

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Regulation Gazette

No. 6005

Regulasiekoerant

Vol. 387

PRETORIA, 26 SEPTEMBER 1997

No. 18286

GOVERNMENT NOTICE

DEPARTMENT OF TRANSPORT

No. R. 1219

26 September 1997

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.

PART 4 OF 4

- (b) a recurrent training and checking programme is included in the operations manual referred to in regulation 135.04.2;
- (c) recurrent training is conducted by -
 - (i) a competent person, in the case of ground and refresher training;
 - (ii) a type rated instructor, in the case of aeroplane or flight simulator training;
 - (iii) competent personnel in the case of emergency and safety equipment training and checking; or
 - (iv) competent personnel, in the case of flight deck crew resource management training;
- (d) recurrent checking is conducted by -
 - (i) an examiner in the case of operator proficiency checks; and
 - (ii) a pilot-in-command designated by the operator in the case of operational checks; and
- (e) when multi-crew operations are contemplated, each flight deck crew member undergoes operator proficiency checks every six calendar months as part of a normal flight deck crew complement.

(2) The operator shall ensure that, in the case of the operator proficiency check referred to in subregulation (1)(e) -

- (a) each flight deck crew member undergoes such checks to demonstrate his or her competence in carrying out normal, abnormal and emergency procedures; and
- (b) such check is conducted without external visual reference when the flight deck crew member will be required to operate under IFR.

(3) Upon successful completion of the operator proficiency check referred to in subregulation (1)(e), the operator shall issue a certificate of competency to the flight deck crew member concerned, which certificate shall be valid for a period of six calendar months calculated from the last day of the calendar month in which such certificate is issued.

(4) The operator shall ensure that, in the case of an operational check, each flight deck crew member undergoes the operational check on the aeroplane to demonstrate his or her competence in carrying out normal operations specified in the operations manual referred to in regulation 135.04.2.

(5) Upon successful completion of the operational check referred to in subregulation (4), the operator shall issue a certificate of competency to the flight deck crew member concerned, which certificate shall be valid for a period of 12 calendar months calculated from the last day of the calendar month in which such certificate is issued.

(6) The operator shall ensure that, in the case of emergency and safety equipment training and checking, each flight deck crew member undergoes training and checking on the location and use of all emergency and safety equipment carried.

(7) Upon successful completion of the emergency and safety equipment check referred to in subregulation (6), the operator shall issue a certificate of competency to

the flight deck crew member concerned, which certificate shall be valid for a period of 12 calendar months calculated from the last day of the calendar month in which such certificate is issued.

(8) The operator shall ensure that, in the case of flight deck crew resource management training, each flight deck crew member undergoes such training as part of the recurrent training as prescribed in Document SA-CATS-OPS 135.

(9) The operator shall ensure that, in the case of ground and refresher training, each flight deck crew member undergoes such training every 12 calendar months.

Pilot qualification to operate in either pilot's seat

135.03.8 The operator of a small commercial air transport aeroplane shall ensure that -

- (a) a pilot to be assigned to operate in either pilot's seat, completes the appropriate training and checking; and
- (b) the training and checking programme is -
 - (i) specified in the operations manual referred to in regulation 135.04.2; and
 - (ii) is undertaken in accordance with the appropriate syllabus as prescribed in Document SA-CATS-OPS 135.

Advanced qualification programme

135.03.9 (1) The period of validity for the training referred to in regulation 135.03.7 may be extended if the Commissioner has approved an advanced qualification programme established by the operator.

(2) The advanced qualification programme shall contain training and checking which establishes and maintains a proficiency that is not less than the proficiency referred to in regulations 135.03.3(4), 135.03.4, 135.03.5 and 135.03.7.

DIVISION THREE : TRAINING OF OTHER FLIGHT CREW MEMBERS

Training

135.03.10 (1) The operator of a small commercial air transport aeroplane shall provide, where applicable, an initial, recurrent and refresher training course for any -

- (a) load master;
- (b) parachute dispatcher; or
- (c) other flight crew member essential to safe operations.

(2) The training course referred to in subregulation (1) shall be specified in the operations manual referred to in regulation 135.04.2.

SUBPART 4**DOCUMENTATION AND RECORDS****Documents to be retained on ground**

135.04.1 (1) The operator of a small commercial air transport aeroplane shall ensure that -

- (a) a copy of the operational flight plan;
- (b) copies of the relevant parts of the flight folio;
- (c) the load and trim sheet;
- (d) the passenger list or cargo manifest;
- (e) the special loads notification, if applicable; and
- (f) a general declaration in the case of an aeroplane engaged in international flights,

are retained in a safe place at the first point of departure in respect of each flight undertaken by the aeroplane.

(2) The documents referred to in subregulation (1) shall be retained for a period of at least 90 days.

Operations manual

135.04.2 (1) The operator of a small commercial air transport aeroplane shall draw up an operations manual containing all the information required under this Part and setting out the manner in which such operator will operate the air service for which such operator is licenced in terms of the International Air Services Act, 1993 (Act No. 60 of 1993), or the Air Services Licensing Act, 1990 (Act No. 115 of 1990), as the case may be.

(2) The operator shall submit the operations manual in duplicate to the Commissioner for approval.

(3) If the Commissioner is satisfied that the operator -

- (a) will comply with the provisions of regulation 135.06.7; and
- (b) will not operate the air service concerned contrary to any provision of the Act, the International Air Services Act, 1993, the Air Services Licensing Act, 1990, or the Civil Aviation Offences Act, 1972 (Act No. 10 of 1972),

the Commissioner shall certify in writing on both copies of the operations manual that such manual has been approved, and shall return one copy of the approved operations manual to the operator.

(4) The operator shall submit an amendment to an approved operations manual in duplicate to the Commissioner for approval.

(5) If the Commissioner is satisfied that the operator will comply with the provisions of subregulation (3)(a) and (b), the Commissioner shall certify in writing on both copies of the amendment to the approved operations manual that such amendment has been approved, and shall return one copy of the approved amendment to the operator.

(6) The operator shall at all times operate the small commercial air transport aeroplane in accordance with the approved operations manual or an approved amendment thereto.

(7) The operator shall -

- (a) ensure that all operations personnel are able to understand the technical language used in those sections of the operations manual which pertain to their duties;
- (b) ensure that every flight is conducted in accordance with the operations manual and that those parts of the operations manual which are required for the conduct of a flight, are easily accessible to the flight crew members on board;
- (c) make the operations manual available for the use and guidance of operations personnel;
- (d) provide the flight crew members with their own personal copy of the sections of the operations manual which are relevant to the duties assigned to them;
- (e) keep the operations manual up to date; and
- (f) keep the operations manual in a safe place.

(8) The contents of the operations manual shall not contravene the conditions contained in the operating certificate issued to the operator in terms of regulation 121.06.3.

(9) The structure and contents of the operations manual referred to in subregulation (1) shall be as prescribed in Document SA-CATS-OPS 135.

Aeroplane operating manual

135.04.3 (1) The operator of a small commercial air transport aeroplane shall compile and make available an aeroplane operating manual for use by the flight crew members in such operator's employ.

(2) The aeroplane operating manual shall contain -

- (a) the normal, abnormal and emergency procedures relating to the aeroplane;
- (b) details of the aeroplane system; and
- (c) the checklists to be used by the flight crew members.

(3) The operator shall provide each flight crew member with a copy of those parts of the aeroplane operating manual, which are relevant to the operational duties assigned to such flight crew member.

(4) The operator shall ensure that the aeroplane operating manual is provided in a hard copy or in an approved electronic format.

(5) The aeroplane operating manual shall be included in the operations manual referred to in regulation 135.04.2.

Aeroplane flight manual

135.04.4 The aeroplane flight manual referred to in regulation 91.03.2 may be included in the aeroplane operating manual referred to in regulation 135.04.3.

Operational flight plan

135.04.5 (1) The operator of a small commercial air transport aeroplane shall ensure that, where practical, an operational flight plan is completed for each flight undertaken by the aeroplane.

(2) The operational flight plan and its use shall be contained in the operations manual referred to in regulation 135.04.2.

(3) All entries in the operational flight plan shall be current and permanent in nature.

(4) The items to be contained in the operational flight plan shall be as prescribed in Document SA-CATS-OPS 135.

(5) The operational flight plan shall be retained by the operator for a period of at least 90 days.

Flight time and duty period records

135.04.6 (1) The operator of a small commercial air transport aeroplane shall -

(a) maintain current flight time and duty period records of all flight crew members in such operator's employ; and

(b) retain the flight time and duty period records for a period of 15 calendar months calculated from the date of the last flight of each flight crew member.

(2) A flight crew member in the part-time employ of an operator shall maintain his or her own flight time and duty period records and shall provide copies thereof to the operator to enable such operator to ensure that such flight crew member does not exceed the

limits prescribed in the flight time and duty scheme of the operator referred to in regulation 135.02.5.

Records of emergency and survival equipment

135.04.7 (1) The operator of a small commercial air transport aeroplane shall compile a list of all the survival and emergency equipment to be carried in the aeroplane and shall have such list available at all times for immediate communication to rescue coordination centres.

(2) The survival and emergency equipment list shall be included in the operations manual referred to in regulation 135.04.2.

(3) The format and minimum information to be included in the survival and emergency equipment list shall be as prescribed in Document SA-CATS-OPS 135.

Flight crew member training records

135.04.8 (1) The operator of a small commercial air transport aeroplane shall maintain the records of all training and proficiency checks undertaken by the flight crew members in such operator's employ, and such records shall incorporate certificates indicating the successful completion of such training and proficiency checks.

(2) The operator shall retain the record of each flight deck crew member for a period of at least three years and the record of all other flight crew members for a period of at least 12 months from the date on which the flight crew member concerned has left the employ of such operator.

(3) The certificates referred to in subregulation (1) shall be made available by the operator to the flight crew member concerned on request.

