in flight mainly by the reactions of the air on one or more power-driven rotors on substantially vertical axes;

"helicopter-load combination" means the combination of a helicopter and an external-load, including the external-load attaching means;

"helideck" means a heliport located on a floating or fixed off-shore structure;

"heliport" means an aerodrome and any defined area on a structure, intended or designed to be used either wholly or partly for the landing, departure, and surface movement of helicopters;

"heliport operating minima" means the limits of usability of a heliport for either take-off or landing, usually expressed in terms of visibility, decision altitude/height or minimum descent altitude/height and cloud conditions;

"incident" means an occurrence, other than an accident, associated with the operation of an aircraft, which affects or could affect the safety of aircraft operations;

"infant" means a passenger who has not reached his or her second birthday;

"initial approach fix" means the fix determined in terms of instrument approach procedures which identifies the beginning of the initial approach segment;

"inspection" means that a part of the maintenance by which an aircraft or aircraft component is being examined to establish conformity with an approved standard;

"instructions for safe operation and continued airworthiness" means instructions prepared by the holder of a type certificate for a product, comprising descriptive data and accomplishment instructions;

"instrument approach procedure" means a series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the initial approach fix, or where applicable, from the beginning of a defined arrival route, to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en route obstacle clearance criteria apply;

"instrument flight time" means time during which the aircraft is piloted solely by reference to instruments and without external reference points, whether under actual or simulated instrument flight conditions;

"instrument meteorological conditions" means atmospheric conditions expressed in terms of visibility, distance from cloud, or ceiling, less than the minima prescribed for VFR flight in regulations 91.06.21 and 91.06.22;

"integrated training" means an uninterrupted training course, consisting of a theoretical and practical syllabus, designed to train a student with no knowledge of aviation, to the standard required for a commercial pilot licence or an airline transport pilot licence;

"Integrated Aeronautical Information Package" means a package which consists of -

- (a) an AIP including an amendment service;
- (b) supplements to the AIP;
- (c) NOTAM;
- (d) AIC; and
- (e) checklists and summaries;

"international flight" means a flight which passes through the airspace over the territory of more than one State;

"International Regulations for Preventing Collisions at Sea" means the International Regulations for Preventing Collisions at Sea made under the Convention on the International Regulations for Preventing Collisions at Sea, signed at London on 20 October 1972, set out in the Third Schedule to the Merchant Shipping Act, 1951 (Act No. 57 of 1951);

"investigation" in relation to accidents and incidents, means a process conducted for the purpose of accident prevention and includes the gathering and evaluation of information, the drawing of conclusions, including the determination of the cause, causes, probable cause or probable causes of an accident or the underlying cause or causes leading to an incident and, when appropriate, the making of recommendations in connection with aviation safety;

"investigator" means an authorised officer or authorised person designated by the Commissioner in terms of regulation 12.01.4;

"investigator-in-charge" means an authorised officer designated by the Commissioner on the basis of his or her qualifications and charged with the responsibility for the organization, conduct and control of and the reporting on the investigation of an accident or incident;

"landing area" means that part of a movement area intended for the landing or take-off of aircraft;

"landing decision point" means the point used in determining landing performance from which, a power unit failure having been recognised at this point, the landing may be safely continued or a baulked landing initiated;

"landing distance available" means the length of the runway which is declared available and suitable for the ground run of an aeroplane landing;

"letter of TSO design approval" means a design approval for a foreign-manufactured article which complies with a specific TSO;

"lighter-than-air aircraft" means any aircraft supported mainly by its buoyancy in the air;

"line flight" means a commercial flight carried out under normal operations by the holder of a licence issued in terms of the Air Services Licensing Act, 1990 (Act No. 115 of 1990), or the International Air Services Act, 1993 (Act No. 60 of 1993);

"line flying" means flying done by flight crew under normal commercial operations;

"low visibility procedures" means procedures applied at an aerodrome for the purpose of ensuring safe operations during low visibility approaches and take-offs;

"low visibility take-off" means a take-off where the runway visual range is less than 400 metres;

"Mach number" means the ratio of true airspeed to the speed of sound;

"main parachute" means a parachute which is designed and intended to be used as the primary parachute for a parachute descent;

"maintenance" means all work done in accordance with manufacturers' recommendations and approved maintenance schedules and includes inspection, adjustment, replacement, rectification, repair, modification, overhaul, manufacturing and testing;

"major change" means any change in the type design which is extensive enough to require a substantially complete investigation to determine compliance with the type certification basis;

"major modification" means a modification not listed in the aircraft, aircraft engine, or propeller specifications -

- (a) which may appreciably affect weight, balance, structural strength, performance, powerplant operations, flight characteristics, or other qualities affecting airworthiness; or
- (b) which is not done according to accepted practices or cannot be done by elementary operations;

"major repair" means a repair -

- (a) which, if improperly done, may appreciably affect weight, balance, structural strength, performance, powerplant operation, flight characteristics, or other qualities affecting airworthiness; or
- (b) which is not done according to accepted practices or cannot be done by elementary operations;

"manoeuvring area" means that part of an aerodrome used for the take-off, landing and taxiing of aircraft, excluding an apron;

"Master" means the Master as defined in section 1 of the Administration of Estates Act, 1965 (Act No. 66 of 1965);

"master minimum equipment list" means a list compiled for a particular aircraft type by the manufacturer of the aircraft with the approval of the appropriate authority of the State of Manufacture containing items, one or more of which is permitted to be unserviceable at the commencement of a flight;

"maximum approved passenger seating configuration" means the maximum passenger seating capacity of an aircraft, excluding pilot seats, cockpit seats or flight deck seats as applicable, used by the operator in a commercial air transport operation, approved by the Commissioner and specified in the operations manual referred to in regulation 121.04.2, 127.04.2 or 135.04.2;

"maximum certificated mass" means the maximum permissible mass shown in the aircraft flight manual or other document associated with the certificate of airworthiness at which an aircraft may commence its take-off under standard atmospheric conditions at sea level;

"meteorological information" means any meteorological report, analysis or forecast in support of aviation, and any other statement in support of aviation relating to existing or expected meteorological conditions;

"meteorological service" means any of the following services which provide meteorological information in support of aviation:

- (a) Climatology service, which is a service for the development and supply of climatological information for a specific place or airspace;
- (b) forecast service, which is a service for the supply of forecast meteorological information for a specific area or portion of airspace;
- (c) information dissemination service, which is a service for the collection and dissemination of meteorological information;
- (d) meteorological briefing service, which is a service for the supply of written and oral meteorological information on existing and expected meteorological conditions;
- (e) meteorological reporting service, which is a service for the supply of routine meteorological reports; and
- (f) meteorological watch service, which is a service for maintaining a watch over meteorological conditions affecting aircraft operations in a specific area;

"microlight aeroplane" means an aeroplane the empty mass of which does not exceed 450 kilograms;

"minimum descent altitude/height" means a specified altitude or height in a non-precision approach or circling approach below which descent may not be made without visual references for the intended runway or touch-down area;

"minimum equipment list" means a list which provides for the operation of aircraft, subject to specified conditions, with particular equipment inoperative, prepared by an operator in conformity with, or more restrictive than, the master minimum equipment list established for the aircraft type;

"minor change" means any change in type design which has no appreciable effect on the weight, balance, structural strength, reliability, operational characteristics or other characteristics affecting the airworthiness of the product;

"minor modification" means a modification other than a major modification;

"missed approach point" means that point, in an instrument approach procedure at or before which the prescribed missed approach procedure shall be initiated, in order to ensure that the minimum obstacle clearance is not infringed;

"missed approach procedure" means the procedure to be followed if the approach cannot be continued;

"movement area" means that part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron;

"nautical mile" means the length equal to 1 852 metres exactly;

"newly overhauled", when used to describe a product, means that the product has not been operated or placed in service, except for functional testing, since having been overhauled, inspected and approved for release to service in accordance with the provisions of these Regulations;

"night" means the period from 15 minutes after sunset to 15 minutes before sunrise, sunset and sunrise being as given in the publication "Times of Sunrise, Sunset and Local Apparent Noon of the South African Astronomical Observatory" or a similar publication issued by a recognised astronomical observatory;

"night duty" means a period of not less than 4 hours between 20h00 and 06h00 of the next day;

"Notice to Airmen" means a notice containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations, distributed by means of telecommunication by or with the authority of the Commissioner;

"operating certificate" means an operating certificate issued by the Commissioner authorising an operator of a commercial air transport aircraft to carry out specified air transport operations;

"operational flight plan" means the operator's plan for the safe conduct of the flight based on considerations of aircraft performance, other operating limitations and relevant expected conditions on the route to be followed and at the aerodromes concerned;

"operations personnel", for the purposes of Part 138, means personnel assigned to or directly involved in ground and flight emergency medical service operations;

"operator" means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;

"organisation" includes a natural person, trust, company, close corporation and voluntary association;

"overpack" means an enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage;

"owner" means an owner as defined in the Act, and -

- (a) for the purposes of these Regulations, includes a person who has the right of possession of the aircraft for 14 days or longer;
- (b) for the purposes of Part 91, includes an operator of an aircraft engaged in non-commercial operations;

"package" means the complete product of the packing consisting of the packaging and its contents prepared for conveyance;

"packaging" means a receptacle and any other component or material necessary for the receptacle to perform its containment function and to ensure compliance with the requirements and standards as prescribed in Document SA-CATS-DG;

"packing" means the process whereby an article or substance is enveloped in a wrapping, enclosed in a packaging or otherwise secured;

"parachute" means any device comprising a flexible drag, or drag and lift, surface from which load is suspended by shroud lines capable of controlled deployment from a packed condition;

"parachute assembly" means any parachute and its associated harness and container system, and other attached equipment for use by a person;

"parachute descent" means any descent made from an aircraft by a person with the prior intention of deploying a parachute;

"parachute drop zone" means a designated area of airspace in which parachute descents are intended to be made;

"parachute landing area" means an area of ground or water onto which parachute landings are intended to be made;

"parachute technician" means a person who certifies parachute equipment;

"paraglider" means a hang glider with no rigid primary structure;

"passenger aircraft" means an aircraft which carries any person other than a flight crew member, an operator's employee in an official capacity, an authorized officer or a person accompanying a consignment or other cargo;

"period of operational duty" means the period during which an air traffic controller is actually exercising the privileges of the air traffic service licence;

"pilot-in-command" means the pilot responsible for the operation and safety of the aircraft in flight, without regard to whether or not he or she is manipulating the controls;

"powered glider" means an aircraft equipped with one or more engines which has, with the engine or engines not operating, the performance characteristics of a glider;

"precision approach" means an instrument approach for landing in which precision azimuth guidance and precision glide path guidance are provided in accordance with the minima prescribed for the category of operation;

"preliminary report" means the communication used for the prompt dissemination of data which is obtained in the early stages of an investigation;

"pressure altitude" means an atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the standard atmosphere;

"process release certificate or report" means a certificate or report which verifies compliance with a specific process standard;

"product" means an aircraft, aircraft engine or propeller, and includes the classes of products or the types of aircraft referred to in Part 21;

"production-built aircraft" means an aircraft with not more than four seats and a maximum certificated mass of 2 700 kilograms or less -

- (a) which is manufactured for resale in the fully constructed condition; or
- (b) of which less than 51 per cent of the airframe has been constructed and assembled exclusively for non-commercial purposes;

"prohibited area" means any area defined in regulation 91.06.19;

"proper shipping name" means the name to be used to describe a particular article or substance in all shipping documents and notifications and, where applicable, on packagings;

"pro tem investigator" means an authorised person designated by the Commissioner in terms of regulation 12.01.5;

"public air transport service" means an air service that has as its main purpose the transport of passengers, cargo or mail;

"rapid exit taxiway" means a taxiway connected to a runway at an acute angle and designed to allow landing aeroplanes to turn off at higher speeds than are achieved on other exit taxiways and thereby minimising runway occupancy times;

"rating" means an authorisation entered on or associated with a licence and forming part of such licence, stating special conditions, privileges or limitations relating to such licence;

"receptacle" means any container used for or capable of receiving and holding substances or articles, including any means of closing;

"register" means the register of South African aircraft referred to in regulation 47.00.14;

"rejected take-off distance required" means the horizontal distance required from the start of the take-off to the point where the helicopter comes to a full stop following a power unit failure and rejection of the take-off at the take-off decision point;

"release to service" -

(a) in relation to an aircraft, means -

(i) in respect of scheduled maintenance, the issuing of a certificate of release to service; and

(ii) in respect of line maintenance, the appropriate entry in the technical logbook or flight folio, as the case may be; and

(b) in relation to an aircraft component, means the issuing of -

(i) a serviceable label; or

(ii) a certificate relating to the maintenance of an aircraft;

"rescue service" means a service as defined in section 1 of the Fire Brigade Services Act, 1987 (Act No. 99 of 1987), a medical service or any other related service;

"reserve parachute" means an emergency parachute assembly designed and approved to be used as the secondary parachute after the failure of a main parachute;

"resident of the Republic" means a person who has his or her ordinary residence in the Republic and who is a South African citizen or is in possession of a permit for permanent residence in the Republic issued in terms of section 25 of the Aliens Control Act, 1991 (Act No. 96 of 1991);

"restricted area" means any area defined in regulation 91.06.20;

"restricted category" means a category for special purposes operations;

"rotorcraft" means a power-driven heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors;

"runway" means a defined rectangular area on a land aerodrome prepared for the landing and take-off of aeroplanes;

"runway visual range" means the runway visual range over which the pilot of an aeroplane on the centre line of a runway can see the runway surface markings or the lights delineating the runway or identifying its centre line;

"safety" means the freedom from risk of bodily injury or death and the freedom from risk of loss or damage to property;

"safety recommendation" means a proposal of the investigator-in-charge based on information derived from the investigation and made with the intention of preventing accidents or incidents;

"scheduled public air transport service" means a public air transport service in connection with which flights are undertaken -

- (a) (i) between the same two or more points; or
- (ii) with such a slight variation from the same two or more points that each flight can reasonably be regarded as being between the same two or more points;
- (b) (i) according to a published timetable; or
- (ii) with such a degree of regularity and frequency that they constitute a recognisable systematic series; and
- (c) in such a manner that each flight is open to use by members of the public;

"seaplane" means an aeroplane designed and constructed to take off from and land on water surfaces only;

"seat" includes any area occupied by a passenger, excluding the area occupied by the baggage of such passenger, inside an aircraft;

"sector" includes take-off, en route flight time and landing, but excludes circuit operations;

"Selcal watch" and "Selcal callsign" means a selective calling system to effect communication with aircraft by the use of a specific code which is detected by apparatus in the aircraft;

"serious injury" means an injury which -

- (a) requires hospitalisation for more than 48 hours, within seven days from the date on which the injury was sustained;
- (b) results in a fracture of any bone (except simple fractures of fingers, toes or nose);
- (c) involves lacerations which cause severe haemorrhage, or nerve, muscle or tendon damage;
- (d) involves injury to any internal organ;
- (e) involves second or third degree burns or any burns affecting more than five per cent of the surface of the body; or
- (f) involves verified exposure to infectious or toxic substances or injurious radiation;

"serviceable" means, when used in relation to an aircraft, that the aircraft has been maintained and inspected in accordance with the requirements of the approved maintenance schedule and that all adjustments and rectifications found to be necessary, have been satisfactorily made;

"shift" means the period between the actual commencement and the actual end of a period of duty during which an air traffic controller exercises, or may be called upon to exercise, the privileges of the rating at the air traffic service unit for which such rating is validated, and includes breaks and time spent on other duties including training, aerodrome inspection, administration, flight information service and any extension of duty;

"shift cycle" means a consecutive 28 day period;

"shipper" means any person who prepares or offers a package or overpack of dangerous goods for conveyance by air;

"SIGMET information" means information issued by a meteorological watch office concerning the occurrence or expected occurrence of specified en route weather phenomena which may affect the safety of aircraft operations;

"simulator" means -

- (a) a flight procedures trainer or synthetic flight training device;
- (b) a type specific flight simulator;
- (c) any other training device approved by the Commissioner;

"South African registered aircraft" means any aircraft which is registered by the Commissioner in terms of regulation 47.00.6;

"special purposes operations" includes -

- (a) agricultural spraying, seeding and dusting;
- (b) cloud spraying, seeding and dusting;
- (c) culling;
- (d) aerial patrol, observation and survey;
- (e) advertising;
- (f) aerial recording by photographic or electronic means;
- (g) fire spotting, control and fighting; and
- (h) spraying, seeding or dusting other than for agricultural purposes and clouds;

"special VFR flight" means a VFR flight cleared by air traffic control to fly within a control zone under meteorological conditions below the visual meteorological conditions;

"standard category" means a category for normal, transport, utility and commuter operations, including acrobatic, emergency medical service, flying training, semi-acrobatic, helicopter external-load and manned free balloon operations;

"standard training" means ongoing training;

"State of Design" means the State which has authority over the organisation responsible for the type design of an aircraft;

"State of Manufacture" means the State which has authority over the organisation responsible for the final assembly of an aircraft;

"State of Registry" means the State on whose register an aircraft is entered;

"State of the Operator" means the State in which the principal place of business of an operator of an aircraft is located or, if there is no such place of business, the State where the operator of the aircraft has permanent residence;

"stores" means articles of a readily consumable nature for use or sale on board an aircraft during flight, including commissary supplies;

"student parachutist" means a person who is on the first level of training of an approved aviation recreation organisation;

"student pilot-in-command instrument time" means flight time during which a flight instructor will only observe the student acting as pilot-in-command without influencing or controlling the flight of the aircraft;

"subsonic aeroplane" means an aeroplane incapable of sustaining level flight at speeds exceeding flight Mach number of one;

"supplemental type certificate" means a certificate issued in terms of regulation 21.05.3, which authorises the holder thereof to alter a product for which such holder is not the type certificate holder, by introducing a major change in the type design which is not great enough to require a new application for a type certificate;

"take-off alternate aerodrome" means an aerodrome to which a flight may proceed should the weather conditions at the aerodrome of departure preclude a return for landing;

"take-off decision point" means the point used in determining take-off performance from which, a power unit failure having been recognised at this point, either a rejected take-off may be made or a take-off safely continued;

"take-off distance available" means -

- (a) in the case of an aeroplane, the length of the take-off run available plus the length of the clearway available; or
- (b) in the case of a helicopter, the distance from the point of lift-off to the nearest obstacle in the take-off path of 50 feet or higher;

"take-off mass" means the mass of the aircraft, including everything and every person carried in the aircraft at the commencement of the take-off run or lift-off, as the case may be;

"take-off run available" means the length of runway which is declared available and suitable for the ground run of an aeroplane taking off;

"tandem master" means the person responsible for the direct control of a tandem parachute descent using a tandem parachute assembly when a tandem rider is being carried and who has been authorised by an approved aviation recreation organisation;

"tandem parachute descent" means a parachute descent involving a tandem rider and tandem master in a common tandem parachute assembly which is under the direct control of the tandem master;

"tandem pair" means a tandem master and tandem rider;

"tandem rider" means a person participating in a tandem parachute descent under the direct control of a tandem master using the secondary harness of a tandem harness system;

"taxi" means the movement of an aircraft on the surface of an aerodrome under its own power, excluding take-off and landing;

"taxiway" means a defined path on a land aerodrome established for the taxiing of aircraft and intended to provide a link between one part of the aerodrome and another, and includes an aircraft stand taxilane, an apron taxiway and a rapid exit taxiway;

"Technical Standard Order" means a minimum performance standard issued by the Commissioner for specified materials, parts, processes or appliances, used on aircraft;

"temporary training" means any intermittent training;

"terminal control area" means a control area established at the confluence of air traffic service routes in the vicinity of one or more major aerodromes as published in an AIP, AIC or NOTAM and designated as a terminal control area;

"the Act" means the Aviation Act, 1962 (Act No. 74 of 1962);

"the Regulations" means the regulations contained in this Schedule in the several Parts of the Civil Aviation Regulations, including this Part, as amended from time to time;

"these Regulations" means the Regulations;

"threshold" means the beginning of that portion of the runway usable for landing;

"total cosmic radiation" means the total of ionizing and neutron radiation of galactic and solar origin;

"touch-down area" means a load bearing area on which a helicopter may touch down;

"touch down area available" means the length and width of the touch-down area which is declared available and suitable for the landing of a helicopter;

"traffic load" means the total mass of passengers, baggage and cargo, including any non-revenue load;

"training" means -

(a) the training; or

(b) the tests or the verifications of skill or proficiency,

specified in these Regulations;

"trust" means a trust as defined in the Trust Property Control Act, 1988 (Act No. 57 of 1988);

"TSO authorisation" means a design and production approval issued to the manufacturer of an article which complies with a specific TSO;

"type certificate" means a design approval for a Class I product issued in terms of regulation 21.02.8;

"type of aircraft" means all aircraft of the same basic design including all modifications thereto except those modifications which result in a change in handling or flight characteristics;

"unit load device" means any type of freight container, aircraft container, aircraft pallet with a net, or aircraft pallet with a net over an igloo;

"unmanned free balloon" means a non-power-driven, unmanned, lighter-than-air aircraft in free flight;

"valid" when used in connection with a licence or rating issued, validated, revalidated or renewed under these Regulations, means that all the requirements applicable to such licence or rating, as prescribed by these Regulations, have been complied with;

"validation" means an authorisation entered on a licence and forming part thereof, to exercise a specific rating at a specific air traffic service unit, containing special conditions, privileges or limitations pertaining to such rating;

"validation examiner" means an official validation examiner appointed by the Commissioner or a validation examiner who has been designated in terms of the provisions of regulation 65.01.9;

"variable-pitch propeller" means a propeller, the pitch setting of which changes or can be changed when the propeller is rotating, and includes -

- (a) a propeller, the pitch setting of which is directly under the control of the flight crew;
- (b) a propeller, the pitch setting of which is controlled by a governor or other automatic means, which may be either integral with the propeller or a separately mounted accessory, and which may, or may not, be controlled by the flight crew; and
- (c) a propeller, the pitch setting of which may be controlled by a combination of (a) and (b) above;

"visibility" means the ability, as determined by atmospheric conditions and expressed in units of measurement, to see and identify prominent unlighted objects by day and prominent lighted objects by night;

"visual approach" means an approach when either part or all of an instrument approach procedure is not completed and the approach is executed with visual reference to the terrain;

"visual meteorological conditions" means atmospheric conditions expressed in terms of visibility, distance from cloud or ceiling, equal to or better than the minima prescribed for VFR flight in regulation 91.06.21;

"wet runway" means a runway of which less than 25 per cent of the surface is covered with water, slush or loose snow or when there is sufficient moisture on the runway surface to cause it to appear reflective, but without significant areas of standing water.

Abbreviations

1.00.2

In these Regulations -

- (a) AGL means above ground level;
- (b) AIC means an Aeronautical Information Circular;
- (c) AIP means an Aeronautical Information Publication;
- (d) AIP SUP means an AIP Supplement;
- (e) AIRAC means aeronautical information regulation and control;
- (f) ATZ means an aerodrome traffic zone;
- (g) CDL means a configuration deviation list;
- (h) CTA means a control area;
- (i) CTR means a control zone;
- (j) DA/H means decision altitude/height;
- (k) DAME means designated aviation medical examiner;
- (l) ELT means emergency locator transmitter;
- (m) EROPS means extended range operations;

- (n) ETOPS means extended range operations with twin-engine aircraft;
- (o) FL means flight level;
- (p) IAIP means an Integrated Aeronautical Information Package;
- (q) IFR means instrument flight rules;
- (r) ILS means instrument landing system;
- (s) IMC means instrument meteorological conditions;
- (t) MCM means maximum certificated mass;
- (u) MDA/H means minimum descent altitude/height;
- (v) MEL means a minimum equipment list;
- (w) MMEL means a master minimum equipment list;
- (x) MNPS means minimum navigation performance specifications;
- (y) MSL means mean sea level;
- (z) NDB means a non-directional radio beacon;
- (aa) nm means nautical mile;
- (bb) NOTAM means a Notice to Airmen;
- (cc) PAR means Precision Approach Radar;
- (dd) PBE means portable breathing equipment;
- (ee) PIB means a Pre-flight Information Bulletin;
- (ff) PPI means a Plan Position Indicator;
- (gg) RNP means the required navigation performance;
- (hh) RVR means runway visual range;
- (ii) SA-CARs means South African Civil Aviation Regulations;
- (jj) STOL means short take-off and landing;
- (kk) TMA means a terminal control area;
- (ll) TSO means Technical Standard Order;
- (mm) VFR means visual flight rules;
- (nn) VHF means very high frequency;
- (oo) VMC means visual meteorological conditions;
- (pp) VOR means VHF omnidirectional radio range.

PART 11

PROCEDURES : PROCEDURES FOR MAKING REGULATIONS, ISSUING TECHNICAL STANDARDS AND GRANTING EXEMPTIONS

LIST OF REGULATIONS

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- 11.01.1 Applicability
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SUBPART 2 : CIVIL AVIATION REGULATIONS COMMITTEE

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- 11.04.1 Application for exemption
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SUBPART 5 : NATIONAL AIRSPACE COMMITTEE

- 11.05.1 Institution of the committee
- 11.05.2 Meetings of the committee
- 11.05.3 Remuneration of members
- 11.05.4 Administration

SUBPART 1**GENERAL****Applicability**

- 11.01.1** (1) This Part shall apply to -
- (a) the institution of consultative structures by the Commissioner for the purposes of the Regulations;
 - (b) the procedures relating to -
 - (i) the introduction of any regulation to be made under section 22 of the Act;
 - (ii) the amendment or withdrawal of any regulation made under section 22 of the Act;
 - (iii) the introduction of any technical standard to be issued under section 22A of the Act; and
 - (iv) the amendment or withdrawal of any technical standard issued under section 22A of the Act; and
 - (c) the procedures relating to the application for, and the granting of, an exemption from any requirement prescribed in the Regulations.
- (2) The provisions of this Part dealing with the matters contemplated in subregulation (1)(c), shall apply *mutatis mutandis* in respect of applications for, and the granting of, exemptions in any other case envisaged in section 22(1)(u) of the Act.
- (3) This Part shall not apply in respect of -
- (a) a particular case where the Commissioner finds compliance with any procedure prescribed in this Part to be impractical, unnecessary or contrary to the public interest; and
 - (b) any application for an exemption made in terms of regulation 92.00.3.
- (4) No regulation, technical standard or exemption shall be invalid merely because a requirement in this Part has not been complied with.

Publication of aeronautical information circulars

11.01.2 The Commissioner may publish aeronautical information circulars containing information on technical standards, practices and procedures which the Commissioner has found to be acceptable for compliance with the associated regulation.

SUBPART 2**CIVIL AVIATION REGULATIONS COMMITTEE****Institution of the committee**

11.02.1 (1) The Commissioner shall institute a Civil Aviation Regulations Committee to advise the Commissioner on proposals with regard to -

- (a) the introduction of any regulation to be made under section 22 of the Act;
- (b) the amendment or withdrawal of any regulation made under section 22 of the Act;
- (c) the introduction of any technical standard to be issued under section 22A of the Act;
- (d) the amendment or withdrawal of any technical standard issued under section 22A of the Act;
- (e) any matter relating to civil aviation, including any such matter referred to it by the Commissioner.

(2) The members of the committee shall consist of -

- (a) a person designated by the Commissioner, as chairperson;
- (b) the chairperson of each subcommittee established by the committee in terms of regulation 11.02.3; and
- (c) such other persons appointed by those stakeholders recognised by the Commissioner.

(3) Subject to the provisions in this Subpart, the committee shall in consultation with the Commissioner, determine the procedures to be followed in the performance of its functions.

Meetings of the committee

11.02.2 (1) The committee shall hold meetings at such times and places as may from time to time be determined by the chairperson, but at least once a year.

- (2) (a) The chairperson shall normally preside at every meeting of the committee.
- (b) If the chairperson is absent from a meeting of the committee, the members present shall from among their number elect a person to preside at that meeting.

(3) The procedures to be followed at meetings of the committee shall be determined by the chairperson.

- (4) The committee shall cause minutes to be kept of every meeting thereof.
- (5) The minutes referred to in subregulation (4), shall be kept at the offices of the Commissioner.

Subcommittees of the committee

11.02.3 (1) The committee may, with the approval of the Commissioner, establish such subcommittees as it may deem necessary for the performance of its functions.

(2) The membership of each subcommittee established in terms of subregulation (1) shall be unlimited.

(3) The chairperson of the committee shall appoint a chairperson for each subcommittee so established.

(4) Subject to the provisions of this Subpart, the committee shall, after consultation with the Commissioner, determine the procedures to be followed by a subcommittee in the performance of its functions.

(5) The provisions of regulation 11.02.2 shall *mutatis mutandis* apply in respect of any meeting held by a subcommittee.

Remuneration of members

11.02.4 A member of the committee referred to in regulation 11.02.1 and a member of any subcommittee established in terms of regulation 11.02.3 shall not receive any remuneration or allowance from the department in respect of the functions performed by such member as a member of the committee or a subcommittee.

Administration

11.02.5 All administrative work as well as secretarial work, in connection with the performance of the functions of the committee and any subcommittee established in terms of regulation 11.02.3, shall be carried out by officers and employees in the department designated for such purpose by the Director-General : Transport.

SUBPART 3**PROCEDURES FOR MAKING REGULATIONS
AND ISSUING TECHNICAL STANDARDS****Submission of proposal**

11.03.1 (1) Any interested person may submit to the committee referred to in regulation 11.02.1, a proposal on the introduction, amendment or withdrawal of a regulation or technical standard.

(2) The proposal shall be submitted in writing and shall -

- (a) state the name and address of the proposer;
- (b) state the contents of the regulation, technical standard or amendment proposed, or specify the regulation or technical standard which the proposer wishes to be withdrawn;
- (c) explain the interests of the proposer; and
- (d) contain any information, views or arguments supporting the proposal.

Processing of proposal

11.03.2 (1) The chairperson of the committee referred to in regulation 11.02.1, shall, as soon as practicable after the receipt of a proposal -

- (a) publish the proposed regulation, amendment or withdrawal by notice in the *Gazette*; or
- (b) publish the proposed technical standard, amendment or withdrawal by notice in the AIC.

(2) After publication of the notice referred to in subregulation (1)(a) or (b), any interested person may in writing, and within a period stated in the notice, but not less than 30 days from the date of publication of the notice, submit comments regarding the proposed regulation, technical standard, amendment or withdrawal in question, to the chairperson of the committee.

(3) The chairperson of the committee shall notify the proposer in writing of the time and place of the meeting during which the proposal will be considered, to give the proposer the opportunity to participate.

Consideration of proposal

11.03.3 (1) The committee shall, at its next meeting, consider the proposal together with all comments which are received within the period stated in the notice referred to in regulation 11.03.2(1)(a) or (b).

(2) The committee shall, after it has completed its consideration of the proposal and comments on such proposal, make an appropriate recommendation to the Commissioner.

Making of regulation

11.03.4 Subject to the provisions of section 22 of the Act, the Commissioner shall, if the Commissioner is satisfied and after considering the recommendation made by the committee in terms of regulation 11.03.3(2), that giving effect to the proposal would be in the interests of aviation safety, submit the proposed regulation, amendment or withdrawal to the Minister for approval.

Issuing of technical standard

11.03.5 Subject to the provisions of section 22A of the Act, the Commissioner shall, if the Commissioner is satisfied and after considering the recommendation made by the committee in terms of regulation 11.03.3(2), that giving effect to the proposal would be in the interests of aviation safety, issue the proposed technical standard, amendment or withdrawal.

SUBPART 4**PROCEDURES FOR GRANTING OF EXEMPTIONS****Application for exemption**

11.04.1 (1) An application for an exemption shall be made in writing to the Commissioner and shall -

- (a) state the name and address of the applicant;
- (b) state the requirement from which exemption is requested;
- (c) explain the interests of the applicant in the exemption requested, including the nature and extent of the exemption requested and a description of each person or thing to be covered by the exemption;
- (d) contain any information, views or arguments supporting the application;
- (e) explain why the applicant believes that the exemption should be granted, as well as the extent to which the exemption may affect aviation safety; and
- (f) include a summary of the application for purposes of publication in the AIC, which summary shall contain a reference to the requirement from which exemption is requested and a brief description of the general nature of the exemption requested.

