



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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## General Notices

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### MINISTRY OF WORKS, TRANSPORT AND COMMUNICATION

No. 175

2002

#### PROPOSED CIVIL AVIATION TECHNICAL STANDARDS NAM-CAT-DG "CONVEYANCE OF DANGEROUS GOODS"

The Ministry of Works, Transport and Communication recently initiated the project to update the current Namibian aviation legislation. There are two main reasons for updating the aviation legislation, namely, the current legislation does not adequately reflect the policies of Namibia for the aviation sector and does not reflect recent developments within SADC. The project further aims to enhance the safety of civil aviation by ensuring that the Namibian legislation complies with the minimum standards prescribed by the International Civil Aviation Organization.

In this regard the legislative reform process involves the updating of the regulations made under the Aviation Act (Act No. 74 of 1962). It also involves the issuing Technical Standards by the Director of Civil Aviation.

The Technical Standard proposed in this General Notice is one of thirty four (34) technical standards associated with the Namibian Civil Aviation Regulations, 2001.

Pursuant to the provisions of regulation 11.03.2 the Director: Civil Aviation hereby invites all interested parties to comment on the proposed NAM-CAT-DG "Conveyance of dangerous goods."

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the date of publication of this notice. Correspondence should be addressed to:

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**REPUBLIC OF NAMIBIA**

**CIVIL AVIATION**

**DOCUMENT NAM-CATS-DG  
(CONVEYANCE OF DANGEROUS GOODS)**

## NAMIBIAN CIVIL AVIATION TECHNICAL STANDARDS RELATING TO THE CONVEYANCE OF DANGEROUS GOODS

### 1. GENERAL

Section 22A of the Aviation Act, 1962 (as amended by section 5 of the Aviation Amendment Act, 1998) empowers the Director: Civil Aviation to issue technical standards for civil aviation on the matters which are prescribed by regulation.

The Director: Civil Aviation has pursuant to the empowerment mentioned above, on (date) issued technical standards relating to the conveyance of dangerous goods to be known as Document NAM-CATS-DG.

### 2. PURPOSE

Document NAM-CATS-DG contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable in respect of the conveyance of dangerous goods.

Each reference to a technical standard in this document, is a reference to the corresponding regulation in the Namibian Civil Aviation Regulations, 1999, for example, technical standard 92.00.2 refers to regulation 2 of Subpart 00 of Part 92 of the Regulations.

The abbreviation "CAR" is used throughout this document when referring to any regulation.

The abbreviation "TS" refers to any technical standard.

### 3. SCHEDULES AND NOTES

Guidelines and recommendations in support of any particular technical standard, are contained in schedules to, and/or notes inserted throughout the technical standards.

### 4. INCORPORATION OF INTERNATIONAL AVIATION STANDARDS

Section 22A(3) of the Aviation Act, 1962 (as amended by section 5 of the Aviation Amendment Act, 1998) empowers the Director: Civil Aviation to incorporate into a technical standard any international standard or recommended practice or procedure adopted by the International Civil Aviation Organisation (ICAO).

The Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284-AN/905), approved and published by a decision of the Council of ICAO, as amended from time to time, are incorporated into the technical standards contained in this document.

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**92.00.1    APPLICABILITY**

**1.    Definitions**

Any word or expression to which a meaning has been assigned in the Aviation Act, 1962, and the Namibian Civil Aviation Regulations, 1999, bears, when used in this publication, the same meaning unless the context indicates otherwise, and -

“the Instructions” means the Technical Instructions for the Safe Transport of Dangerous Goods by Air, Doc 9284-AN/905, approved and published by a decision of the Council of ICAO, as amended from time to time; and

“Class B aircraft cargo compartment” means a cargo compartment of an aircraft in which both cargo and passengers are carried on the main deck, and which is located between the flight deck and the passenger cabin or behind the passenger cabin at the rear of the aircraft, and in which -

- (a) there is sufficient access in flight to enable a flight crew member to effectively reach any part of the compartment with the contents of a hand fire extinguisher;
- (b) no hazardous quantity of smoke, flames or extinguishing agent will enter any compartment occupied by the flight crew or passengers; and
- (c) there is a separate approved smoke detector or fire detector system to give warning at the pilot or flight engineer station.