Load and trim sheet

135.04.9 (1) The operator of a small commercial air transport aeroplane -

(a) registered in the Republic with a maximum certificated mass exceeding 1 600 kilograms, and which is operated into, within or from the Republic under -

(i) a Class I or Class II licence issued in terms of the Domestic Air Services Regulations, 1991; or

(ii) a Class I or Class II licence issued in terms of the International Air Services Regulations, 1993; or

(b) registered in a foreign State and operated into, within or from the Republic under -

- (i) a Class I or class II licence issued in terms of the Domestic Air Services Regulations, 1991; or
- (ii) a foreign operator's permit issued in terms of the International Air Services Regulations, 1993,

shall ensure that no flight is undertaken by the aeroplane unless the person superintending the loading of such aeroplane has completed and certified a load and trim sheet.

(2) A load and trim sheet shall be completed in duplicate and one copy shall be carried in the aeroplane and one copy shall be retained in accordance with the provisions of regulation 135.04.1.

(3) The load and trim sheet shall be retained by the operator for a period of at least 90 days calculated from the date on which the flight was undertaken.

(4) The minimum contents of a load and trim sheet shall be as prescribed in Document SA-CATS-OPS 135.

Aeroplane checklist

135.04.10 The operator of a small commercial air transport aeroplane shall, in addition to the aircraft checklist referred to in regulation 91.03.3, compile and make available to the flight crew and other personnel members in such operator's employ, a checklist of the procedures to be followed by such flight crew and personnel members when searching for concealed weapons, explosives or other dangerous devices.

SUBPART 5**AEROPLANE INSTRUMENTS AND EQUIPMENT****Approval of instruments and equipment**

135.05.1 (1) The operator of a small commercial air transport aeroplane shall ensure that a flight does not commence unless the instruments and equipment required under this Subpart, or otherwise installed on the aeroplane, are -

- (a) subject to the provisions of subregulation (2), approved and installed in accordance with the requirements, including operational and airworthiness requirements applicable to such instruments and equipment; and
 - (b) in a condition for safe operation of the kind being conducted, except as provided for in the MEL.
- (2) The operator shall not be required to obtain approval for the -
- (a) fuses referred to in regulation 91.04.2;
 - (b) intrinsically safe electric torches referred to in regulation 91.04.3(1)(d);
 - (c) accurate time piece referred to in regulations 91.04.4 and 91.04.5;
 - (d) first aid equipment referred to in regulation 91.04.16;
 - (e) survival equipment referred to in regulation 91.04.29; and
 - (f) sea anchors and equipment for the mooring, anchoring or manoeuvring of seaplanes and amphibious aeroplanes on water, referred to regulation 91.04.30.

Flight, navigation and associated equipment for aeroplanes operated under VFR

135.05.2 (1) The operator of a small commercial air transport aeroplane shall not operate the aeroplane in accordance with VFR, unless such aeroplane is equipped with -

- (a) a magnetic compass;
- (b) an accurate time-piece showing the time in hours, minutes, and seconds;
- (c) a sensitive pressure altimeter with a subscale setting, calibrated in hectopascal, adjustable for any barometric pressure setting likely to be encountered during flight;
- (d) an airspeed indicator;
- (e) a vertical-speed indicator;

- (f) a turn-and-slip indicator or a turn coordinator, incorporating a slip indicator;
- (g) an attitude indicator;
- (h) a stabilised direction indicator; and
- (i) a means of indicating on the flight deck the outside air temperature in degrees Celsius.

(2) If two pilots are required to operate a small commercial air transport aeroplane, the second pilot's station shall be equipped with -

- (a) a sensitive pressure altimeter with a subscale setting calibrated in hectopascal, adjustable for any barometric pressure setting likely to be encountered during flight;
- (b) an airspeed indicator;
- (c) a vertical-speed indicator;
- (d) a turn-and-slip indicator or a turn coordinator, incorporating a slip indicator;
- (e) an attitude indicator; and
- (f) a stabilised direction indicator.

(3) For flights, the duration of which does not exceed 60 minutes, which take off and land at the same aerodrome, and which remain within 25 nautical miles of such aerodrome, the instruments specified in subregulation (1)(f), (g) and (h), and subregulation (2)(d), (e) and (f), may be replaced by a turn-and-slip indicator, or a turn coordinator, incorporating a slip indicator, or both an attitude indicator and a slip indicator.

(4) A small commercial air transport aeroplane being operated by night shall be equipped in accordance with the flight and navigation instruments referred to in regulation 135.05.3.

Flight, navigation and associated equipment for aeroplanes operated under IFR

135.05.3 (1) The operator of a small commercial air transport aeroplane shall not operate the aeroplane in accordance with IFR, unless such aeroplane is equipped with -

- (a) a magnetic compass;
- (b) an accurate time-piece showing the time in hours, minutes and seconds;
- (c) two sensitive pressure altimeters with subscale settings, calibrated in hectopascal, adjustable for any barometric pressure setting likely to be encountered during flight;
- (d) an airspeed indicator system with heated pitot tube or equivalent means for preventing malfunctioning due to either condensation or icing, including a warning indicator of pitot heater failure;
- (e) a vertical-speed indicator;

- (f) a turn-and-slip indicator or a turn coordinator, incorporating a slip indicator;
- (g) an attitude indicator;
- (h) a stabilised direction indicator;
- (i) a means of indicating on the flight deck the outside air temperature in degrees Celsius; and
- (j) an alternate source of static pressure for the altimeter and the airspeed and vertical-speed indicators.

(2) If two pilots are required to operate a small commercial air transport aeroplane, the second pilot's station shall be equipped with -

- (a) a sensitive pressure altimeter with a subscale setting, calibrated in hectopascal, adjustable for any barometric pressure setting likely to be encountered during flight, which may be one of the two altimeters required under subregulation (1)(c);
- (b) an airspeed indicator system with heated pitot tube or equivalent means for preventing malfunction due to either condensation or icing including a warning indicator of pitot heater failure;
- (c) a vertical-speed indicator;
- (d) a turn-and-slip indicator or a turn coordinator, incorporating a slip indicator;
- (e) an attitude indicator; and
- (f) a stabilised direction indicator.

Altitude alerting system

135.05.4 The operator of a small turbojet-powered commercial air transport aeroplane shall not operate the aeroplane unless such aeroplane is equipped with an altitude alerting system capable of -

- (a) alerting the flight deck crew members upon approaching preselected altitude in either ascent or descent in sufficient time to establish level flight at such preselected altitude; and
- (b) alerting the flight deck crew members when deviating above or below a preselected altitude by at least an aural signal.

Airborne weather radar equipment

135.05.5 (1) The operator of a small pressurised commercial air transport aeroplane shall not operate the aeroplane unless such aeroplane is equipped with airborne weather radar equipment whenever such aeroplane is being operated by night or in IMC in areas where

thunderstorms or other potentially hazardous weather conditions, regarded as detectable with airborne weather radars, may be expected to exist along the route.

(2) The Commissioner may, in the case of a propeller-driven pressurised small commercial air transport aeroplane, approve the replacement of the airborne weather radar equipment referred to in subregulation (1) with other equipment capable of detecting thunderstorms and other potentially hazardous weather conditions, regarded as detectable with airborne weather radar equipment.

Flight deck crew interphone system

135.05.6 The operator of a small commercial air transport aeroplane on which more than one flight deck crew member is required, shall not operate the aeroplane unless such aeroplane is equipped with a flight deck crew interphone system, including headsets and microphones, not of a hand-held type, for use by all flight deck crew members.

Means for emergency evacuation

135.05.7 (1) The operator of a small commercial air transport aeroplane with passenger emergency exit sill heights -

- (a) which are more than 1,83 metres above the ground with the aeroplane on the ground and the landing gear extended; or
- (b) which will be more than 1,83 metres above the ground after the collapse of, or failure to extend one or more legs of the landing gear and for which a type certificate was first applied for on or after 1 March 1998,

shall not operate the aeroplane unless such aeroplane has equipment or devices available at each exit to enable passengers and flight crew members to reach the ground safely in an emergency.

(2) The equipment or devices referred to in subregulation (1) need not be provided at overwing exits if the designated place on the aeroplane structure at which the escape route terminates, is less than 1,83 metres from the ground with the aeroplane on the ground, the landing gear extended and the flaps in the take-off or landing position, whichever flap position is higher from the ground.

(3) In an aeroplane required to have a separate emergency exit for the flight deck crew and -

- (a) for which the lowest point of the emergency exit is more than 1,83 metres above the ground with the landing gear extended; or
- (b) for which a type certificate was first applied for on or after 1 March 1998, and for which the lowest point of the emergency exit will be

more than 1,83 metres above the ground after the collapse of, or failure to extend one or more legs of the landing gear, there shall be a device to assist the flight deck crew members in reaching the ground safely in an emergency.

SUBPART 6**OPERATING CERTIFICATE****Operating certificate**

135.06.1 The operator of a small commercial air transport aeroplane shall not operate the aeroplane unless such operator is the holder of a valid -

- (a) licence issued in terms of the Air Services Licensing Act, 1990, or the International Air Services Act, 1993; and
- (b) operating certificate issued in terms of regulation 135.06.3.

Application for operating certificate

135.06.2 An application for an operating certificate shall be made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-OPS 135 and shall be accompanied by the appropriate fee as prescribed in Part 187.

Adjudication of application for operating certificate

135.06.3 (1) In considering an application referred to in regulation 135.06.2 the Commissioner may conduct the investigation he or she deems necessary.

(2) An application shall be granted and the operating certificate issued if the Commissioner is satisfied that -

- (a) the applicant will comply with the provisions of regulation 135.06.7; and
- (b) the applicant will not operate the air service concerned contrary to any provision of the Act, the Civil Aviation Offences Act, 1972, the International Air Services Act, 1993, or the Air Service Licensing Act, 1990.

(3) If the Commissioner is not so satisfied he or she shall notify the operator thereof, stating the reasons in the notification, and grant the operator the opportunity to rectify or supplement any defect within the period determined by the Commissioner, after which period the Commissioner shall grant or refuse the application concerned.

(4) An operating certificate shall be issued on the appropriate form as prescribed in Document SA-CATS-OPS 135, under such conditions which the Commissioner may determine.

Period of validity of operating certificate

135.06.4 (1) An operating certificate shall be valid for such period as may be determined by the Commissioner: Provided that such period shall not exceed a period of 12 months from the date of issuing thereof.