(2) An application for an exemption shall be -

- (a) submitted at least 90 days, or such shorter period as the Commissioner may allow on good cause shown, before the proposed effective date of the exemption; and
- (b) accompanied by the appropriate fee prescribed in Part 187.

Processing of application for exemption

11.04.2 (1) Subject to the provisions of regulation 11.04.3(2), the Commissioner shall, as soon as practicable after the receipt of an application for an exemption referred to in regulation 11.04.1, publish by notice in the AIC the following particulars in respect of the application concerned:

- (a) The reference number of the application;
- (b) the full name of the applicant;
- (c) a reference to the requirement from which exemption is requested;

- (d) a brief description of the general nature of the exemption requested; and
- (e) a reference to the date by which the representations referred to in subregulation (2) must be submitted to the Commissioner.

(2) Any person may, after the publication of the notice referred to in subregulation (1) address in writing representations to the Commissioner against or in favour of the application concerned.

Adjudication of application for exemption

11.04.3 (1) The Commissioner shall, before deciding whether to grant or refuse an exemption, consider all representations which are received within the period specified in the notice published in terms of regulation 11.04.2(1).

(2) Notwithstanding the provisions of subregulation (1), the Commissioner may consider an application and grant or refuse an exemption immediately after the receipt of the application, if the Commissioner is of the opinion that compliance with the procedures referred to in regulation 11.03.3 would defeat the object of such application.

(3) The Commissioner may exempt an applicant from any requirement prescribed in the Regulations, if the Commissioner is satisfied that -

- (a) the requirement has been substantially complied with and that further compliance is unnecessary; or
- (b) events have occurred which make the requirement unnecessary or inappropriate in the particular case; and
- (c) granting the exemption will not jeopardise aviation safety.

Granting of exemption

11.04.4 (1) The Commissioner may grant an exemption under such conditions and for such period which the Commissioner may determine.

(2) In the event of an exemption being granted for a period exceeding 90 days, the Commissioner shall, within 30 days from the date on which the exemption has been granted, publish the full particulars thereof in the AIC.

Refusal of exemption

11.04.5 (1) If the granting of an exemption is refused, the Commissioner shall notify the applicant in writing of the refusal.

(2) The notice referred to in subregulation (1) shall state the reasons for such refusal.

SUBPART 5**NATIONAL AIRSPACE COMMITTEE****Institution of the committee**

11.05.1 (1) The Commissioner shall institute a National Airspace Committee to, based on proposals made by users and service providers, provide guidelines and recommendations to the Commissioner on -

- (a) the designation of airspace and aerodromes referred to in regulation 172.02.1; and
 - (b) any matter relating to current airspace structures and associated services provided or intended to be provided within such structures, or any amendment thereof, including any such matter referred to it by the Commissioner.
- (2) The members of the committee shall consist of -
- (a) a person designated by the Commissioner, as chairperson; and
 - (b) such other persons appointed by those stakeholders recognised by the Commissioner.
- (3) The procedures to be followed and the criteria to be taken into account when the committee exercises the functions, shall be as prescribed in Document SA-CATS-ATS.

Meetings of the committee

11.05.2 (1) The committee shall hold meetings at such times and places as may from time to time be determined by the chairperson, but at least once every three months.

- (2) (a) The chairperson shall normally preside at every meeting of the committee.
 - (b) If the chairperson is absent from a meeting of the committee, the members present shall from among their number elect a person to preside at that meeting.
- (3) The procedures to be followed at meetings of the committee shall be determined by the chairperson.
- (4) The committee shall cause minutes to be kept of every meeting thereof.
- (5) The minutes referred to in subregulation (4), shall be kept at the offices of the Commissioner.

Remuneration of members

11.05.3 A member of the committee referred to in regulation 11.04.1 shall not receive any remuneration or allowance from the department in respect of the functions performed by such member as a member of the committee.

Administration

11.05.4 All administrative work as well as secretarial work, in connection with the performance of the functions of the committee, shall be carried out by officers and employees in the department designated for such purpose by the Director-General : Transport.

PART 12

PROCEDURES : AVIATION ACCIDENTS AND INCIDENTS

LIST OF REGULATIONS**SUBPART 1 : GENERAL**

- 12.01.1 Applicability
- 12.01.2 Designation of body or institution
- 12.01.3 Designation of investigator-in-charge
- 12.01.4 Designation of investigator
- 12.01.5 Designation of pro tem investigator
- 12.01.6 Designation of accredited representative
- 12.01.7 Designation of adviser
- 12.01.8 Establishment of confidential aviation hazard reporting system

SUBPART 2 : ACCIDENT AND INCIDENT NOTIFICATION PROCEDURES

- 12.02.1 Notification of accidents
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- 12.02.4 Particulars of notification
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SUBPART 3 : INVESTIGATION OF ACCIDENTS AND INCIDENTS

- 12.03.1 Purpose of accident and incident investigation
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- 12.03.3 Retention of objects for purposes of investigation or inquiry

SUBPART 4 : SCENE OF AN ACCIDENT

- 12.04.1 Guarding of aircraft involved in accident
- 12.04.2 Access to the scene of accident
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- 12.04.4 Interference with objects and marks at scene of accident
- 12.04.5 Removal of damaged or disabled aircraft

SUBPART 5 : REPORTING AND REOPENING OF INVESTIGATION

- 12.05.1 Reporting
- 12.05.2 Appeal against findings on investigation
- 12.05.3 Reopening of investigation
- 12.05.4 Application

SUBPART 1**GENERAL****Applicability**

12.01.1 This Part shall, subject to the provisions of section 12 of the Act, apply to the procedures relating to the reporting and investigation of accidents and incidents other than accidents and incidents involving -

- (a) aircraft so designed to remain moored to the earth or to be kept in tow by vehicles or vessels moving on the surface of the earth; and
- (b) aircraft designed to fly without any person on board.

Designation of body or institution

12.01.2 (1) The Commissioner may, subject to the provisions of section 4(2) and (3) of the Act, designate a body or institution to -

- (a) promote aviation safety or to reduce the risk of aviation accidents or incidents; and
- (b) advise the Commissioner on any matter connected with the promotion of aviation safety or the reduction of the risk of aviation accidents or incidents.

(2) The designation referred to in subregulation (1) shall be made in writing and shall be published by the Commissioner in the *Gazette* within 30 days from the date of such designation.

(3) The powers and duties referred to in subregulation (1) shall be exercised and performed according to the conditions, rules, requirements, procedures or standards as prescribed in Document SA-CATS-ACCID and INCID.

Designation of investigator-in-charge

12.01.3 (1) The Commissioner may designate an investigator-in-charge to investigate any accident or incident in terms of this Part.

(2) An investigator-in-charge shall have authority, subject to the provisions of this Part, to -

- (a) have unhampered access to an aircraft which has been involved in an accident or incident, the wreck or wreckage, the place where the aircraft, the wreck or wreckage is located and the places where

- marks resulting from the accident or incident which may be of assistance in an investigation, are located;
- (b) preserve an aircraft which has been involved in an accident or incident or the wreck or wreckage and any marks resulting from the accident or incident which may be of assistance in the investigation, by any means available, including photographic means;
 - (c) examine an aircraft involved in an accident or incident, the wreck or wreckage, any part or component thereof or anything transported therein or any marks resulting from the accident or incident which may be of assistance in the investigation, and to remove any such aircraft, wreck or wreckage, or any part or component thereof or anything transported therein for the purpose of the investigation or for an inquiry by a board of inquiry appointed in terms of section 12(1) of the Act;
 - (d) compile reports in connection with the investigation;
 - (e) have unhampered access to all documents, books, notes, photographs, recordings and transcripts which the investigator-in-charge may consider necessary for the investigation, which documents, books, notes, photographs, recordings and transcripts shall be produced without delay by the possessor thereof when so requested; and
 - (f) obtain information from any person which may be necessary for the investigation.

Designation of investigator

12.01.4 (1) The Commissioner may designate an investigator for the purpose of assisting an investigator-in-charge in the investigation of an accident or incident.

(2) An investigator may exercise all the powers granted to and imposed on an investigator-in-charge in terms of regulation 12.01.3(2), which are assigned to such investigator by the investigator-in-charge.

(3) The conditions and requirements for and the rules, procedures and standards connected with a designation referred to in subregulation (1), shall be as prescribed in Document SA-CATS-ACCID and INCID.

(4) The Commissioner shall sign and issue to each investigator so designated, a document which shall state the full name of such investigator and contain a statement indicating that -

- (a) such investigator has been designated in terms of subregulation (1); and

- (b) such investigator is empowered to exercise any power entrusted to him or her in terms of this Part.

Designation of pro tem investigator

12.01.5 (1) The Commissioner may designate a pro tem investigator for the purpose of assisting the investigator-in-charge in the initial investigation of an accident or incident.

(2) A pro tem investigator may exercise all the powers granted to and imposed on an investigator-in-charge in terms of regulation 12.01.3(2), which are assigned to such investigator by the investigator-in-charge.

(3) A pro tem investigator shall, as soon as practicable after the arrival of the investigator-in-charge on the scene of an accident or incident, report on his or her initial investigation to such investigator-in-charge.

(4) The conditions and requirements for and the rules, procedures and standards connected with a designation referred to in subregulation (1), shall be as prescribed in Document SA-CATS-ACCID and INCID.

(5) The Commissioner shall sign and issue to each pro tem investigator so designated, a document which shall state the full name of such pro tem investigator and contain a statement indicating that -

- (a) such pro tem investigator has been designated in terms of subregulation (1); and
- (b) such pro tem investigator is empowered to exercise any power entrusted to him or her in terms of this Part.

Designation of accredited representative

12.01.6 (1) The Commissioner may designate -

- (a) an accredited representative, for the purposes of investigating an accident or incident involving a South African registered aircraft in the territory of a contracting or non-contracting State; or
- (b) an accredited representative of the State of Registry, State of the Operator, State of Design or State of Manufacture for the purposes of investigating an accident or incident involving a foreign registered aircraft in the territory of the Republic.

(2) The conditions and requirements for and the rules, procedures and standards connected with a designation referred to in subregulation (1), shall be as prescribed in Document SA-CATS-ACCID and INCID.

(3) An accredited representative designated in terms of subregulation (1)(b) may participate in the investigation of the accident or incident under the control of the investigator-in-charge.

(4) An accredited representative designated in terms of subregulation (1)(b) may, under the control of the investigator-in-charge -

- (a) visit the scene of the accident;
- (b) examine the wreckage;
- (c) obtain witness information and suggest areas of questioning;
- (d) have access to all relevant evidence;
- (e) receive copies of all relevant documents, books, notes, photographs, recordings and transcripts;
- (f) participate in readouts of recorded media;
- (g) participate in component examinations, technical briefings, tests and simulations and other investigative activities;
- (h) participate in deliberations on the analysis, findings, cause or causes and safety recommendations; and
- (i) make submissions in respect of the various elements of the investigation.

Designation of adviser

12.01.7 (1) The Commissioner may designate an adviser for the purpose of assisting the investigator-in-charge in the investigation of an accident or incident.

(2) The conditions and requirements for and the rules, procedures and standards connected with a designation referred to in subregulation (1), shall be as prescribed in Document SA-CATS-ACCID and INCID.

Establishment of confidential aviation hazard reporting system

12.01.8 (1) The designated body or institution referred to in regulation 12.01.2, shall establish a confidential aviation hazard reporting system to promote aviation safety or reduce the risk of accidents or incidents.

(2) The requirements for and the procedures of a confidential aviation hazard reporting system and the manner in which such system shall be operated, shall be as prescribed in Document SA-CATS-ACCID and INCID.

(3) Any person who exercises or has exercised any function in terms of the confidential aviation hazard reporting system, shall not disclose any information which he or she obtained in the performance of such function which could identify the originator of the notice referred to in regulation 12.02.5.

SUBPART 2**ACCIDENT AND INCIDENT NOTIFICATION PROCEDURES****Notification of accidents**

12.02.1 (1) The pilot-in-command of an aircraft involved in an accident within the Republic, or if he or she is killed or incapacitated, a flight crew member, or if there are no surviving flight crew members or if they are incapacitated, the operator or owner, as the case may be, shall, as soon as possible, notify -

- (a) the Commissioner;
- (b) an air traffic service unit; or
- (c) the nearest police station,

of such accident.

(2) If an air traffic service unit or police station is notified of an accident in terms of subregulation (1), such air traffic service unit or police station shall, immediately on receipt of the notification, notify -

- (a) the Commissioner; and
- (b) where such accident occurs on an aerodrome, the aerodrome manager.

Notification of incidents

12.02.2 (1) The pilot-in-command, and any other flight crew member, operator or owner, as the case may be, of an aircraft involved in an incident, other than an air traffic service incident, within the Republic, shall, as soon as possible, notify -

- (a) the Commissioner; or
- (b) an air traffic service unit,

of such incident.

(2) If an air traffic service unit is notified of an incident in terms of subregulation (1), such air traffic service unit shall, immediately on receipt of the notification, notify -

- (a) the Commissioner; and
- (b) where such incident occurs on an aerodrome, the aerodrome manager.

(3) The pilot-in-command, any other flight crew member, operator or owner, as the case may be, of an aircraft involved in an air traffic service incident within the Republic, or any air traffic service personnel witnessing an air traffic service incident, shall, as soon as possible, notify an air traffic service unit of such air traffic service incident, and such air traffic

service unit shall immediately on receipt of the notification, notify the Commissioner in the appropriate form as prescribed in Document SA-CATS-ACCID and INCID.

Notification of accidents and incidents outside Republic

12.02.3 The pilot-in-command of a South African registered aircraft involved in an accident or incident outside the Republic, or if he or she is killed or incapacitated, a flight crew member, or if there are no surviving flight crew members, or if they are incapacitated, the operator or owner, as the case may be, shall, as soon as possible, notify -

- (a) the appropriate authority in the State or territory where the accident or incident occurred, directly or through any air traffic service unit; and
- (b) the Commissioner,

of such accident or incident.

Particulars of notification

12.02.4 Any notification of an accident or incident referred to in regulation 12.02.1, 12.02.2 or 12.02.3 other than an air traffic service incident, shall -

- (a) include the following particulars:
 - (i) Type, model, nationality and registration marks of the aircraft;
 - (ii) name of the owner or operator, as applicable;
 - (iii) surnames and initials of flight crew members;
 - (iv) the date and time of the accident or incident, specified in Coordinated Universal Time or local time;
 - (v) last point of departure and point of intended landing of the aircraft;
 - (vi) location of the accident or incident with reference to an easily identifiable geographical point and, if known, with reference to latitude and longitude;
 - (vii) number of -
 - (aa) flight crew members and passengers aboard, killed or seriously injured; and
 - (bb) other persons killed or seriously injured;
 - (viii) nature of the accident or incident and extent of damage to aircraft as far as is known;
 - (ix) terrain characteristics of the area where the accident or incident occurred;
 - (x) details of any dangerous goods or hazardous substances known to be on board the aircraft; and

- (xi) any other relevant information; and
- (b) be submitted forthwith to the Commissioner, and any information which is not immediately available shall be submitted in writing as soon as it becomes available.

Notification of hazards

12.02.5 (1) Any person involved in an accident or incident, or observing any accident, incident, hazard or discrepancy that may affect aviation safety, may notify the designated body or institution referred in regulation 12.01.2, of such accident, incident, hazard or discrepancy.

(2) Any person who notifies the designated body or institution referred to in regulation 12.01.2 of an accident or incident, shall not be absolved from the duty to notify the Commissioner of such accident or incident in terms of regulation 12.02.1, 12.02.2 or 12.02.3, as the case may be.

SUBPART 3**INVESTIGATION OF ACCIDENTS AND INCIDENTS****Purpose of accident and incident investigation**

12.03.1 The purpose of investigation of an accident or incident is, subject to section 12 of the Act, to determine, in terms of the provisions of this Part, the facts of an accident or incident in the interest of the promotion of aviation safety and the reduction of the risk of aviation accidents or incidents, and not to establish legal liability.

Accident and incident investigation procedures

12.03.2 (1) All accidents and serious incidents of which the Commissioner is notified in terms of regulations 12.02.1 and 12.02.2, shall be investigated by an investigator-in-charge.

(2) All incidents, other than serious incidents referred to in subregulation (1), may be investigated by an investigator-in-charge.

(3) An accident or incident investigation shall be carried out by the investigator-in-charge, in accordance with the requirements for and the rules, procedures and standards as prescribed in Document SA-CATS-ACCID and INCID.

(4) Any person required by the investigator-in-charge to render the assistance or furnish the information which the investigator-in-charge may deem necessary for the investigation of an accident or incident, shall be obliged to render such assistance or furnish such information.

Retention of objects for purposes of investigation or inquiry

12.03.3 Any item or wreckage of an aircraft involved in an accident or incident, or any part or component thereof, or anything transported therein, may be retained by the investigator-in-charge until no longer required for the purpose of an investigation, including an investigation following on a reopening referred to in regulation 12.05.3, or for an inquiry by a board of inquiry in terms of section 12(1) of the Act, whereupon such wreckage, or part or component thereof, shall be discarded or destroyed, unless a person having a right to such item, or part or component thereof, has informed the Commissioner in writing, within 60 days of the date of such accident or incident, that such item or component or part be returned to him or her after the completion of the investigation or inquiry.

SUBPART 4**SCENE OF AN ACCIDENT****Guarding of aircraft involved in accident**

12.04.1 Where an accident occurs within the Republic, the pilot-in-command of the aircraft involved in the accident, or if he or she is killed or incapacitated, a flight crew member, or if there are no surviving flight crew members, or if they are incapacitated, the operator or owner of such aircraft or where the accident occurs on an aerodrome, the aerodrome manager, shall -

- (a) pending the arrival of a police guard, take such steps which may be necessary to prevent any interference with the aircraft, the wreck or wreckage and anything transported therein and any marks resulting from the accident which may be of assistance in an investigation, contrary to the provisions of this Part;
- (b) forthwith arrange with a member of the South African Police Service to guard the aircraft, the wreck or wreckage and anything transported therein and any marks resulting from the accident which may be of assistance in an investigation.

Access to the scene of accident

12.04.2 (1) No person other than -

- (a) a member of the rescue service;
- (b) a pro tem investigator;
- (c) an investigator;
- (d) an accredited representative;
- (e) an adviser;
- (f) a member of the South African Police Service; or
- (g) any other person authorised by the Commissioner, after consultation with the investigator-in-charge,

shall, until such time as the investigator-in-charge otherwise determines, have access to an aircraft which has been involved in an accident or to the wreck or wreckage and any marks resulting from the accident which may be of assistance in an investigation.

(2) Every person permitted by the provisions of subregulation (1) or authorised in terms thereof to have access to an aircraft which has been involved in an accident or to the wreck or wreckage or to places where marks resulting from the accident

occur which may be of assistance in an investigation, shall be subject to the direction of the investigator-in-charge until the investigation has been completed.

Control of evidence

12.04.3 The aircraft, the wreck or wreckage, and anything transported therein and any marks resulting from the accident which may be of assistance in an investigation, shall remain under the control of the investigator-in-charge until released by such investigator-in-charge.

Interference with objects and marks at scene of accident

12.04.4 (1) Subject to the provisions of this Part, no person shall interfere with an aircraft which has been involved in an accident, the wreck or wreckage, a part or component thereof or anything transported therein or any marks resulting from the accident which may be of assistance in an investigation -

- (a) until authorised to do so by the investigator-in-charge; and
- (b) until, in the case of an aircraft which must be cleared by a customs officer by virtue of the provisions of the Customs and Excise Act, 1964 (Act No. 91 of 1964), clearance has been issued or permission granted by such officer.

(2) The provisions of subregulation (1) shall not prevent any action necessary for -

- (a) the rescue or extrication of persons or animals from the aircraft or the wreck;
- (b) the reasonable protection of the aircraft, the wreck or wreckage from destruction by fire or other causes;
- (c) the safeguarding by the owner, operator or police guard of precious metals, jewellery or valuables;
- (d) the prevention of danger or removal of an obstruction to other aircraft, other means of transport or to the public; and
- (e) the removal of the aircraft, any part or component thereof or anything transported therein to a safe place, when in water or otherwise endangered.

Removal of damaged or disabled aircraft

12.04.5 Subject to the conditions which the Commissioner may determine, a person authorised by the Commissioner for this purpose, may direct any person to move an aircraft

which is damaged or disabled or to move any part thereof or any cargo or thing carried therein, to another place, at the expense of the owner or operator of the aircraft.

SUBPART 5**REPORTING AND REOPENING OF INVESTIGATION****Reporting**

12.05.1 (1) The investigator-in-charge shall, upon completion of an investigation of an accident or incident carried out in terms of Subpart 3, report the findings of such investigation to the Commissioner.

(2) The reporting on an investigation referred to in subregulation (1) shall consist of -

- (a) a preliminary report, if necessary in the interests of aviation safety; and
- (b) a final report,

which shall be compiled and published in the manner as prescribed in Document SA-CATS-ACCID and INCID.

Appeal against findings on investigation

12.05.2 (1) Any interested person who feels aggrieved by the findings on an investigation may appeal against such findings to the Commissioner, within 30 days after such person becomes aware of such findings.

(2) An appellant shall deliver an appeal in writing, stating the reasons why, in his or her opinion, the findings should be varied or set aside.

(3) The appellant shall submit a copy of the appeal and any documents or records supporting such appeal, to the investigator-in-charge concerned and shall furnish proof of such submission for the information of the Commissioner.

(4) The investigator-in-charge concerned may, within 30 days of receipt of the copy of the appeal referred to in subregulation (3), deliver his or her written reply to such appeal to the Commissioner.

(5) The Commissioner may -

- (a) adjudicate the appeal on the basis of the documents submitted to him or her; or
- (b) order the appellant and the investigator-in-charge concerned to appear before him or her, either in person or through a representative, at a time and place determined by him or her, to give evidence.

(6) The Commissioner may confirm, vary or set aside the findings referred to in subregulation (1).

Reopening of investigation

- 12.05.3** (1) The Commissioner may order the reopening of an investigation -
- (a) of which the findings are set aside in terms of regulation 12.05.2(6);
 - (b) if new and significant information which indicates that the findings on the investigation may be incorrect, becomes available ; or
 - (c) if such a reopening is in the interests of aviation safety.
- (2) Any investigation reopened in terms of this regulation shall be conducted in accordance with the provisions of this Subpart 3.

Application

12.05.4 Notwithstanding anything to the contrary contained in this Subpart, the provisions of regulations 12.05.2 and 12.05.3 shall only apply in cases where the Commissioner is satisfied that the Minister has not applied and does not intend applying the provisions of section 12 of the Act to a case in question.

PART 13

PROCEDURES : ENFORCEMENT PROCEDURES

certificate, manual, logbook or other document relating to the aircraft:

Provided that before such authorised officer or inspector exercises any power granted in paragraph (a), (b), (c) or (d), he or she shall obtain the prior approval of the Commissioner.

(2) If it appears to any authorised officer or inspector that any aircraft is intended or likely to be flown in such circumstances that the flight would involve a contravention of the Regulations, or be a cause of danger to persons in the aircraft or to persons or property on the ground, he or she may take such action to detain the aircraft or such other action as he or she may deem necessary for the purpose of causing the circumstances relating to the flight to be investigated or the aircraft to be inspected.

(3) If an aircraft has been detained pursuant to the provisions of subregulation (2), the aircraft shall not be operated until the Commissioner, being satisfied that the Regulations are being complied with, approves, or until such alterations or repairs have been effected which the Commissioner deems necessary to render such aircraft fit for flight.

In-flight inspections

13.00.2 (1) The Commissioner may authorise an authorised officer or inspector to carry out, at any time, an in-flight inspection in any aircraft engaged in a commercial air transport operation.

(2) The owner, operator or pilot-in-command shall immediately take all reasonable steps to accommodate the authorised officer or inspector and to facilitate the carrying out of the in-flight inspection.

Authority of authorised person

13.00.3 In addition to any specific power granted to or duty imposed on an authorised person under any Part of the Regulations, such authorised person may -

- (a) require the pilot of an aircraft to furnish his or her name and address and any other particulars concerning his or her identity;
- (b) require any person on an aerodrome or in an aircraft, aircraft factory or civil aviation related facility to furnish his or her name and address and any other particulars concerning his or her identity and to furnish such information as is at his or her disposal concerning the identity of the pilot or owner of any aircraft, or the owner of any aerodrome, aircraft factory or civil aviation related facility;
- (c) require the owner or operator of an aircraft to furnish such information as may be necessary concerning the identity of the pilot of the aircraft at any time or during any particular period;

- (d) call upon any person required by the Regulations to be the holder of a licence, certificate, permit, approval or authorisation or, in the case of a flight crew member or an aircraft maintenance engineer, his or her logbook, for inspection within a reasonable time to be stipulated by such authorised person;
- (e) call upon the owner, operator or pilot-in-command of any aircraft to produce or cause to be produced for inspection any licence, certificate, manual, logbook or other document relating to the aircraft; and
- (f) enter any premises for the purposes of inspecting any aircraft, aircraft factory, aerodrome, civil aviation related facility, aircraft component, aircraft equipment, licence, certificate, permit, approval, authorisation, register, book or document which he or she believes to be on such premises:

Provided that before such authorised person exercises the power granted in paragraph (f), he or she shall obtain the prior approval of the Commissioner.

PART 21

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SUBPART 1**GENERAL****Applicability**

- 21.01.1** (1) This Part shall apply to -
- (a) the type certification of products to be manufactured in the Republic;
 - (b) the approval of changes to type certificates;
 - (c) the type acceptance certification of products to be imported into the Republic;
 - (d) the issuing of supplemental type certificates;
 - (e) the issuing of production certificates;
 - (f) the airworthiness certification of aircraft;
 - (g) the approval of parts and appliances to be manufactured in the Republic;
 - (h) the approval of parts and appliances to be imported into the Republic;
 - (i) the issuing of export airworthiness approvals; and
 - (j) the issuing of ZA-TSO authorisations.
- (2) This Part shall not apply in respect of any -
- (a) hang glider;
 - (b) paraglider;
 - (c) unmanned free balloon;
 - (d) captive balloon;
 - (e) kite;
 - (f) model aircraft;
 - (g) parachute; or
 - (h) powered paraglider.

Types of aircraft

- 21.01.2** (1) For the purposes of the regulations in this Part, the types of aircraft are -
- (a) sailplanes and powered sailplanes;
 - (b) very light aeroplanes;
 - (c) aeroplanes of the normal, utility, acrobatic and commuter categories;
 - (d) aeroplanes of the transport category;
 - (e) rotorcraft of the normal category;
 - (f) rotorcraft of the transport category;

- (g) manned free balloons;
- (h) non-rigid airships;
- (i) rigid airships; and
- (j) remotely piloted aircraft.

(2) The airworthiness design standards for each type of aircraft referred to in subregulation (1), are those referred to in regulation 21.02.3.

Reporting of failures, malfunctions and defects

21.01.3 (1) The holder of any type certificate, supplemental type certificate, production certificate, ZA-PMA or ZA-TSO authorisation issued in terms of the regulations in this Part, shall report in writing to the Commissioner any failure, malfunction or defect in any product, part or appliance manufactured by such holder which -

- (a) has resulted in any of the occurrences specified in Document SA-CATS-AR; or
- (b) has passed through such holder's quality control system and may result in any of the occurrences specified in Document SA-CATS-AR.

(2) A report referred to in subregulation (1) shall include -

- (a) the aircraft serial number;
- (b) if the failure, malfunction or defect is associated with an article approved under a ZA-TSO authorisation, the article serial number and model designation;
- (c) if the failure, malfunction or defect is associated with an aircraft engine or aircraft propeller, the engine or propeller serial number;
- (d) the product model;
- (e) an identification, including the part number, of the part, component or system involved; and
- (f) the nature of the failure, malfunction or defect.

(3) A report referred to in subregulation (1) shall be submitted to the Commissioner within 24 hours after the holder has become aware of the failure, malfunction or defect required to be reported: Provided that a report which was due on a -

- (a) Saturday or a Sunday, may be submitted on the following Monday;
- (b) public holiday, may be submitted on the next workday.

(4) In the event of the investigation of an accident or service difficulty report indicating that a product is unsafe because of a manufacturing or design defect, the holder concerned shall, upon the request of the Commissioner, report to the Commissioner the results of its investigation and any action taken or proposed by such holder to correct such defect.

(5) If action is required to correct the defect in existing products, the holder concerned shall submit the data necessary for the issuing of an appropriate airworthiness directive, to the Commissioner.

Issuing of airworthiness directives

21.01.4 (1) The Commissioner may issue appropriate airworthiness directives in respect of design changes which are necessary to correct the unsafe condition of a product.

(2) If the Commissioner issues an airworthiness directive for a product, the holder of any certificate issued under the regulations in this Part for the product type, shall -

- (a) upon the request of the Commissioner, submit appropriate design changes to the Commissioner for approval; and
- (b) upon approval of the design changes, make the descriptive data covering the changes available to all operators of the product.

Safety inspections and audits

21.01.5 (1) An applicant for the issuing of any certificate, approval or authorisation in terms of the regulations in this Part, shall permit an airworthiness inspector to carry out such safety inspections and flight and ground tests which may be necessary to verify the validity of any application made in terms of this Part.

(2) The holder of any certificate, approval or authorisation issued under this Part, shall permit an airworthiness inspector to carry out such safety inspections and audits, including safety inspections and audits of its partners or subcontractors, which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

Suspension, cancellation and appeal

21.01.6 (1) An airworthiness inspector may suspend for a period not exceeding 30 days, any certificate, approval or authorisation issued under this Part, if -

- (a) after a safety inspection and audit carried out in terms of regulation 21.01.5, it is evident that the holder of the certificate, approval or authorisation, does not comply with the requirements prescribed in this Part, and such holder fails to remedy such non-compliance within 30 days after receiving notice in writing from the airworthiness inspector to do so; or
- (b) the airworthiness inspector is prevented by the holder of the certificate, approval or authorisation, or its partners or subcontractors, to carry out a safety inspection and audit in terms of regulation 21.01.5; or
- (c) the suspension is necessary in the interests of aviation safety.

(2) The airworthiness inspector who has suspended a certificate, approval or authorisation in terms of subregulation (1), shall deliver a report in writing to the Commissioner,

stating the reasons why, in his or her opinion, the suspended certificate, approval or authorisation should be cancelled.

(3) The airworthiness inspector concerned shall submit a copy of the report referred to in subregulation (2), to the holder of the certificate, approval or authorisation which has been suspended, and shall furnish proof of such submission for the information of the Commissioner.

(4) The holder of a certificate, approval or authorisation who feels aggrieved by the suspension of the certificate, approval or authorisation may appeal against such suspension to the Commissioner, within 30 days after such holder becomes aware of such suspension.

(5) An appellant shall deliver an appeal in writing, stating the reasons why, in his or her opinion, the suspension should be varied or set aside.

(6) The appellant shall submit a copy of the appeal and any documents or records supporting such appeal, to the airworthiness inspector concerned and shall furnish proof of such submission for the information of the Commissioner.

(7) The airworthiness inspector concerned may, within 30 days of receipt of the copy of the appeal referred to in subregulation (6), deliver his or her written reply to such appeal to the Commissioner.

(8) The Commissioner may -

- (a) adjudicate the appeal on the basis of the documents submitted to him or her; or
- (b) order the appellant and the airworthiness inspector concerned to appear before him or her, either in person or through a representative, at a time and place determined by him or her, to give evidence.

(9) The Commissioner may confirm, vary or set aside the suspension referred to in subregulation (1).

(10) The Commissioner shall -

- (a) if he or she confirms the suspension in terms of subregulation (9); or
- (b) if a certificate, approval or authorisation is suspended in terms of subregulation (1) and the holder thereof does not appeal against such suspension in terms of subregulation (4),
cancel the certificate, approval or authorisation concerned.

Register of certificates

21.01.7 (1) The Commissioner shall maintain a register of all certificates, approvals and authorisations issued in terms of the regulations in this Part.