**2.    Replacement for articles and substances required to be on board**

The replacements for the articles and substances required to be on board the aircraft in accordance with the appropriate airworthiness requirements and the provisions of the operations manual, must be conveyed in accordance with Part 1; 2.3.2 of the Instructions.

**3.    Articles and substances on board for specialised purposes**

The regulations on the conveyance of dangerous goods do not apply in respect of the articles and substances carried on board an aircraft for the specialised purposes specified in Part 1; 2.3.1(b) and (c) of the Instructions.

#### **4. Articles and substances intended for personal use**

The articles and substances intended for the personal use of passengers and crew members must be carried in accordance with the requirements and standards prescribed in TS 92.00.27.

#### **92.00.2 CONVEYANCE OF DANGEROUS GOODS FORBIDDEN**

##### **1. Conveyance of dangerous goods forbidden under any circumstances**

The dangerous goods specified in Part 1; 2.1 of the Instructions and the dangerous goods listed as "forbidden" in the Dangerous Goods List, Table 2-14 of the Instructions, are forbidden for conveyance by air under any circumstances.

##### **2. Conveyance of dangerous goods forbidden under normal circumstances**

The dangerous goods specified in Part 1; 2.2 of the Instructions are forbidden for conveyance by air under normal circumstances, unless exempted by the Director in terms of CAR 92.00.3(1).

##### **3. Conveyance of any other dangerous goods**

- (1) The dangerous goods specified in Part 1; 2.4, 2.5 and 2.6 and listed in Part 2; Chapters 1 to 12, must be packed and conveyed in accordance with the procedures and requirements prescribed by the Instructions.
- (2) Any dangerous goods defined in the Instructions which are to be conveyed by airmail, may only be conveyed in accordance with the provisions of the Posts and Telecommunications Act, 1992 (Act 19 of 1992).

#### **92.00.3 EXEMPTION**

##### **1. Overall level of safety**

The reference to Document NAM-CATS-DG in CAR 92.00.3(2) means the overall level of safety prescribed in the Instructions.

#### **92.00.4 CLASSIFICATION, DIVISION AND LISTING OF DANGEROUS GOODS**

##### **1. Classes, divisions and listing**

The classes, divisions and listing of dangerous goods are contained in Part 2, Chapters 1 to 12 of the Instructions.

#### **92.00.5 DESIGNATED BODY OR INSTITUTION**

##### **1. Conditions, rules, requirements, procedures and standards**

(Reserved.)

#### **92.00.6 DESIGNATION OF DANGEROUS GOODS INSPECTORS**

##### **1. Conditions, requirements, rules, procedures and standards for a designation**

The conditions and requirements for and the rules, procedures and standards connected with the designation of a dangerous goods inspector, are the following:

### 1.1 Conditions

- (1) The candidate may not be employed by any shipper, air service operator, packer or freight forwarder.
- (2) The candidate must be independent.

### 1.2 Requirements

- (1) The candidate must at least possess the following qualifications:
  - (a) A Further Education and Training Certificate; and
  - (b) successful completion of the initial dangerous goods training and the refresher dangerous goods training, at the intervals referred to in CAR 92.00.8(4).
- (2) The candidate must at least have the following experience:
  - (a) Two years experience as a flight crew member, a maintenance engineer or air cargo handler; or
  - (b) two years experience in road or rail dangerous goods handling.
- (3) The candidate must have sufficient ability in reading, speaking and understanding the English language to enable such candidate to duly exercise the powers of a designated dangerous goods inspector.
- (4) The candidate must be a fit and proper person to duly exercise the powers of a designated dangerous goods inspector.

### 1.3 Rules

Once designated, the dangerous goods inspector must -

- (1) conduct ad hoc inspections;
- (2) report back to the Director on every inspection;
- (3) maintain competency; and
- (4) stay abreast of new developments regarding the conveyance of dangerous goods, both locally and internationally.