(2) If the holder of an operating certificate applies at least 30 days prior to the expiry thereof for a new operating certificate, that first-mentioned operating certificate shall, notwithstanding the provisions of subregulation (1), remain in force until such holder is notified by the Commissioner of the result of the application for the issuing of a new operating certificate.

Safety inspections and audits

135.06.5 (1) An applicant for the issuing of an operating certificate shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to verify the validity of an application made in terms of regulation 135.06.2.

(2) The holder of an operating certificate shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

Suspension and cancellation of operating certificate and appeal

135.06.6 (1) An authorised officer, inspector or authorised person may suspend for a period not exceeding 30 days, an operating certificate issued under this Subpart, if -

- (a) after a safety inspection and audit carried out in terms of regulation 135.06.5, it is evident that the holder of the operating 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 authorised officer, inspector or authorised person to do so; or
- (b) the authorised officer, inspector or authorised person is prevented by the holder of the operating certificate to carry out a safety inspection and audit in terms of regulation 135.06.5; or
- (c) the suspension is necessary in the interests of aviation safety.

(2) The authorised officer, inspector or authorised person who has suspended an operating 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 operating certificate should be cancelled.

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

(4) The holder of an operating certificate who feels aggrieved by the suspension of the operating 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 authorised officer, inspector or authorised person concerned and shall furnish proof of such submission for the information of the Commissioner.

(7) The authorised officer, inspector or authorised person 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 authorised officer, inspector or authorised person 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 an operating 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 operating certificate concerned.

Duties of holder of operating certificate

135.06.7 The holder of an operating certificate shall -

- (a) notify the Commissioner in the manner as prescribed in Document SA-CATS-OPS 135 before any change is effected to the particulars on the operating certificate;
- (b) keep the operating certificate in a safe place and produce such operating certificate to an authorised officer, inspector or authorised

- person for inspection if so requested by such officer, inspector or person; and
- (c) not commence or continue with the air service concerned unless such holder is the holder of a valid operating certificate.

Register of operating certificates

135.06.8 (1) The Commissioner shall maintain a register of all operating certificates issued in terms of the regulations in this Part.

(2) The register shall contain the following particulars:

- (a) The full name and, if any, the trade name of the holder of the operating certificate;
- (b) the postal address of the holder of the operating certificate;
- (c) the number of the operating certificate issued to the holder;
- (d) particulars of the type of air service for which the operating certificate was issued;
- (e) particulars of the category of aeroplane for which the operating certificate was issued; and
- (f) the date on which the operating certificate was issued.

(3) The particulars referred to in subregulation (2) shall be recorded in the register within 30 days from the date on which the operating certificate 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 7**FLIGHT OPERATIONS****Routes and areas of operation**

135.07.1 (1) The operator of a small commercial air transport aeroplane shall ensure that operations are only conducted along such routes or within such areas, for which -

- (a) in the case of scheduled public air transport service operations-
 - (i) ground facilities and services, including meteorological services, are provided which are adequate for the planned operation; and
 - (ii) appropriate maps and charts are available;
 - (b) approval or authorisation has been obtained, where required, from the appropriate authority concerned;
 - (c) if a twin-engine aeroplane is used, adequate aerodromes are available within the time or distance limitations as prescribed in Document SA-CATS-OPS 135; and
 - (d) if a single-engine aeroplane is used, surfaces are available which permit a safe forced landing to be executed.
- (2) The operator shall ensure that -
- (a) the performance of the aeroplane intended to be used, is adequate to comply with minimum flight altitude requirements; and
 - (b) the equipment of the aeroplane intended to be used, complies with the minimum requirements for the planned operation.

Establishment of procedures

135.07.2 The operator of a small commercial air transport aeroplane shall -

- (a) establish procedures and instructions, for each aeroplane type, containing ground personnel and flight crew member's duties for all types of operations on the ground and in flight;
- (b) establish a checklist system to be used by flight deck crew members for all phases of operation under normal, abnormal and emergency conditions, to ensure that the operating procedures in the operations manual referred to in regulation 135.04.2, are followed; and

- (c) ensure that flight crew members do not perform any activities during critical phases of the flight other than those required for the safe operation of the aeroplane.

Operational control and supervision

135.07.3 The operator of a small commercial air transport aeroplane shall exercise operational control and establish and maintain an approved method of supervision of flight operations.

Competence of operations personnel

135.07.4 The operator of a small commercial air transport aeroplane shall ensure that all personnel assigned to, or directly involved in ground and flight operations, are properly instructed, have demonstrated their abilities in their particular duties and are aware of their responsibilities and the relationship of such duties to the operation as a whole.

Use of air traffic services

135.07.5 The operator of a small commercial air transport aeroplane shall ensure that air traffic services are used for all flights whenever available.

Minimum flight altitudes

135.07.6 (1) The operator of a small commercial air transport aeroplane shall establish minimum flight altitudes and the methods to determine such minimum flight altitudes for all route segments to be flown which provide the required terrain clearance, taking into account the operating limitations referred to in Subpart 8 and the minimum altitudes prescribed in Subpart 6 of Part 91.

(2) The operator shall take into account the following factors when establishing minimum flight altitudes:

- (a) The accuracy with which the position of the aeroplane can be determined;
- (b) the possible inaccuracies in the indications of the altimeters used;
- (c) the characteristics of the terrain along the routes or in the areas where operations are to be conducted;
- (d) the probability of encountering unfavourable meteorological conditions; and

- (e) possible inaccuracies in aeronautical charts.
- (3) In complying with the provisions of subregulation (2), the operator shall give due consideration to -
 - (a) corrections for temperature and pressure variations from standard values;
 - (b) the air traffic control requirements; and
 - (c) any contingencies which may occur along the planned route.

Aerodrome operating minima

135.07.7 (1) The operator of a small commercial air transport aeroplane shall establish aerodrome operating minima in accordance with the provisions of subregulations (2), (3) and (4) and in conjunction with the instrument approach and landing charts for each aerodrome intended to be used either as destination or alternate aerodrome.

(2) The operator shall establish aerodrome operating minima for each aerodrome planned to be used, which shall not be lower than the values as prescribed in Document SA-CATS-OPS 135.

(3) The method of determining aerodrome operating minima shall be approved by the Commissioner.

(4) The aerodrome operating minima established by the operator shall not be lower than any aerodrome operating minima established by the appropriate authority of the State in which the aerodrome concerned is located: Provided that if such appropriate authority approves such lower aerodrome operating minima established by the operator, the lower aerodrome operating minima shall apply.

Smoking in aeroplane

135.07.8 No person shall smoke in a South African registered aeroplane when such aeroplane is used in a scheduled air transport service operation and has departed from and will be landing within the Republic.

Fuel policy

135.07.9 (1) The operator of a small commercial air transport aeroplane shall establish a fuel policy for the purpose of flight planning and in-flight replanning to ensure that every flight carries sufficient fuel for the planned operation and reserve fuel to cover deviations from the planned operation.

(2) The operator shall ensure that the planning of a flight is only based upon -

- (a) procedures, tables or graphs which are contained in or derived from the operations manual referred to in regulation 135.04.2, or current aeroplane-specific data;
 - (b) the operating conditions under which the flight is to be conducted including -
 - (i) realistic aeroplane fuel consumption data;
 - (ii) anticipated masses;
 - (iii) expected meteorological conditions; and
 - (iv) air traffic service procedures and restrictions.
- (3) The operator shall ensure that the calculation of usable fuel required by such aeroplane for a flight includes -
- (a) taxi fuel;
 - (b) trip fuel;
 - (c) reserve fuel consisting of -
 - (i) contingency fuel as prescribed in Document SA-CATS-OPS 135;
 - (ii) alternate fuel, if a destination alternate aerodrome is required;
 - (iii) two-hours island holding fuel in situations where the destination aerodrome is remote or no suitable alternate aerodrome exists;
 - (iv) final reserve fuel;
 - (v) additional fuel, if required by the type of operation; and
 - (d) extra fuel, if required by the pilot-in-command.
- (4) The operator shall ensure that in-flight replanning procedures for calculating usable fuel required when a flight has to proceed along a route or to a destination aerodrome other than originally planned includes -
- (a) trip fuel for the remainder of the flight;
 - (b) reserve fuel consisting of -
 - (i) contingency fuel;
 - (ii) alternate fuel, if a destination alternate aerodrome is required, including selection of the departure aerodrome as the destination alternate aerodrome;
 - (iii) final reserve fuel; and
 - (iv) additional fuel, if required by the type of operation; and
 - (c) extra fuel, if required by the pilot-in-command.

Fuel and oil supply

135.07.10 The operator of a small commercial air transport aeroplane shall establish a procedure to ensure that in-flight fuel checks and fuel management are carried out.

Instrument approach and departure procedures

135.07.11 The operator of a small commercial air transport aeroplane may implement instrument approach and departure procedures, other than instrument approach and departure procedures referred to in regulation 91.07.16(1), if required: Provided that such instrument approach and departure procedures have been approved by -

- (a) the appropriate authority of the State in which the aerodrome to be used, is located; and
- (b) the Commissioner.

Noise abatement procedures

135.07.12 (1) The operator of a small commercial air transport aeroplane shall establish operating procedures for noise abatement.

(2) Take-off and climb procedures for noise abatement specified by the operator for any one aeroplane type shall be the same for all aerodromes.

Carriage of infants and children

135.07.13 (1) The operator of a small commercial air transport aeroplane shall ensure that an infant is only carried when properly secured with a child restraint device or in the arms or on the lap of an adult passenger.

(2) Infants shall not be seated in front of exits.

(3) Infants shall not be carried behind a bulkhead unless a child restraint device is used during critical phases of flight and during turbulence.

(4) When an infant is carried in the arms or on the lap of a passenger, the seat belt, when required to be worn, shall be fastened around the passenger carrying or nursing the infant, but not around the infant.

(5) When an infant is carried in the arms or on the lap of a passenger on a small commercial air transport aeroplane, the name of the infant shall be bracketed on the passenger list with the name of the person carrying or nursing the infant.

(6) An infant may be seated in a car-type infant seat, approved for use in an aeroplane, provided it is secured to the aeroplane seat.

(7) A car-type infant seat referred to in subregulation (6) shall not be located in the same row or a row directly forward or aft of an emergency exit.