(2) The register shall contain the following particulars:

- (a) The full name of the holder of the certificate, approval or authorisation;
- (b) the postal address of the holder of the certificate, approval or authorisation;
- (c) the date on which the certificate, approval or authorisation was issued; and
- (d) the nationality of the holder of the certificate, approval or authorisation.

(3) The particulars referred to in subregulation (2) shall be recorded in the register within seven days from the date on which the certificate, approval or authorisation is issued by the Commissioner.

(4) The register shall be kept in a safe place at the office of the Commissioner.

(5) A copy of the register shall be furnished by the Commissioner, on payment of the appropriate fee as prescribed in Part 187, to any person who requests the copy.

SUBPART 2**TYPE CERTIFICATES****Categories of type certificates**

21.02.1 The categories of type certificates are -

- (a) standard category type certificate for a Class I product to be manufactured in the Republic; and
- (b) restricted category type certificate for a Class I product to be manufactured in the Republic.

Application for type certificate or amendment thereof

21.02.2 (1) An application for the issuing of a type certificate for a Class I product, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AR; and
- (b) accompanied by -
 - (i) a certified true copy of the approval held by the selected design organisation;
 - (ii) the appropriate fee as prescribed in Part 187;
 - (iii) in the case of an application for an aircraft type, a three-view drawing of the aircraft type and available preliminary basic data;
 - (iv) in the case of an application for an aircraft engine type or an aircraft propeller type, a description of the -
 - (aa) design features;
 - (bb) operating characteristics; and
 - (cc) proposed operating limitations; and
 - (v) the proposed certification basis.

(2) An application referred to in subregulation (2) shall be valid -

- (a) in the case of an application for an aeroplane type with a maximum certificated mass exceeding 5 700 kilograms, for a period of five years;
- (b) in the case of an application for an aeroplane type with a maximum certificated mass of 5 700 kilograms or less, for a period of three years;

- (c) in the case of an application for a rotorcraft type with a maximum certificated mass exceeding 2 730 kilograms, for a period of five years;
- (d) in the case of an application for a rotorcraft type with a maximum certificated mass of 2 730 kilograms or less, for a period of three years,

calculated from the date on which the application is submitted to the Commissioner.

(3) If a type certificate is not issued within the appropriate period referred to in subregulation (2), the applicant may -

- (a) submit a new application in accordance with the provisions of subregulation (1); or
- (b) submit an application to extend the original application made in terms of subregulation (1), and comply with the appropriate airworthiness design standards referred to in regulation 21.02.3, effective on a date selected by the applicant: Provided that such date of validity precedes the date of the issuing of the type certificate by the appropriate period referred to in subregulation (2) in respect of the original application.

Airworthiness design standards

21.02.3 (1) An applicant for the issuing of a type certificate for a Class I product, or an amendment thereof, shall provide the Commissioner with proof that -

- (a) the product complies with the appropriate airworthiness design standards as prescribed in Document SA-CATS-AR, in force on the date of application or any later date selected by the applicant in terms of regulation 21.02.2(3)(b);
- (b) the product complies with the appropriate aircraft noise, fuel venting and engine emission standards referred to in Part 34 or Part 36, as the case may be;
- (c) the product complies with any special conditions prescribed by the Commissioner in terms of regulation 21.02.13;
- (d) any airworthiness design standards not complied with, are compensated for by factors providing an equivalent level of safety; and
- (e) in the case of an aircraft type, no feature or characteristic makes the aircraft type unsafe for the intended use.

(2) If the applicant selects a later date referred to in subregulation (1)(a), the applicant shall provide proof that the product complies with any other airworthiness design standard which the Commissioner determines is directly related.

Type design

21.02.4 An applicant for the issuing of a type certificate for a Class I product, or an amendment thereof, shall -

- (a) provide the Commissioner with a type design consisting of -
 - (i) the drawings and specifications necessary to define the configuration and the design features of the product which have been shown to comply with the appropriate airworthiness design standards referred to in regulation 21.02.3;
 - (ii) a list of the drawings and specifications referred to in subparagraph (i);
 - (iii) information on dimensions, materials and processes and on methods of manufacture and assembly of the product necessary to ensure the conformity of the product;
 - (iv) the airworthiness limitations specified in the appropriate airworthiness design standards referred to in regulation 21.02.3; and
 - (v) any other data necessary to allow, by comparison, the determination of the airworthiness, noise characteristics, fuel venting and engine emissions, if applicable, of later products of the same type; and
- (b) identify each type design and each variant within the type design.

Inspections and tests

21.02.5 (1) An applicant for the issuing of a type certificate for a Class I product, or an amendment thereof, shall inspect and test a product of the type to ensure that -

- (a) the product complies with the appropriate airworthiness design standards referred to in regulation 21.02.3;
- (b) the product complies with the appropriate aircraft noise, fuel venting and engine emission standards referred to in Part 34 or Part 36, as the case may be;
- (c) the materials and product conform to the specifications in the type design;
- (d) all parts in the product conform to the drawings in the type design; and
- (e) the manufacturing processes, construction and assembly conform to those specified in the type design.

(2) The applicant shall, after making the inspections and tests referred to in subregulation (1) -

- (a) permit the Commissioner to perform any inspection and flight and ground tests which the Commissioner may require;
- (b) provide proof to the Commissioner that the product complies with the requirements referred to in subregulation (1)(c), (d) and (e); and
- (c) ensure that the product remains unchanged between the time that the product is shown to comply with the requirements referred to in subregulation (1)(c), (d) and (e), and the time of presentation to the Commissioner for testing.

Statements of conformity

21.02.6 An applicant for the issuing of a type certificate, or an amendment thereof, presenting a product to the Commissioner for the tests referred to in regulation 21.02.5(2), shall provide the Commissioner with a statement of conformity stating that -

- (a) the applicant has complied with the requirements referred to in regulation 21.02.5(1)(c), (d) and (e); and
- (b) the product complies with the applicable type design.

Flight tests

21.02.7 (1) Subject to the provisions of subregulations (2) and (3), an applicant for the issuing of a type certificate for an aircraft, or an amendment thereof, shall carry out such flight tests as the Commissioner may require to determine whether -

- (a) the aircraft complies with the appropriate airworthiness design standards referred to in regulation 21.02.3;
- (b) the aircraft and the aircraft components and equipment are reliable and function properly.

(2) The applicant shall ensure that, before carrying out any flight tests referred to in subregulation (1) -

- (a) the aircraft complies with the structural requirements of the appropriate airworthiness design standards referred to in regulation 21.02.3;
- (b) the aircraft has undergone the necessary ground inspections and tests; and
- (c) the aircraft conforms to the type design.

(3) The flight tests referred to in subregulation (1) shall be carried out in accordance with the requirements as prescribed in Document SA-CATS-AR.

Issuing of type certificate

21.02.8 (1) An application in terms of regulation 21.02.2 shall be granted and a type certificate for a Class I product issued if -

- (a) the applicant complies with the provisions of regulations 21.02.3 to 21.02.7 inclusive; and
- (b) the inspection and testing of the product confirms that the product complies with the appropriate airworthiness design standards referred to in regulation 21.02.3.

(2) A type certificate may be issued in both the standard and restricted categories referred to in regulation 21.02.1 if the provisions of regulations 21.02.3 to 21.02.7 inclusive for each category are complied with.

(3) A restricted category type certificate shall specify the operational purposes for which the product is certificated.

Form of type certificate

21.02.9 A type certificate shall be issued on the appropriate form as prescribed in Document SA-CATS-AR.

Privileges of holder of type certificate

21.02.10 The holder of a type certificate shall be entitled to -

- (a) upon compliance with the appropriate requirements prescribed in Subpart 7, obtain a production certificate for the type certificated product concerned;
- (b) obtain approval of replacement parts for such product;
- (c) in the case of an aircraft, upon compliance with the appropriate requirements prescribed in Subpart 8, obtain a certificate of airworthiness; and
- (d) in the case of an aircraft engine or propeller, obtain approval for the installation thereof on a certificated aircraft.

Period of validity

21.02.11 (1) A type certificate shall be valid until it is surrendered by the holder thereof, or is suspended by an airworthiness inspector, or cancelled by the Commissioner, in terms of regulation 21.01.6.

(2) The holder of a type certificate which is suspended, shall forthwith produce the type certificate upon suspension thereof, to the airworthiness inspector concerned for the appropriate endorsement.

(3) The holder of a type certificate which is cancelled, shall, within 30 days from the date on which the type certificate is cancelled, surrender such type certificate to the Commissioner.

Transferability

21.02.12 The holder of a type certificate shall, before transferring the type certificate -

- (a) notify the Commissioner in writing, of the name and address of -
 - (i) the transferee; and
 - (ii) the subsequent selected design organisation; and
- (b) produce the type certificate to the Commissioner for amendment.

Special conditions

21.02.13 The Commissioner may prescribe special conditions for a Class I product to establish a level of safety equivalent to the appropriate airworthiness design standards referred to in regulation 21.02.3, if the Commissioner determines that the airworthiness design standards do not contain adequate or appropriate safety levels because -

- (a) the product has novel or unusual design features relative to the design practices on which the appropriate airworthiness design standards are based; or
- (b) the intended use of the product is unconventional.

Duties of holder of type certificate

21.02.14 The holder of a type certificate shall -

- (a) keep the original type certificate in a safe place and produce such certificate to an airworthiness inspector for inspection if so requested by such inspector;
- (b) retain all relevant design information, drawings, test reports and inspection records of the product for a period of two years from the date on which the last example of the product has been permanently withdrawn from service;

- (c) produce the design information, drawings, test reports and inspection records to an airworthiness inspector for inspection if so requested by such inspector;
- (d) provide at least one set of instructions for safe operation and continued airworthiness, prepared in accordance with the appropriate airworthiness design standards referred to in regulation 21.02.3, to each purchaser of the product, upon its delivery, or upon the issuing of the first standard certificate of airworthiness for the product concerned, whichever occurs later;
- (e) make the instructions referred to in paragraph (d), and any changes to the instructions, available to any other person required in terms of the regulations in this Part to comply with the instructions;
- (f) develop and maintain a system for receiving and analysing information relating to defects in the product type;
- (g) inform each owner of a product of the same type of the details of the system developed according to the provisions of paragraph (f);
- (h) generate and update a flight manual for the product;
- (i) report to the Commissioner any failure, malfunction or defect in accordance with the provisions of regulation 21.01.3.

SUBPART 3**CHANGES TO TYPE CERTIFICATES****Changes in type design**

21.03.1 The changes in type design for products are -

- (a) a minor change;
- (b) a major change;
- (c) an acoustical change; and
- (d) an emission change.

Reporting of minor changes in type design

21.03.2 All minor changes in a type design shall be reported in writing to the Commissioner by the holder of a type certificate.

Approval of major changes in type design

21.03.3 (1) The holder of a type certificate who applies for the approval of a major change in a type design, shall submit to the Commissioner substantiating data and necessary descriptive data for inclusion in the type design.

(2) Approval of a major change in the type design of an aircraft engine shall be limited to the specific engine configuration upon which the change is made, unless the applicant -

- (a) identifies in the necessary descriptive data for inclusion in the type design the other configurations of the same engine type for which approval is requested; and
- (b) shows that the change is compatible with such other configurations.

Required design changes

21.03.4 (1) In the event of the Commissioner issuing an airworthiness directive, the holder of the type certificate for the product concerned shall -

- (a) if design changes are necessary to correct the unsafe condition of such product, submit the appropriate design changes and

substantiation data to the Commissioner for approval, when required to do so; and

- (b) upon approval of the design changes, make available the descriptive data covering the changes to all operators of products previously certificated under the type certificate.

(2) In a case where there are no current unsafe conditions, but the Commissioner or the holder of the type certificate finds through service experience that changes in type design will contribute to the safety of the product, the holder of the type certificate may submit appropriate design changes and substantiation data for approval.

(3) Upon approval of the design changes referred to in subregulation (2), the holder of the type certificate shall make available information on the design changes to all operators of the same type of product.

Airworthiness design standards

21.03.5 An applicant for the approval of a change to a type certificate shall comply with the appropriate airworthiness design standards referred to in regulation 21.02.3.

SUBPART 4**TYPE ACCEPTANCE CERTIFICATES****Categories of type acceptance certificates**

21.04.1 The categories of type acceptance certificates are -

- (a) standard category type acceptance certificate for a Class I product to be imported into the Republic; and
- (b) restricted category type acceptance certificate for a Class I product to be imported into the Republic.

Application for type acceptance certificate

21.04.2 An application for the issuing of a type acceptance certificate for a Class I product shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AR; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) proof of compliance with the provisions of regulations 21.04.3 and 21.04.4.

Airworthiness design standards

21.04.3 An applicant for the issuing of a type acceptance certificate for a Class I product shall provide the Commissioner with proof that -

- (a) the product complies with the appropriate airworthiness design standards referred to in regulation 21.02.3, effective at the date assigned in the foreign type certificate or an equivalent document, unless another date is specified by the Commissioner;
- (b) the product complies with any special conditions prescribed by the Commissioner in terms of regulation 21.02.13;
- (c) any airworthiness design standards not complied with are compensated for by factors providing an equivalent level of safety; and
- (d) no feature or characteristic of the product makes it unsafe for the intended use.

Data requirements

21.04.4 (1) An applicant for the issuing of a type acceptance certificate for a Class I product shall provide the Commissioner with -

- (a) proof that the type design has been approved by the appropriate authority of the exporting State by the issuing of a type certificate or an equivalent document;
- (b) details of the airworthiness design standards complied with, for the issuing of the type certificate referred to in paragraph (a), including -
 - (i) the airworthiness design standards;
 - (ii) the effective date of such standards;
 - (iii) any special conditions imposed under the foreign type certification;
 - (iv) any requirements not complied with and any compensating factors providing an equivalent level of safety; and
 - (v) any airworthiness limitations;
- (c) a list identifying the data submitted for the issuing of the type certificate referred to in paragraph (a), showing compliance with the appropriate airworthiness design standards;
- (d) a certified true copy of the flight manual approved under a foreign type certificate or, if the appropriate airworthiness design standards do not require a flight manual to be provided, a flight manual which complies with the standards as prescribed in Document SA-CATS-AR;
- (e) the illustrated parts catalogue; and
- (f) if required by the Commissioner -
 - (i) the maintenance manual for the product;
 - (ii) all current service information issued by the manufacturer of the product; and
 - (iii) proof that the manufacturer has agreed to provide the Commissioner with a certified true copy of all amendments and re-issues of the documents referred to in paragraphs (d), (e) and (f).

(2) The Commissioner may specify the range of serial numbers or models of products to which the application relates, or redefine the applicability of the certificate if the provisions of this regulation and regulation 21.04.3 are complied with in respect of any additional product.

Issuing of type acceptance certificate

21.04.5 (1) An application in terms of regulation 21.04.2 shall be granted and a type acceptance certificate for a Class I product issued if the applicant complies with the provisions of regulations 21.04.3 and 21.04.4.

(2) A type acceptance certificate may be issued in both the standard and restricted categories referred to in regulation 21.04.1, if the provisions of regulations 21.04.3 and 21.04.4 for each category are complied with.

(3) A restricted category type acceptance certificate shall specify the operational purposes for which the product is certificated.

Form of type acceptance certificate

21.04.6 A type acceptance certificate shall be issued on the appropriate form as prescribed in Document SA-CATS-AR.

Period of validity

21.04.7 (1) A type acceptance certificate shall be valid until it is surrendered by the holder thereof, or is suspended by an airworthiness inspector, or cancelled by the Commissioner, in terms of regulation 21.01.6.

(2) The holder of a type acceptance certificate which is suspended, shall forthwith produce the type acceptance certificate upon suspension thereof, to the airworthiness inspector concerned for the appropriate endorsement.

(3) The holder of a type acceptance certificate which is cancelled, shall, within 30 days from the date on which the type acceptance certificate is cancelled, surrender such type acceptance certificate to the Commissioner.

Duty of holder of type acceptance certificate

21.04.8 The holder of a type acceptance certificate shall keep the original type acceptance certificate in a safe place and produce such certificate to an airworthiness inspector for inspection if so requested by such inspector.

SUBPART 5**SUPPLEMENTAL TYPE CERTIFICATES****Requirements for supplemental type certificate**

21.05.1 (1) Any person who is not the holder of a type certificate and who alters a product by introducing any change in the type design, but not great enough to require a new application for a type certificate, shall apply to the Commissioner for the issuing of a supplemental type certificate.

(2) An applicant for the issuing of a supplemental certificate shall prove to the Commissioner that -

- (a) the altered product complies with the appropriate airworthiness design standards referred to in regulation 21.02.3;
- (b) in the case of an acoustical change, the altered product complies with the appropriate noise standards as prescribed in Part 36; and
- (c) in the case of an emission change, the altered product complies with the appropriate emission standards as prescribed in Part 34.

(3) An applicant for the issuing of a supplemental type certificate shall comply with the provisions of regulations 21.02.5 and 21.02.6 in respect of each change in type design.

(4) For the purposes of this regulation the holder of a type certificate may apply for the amendment of the type certificate in terms of Subpart 2.

Application for supplemental type certificate

21.05.2 An application for the issuing of a supplemental type certificate shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AR; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) proof of compliance with the provisions of regulation 21.05.1.

Issuing of supplemental type certificate

21.05.3 An application in terms of regulation 21.05.2 shall be granted and a supplemental type certificate issued if the applicant complies with the requirements prescribed in regulation 21.05.1.

Form of supplemental type certificate

21.05.4 A supplemental type certificate shall be issued on the appropriate form as prescribed in Document SA-CATS-AR.

Privileges of holder of supplemental type certificate

21.05.5 The holder of a supplemental type certificate shall be entitled to -

- (a) in the case of an aircraft, upon compliance with the appropriate requirements prescribed in Subpart 8, obtain a certificate of airworthiness; and
- (b) in the case of any other product, obtain approval for the installation of such product on a certificated aircraft; and
- (c) upon compliance with the appropriate requirements prescribed in Subpart 7, obtain a production certificate for the change in the type design approved by the supplemental type certificate.

Period of validity

21.05.6 (1) A supplemental type certificate shall be valid until it is surrendered by the holder thereof, or is suspended by an airworthiness inspector, or cancelled by the Commissioner, in terms of regulation 21.01.6.

(2) The holder of a supplemental type certificate which is suspended, shall forthwith produce the supplemental type certificate upon suspension thereof, to the airworthiness inspector concerned for the appropriate endorsement.

(3) The holder of a supplemental type certificate which is cancelled, shall, within 30 days from the date on which the supplemental type certificate is cancelled, surrender such supplemental type certificate to the Commissioner.

Duty of holder of supplemental type certificate

21.05.7 The holder of a supplemental type certificate shall keep the original supplemental type certificate in a safe place and produce such certificate to an airworthiness inspector for inspection if so requested by such inspector.

SUBPART 6**PRODUCTION UNDER TYPE CERTIFICATE ONLY****Production under type certificate**

21.06.1 The manufacturer of a product being manufactured under a type certificate only shall -

- (a) make each product available for inspection by the Commissioner;
- (b) maintain at the place of manufacture the technical data and drawings necessary for the Commissioner to determine whether the product and its parts conform to the type design;
- (c) unless otherwise authorised by the Commissioner, establish and maintain a production inspection system for products manufactured more than six months after the date on which the type certificate was issued, to ensure that such products conform to the type design and are in condition for safe operation; and
- (d) upon the establishment of the production inspection system referred to in paragraph (c), submit to the Commissioner a manual which describes such system as well as the procedures for making the determinations referred to in regulation 21.06.2(2).

Production inspection system

21.06.2 (1) For the purposes of regulation 21.06.1(c), the manufacturer shall establish a Materials Review Board and materials review procedures.

(2) The procedures for making determinations shall be as prescribed in Document SA-CATS-AR.

(3) The composition of the Materials Review Board and its powers and duties, shall be as prescribed in Document SA-CATS-AR.

Tests for aircraft

21.06.3 The manufacturer of an aircraft being manufactured under a type certificate only shall establish a production flight test procedure as prescribed in Document SA-CATS-AR, according to which the aircraft so manufactured, shall be flight tested.

Tests for aircraft engines

21.06.4 The manufacturer of an aircraft engine being manufactured under a type certificate only shall subject each engine other than a rocket engine for which such manufacturer shall establish a sampling technique, to a test run as prescribed in Document SA-CATS-AR.

Tests for propellers

21.06.5 The manufacturer of propellers being manufactured under a type certificate only shall give each variable pitch propeller a functional test to determine if the propeller operates properly throughout the normal range of operation.

Statement of conformity

21.06.6 (1) The manufacturer of a product being manufactured under a type certificate only shall -

- (a) upon the initial transfer of the ownership of the product manufactured under the type certificate; or
- (b) upon application for the original issuing of -
 - (i) in the case of an aircraft, a certificate of airworthiness; or
 - (ii) in the case of an aircraft engine or propeller, an airworthiness approval tag,

submit to the Commissioner a statement of conformity.

(2) The statement of conformity shall -

- (a) include -
 - (i) for each product, a statement that the product conforms to its type certificate and is in a condition for safe operation;
 - (ii) for each aircraft, a statement that the aircraft has been tested in accordance with the provisions of regulation 21.06.3;
 - (iii) for each aircraft engine, a statement that the engine has been tested in accordance with the provisions of regulation 21.06.4; and
 - (iv) for each variable pitch propeller, a statement that the propeller has been tested in accordance with the provisions of regulation 21.06.5; and
- (b) be signed by the person authorised by the manufacturer to issue statements of conformity.

SUBPART 7**PRODUCTION CERTIFICATES****Requirements for production certificate**

21.07.1 Any manufacturer who has been approved by the Commissioner in terms of Part 148, may apply for the issuing of a production certificate if the manufacturer holds -

- (a) a valid type certificate; or
- (b) a valid supplemental type certificate,

for the product concerned.

Application for production certificate or amendment thereof

21.07.2 An application for the issuing of a production certificate, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AR; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187;
 - (ii) data describing the inspection and test procedures necessary to ensure that each article produced conforms to the type design and is in a condition for safe operation;
 - (iii) a description of inspection procedures for raw materials, purchased items, and parts and assemblies produced by any partner or subcontractor, including methods used to ensure acceptable quality of parts and assemblies which cannot be completely inspected for conformity when delivered by the partner or subcontractor to the applicant;
 - (iv) a description of the methods used for production inspection of individual parts and complete assemblies, including -
 - (aa) the identification of any special manufacturing processes involved;
 - (bb) the means used to control the processes;
 - (cc) the final test procedure for the complete product; and
 - (dd) in the case of an aircraft, a copy of the applicant's production flight test procedures and checkoff list;

- (v) an outline of the materials review system, including the procedure for recording review board decisions and disposing of rejected parts;
- (vi) an outline of a system for informing the personnel responsible for inspections of current changes in the engineering drawings, specifications and quality control procedures;
- (vii) a list or chart showing the location of all inspection stations; and
- (viii) the terms of approval referred to in regulation 21.07.5, for which application is being made.

Issuing of production certificate

21.07.3 (1) An application in terms of regulation 21.07.2 shall be granted and a production certificate issued if the applicant complies with the requirements prescribed in regulation 21.07.1.

(2) The Commissioner may authorise more than one type certificated product to be manufactured under the terms of approval referred to in regulation 21.07.5, if the products have similar production characteristics.

Form of production certificate

21.07.4 A production certificate shall be issued on the appropriate form as prescribed in Document SA-CATS-AR.

Terms of approval

21.07.5 The terms of approval shall -

- (a) be issued as part of the production certificate;
- (b) specify the type certificated product to be manufactured; and
- (c) contain a production limitation record, listing the type certificate of each product which the holder of the production certificate is authorised to manufacture.

Duties of holder of production certificate

21.07.6 The holder of a production certificate shall -

- (a) display the certificate in a prominent place at such holder's manufacturing facility for the product concerned and, if a copy of the certificate is displayed, shall produce the original certificate to an airworthiness inspector if so requested by such inspector; and
- (b) maintain the quality control of each product which such holder is authorised to manufacture, in conformity with the data and procedures approved by the Commissioner for such certificate.

Privileges of holder of production certificate

21.07.7 The holder of a production certificate shall be entitled to -

- (a) in the case of an aircraft, obtain a certificate of airworthiness; or
- (b) in the case of any other product, obtain approval for installation on certificated aircraft.

Transferability and period of validity

21.07.8 (1) A production certificate issued in terms of regulation 21.07.3 shall -

- (a) not be transferable; and
- (b) be valid until it is surrendered by the holder thereof, or is suspended by an airworthiness inspector, or cancelled by the Commissioner, in terms of regulation 21.01.6.

(2) The holder of a production certificate which is suspended, shall forthwith produce the certificate upon suspension thereof, to the airworthiness inspector concerned for the appropriate endorsement.

(3) The holder of a production certificate which is cancelled, shall, within 30 days from the date on which the certificate is cancelled, surrender such certificate to the Commissioner.

SUBPART 8**CERTIFICATES OF AIRWORTHINESS****Categories of certificates of airworthiness**

- 21.08.1** (1) The categories of certificates of airworthiness are -
- (a) a standard category certificate of airworthiness;
 - (b) a restricted category certificate of airworthiness; and
 - (c) a special category certificate of airworthiness.
- (2) A special category certificate of airworthiness shall consist of -
- (a) an experimental certificate; or
 - (b) a special flight permit.
- (3) An aircraft which is internally equipped for dispensing substances on agricultural operations to an extent which makes it inappropriate for use in air transport operations, shall only be granted a restricted category certificate of airworthiness for the purposes of agricultural operations.

Application for certificate of airworthiness or amendment thereof

- 21.08.2** (1) Any owner of an aircraft, or his, her or its authorised representative, may apply for the issuing of a certificate of airworthiness for the aircraft, or an amendment thereof.
- (2) An application for the issuing of a standard or restricted certificate of airworthiness, or an amendment thereof, shall be -
- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AR; and
 - (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) proof of compliance with the provisions of regulation 21.08.3.
- (3) An application for the issuing of an experimental certificate, or an amendment thereof, shall be -
- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AR; and
 - (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) proof of compliance with the provisions of regulation 21.08.4.
- (4) An application for the issuing of a special flight permit, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AR; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) proof of compliance with the provisions of regulation 21.08.5.

Requirements for standard or restricted category certificate of airworthiness

21.08.3 (1) An applicant for the issuing of a standard or restricted category certificate of airworthiness for an aircraft, or an amendment thereof, shall provide the Commissioner with proof that -

- (a) in the case of a new aircraft type manufactured by the holder of a manufacturing organisation approval issued under Part 148 -
 - (i) the applicant is the manufacturer; and
 - (ii) the applicant has issued a statement of conformity in terms of regulation 21.02.6; or
- (b) in the case of an imported aircraft -
 - (i) a standard or restricted category type acceptance certificate has been issued for the aircraft type in terms of regulation 21.04.5; and
 - (ii) a statement of conformity has been issued by, or in accordance with the laws of, the appropriate authority of the exporting State.

(2) The applicant shall, in addition to the provisions of subregulation (1), provide the Commissioner with proof that -

- (a) the aircraft conforms to an appropriate type certificate or type acceptance certificate;
- (b) any modification to the aircraft conforms to the design changes approved for the type;
- (c) the aircraft complies with the appropriate airworthiness directives issued in terms of regulation 21.01.4;
- (d) the aircraft is issued with the appropriate flight manual, and any logbooks, repair and alteration forms, and documents, which the Commissioner may require; and
- (e) the aircraft is in a condition for safe operation.

Requirements for experimental certificate

21.08.4 (1) An applicant for the issuing of an experimental certificate for an aircraft, or an amendment thereof, shall provide the Commissioner with -

- (a) a statement specifying the purpose for which the aircraft is to be used;
- (b) sufficient data to identify the aircraft;
- (c) any information which the Commissioner may require to safeguard the public;
- (d) flight manuals, maintenance manuals or such documents relating to the operation of the aircraft which the Commissioner may require, if such manuals and documents already exist; and
- (e) proof that the aircraft complies with any design changes necessary for the safe operation of the aircraft which the Commissioner may require.

(2) An applicant for the issuing of an experimental certificate for an aircraft, or an amendment thereof, to be used for the purpose of research and development or showing compliance with the regulations in this Part shall, in addition to the provisions of subregulation (1), provide the Commissioner with -

- (a) the purpose of the test;
- (b) the estimated time or number of flights required for the test;
- (c) details of the areas over which the test will be conducted; and
- (d) except for aircraft converted from a previously certificated type without appreciable change in the external configuration, three-view drawings or three-dimensional photographs of the aircraft.

(3) An applicant for the issuing of an experimental certificate for an aircraft, or an amendment thereof, to be used for a purpose other than those prescribed in subregulation (2), shall, in addition to the provisions of subregulation (1), provide the Commissioner with proof that -

- (a) a period of flight evaluation has been completed showing -
 - (i) the aircraft is controllable throughout its normal range of speed and throughout all the manoeuvres to be executed; and
 - (ii) the aircraft has no hazardous operating characteristics or design features; or
- (b) the aircraft conforms to a type design which has been shown to provide an acceptable level of safety for the purpose by -
 - (i) showing compliance with the appropriate airworthiness design standards referred to in regulation 21.02.3; or
 - (ii) providing information concerning the airworthiness history of aircraft which conform to the type design.

Requirements for special flight permit

21.08.5 (1) An applicant for the issuing of a special flight permit for an aircraft other than an aircraft referred to in subregulation (2), or an amendment thereof, shall provide the Commissioner with a statement containing -

- (a) the purpose of the flight;
- (b) the proposed itinerary;
- (c) the flight crew required to operate the aircraft and its equipment;
- (d) details of any non-compliance with the appropriate airworthiness design standards referred to in regulation 21.02.3;
- (e) any restriction which the applicant deems necessary for the safe operation of the aircraft; and
- (f) any other information which the Commissioner may require for the purpose of prescribing operating limitations.

(2) An applicant for the issuing of a special flight permit for any amateur-built aircraft or production-built aircraft, or an amendment thereof, shall provide the Commissioner with -

- (a) a statement specifying the purpose for which the aircraft is to be used;
- (b) proof of compliance with the appropriate airworthiness design standards referred to in regulation 21.02.3;
- (c) any information which the Commissioner may require to safeguard the public;
- (d) any document relating to the operation of the aircraft which the Commissioner may require; and
- (e) proof that the aircraft complies with any design changes necessary for the safe operation of the aircraft which the Commissioner may require.

Issuing of certificate of airworthiness

21.08.6 (1) An application in terms of regulation 21.08.2 shall be granted and a certificate of airworthiness issued if -

- (a) the applicant complies with the provisions of regulation 21.08.3, 21.08.4 or 21.08.5, as the case may be; and
- (b) in respect of a special category certificate of airworthiness, the level of safety is adequate for the purpose for which the aircraft is to be used.

(2) A certificate of airworthiness shall be issued subject to such conditions and limitations which may be determined by the Commissioner.

(3) A certificate of airworthiness may be issued in both the standard and restricted categories if -

- (a) the aircraft complies with the certification requirements for each category when in configuration for such category; and
- (b) the aircraft can be converted from one configuration to the other by removing or adding equipment by simple mechanical means.

Form of certificate of airworthiness

21.08.7 A certificate of airworthiness shall be issued on the appropriate form as prescribed in Document SA-CATS-AR.

Special flight permits with continuing authorisation

21.08.8 The Commissioner may issue a special flight permit with a continuing authorisation to -

- (a) the holder of an operating certificate, for the purpose of flying aircraft to a base where maintenance are to be carried out; and
- (b) the holder of a manufacturing organisation approval issued in terms of Part 148, for the purpose of flight testing new production aircraft manufactured by such holder.

Period of validity

21.08.9 (1) A certificate of airworthiness shall be valid until -

- (a) it expires, if an expiry date has been determined by the Commissioner; or
- (b) it is surrendered by the holder thereof, or is suspended by an airworthiness inspector, or cancelled by the Commissioner, in terms of regulation 21.01.6.

(2) Subject to the provisions of subregulation (1), a certificate of airworthiness shall remain valid for as long as -

- (a) the aircraft remains a South African registered aircraft; and
- (b) in respect of an aircraft with a standard or restricted category certificate of airworthiness, the aircraft is maintained in accordance with the Regulations.