### 1.4 Procedures

- (1) Any person who desires to be designated as a dangerous goods inspector, must apply in writing to the Director.
- (2) An application for the designation as a dangerous goods inspector must be accompanied by proof that the applicant complies with the conditions, requirements and standards prescribed in this technical standard.
- (3) The Director may, after due consideration of the application, designate the applicant as a dangerous goods inspector.
- (4) The Director may designate the applicant as a dangerous goods inspector for the period determined by the Director, which period may not exceed one year, calculated from the date of designation.

- (5) The Director may withdraw a designation if -
- (a) it becomes evident that the designated dangerous goods inspector does not comply with the provisions of this technical standard; or
  - (b) the withdrawal is necessary in the interests of aviation safety.
- (6) The designated dangerous goods inspector must, upon the withdrawal of the designation by the Director, forthwith surrender the document referred to in CAR 92.00.6(3) to the Director.

### 1.5 Standards

The candidate must comply with the conditions, requirements and rules prescribed in this technical standard.

## 92.00.7 POWERS OF DANGEROUS GOODS INSPECTORS

### 1. Compliance

The reference to Document NAM-CATS-DG in CAR 92.00.7(1), (2) and (3)(b) means the requirements and standards as prescribed in the Instructions.

### 2. Separation of dangerous goods

The separation of classes of dangerous goods are prescribed in CAR 92.00.19 and TS 92.00.19.

### 3. Documentation

The documentation relating to a consignment of dangerous goods are prescribed in CAR 92.00.13 and TS 92.00.13.

### 4. Qualifications of persons handling dangerous goods

Any person handling dangerous goods must comply with CAR 92.00.8 and TS 92.00.8.

## 92.00.8 TRAINING

### 1. Dangerous goods training courses

The initial dangerous goods training course and refresher dangerous goods training course must be conducted in accordance with the Dangerous Goods Training Programme prescribed by ICAO, Doc 9375-AN/913, Books 1, 2, 3 and 4, and are subject to review by the Director.

### 2. Subject matter of the dangerous goods training courses

The subject matter of the initial dangerous goods training course and refresher dangerous goods training course are the aspects referred to in Part 6, Chapter 2 of the Instructions.

## 92.00.10 PACKING AND PACKAGING

### 1. Packing requirements and standards

The requirements and standards for the packing of dangerous goods are contained in Part 3 of the Instructions.

## **2. Material and construction specifications and initial testing**

The material and construction specifications of packaging and the requirements and standards for the testing of packaging are contained in Parts 3 and 7 of the Instructions and the initial testing of packaging is undertaken by an approved organisation.

## **3. Packaging for retention of liquid**

Packaging for which retention of liquid is a basic function, must withstand the pressure prescribed in Part 3; 1.1.6.1 of the Instructions or must comply with Part 3; 1.1.6.2 of the Instructions.

### **92.00.11 RESPONSIBILITY OF SHIPPER**

#### **1. Responsibilities of the shipper**

The responsibilities of the shipper regarding the identification, classification, marking and labelling of packages containing dangerous goods and completion of the dangerous goods transport document are contained in Part 4 of the Instructions.

### **92.00.12 LABELLING AND MARKING**

#### **1. Labelling of packages**

The requirements and standards for the labelling of packages that contain dangerous goods are contained in Part 4, Chapter 3 of the Instructions.

#### **2. Marking of packages**

The requirements and standards for the marking of packages that contain dangerous goods are contained in Part 4, Chapter 2 of the Instructions.

#### **3. Marking of specification packaging**

Each outer or single packaging used for dangerous goods, for which specification packaging is required in Part 3 of the Instructions, must bear the markings appropriate to the contents as prescribed in Part 7, Chapter 2 of the Instructions.