Carriage of passengers with disability

135.07.14 (1) The operator of a small commercial air transport aeroplane shall establish procedures, including identification, seating positions and handling in the event of an emergency, for the carriage of passengers with a disability.

(2) The operator shall ensure that -

- (a) the pilot-in-command of the aeroplane is notified when a passenger with a disability is to be carried on board;
- (b) a passenger with a disability is not seated in the same row or a row directly forward or aft of an emergency exit;
- (c) individual briefings on emergency procedures are given to a passenger with a disability and his or her able-bodied assistant, appropriate to the needs of such passenger; and
- (d) the person giving the briefing shall enquire as to the most appropriate manner of assisting the passenger with a disability so as to prevent pain or injury to such passenger.

(3) In the case of the carriage of a stretcher patient in the aeroplane -

- (a) the stretcher shall be secured in such aeroplane so as to prevent it from moving under the maximum accelerations likely to be experienced in flight and in an emergency alighting such as ditching;
- (b) the patient shall be secured by an approved harness to the stretcher or aeroplane structure; and
- (c) an able-bodied assistant shall accompany each stretcher patient.

(4) A mentally disturbed person shall not be carried in the aeroplane unless -

- (a) accompanied by an able-bodied assistant; and
- (b) a medical certificate has been issued by a medical practitioner certifying such mentally disturbed person's suitability for carriage by air, and confirming that there is no risk of violence from such person.

(5) The operator shall undertake the carriage of a mentally disturbed person who, according to his or her medical history, may become violent, only after special permission has been obtained from the Commissioner by such operator.

(6) A passenger with a splinted or artificial limb may travel unaccompanied provided he or she is able to assist himself or herself.

(7) The affected limb or supporting aids of a passenger referred to in subregulation (6) shall not obstruct an aisle or any emergency exit or equipment.

(8) If a passenger with a splinted or artificial limb cannot assist himself or herself then he or she shall be accompanied by an able-bodied assistant.

Limitations on carriage of infants, children and passengers with disability

135.07.15 (1) Only one passenger with a disability or one unaccompanied minor may be carried in a small commercial air transport aeroplane.

(2) An able-bodied assistant shall accompany a passenger with a disability who cannot assist himself or herself, and such assistant shall be assigned with the responsibility of the safety of such passenger.

(3) The operator may establish procedures, other than the procedures referred to in subregulations (1) and (2), for the carriage of infants, children, and passengers with a disability: Provided that such procedures -

- (a) do not jeopardise aviation safety; and
- (b) prior written approval is obtained from the Commissioner.

Carriage of inadmissible passengers, deportees or persons in custody

135.07.16 (1) The operator of a small commercial air transport aeroplane shall establish procedures for the carriage of inadmissible passengers, deportees or persons in custody to ensure the safety of the aeroplane and its occupants.

(2) The pilot-in-command of the aeroplane shall be notified by the operator of such aeroplane prior to departure, of the intended carriage, and the reason for carriage, of any of the persons referred to in subregulation (1).

(3) For the purposes of this regulation, "inadmissible passenger" means any person who is not entitled to board the aeroplane and includes those persons who are not in the possession of a valid passenger ticket, passport or visa.

Carry-on baggage

135.07.17 (1) The operator of a small commercial air transport aeroplane shall establish adequate procedures to ensure that only such baggage is carried onto the aeroplane and taken into the passenger cabin as can be adequately and securely stowed.

(2) The minimum requirements for the procedures referred to in subregulation (1) shall be as prescribed in Document SA-CATS-OPS 135.

Securing of passenger cabin and galley

135.07.18 (1) Before take-off and landing and whenever deemed necessary in the interests of aviation safety, the pilot-in-command of a small commercial air transport aeroplane shall ensure that -

- (a) all equipment, baggage and loose articles in the cabin of the aeroplane, including passenger service items and flight crew members' and passengers' personal effects, are properly secured and stowed so as to avoid the possibility of injury to persons or damage to such aeroplane through the movement of such articles caused by in-flight turbulence or by unusual accelerations or manoeuvres; and
- (b) all aisles, passage ways, exits and escape paths are kept clear of obstructions.

(2) All solid articles shall be placed in approved stowage areas in the aeroplane, at all times whenever the seat belt lights are illuminated or when so directed by the pilot-in-command of such aeroplane.

(3) For the purposes of subregulation (2), "approved stowage area" means -

- (a) the area under a passenger seat; or
- (b) a locker, overhead or other, utilised in accordance with the placarded mass limitation of the locker.

(4) No take-off or landing shall be commenced by the pilot-in-command of the aeroplane, unless he or she has been informed of the safe condition of the cabin.

Passenger services

135.07.19 (1) Except when in use, all items provided for passenger services, including food containers, thermos flasks and servicing trays, shall be carried in their respective stowages and secured against movement likely to cause injury to persons or damage to the aeroplane.

(2) All items referred to in subregulation (1) shall be stowed during take-off and landing or during emergency situations, as directed by the pilot-in-command of the aeroplane.

(3) Any item which cannot be accommodated in the stowage, referred to in subregulation (1), shall not be permitted in the cabin of the aeroplane.

(4) Securing of the cabin shall be completed before the approach for landing of the aeroplane is commenced.

(5) If passenger services are provided while the aeroplane is on the ground, no passenger service equipment shall obstruct the aisles or exits of the aeroplane.

Incidents and defects

135.07.20 (1) The operator of a small commercial air transport aeroplane shall establish adequate inspection and reporting procedures to ensure that defective equipment are reported to the pilot-in-command of the aeroplane before take-off.

(2) The procedures referred to in subregulation (1) shall be extended to include the reporting to the operator of all incidents or the exceeding of limitations that may occur while the flight crew are embarked on the aeroplane and of defective equipment found on board.

(3) Upon receipt of the reports referred to in subregulation (2), the operator shall compile a report and submit such report on a monthly basis to the Commissioner.

SUBPART 8**AEROPLANE PERFORMANCE OPERATING
LIMITATIONS****Classification**

135.08.1 (1) The classification of aeroplanes for performance limitation purposes is prescribed in regulation 91.09.4.

(2) The operator of a small commercial air transport aeroplane shall ensure that-

- (a) a Class A aeroplane is operated in accordance with the performance operating limitations prescribed in Division One;
- (b) a Class B aeroplane is operated in accordance with the performance operating limitations prescribed in Division Two; and
- (c) a Class D aeroplane is operated in accordance with the performance operating limitations prescribed in Division Three.

(3) Where specific design characteristics of an aeroplane prevents compliance with the regulations in Division One, Two or Three of this Subpart, the operator shall, notwithstanding the provisions of subregulation (2), ensure that the aeroplane is operated in accordance with such standard that a level of safety equivalent to the level of safety prescribed in the appropriate Division in this Subpart is maintained.

General provisions for all classes of aeroplanes

135.08.2 (1) The operator of a small commercial air transport aeroplane shall ensure that the mass of the aeroplane, at the start of the take-off, is not greater than the mass at which the requirements prescribed in the appropriate Division can be complied with for the flight to be undertaken, allowing for expected reductions in mass as the flight proceeds.

(2) The operator shall ensure that the approved performance data contained in the aeroplane flight manual prescribed in regulation 135.04.4, is used to determine compliance with the requirements prescribed in the appropriate Division supplemented as necessary with other approved data prescribed in the appropriate Division.

(3) A twin-engine propeller-driven small commercial air transport aeroplane which does not comply with the requirements as prescribed in Document SA-CATS-OPS 135 for take-off and for landing shall, for the purposes of this Subpart, be deemed to be a single-engine aeroplane, to be operated in accordance with the performance operating limitations prescribed in Division Three.

DIVISION ONE: CLASS A AEROPLANE**General**

135.08.3 (1) The operator of a Class A aeroplane shall ensure that, for determining compliance with the requirements prescribed in this Division, the approved performance data in the aeroplane flight manual prescribed in regulation 135.04.4, is supplemented as necessary with other approved data if the approved performance data in such aeroplane flight manual are insufficient in respect of -

- (a) accounting for reasonably expected adverse operating conditions such as take-off and landing on contaminated runways; and
- (b) consideration of engine failure in all flight phases.

(2) The operator shall ensure that, in the case of a wet and contaminated runway, performance data determined in accordance with an approved method is used.

Take-off

135.08.4 (1) The operator of a Class A aeroplane shall ensure that the take-off mass of the aeroplane does not exceed the maximum certificated mass for the pressure altitude and the ambient temperature at the aerodrome of departure.

(2) The operator shall comply with the following requirements when determining the maximum permitted take-off mass of the aeroplane at the aerodrome of departure:

- (a) The required accelerate-stop distance shall not exceed the accelerate-stop distance available;
- (b) the required take-off distance shall not exceed the take-off distance available, with a clearway distance not exceeding half of the take-off run available;
- (c) the required take-off run shall not exceed the take-off run available;
- (d) compliance with the provisions of this subregulation shall be shown using a single value of V_1 for the rejected and continued take-off; and
- (e) on a wet or contaminated runway, the take-off mass shall not exceed the take-off mass permitted for a take-off on a dry runway under the same conditions.

(3) When determining the maximum permitted take-off mass prescribed in subregulation (2), the operator shall take account of -

- (a) the pressure altitude at the aerodrome;
- (b) the ambient temperature at the aerodrome;
- (c) the runway surface condition and the type of runway surface;

- (d) the runway slope in the direction of take-off;
- (e) brake energy;
- (f) tyre-speed limit;
- (g) pilot reaction time;
- (h) not more than 50 per cent of the reported head-wind component or not less than 150 per cent of the reported tail-wind component; and
- (i) the loss, if any, of runway length due to alignment of the aeroplane prior to take-off.

Net take-off flight path

135.08.5 (1) The operator of a Class A aeroplane shall ensure that the net take-off flight path clears all obstacles by a vertical distance of at least 35 feet or by a horizontal distance of at least 90 metres plus $0,125 \times D$, where D is the horizontal distance the aeroplane has travelled from the end of the take-off distance available.