(3) The holder of a certificate of airworthiness which expires, shall forthwith surrender the certificate to the Commissioner.

(4) The holder of a certificate of airworthiness which is suspended, shall forthwith produce the certificate upon suspension thereof, to the airworthiness inspector concerned for the appropriate endorsement.

(5) The holder of a certificate of airworthiness which is cancelled, shall, within 30 days from the date on which the certificate is cancelled, surrender such certificate to the Commissioner.

Transferability

21.08.10 A standard or restricted certificate of airworthiness and an experimental certificate shall be transferred with the aircraft.

SUBPART 9**APPROVAL OF PARTS AND APPLIANCES****Replacement and modification parts**

21.09.1 (1) Subject to the provisions of subregulation (2), no person shall produce a modification or replacement part for sale for installation on a type certificated product unless such modification or replacement part is produced pursuant to a ZA-PMA issued under this Subpart.

(2) The provisions of subregulation (1) shall not apply in respect of -

- (a) parts produced under a type certificate;
- (b) parts produced by an owner or operator for maintaining its own product;
- (c) parts produced under a ZA-TSO; or
- (d) standard parts conforming to established civil aviation industry or South African civil aviation specifications.

Inspections and tests

21.09.2 (1) An applicant for the issuing of a ZA-PMA shall carry out all inspections and tests which may be necessary to determine -

- (a) compliance with the appropriate airworthiness design standards referred to in regulation 21.02.3;
- (b) that the materials conform to the specifications in the design;
- (c) that the part conforms to the drawings in the design; and
- (d) that the manufacturing processes, construction and assembly conform to those processes specified in the design.

(2) Unless authorised by the Commissioner -

- (a) no part shall be presented to the Commissioner for an inspection or test unless compliance with the provisions of subregulation (1)(b) and (d) has been proven for such part; and
- (b) no change shall be made to a part between the time that compliance with the provisions of subregulation (1)(b) and (d) is proven for the part, and the time that such part is presented to the Commissioner for the inspection or test.

(3) The applicant shall establish a manufacturing inspection system to ensure that each completed part conforms to its design data and is safe for installation on appropriate type certificated products.

Application for ZA-PMA

21.09.3 (1) Any manufacturer who has been approved by the Commissioner in terms of Part 148, may apply for a ZA-PMA.

(2) An application for the issuing of a ZA-PMA shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AR; and
- (b) accompanied by -
 - (i) drawings and specifications necessary to show the configuration of the part;
 - (ii) information on dimensions, materials and processes necessary to define the structural strength of the part;
 - (iii) test reports and computations necessary to show that the design of the part complies with the airworthiness design standards referred to in regulation 21.02.3 applicable to the product on which the part is to be installed, unless the applicant shows that the design of the part is identical to a part which is covered under a type certificate;
 - (iv) if the design of the part was obtained by a licensing agreement, a copy of such agreement; and
 - (v) the appropriate fee as prescribed in Part 187.

Issuing of ZA-PMA

21.09.4 (1) Subject to the provisions of subregulation (2), an application in terms of regulation 21.09.3 shall be granted and a ZA-PMA issued if -

- (a) the Commissioner is satisfied, upon examination of the design and the results of all inspections and tests, that the design complies with the airworthiness design standards referred to in regulation 21.02.3, applicable to the product on which the part is to be installed; and
- (b) the applicant submits a statement certifying that the manufacturing inspection system referred to in regulation 21.09.2(3), has been established.

(2) The Commissioner shall not issue a ZA-PMA if the manufacturing facility for the part is located outside the Republic, unless the Commissioner is satisfied that the location of such facility will not impede the administration of the appropriate airworthiness requirements prescribed in this Part.

Duties of holder of ZA-PMA**21.09.5** The holder of a ZA-PMA shall -

- (a) maintain the manufacturing inspection system referred to in regulation 21.09.2(3);
- (b) notify the Commissioner in writing, within 14 days from the date on which the manufacturing facility for the part concerned, was relocated or expanded to include additional facilities at other locations, of such relocation or expansion; and
- (c) determine that each completed part conforms to the approved design data and is safe for installation on type certificated products.

Transferability and period of validity**21.09.6** (1) A ZA-PMA issued in terms of regulation 21.09.4 shall -

- (a) not be transferable; and
- (b) be valid until it is surrendered by the holder thereof, or is suspended by an airworthiness inspector, or cancelled by the Commissioner, in terms of regulation 21.01.6.

(2) The holder of a ZA-PMA which is suspended, shall forthwith produce the approval upon suspension thereof, to the airworthiness inspector concerned for the appropriate endorsement.

(3) The holder of a ZA-PMA which is cancelled, shall, within 30 days from the date on which the approval is cancelled, surrender such approval to the Commissioner.

SUBPART 10**APPROVAL OF PARTS AND APPLIANCES : IMPORT****Approval**

21.10.1 (1) Any part or appliance manufactured in a foreign State with which the South African government has entered into an agreement for the acceptance of the part or appliance for export and import, shall be deemed to comply with the requirements for approval prescribed in this Part, if the appropriate authority of the State in which the part or appliance was manufactured, issues an export certificate of airworthiness certifying that such part or appliance complies with those requirements, unless the Commissioner is satisfied, based on the technical data submitted in terms of subregulation (2), that the part or appliance is otherwise not consistent with the airworthiness requirements prescribed in this Part.

(2) An applicant for the approval of a part or appliance shall, upon request by the Commissioner, submit to the Commissioner any technical data concerning the part or appliance.

SUBPART 11**EXPORT AIRWORTHINESS APPROVALS****Export airworthiness approvals**

- 21.11.1** (1) An export airworthiness approval for -
- (a) a Class I product, shall be issued in the form of an export certificate of airworthiness; and
 - (b) a Class II or a Class III product, shall be issued in the form of an export airworthiness approval tag.
- (2) An export airworthiness approval may be issued for -
- (a) any new aircraft other than an aircraft referred to in paragraph (b), which has been assembled and flight tested, and any other Class I product located in the Republic;
 - (b) any small aeroplane, glider or normal category rotorcraft which has been type certificated and manufactured under a production certificate;
 - (c) any used aircraft with a valid certificate of airworthiness, or other Class I product which has been maintained in accordance with the provisions of Part 43 and is located in a foreign State, if the Commissioner is satisfied that the location does not impede the administration of the provisions of this Part;
 - (d) any Class II or Class III product manufactured and located in the Republic.

Application for export airworthiness approval

- 21.11.2** (1) Any exporter or his, her or its authorised representative may apply for an export airworthiness approval for a Class I or a Class II product.
- (2) Any manufacturer who has been approved by the Commissioner in terms of Part 148, may apply for an export airworthiness approval for a Class III product if the manufacturer holds for such product -
- (a) a ZA-PMA; or
 - (b) a ZA-TSO authorisation.
- (3) An application for the issuing of an export airworthiness approval for a Class I, a Class II or a Class III product, shall be -
- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AR; and

- (b) accompanied by -
 - (i) a written statement from the appropriate authority of the importing State that such authority will validate the export airworthiness approval if the product being exported is -
 - (aa) an aircraft manufactured outside the Republic and being exported to a foreign State with which the South African government has entered into a reciprocal agreement concerning the recognition of export airworthiness approvals;
 - (bb) an unassembled aircraft which has not been flight-tested;
 - (cc) a product which does not comply with the requirements referred to in regulation 21.11.3(1), (2) or (3), as the case may be, for the issuing of an export airworthiness approval, in which case the written statement shall contain a list of those requirements not complied with;
 - (ii) in the case of an application for the issuing of an export airworthiness approval for a Class I product -
 - (aa) a statement of conformity for each new product;
 - (bb) the mass and balance report as prescribed in Document SA-CATS-AR;
 - (cc) a maintenance manual for each new product if the manual is required by the appropriate airworthiness design standards referred to in regulation 21.02.3;
 - (dd) proof of compliance with the appropriate airworthiness directives issued in terms of regulation 21.01.4, including suitable notation of those directives which are not complied with;
 - (ee) the aircraft flight manual if such manual is required by the appropriate airworthiness design standards referred to in regulation 21.02.3, for the particular aircraft;
 - (ff) a statement on the date on which ownership passed or is expected to pass to a foreign purchaser; and
 - (gg) the date required by the appropriate authority of the importing State; and
 - (iii) the appropriate fee as prescribed in Part 187.

Issuing of export airworthiness approval

21.11.3 (1) An application in terms of regulation 21.11.2 shall be granted and an export certificate of airworthiness for a Class I product issued if -

- (a) in the case of a product manufactured in the Republic, the product complies with the requirements prescribed in Subpart 8;
 - (b) in the case of a product manufactured outside the Republic, a valid South African certificate of airworthiness has been issued for the product;
 - (c) the product has undergone a mandatory periodic inspection and be approved for release to service; and
 - (d) the requirements prescribed by the appropriate authority of the importing State are complied with.
- (2) An application in terms of regulation 21.11.2 shall be granted and an export airworthiness approval tag for a Class II product issued if the product -
- (a) is new or has been newly overhauled and conforms to the approved design data;
 - (b) is in a condition for safe operation;
 - (c) is identified with at least -
 - (i) the name;
 - (ii) the part number;
 - (iii) the model designation; and
 - (iv) the serial number or equivalent, of the manufacturer; and
 - (d) complies with the requirements prescribed by the appropriate authority of the importing State.
- (3) An application in terms of regulation 21.11.2 shall be granted and an export airworthiness approval tag for a Class III product issued if the product -
- (a) conforms to the approved design data applicable to the Class I or Class II product of which it is part;
 - (b) is in a condition for safe operation; and
 - (c) complies with the requirements prescribed by the appropriate authority of the importing State.

Form of export airworthiness approval

21.11.4 (1) An export certificate of airworthiness referred to in regulation 21.11.3(1) shall be issued on the appropriate form as prescribed in Document SA-CATS-AR.

(2) An export airworthiness approval tag referred to in regulation 21.11.3(2) and (3) shall be issued on the appropriate form as prescribed in Document SA-CATS-AR.

Duties of holder of export airworthiness approval

21.11.5 The holder of an export airworthiness approval shall -

- (a) forward to the appropriate authority of the importing State all documents and information which may be necessary for the safe operation of the product being exported;
- (b) forward the manufacturer's assembly instructions and a flight test checkoff form approved by the Commissioner, to the appropriate authority of the importing State if unassembled aircraft are being exported;
- (c) remove or cause to be removed any temporary installation incorporated on an aircraft for the purpose of export delivery and restore the aircraft to the approved configuration upon completion of the delivery flight;
- (d) secure all proper foreign entry clearances from all the States involved when conducting sales demonstrations or delivery flights; and
- (e) when ownership of an aircraft passes or has passed to a foreign purchaser -
 - (i) request cancellation of the South African registration and certificate of airworthiness; and
 - (ii) submit a statement certifying that the South African nationality and registration marks have been removed from the aircraft.

Inspections and overhauls

21.11.6 Each inspection and overhaul required for export airworthiness approval of a Class I and a Class II product shall be carried out and approved by -

- (a) the manufacturer of the product;
- (b) an aircraft maintenance organisation approved by the Commissioner in terms of Part 145; or
- (c) an operator, if the product is maintained under the operator's continued airworthiness maintenance programme and maintenance manual.

SUBPART 12**ZA-TSO AUTHORISATIONS****ZA-TSO marking**

21.12.1 No person shall identify an article with a ZA-TSO marking unless such person holds a ZA-TSO authorisation and the article complies with the appropriate ZA-TSO performance standards as prescribed in Document SA-CATS-AR.

Application for ZA-TSO authorisation

21.12.2 (1) An applicant for the issuing of a ZA-TSO authorisation shall be the holder of a manufacturing organisation approval issued in terms of Part 148.

(2) An application for the issuing of a ZA-TSO authorisation shall be -

(a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AR; and

(b) accompanied by -

(i) a statement of conformity certifying that the applicant has complied with the requirements prescribed in this Subpart and that the article complies with the appropriate ZA-TSO which is valid on the date of application for such article;

(ii) one copy of the technical data required in the appropriate ZA-TSO; and

(iii) the appropriate fee as prescribed in Part 187.

(3) If a series of minor changes in accordance with the provisions of regulation 21.12.6 is anticipated, the applicant may include in its application the basic model number of the article and the part number of the components, with open brackets after such number, to denote that suffix change letters or numbers or combinations thereof, will be added from time to time.

(4) If the application is deficient, the Commissioner may request the applicant to submit such additional information which may be necessary to prove compliance with the requirements prescribed in this Subpart.

(5) If the applicant fails to submit the additional information referred to in subregulation (4) within 30 days from the date on which the Commissioner requested such additional information, the application shall be denied and the applicant so notified.

Issuing of ZA-TSO authorisation

21.12.3 (1) An application referred to in regulation 21.12.2 shall be granted and a ZA-TSO authorisation issued if -

- (a) the applicant complies with the requirements prescribed in this Subpart;
- (b) the Commissioner is satisfied that the applicant has the ability to manufacture duplicate articles in accordance with the requirements prescribed in this Subpart; and
- (c) the issuing of the ZA-TSO authorisation is not contrary to the interests of aviation safety.

(2) The Commissioner shall issue or refuse to issue the ZA-TSO authorisation within 30 days after the receipt of the application or, if additional information has been requested, within 30 days from the date of receiving such additional information.

(3) The Commissioner shall not issue the ZA-TSO authorisation if the manufacturing facility for the article is located outside the Republic, unless the Commissioner is satisfied that the location of such facility will not impede the administration of the appropriate airworthiness requirements prescribed in this Part.

Duties of holder of ZA-TSO authorisation

21.12.4 A manufacturer who holds a ZA-TSO authorisation for an article shall -

- (a) manufacture the article in accordance with the requirements prescribed in this Subpart and the appropriate ZA-TSO;
- (b) conduct all the required tests and inspections and establish and maintain a quality control system which is adequate to ensure that the article complies with the requirements referred to in paragraph (a) and is in condition for safe operation;
- (c) prepare and maintain, for each model of each article for which a ZA-TSO authorisation has been issued, a current file of complete technical data and records in accordance with regulation 21.12.7;
- (d) permanently and legibly mark each article to which this regulation applies with -
 - (i) the name and address of the manufacturer;
 - (ii) the name, type, part number or model designation of the article;
 - (iii) the serial number or the date on which the article was manufactured, or both; and
 - (iv) the appropriate ZA-TSO number.

Approval for deviation

21.12.5 (1) A manufacturer who requests approval to deviate from any performance standard of a ZA-TSO, shall prove to the Commissioner that the standards from which a deviation is requested, are compensated for by factors or design features providing an equivalent level of safety.

(2) The written request for approval to deviate, together with all pertinent data, shall -

(a) if the article is manufactured in the Republic, be submitted to the Commissioner; and

(b) if the article is manufactured in a foreign State, be submitted through the appropriate authority of such State to the Commissioner, and be accompanied by the appropriate fee as prescribed in Part 187.

(3) The Commissioner shall grant the approval if the Commissioner is satisfied that the deviation concerned will not jeopardise aviation safety.

Design changes

21.12.6 (1) A manufacturer who holds a ZA-TSO authorisation may make minor design changes to an article without the prior approval of the Commissioner if the changed article retains the original model number and such holder submits to the Commissioner any revised data which are necessary for compliance with the provisions of regulation 21.12.2(3).

(2) If a manufacturer who holds a ZA-TSO authorisation wishes to make major design changes to an article, the manufacturer shall assign a new type or model designation to the article and apply for an authorisation in terms of regulation 21.12.2.

(3) No design change by any person other than the manufacturer who submitted the statement of conformity for the article, shall be approved under this Subpart unless the person seeking the approval is a manufacturer and applies in terms of regulation 21.12.2(2) for a separate ZA-TSO authorisation.

Recordkeeping requirements

21.12.7 (1) A manufacturer who holds a ZA-TSO authorisation shall, for each article manufactured under the authorisation, keep the following documents at its manufacturing facility:

(a) A complete and current technical data file for each type or model article, including design drawings and specifications; and

(b) complete and current inspection records reflecting that all inspections and tests required to ensure compliance with the

appropriate requirements prescribed in this Subpart, have been properly completed and documented.

(2) A manufacturer who holds a ZA-TSO authorisation shall retain the records referred to in subregulation (1)(a) until it no longer manufactures the article concerned: Provided that at such time copies of such records shall be submitted to the Commissioner.

(3) A manufacturer who holds a ZA-TSO authorisation shall retain the records referred to in subregulation (1)(b) for a period of at least five years.

ZA-TSO design approval for appliances : import

21.12.8 (1) An application for the issuing of a ZA-TSO design approval shall be made in writing to the Commissioner and shall be accompanied by -

(a) proof of compliance with the requirements referred to in subregulation (2); and

(b) the appropriate fee as prescribed in Part 187.

(2) A ZA-TSO design approval may be issued for an appliance which is manufactured in a foreign State with which the South African government has entered into an agreement for the acceptance of the appliance for export and import and which is to be imported into the Republic if -

(a) the appropriate authority of the State in which the appliance was manufactured, certifies that the appliance has been examined and tested and complies with -

(i) the applicable ZA-TSO; or

(ii) the appropriate performance standards prescribed by the appropriate authority of the State in which the appliance was manufactured and any other performance standards as prescribed in Document SA-CATS-AR to provide a level of safety provided by the applicable ZA-TSO; and

(b) the manufacturer has submitted to the Commissioner one copy of the technical data required in the appropriate performance standards through the appropriate authority.

(3) The Commissioner shall issue a ZA-TSO design approval if the applicant complies with the requirements referred to in subregulation (2), and shall list any deviation granted to the manufacturer in terms of regulation 21.12.5.

(4) After the Commissioner has issued a ZA-TSO design approval and the appropriate authority of the State in which the appliance was manufactured, issues an export certificate of airworthiness referred to in regulation 21.10.1, the manufacturer shall be authorised to identify the appliance in accordance with the ZA-TSO marking requirements referred to in regulation 21.12.4(d) and in the applicable ZA-TSO.

(5) Each appliance shall be accompanied by an export certificate of airworthiness referred to in subregulation (3).

Transferability and period of validity

- 21.12.9** (1) A ZA-TSO authorisation issued in terms of regulation 21.12.3 shall -
- (a) not be transferable; and
 - (b) be valid until it is surrendered by the holder thereof, or is suspended by an airworthiness inspector, or cancelled by the Commissioner, in terms of regulation 21.01.6.
- (2) A letter of ZA-TSO design approval issued in terms of regulation 21.12.8 shall -
- (a) not be transferable; and
 - (b) be valid until it is surrendered by the holder thereof, or is suspended by an airworthiness inspector, or cancelled by the Commissioner, in terms of regulation 21.01.6.
- (3) The holder of a ZA-TSO authorisation or a ZA-TSO design approval, which is suspended, shall forthwith produce the authorisation or approval upon suspension thereof, to the airworthiness inspector concerned for the appropriate endorsement.
- (4) The holder of a ZA-TSO authorisation or a ZA-TSO design approval, which is cancelled, shall within 30 days from the date on which the authorisation or approval is cancelled, surrender such authorisation or approval to the Commissioner.

PART 34**AIRCRAFT : ENGINE EMISSION CERTIFICATION**

LIST OF REGULATIONS

SUBPART 1 : GENERAL

- 34.01.1 Applicability
- 34.01.2 Safety inspections and audits
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- 34.02.1 Fuel venting standards
- 34.02.2 Recognition of foreign fuel venting certification
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SUBPART 3 : ENGINE EMISSION CERTIFICATES

- 34.03.1 Engine emission standards
- 34.03.2 Recognition of foreign engine emission certification
- 34.03.3 Application for engine emission certificate
- 34.03.4 Issuing of engine emission certificate
- 34.03.5 Form of engine emission certificate
- 34.03.6 Period of validity
- 34.03.7 Transfer of engine emission certificate

SUBPART 1 GENERAL

Applicability

34.01.1 This Part shall apply -

- (a) in respect of fuel venting, to turbine engine powered aircraft manufactured after 18 February 1982; and
- (b) in respect of engine emissions, to aircraft with -
 - (i) turbo-jet and turbofan engines intended for propulsion only at subsonic speeds; and
 - (ii) turbo-jet and turbofan engines intended for propulsion at supersonic speeds, of which the date of manufacture is on or after 18 February 1982.

Safety inspections and audits

34.01.2 (1) An applicant for the issuing of a fuel venting certificate or an engine emission certificate in terms of the regulations in this Part, shall permit an airworthiness inspector to carry out such safety inspections and flight and ground tests which may be necessary to verify the validity of any application made in terms of this Part.

(2) The holder of a fuel venting certificate or an engine emission certificate issued under this Part, shall permit an airworthiness inspector to carry out such safety inspections and audits, including safety inspections and audits of its partners or subcontractors, which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

Cancellation or suspension of certificate and appeal

34.01.3 (1) An airworthiness inspector may suspend for a period not exceeding 30 days, any fuel venting certificate or engine emission certificate issued under this Part, if -

- (a) after a safety inspection and audit carried out in terms of regulation 34.01.2, it is evident that the holder of the fuel venting certificate or engine emission certificate does not comply with the requirements prescribed in this Part, and such holder fails to remedy such non-compliance within 30 days after receiving notice in writing from the airworthiness inspector to do so; or
- (b) the airworthiness inspector is prevented by the holder of the fuel venting certificate or engine emission certificate, or any of its

partners or subcontractors, to carry out a safety inspection and audit, in terms of regulation 34.01.2; or

(c) the suspension is necessary in the interests of aviation safety.

(2) The airworthiness inspector who has suspended a fuel venting certificate or engine emission certificate in terms of subregulation (1), shall deliver a report in writing to the Commissioner, stating the reasons why, in his or her opinion, the suspended fuel venting certificate or engine emission certificate should be cancelled.

(3) The airworthiness inspector concerned shall submit a copy of the report referred to in subregulation (2), to the holder of the fuel venting certificate or engine emission certificate which has been suspended, and shall furnish proof of such submission for the information of the Commissioner.

(4) The holder of a fuel venting certificate or engine emission certificate who feels aggrieved by the suspension of the fuel venting certificate or engine emission certificate, may appeal against such suspension to the Commissioner, within 30 days after such holder becomes aware of such suspension.

(5) An appellant shall deliver an appeal in writing, stating the reasons why, in his, her or its opinion, the suspension should be varied or set aside.

(6) The appellant shall submit a copy of the appeal and any documents or records supporting such appeal, to the airworthiness inspector concerned and shall furnish proof of such submission for the information of the Commissioner.

(7) The airworthiness inspector concerned may, within 30 days of receipt of the copy of the appeal referred to in subregulation (6), deliver his or her written reply to such appeal to the Commissioner.

(8) The Commissioner may -

- (a) adjudicate the appeal on the basis of the documents submitted to him or her; or
- (b) order the appellant and the airworthiness inspector concerned to appear before him or her, either in person or through a representative, at a time and place determined by him or her, to give evidence.

(9) The Commissioner may confirm, vary or set aside the suspension referred to in subregulation (1).

(10) The Commissioner shall -

- (a) if he or she confirms the suspension in terms of subregulation (9); or
- (b) if a fuel venting certificate or engine emission certificate is suspended in terms of subregulation (1) and the holder thereof does not appeal against such suspension in terms of subregulation (4), cancel the fuel venting certificate or engine emission certificate concerned.

Register of certificates

34.01.4 (1) The Commissioner shall maintain a current register of fuel venting certificates and engine emission certificates issued in terms of the regulations in this Part.

(2) The register shall contain the following particulars:

- (a) The full name of the holder of the fuel venting certificate or engine emission certificate;
- (b) the postal address of the holder of the fuel venting certificate or engine emission certificate;
- (c) the date on which the fuel venting certificate or engine emission certificate was issued;
- (d) the number of the fuel venting certificate or engine emission certificate issued;
- (e) the date on which the fuel venting certificate or engine emission certificate is suspended, if applicable; and
- (f) in the case of a transfer of an aircraft -
 - (i) the date on which the fuel venting certificate or engine emission certificate was transferred;
 - (ii) the full name and the trade name of the transferee, if any; and
 - (iii) the postal address of the transferee.

(3) The particulars referred to in subregulation (2) shall be recorded by the Commissioner in the register within seven days from the date on which the fuel venting certificate or engine emission certificate is issued, transferred or suspended, as the case may be.

(4) The register shall be kept in a safe place at the office of the Commissioner.

(5) Information from the register shall be furnished by the Commissioner, on payment of the appropriate fee as prescribed in Part 187, to any person who requires such information.

SUBPART 2**FUEL VENTING CERTIFICATES****Fuel venting standards**

34.02.1 Subject to the provisions of regulation 34.01.1, any person who applies in terms of Part 21 for -

- (a) the issuing of a type certificate;
- (b) the issuing of a type acceptance certificate;
- (c) any change to a type certificate;
- (d) any change to a type acceptance certificate; or
- (e) a standard category certificate of airworthiness,

shall comply with fuel venting standards as prescribed in Document SA-CATS-ENVIRO.

Recognition of foreign fuel venting certification

34.02.2 The Commissioner may recognise a fuel venting certificate or an equivalent document issued by an appropriate authority, if the standards under which the fuel venting certificate or equivalent document was issued by the appropriate authority, are not less stringent than the standards as prescribed in Document SA-CATS-ENVIRO.

Application for fuel venting certificate

34.02.3 An application for the issuing of a fuel venting certificate shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-ENVIRO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) proof that the aircraft concerned complies with the fuel venting standards referred to in regulation 34.02.1.

Issuing of fuel venting certificate

34.02.4 An application in terms of regulation 34.02.3 is granted and a fuel venting certificate issued if the applicant complies with the fuel venting standards referred to in regulation 34.02.1.

Form of fuel venting certificate

34.02.5 A fuel venting certificate shall be issued on the appropriate form as prescribed in Document SA-CATS-ENVIRO.

Period of validity

34.02.6 (1) A fuel venting certificate shall be valid -

(a) for the period for which the type certificate, type acceptance certificate or standard certificate of airworthiness held by the holder of the fuel venting certificate is valid, and such holder complies with the appropriate fuel venting standards referred to in regulation 34.02.1;

(b) until the fuel venting certificate is surrendered by the holder thereof, or is suspended by an airworthiness inspector, or cancelled by the Commissioner, in terms of regulation 34.01.3.

(2) The holder of a fuel venting certificate which is suspended, shall forthwith produce the fuel venting certificate upon suspension thereof, to the airworthiness inspector concerned for the appropriate endorsement.

(3) The holder of a fuel venting certificate which is cancelled, shall, within 30 days from the date on which the fuel venting certificate is cancelled, surrender such fuel venting certificate to the Commissioner.

Transfer of fuel venting certificate

34.02.7 A fuel venting certificate shall be transferred with the aircraft.

SUBPART 3**ENGINE EMISSION CERTIFICATES****Engine emission standards**

34.03.1 Subject to the provisions of regulation 34.01.1, any person who applies in terms of Part 21 for -

- (a) the issuing of a type certificate;
- (b) the issuing of a type acceptance certificate;
- (c) any change to a type certificate;
- (d) any change to a type acceptance certificate; or
- (e) a standard category certificate of airworthiness,

shall comply with the appropriate engine emission standards as prescribed in Document SA-CATS-ENVIRO.

Recognition of foreign engine emission certification

34.03.2 The Commissioner may recognise an engine emission certificate or an equivalent document issued by an appropriate authority, if the standards under which the engine emission certificate or equivalent document was issued by the appropriate authority, are not less stringent than the standards as prescribed in Document SA-CATS-ENVIRO.

Application for engine emission certificate

34.03.3 An application for the issuing of an engine emission certificate shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-ENVIRO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) proof that the engine concerned complies with the engine emission standards referred to in regulation 34.03.1.

Issuing of engine emission certificate

34.03.4 An application in terms of regulation 34.03.3 is granted and an engine emission certificate issued if the applicant complies with the engine emission standards referred to in regulation 34.03.1.

Form of engine emission certificate

34.03.5 An engine emission certificate shall be issued on the appropriate form as prescribed in Document SA-CATS-ENVIRO.

Period of validity

34.03.6 (1) An engine emission certificate shall be valid -

- (a) for the period for which the type certificate, type acceptance certificate or standard certificate of airworthiness held by the holder of the engine emission certificate is valid, and such holder complies with the appropriate engine emission standards referred to in regulation 34.03.1;
- (b) until the engine emission certificate is surrendered by the holder thereof, or is suspended by an airworthiness inspector, or cancelled by the Commissioner, in terms of regulation 34.01.3.

(2) The holder of an engine emission certificate which is suspended, shall forthwith produce the engine emission certificate upon suspension thereof, to the airworthiness inspector concerned for the appropriate endorsement.

(3) The holder of an engine emission certificate which is cancelled, shall, within 30 days from the date on which the engine emission certificate is cancelled, surrender such engine emission certificate to the Commissioner.

Transfer of engine emission certificate

34.03.7 An engine emission certificate shall be transferred with the aircraft.

PART 36

AIRCRAFT : NOISE CERTIFICATION

LIST OF REGULATIONS

- 36.00.1 **Applicability**
- 36.00.2 **Noise standards**
- 36.00.3 **Recognition of foreign noise certification**
- 36.00.4 **Safety inspections and audits**
- 36.00.5 **Application for noise certificate**
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- 36.00.8 **Period of validity**
- 36.00.9 **Cancellation or suspension of noise certificate and appeal**
- 36.00.10 **Transfer of noise certificate**
- 36.00.11 **Register of certificates**

Applicability

36.00.1 This Part shall apply to -

- (a) subsonic jet aeroplanes;
- (b) supersonic aeroplanes;
- (c) propeller driven aeroplanes with a maximum certificated mass exceeding 5 700 kilograms;
- (d) propeller driven aeroplanes with a maximum certificated mass of 5 700 kilograms or less;
- (e) propeller-driven STOL aeroplanes; and
- (f) helicopters.

Noise standards

36.00.2 Subject to the provisions of regulation 36.00.1, any person who applies in terms of Part 21 for -

- (a) the issuing of a type certificate;
- (b) the issuing of a type acceptance certificate;
- (c) any change to a type certificate;
- (d) any change to a type acceptance certificate; or
- (e) a standard category certificate of airworthiness,

shall comply with the appropriate noise standards as prescribed in Document SA-CATS-ENVIRO.

Recognition of foreign noise certification

36.00.3 The Commissioner may recognise a noise certificate or an equivalent document issued by an appropriate authority, if the standards under which the noise certificate or equivalent document was issued by the appropriate authority, are not less stringent than the standards as prescribed in Document SA-CATS-ENVIRO.

Safety inspections and audits

36.00.4 (1) An applicant for the issuing of a noise certificate in terms of the regulations in this Part, shall permit an airworthiness inspector to carry out such safety inspections and flight and ground tests which may be necessary to verify the validity of any application made in terms of this Part.

(2) The holder of a noise certificate issued under this Part, shall permit an airworthiness inspector to carry out such safety inspections and audits, including safety inspections and audits of its partners or subcontractors, which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

Application for noise certificate

36.00.5 An application for the issuing of a noise certificate shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-ENVIRO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) proof that the aircraft concerned complies with the noise standards referred to in regulation 36.00.2.

Issuing of noise certificate

36.00.6 An application in terms of regulation 36.00.4 is granted and a noise certificate issued if the applicant complies with the noise standards referred to in regulation 36.00.2.

Form of noise certificate

36.00.7 A noise certificate shall be issued on the appropriate form as prescribed in Document SA-CATS-ENVIRO.

Period of validity

36.00.8 (1) A noise certificate shall be valid -

- (a) for the period for which the type certificate, type acceptance certificate or standard certificate of airworthiness held by the holder of the noise certificate is valid, and such holder complies with the appropriate noise standards referred to in regulation 36.00.2;
- (b) until the noise certificate is surrendered by the holder thereof, or is suspended by an airworthiness inspector, or cancelled by the Commissioner, in terms of regulation 36.00.9.

(2) The holder of a noise certificate which is suspended, shall forthwith produce the noise certificate upon suspension thereof, to the airworthiness inspector concerned for the appropriate endorsement.