### **92.00.13 DANGEROUS GOODS TRANSPORT DOCUMENT**

#### **1. Circumstances when dangerous goods transport document need not be completed**

A dangerous goods transport document need not be completed for dangerous goods conveyed in airmail and dangerous goods conveyed in excepted quantities as prescribed in TS 92.00.2.2 and 92.00.2.3(2).

#### **2. Other documentation**

The other documents that are required for the conveyance of dangerous goods by air are contained in Part 4; 4.2, 4.3, 4.4 and 4.5 of the Instructions under the following headings:

- Air waybill
- Additional documentation for other than radioactive material
- Additional documentation for radioactive material
- Documentation for radioactive material excepted package.

### 3. **Contents of dangerous goods transport document**

The information that must be contained in a dangerous goods transport document is prescribed in Part 4; 4.1 of the Instructions.

### 4. **Declaration**

The information that has to be contained in the declaration referred to in CAR 92.00.13(2)(b) and (c), is the information prescribed in the Instructions.

## **92.00.14 ACCEPTANCE PROCEDURES**

### 1. **Circumstances when dangerous goods transport document need not be completed**

The dangerous goods for which a dangerous goods transport document need not be completed, are those referred to in TS 92.00.13(1).

### 2. **Acceptance procedures**

The acceptance procedures that an operator has to follow when accepting dangerous goods for conveyance by air, are prescribed in Part 5, Chapter 1 of the Instructions.

### 3. **Acceptance checklist**

The requirements for an acceptance checklist are prescribed in Part 5; 1.3 of the Instructions.

## **92.00.15 INFORMATION TO BE PROVIDED**

### 1. **Information to pilot-in-command**

The minimum information that an operator must provide to a pilot-in-command is contained in Part 5, 4.1 of the Instructions.

### 2. **Information to crew members and employees**

The information that an operator must provide to his or her crew members and employees, must include the information referred to in Part 5; 4.2 of the Instructions.

## **92.00.16 INSPECTION FOR DAMAGE OR LEAKAGE BY OPERATOR**

### 1. **Radiation level**

The radiation level resulting from the fixed contamination at any accessible surface and non-fixed contamination must be below the values prescribed in Part 5; 3.2.4 and Table 5-6 of the Instructions.

## **92.00.17 STORAGE AND LOADING**

### 1. **Storage and loading**

The requirements for the storage and loading of dangerous goods are contained in Part 5, Chapter 2 of the Instructions.

**92.00.18 LOADING RESTRICTIONS IN CABIN OR ON FLIGHT DECK****1. Conveyance of dangerous goods in aircraft cabin or flight deck**

Dangerous goods may not be conveyed in an aircraft cabin occupied by passengers or on the flight deck or cockpit of an aircraft, except as permitted by Part 1; 2.3.1 and Part 9.1 of the Instructions and for radioactive material, excepted packages under Part 2; 7.9 of the Instructions.

**2. Class B aircraft cargo compartment**

Dangerous goods may be carried in a main deck cargo compartment of a passenger aircraft provided that the compartment meets all the certification requirements for a Class B aircraft cargo compartment.

**92.00.19 SEPARATION AND SEGREGATION****1. Stowage of poison or infectious substances**

The stowage of poison or an infectious substance must be done in accordance with Part 5; 2.8 of the Instructions.

**2. Stowage of radioactive materials**

The stowage of radioactive materials must be done in accordance with Part 5; 2.9 of the Instructions.

**92.00.21 LOADING IN CARGO AIRCRAFT****1. Loading in cargo aircraft**

The packages or overpacks of dangerous goods described in Part 5; 2.4.1 of the Instructions do not have to comply with the requirements referred to in CAR 92.00.21.

**92.00.22 DANGEROUS GOODS ACCIDENT AND INCIDENT REPORTING****1. Dangerous goods accident and incident reporting**

The operator of an aircraft carrying dangerous goods which is involved in a dangerous goods accident or dangerous goods incident must notify the relevant authority of the matters required in Part 5; 4.6 of the Instructions.