(2) When complying with the provisions of subregulation (1), the operator shall take account of -

- (a) the mass of the aeroplane at the commencement of the take-off run;
- (b) the pressure altitude at the aerodrome;
- (c) the ambient temperature at the aerodrome; and
- (d) not more than 50 per cent of the reported head-wind component or not less than 150 per cent of the reported tail-wind component.

(3) When complying with the provisions of subregulation (1), track changes shall not be allowed up to the point on the net take-off flight path where a height of 50 feet above the take-off surface has been achieved and thereafter, up to a height of 400 feet, it is assumed that the aeroplane is banked by not more than 15°. Provided that -

- (a) above 400 feet, height bank angles greater than 15°, but not more than 25°, may be scheduled; and
- (b) adequate allowance is made for the effect of bank angle on operating speeds and flight path, including the distance increments resulting from increased operating speeds.

(4) When complying with the provisions of subregulation (1) in those cases where the intended flight path does not require track changes of more than 15°, the operator shall not be required to consider those obstacles which have a lateral distance greater than -

- (a) 300 metres, if the pilot is able to maintain the required navigation accuracy through the obstacle accountability area; or
- (b) 600 metres, for flights under all other conditions.

(5) When complying with the provisions of subregulation (1) in those cases where the intended flight path does require track changes of more than 15°, the operator shall not be required to consider those obstacles which have a lateral distance greater than -

- (a) 600 metres if the pilot is able to maintain the required navigation accuracy through the obstacle accountability area; or
 - (b) 900 metres for flights under all other conditions.
- (6) The operator shall establish contingency procedures to satisfy the requirements prescribed in this regulation in order to provide a safe route avoiding obstacles to enable the aeroplane to land safely at the aerodrome of departure or at a take-off alternate aerodrome, if so required.

En route with one engine inoperative

135.08.6 (1) The operator of a Class A aeroplane shall demonstrate that the one-engine inoperative en route net flight path data for the aeroplane, shown in the aeroplane flight manual prescribed in regulation 135.04.4, appropriate to the meteorological conditions expected for the flight, complies with subregulation (2) or (3) at all points along the planned route.

(2) The net flight path shall have a positive slope at 1 500 feet above the aerodrome, where the landing is assumed to be made after engine failure.

(3) At altitudes and under meteorological conditions where icing protection systems shall be operated, the effect of the use of such icing protection systems on the net flight path shall be taken into account.

(4) The slope of the net flight path shall be positive at an altitude of at least 1 000 feet above all terrain and obstructions along the route within 10 nautical miles on either side of the intended track.

(5) The net flight path shall permit the aeroplane to continue flight from the cruising altitude to an aerodrome where a landing can be made in accordance with regulation 135.08.8 or 135.08.9, as the case may be, the net flight path clearing vertically, by at least 2 000 feet, all terrain and obstructions along the route within 10 nautical miles on either side of the intended track in accordance with the provisions of subregulations (1) to (4): Provided that -

- (a) the engine is assumed to fail at the most critical point along the route, and allowance is made for indecision and navigation error;
- (b) account is taken of the effects of winds on the flight path; and
- (c) the aerodrome where the aeroplane is assumed to land after engine failure, complies with the following criteria:
 - (i) The performance requirements at the expected landing mass are complied with; and
 - (ii) weather reports and forecasts, or any combination thereof, and field condition reports indicate that a safe landing can be accomplished at the estimated time of arrival.

(6) When complying with the provisions of this regulation, the operator may reduce the width margins referred to in subregulations (4) and (5), to five nautical miles if the required navigation accuracy can be achieved.

Landing at destination and alternate aerodromes

135.08.7 (1) The operator of a Class A aeroplane shall ensure that the landing mass of the aeroplane, determined in accordance with the provisions of regulation 135.08.2(1), does not exceed the maximum landing mass specified for the altitude and the ambient temperature expected for the estimated time of landing at the destination and alternate aerodrome.

(2) For instrument approaches with decision heights below 200 feet, the operator shall verify that the approach mass of the aeroplane, taking into account the take-off mass and the fuel expected to be consumed in flight, allows a missed approach gradient of climb of at least 2,5 per cent in the approach configuration with one engine inoperative, or an approved alternative procedure.

Landing on dry runways

135.08.8 (1) The operator of a Class A aeroplane shall ensure that the landing mass of the aeroplane determined in accordance with the provisions of regulation 135.08.2(1) for the estimated time of landing, allows a full-stop landing from 50 feet above the threshold within 70 per cent of the landing distance available at the destination aerodrome and at any alternate aerodrome: Provided that the Commissioner may permit the use of a screen height of less than 50 feet, but not less than 35 feet, for steep-approach and short-landing procedures.

(2) When complying with the provisions of subregulation (1), the operator shall take account of -

- (a) the pressure altitude at the aerodrome; and
- (b) not more than 50 per cent of the reported head-wind component or not less than 150 per cent of the reported tail-wind component.

(3) For dispatching the aeroplane in accordance with subregulation (1), it shall be assumed that -

- (a) such aeroplane will land on the most favourable runway, in still air; and
- (b) such aeroplane will land on the runway most likely to be assigned considering the probable wind speed and direction and the ground handling characteristics of the aeroplane, and considering other conditions such as landing aids and terrain.

(4) If the operator is unable to comply with the provisions of subregulation (3)(b) for the destination aerodrome, the aeroplane may be dispatched if an alternate aerodrome is designated which permits full compliance with the provisions of subregulations (1), (2) and (3).

Landing on wet and contaminated runways

135.08.9 (1) The operator of a Class A aeroplane shall ensure that, when the appropriate weather reports or forecasts, or a combination thereof, indicate that the runway at the estimated time of arrival may be wet, the landing distance available is at least 115 per cent of the required landing distance determined in accordance with the provisions of regulation 135.08.8.

(2) The operator shall ensure that, when the appropriate weather reports or forecasts, or a combination thereof, indicate that the runway at the estimated time of arrival may be contaminated, the landing distance available must be at least the landing distance determined in accordance with the provisions of subregulation (1) or at least 115 per cent of the landing distance determined in accordance with approved contaminated landing distance data or an equivalent thereof, whichever is the greater.

(3) A landing distance on a wet runway shorter than the landing distance required by the provisions of subregulation (1), but not less than the landing distance required by the provisions of regulation 135.08.8(1), may be used if the aeroplane flight manual prescribed in regulation 135.04.4 includes specific additional information on landing distances on wet runways.

DIVISION TWO : CLASS B AEROPLANE**General**

135.08.10 The regulations in this Division shall apply to -

- (a) the operator of a Class A aeroplane which does not comply with the performance operating limitations prescribed in Division One on the date of commencement of the Regulations, and who may, until 30 June 1998, operate the aeroplane under performance operating limitations approved by the Commissioner: Provided that such limitations shall not be less restrictive than the performance operating limitations prescribed in this Division; and
- (b) the operator of a Class B aeroplane.

Take-off

135.08.11 (1) The operator of a Class A aeroplane prescribed in regulation 135.08.10, or a Class B aeroplane, shall ensure that the take-off mass of the aeroplane does not exceed the maximum certificated mass for the pressure altitude and the ambient temperature at the aerodrome of departure.

(2) The operator shall ensure that the take-off distance, as specified in the aeroplane flight manual prescribed in regulation 135.04.4, multiplied by a factor of 1.3, does not exceed the take-off run available.

(3) When complying with the provisions of subregulation (2), the operator shall take account of -

- (a) the mass of the aeroplane at the commencement of the take-off run; and
- (b) the requirements prescribed in regulation 135.08.4(3).

Take-off flight path

135.08.12 (1) The operator of a Class A aeroplane prescribed in regulation 135.08.10, or a Class B aeroplane, shall ensure that the take-off flight path of the aeroplane clears all obstacles by a vertical margin of at least 295 feet plus $0,125 \times D$, where D is the horizontal distance the aeroplane has travelled from the end of the take-off distance available except as prescribed in subregulations (3) and (4).

(2) When complying with the provisions of subregulation (1), it shall be assumed that -

- (a) the take-off flight path begins at a height of 50 feet above the take-off surface at the end of the take-off distance prescribed in regulation 135.08.11(2) and ends at a height of 1 500 feet above the take-off surface;
- (b) the aeroplane is not banked before such aeroplane has reached a height of 50 feet above the take-off surface, and that thereafter the angle of bank does not exceed 15°;
- (c) failure of the critical engine occurs at the point of the all-engines take-off flight path where the loss of visual reference for the purpose of avoiding obstacles is expected to occur;
- (d) the gradient of the take-off flight path from 50 feet to the assumed engine-failure height is equal to the average all-engines gradient during climb and transition to the en route configuration, multiplied by a factor of 0,77; and
- (e) the gradient of the take-off flight path from the height reached in accordance with the provisions of paragraph (d) to the end of the take-off flight path, is equal to the one-engine-inoperative en route climb gradient shown in the aeroplane flight manual prescribed in regulation 135.04.4.

(3) When complying with the provisions of subregulation (1), in those cases where the intended flight path does not require track changes of more than 15°, the operator need not consider obstacles which have a lateral distance greater than -

- (a) 300 metres, if the flight is conducted under conditions allowing visual course guidance navigation, or if navigation aids are available enabling the pilot to maintain the intended flight path with the same accuracy; and
- (b) 600 metres for flights under all other conditions.

(4) When complying with the provisions of subregulation (1), in those cases where the intended flight path requires heading changes of more than 15°, an operator need not consider obstacles which have a lateral distance greater than -

- (a) 600 metres for flights under conditions allowing visual course guidance navigation; or
- (b) 900 metres for flights under all other conditions.

(5) When complying with the provisions of this regulation, an operator shall take account of the requirements prescribed in regulation 135.08.5(2).

En route

135.08.13 (1) The operator of a Class A aeroplane prescribed in regulation 135.08.10, or a Class B aeroplane, shall be able to demonstrate that the aeroplane, in the meteorological conditions expected for the flight, and in the event of the failure of one engine, with the

remaining engine or engines operating within the maximum continuous power conditions specified, is capable of continuing flight at or above the relevant minimum altitudes for safe flight stated in the operations manual prescribed in regulation 135.04.2, to a point 1 000 feet above an aerodrome at which the performance requirements can be complied with.