(3) The holder of a noise certificate which is cancelled, shall, within 30 days from the date on which the noise certificate is cancelled, surrender such noise certificate to the Commissioner.

Cancellation or suspension of noise certificate and appeal

36.00.9 (1) An airworthiness inspector may suspend for a period not exceeding 30 days, any noise certificate issued under this Part, if -

- (a) after a safety inspection and audit carried out in terms of regulation 36.00.4, it is evident that the holder of the noise certificate does not comply with the requirements prescribed in this Part, and such holder fails to remedy such non-compliance within 30 days after receiving notice in writing from the airworthiness inspector to do so; or
- (b) the airworthiness inspector is prevented by the holder of the noise certificate, or any of its partners or subcontractors, to carry out a safety inspection and audit in terms of regulation 36.00.4; or
- (c) the suspension is necessary in the interests of aviation safety.

(2) The airworthiness inspector who has suspended a noise certificate in terms of subregulation (1), shall deliver a report in writing to the Commissioner, stating the reasons why, in his or her opinion, the suspended noise certificate should be cancelled.

(3) The airworthiness inspector concerned shall submit a copy of the report referred to in subregulation (2), to the holder of the noise certificate which has been suspended, and shall furnish proof of such submission for the information of the Commissioner.

(4) The holder of a noise certificate who feels aggrieved by the suspension of the noise certificate, may appeal against such suspension to the Commissioner, within 30 days after such holder becomes aware of such suspension.

(5) An appellant shall deliver an appeal in writing, stating the reasons why, in his, her or its opinion, the suspension should be varied or set aside.

(6) The appellant shall submit a copy of the appeal and any documents or records supporting such appeal, to the airworthiness inspector concerned and shall furnish proof of such submission for the information of the Commissioner.

(7) The airworthiness inspector concerned may, within 30 days of receipt of the copy of the appeal referred to in subregulation (6), deliver his or her written reply to such appeal to the Commissioner.

(8) The Commissioner may -

- (a) adjudicate the appeal on the basis of the documents submitted to him or her; or
- (b) order the appellant and the airworthiness inspector concerned to appear before him or her, either in person or through a

representative, at a time and place determined by him or her, to give evidence.

(9) The Commissioner may confirm, vary or set aside the suspension referred to in subregulation (1).

(10) The Commissioner shall -

- (a) if he or she confirms the suspension in terms of subregulation (9); or
- (b) if a noise certificate is suspended in terms of subregulation (1) and the holder thereof does not appeal against such suspension in terms of subregulation (4),

cancel the noise certificate concerned.

Transfer of noise certificate

36.00.10 A noise certificate shall be transferred with the aircraft.

Register of certificates

36.00.11 (1) The Commissioner shall maintain a current register of noise certificates issued in terms of the regulations in this Part.

(2) The register shall contain the following particulars:

- (a) The full name of the holder of the noise certificate;
- (b) the postal address of the holder of the noise certificate;
- (c) the date on which the noise certificate was issued;
- (d) the number of the noise certificate issued;
- (e) the date on which the noise certificate is suspended, if applicable; and
- (f) in the case of a transfer of an aircraft -
 - (i) the date on which the noise certificate was transferred;
 - (ii) the full name and the trade name of the transferee, if any; and
 - (iii) the postal address of the transferee.

(3) The particulars referred to in subregulation (2) shall be recorded by the Commissioner in the register within seven days from the date on which the noise certificate is issued, transferred or suspended, as the case may be.

(4) The register shall be kept in a safe place at the office of the Commissioner.

(5) Information from the register shall be furnished by the Commissioner, on payment of the appropriate fee as prescribed in Part 187, to any person who requires such information.

PART 43**AIRCRAFT : GENERAL MAINTENANCE RULES**

LIST OF REGULATIONS**SUBPART 1 : GENERAL**

- 43.01.1 Applicability
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- 43.03.1 Persons to certify release to service
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- 43.03.3 Certifying after inspection
- 43.03.4 Certifying after maintenance
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- 43.03.10 Technical log completion

SUBPART 4 : REVIEW OF MAINTENANCE

- 43.04.1 Certifying review

SUBPART 1**GENERAL****Applicability**

43.01.1 (1) This Part shall apply to the maintenance, and the release to service after maintenance, of -

- (a) aircraft registered in the Republic; and
- (b) aircraft components to be fitted to such aircraft.

(2) This Part shall not apply in respect of any -

- (a) hang glider;
- (b) paraglider;
- (c) unmanned free balloon;
- (d) captive balloon;
- (e) kite;
- (f) model aircraft;
- (g) parachute; or
- (h) powered paraglider.

Falsification, reproduction or alteration of maintenance documents

43.01.2 No person shall make or cause to be made -

- (a) any fraudulent or false entry in any record or report which is required to be made, kept, or used to show compliance with any requirement prescribed in this Part; or
- (b) any reproduction or alteration for fraudulent purposes, of any record or report made in terms of the provisions of this Part.

SUBPART 2**MAINTENANCE****Persons to carry out maintenance**

43.02.1 (1) Subject to the provisions of subregulations (2) and (3), no person shall carry out maintenance on an aircraft or aircraft component unless such person -

- (a) is the holder of an aircraft maintenance engineer licence with an appropriate rating issued in terms of Part 66;
- (b) carries out maintenance under the direct supervision of the holder of an aircraft maintenance engineer licence with an appropriate rating issued in terms of Part 66; or
- (c) is authorised by the holder of an aircraft maintenance organisation approval with an appropriate rating issued in terms of Part 145, to carry out maintenance within the scope of such approval.

(2) The holder of a pilot licence with an appropriate type rating issued in terms of Part 61, may carry out the maintenance as prescribed in Document SA-CATS-GMR if -

- (a) such holder is the owner or operator of the aircraft; and
- (b) the aircraft is used for non-commercial operations.

(3) Any person may carry out maintenance on an amateur-built aircraft or a production-built aircraft, or any component thereof, if such person -

- (a) is authorised by the body or institution designated by the Commissioner in terms of Part 149, to carry out the maintenance; or
- (b) carries out the maintenance under the direct supervision of a person authorised by the body or institution referred to in paragraph (a).

Carrying out of maintenance

43.02.2 Any person who carries out maintenance on an aircraft or aircraft component shall -

- (a) have available adequate accommodation and facilities for the necessary disassembly, proper inspection and reassembly of the aircraft or aircraft component;
- (b) use methods, techniques and practices which -

- (i) are prescribed in the current manufacturer's maintenance manual or any instructions for safe operation and continued airworthiness; or
 - (ii) are approved by the Commissioner;
- (c) use the tools, equipment and test apparatus necessary to ensure that the maintenance is carried out in accordance with the appropriate manufacturer's requirements or standard practices approved by the Commissioner;
- (d) on completion of the maintenance, ensure that the condition of the aircraft or aircraft component is satisfactory for release to service and is at least equal to its original or properly modified condition with regard to -
 - (i) aerodynamic function;
 - (ii) structural strength;
 - (iii) resistance to vibration and deterioration; and
 - (iv) other qualities affecting airworthiness;
- (e) use any special or test equipment recommended by the manufacturer, or equivalent equipment approved by the Commissioner; and
- (f) if maintenance is carried out on an aircraft operated under an operating certificate, carry out such maintenance in accordance with the operator's operations manual.

Recording of overhaul

43.02.3 No person shall state in any maintenance document entry required by the Regulations that an aircraft, airframe, engine or engine module, propeller or other aircraft component, has been overhauled unless it has been -

- (a) disassembled, cleaned, inspected and repaired as necessary, and reassembled, using methods and techniques approved by the Commissioner; and
- (b) tested in accordance with -
 - (i) current standards and technical data which have been developed and documented by the holder of a type certificate or a supplemental type certificate issued in terms of Part 21; or
 - (ii) other standards or technical data approved by the Commissioner.

Maintenance for IFR operations

43.02.4 Any person who carries out an inspection of or maintenance on an aircraft radio station in an aircraft to be used under IFR, shall carry out the inspection as prescribed in Document SA-CATS-GMR.

Progressive inspections

43.02.5 Any person who carries out a progressive inspection in accordance with a progressive inspection programme shall -

- (a) at the start of the progressive inspection cycle, inspect the aircraft completely; and
- (b) after the initial inspection, conduct routine inspections and detailed inspections in accordance with the progressive inspection programme.

Mandatory periodic inspections

43.02.6 Any person who carries out a mandatory periodic inspection shall carry out the tests and inspections as prescribed in Document SA-CATS-GMR.

Altimeter system tests and inspections

43.02.7 Any person who carries out altimeter system tests and inspections shall -

- (a) perform the tests and inspections as prescribed in Document SA-CATS-GMR; and
- (b) for the altimeter tests, record on the altimeter case, the date on which and maximum altitude to which the altimeter has been tested.

ATC transponder tests and inspections

43.02.8 Any person who carries out ATC transponder tests and inspections shall perform the tests and inspections as prescribed in Document SA-CATS-GMR.

Emergency location beacon tests and inspections

43.02.9 Any person who carries out emergency location beacon tests and inspections shall perform the tests and inspections as prescribed in Document SA-CATS-GMR.

Inspection requirements

43.02.10 Any person who carries out an inspection shall -

- (a) carry out the inspection so as to determine that the aircraft or aircraft component under inspection, complies with all appropriate airworthiness requirements prescribed in Part 21; and
- (b) if carrying out a mandatory periodic inspection, use a checklist which includes the scope and detail of the tests and inspections referred to in regulation 43.02.6.

Non-destructive testing

43.02.11 Any person who carries out maintenance on an aircraft or aircraft component where the applicable maintenance data requires a non-destructive test as specified in Document SA-CATS-GMR, shall -

- (a) be the holder of a certificate appropriate to the technique being used, or an equivalent certificate approved by the Commissioner; and
- (b) perform the non-destructive test using appropriate methods, techniques and practices approved by the Commissioner.

Airworthiness limitations

43.02.12 Any person who carries out maintenance specified in the Airworthiness Limitations section of a manufacturer's maintenance manual, or any instructions for safe operation and continued airworthiness, shall carry out the maintenance in accordance with that section.

Maintenance records

43.02.13 (1) Any person who carries out maintenance on an aircraft or aircraft component shall record, on completion of the maintenance -

- (a) details of the maintenance including, where applicable, the type of inspection and any approved data used;
 - (b) for a progressive inspection, whether a detailed inspection or routine inspection of the particular components or areas of the aircraft was carried out;
 - (c) the serial numbers, if any, of components removed or fitted;
 - (d) details of measurements or test results obtained, including the results of any ground or air tests;
 - (e) for an altimeter system test and inspection, the date on which and maximum altitude to which the altimeter has been tested;
 - (f) the date of completion of such maintenance;
 - (g) the name of the person completing such maintenance, if other than the person certifying the release to service;
 - (h) the location and, if applicable, the name of the facility where such maintenance was carried out; and
 - (i) where such maintenance has been carried out as a consequence of the failure of any equipment, or damage caused by forced landing or accident, the reasons for carrying out the maintenance.
- (2) The person who carries out the maintenance shall -
- (a) record the details referred to in subregulation (1) in the appropriate logbook or in a maintenance record approved by the Commissioner;
 - (b) record the details legibly and in ink or other permanent material; and
 - (c) where worksheets or other associated maintenance records are used to document the details of the maintenance -
 - (i) reference those records in the logbook, or in the maintenance record approved by the Commissioner; and
 - (ii) retain the records for the appropriate period prescribed in the Regulations.

Modifications

43.02.14 (1) No person shall, without the prior written approval of the Commissioner, carry out any modifications, including changes to equipment or the installation thereof, which affect, or are likely to affect, the serviceability of the aircraft, or the safety of its occupants or of any other persons or property.

(2) Before the approval of the Commissioner is granted for a modification referred to in subregulation (1), the owner of the aircraft, or any other person who applies for the modification, shall furnish the Commissioner with such information, data, calculations, reports on tests, drawings or wiring diagrams relating to the design, and proof of effectiveness or airworthiness of such modification, as the Commissioner may require.

(3) Notwithstanding the provisions of subregulations (1) and (2), such modifications as may from time to time be recommended by the manufacturer of the type of aircraft or equipment concerned, may be carried out if the modifications are carried out in accordance with the said manufacturer's recommendations.

Recording of major repairs and modifications

43.02.15 Any person who carries out a major repair or a major modification shall, in addition to the entry referred to in regulation 43.02.13, record the repair or modification, and process the certificate relating to the maintenance of the aircraft, in the manner as prescribed in Document SA-CATS-GMR.

Test flights

43.02.16 (1) After any major repair or major modification to an aircraft, test flights shall, if required by the Commissioner, be carried out in the aircraft under such conditions and in such manner as the Commissioner may determine.

(2) No passengers, cargo or mail shall be transported for reward in any aircraft undergoing a test flight.

Temporary and permanent repairs after accidents or incidents

43.02.17 Any temporary or permanent repair to an aircraft or aircraft component which has been damaged after an accident or an incident, shall be carried out in accordance with the requirements as prescribed in Document SA-CATS-GMR.

Aircraft compass requirements

43.02.18 Any compass fitted to an aircraft, shall be swung and maintained in accordance with the requirements as prescribed in Document SA-CATS-GMR.

SUBPART 3**RELEASE TO SERVICE****Persons to certify release to service**

43.03.1 (1) Subject to the provisions of subregulations (2) and (3), no person shall certify an aircraft or aircraft component for release to service after maintenance unless such person -

- (a) is the holder of an aircraft maintenance engineer licence with an appropriate rating issued in terms of Part 66;
- (b) is authorised by the holder of an aircraft maintenance organisation approval with an appropriate rating issued in terms of Part 145, to certify maintenance within the scope of such approval;
- (c) is authorised by the Commissioner to certify an aircraft or aircraft component for release to service; or
- (d) for maintenance carried out outside the Republic, holds a licence or equivalent authorisation issued by an appropriate authority for the type of aircraft or aircraft component.

(2) The holder of a pilot licence with an appropriate type rating issued in terms of Part 61, may certify maintenance which has been carried out in accordance with the conditions referred to in regulation 43.02.1(2).

(3) Any person may certify an amateur-built aircraft or a production-built aircraft, or any component thereof, for release to service if such person is authorised to certify maintenance by the body or institution designated by the Commissioner in terms of Part 149.

Requirements for certifying release to service

43.03.2 No person shall certify an aircraft or aircraft component for release to service after maintenance unless such maintenance has been carried out in accordance with the provisions of this Part and, in respect of such maintenance, the aircraft or aircraft component is fit for release to service.

Certifying after inspection

43.03.3 Any person who certifies an aircraft or aircraft component for release to service after carrying out an inspection shall enter in the appropriate logbook or other maintenance record approved by the Commissioner -

- (a) the statement as prescribed in Document SA-CATS-GMR; and
- (b) in addition to the statement referred to in paragraph (a), his or her signature, licence or authorisation number, and the date of the entry.

Certifying after maintenance

43.03.4 (1) Any person who certifies an aircraft or aircraft component for release to service after maintenance shall enter in the appropriate logbook or other maintenance record approved by the Commissioner -

- (a) the statement as prescribed in Document SA-CATS-GMR; and
- (b) in addition to the statement referred to in paragraph (a), his or her signature, licence or authorisation number, and the date of the entry.

(2) If components are not installed in, or allocated to an aircraft, the person certifying release to service shall certify the release to service in the appropriate form as prescribed in Document SA-CATS-GMR.

Discrepancies

43.03.5 Any person who carries out an inspection and who does not release the aircraft or aircraft component to service shall -

- (a) provide the owner or operator with a signed and dated list of the discrepancies, including any equipment which is marked "inoperative" in terms of paragraph (b), if such person is satisfied that the aircraft -
 - (i) is not airworthy; or
 - (ii) does not comply with the applicable type certificate data, airworthiness directives or other approved data upon which the airworthiness of such aircraft depends;
- (b) for those items which appear to be imperative, place a label on each inoperative instrument and the cockpit controls of each item of inoperative equipment, marking each item "inoperative";
- (c) enter the appropriate statement as prescribed in Document SA-CATS-GMR, in the appropriate logbook or technical log; and
- (d) enter his or her signature, licence or authorisation number, and the date of the entry.

Flight manual data

43.03.6 If the approved data for a repair or a modification to an aircraft or aircraft component include changes to the operating limitations or flight data in the aircraft flight manual, the person certifying release to service shall not certify the release to service until the changes have been incorporated into the flight manual.

Duplicate inspection of controls

43.03.7 (1) No person shall certify an aircraft or aircraft component for release to service after the initial assembly, subsequent disturbance or adjustment of any part of an aircraft or component control system unless -

- (a) a duplicate safety inspection of the control system has been carried out; and
- (b) the duplicate safety inspection is recorded and certified in the appropriate logbook, or other maintenance record approved by the Commissioner.

(2) A duplicate safety inspection authorised in terms of subregulation (1), shall consist of -

- (a) an inspection by a person referred to in regulation 43.03.1 to certify the release to service of the control system after maintenance; and
- (b) a second inspection carried out by another person who is a person referred to in regulation 43.03.1.

Ground running checks - reciprocating engines

43.03.8 No person shall certify a reciprocating engine-powered aircraft for release to service after a mandatory periodic inspection unless such person ensures that -

- (a) a ground run of the aircraft engine has been carried out to determine satisfactory performance, in accordance with the manufacturer's recommendations, for -
 - (i) the power output (static and idle RPM);
 - (ii) the ignition system;
 - (iii) the fuel and oil pressure; and
 - (iv) the cylinder or coolant temperature, and oil temperature; and
- (b) the ambient conditions of temperature and atmospheric pressure and details of the results are recorded -

- (i) in the appropriate engine or aircraft logbook; and
- (ii) in a maintenance record approved by the Commissioner.

round running checks - turbine engine

43.03.9 No person shall certify a turbine engine-powered aircraft for release to service after a mandatory periodic inspection unless such person ensures that -

- (a) a ground run of the aircraft engine has been carried out to determine satisfactory performance, in accordance with the manufacturer's recommendations; and
- (b) the ambient conditions of temperature and atmospheric pressure and the details of the results are recorded -
 - (i) in the appropriate engine or aircraft logbook; or
 - (ii) in a maintenance record approved by the Commissioner.

Technical log completion

43.03.10 No person shall certify an aircraft or aircraft component for release to service in an aircraft technical log unless each applicable section of the technical log is completed, including details of any deferred rectification.

SUBPART 4**REVIEW OF MAINTENANCE****Certifying review**

43.04.1 Any person who carries out and certifies an annual review of maintenance for an aircraft shall enter -

- (a) the statement as prescribed in Document SA-CATS-GMR, in the aircraft logbook or other technical record approved by the Commissioner;
- (b) in addition to the statement referred to in paragraph (a), his or her signature, licence or authorisation number, and the date of the entry; and
- (c) in the appropriate section of the aircraft technical log, the date of the review.

PART 47

AIRCRAFT : REGISTRATION AND MARKING

LIST OF REGULATIONS

- 47.00.1 Applicability
- 47.00.2 Requirement for aircraft registration
- 47.00.3 Requirement for aircraft marking
- 47.00.4 Nationality of aircraft
- 47.00.5 Application for registration
- 47.00.6 Registration and issuing of certificate
- 47.00.7 Duties of holder of certificate
- 47.00.8 Application for amendment of certificate
- 47.00.9 Application for reissuing of certificate
- 47.00.10 Notification of transfer of right of possession of aircraft
- 47.00.11 Application for cancellation of registration
- 47.00.12 Cancellation of registration
- 47.00.13 Duration of certificate of registration
- 47.00.14 Register of South African aircraft

Applicability

- 47.00.1** (1) This Part shall apply to -
- (a) the registration of aircraft used in the Republic; and
 - (b) the nationality and registration marking of South African registered aircraft.
- (2) This Part shall not apply in respect of any -
- (a) hang glider;
 - (b) paraglider;
 - (c) unmanned free balloon;
 - (d) captive balloon;
 - (e) kite;
 - (f) model aircraft;
 - (g) foreign registered aircraft;
 - (h) parachute; or
 - (i) powered paraglider.

Requirement for aircraft registration

47.00.2 The owner of an aircraft shall, if the aircraft flies to, from, within or over the Republic, apply for the registration of the aircraft and hold a valid certificate of registration for such aircraft issued by -

- (a) in the case of an aircraft to be registered in the Republic, including any -
 - (i) amateur-built aircraft; and
 - (ii) production-built aircraft,the Commissioner; or
- (b) in the case of any other aircraft not to be registered in the Republic, an appropriate authority.

Requirement for aircraft marking

47.00.3 (1) The Commissioner shall be responsible for the allocation of nationality and registration marks to be displayed on South African registered aircraft.

(2) Upon the registration of an aircraft in terms of regulation 47.00.6(1), the Commissioner may, if the aircraft was previously registered in the Republic, allocate the same registration marks as were originally borne by such aircraft.

(3) No person shall use a South African registered aircraft unless such aircraft displays a nationality mark and a registration mark in the manner, and in accordance with the specifications as prescribed in Document SA-CATS-ARM.

(4) No person shall place on any South African registered aircraft any mark or symbol which modifies, confuses or purports to be the nationality or registration mark allocated and displayed in accordance with the specifications referred to in subregulation (3).

Nationality of aircraft

47.00.4 Aircraft registered on the register shall become South African registered aircraft and shall be deemed to have South African nationality.

Application for registration

47.00.5 (1) An application for the registration of an aircraft and the issuing of a certificate of registration shall be made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-ARM.

(2) An application referred to in subregulation (1) shall be accompanied by -

(a) in the case of an aircraft which is imported into the Republic for the first time or returns to the Republic and has to be re-registered on the register -

(i) a certificate or notification of cancellation from the appropriate authority of the State or territory in which the aircraft was last registered;

(ii) the original of -

(aa) the last certificate of airworthiness issued by the appropriate authority of the last State or territory from which the aircraft is imported; or

(bb) the export certificate of airworthiness;

(iii) if the first of a type of aircraft is imported into the Republic and is to be registered on the register, the type acceptance certificate issued by the Commissioner;

(iv) if the aircraft is to be registered in the name of an individual, proof of his or her identity;

(v) if the aircraft is to be registered in the name of a company -

(aa) a certified true copy of its most recent register of directors lodged with the Registrar of Companies in terms of the Companies Act, 1973 (Act No. 61 of 1973);

- (bb) proof of identity of the director authorised to act on behalf of the applicant; and
- (cc) the authorising resolution concerned in the appropriate form as prescribed in Document SA-CATS-ARM;
- (vi) if the aircraft is to be registered in the name of a close corporation -
 - (aa) a certified true copy of its founding statement, approved by the Registrar of Close Corporations in terms of the Close Corporations Act, 1984 (Act No. 69 of 1984);
 - (bb) proof of identity of the member authorised to act on behalf of the applicant; and
 - (cc) the authorising resolution concerned in the appropriate form as prescribed in Document SA-CATS-ARM;
- (vii) if the aircraft is to be registered in the name of a trust -
 - (aa) a certified true copy of -
 - (A) the trust instrument; or
 - (B) the appropriate letter of appointment;
 - (bb) proof of identity of the trustee authorised to act on behalf of the applicant; and
 - (cc) the authorising resolution concerned in the appropriate form as prescribed in Document SA-CATS-ARM;
- (viii) if the aircraft is to be registered in the name of any other applicant -
 - (aa) a certified true copy of any other founding documents;
 - (bb) proof of identity of the person authorised to act on behalf of the applicant; and
 - (cc) the authorising resolution concerned in the appropriate form as prescribed in Document SA-CATS-ARM;
- (b) in the case of any amateur-built aircraft or production-built aircraft -
 - (i) the original special flight permit issued in terms of Part 21;
 - (ii) if the first of a type of aircraft is to be registered on the register, the type certificate issued by the Commissioner;
 - (iii) if the aircraft is to be registered in the name of an individual, proof of his or her identity;

- (iv) if the aircraft is to be registered in the name of an aviation recreation organisation approved under Part 149, a certified true copy of the approval; and
 - (c) the appropriate fee as prescribed in Part 187.
- (3) The Commissioner may exempt an applicant from the provisions of subregulation (2)(a)(ii) if the Commissioner is satisfied that such exemption will not jeopardise aviation safety.

Registration and issuing of certificate

47.00.6 (1) An application in terms of regulation 47.00.5 is granted, the aircraft registered and a certificate of registration issued if -

- (a) in the case of an individual, the applicant is a resident of the Republic;
- (b) in the case of a juristic person, the applicant is registered and has its principal place of business in the Republic; and
- (c) the aircraft is not registered in any other State or territory.

(2) Registration of an aircraft and the issuing of a certificate of registration under this Part shall not confer or imply ownership of the aircraft.

(3) A certificate of registration shall be issued by the Commissioner on the appropriate form as prescribed in Document SA-CATS-ARM.

Duties of holder of certificate

47.00.7 The holder of a certificate of registration shall -

- (a) keep the original certificate of registration in a safe place and produce such certificate to an authorised officer, inspector or authorised person for inspection if so requested by such officer, inspector or person;
- (b) carry a certified true copy of the certificate of registration in the aircraft at all times;
- (c) notify the Commissioner in writing if the particulars of the person referred to in regulation 47.00.5(2)(a)(v)(bb), (vi)(bb), (vii)(bb) or (viii)(bb), as the case may be, are changed.

Application for amendment of certificate

47.00.8 (1) If the holder of a certificate of registration desires to amend -

- (a) the name in which the certificate of registration was issued; or
- (b) the address on the certificate of registration,

such holder shall apply to the Commissioner for such amendment.

(2) An application referred to in subregulation (1) shall be -

- (a) made in the appropriate form as prescribed in Document SA-CATS-ARM; and
- (b) accompanied by -
 - (i) if the aircraft is registered in the name of a company and the name of that company is changed, a certified true copy of the certificate of change of name of a company, approved by the Registrar of Companies in terms of the Companies Act, 1973;
 - (ii) if the aircraft is registered in the name of a close corporation and the name of that close corporation is changed, a certified true copy of the amended founding statement of the close corporation, approved by the Registrar of Close Corporations in terms of the Close Corporations Act, 1984; and
 - (iii) the appropriate fee as prescribed in Part 187.

Application for reissuing of certificate

47.00.9 (1) If a certificate of registration is lost, stolen, damaged or destroyed, the holder thereof or an aircraft maintenance organisation approved under Part 145 and which is responsible for the servicing and maintenance of the aircraft, may apply to the Commissioner for the reissuing of the certificate of registration.

(2) An application referred to in subregulation (1) shall be -

- (a) made in the appropriate form as prescribed in Document SA-CATS-ARM; and
- (b) accompanied by the appropriate fee as prescribed in Part 187.

(3) A certificate of registration shall be reissued on the appropriate form as prescribed in Document SA-CATS-ARM.

Notification of transfer of right of possession of aircraft

47.00.10 (1) If the holder of a certificate of registration transfers to another person the right of possession of the aircraft specified in the certificate, such holder shall, within 14 days from the date of transfer notify the Commissioner in the appropriate form as prescribed in Document SA-CATS-ARM.

(2) If the holder in whose name the aircraft is registered -

(a) is an individual and has died, and an executor has been appointed, the notification referred to in subregulation (1) shall be accompanied by a certified true copy of the letter of executorship issued by the Master in terms of the Administration of Estates Act, 1965 (Act No. 66 of 1965);

(b) is an individual and the estate of such holder is sequestrated and a trustee has been appointed, the notification referred to in subregulation (1) shall be accompanied by a certified true copy of the certificate of appointment issued by the Master in terms of the Insolvency Act, 1936 (Act No. 24 of 1936);

(c) is a company or a close corporation and such holder is liquidated and a liquidator has been appointed, the notification referred to in subregulation (1) shall be accompanied by a certified true copy of the certificate of appointment issued by the Master in terms of the Companies Act, 1973, or the Close Corporations Act, 1984, as the case may be.

(3) An application for registration by the person to whom the right of possession of the aircraft referred to in subregulation (1) is transferred, shall be made in terms of regulation 47.00.5 within 14 days from the date of transfer.

(4) A certificate of registration shall expire on the fifteenth day after the date on which the holder of the certificate of registration has transferred to another person the right of possession of the aircraft.

(5) From the commencement of the fifteenth day after the date on which a certificate of registration expires, no person shall use the aircraft specified in the certificate unless, and until such time as -

(a) the aircraft is registered in the name of the person to whom the right of possession of the aircraft is transferred; and

(b) such person holds a certificate of registration issued by the Commissioner.

Application for cancellation of registration

47.00.11 (1) If the holder of a certificate of registration desires to transfer the aircraft for permanent use outside the Republic, such holder shall apply to the Commissioner for the cancellation of the registration of such aircraft.

(2) An application referred to in subregulation (1) shall be -

(a) made in the appropriate form as prescribed in Document SA-CATS-ARM; and

(b) accompanied by -

(i) if the holder in whose name the aircraft is registered -

(aa) is an individual and has died, and an executor has been appointed, a certified true copy of the letter of executorship issued by the Master in terms of the Administration of Estates Act, 1965;

(bb) is an individual and the estate of such holder is sequestrated and a trustee has been appointed, a certified true copy of the certificate of appointment issued by the Master in terms of the Insolvency Act, 1936; or

(cc) is a company or a close corporation and such holder is liquidated and a liquidator has been appointed, a certified true copy of the certificate of appointment issued by the Master in terms of the Companies Act, 1973, or the Close Corporations Act, 1984, as the case may be; and

(ii) the appropriate fee as prescribed in Part 18.

(3) If a South African registered aircraft -

(a) is destroyed, lost or stolen;

(b) becomes permanently useless as an aircraft; or

(c) is permanently withdrawn from use,

the holder of the certificate of registration concerned shall apply to the Commissioner for the cancellation of such certificate of registration, and in addition, shall give provisional notice in writing to the Commissioner within 30 days from the date on which such event occurred, of his, her or its intention to apply for such cancellation.

(4) An application referred to in subregulation (3) shall be -

(a) made in the appropriate form as prescribed in Document SA-CATS-ARM; and

(b) accompanied by -

(i) the original of the last certificate of registration;

(ii) in the case of any amateur-built aircraft or production-built aircraft, the special flight permit issued by the Commissioner in terms of Part 21;

- (iii) in the case of an aircraft other than an amateur-built aircraft or production-built aircraft, the certificate of airworthiness issued by the Commissioner in terms of Part 21;
- (iv) the airframe data plate of the aircraft;
- (v) if the holder in whose name the aircraft is registered -
 - (aa) is an individual and has died, and an executor has been appointed, a certified true copy of the letter of executorship issued by the Master in terms of the Administration of Estates Act, 1965;
 - (bb) is an individual and the estate of such holder is sequestrated and a trustee has been appointed, a certified true copy of the certificate of appointment issued by the Master in terms of the Insolvency Act, 1936; or
 - (cc) is a company or a close corporation and such holder is liquidated and a liquidator has been appointed, a certified true copy of the certificate of appointment issued by the Master in terms of the Companies Act, 1973, or the Close Corporations Act, 1984, as the case may be; and
- (vi) the appropriate fee as prescribed in Part 187.

Cancellation of registration

47.00.12 (1) An aircraft shall remain registered on the register until the registration of such aircraft is cancelled by the Commissioner.

(2) The Commissioner shall cancel the registration of an aircraft, amend the register and issue a certificate of cancellation if the Commissioner is satisfied -

- (a) as to the occurrence of any of the events referred to in regulation 47.00.11(1) and (3); or
- (b) that the certificate of registration has expired in terms of regulation 47.00.10(4) without having received an application referred to in regulation 47.00.11(2).

(3) A certificate of cancellation referred to in subregulation (2) shall be issued on the appropriate form as prescribed in Document SA-CATS-ARM.

Duration of certificate of registration

47.00.13 (1) A certificate of registration shall remain in force until -

- (a) it expires in terms of regulation 47.00.10(4); or
- (b) the registration of the aircraft in respect of which such certificate of registration was issued, is cancelled by the Commissioner.

(2) The holder of a certificate of registration which has expired, shall surrender the certificate of registration to the Commissioner within 14 days from the date of expiry.

Register of South African aircraft

47.00.14 (1) The Commissioner shall maintain a register of South African aircraft.