**92.00.24 DANGEROUS GOODS ACCIDENT AND INCIDENT INFORMATION****1. Dangerous goods accident and incident information**

The operator must ensure that the emergency response information prescribed in Part 5; 4.8(a) and (b) of the Instructions, is available at all times as required in terms of CAR 92.00.24.

**92.00.27 DANGEROUS GOODS CARRIED BY PASSENGERS OR CREW MEMBERS****1. Dangerous goods carried by passengers or crew members**

No passenger or crew member may carry dangerous goods except in accordance with the requirements and standards contained in Part 9, Chapter 1 of the Instructions.

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**MINISTRY OF WORKS, TRANSPORT AND COMMUNICATION**

No. 176

2002

**PROPOSED CIVIL AVIATION TECHNICAL STANDARDS  
NAM-CAT-OPS 103 "OPERATION OF MICROLIGHT AEROPLANES"**

The Ministry of Works, Transport and Communication recently initiated the project to update the current Namibian aviation legislation. There are two main reasons for updating the aviation legislation, namely, the current legislation does not adequately reflect the policies of Namibia for the aviation sector and does not reflect recent developments within SADC. The project further aims to enhance the safety of civil aviation by ensuring that the Namibian legislation complies with the minimum standards prescribed by the International Civil Aviation Organization.

In this regard the legislative reform process involves the updating of the regulations made under the Aviation Act (Act No. 74 of 1962). It also involves the issuing Technical Standards by the Director of Civil Aviation.

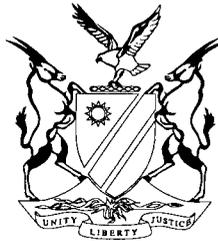
The Technical Standard proposed in this General Notice is one of thirty four (34) technical standards associated with the Namibian Civil Aviation Regulations, 2001.

Pursuant to the provisions of regulation 11.03.2 the Director: Civil Aviation hereby invites all interested parties to comment on the proposed NAM-CAT-OPS 103 "Operation of microlight aeroplanes."

Comments or representations should be lodged in writing and should reach the Ministry no later than 30 days from the date of publication of this notice. Correspondence should be addressed to:

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**REPUBLIC OF NAMIBIA**

**CIVIL AVIATION**

**DOCUMENT NAM-CATS-OPS 103  
(OPERATION OF MICROLIGHT AEROPLANES)**

## NAMIBIAN CIVIL AVIATION TECHNICAL STANDARDS RELATING TO THE OPERATION OF MICROLIGHT AEROPLANES

### 1. GENERAL

Section 22A of the Aviation Act, 1962 (as amended by section 5 of the Aviation Amendment Act, 1998) empowers the Director: Civil Aviation to issue technical standards for civil aviation on the matters which are prescribed by regulation.

The Director: Civil Aviation has pursuant to the empowerment mentioned above, on (date) issued technical standards relating to the operation of microlight aeroplanes to be known as Document NAM-CATS-OPS 103.

### 2. PURPOSE

Document NAM-CATS-OPS 103 contains the standards, rules, requirements, methods, specifications, characteristics and procedures which are applicable in respect of the operation of microlight aeroplanes.

Each reference to a technical standard in this document, is a reference to the corresponding regulation in the Namibian Civil Aviation Regulations, 1999, for example, technical standard 103.02.5 refers to regulation 5 of Subpart 02 of Part 103 of the Regulations.

The abbreviation "CAR" is used throughout this document when referring to any regulation.

The abbreviation "TS" refers to any technical standard.

### 3. SCHEDULES AND NOTES

Guidelines and recommendations in support of any particular technical standard, are contained in schedules to, and/or notes inserted throughout the technical standards.

#### LIST OF TECHNICAL STANDARDS

##### 103.02.5 EQUIPMENT

###### 1. Equipment

The microlight aeroplane must be equipped with:

- (1) a seat with an approved safety belt for each person on board;
  - (2) an airspeed indicator;
  - (3) an altimeter;
  - (4) a magnetic compass; and
  - (5) in the case of an operation over water beyond gliding distance from a safe alighting area, one lifejacket or individual flotation device for each person on board.
  - (6) two way radio communications.
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