(2) When complying with the provisions of subregulation (1) -

- (a) the aeroplane shall be assumed not to be flying at an altitude exceeding the altitude at which the rate of climb equals 300 feet per minute with all engines operating within the maximum continuous power conditions specified in the operations manual referred to in regulation 135.04.2; and
- (b) the assumed en route gradient with one-engine-inoperative shall be the gross gradient minus 0,5 per cent gradient.

Landing at destination and alternate aerodromes

135.08.14 The operator of a Class A aeroplane prescribed in regulation 135.08.10, or a Class B aeroplane, shall ensure that the landing mass of the aeroplane does not exceed the maximum landing mass specified for the altitude and the ambient temperature expected for the estimated time of arrival at the destination and alternate aerodrome.

Landing on dry runways

135.08.15 (1) The operator of a Class A aeroplane prescribed in regulation 135.08.10, or a Class B aeroplane, shall ensure that the landing mass of the aeroplane for the estimated time of arrival, allows a full-stop landing from 50 feet above the threshold within 70 per cent of the landing distance available at the destination aerodrome and at any alternate aerodrome: Provided that the Commissioner may permit the use of a screen height of less than 50 feet, but not less than 35 feet, for steep-approach and short-landing procedures.

(2) When complying with the provisions of subregulation (1), the operator shall take account of -

- (a) the runway surface condition and the type of runway surface;
- (b) the runway slope in the direction of take-off; and
- (c) the requirements referred to in regulation 135.08.8(2)(a) and (b).

(3) For dispatching the aeroplane in accordance with the provisions of subregulation (1), it shall be assumed that -

- (a) such aeroplane will land on the most favourable runway, in still air; and
- (b) such aeroplane will land on the runway most likely to be assigned considering the probable wind speed and direction and the ground

handling characteristics of the aeroplane, and considering landing aids and terrain.

(4) If the operator is unable to comply with the provisions of subregulation 3(b) for the destination aerodrome, the aeroplane may be dispatched if an alternate aerodrome is designated which permits full compliance with the provisions of subregulations (1), (2) and (3).

Landing on wet and contaminated runways

135.08.16 (1) The operator of a Class A aeroplane prescribed in regulation 135.08.10, or a Class B aeroplane, shall ensure that, when the appropriate weather reports or forecasts, or a combination thereof, indicate that the runway at the estimated time of arrival may be wet, the landing distance available is at least 115 per cent of the required landing distance determined in accordance with the provisions of regulation 135.08.15.

(2) The operator shall ensure that, when the appropriate weather reports or forecasts, or a combination thereof, indicate that the runway at the estimated time of arrival may be contaminated, the landing distance available is at least the required approved landing distance.

(3) A landing distance on a wet runway shorter than the landing distance required by the provisions of subregulation (1), but not less than the landing distance required by the provisions of regulation 135.08.15(1), may be used if the aeroplane flight manual prescribed in regulation 135.04.4, includes specified additional information on landing distances on wet runways.

DIVISION 3: CLASS D AEROPLANE**General**

135.08.17 The operator of a Class D aeroplane shall not operate the aeroplane -

- (a) by night; or
- (b) in IMC except under special VFR or under special conditions as approved by the Commissioner.

Take-off

135.08.18 (1) The operator of a Class D aeroplane shall ensure that the take-off mass of the aeroplane does not exceed the maximum certificated mass for the pressure altitude and the ambient temperature at the aerodrome of departure.

(2) The operator shall ensure that the take-off distance, as specified in the aeroplane flight manual prescribed in regulation 135.04.4, multiplied by a factor of 1.3, does not exceed the take-off run available.

(3) When complying with the provisions of subregulation (2), the operator shall take account of -

- (a) the mass of the aeroplane at the commencement of the take-off run; and
- (b) the requirements prescribed in regulation 135.08.4(3).

Take-off flight path

135.08.19 (1) The operator of a Class D aeroplane shall ensure that the take-off flight path of the aeroplane clears all obstacles by a vertical margin of at least 295 feet plus $0.125 \times D$, where D is the horizontal distance the aeroplane has travelled from the end of the take-off distance available, except as provided in subregulations (3) and (4).

(2) When complying with the provisions of subregulation (1), it shall be assumed that -

- (a) the take-off flight path begins at a height of 50 feet above the take-off surface at the end of the take-off distance required by regulation 135.08.12(2) and ends at a height of 1 500 feet above the take-off surface;
- (b) the aeroplane is not banked before such aeroplane has reached a height of 50 feet above the take-off surface, and that thereafter the angle of bank does not exceed 15°;

- (c) engine failure occurs at the point of the take-off flight path where the loss of visual reference for the purpose of avoiding obstacles is expected to occur; and
 - (d) the gradient of the take-off flight path from 50 feet to the assumed engine-failure height is the gradient during climb and transition to the en route configuration, multiplied by a factor of 0.77.
- (3) When complying with the provisions of subregulation (1), in those cases where the intended flight path does not require track changes of more than 15°, the operator need not consider obstacles which have a lateral distance greater than -
- (a) 300 metres, if the flight is conducted under conditions allowing visual course guidance navigation, or if navigation aids are available enabling the pilot to maintain the intended flight path with the same accuracy; and
 - (b) 600 metres for flights under all other conditions.
- (4) When complying with the provisions of subregulation (1), in those cases where the intended flight path requires heading changes of more than 15°, an operator need not consider obstacles which have a lateral distance greater than -
- (a) 600 metres for flights under conditions allowing visual course guidance navigation; or
 - (b) 900 metres for flights under all other conditions.
- (5) When complying with the provisions of this regulation, the operator shall take account of the requirements referred to in regulation 135.08.5(2).

En route

135.08.20 (1) The operator of a Class D aeroplane shall be able to demonstrate that the aeroplane, in the meteorological conditions expected for the flight, is capable of continuing flight at or above the relevant minimum altitudes for safe flight stated in the operations manual prescribed in regulation 135.04.2, to a point 1 000 feet above an aerodrome at which the performance requirements can be complied with.

(2) When complying with the provisions of subregulation (1) the aeroplane shall be assumed not to be flying at an altitude exceeding the altitude at which the rate of climb equals 300 feet per minute within the maximum continuous power conditions specified in the aeroplane flight manual prescribed in regulation 135.04.4.

Landing at destination and alternate aerodromes

135.08.21 The operator of a Class D aeroplane shall ensure that the landing mass of the aeroplane does not exceed the maximum landing mass specified for the altitude and the

ambient temperature expected for the estimated time of arrival at the destination and alternate aerodrome.

Landing on dry runways

135.08.22 (1) The operator of a Class D aeroplane shall ensure that the landing mass of the aeroplane for the estimated time of arrival allows a full-stop landing from 50 feet above the threshold within 70 per cent of the landing distance available at the destination aerodrome and at any alternate aerodrome: Provided that the Commissioner may permit the use of a screen height of less than 50 feet, but not less than 35 feet, for steep-approach and short-landing procedures.

(2) When complying with the provisions of subregulation (1), the operator shall take account of -

- (a) the runway surface condition and the type of runway surface;
- (b) the runway slope in the direction of take-off; and
- (c) the requirements referred to in regulation 135.08.8(2)(a) and (b).

(3) For dispatching the aeroplane in accordance with the provisions of subregulation (1), it shall be assumed that -

- (a) such aeroplane will land on the most favourable runway, in still air; and
- (b) such aeroplane will land on the runway most likely to be assigned considering the probable wind speed and direction and the ground handling characteristics of the aeroplane, and considering landing aids and terrain.

(4) If the operator is unable to comply with the provisions of subregulation 3(b) for the destination aerodrome, the aeroplane may be dispatched if an alternate aerodrome is designated which permits full compliance with the provisions of subregulations (1), (2) and (3).

Landing on wet and contaminated runways

135.08.23 (1) The operator of a Class D aeroplane shall ensure that, when the appropriate weather reports or forecasts, or a combination thereof, indicate that the runway at the estimated time of arrival may be wet, the landing distance available is at least 115 per cent of the required landing distance determined in accordance with the provisions of regulation 135.08.22.

(2) The operator shall ensure that, when the appropriate weather reports or forecasts, or a combination thereof, indicate that the runway at the estimated time of arrival may be contaminated, the landing distance available is at least the required approved landing distance.

(3) A landing distance on a wet runway shorter than the landing distance required by the provisions of subregulation (1), but not less than the landing distance required by the provisions of regulation 135.08.22(1), may be used if the aeroplane flight manual referred to in regulation 135.04.4, includes specified additional information on landing distances on wet runways.

SUBPART 9**MAINTENANCE****General**

135.09.1 The operator of a small commercial air transport aeroplane shall not operate the aeroplane unless such aeroplane is maintained in accordance with the regulations in Part 43.

Aeroplane maintenance schedule

135.09.2 (1) The operator of a small commercial air transport aeroplane shall ensure that the aeroplane is maintained in accordance with an aeroplane maintenance schedule established by the operator.

(2) The schedule shall contain details, including frequency, of all maintenance required to be carried out on the aeroplane.

(3) The schedule shall include a reliability programme if the Commissioner determines that such a reliability programme is necessary.

(4) The schedule referred to in subregulation (1) and any subsequent amendment thereof shall be approved by the Commissioner.

Maintenance contracted to approved aircraft maintenance organisation

135.09.3 If maintenance on a small commercial air transport aeroplane is carried out by the holder of an aircraft maintenance organisation approval with the appropriate rating issued in terms of Part 145, the operator of the aeroplane shall ensure that all contracted maintenance is carried out in accordance with the regulations in Part 43.