(2) The register shall contain the following particulars:

- (a) The full name and, if any, the trade name of the holder of the certificate of registration;
- (b) the postal address of the holder of the certificate of registration;
- (c) the date on which the aircraft was registered on the register for the first time;
- (d) particulars of the model, serial number and maximum certificated mass of the aircraft;
- (e) the nationality and registration mark of the aircraft; and
- (f) the airworthiness category of the aircraft.

(3) The particulars referred to in subregulation (2) shall be recorded in the register within seven days from the date of registration, by the Commissioner.

(4) The register shall be kept in a safe place at the office of the Commissioner.

(5) A copy of the register shall be furnished by the Commissioner, on payment of the appropriate fee as prescribed in Part 187, to any person who requests the copy.

PART 61

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SUBPART 1**GENERAL****Applicability**

61.01.1 This Part shall apply to -

- (a) the issuing of pilot licences and ratings for South African pilots, the privileges and limitations of such licences and ratings, and matters related thereto; and
- (b) the validation of foreign pilot licences and ratings and the privileges and limitations of such validations.

Authority to act as pilot

61.01.2 (1) No person shall act as a pilot of a South African registered aircraft unless such person holds a valid -

- (a) appropriate pilot licence and rating issued, renewed or reissued by the Commissioner in terms of this Part; or
- (b) pilot licence and rating issued by an appropriate authority and validated by the Commissioner in terms of this Part.

(2) The holder of a pilot licence shall not exercise privileges other than the privileges granted by the appropriate licence and rating held by such holder.

Pilot licences

61.01.3 The pilot licences are -

- (a) a student pilot licence;
- (b) a private pilot licence (aeroplane);
- (c) a private pilot licence (helicopter);
- (d) a commercial pilot licence (aeroplane);
- (e) a commercial pilot licence (helicopter);
- (f) an airline transport pilot licence (aeroplane);
- (g) an airline transport pilot licence (helicopter);
- (h) a microlight aeroplane pilot licence;
- (i) a commercial microlight aeroplane pilot licence;
- (j) a glider pilot licence;
- (k) a commercial glider pilot licence;

- (l) a free balloon pilot licence;
- (m) an airship pilot licence;
- (n) a gyroplane pilot licence;
- (o) a powered paraglider pilot licence;
- (p) a hang glider pilot licence; and
- (q) a paraglider pilot licence.

Ratings for pilots and flight instructors

61.01.4 The ratings for pilots and flight instructors are -

- (a) a category rating;
- (b) a class rating;
- (c) a type rating;
- (d) a group type rating; and
- (e) a rating for special purposes.

Category ratings

61.01.5 The category ratings shall comprise -

- (a) aeroplanes;
- (b) helicopters;
- (c) microlight aeroplanes;
- (d) gliders;
- (e) free balloons;
- (f) airships;
- (g) gyroplanes;
- (h) powered paragliders;
- (i) hang gliders; and
- (j) paragliders.

Class ratings

61.01.6 The class ratings shall comprise -

- (a) in the case of aeroplanes -
 - (i) single-engine, land;
 - (ii) single-engine, sea;
 - (iii) multi-engine, land; and
 - (iv) multi-engine, sea;

- (b) in the case of helicopters -
 - (i) single-engine helicopters; and
 - (ii) multi-engine helicopters;
- (c) microlight aeroplanes;
- (d) in the case of gliders -
 - (i) powered gliders; and
 - (ii) non-powered gliders;
- (e) free balloons;
- (f) in the case of airships -
 - (i) rigid airships; and
 - (ii) non-rigid airships;
- (g) gyroplanes;
- (h) powered paragliders;
- (i) hang gliders; and
- (j) paragliders.

Type and group type ratings

61.01.7 (1) The type and group type ratings for aeroplanes shall comprise -

- (a) a group type rating for aeroplane types with a maximum certificated mass of 5 700 kilograms or less;
- (b) a rating by name for each type of aeroplane with a maximum certificated mass exceeding 5 700 kilograms;
- (c) a rating by name for each turbo-propeller and turbojet aeroplane;
- (d) a rating by name for each type of aeroplane with unconventional handling characteristics that requires additional flying or simulator training; and
- (e) a rating by name for each multi-pilot aeroplane.

(2) Type ratings for rotorcraft shall comprise a rating by name for each type of rotorcraft.

(3) Type ratings for gliders shall comprise a rating by name for each type of powered glider or non-powered glider.

(4) Type ratings for microlight aeroplanes shall comprise a rating by name for each type of microlight aeroplane.

(5) Type ratings for free balloons shall comprise -

- (a) a type rating for free balloons up to and including 160 000 ft³ in size; and
- (b) a type rating for free balloons larger than 160 000 ft³ in size.

(6) Type ratings for other aircraft shall comprise a rating by name for each type of aircraft.

Rating for special purposes

61.01.8 (1) The ratings for special purposes in respect of the appropriate licence shall comprise -

- (a) an instrument rating;
- (b) a flight instructor rating;
- (c) a night rating;
- (d) a flight test rating;
- (e) a tug pilot rating;
- (f) a safety pilot rating;
- (g) an external load rating (helicopter);
- (h) a winching rating (helicopter);
- (i) a game or livestock cull rating (helicopter); and
- (j) an agricultural pilot rating.

(2) Flight instructor ratings shall comprise -

- (a) Category A -
 - (i) a Grade I aeroplane flight instructor rating;
 - (ii) a Grade II aeroplane flight instructor rating;
 - (iii) a Grade III aeroplane flight instructor rating; and
 - (iv) an aeroplane simulator flight instructor rating;
- (b) Category B -
 - (i) a Grade I helicopter flight instructor rating;
 - (ii) a Grade II helicopter flight instructor rating;
 - (iii) a Grade III helicopter flight instructor rating; and
 - (iv) a helicopter simulator flight instructor rating; and
- (c) Category C -
 - (i) a Grade I microlight aeroplane flight instructor rating;
 - (ii) a Grade II microlight aeroplane flight instructor rating;
 - (iii) a Grade I glider flight instructor rating;
 - (iv) a Grade II glider flight instructor rating;
 - (v) a free balloon flight instructor rating;
 - (vi) an airship flight instructor rating;
 - (vii) a gyroplane flight instructor rating;
 - (viii) a powered paraglider flight instructor rating;
 - (ix) a hang glider flight instructor rating; and
 - (x) a paraglider flight instructor rating.

(3) Flight test ratings shall comprise -

- (a) a Class I flight test rating;
- (b) a Class II flight test rating; and
- (c) a post maintenance flight test rating.

Competency

61.01.9 No holder of a pilot licence and rating shall exercise the privileges granted by a licence and rating unless such holder maintains competency by complying with the appropriate requirements prescribed in this Part.

Medical fitness

61.01.10 An applicant for or holder of a pilot licence shall obtain an appropriate medical certificate issued in terms of Part 67.

Language

61.01.11 The holder of a pilot licence issued under this Part shall have sufficient ability in reading, speaking and understanding the English language to enable the holder to adequately carry out his or her responsibilities as a pilot.

Logbooks

61.01.12 (1) The holder of a pilot licence shall maintain a logbook and shall record therein all flight time spent as a pilot.

(2) The form of and information to be contained in a logbook referred to in subregulation (1) and the manner in which such logbook shall be maintained, shall be as prescribed in Document SA-CATS-FCL.

Curtailement of privileges of licence holders aged 60 years or more

61.01.13 (1) No holder of a pilot licence who has attained the age of 60 years shall act as a pilot of an aircraft engaged in international commercial air transport operations except as a member of a multi-pilot crew: Provided that such holder is the only pilot of the crew who has attained the age of 60 years.

(2) No holder of a pilot licence who has attained the age of 65 years shall act as a pilot of an aircraft engaged in international commercial air transport operations.

Retesting after failure

61.01.14 An applicant for the issuing of a pilot licence or the issuing, renewal or reissuing of a rating, who fails a theoretical knowledge examination, required for such licence or rating, may apply for retesting after the appropriate period specified in Document SA-CATS-FCL.

Suspension and cancellation of licence and appeal

61.01.15 (1) A flight inspector may suspend for a period not exceeding 30 days, a pilot licence, rating or validation if -

(a) it is evident that the holder of the licence, rating or validation does not comply with the requirements prescribed in this Part, and such holder fails to remedy such non-compliance within 30 days after receiving notice in writing from the flight inspector to do so; or

(b) the suspension is necessary in the interests of aviation safety.

(2) The flight inspector who has suspended a licence, rating or validation in terms of subregulation (1), shall deliver a report in writing to the Commissioner, stating the reasons why, in his or her opinion, the suspended licence, rating or validation should be cancelled.

(3) The flight inspector concerned shall submit a copy of the report referred to in subregulation (2), to the holder of the licence, rating or validation which has been suspended, and shall furnish proof of such submission for the information of the Commissioner.

(4) The holder of a licence, rating or validation who feels aggrieved by the suspension of the licence, rating or validation, may appeal against such suspension to the Commissioner, within 30 days after such holder becomes aware of such suspension.

(5) An appellant shall deliver an appeal in writing, stating the reasons why, in his or her opinion, the suspension should be varied or set aside.

(6) The appellant shall submit a copy of the appeal and any documents or records supporting such appeal, to the flight inspector concerned and shall furnish proof of such submission for the information of the Commissioner.

(7) The flight inspector concerned may, within 30 days of receipt of the copy of the appeal referred to in subregulation (6), deliver his or her written reply to such appeal to the Commissioner.

(8) The Commissioner may -

(a) adjudicate the appeal on the basis of the documents submitted to him or her; or

(b) order the appellant and the flight inspector concerned to appear before him or her, either in person or through a representative, at a time and place determined by him or her, to give evidence.

(9) The Commissioner may confirm, vary or set aside the suspension referred to in subregulation (1).

(10) The Commissioner shall -

- (a) if he or she confirms the suspension in terms of subregulation (9); or
- (b) if a licence, rating or validation is suspended in terms of subregulation (1) and the holder thereof does not appeal against such suspension in terms of subregulation (4),

cancel the licence, rating or validation concerned.

Crediting of flight time

61.01.16 (1) A student pilot shall be entitled to be credited with the total flight time during which he or she was instructed, towards the experience required for a private pilot or other applicable pilot licence.

(2) (a) A private pilot shall be entitled to be credited with the total flight time during which he or she acted as pilot-in-command, towards the total flight time required for a higher grade pilot licence.

(b) A private pilot, when acting as co-pilot in an aircraft normally required to be operated with a co-pilot, shall be entitled to be credited with not more than 50 per cent of the total flight time during which he or she acted as such, towards the total flight time required for a commercial pilot licence. Provided that the flight time so credited shall not exceed 20 hours.

(3) A commercial pilot or airline transport pilot shall be entitled to be credited with the total flight time during which he or she acted as pilot-in-command.

(4) A commercial pilot, when acting as co-pilot in an aircraft normally required to be operated with a co-pilot, shall be entitled to be credited with not more than 50 per cent of the total flight time during which he or she acted as such, towards the total flight time required for a higher grade pilot licence.

(5) A commercial pilot, when acting as co-pilot in aircraft not normally required to be operated with a co-pilot, shall be entitled to be credited with not more than 25 per cent of the total flight time during which he or she acted as such, towards the total flight time required for a higher grade pilot licence: Provided that such pilot is the holder of the appropriate class, type and group type rating.

(6) A commercial pilot, when acting as third pilot in an aircraft with a maximum certificated mass of 116 600 kilograms or more and who is the holder of the appropriate type rating for that aircraft, shall be entitled to be credited with not more than 50 per cent of the total flight time during which he or she acted as such, towards the total flight time required for a higher grade pilot licence.

(7) An airline transport pilot shall be entitled to be credited with the total flight time during which he or she acted as pilot-in-command or co-pilot of an aircraft normally

required to be operated with a co-pilot: Provided that such pilot is the holder of the appropriate category, class and type rating.

(8) The holder of a microlight aeroplane, glider or gyroplane pilot licence shall be entitled to be credited with not more than 25 hours flight time acquired in a microlight aeroplane, glider or gyroplane, towards the total flight time prescribed for the issuing of a higher grade pilot licence (aeroplane).

(9) A graduate of an approved airline transport pilot integrated training course shall be entitled to be credited with not more than 50 hours of student pilot-in-command instrument time towards the pilot-in-command time required for the issuing of the airline transport pilot licence and a multi-engine type or class rating.

(10) A graduate of an approved commercial pilot licence (instrument rating) integrated training course shall be entitled to be credited with not more than 20 hours of student pilot-in-command instrument time towards the pilot-in-command time required for the issuing of the commercial pilot licence and a multi-engine type or class rating.

(11) An applicant for the issuing of a type rating or the issuing or renewal of a class rating with regard to an aeroplane, shall have acquired the appropriate flight time required by this Part in aeroplanes, except when he or she is the holder of a valid pilot licence (helicopter), where, in any such case, he or she may -

- (a) have acquired 50 per cent of the required flight time in aeroplanes; and
- (b) have acquired the remaining 50 per cent of the required flight time in helicopters in the ratio of 2 helicopter hours equals 1 aeroplane hour.

(12) An applicant for the issuing of a type rating or the issuing or renewal of a class rating with regard to a helicopter shall have acquired the appropriate flight time required by this Part in helicopters, except when he is the holder of a valid pilot licence (aeroplane) where in any such case, he or she may -

- (a) have acquired 50 per cent of the required flight time in helicopters; and
- (b) have acquired the remaining 50 per cent of the required flight time in aeroplanes in the ratio of 2 aeroplane hours equals 1 helicopter hour.

(13) A pilot manipulating the flight controls of an aircraft under actual or simulated instrument flight conditions solely by reference to instruments and without external reference points, shall be entitled to be credited with the instrument flight time thus acquired.

(14) Dual instruction time shall be counted in full towards the total flight time required for a higher grade pilot licence.

Designation of examiner

61.01.17 (1) The Commissioner may, subject to the provisions of section 4(2) and (3) of the Act, designate an examiner to conduct skill tests and to issue certificates of competency required for the issuing of pilot licences and for the issuing, renewal and reissuing of ratings.

(2) The privileges referred to in subregulation (1) shall be exercised and performed according to the conditions, requirements, rules, procedures or standards as prescribed in Document SA-CATS-FCL.

(3) The Commissioner shall sign and issue to each designated examiner a document which shall state the full name of such examiner and contain a statement that -

- (a) such examiner has been designated in terms of subregulation (1); and
- (b) such examiner is empowered to exercise the privileges referred to in subregulation (1).

Validation of licence issued by appropriate authority

61.01.18 (1) The holder of a licence or rating issued by an appropriate authority, who desires to act as a pilot of a South African registered aircraft, shall apply to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL, for a validation of such licence or rating.

(2) The application for a validation referred to in subregulation (1) shall be accompanied by -

- (a) the appropriate fee as prescribed in Part 187;
- (b) a certified true copy of the licence and rating to which the validation refers;
- (c) a valid medical certificate; and
- (d) in the case of a validation of a licence and rating, the privileges of which are to be exercised for commercial purposes, a temporary work permit, permanent residency permit and a letter of appointment from a South African employer who requires the services of the applicant.

(3) A licence and rating issued by an appropriate authority may be validated by the Commissioner -

- (a) subject to the same restrictions which apply to such licence and rating;
 - (b) in accordance with and subject to the requirements and conditions as prescribed in Document SA-CATS-FCL; and
 - (c) on the appropriate form as prescribed in Document SA-CATS-FCL.
- (4) The duration of a validation issued by the Commissioner shall be -

- (a) 12 months calculated from the date of issue of such validation by the Commissioner; or
 - (b) the period of validity of the licence and rating issued by the appropriate authority concerned,
- whichever period is the lesser period.

(5) The holder of a validation issued by the Commissioner may, subject to the provisions of subregulation (6), apply to the Commissioner for a renewal of such validation at least 21 days immediately preceding the date of expiry of such validation.

(6) The Commissioner may renew a validation of a licence and rating in the circumstances and on the conditions as prescribed in Document SA-CATS-FCL: Provided that a validation of a licence and rating, the privileges of which are to be exercised for commercial purposes, may only be renewed once for the same period as referred to in subregulation (4).

(7) The holder of a validation issued by the Commissioner shall comply with the provisions prescribed in this Part and the requirements and conditions as prescribed in Document SA-CATS-FCL.

(8) Notwithstanding the provisions of regulation 61.01.2(2), the Commissioner may validate any instructor rating issued by an appropriate authority, to authorise the holder thereof to conduct training on a particular type of aircraft to which the rating pertains, if no holder of a flight instructor rating issued in terms of this Part is available to conduct such training.

Documentation

61.01.19 The Commissioner shall ensure that a pilot licence and rating is issued in such a manner that the validity thereof may readily be determined by any appropriate authority.

Register of licences

61.01.20 (1) The Commissioner shall maintain a register of all pilot licences and ratings issued or validated in terms of the regulations in this Part.

(2) The register shall contain the following particulars:

- (a) The full name of the holder of the licence;
- (b) the postal and residential address of the holder of the licence;
- (c) the date on which the licence was issued or validated;
- (d) particulars of the ratings held by the holder of the licence; and
- (e) the nationality of the holder of the licence.

(3) The particulars referred to in subregulation (2) shall be recorded in the register within seven days from the date on which the licence and rating is issued or validated by the Commissioner.

(4) The register shall be kept in a safe place at the office of the Commissioner.

(5) A copy of the register shall be furnished by the Commissioner on payment of the appropriate fee as prescribed in Part 187, to any person who requests the copy.

Aviation training organisation

61.01.21 (1) Training as required by this Part shall only be provided by the holder of an aviation training organisation approval issued in terms of Part 141.

(2) Any integrated training shall be conducted in accordance with the conditions, requirements, rules, procedures or standards as prescribed in Document SA-CATS-FCL.

SUBPART 2**STUDENT PILOT LICENCE****Requirements for student pilot licence**

61.02.1 An applicant for the issuing of a student pilot licence shall -

- (a) be not less than 16 years of age;
- (b) hold a valid Class 2 medical certificate issued in terms of Part 67;
- (c) hold a valid restricted radiotelephony operator's certificate or a certificate of competency referred to in regulation 61.02.4;
- (d) have successfully completed the training referred to in regulation 61.02.2; and
- (e) have passed the theoretical knowledge examination referred to in regulation 61.02.3.

Training

61.02.2 An applicant for the issuing of a student pilot licence shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.02.3 An applicant for the issuing of a student pilot licence shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL, within the 90 days immediately preceding the date of application.

Certificate of competency

61.02.4 (1) If, on going solo, an applicant for the issuing of a student pilot licence is not the holder of a restricted radiotelephony operator's certificate, he or she may nevertheless exercise the privileges of the licence: Provided that he or she is the holder of a certificate of competency issued by the holder of a flight instructor rating, wherein it is certified that -

- (a) the applicant has undergone basic training in the use of the radio apparatus installed in the aircraft in which he or she is being trained; and

- (b) the applicant is considered capable of operating such radio apparatus satisfactorily to undertake solo flights -
 - (i) within the circuit area of the aerodrome where the training flights originate and terminate;
 - (ii) within the associated general flying area of such aerodrome;
 - (iii) on cross-country flights; and
 - (iv) with the exception of the control zone or aerodrome traffic zone of the aerodrome referred to in subparagraph (i), outside controlled airspace.

(2) The certificate of competency referred to in subregulation (1) shall be valid for a period of 12 months calculated from the last day of the calendar month in which such certificate is issued.

Application for student pilot licence

61.02.5 An application for a student pilot licence shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -
 - (i) original or certified proof of -
 - (aa) the identity of the applicant; and
 - (bb) the age of the applicant;
 - (ii) a valid Class 2 medical certificate issued in terms of Part 67;
 - (iii) the valid restricted radiotelephony operator's certificate or the certificate of competency referred to in regulation 61.02.4;
 - (iv) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.02.3;
 - (v) an application for the appropriate type and class rating or the notification referred to in regulation 61.19.11, as the case may be;
 - (vi) two recent passport size photographs of the applicant; and
 - (vii) the appropriate fee prescribed in Part 187.

Issuing of student pilot licence

61.02.6 (1) The Commissioner shall issue a student pilot licence if the applicant complies with the requirements referred to in regulation 61.02.1.

(2) A student pilot licence shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

(3) Upon the issuing of a student pilot licence the holder thereof shall forthwith affix his or her signature in ink in the space on the licence provided for such purpose.

Period of validity

61.02.7 A student pilot licence shall be valid for the period for which the holder thereof is the holder of a valid Class 2 medical certificate issued in terms of Part 67.

Privileges and limitations of student pilot licence

61.02.8 (1) The holder of a valid student pilot licence shall only be entitled to fly solo for the purpose of training for the applicable pilot licence -

- (a) in the type of aircraft in which he or she is undergoing training;
- (b) after being authorised thereto and while under supervision, as prescribed in subregulation (2);
- (c) without carrying any passengers;
- (d) on a flight other than an international flight; and
- (e) in VMC by day.

(2) A student pilot shall not fly -

- (a) unless authority is granted in writing in his or her presence, for each flight separately, or for such sequence of flights as prescribed in Document SA-CATS-FCL, as the case may be, when such flight or sequence of flights is about to commence, by the holder of a flight instructor rating who will undertake the training or supervise a solo flight;
- (b) unless each flight is personally supervised by the holder of a flight instructor rating;
- (c) the appropriate exercise of the syllabus as prescribed in Document SA-CATS-FCL, unless a flight instructor is the pilot-in-command.

- (3) (a) Except in an emergency, no student pilot shall land or take-off in an aeroplane from an area other than an aerodrome.
- (b) If a student pilot does execute an emergency landing in an aeroplane on an area other than an aerodrome, only a commercial or airline transport pilot or other pilot approved for the purpose by the Commissioner, may fly the aeroplane from the area.

Reissue

61.02.9 (1) The holder of a student pilot licence which has expired due to the lapse of the period referred to in regulation 61.02.8, may apply to the Commissioner for the reissuing of such licence.

(2) The Commissioner shall reissue a student pilot licence if the holder of the expired licence complies with the requirements referred to in regulation 61.02.1.

(3) The provisions of regulation 61.02.5 shall apply *mutatis mutandis* to an application referred to in subregulation (1).

SUBPART 3**PRIVATE PILOT LICENCE (AEROPLANE)****Requirements for private pilot licence (aeroplane)**

61.03.1 An applicant for the issuing of a private pilot licence (aeroplane) shall -

- (a) be not less than 16 years of age;
- (b) hold a valid Class 2 medical certificate issued in terms of Part 67;
- (c) hold a valid restricted radiotelephony operator's certificate;
- (d) hold a valid student pilot licence;
- (e) have acquired the experience referred to in regulation 61.03.2;
- (f) have successfully completed the training referred to in regulation 61.03.3;
- (g) have passed the theoretical knowledge examination referred to in regulation 61.03.4; and
- (h) have undergone the skill test referred to in regulation 61.03.5.

Experience

61.03.2 An applicant for the issuing of a private pilot licence (aeroplane) shall have completed not less than 45 hours flight time as a pilot of an aeroplane, of which -

- (a) at least 25 hours shall be accumulated under dual instruction with a Category A flight instructor;
- (b) at least 15 hours shall be accumulated in solo flight as prescribed in Document SA-CATS-FCL; and
- (c) a maximum of five hours may be accumulated in a simulator.

Training

61.03.3 An applicant for the issuing of a private pilot licence (aeroplane) shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL, within 24 months from the date of commencement of such training.

Theoretical knowledge examination

61.03.4 An applicant for the issuing of a private pilot licence (aeroplane) shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.03.5 (1) An applicant for the issuing of a private pilot licence (aeroplane) shall have demonstrated to the holder of a Grade I or a Grade II aeroplane flight instructor rating, the ability to perform as pilot-in-command of an aeroplane the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of a private pilot licence (aeroplane).

(2) The applicant shall undergo the skill test referred to in subregulation (1) within six months of passing the theoretical knowledge examination referred to in regulation 61.03.4 and within the 90 days immediately preceding the date of application.

Application for private pilot licence (aeroplane)

61.03.6 An application for the issuing of a private pilot licence (aeroplane) shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -
 - (i) a valid Class 2 medical certificate issued in terms of Part 67;
 - (ii) a certified true copy of the student pilot licence held by the applicant;
 - (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.03.4;
 - (iv) the skill test report as prescribed in Document SA-CATS-FCL; and
 - (v) the appropriate fee as prescribed in Part 187.

Issuing of private pilot licence (aeroplane)

61.03.7 (1) The Commissioner shall issue a private pilot licence (aeroplane) if the applicant complies with the requirements referred to in regulation 61.03.1.

(2) A private pilot licence (aeroplane) shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.03.8 A private pilot licence (aeroplane) shall be valid for an indefinite period: Provided that the privileges of the licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid Class 2 medical certificate issued in terms of Part 67;
- (b) he or she complies with the provisions of regulation 61.03.11; and
- (c) he or she holds an appropriate valid class and type rating.

Privileges of private pilot licence (aeroplane)

61.03.9 (1) The holder of a valid private pilot licence (aeroplane) shall be entitled to act, but not for remuneration, as pilot-in-command or co-pilot of any aeroplane engaged in non-revenue flights, for which he or she is type rated.

(2) The holder of the licence shall be entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.03.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.03.10 (1) The ratings for special purposes associated with a private pilot licence (aeroplane) are -

- (a) an instrument rating;
- (b) a night rating;
- (c) a flight test rating;
- (d) a tug pilot rating;
- (e) a safety pilot rating; and
- (f) an agricultural pilot rating.

(2) An application for any rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 20, 39, 40, 41, 42, 43, 44 or 48, as the case may be.

Maintenance of competency

61.03.11 (1) The holder of a private pilot licence (aeroplane) shall not act as pilot-in-command of an aeroplane transporting passengers or cargo or a combination thereof, by day, unless he or she has, within the 90 days immediately preceding the flight on which such passengers or cargo or a combination thereof, are to be transported, executed not less than

five take-offs and five landings in an aeroplane of the same class as that in which such passenger, cargo or combination flight is to be undertaken, or in a simulator.

(2) The holder of a private pilot licence (aeroplane) shall not act as pilot-in-command of an aeroplane transporting passengers or cargo or a combination thereof, by night, unless he or she has, within the 90 days immediately preceding the flight on which such passengers or cargo or a combination thereof, are to be transported, executed not less than five take-offs and five landings by night in an aeroplane of the same class as that in which such passenger, cargo or combination flight is to be undertaken, or in a simulator: Provided that if the holder complies with the provisions of this subregulation, such holder shall be exempt from the provisions of subregulation (1).

(3) The holder of a private pilot licence (aeroplane) shall not act as pilot-in-command of an aeroplane on an instrument approach to an aerodrome in IMC unless he or she is the holder of a valid instrument rating and, within the 90 days immediately preceding such approach, he or she has, by means of an instrument approach procedure or procedures, which have been established by the Commissioner or by an appropriate authority -

- (a) executed at least two actual approaches with reference to flight instruments only;
- (b) executed at least two approaches in a simulator for the purpose of practising instrument approach procedure;
- (c) executed at least one actual approach with reference to flight instruments only and one approach in a simulator for the purpose of practising instrument approach procedure; or
- (d) undergone the skill test referred to in regulation 61.17.5.

SUBPART 4**PRIVATE PILOT LICENCE (HELICOPTER)****Requirements for private pilot licence (helicopter)**

61.04.1 An applicant for the issuing of a private pilot licence (helicopter) shall -

- (a) be not less than 16 years of age;
- (b) hold a valid Class 2 medical certificate issued in terms of Part 67;
- (c) hold a valid restricted radiotelephony operator's certificate;
- (d) hold a valid student pilot licence;
- (e) have acquired the experience referred to in regulation 61.04.2;
- (f) have successfully completed the training referred to in regulation 61.04.3;
- (g) have passed the theoretical knowledge examination referred to in regulation 61.04.4; and
- (h) have undergone the skill test referred to in regulation 61.04.5.

Experience

61.04.2 An applicant for the issuing of a private pilot licence (helicopter) shall have completed not less than 50 hours flight time as a pilot of a helicopter of which -

- (a) at least 25 hours shall be accumulated under dual instruction with a Category B flight instructor;
- (b) at least 15 hours shall be accumulated in solo flight as prescribed in Document SA-CATS-FCL; and
- (c) a maximum of five hours may be accumulated in a simulator.

Training

61.04.3 An applicant for the issuing of a private pilot licence (helicopter) shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL, within 24 months from the date of commencement of such training.

Theoretical knowledge examination

61.04.4 An applicant for the issuing of a private pilot licence (helicopter) shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.04.5 (1) An applicant for the issuing of a private pilot licence (helicopter) shall have demonstrated to the holder of a Grade I or a Grade II helicopter flight instructor rating, the ability to perform as pilot-in-command of a helicopter the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of a private pilot licence (helicopter).

(2) The applicant shall undergo the skill test referred to in subregulation (1) within six months of passing the theoretical knowledge examination referred to in regulation 61.04.4 and within the 90 days immediately preceding the date of application.

Application for private pilot licence (helicopter)

61.04.6 An application for the issuing of a private pilot licence (helicopter) shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -
 - (i) a valid Class 2 medical certificate issued in terms of Part 67;
 - (ii) the student pilot licence held by the applicant;
 - (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.04.4;
 - (iv) the skill test report as prescribed in Document SA-CATS-FCL; and
 - (v) the appropriate fee as prescribed in Part 187.

Issuing of private pilot licence (helicopter)

61.04.7 (1) The Commissioner shall issue a private pilot licence (helicopter) if the applicant complies with the requirements referred to in regulation 61.04.1.

(2) A private pilot licence (helicopter) shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.04.8 A private pilot licence (helicopter) shall be valid for an indefinite period: Provided that the privileges of the licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid Class 2 medical certificate issued in terms of Part 67;
- (b) he or she complies with the provisions of regulation 61.04.11; and
- (c) he or she holds an appropriate valid class and type rating.

Privileges of private pilot licence (helicopter)

61.04.9 (1) The holder of a valid private pilot licence (helicopter) shall be entitled to act, but not for remuneration, as pilot-in-command or co-pilot of any helicopter engaged in non-revenue flights, for which he or she is type rated.

(2) The holder of the licence shall be entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.04.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.04.10 (1) The ratings for special purposes associated with a private pilot licence (helicopter) are -

- (a) an instrument rating;
- (b) a night rating;
- (c) a flight test rating;
- (d) a safety pilot rating;
- (e) an external load rating;
- (f) a winching rating;
- (g) a game or livestock cull rating; and
- (h) an agricultural pilot rating.

(2) An application for any rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 20, 39, 40, 41, 42, 44, 45, 46, 47 or 48, as the case may be.

Maintenance of competency

61.04.11 (1) The holder of a private pilot licence (helicopter) shall not act as pilot-in-command of a helicopter transporting passengers or cargo or a combination thereof, by day,

unless he or she has, within the 90 days immediately preceding the flight on which such passengers or cargo or a combination thereof, are to be transported, executed not less than five circuits, including the take-off and landing, in a helicopter of the same class as that in which such passenger, cargo or combination flight is to be undertaken, or in a simulator.

(2) The holder of a private pilot licence (helicopter) shall not act as pilot-in-command of a helicopter transporting passengers or cargo or a combination thereof by night, unless he or she has, within the 90 days immediately preceding such flight on which such passengers or cargo or a combination thereof, are to be transported, executed not less than five circuits, including the take-off and landing, by night in a helicopter of the same class as that in which such passenger, cargo or combination flight is to be undertaken, or in a simulator: Provided that if the holder complies with the provisions of this sub-regulation, such holder shall be exempt from the provisions of subregulation (1).

(3) The holder of a private pilot licence (helicopter) shall not act as pilot-in-command of a helicopter on an instrument approach to an aerodrome in IMC unless he or she is the holder of a valid instrument rating and, within the 90 days immediately preceding such approach, he or she has, by means of an instrument approach procedure or procedures, which have been established by the Commissioner or by an appropriate authority -

- (a) executed at least two actual approaches with reference to flight instruments only;
- (b) executed at least two approaches in a simulator for the purpose of practising instrument approach procedure;
- (c) executed at least one actual approach with reference to flight instruments only and one approach in a simulator for the purpose of practising instrument approach procedure; or
- (d) undergone the skill test referred to in regulation 61.17.5.