PART 137

**CERTIFICATED AIRCRAFT OPERATORS
AND OTHER FLIGHT OPERATIONS :
AGRICULTURAL OPERATIONS**

LIST OF REGULATIONS

SUBPART 1 : GENERAL PROVISIONS

- 137.01.1 Applicability
- 137.01.2 Requirements for ratings
- 137.01.3 Requirements for commercial agricultural operations
- 137.01.4 Aircraft equipment

SUBPART 2 : FLIGHT RULES

- 137.02.1 Dispensing agricultural chemicals
- 137.02.2 Direction of turns at aerodrome
- 137.02.3 Heights of turns at aerodromes
- 137.02.4 Operation without position lights
- 137.02.5 Operation over populous areas
- 137.02.6 Operation over non-populous area
- 137.02.7 Fuel reserves

SUBPART 3 : SPECIAL FLIGHT RULES

- 137.03.1 General
- 137.03.2 Maximum certificated mass
- 137.03.3 Take-off distance and flight path
- 137.03.4 Take-off flight path

SUBPART 4 : COMMERCIAL OPERATIONS

- 137.04.1 Records
- 137.04.2 Remote base operations
- 137.04.3 Operations over populous areas

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

137.01.1 (1) This Part shall apply to -

- (a) aircraft engaged in commercial or non-commercial agricultural operations within the Republic;
- (b) aircraft registered in the Republic and engaged in commercial or non-commercial international agricultural operations; and
- (c) persons acting as flight crew members of the aircraft operated in terms of this Part.

(2) Unless the context otherwise indicates, agricultural operations shall be conducted in accordance with and in addition to the provisions of Part 91 and Part 121, Part 127 or Part 135, as the case may be.

Requirements for ratings

137.01.2 The pilot of an aircraft engaged in an agricultural operation, shall hold -

- (a) a valid agricultural pilot rating issued in terms of Subpart 48 of Part 61 for the category of aircraft used; and
- (b) a pest control operator's certificate issued in terms of the Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947).

Requirements for commercial agricultural operations

137.01.3 The operator of an aircraft engaged in commercial agricultural operations, shall not operate the aircraft unless such operator is the holder of a valid -

- (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); and
- (b) operating certificate issued in terms of Part 121, Part 127 or Part 135, as the case may be.

Aircraft equipment

137.01.4 Each owner or operator of an aircraft engaged in an agricultural operation shall ensure that the aircraft has, in addition to the equipment prescribed in Part 91, an approved and properly installed shoulder harness for each person on board.

SUBPART 2**FLIGHT RULES****Dispensing agricultural chemicals**

137.02.1 (1) The pilot of an aircraft dispensing an agricultural chemical in an agricultural operation, shall dispense the agricultural chemical -

- (a) for its registered use; and
- (b) in accordance with the safety instructions or use limitations on its label.

(2) Notwithstanding the provisions of subregulation (1), the pilot may, if the operation is for experimental purposes -

- (a) under the supervision of a Government department conducting research in the field; or
- (b) in terms of a permit from the applicable authority controlling such chemicals,

dispense the agricultural chemical as necessary for the particular experiment.

Direction of turns at aerodrome

137.02.2 The pilot of an aircraft performing an agricultural operation may turn in a direction other than that prescribed in Part 91, when approaching for a landing at, or after take-off from, an aerodrome if -

- (a) the aerodrome is used solely for agricultural operations; or
- (b) in any other case, the aerodrome displays the visual ground signal prescribed in Part 91 indicating that an agricultural operation is being conducted from that aerodrome.

Height of turns at aerodromes

137.02.3 The pilot of an aircraft performing an agricultural operation may commence a turn after take-off from an aerodrome at an altitude other than that prescribed in Part 91 if -

- (a) the turn does not cause the aircraft to fly over a populous area; and
- (b) the aerodrome -
 - (i) is used solely for agricultural operations; or

- (ii) has an aerodrome control service in operation and the turn is performed in accordance with an air traffic control clearance; or
- (iii) in any other case, displays the visual ground signal prescribed in Part 91 indicating that an agricultural operation is being conducted from that aerodrome.

Operation without position lights

137.02.4 Notwithstanding the provisions of Part 91, the pilot of an aircraft performing an agricultural operation may operate at night without aircraft position lights if -

- (a) it is in the interest of aviation safety to turn the lights off due to operating conditions;
- (b) prominent unlighted objects are visible for not less than 1 850 metres;
- (c) take-offs and landings at aerodromes with an aerodrome control service are performed in accordance with an air traffic control clearance; and
- (d) take-offs and landings at other aerodromes are not made while other aircraft operations requiring position lights are in progress at that aerodrome.

Operation over populous areas

137.02.5 The pilot of an aircraft engaged in an agricultural operation over a populous area may, for the proper completion of the operation, fly below the minimum height prescribed in Part 91 if -

- (a) the operation is conducted on behalf of a Government department;
- (b) prior approval is obtained from the Commissioner and the operation is conducted in accordance with conditions and limitations determined by the Commissioner;
- (c) the operation is conducted under the authority of an operating certificate issued as contemplated in regulation 137.01.3(b); and
- (d) the holder of the operating certificate has complied with regulation 137.04.3.

Operation over non-populous area

137.02.6 Notwithstanding the provisions of Part 91, the pilot of an aircraft engaged in an agricultural operation may, during or for the purposes of the operation, fly at any altitude and at any distance from an obstruction if -

- (a) the operation is not conducted over a populous area;
- (b) the operation is conducted without creating a hazard to persons or property on the ground; and
- (c) the altitude and distance for all approaches, turns and departures are necessary for the operation.

Fuel reserves

137.02.7 Notwithstanding the provisions of Part 91, the pilot of an aircraft engaged in an agricultural operation shall ensure that the aircraft has the following minimum fuel reserves:

- (a) For aeroplanes, 30 minutes flight time;
- (b) for helicopters, 3 times the anticipated flight time or 30 minutes flight time, whichever is the lesser.

SUBPART 3**SPECIAL FLIGHT RULES****General**

137.03.1 This Subpart prescribes exceptions to the general operating and flight rules in Part 91, for the pilot of an aeroplane issued with a restricted category certificate of airworthiness in terms of Part 21, engaged in an agricultural operation.

Maximum certificated mass

137.03.2 (1) Notwithstanding the provisions of Part 91 and subject to subregulation (2), the pilot of an aeroplane engaged in an agricultural operation, may take-off at a mass greater than the maximum certificated mass specified in the aeroplane flight manual if the pilot complies with the requirements as prescribed in Document SA-CATS-OPS 137.

(2) Where there is a third party risk as specified in Document SA-CATS-OPS 137, the pilot shall determine the maximum take-off mass from the requirements prescribed in regulations 137.03.3 and 137.03.4.

Take-off distance and flight path

137.03.3 (1) Where there is a third party risk as specified in Document SA-CATS-OPS 137, the pilot of an aeroplane engaged in an agricultural operation shall, notwithstanding the provisions of Part 91 and subject to subregulation (2), ensure that the take-off distance available is greater than the take-off distance specified in the aeroplane flight manual, multiplied by a factor of 1.2.

(2) When calculating the take-off distance, the pilot shall take the following factors into account:

- (a) The mass of the aeroplane at the commencement of the take-off run;
- (b) the pressure altitude of the aerodrome;
- (c) the ambient temperature at the aerodrome;
- (d) the runway surface type and condition;
- (e) the runway slope in the direction of take-off; and
- (f) not more than 50% of the headwind component or not less than 150% of the tailwind component.

(3) Where there is no third party risk as specified in Document SA-CATS-OPS 137, the pilot is not required, notwithstanding the provisions of Part 91, to comply with -

- (a) the take-off distance specified in the aeroplane flight manual; and
- (b) where applicable, the take-off flight path gradient specified in the aeroplane flight manual.

Take-off flight path

137.03.4 (1) Where there is a third party risk as defined in Document SA-CATS-OPS 137, the pilot of an aeroplane engaged in an agricultural operation shall ensure that, notwithstanding the provisions of Part 91, the take-off flight path clears all obstacles by -

- (a) a vertical distance of at least 50 feet plus $0.025D$; or
- (b) a lateral distance of at least 30 metres plus $0.1D$,

where D is the horizontal distance travelled by the aeroplane from the end of the take-off distance available.

(2) When calculating compliance with subregulation (1), the pilot shall take the following factors into account:

- (a) The take-off flight path shall begin at a height of 50 feet above the take-off surface at the end of the take-off distance required by regulation 137.03.3(1) and (2) and end at a height of 500 feet above the take-off surface;
- (b) the aeroplane shall not be banked at an angle exceeding 20 degrees; and
- (c) obstacles which have a lateral distance greater than 150 metres from the planned flight path may be disregarded.

SUBPART 4**COMMERCIAL OPERATIONS****Records**

137.04.1 (1) A holder of an operating certificate shall maintain the following records at the principal place of operation:

- (a) The name and address of each client;
- (b) the date of each agricultural operation;
- (c) the name and quantity of the material dispensed during each agricultural operation;
- (d) the name, address, licence number, and rating details of the pilot concerned;
- (e) the date on which an agricultural pilot rating was issued to the pilot concerned.

(2) The records shall be retained for a period of not less than 12 months from the date on which the operation is completed.

Remote base operations

137.04.2 The holder of an operating certificate who operates an aircraft engaged in an agricultural operation, from a base other than the principal place of operation, for a period of 14 or more consecutive nights, shall appoint a base pilot who -

- (a) holds a valid agricultural pilot rating;
- (b) is responsible for the operations from that remote base; and
- (c) may be responsible for arranging work rosters and maintaining records.

Operations over populous areas

137.04.3 The holder of an operating certificate who wishes to operate an aircraft engaged in an agricultural operation over a populous area shall -

- (a) prepare a plan of the operation, in conjunction with, and for the briefing of, all personnel and organisations involved in the operation, containing -
 - (i) consideration of obstructions to flight;
 - (ii) the emergency landing capabilities of the aircraft used; and

- (iii) any co-ordination necessary with the air traffic service unit concerned;
- (b) give prior written notification to the local government in whose jurisdiction the operation is to be performed;
- (c) give notice of the operation to the public by an effective means;
- (d) ensure maximum safety to persons and property on the ground, consistent with the operation; and
- (e) ensure that the aircraft has, within the preceding 100 hours of time in service -
 - (i) had a mandatory periodic inspection; or
 - (ii) been inspected under a progressive inspection programme, in accordance with the regulations in Part 43.