SUBPART 5**COMMERCIAL PILOT LICENCE (AEROPLANE)****Requirements for commercial pilot licence (aeroplane)**

61.05.1 An applicant for the issuing of a commercial pilot licence (aeroplane) shall -

- (a) be not less than 18 years of age;
- (b) hold a valid Class 1 medical certificate issued in terms of Part 67;
- (c) hold a valid general radiotelephony operator's certificate;
- (d) hold a valid private pilot licence (aeroplane), unless the applicant has completed the integrated training referred to in regulation 61.01.21;
- (e) have acquired the experience referred to in regulation 61.05.2;
- (f) have successfully completed the training referred to in regulation 61.05.3;
- (g) have passed the theoretical knowledge examination referred to in regulation 61.05.4;
- (h) have undergone the skill test referred to in regulation 61.05.5; and
- (i) hold a valid night rating.

Experience

61.05.2 An applicant for the issuing of a commercial pilot licence (aeroplane) shall have completed not less than -

- (a) 200 hours of flight time, which may include 20 hours of flight instruction time in a simulator; or
- (b) 150 hours of flight time if he or she has successfully completed the integrated training referred to in regulation 61.01.21:

Provided that the total of 200 hours or 150 hours, as the case may be, shall include -

- (i) 100 hours as pilot-in-command;
- (ii) 20 hours of cross-country flight time as pilot-in-command, including one flight of not less than 300 nm in the course of which not less than two full-stop landings at different aerodromes shall be made;
- (iii) 10 hours of night flying as pilot-in-command, including not less than 10 take-offs and 10 landings by night and consisting of a triangular flight of which the three legs are a minimum of 50 nm each; and

- (iv) 20 hours of instrument flight instruction, of which not more than 10 hours may have been acquired in a simulator.

Training

61.05.3 An applicant for the issuing of a commercial pilot licence (aeroplane) shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.05.4 An applicant for the issuing of a commercial pilot licence (aeroplane) shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.05.5 (1) An applicant for the issuing of a commercial pilot licence (aeroplane) shall have demonstrated to a designated examiner, the ability to perform as pilot-in-command of an aeroplane the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of a commercial pilot licence (aeroplane).

(2) The applicant shall undergo the skill test referred to in subregulation (1) within 24 months of passing the theoretical knowledge examination referred to in regulation 61.05.4 and within the 90 days immediately preceding the date of application.

(3) The skill test shall be undertaken in an aeroplane with variable pitch propellers, adjustable flaps and retractable undercarriage, unless special permission is obtained from the Commissioner.

Application for commercial pilot licence (aeroplane)

61.05.6 An application for the issuing of a commercial pilot licence (aeroplane) shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -
 - (i) a valid Class 1 medical certificate issued in terms of Part 67;
 - (ii) a certified true copy of the private pilot licence (aeroplane) held by the applicant or certified proof that the applicant has

- completed the integrated training referred to in regulation 61.01.21;
- (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.05.4;
- (iv) the skill test report as prescribed in Document SA-CATS-FCL; and
- (v) the appropriate fee as prescribed in Part 187.

Issuing of commercial pilot licence (aeroplane)

61.05.7 (1) The Commissioner shall issue a commercial pilot licence (aeroplane) if the applicant complies with the requirements referred to in regulation 61.05.1.

(2) A commercial pilot licence (aeroplane) shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.05.8 A commercial pilot licence (aeroplane) shall be valid for an indefinite period: Provided that the privileges of the licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid Class I medical certificate issued in terms of Part 67;
- (b) he or she complies with the provisions of regulation 61.05.11;
- (c) he or she holds an appropriate valid class and type rating; and
- (d) he or she holds a valid night rating.

Privileges of commercial pilot licence (aeroplane)

61.05.9 (1) The holder of a valid commercial pilot licence (aeroplane) shall, in the type of aeroplane for which he or she is rated, be entitled to -

- (a) exercise all the privileges of a private pilot licence (aeroplane);
- (b) act as pilot-in-command in any aeroplane operations other than commercial air transport operations;
- (c) act as pilot-in-command in commercial air transport operations in any aeroplane certified for single-pilot operations;
- (d) act as co-pilot in commercial air transport operations in any aeroplane required to be operated with a co-pilot;
- (e) act as a tug and safety pilot; and

(f) exercise all the privileges referred to in this subregulation by night.

(2) The holder of the licence shall be entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.05.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.05.10 (1) The ratings for special purposes associated with a commercial pilot licence (aeroplane) are -

- (a) an instrument rating;
- (b) a Category A flight instructor rating;
- (c) a flight test rating;
- (d) a tug pilot rating; and
- (e) an agricultural pilot rating.

(2) An application for any rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 20, 21, 22, 23, 24, 40, 41, 42, 43 or 48, as the case may be.

Maintenance of competency

61.05.11 (1) The holder of a commercial pilot licence (aeroplane) shall not act as pilot-in-command of an aeroplane transporting passengers or cargo or a combination thereof, by day, unless he or she has, within the 90 days immediately preceding the flight on which such passengers or cargo or a combination thereof, are to be transported, executed not less than three take-offs and landings in an aeroplane of the same class as that in which such passenger, cargo or combination flight is to be undertaken, or in a simulator.

(2) The holder of a commercial pilot licence (aeroplane) shall not act as pilot-in-command of an aeroplane transporting passengers or cargo or a combination thereof, by night, unless he or she has, within the 90 days immediately preceding the flight on which such passengers or cargo or a combination thereof, are to be transported, executed not less than three take-offs and landings by night in an aeroplane of the same class as that in which such passenger, cargo or combination flight is to be undertaken, or in a simulator: Provided that if the holder complies with the provisions of this subregulation, such holder shall be exempt from the provisions of subregulation (1).

(3) The holder of a commercial pilot licence (aeroplane) shall not act as pilot-in-command of an aeroplane on an instrument approach to an aerodrome in IMC unless he or she is the holder of a valid instrument rating and, within the 90 days immediately preceding such approach, he or she has, by means of an instrument approach procedure or procedures, which have been established by the Commissioner or by an appropriate authority -

- (a) executed at least two actual approaches with reference to flight instruments only;
- (b) executed at least two approaches in a simulator for the purpose of practising instrument approach procedure;
- (c) executed at least one actual approach with reference to flight instruments only and one approach in a simulator for the purpose of practising instrument approach procedure; or
- (d) undergone the skill test referred to in regulation 61.17.5.

SUBPART 6**COMMERCIAL PILOT LICENCE (HELICOPTER)****Requirements for commercial pilot licence (helicopter)**

61.06.1 An applicant for the issuing of a commercial pilot licence (helicopter) shall -

- (a) be not less than 18 years of age;
- (b) hold a valid Class 1 medical certificate issued in terms of Part 67;
- (c) hold a valid general radiotelephony operator's certificate;
- (d) hold a valid private pilot licence (helicopter), unless the applicant has completed the integrated training referred to in regulation 61.01.21;
- (e) have acquired the experience referred to in regulation 61.06.2;
- (f) have successfully completed the training referred to in regulation 61.06.3;
- (g) have passed the theoretical knowledge examination referred to in regulation 61.06.4; and
- (h) have undergone the skill test referred to in regulation 61.06.5.

Experience

61.06.2 An applicant for the issuing of a commercial pilot licence (helicopter) shall have completed not less than -

- (a) 200 hours of flight time, which may include 20 hours of flight instruction time in a simulator; or
- (b) 150 hours of flight time if he or she has successfully completed the integrated training referred to in regulation 61.01.21:

Provided that the total of 200 hours or 150 hours, as the case may be, shall include -

- (i) 100 hours as pilot-in-command;
- (ii) 20 hours of cross-country flight time as pilot-in-command, including one flight of not less than 100 nm in the course of which not less than two full-stop landings at two different aerodromes shall be made;
- (iii) 10 hours of night flying as pilot-in-command, including not less than 10 take-offs and 10 landings by night and consisting of a triangular flight of which the three legs are a minimum of 25 nm each; and

- (iv) 20 hours of instrument flight instruction, of which not more than 10 hours may have been acquired in a simulator.

Training

61.06.3 An applicant for the issuing of a commercial pilot licence (helicopter) shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.06.4 An applicant for the issuing of a commercial pilot licence (helicopter) shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.06.5 (1) An applicant for the issuing of a commercial pilot licence (helicopter) shall have demonstrated to a designated examiner, the ability to perform as pilot-in-command of a helicopter the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of a commercial pilot licence (helicopter).

(2) The applicant shall undergo the skill test referred to in subregulation (1) within 24 months of passing the theoretical knowledge examination referred to in regulation 61.06.4 and within the 90 days immediately preceding the date of application.

Application for commercial pilot licence (helicopter)

61.06.6 An application for the issuing of a commercial pilot licence (helicopter) shall be -

(a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and

(b) accompanied by -

(i) a valid Class 1 medical certificate issued in terms of Part 67;

(ii) a certified true copy of the private pilot licence (helicopter)

held by the applicant or certified proof that the applicant has completed the integrated training referred to in regulation

61.01.21;

- (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.05.4;
- (iv) the skill test report as prescribed in Document SA-CATS-FCL; and
- (v) the appropriate fee as prescribed in Part 187.

Issuing of commercial pilot licence (helicopter)

61.06.7 (1) The Commissioner shall issue a commercial pilot licence (helicopter) if the applicant complies with the requirements referred to in regulation 61.06.1.

(2) A commercial pilot licence (helicopter) shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.06.8 A commercial pilot licence (helicopter) shall be valid for an indefinite period: Provided that the privileges of the licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid Class 1 medical certificate issued in terms of Part 67;
- (b) he or she complies with the provisions of regulation 61.06.11; and
- (c) he or she holds an appropriate valid class and type rating.

Privileges of commercial pilot licence (helicopter)

61.06.9 (1) The holder of a valid commercial pilot licence (helicopter) shall be entitled to -

- (a) exercise all the privileges of a private pilot licence (helicopter);
- (b) act as pilot-in-command in any helicopter operations other than commercial air transport operations;
- (c) act as pilot-in-command in commercial air transport operations in any helicopter certified for single-pilot operations;
- (d) act as co-pilot in commercial air transport operations in any helicopter required to be operated with a co-pilot; and
- (e) act as a safety pilot.

(2) The holder of the licence shall be entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.06.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.06.10 (1) The ratings for special purposes associated with a commercial pilot licence (helicopter) are -

- (a) an instrument rating;
- (b) a Category B flight instructor rating;
- (c) a night rating;
- (d) a flight test rating;
- (e) an external load rating;
- (f) a winching rating;
- (g) a game or livestock cull rating; and
- (h) an agricultural pilot rating.

(2) An application for any rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 20, 25, 26, 27, 28, 39, 40, 41, 42, 45, 46, 47 or 48, as the case may be.

Maintenance of competency

61.06.11 (1) The holder of a commercial pilot licence (helicopter) shall not act as pilot-in-command of a helicopter transporting passengers or cargo or a combination thereof, by day, unless he or she has, within the 90 days immediately preceding the flight on which such passengers or cargo or a combination thereof are to be transported, executed not less than three circuits, including take-off and landing, in a helicopter of the same class as that in which such passenger, cargo or combination flight is to be undertaken, or in a simulator.

(2) The holder of a commercial pilot licence (helicopter) shall not act as pilot-in-command of a helicopter transporting passengers or cargo or a combination thereof, by night, unless he or she holds a night rating and has, within the 90 days immediately preceding the flight on which such passengers or cargo or combination thereof, are to be transported, executed not less than 15 circuits, including take-off and landing, by night in a helicopter of the same class as that in which such passenger, cargo or combination flight is to be undertaken, or in a simulator: Provided that if the holder complies with the provisions of this subregulation such holder shall be exempt from the provisions of subregulation (1).

(3) The holder of a commercial pilot licence (helicopter) shall not act as pilot-in-command of a helicopter on an instrument approach to an aerodrome in IMC unless he or she holds a valid night rating and instrument rating and, within the 90 days immediately preceding such approach, he or she has, by means of an instrument approach procedure or procedures, which have been established by the Commissioner or by an appropriate authority -

- (a) executed at least two actual approaches with reference to flight instruments only;
- (b) executed at least two approaches in a simulator for the purpose of practising instrument approach procedure;

- (c) executed at least one actual approach with reference to flight instruments only and an approach in a simulator for the purpose of practising instrument approach procedure; or
- (d) undergone the skill test referred to in regulation 61.17.5.

SUBPART 7**AIRLINE TRANSPORT PILOT LICENCE (AEROPLANE)****Requirements for airline transport pilot licence (aeroplane)**

61.07.1 An applicant for the issuing of an airline transport pilot licence (aeroplane) shall -

- (a) be not less than 21 years of age;
- (b) hold a valid Class 1 medical certificate issued in terms of Part 67;
- (c) hold a valid general radiotelephony operator's certificate;
- (d) hold a valid commercial pilot licence (aeroplane);
- (e) have acquired the experience referred to in regulation 61.07.2;
- (f) have successfully completed the training referred to in regulation 61.07.3;
- (g) have passed the theoretical knowledge examination referred to in regulation 61.07.4;
- (h) have undergone the skill test referred to in regulation 61.07.5;
- (i) hold a valid night rating; and
- (j) hold a valid instrument rating.

Experience

61.07.2 An applicant for the issuing of an airline transport pilot licence (aeroplane) shall have completed in aeroplanes not less than 1 500 hours of flight time, of which -

- (a) 250 hours shall be as pilot-in-command or not less than 100 hours as pilot-in-command and 150 hours as co-pilot performing, under the supervision of the pilot-in-command, the duties and functions of a pilot-in-command;
- (b) 200 hours shall be cross-country flight time, of which not less than 100 hours shall be as pilot-in-command or as co-pilot performing, under the supervision of the pilot-in-command, the duties and functions of a pilot-in-command;
- (c) 75 hours shall be instrument time, of which not more than 30 hours may be instrument ground time;
- (d) 100 hours shall be night flight time as pilot-in-command or as co-pilot; and
- (e) not more than 100 hours may be acquired in a simulator.

Training

61.07.3 An applicant for the issuing of an airline transport pilot licence (aeroplane) shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.07.4 An applicant for the issuing of an airline transport pilot licence (aeroplane) shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.07.5 (1) An applicant for the issuing of an airline transport pilot licence (aeroplane) shall have demonstrated to a designated examiner, the ability to perform as pilot-in-command of an aeroplane the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of an airline transport pilot licence (aeroplane).

(2) The applicant shall undergo the skill test referred to in subregulation (1) within 60 months of passing the theoretical knowledge examination referred to in regulation 61.07.4 and within the 90 days immediately preceding the date of application.

(3) The skill test shall be conducted in a multi-engine aeroplane with variable pitch propellers or turbine engines, adjustable flaps and retractable undercarriage.

Application for airline transport pilot licence (aeroplane)

61.07.6 An application for the issuing of an airline transport pilot licence (aeroplane) shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -
 - (i) a valid Class 1 medical certificate issued in terms of Part 67;
 - (ii) a certified true copy of the commercial pilot licence (aeroplane) held by the applicant;
 - (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.07.4;
 - (iv) the skill test report as prescribed in Document SA-CATS-FCL; and

- (v) the appropriate fee as prescribed in Part 187.

Issuing of airline transport pilot licence (aeroplane)

61.07.7 (1) The Commissioner shall issue an airline transport pilot licence (aeroplane) if the applicant complies with the requirements referred to in regulation 61.07.1.

(2) An airline transport pilot licence (aeroplane) shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.07.8 An airline transport pilot licence (aeroplane) shall be valid for an indefinite period: Provided that the privileges of the licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid Class 1 medical certificate issued in terms of Part 67;
- (b) he or she complies with the provisions of regulation 61.07.11;
- (c) he or she holds an appropriate valid class and type rating; and
- (d) he or she holds a valid night rating and instrument rating.

Privileges of airline transport pilot licence (aeroplane)

61.07.9 (1) The holder of a valid airline transport pilot licence (aeroplane) shall be entitled to -

- (a) exercise all the privileges of a private pilot licence (aeroplane) and a commercial pilot licence (aeroplane);
- (b) act as pilot-in-command of an aeroplane in air transport operations; and
- (c) exercise all the privileges referred to in this subregulation by night and under IFR.

(2) The holder of the licence shall be entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.07.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.07.10 (1) The ratings for special purposes associated with an airline transport pilot licence (aeroplane) are -

- (a) a Category A flight instructor rating;
- (b) a flight test rating;
- (c) a tug pilot rating; and
- (d) an agricultural pilot rating.

(2) An application for any rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 21, 22, 23, 24, 40, 41, 42, 43 or 48, as the case may be.

Maintenance of competency

61.07.11 (1) The holder of an airline transport pilot licence (aeroplane) shall not act as pilot-in-command of an aeroplane transporting passengers or cargo or a combination thereof, by day, unless he or she has, within the 90 days immediately preceding the flight on which such passengers or cargo or a combination thereof, are to be transported, executed not less than three take-offs and three landings in an aeroplane of the same class as that in which such passenger, cargo or combination flight is to be undertaken, or in a simulator.

(2) The holder of an airline transport pilot licence (aeroplane) shall not act as pilot-in-command of an aeroplane transporting passengers or cargo or a combination thereof, by night, unless he or she has, within the 90 days immediately preceding the flight on which such passengers or cargo or a combination thereof, are to be transported, executed not less than three take-offs and three landings by night in an aeroplane of the same class as that in which such passenger, cargo or combination flight is to be undertaken, or in a simulator: Provided that if the holder complies with the provisions of this subregulation, such holder shall be exempt from the provisions of subregulation (1).

(3) The holder of an airline transport pilot licence (aeroplane) shall not act as pilot-in-command of an aeroplane on an instrument approach to an aerodrome in IMC unless he or she is the holder of a valid instrument rating and, within the 90 days immediately preceding such approach, he or she has, by means of an instrument approach procedure or procedures, which have been established by the Commissioner or by an appropriate authority -

- (a) executed at least two actual approaches with reference to flight instruments only;
- (b) executed at least two approaches in a simulator for the purpose of practising instrument approach procedure;
- (c) executed at least one actual approach with reference to flight instruments only and one approach in a simulator for the purpose of practising instrument approach procedure; or
- (d) undergone the skill test referred to in regulation 61.17.5.

SUBPART 8**AIRLINE TRANSPORT PILOT LICENCE (HELICOPTER)****Requirements for airline transport pilot licence (helicopter)**

61.08.1 An applicant for the issuing of an airline transport pilot licence (helicopter) shall -

- (a) be not less than 21 years of age;
- (b) hold a valid Class 1 medical certificate issued in terms of Part 67;
- (c) hold a valid general radiotelephony operator's certificate;
- (d) hold a valid commercial pilot licence (helicopter);
- (e) have acquired the experience referred to in regulation 61.08.2;
- (f) have successfully completed the training referred to in regulation 61.08.3;
- (g) have passed the theoretical knowledge examination referred to in regulation 61.08.4;
- (h) have undergone the skill test referred to in regulation 61.08.5; and
- (i) hold a valid night rating.

Experience

61.08.2 An applicant for the issuing of an airline transport pilot licence (helicopter) shall have completed in helicopters not less than 1 000 hours of flight time, of which -

- (a) 250 hours shall be as pilot-in-command or not less than 100 hours as pilot-in-command and 150 hours as co-pilot performing, under the supervision of the pilot-in-command, the duties and functions of a pilot-in-command;
- (b) 200 hours shall be cross-country flight time, of which not less than 100 hours shall be as pilot-in-command or as co-pilot performing, under the supervision of the pilot-in-command, the duties and functions of a pilot-in-command;
- (c) 30 hours shall be instrument time, of which not more than 10 hours may have been acquired in a simulator;
- (d) 50 hours shall be night flight time as pilot-in-command or as co-pilot; and
- (e) not more than 100 hours may be acquired in a simulator.

Training

61.08.3 An applicant for the issuing of an airline transport pilot licence (helicopter) shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.08.4 An applicant for issuing of an airline transport pilot licence (helicopter) shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.08.5 (1) An applicant for the issuing of an airline transport pilot licence (helicopter) shall have demonstrated to a designated examiner, the ability to perform as pilot-in-command of a helicopter the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of an airline transport pilot licence (helicopter).

(2) The applicant shall undergo the skill test referred to in subregulation (1) within 60 months of passing the theoretical knowledge examination referred to in regulation 61.08.4 and within the 90 days immediately preceding the date of application.

Application for airline transport pilot licence (helicopter)

61.08.6 An application for the issuing of an airline transport pilot licence (helicopter) shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -
 - (i) a valid Class 1 medical certificate issued in terms of Part 67;
 - (ii) a certified true copy of the commercial pilot licence (helicopter) held by the applicant;
 - (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.08.4;
 - (iv) the skill test report as prescribed in Document SA-CATS-FCL; and
 - (v) the appropriate fee as prescribed in Part 187.

Issuing of airline transport pilot licence (helicopter)

61.08.7 (1) The Commissioner shall issue an airline transport pilot licence (helicopter) if the applicant complies with the requirements referred to in regulation 61.08.1.

(2) An airline transport pilot licence (helicopter) shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.08.8 An airline transport pilot licence (helicopter) shall be valid for an indefinite period: Provided that the privileges of the licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid Class 1 medical certificate issued in terms of Part 67;
- (b) he or she complies with the provisions of regulation 61.08.11;
- (c) he or she holds an appropriate valid class and type rating; and
- (d) he or she holds a valid night rating.

Privileges of airline transport pilot licence (helicopter)

61.08.9 (1) The holder of a valid airline transport pilot licence (helicopter) shall be entitled to -

- (a) exercise all the privileges of a private pilot licence (helicopter) and a commercial pilot licence (helicopter);
- (b) act as pilot-in-command of a helicopter in air transport operations; and
- (c) exercise all the privileges referred to in this subregulation by night.

(2) The holder of the licence shall be entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.08.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.08.10 (1) The ratings for special purposes associated with an airline transport pilot licence (helicopter) are -

- (a) an instrument rating;
- (b) a Category B flight instructor rating;
- (c) a flight test rating;
- (d) an external load rating;

- (e) a winching rating;
- (f) a game or livestock cull rating; and
- (g) an agricultural pilot rating.

(2) An application for any rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 20, 25, 26, 27, 28, 40, 41, 42, 45, 46, 47 or 48, as the case may be.

Maintenance of competency

61.08.11 (1) The holder of an airline transport pilot licence (helicopter) shall not act as pilot-in-command of a helicopter transporting passengers or cargo or a combination thereof, by day, unless he or she has, within the 90 days immediately preceding the flight on which such passengers or cargo or a combination thereof, are to be transported, executed not less than three circuits, including take-off and landing, in a helicopter of the same class as that in which such passenger, cargo or combination flight is to be undertaken, or in a simulator.

(2) The holder of an airline transport pilot licence (helicopter) shall not act as pilot-in-command of a helicopter transporting passengers or cargo or combination thereof, by night, unless he or she has, within the 90 days immediately preceding the flight on which such passengers or cargo or a combination thereof are to be transported, executed not less than three circuits, including take-off and landing, by night in a helicopter of the same class as that in which such passenger, cargo or combination flight is to be undertaken, or in a simulator: Provided that if the holder complies with the provisions of this subregulation, such pilot shall be exempt from the provisions of subregulation (1).

(3) The holder of an airline transport pilot licence (helicopter) shall not act as pilot-in-command of a helicopter on an instrument approach to an aerodrome in IMC unless he or she is the holder of a valid instrument rating and, within the 90 days immediately preceding such approach, he or she has, by means of an instrument approach procedure or procedures, which have been established the Commissioner or any appropriate authority -

- (a) executed at least two actual approaches with reference to flight instruments only;
- (b) executed at least two approaches in a simulator for the purpose of practising instrument approach procedure;
- (c) executed at least one actual approach with reference to flight instruments only and one approach in a simulator for the purpose of practising instrument approach procedure; or
- (d) undergone the skill test referred to in regulation 61.17.5.

SUBPART 9**MICROLIGHT AEROPLANE PILOT LICENCE****Requirements for microlight aeroplane pilot licence**

61.09.1 An applicant for the issuing of a microlight aeroplane pilot licence shall -

- (a) be not less than 16 years of age;
- (b) hold a valid Class 4 medical certificate issued in terms of Part 67;
- (c) hold a valid restricted radiotelephony operator's certificate;
- (d) hold a valid student pilot licence.
- (e) have acquired the experience referred to in regulation 61.09.2;
- (f) have successfully completed the training referred to in regulation 61.09.3;
- (g) have passed the theoretical knowledge examination referred to in regulation 61.09.4; and
- (h) have undergone the skill test referred to in regulation 61.09.5.

Experience

61.09.2 An applicant for the issuing of a microlight aeroplane pilot licence shall have completed not less than 20 hours flight time as a pilot of a microlight aeroplane, of which at least 10 hours shall be solo flight time, and which shall include -

- (a) one triangular cross-country flight, whether dual or under supervision, and one solo triangular cross-country flight, each of a duration of not less than 90 minutes flown at normal cruising speed; and
- (b) one triangular cross-country flight, whether dual or under supervision, of a duration of not less than 90 minutes flown at normal cruising speed and which includes a full-stop landing at a point other than the point of departure.

Training

61.09.3 An applicant for the issuing of a microlight aeroplane pilot licence shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.09.4 An applicant for the issuing of a microlight aeroplane pilot licence shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.09.5 (1) An applicant for the issuing of a microlight aeroplane pilot licence shall have demonstrated to the holder of a Grade I or a Grade II microlight aeroplane flight instructor rating the ability to perform, as pilot-in-command of a microlight aeroplane, the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of a microlight aeroplane pilot licence.

(2) The applicant shall undergo the skill test referred to in subregulation (1) within the 90 days of passing the theoretical knowledge examination referred to in regulation 61.09.4 and within the 60 days immediately preceding the date of application.

Application for microlight aeroplane pilot licence

61.09.6 An application for the issuing of a microlight aeroplane pilot licence shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -
 - (i) a valid Class 4 medical certificate, issued in terms of Part 67;
 - (ii) a certified true copy of the student pilot licence held by the applicant;
 - (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.09.4;
 - (iv) the skill test report as prescribed in Document SA-CATS-FCL; and
 - (v) the appropriate fee as prescribed in Part 187.

Issuing of microlight aeroplane pilot licence

61.09.7 (1) The Commissioner shall issue a microlight aeroplane pilot licence if the applicant complies with the requirements referred to in regulation 61.09.1.

(2) A microlight aeroplane pilot licence shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.09.8 A microlight aeroplane pilot licence shall be valid for an indefinite period: Provided that the privileges of the licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid Class 4 medical certificate issued in terms of Part 67;
- (b) he or she complies with the provisions of regulation 61.09.11; and
- (c) he or she holds an appropriate valid class and type rating.

Privileges of a microlight aeroplane pilot licence

61.09.9 (1) The holder of a microlight aeroplane pilot licence shall be entitled to act, but not for remuneration, as pilot-in-command of any microlight aeroplane engaged in non-revenue flights, for which he or she is type rated, in VMC by day -

- (a) on an international flight if the prior approval for such flight has been obtained in writing from the aviation authority of the country to be entered; and
- (b) within controlled airspace if -
 - (i) prior permission has been obtained from the responsible air traffic service unit to enter such airspace;
 - (ii) continuous radio watch is maintained;
 - (iii) such two-way radio communication as the said unit may require, is established; and
 - (iv) in the case of an aerodrome traffic zone, the appropriate radio position reporting procedure is complied with while such microlight aeroplane is within such aerodrome traffic zone.

(2) The holder of the licence shall be entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.09.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.09.10 (1) The rating for special purposes associated with a microlight aeroplane pilot licence is a Grade II microlight aeroplane flight instructor rating.

(2) An application for the rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 30.

Maintenance of competency

61.09.11 The holder of a microlight aeroplane pilot licence shall not act as pilot-in-command of a microlight aeroplane transporting a passenger unless he or she has, within the 90 days immediately preceding the flight on which such passenger is to be transported, executed not less than three take-offs and three landings in a microlight aeroplane of the same type as that in which such passenger flight is to be undertaken.

- (a) he or she holds a valid Class 1 medical certificate issued in terms of Part 67;
- (b) he or she complies with the provision of regulation 61.05.11; and
- (c) he or she holds an appropriate valid class and type rating.

Privileges of a commercial microlight aeroplane pilot licence

61.10.9 (1) The holder of a valid commercial microlight aeroplane pilot licence shall be entitled to -

- (a) exercise all the privileges of a microlight aeroplane pilot licence; and
- (b) act as pilot-in-command in commercial and other air transport operations,

in any microlight aeroplane for which the holder is type rated.

(2) The holder of the licence shall be entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.10.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.10.10 (1) The ratings for special purposes associated with a commercial microlight aeroplane pilot licence are -

- (a) a Grade I microlight aeroplane flight instructor;
- (b) a Grade II microlight aeroplane flight instructor; and
- (c) an agricultural pilot rating.

(2) An application for any rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 29, 30 or 48, as the case may be.

Maintenance of competency

61.10.11 The holder of a commercial microlight aeroplane pilot licence shall not act as pilot-in-command of a microlight aeroplane transporting a passenger unless he or she has, within the 90 days immediately preceding the flight on which such passenger is to be transported, executed not less than three take-offs and three landings in a microlight aeroplane of the same type as that in which such passenger flight is to be undertaken.

SUBPART 11**GLIDER PILOT LICENCE****Requirements for glider pilot licence**

61.11.1 An applicant for the issuing of a glider pilot licence shall -

- (a) be not less than 16 years of age;
- (b) hold a valid Class 4 medical certificate issued in terms of Part 67;
- (c) hold a valid restricted radiotelephony operator's certificate;
- (d) hold a valid student pilot licence;
- (e) have acquired the experience referred to in regulation 61.11.2;
- (f) have successfully completed the training referred to in regulation 61.11.3;
- (g) have passed the theoretical knowledge examination referred to in regulation 61.11.4; and
- (h) have undergone the skill test referred to in regulation 61.11.5.

Experience

61.11.2 An applicant for the issuing of a glider pilot licence shall have completed not less than six hours of flight time in a glider suitable for cross-country flights of which not less than two hours shall be solo flight time and he or she shall perform not less than 20 take-offs and landings: Provided that where the applicant is the holder of a pilot licence issued in terms of Subpart 3, 5 or 7, as the case may be, he or she shall complete not less than 3 hours flight time of which not less than one hour shall be solo flight time during which he or she shall perform not less than 10 take-offs and landings.

Training

61.11.3 An applicant for the issuing of a glider pilot licence shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.11.4 An applicant for the issuing of a glider pilot licence shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.11.5 (1) An applicant for the issuing of a glider pilot licence shall demonstrate to the holder of a Grade I or a Grade II glider flight instructor rating the ability to perform, as pilot-in-command of a glider, the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of a glider pilot licence.

(2) The applicant shall undergo the skill test referred to in subregulation (1) within 90 days of passing the theoretical knowledge examination referred to in regulation 61.11.4 and within the 60 days immediately preceding the date of application.

Application for glider pilot licence

61.11.6 An application for the issuing of a glider pilot licence shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -
 - (i) a valid Class 4 medical certificate issued in terms of Part 67;
 - (ii) a certified true copy of the student pilot licence held by the applicant;
 - (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.11.4;
 - (iv) the skill test report as prescribed in Document SA-CATS-FCL; and
 - (v) the appropriate fee as prescribed in Part 187.

Issuing of glider pilot licence

61.11.7 (1) The Commissioner shall issue a glider pilot licence if the applicant complies with the requirements referred to in regulation 61.11.1.

(2) A glider pilot licence shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.11.8 A glider pilot licence shall be valid for an indefinite period: Provided that the privileges of the licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid Class 4 medical certificate issued in terms of Part 67;
- (b) he or she complies with the provision of regulation 61.11.11; and
- (c) he or she holds an appropriate valid class and type rating.

Privileges of glider pilot licence

61.11.9 (1) The holder of a glider pilot licence shall be entitled to act, but not for remuneration, as pilot-in-command of any glider engaged in non-revenue flights, for which he or she is type rated, in VMC by day.

(2) The holder of the licence shall be entitled to exercise the privileges of the licence for the special purposes referred to in regulation 61.11.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.11.10 (1) The rating for special purposes associated with a glider pilot licence is a Grade II glider flight instructor rating.

(2) An application for the rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 32.

Maintenance of competency

61.11.11 The holder of a glider pilot licence shall not act as pilot-in-command of a glider transporting a passenger unless he or she has, within the 90 days immediately preceding the flight on which such passenger is to be transported, executed not less than three take-offs and three landings in a glider of the same type as that in which such passenger flight is to be undertaken.

SUBPART 12**COMMERCIAL GLIDER PILOT LICENCE****Requirements for commercial glider pilot licence**

61.12.1 An applicant for the issuing of a commercial glider pilot licence shall -

- (a) be not less than 18 years of age;
- (b) hold a valid Class 1 medical certificate issued in terms of Part 67;
- (c) hold a valid general radiotelephony operator's certificate;
- (d) hold a valid glider pilot licence;
- (e) have acquired the experience referred to in regulation 61.12.2;
- (f) have successfully completed the training referred to in regulation 61.12.3;
- (g) have passed the theoretical knowledge examination referred to in regulation 61.12.4; and
- (h) have undergone the skill test referred to in regulation 61.12.5.

Experience

61.12.2 An applicant for the issuing of a commercial glider pilot licence shall have completed not less than 60 hours of flight time in a glider suitable for cross-country flights of which not less than 20 hours shall be solo flight time.

Training

61.12.3 An applicant for the issuing of a commercial glider pilot licence shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.12.4 An applicant for the issuing of a commercial glider pilot licence shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.12.5 (1) An applicant for the issuing of a commercial glider pilot licence shall demonstrate to the holder of a Grade I glider flight instructor rating the ability to perform, as pilot-in-command of a glider, the procedures and manoeuvres as prescribed in Document SA-

CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of a commercial glider pilot licence.

(2) The applicant shall undergo the skill test referred to in subregulation (1) within 24 months of passing the theoretical knowledge examination referred to in regulation 61.12.4 and within the 90 days immediately preceding the date of application.

Application for commercial glider pilot licence

61.12.6 An application for the issuing of a commercial glider pilot licence shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -
 - (i) a valid Class 1 medical certificate issued in terms of Part 67;
 - (ii) a certified true copy of the glider pilot licence held by the applicant;
 - (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.12.4;
 - (iv) the skill test report as prescribed in Document SA-CATS-FCL; and
 - (v) the appropriate fee as prescribed in Part 187.

Issuing of commercial glider pilot licence

61.12.7 (1) The Commissioner shall issue a commercial glider pilot licence if the applicant complies with the requirements referred to in regulation 61.12.1.

(2) A commercial glider pilot licence shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.12.8 A commercial glider pilot licence shall be valid for an indefinite period: Provided that the privileges of the licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid Class 1 medical certificate issued in terms of Part 67;
- (b) he or she complies with the provisions of regulation 61.12.11; and
- (c) he or she holds an appropriate valid class and type rating.

Privileges of commercial glider pilot licence

61.12.9 (1) The holder of a commercial glider pilot licence shall be entitled to -

- (a) exercise all the privileges of a glider pilot licence; and
- (b) act as pilot-in-command in commercial and other air transport operations, in any glider for which the holder is type rated.

(2) The holder of the licence shall be entitled to exercise the privileges of the licence for any of the special purposes referred to in regulation 61.12.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.12.10 (1) The ratings for special purposes associated with a commercial glider pilot licence are -

- (a) a Grade I glider flight instructor rating; and
- (b) a Grade II glider flight instructor rating.

(2) An application for any rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 31 or 32, as the case may be.

Maintenance of competency

61.12.11 The holder of a commercial glider pilot licence shall not act as pilot-in-command of a glider transporting a passenger unless he or she has, within the 90 days immediately preceding the flight on which such passenger is to be transported, executed not less than three take-offs and three landings in a glider of the same type as that in which such passenger flight is to be undertaken.

SUBPART 13**FREE BALLOON PILOT LICENCE****Requirements for free balloon pilot licence**

61.13.1 An applicant for the issuing of a free balloon pilot licence shall -

- (a) be not less than 16 years of age;
- (b) hold a valid -
 - (i) Class 1 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for commercial purposes; or
 - (ii) Class 4 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for non-commercial purposes;
- (c) hold a valid restricted radiotelephony operator's certificate;
- (d) have acquired the experience referred to in regulation 61.13.2;
- (e) have successfully completed the training referred to in regulation 61.13.3;
- (f) have passed the theoretical knowledge examination referred to in regulation 61.13.4; and
- (g) have undergone the skill test referred to in regulation 61.13.5.

Experience

61.13.2 An applicant for the issuing of a free balloon pilot licence shall have completed not less than 16 hours aloft with not less than eight ascents under instruction of the holder of a free balloon flight instructor rating.

Training

61.13.3 An applicant for the issuing of a free balloon pilot licence shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.13.4 An applicant for the issuing of a free balloon pilot licence shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.13.5 (1) An applicant for the issuing of a free balloon pilot licence shall have demonstrated to the holder of a free balloon flight instructor rating the ability to perform, as pilot-in-command of a free balloon, the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of a free balloon pilot licence.

(2) The applicant shall undergo the skill test referred to in subregulation (1), within 90 days of passing the theoretical knowledge examination referred to in regulation 61.13.4 and within the 60 days immediately preceding the date of application.

Application for free balloon pilot licence

61.13.6 An application for the issuing of a free balloon pilot licence shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -
 - (i) original or certified proof of -
 - (aa) the identity of the applicant; and
 - (bb) the age of the applicant;
 - (ii) a valid Class 1 medical certificate or Class 4 medical certificate, as the case may be, issued in terms of Part 67;
 - (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.13.4;
 - (iv) the skill test report as prescribed in Document SA-CATS-FCL; and
 - (v) the appropriate fee as prescribed in Part 187.

Issuing of free balloon pilot licence

61.13.7 (1) The Commissioner shall issue a free balloon pilot licence if the applicant complies with the requirements referred to in regulation 61.13.1.

(2) A free balloon pilot licence shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.13.8 A free balloon pilot licence shall be valid for an indefinite period: Provided that the privileges of the licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid -
 - (i) Class 1 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for commercial purposes; or
 - (ii) Class 4 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for non-commercial purposes;
- (b) he or she complies with the provisions of regulation 61.13.11; and
- (c) he or she holds an appropriate valid class and type rating.

Privileges of free balloon pilot licence

61.13.9 (1) The holder of a valid free balloon pilot licence and Class 1 medical certificate issued in terms of Part 67, shall be entitled to act as pilot-in-command of any free balloon for which the holder is type rated -

- (a) engaged in commercial and other air transport operations; and
- (b) in VMC by day.

(2) The holder of a valid free balloon pilot licence and Class 4 medical certificate issued in terms of Part 67, shall be entitled to act, but not for remuneration as pilot-in-command of any free balloon for which the holder is type rated -

- (a) engaged in non-revenue flights; and
- (b) in VMC by day.

(3) The holder of the licence shall be entitled to exercise the privileges of the licence for the special purposes referred to in regulation 61.13.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.13.10 (1) The rating for special purposes associated with a free balloon pilot licence is a free balloon flight instructor rating.

(2) An application for the rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 33.

Maintenance of competency

61.13.11 The holder of a free balloon pilot licence shall not act as pilot-in-command of a free balloon transporting passengers unless he or she has, within the 90 days immediately preceding the flight on which such passengers are to be transported, executed not less than three ascents in a free balloon of the same type as that in which such passenger flight is to be undertaken.

SUBPART 14**AIRSHIP PILOT LICENCE****Requirements for airship pilot licence**

61.14.1 An applicant for the issuing of an airship pilot licence shall -

- (a) be not less than 16 years of age;
- (b) hold a valid -
 - (i) Class 1 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for commercial purposes; or
 - (ii) Class 4 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for non-commercial purposes;
- (c) hold a valid restricted radiotelephony operator's certificate;
- (d) have acquired the experience referred to in regulation 61.14.2;
- (e) have successfully completed the training referred to in regulation 61.14.3;
- (f) have passed the theoretical knowledge examination referred to in regulation 61.14.4; and
- (g) have undergone the skill test referred to in regulation 61.14.5.

Experience

61.14.2 An applicant for the issuing of an airship pilot licence shall have completed not less than 16 hours aloft during which time he or she shall perform not less than eight ascents, under instruction of the holder of an airship flight instructor rating.

Training

61.14.3 An applicant for the issuing of an airship pilot licence shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.14.4 An applicant for the issuing of an airship pilot licence shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.14.5 (1) An applicant for the issuing of an airship pilot licence shall have demonstrated to the holder of an airship flight instructor rating the ability to perform, as pilot-in-command of an airship the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of an airship pilot licence.

(2) The applicant shall undergo the skill test referred to in subregulation (1), within 90 days of passing the theoretical knowledge examination referred to in regulation 61.14.4 and within the 60 days immediately preceding the date of application.

Application for airship pilot licence

61.14.6 An application for the issuing of an airship pilot licence shall be -

- (a)** made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b)** accompanied by -
 - (i)** original or certified proof of -
 - (aa)** the identity of the applicant; and
 - (bb)** the age of the applicant;
 - (ii)** a valid Class 1 medical certificate or Class 4 medical certificate, as the case may be, issued in terms of Part 67;
 - (iii)** original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.14.4;
 - (iv)** the skill test report as prescribed in Document SA-CATS-FCL; and
 - (v)** the appropriate fee as prescribed in Part 187.

Issuing of airship pilot licence

61.14.7 (1) The Commissioner shall issue an airship pilot licence if the applicant complies with the requirements referred to in regulation 61.14.1.

(2) An airship pilot licence shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.14.8 An airship pilot licence shall be valid for an indefinite period: Provided that the privileges of the licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid -
 - (i) Class 1 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for commercial purposes; or
 - (ii) Class 4 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for non-commercial purposes;
- (b) he or she complies with the provisions of regulation 61.14.11; and
- (c) he or she holds an appropriate valid class and type rating.

Privileges of airship pilot licence

61.14.9 (1) The holder of a valid airship pilot licence and Class 1 medical certificate issued in terms of Part 67, shall be entitled to act as pilot-in-command of any airship for which the holder is type rated -

- (a) engaged in commercial and other air transport operations; and
- (b) in VMC by day.

(2) The holder of a valid airship pilot licence and Class 4 medical certificate issued in terms of Part 67, shall be entitled to act, but not for remuneration, as pilot-in-command of any airship for which the holder is type rated -

- (a) engaged in non-revenue flights; and
- (b) in VMC by day.

(3) The holder of the licence shall be entitled to exercise the privileges of the licence for the special purposes referred to in regulation 61.14.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.14.10 (1) The rating for special purposes associated with an airship pilot licence is an airship flight instructor rating.

(2) An application for the rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 34.

Maintenance of competency

61.14.11 The holder of an airship pilot licence shall not act as pilot-in-command of an airship transporting passengers unless he or she has, within the 90 days immediately preceding the flight on which such passengers are to be transported, executed not less than three ascents in an airship of the same type as that in which such passenger flight is to be undertaken.

SUBPART 15**GYROPLANE PILOT LICENCE****Requirements for gyroplane pilot licence**

61.15.1 An applicant for the issuing of a gyroplane pilot licence shall -

- (a) be not less than 16 years of age;
- (b) hold a valid -
 - (i) Class 1 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for commercial purposes; or
 - (ii) Class 4 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for non-commercial purposes;
- (c) hold a valid restricted radiotelephony operator's certificate;
- (d) hold a valid student pilot licence;
- (e) have acquired the experience referred to in regulation 61.15.2;
- (f) have successfully completed the training referred to in regulation 61.15.3;
- (g) have passed the theoretical knowledge examination referred to in regulation 61.15.4; and
- (h) have undergone the skill test referred to in regulation 61.15.5.

Experience

61.15.2 An applicant for the issuing of a gyroplane pilot licence shall have completed not less than 20 hours flight time as a pilot of a gyroplane of which at least ten hours shall be solo flight time, and which shall include -

- (a) one triangular cross-country flight, whether dual or under supervision, and one solo triangular cross-country flight, each of a duration of not less than 90 minutes flown at normal cruising speed; and
- (b) one triangular cross-country flight, whether dual or under supervision, of a duration of not less than 90 minutes flown at normal cruising speed and which includes a full-stop landing at a point other than the point of departure.

Training

61.15.3 An applicant for the issuing of a gyroplane pilot licence shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.15.4 An applicant for the issuing of a gyroplane pilot licence shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.15.5 (1) An applicant for the issuing of a gyroplane pilot licence shall have demonstrated to the holder of a gyroplane flight instructor rating the ability to perform, as pilot-in-command of a gyroplane, the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of a gyroplane pilot licence.

(2) The applicant shall undergo the skill test referred to in subregulation (1), within 90 days of passing the theoretical knowledge examination referred to in regulation 61.15.4 and within the 60 days immediately preceding the date of application.

Application for gyroplane pilot licence

61.15.6 An application for the issuing of a gyroplane pilot licence shall be -

(a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and

(b) accompanied by -

(i) a valid Class 1 medical certificate or Class 4 medical certificate, as the case may be, issued in terms of Part 67;

(ii) a certified true copy of the student pilot licence held by the applicant;

(iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.15.4;

(iv) the skill test report as prescribed in Document SA-CATS-FCL; and

(v) the appropriate fee as prescribed in Part 187.

Issuing of gyroplane pilot licence

61.15.7 (1) The Commissioner shall issue a gyroplane pilot licence if the applicant complies with the requirements referred to in regulation 61.15.1.

(2) A gyroplane pilot licence shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.15.8 A gyroplane pilot licence shall be valid for an indefinite period: Provided that the privileges of such licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid -
 - (i) Class 1 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for commercial purposes; or
 - (ii) Class 4 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for non-commercial purposes;
- (b) he or she complies with the provisions of regulation 61.15.11; and
- (c) he or she holds an appropriate valid class and type rating.

Privileges of gyroplane pilot licence

61.15.9 (1) The holder of a valid gyroplane pilot licence and Class 1 medical certificate issued in terms of Part 67, shall be entitled to act as pilot-in-command of any gyroplane for which the holder is type rated -

- (a) engaged in commercial and other air transport operations; and
- (b) in VMC by day.

(2) The holder of a valid gyroplane pilot licence and Class 4 medical certificate issued in terms of Part 67, shall be entitled to act, but not for remuneration, as pilot-in-command of any gyroplane for which the holder is type rated -

- (c) on an international flight if the prior approval for such flight been obtained in writing from the aviation authority of the country to be entered; and
- (d) within controlled airspace if -
 - (i) prior permission has been obtained from the responsible air traffic service unit to enter such airspace;
 - (ii) continuous radio watch is maintained;

- (iii) such two-way radio communication as the said unit may require, is established; and
- (iv) in the case of an aerodrome traffic zone, the appropriate radio position reporting procedure is complied with while such gyroplane is within such aerodrome traffic zone.

(3) The holder of the licence shall be entitled to exercise the privileges of the licence for the special purposes referred to in regulation 61.15.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.15.10 (1) The rating for special purposes associated with a gyroplane pilot licence is a gyroplane flight instructor rating.

(2) An application for the rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 35.

Maintenance of competency

61.15.11 The holder of a gyroplane pilot licence shall not act as pilot-in-command of a gyroplane transporting a passenger unless he or she has, within the 90 days immediately preceding the flight on which such passenger is to be transported, executed not less than three take-offs and three landings in a gyroplane of the same type as that in which such passenger flight is to be undertaken.

SUBPART 16**POWERED PARAGLIDER PILOT LICENCE****Requirements for powered paraglider pilot licence**

61.16.1 An applicant for the issuing of a powered paraglider pilot licence shall -

- (a) be not less than 16 years of age;
- (b) hold a valid -
 - (i) Class 1 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for commercial purposes; or
 - (ii) Class 4 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for non-commercial purposes;
- (c) hold a valid restricted radiotelephony operator's certificate;
- (d) hold a valid student pilot licence;
- (e) have acquired the experience referred to in regulation 61.16.2;
- (f) have successfully completed the training referred to in regulations 61.16.3 and 61.18.3;
- (g) have passed the theoretical knowledge examination referred to in regulations 61.16.4 and 61.18.4; and;
- (h) have undergone the skill test referred to in regulation 61.16.5.

Experience

61.16.2 An applicant for the issuing of a powered paraglider pilot licence shall have completed the flights as prescribed in Document SA-CATS-FCL.

Training

61.16.3 An applicant for the issuing of a powered paraglider pilot licence shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.16.4 An applicant for the issuing of a powered paraglider pilot licence shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.16.5 (1) An applicant for the issuing of a powered paraglider pilot licence shall have demonstrated to the holder of a powered paraglider flight instructor rating the ability to perform, as pilot-in-command of a powered paraglider, the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of a powered paraglider pilot licence.

(2) The applicant shall undergo the skill test referred to in subregulation (1), within 90 days of passing the theoretical knowledge examination referred to in regulation 61.16.4 and within the 60 days immediately preceding the date of application.

Application for powered paraglider pilot licence

61.16.6 An application for the issuing of a powered paraglider pilot licence shall be -

- (a)** made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b)** accompanied by -
 - (i)** a valid Class 1 medical certificate or Class 4 medical certificate, as the case may be, issued in terms of Part 67;
 - (ii)** a certified true copy of the student pilot licence held by the applicant;
 - (iii)** original or certified proof that the applicant has passed the theoretical knowledge examinations referred to in regulations 61.16.4 and 61.18.4;
 - (iv)** the skill test report as prescribed in Document SA-CATS-FCL; and
 - (v)** the appropriate fee as prescribed in Part 187.

Issuing of powered paraglider pilot licence

61.16.7 (1) The Commissioner shall issue a powered paraglider pilot licence if the applicant complies with the requirements referred to in regulation 61.16.1.

(2) A powered paraglider pilot licence shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.16.8 A powered paraglider pilot licence shall be valid for an indefinite period: Provided that the privileges of such licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid -
 - (i) Class 1 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for commercial purposes; or
 - (ii) Class 4 medical certificate issued in terms of Part 67, if the privileges of the licence are to be exercised for non-commercial purposes;
- (b) he or she complies with the provisions of regulation 61.15.11; and
- (c) he or she holds an appropriate valid class and type rating.

Privileges of powered paraglider pilot licence

61.16.9 (1) The holder of a valid powered paraglider pilot licence and Class 1 medical certificate issued in terms of Part 67, shall be entitled to act as pilot-in-command of any powered paraglider for which the holder is type rated -

- (a) engaged in commercial and other air transport operations; and
- (b) in VMC by day.

(2) The holder of a valid powered paraglider pilot licence and Class 4 medical certificate issued in terms of Part 67, shall be entitled to act, but not for remuneration, as pilot-in-command of any powered paraglider for which the holder is type rated -

- (a) engaged in non-revenue flights; and
- (b) in VMC by day.

(3) The holder of the licence shall be entitled to exercise the privileges of the licence for the special purposes referred to in regulation 61.16.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.16.10 (1) The rating for special purposes associated with a powered paraglider pilot licence is a powered paraglider flight instructor rating.

(2) An application for the rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 36.

Maintenance of competency

61.16.11 The holder of powered paraglider pilot licence shall not act as pilot-in-command of a powered paraglider transporting a passenger unless he or she has, within the 90 days immediately preceding the flight on which such passenger is to be transported, executed not less than three flights in a powered paraglider of the same type as that in which such passenger flight is to be undertaken.

SUBPART 17**HANG GLIDER PILOT LICENCE****Requirements for hang glider pilot licence**

61.17.1 An applicant for the issuing of a hang glider pilot licence shall -

- (a) be not less than 16 years of age;
- (b) hold a valid Class 4 medical certificate issued in terms of Part 67;
- (c) hold a valid student pilot licence;
- (d) have acquired the experience referred to in regulation 61.17.2;
- (e) have successfully completed the training referred to in regulation 61.17.3;
- (f) have passed the theoretical knowledge examination referred to in regulation 61.17.4; and
- (g) have undergone the skill test referred to in regulation 61.17.5.

Experience

61.17.2 An applicant for the issuing of a hang glider pilot licence shall have completed the flights as prescribed in Document SA-CATS-FCL.

Training

61.17.3 An applicant for the issuing of a hang glider pilot licence shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.17.4 An applicant for the issuing of a hang glider pilot licence shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.17.5 (1) An applicant for the issuing of a hang glider pilot licence shall have demonstrated to the holder of a hang glider flight instructor rating the ability to perform, as pilot-

in-command of a hang glider, the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of a hang glider pilot licence.

(2) The applicant shall undergo the skill test referred to in subregulation (1), within 90 days of passing the theoretical knowledge examination referred to in regulation 61.17.4 and within the 60 days immediately preceding the date of application.

Application for hang glider pilot licence

61.17.6 An application for the issuing of a hang glider pilot licence shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -
 - (i) a valid Class 4 medical certificate issued in terms of Part 67;
 - (ii) a certified true copy of the student pilot licence held by the applicant;
 - (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.17.4;
 - (iv) the skill test report as prescribed in Document SA-CATS-FCL; and
 - (v) the appropriate fee as prescribed in Part 187.

Issuing of hang glider pilot licence

61.17.7 (1) The Commissioner shall issue a hang glider pilot licence if the applicant complies with the requirements referred to in regulation 61.17.1.

(2) A hang glider pilot licence shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.17.8 A hang glider pilot licence shall be valid for an indefinite period: Provided that the privileges of the licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid Class 4 medical certificate issued in terms of Part 67.
- (b) he or she complies with the provisions of regulation 61.17.11; and
- (c) he or she holds an appropriate valid class and type rating.

Privileges of a hang glider pilot licence

61.17.9 (1) The holder of a hang glider pilot licence shall be entitled to act, but not for remuneration, as pilot-in-command of any hang glider engaged in a non-revenue flight, for which the holder is type rated, in VMC by day.

(2) The holder of the licence shall be entitled to exercise the privileges of the licence for the special purposes referred to in regulation 61.17.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.17.10 (1) The rating for special purposes associated with a hang glider pilot licence is a hang glider flight instructor rating.

(2) An application for the rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 37.

Maintenance of competency

61.17.11 The holder of hang glider pilot licence shall not act as pilot-in-command of a hang glider transporting a passenger unless he or she has, within the 90 days immediately preceding the flight on which such passenger is to be transported, executed not less than three flights in a hang glider of the same type as that in which such passenger flight is to be undertaken.

SUBPART 18**PARAGLIDER PILOT LICENCE****Requirements for paraglider pilot licence**

61.18.1 An applicant for the issuing of a paraglider pilot licence shall -

- (a) be not less 16 years of age;
- (b) hold a valid Class 4 medical certificate issued in terms of Part 67;
- (c) hold a valid student pilot licence.
- (d) have acquired the experience referred to in regulation 61.18.2;
- (e) have successfully completed the training referred to in regulation 61.18.3;
- (f) have passed the theoretical knowledge examination referred to in regulation 61.18.4; and
- (g) have undergone the skill test referred to in regulation 61.18.5.

Experience

61.18.2 An applicant for the issuing of a paraglider pilot licence shall have completed the flights as prescribed in Document SA-CATS-FCL.

Training

61.18.3 An applicant for the issuing of a paraglider pilot licence shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.18.4 An applicant for the issuing of a paraglider pilot licence shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.18.5 (1) An applicant for the issuing of a paraglider pilot licence shall have demonstrated to the holder of a paraglider flight instructor rating the ability to perform, as pilot-

in-command of a paraglider, the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of a paraglider pilot licence.

(2) The applicant shall undergo the skill test referred to in subregulation (1), within 90 days of passing the theoretical knowledge examination referred to in regulation 61.18.4 and within the 60 days immediately preceding the date of application.

Application for paraglider pilot licence

61.18.6 An application for the issuing of a paraglider pilot licence shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -
 - (i) a valid Class 4 medical certificate issued in terms of Part 67;
 - (ii) a certified true copy of the student pilot licence held by the applicant;
 - (iii) original or certified proof that the applicant has passed the theoretical knowledge examination referred to in regulation 61.18.4;
 - (iv) the skill test report as prescribed in Document SA-CATS-FCL; and
 - (v) the appropriate fee as prescribed in Part 187.

Issuing of paraglider pilot licence

61.18.7 (1) The Commissioner shall issue a paraglider pilot licence if the applicant complies with the requirements referred to in regulation 61.18.1.

(2) A paraglider pilot licence shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.18.8 A paraglider pilot licence shall be valid for an indefinite period: Provided that the privileges of the licence shall not be exercised by the holder thereof unless -

- (a) he or she holds a valid Class 4 medical certificate issued in terms of Part 67;
- (b) he or she complies with the provisions of regulation 61.17.11; and
- (c) he or she holds an appropriate valid class and type rating.

Privileges of a paraglider pilot licence

61.18.9 (1) The holder of a paraglider pilot licence shall be entitled to act, but not for remuneration, as pilot-in-command of any paraglider engaged in a non-revenue flight, for which the holder is type rated, in VMC by day.

(2) The holder of the licence shall be entitled to exercise the privileges of the licence for the special purposes referred to in regulation 61.18.10(1), if the holder holds the appropriate valid rating.

Rating for special purposes

61.18.10 (1) The rating for special purposes associated with a paraglider pilot licence is a paraglider flight instructor rating.

(2) An application for the rating referred to in subregulation (1) shall be made in accordance with the regulations in Subpart 38.

Maintenance of competency

61.18.11 The holder of a paraglider pilot licence shall not act as pilot-in-command of a paraglider transporting a passenger unless he or she has, within the 90 days immediately preceding the flight on which such passenger is to be transported, executed not less than three flights in a paraglider of the same type as that in which such passenger flight is to be undertaken.

SUBPART 19**CLASS AND TYPE RATINGS****Requirements for class and type rating**

61.19.1 An applicant for the issuing of a class and type rating shall -

- (a) have complied with the applicable pilot licence requirements prescribed in this Part, or in the case of an additional type rating, hold the appropriate valid pilot licence;
- (b) have successfully completed the training referred to in regulation 61.19.2;
- (c) have passed the theoretical knowledge examination referred to in regulation 61.19.3; and
- (d) have undergone the skill test referred to in regulation 61.19.4.

Training

61.19.2 An applicant for the issuing of a class and type rating shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

Theoretical knowledge examination

61.19.3 An applicant for the issuing of a class and type rating shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

Skill test

61.19.4 An applicant for the issuing of a class and type rating shall have demonstrated to the holder of a Category A, B or C flight instructor rating, as the case may be, the ability to perform the procedures and manoeuvres as prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of such class and type rating.

Temporary certificate of competency

61.19.5 A Category A, B or C flight instructor, as the case may be, may issue a temporary certificate of competency to the applicant for a class and type rating, permitting such applicant to exercise the privileges of the class and type rating, for a period of 30 days calculated from the date of issue of the temporary certificate.

Application for class and type rating

61.19.6 An application for the issuing of a type rating, other than a type rating for a piston-engined aeroplane with a maximum certificated mass of 5 700 kilograms or less, or a class rating, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -
 - (i) the skill test report as prescribed in Document SA-CATS-FCL;
 - (ii) in the case of an application for the issuing of a type rating in respect of an aeroplane with a maximum certificated mass of 5 700 kilograms or less, a copy of the relevant page of the applicant's logbook which contains an endorsement made by the flight instructor concerned, indicating the aircraft systems and type of aeroplane in respect of which the applicant received his or her training; and
 - (iii) the appropriate fee as prescribed in Part 187.

Issuing of class and type rating

61.19.7 (1) The Commissioner shall issue a class or type rating if the applicant complies with the requirements referred to in regulation 61.19.1.

(2) A class or type rating shall be issued in the appropriate form as prescribed in Document SA-CATS-FCL.

Period of validity

61.19.8 (1) A class rating shall be valid for a period of 12 months calculated from the date of issue or reissue of the rating or calculated from the date of expiry of the rating if such rating is renewed in accordance with the provisions of regulation 61.19.12.

(2) A type rating shall be valid for the period for which the pilot licence held by the holder of the rating, is valid.

Rating required by person acting as pilot

61.19.9 (1) No person shall act as a pilot-in-command of an aircraft, unless he or she is the holder of the appropriate type or group type rating.

(2) Notwithstanding the provisions of subregulation (1), a person receiving training for the purpose of applying for the appropriate rating, may act as pilot-in-command of an aircraft in respect of which he or she does not hold such rating: Provided that -

- (a) no passengers or cargo are transported in such aircraft; and
- (b) the training is received from a flight instructor.

Privileges of class and type rating

61.19.10 The holder of an appropriate valid class and type rating shall be entitled to act as pilot-in-command of an aircraft of the category, class and type concerned: Provided that the holder of a valid type rating, endorsed for co-pilot, shall only be permitted to act as co-pilot on such aircraft.

Notification for type ratings for piston-engined aeroplanes with maximum certificated mass of 5 700 kilograms or less

61.19.11 (1) The flight instructor who conducts the training referred to in regulation 61.19.2, for a type rating for a piston-engined aeroplane with a maximum certificated mass of 5 700 kilograms or less, shall, upon successful completion of such training by the applicant for the issuing of the rating, notify the Commissioner accordingly.

(2) A notification referred to in subregulation (1), shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL; and
- (b) accompanied by -

- (i) the skill test report as prescribed in Document SA-CATS-FCL; and
- (ii) a copy of the relevant page of the logbook of the pilot which contains the endorsement referred to in subregulation (3).

(3) The flight instructor who conducts the training referred to in subregulation (1) shall make an endorsement in the logbook of the pilot who received the training, indicating

the type and aircraft systems which have been covered, whereupon such pilot shall be entitled to exercise the privileges of such rating.

(4) The endorsement referred to in subregulation (3) shall be made in accordance with the requirements as prescribed in Document SA-CATS-FCL.

Renewal

61.19.12 (1) To renew a class rating, the holder of such rating shall -

- (a) within the 90 days immediately preceding the date of expiry of such class rating, have passed a proficiency check as prescribed in Document SA-CATS-FCL, conducted by a flight instructor; or
- (b) within the 12 months immediately preceding the date of expiry of such rating -
 - (i) have completed not less than 12 hours of flight time, which shall include not less than six hours as pilot-in-command and 12 take-offs and 12 landings; and
 - (ii) have completed a training flight of not less than one hour in an aircraft of the applicable class conducted by a flight instructor or have undergone a skill test referred to in regulation 61.19.4.

(2) The flight instructor shall, upon compliance with the requirements prescribed in subregulation (1)(a) or (b) by the holder of the class rating -

- (a) provide the Commissioner with the appropriate certificate of competency or skill test report as prescribed in Document SA-CATS-FCL;
- (b) sign the appropriate page of the licence of such holder; and
- (c) endorse the logbook of such holder.

(3) The renewal of a multi-engine class rating shall include the renewal of a single-engine class rating.

Reissue

61.19.13 (1) To reissue a class rating which has expired due to the lapse of the period referred to in regulation 61.19.8, the holder of such expired rating shall -

- (a) within the 12 months immediately preceding the date of application, have completed not less than three hours of flight time as pilot-in-command or dual with the holder of a Category A, B or C flight instructor rating; and
- (b) undergo the skill test referred to in regulation 61.19.4.

(2) The Category A, B or C flight instructor, as the case may be, shall, upon compliance with the requirements prescribed in subregulation (1)(a) and (b) by the holder of the expired rating -

- (a) provide the Commissioner with the appropriate skill test report as prescribed in Document SA-CATS-FCL;
- (b) sign the appropriate page of the licence of such holder; and
- (c) endorse the logbook of such holder.

(3) If the result of the skill test contemplated in subregulation (1) reveals that the holder of the expired rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 61.19.10(1), the Category A, B or C flight instructor shall -

- (a) report such result to the Commissioner; and
- (b) not sign the appropriate page of the licence of the holder of the expired rating.