PART 138

**CERTIFICATED AIRCRAFT OPERATORS
AND OTHER FLIGHT OPERATIONS :
EMERGENCY MEDICAL SERVICE OPERATIONS**

LIST OF REGULATIONS

SUBPART 1 : GENERAL

- 138.01.1 Applicability
- 138.01.2 Requirements for commercial emergency medical service operations

SUBPART 2 : OPERATING RULES

- 138.02.1 Manual of procedure
- 138.02.2 Competence of personnel
- 138.02.3 Quality control system

SUBPART 3 : FLIGHT DECK CREW

- 138.03.1 Composition of flight deck crew
- 138.03.2 Pilot qualifications

SUBPART 4 : TRAINING

- 138.04.1 General
- 138.04.2 Initial training of flight deck crew
- 138.04.3 Recurrent training of flight deck crew
- 138.04.4 Initial training of medical personnel
- 138.04.5 Recurrent training of medical personnel
- 138.04.6 Training assistance to operations personnel

SUBPART 5 : DOCUMENTATION AND RECORDS

- 138.05.1 Manual of procedure
- 138.05.2 Training records
- 138.05.3 Presumption

SUBPART 6 : INSTRUMENTS AND EQUIPMENT

- 138.06.1 General
- 138.06.2 Patient restraints and stretchers
- 138.06.3 Incubator
- 138.06.4 Oxygen and other gases
- 138.06.5 Intravenous fluids
- 138.06.6 Cardiac monitoring and defibrillating equipment
- 138.06.7 Lighting and electrical equipment
- 138.06.8 Interphone system
- 138.06.9 Supplementary equipment
- 138.06.10 Communication equipment

SUBPART 7 : FLIGHT OPERATIONS

- 138.07.1 Dispatching base
- 138.07.2 Infection control
- 138.07.3 Unprepared landing areas
- 138.07.4 Loading and unloading
- 138.07.5 Night flying
- 138.07.6 High altitude flights

SUBPART 8 : MAINTENANCE

- 138.08.1 General
- 138.08.2 Maintenance of medical equipment

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

138.01.1 (1) This Part shall apply to -

- (a) aircraft engaged in commercial and non-commercial emergency medical service operations within the Republic;
- (b) aircraft registered in the Republic and engaged in commercial and non-commercial international emergency medical service operations;
- (c) persons acting as flight deck crew and medical personnel of the aircraft operated in terms of this Part; and
- (d) persons acting as operations personnel in respect of any emergency medical service operation carried out in terms of this Part.

(2) The provisions of Part 91, Part 121, Part 127 and Part 135 shall apply *mutatis mutandis* to any aircraft operated in terms of this Part.

Requirements for commercial emergency medical service operations

138.01.2 The operator of an aircraft engaged in a commercial emergency medical service operation, shall not operate the aircraft unless such operator is the holder of a valid -

- (a) licence issued in terms of the Air Services Licences Act, 1990, (Act No. 115 of 1990), or the International Air Services Act, 1993 (Act No. 60 of 1993); and
- (b) operating certificate issued in terms of Part 121, Part 127 or Part 135, as the case may be.

SUBPART 2**OPERATING RULES****Manual of procedure**

138.02.1 The owner or operator of an aircraft engaged in an emergency medical service operation shall compile a manual of procedure in accordance with the provisions of Subpart 5, for the use and guidance of flight deck crew, medical personnel and operations personnel.

Competence of personnel

138.02.2 The owner or operator of an aircraft engaged in an emergency medical service operation shall ensure that all flight deck crew, medical personnel and operations personnel are properly instructed, have demonstrated their abilities in their particular duties and are aware of their responsibilities and the relationship of such duties to the operation as a whole.

Quality control system

138.02.3 (1) The owner or operator of an aircraft engaged in an emergency medical service operation shall establish a quality control system for the control and supervision of the emergency medical service provided.

(2) The quality control system shall be established in consultation with the body or institution designated by the Commissioner in terms of regulation 67.00.3.

SUBPART 3**FLIGHT DECK CREW****Composition of flight deck crew**

138.03.1 (1) If the owner or operator of an aircraft engaged in an emergency medical service operation only operates by day, such owner or operator shall assign a minimum of two pilots to each aircraft used in a particular emergency medical service operation.

(2) If the owner or operator operates the emergency medical service operation by day and by night, such owner or operator shall assign a minimum of four pilots to each aircraft used in a particular emergency medical service operation: Provided that the owner or operator may assign less pilots than the number prescribed in this regulation -

- (a) if the provisions of this Subpart are complied with; and
- (b) the flight time and duty scheme of the operator is complied with.

Pilot qualifications

138.03.2 The pilot of an aircraft engaged in an emergency medical service operation shall -

- (a) be the holder of a -
 - (i) commercial pilot licence (aeroplane);
 - (ii) airline transport pilot licence (aeroplane);
 - (iii) commercial pilot licence (helicopter); or
 - (iv) airline transport pilot licence (helicopter),as the case may be; and
- (b) be the holder of a valid night rating;
- (c) in the case of a helicopter engaged in an emergency medical service operation, have completed not less than 2 000 hours flight time as pilot-in-command of a helicopter, of which not less than -
 - (i) 5 hours shall be as pilot-in-command or at the controls of the type of helicopter operated; or
 - (ii) 10 hours shall be as pilot-in-command at the controls of the helicopter, if the helicopter is the first multi-engine type helicopter to be flown by such pilot;
- (d) in the case of an aeroplane engaged in an emergency medical service operation, have completed not less than 2 000 hours

flight time as pilot-in-command of an aeroplane, of which not less than -

- (i) 500 hours shall be as pilot-in-command of a multi-engine aeroplane;
 - (ii) 100 hours shall be night flight time; and
 - (iii) 25 hours shall be as pilot-in-command of an aeroplane of the same type as the type which is used in the emergency medical service operation; and
- (e) have successfully completed the training referred to in Subpart 4.

SUBPART 4**TRAINING****General**

138.04.1 (1) The owner or operator of an aircraft engaged in an emergency medical service operation shall establish and maintain a training programme for all flight deck crew members in his, her or its employ.

(2) The owner or operator shall ensure that each flight deck crew member and medical personnel member receives training in accordance with this Subpart and the appropriate syllabus as prescribed in Document SA-CATS-OPS 138.

(3) For the purposes of this Subpart, a medical personnel member shall be deemed to be in the employ of the owner or operator if the medical personnel member is assigned to flight duties by such owner or operator, irrespective of whether such medical personnel member is remunerated by such owner or operator.

Initial training of flight deck crew

138.04.2 The owner or operator of an aircraft engaged in an emergency medical service operation shall ensure that each flight deck crew member, prior to being assigned to the emergency medical service operation, successfully completes the initial training as prescribed in Document SA-CATS-OPS 138.

Recurrent training of flight deck crew

138.04.3 (1) The owner or operator of an aircraft engaged in an emergency medical service operation shall ensure that a recurrent training programme is included in the manual of procedure referred to in regulation 138.02.2.

(2) All recurrent training shall be conducted by a competent person.

(3) The owner or operator shall ensure that each flight deck crew member undergoes recurrent training as prescribed in Document SA-CATS-OPS 138.

(4) On the successful completion of the recurrent training, the owner or operator shall issue a certificate of competency to the flight deck crew member concerned, which certificate shall be valid for a period of 12 calendar months calculated from the last day of the calendar month in which such certificate is issued.

(5) The owner or operator shall, if the flight deck crew member concerned does not successfully complete the recurrent training, remove such flight deck crew member from flight duties until he or she is able to successfully complete such recurrent training.

Initial training of medical personnel

138.04.4 The owner or operator of an aircraft engaged in an emergency medical service operation shall ensure that a medical personnel member, prior to being assigned to the emergency medical service operation, successfully completes the initial training as prescribed in Document SA-CATS-OPS 138.

Recurrent training of medical personnel

138.04.5 (1) The owner or operator of an aircraft engaged in an emergency medical service operation shall ensure that a recurrent training programme is included in the manual of procedure referred to in regulation 138.02.2.

(2) All recurrent training shall be conducted by a competent person.

(3) An owner or operator shall ensure that each medical personnel member undergoes recurrent training as prescribed in Document SA-CATS-OPS 138.

(4) On the successful completion of the recurrent training, the owner or operator shall issue a certificate of competency to the medical personnel member concerned, which certificate shall be valid for a period of 12 calendar months calculated from the last day of the calendar month in which such certificate is issued.

(5) The owner or operator shall, if the medical personnel member concerned does not successfully complete the recurrent training, remove such medical personnel member from flight duties until he or she is able to successfully complete such recurrent training.

Training assistance to operations personnel

138.04.6 The owner or operator of an aircraft engaged in an emergency medical service operation shall provide the training assistance as prescribed in Document SA-CATS-OPS 138, in respect of all operations personnel, including law enforcement personnel, hospital staff, flight dispatchers and radio operators.

SUBPART 5**DOCUMENTATION AND RECORDS****Manual of procedure**

138.05.1 (1) The owner or operator of an aircraft engaged in an emergency medical service operation shall compile a manual of procedure setting out the manner in which such owner or operator will operate the emergency medical service operation: Provided that if the operator is engaged in a commercial emergency medical service operation, the operations manual of the operator referred to in Part 121, 127 or 135, as the case may be, shall be deemed to be the manual of procedure for the purposes of this Part.

(2) The owner shall, prior to commencing an emergency medical service operation, submit the manual of procedure in duplicate to the Commissioner for approval.

(3) If the Commissioner is satisfied that the owner will operate the emergency medical service operation in accordance with the provisions in this Part, the Commissioner shall certify in writing, on both copies of the manual of procedure, that such manual of procedure has been approved, and shall return one copy of such manual of procedure to the owner.

(4) The owner shall submit an amendment to the manual of procedure in duplicate to the Commissioner for approval.

(5) If the Commissioner is satisfied that the owner will comply with the provisions of this Part, the Commissioner shall certify in writing on both copies of the amendment to the manual of procedure that such amendment has been approved, and shall return one copy of the approved amendment to the owner.

(6) The owner shall at all times operate the emergency medical service operation in accordance with the manual of procedure or an amendment thereto.

(7) The owner shall -

- (a) ensure that all operations personnel are able to understand the technical language used in those sections of the manual of procedure which pertain to their duties;
- (b) ensure that every flight is conducted in accordance with the manual of procedure and that those parts of the manual which are required for the conduct of a flight, are easily accessible to the flight deck crew and medical personnel on board the aircraft;
- (c) make the manual of procedure available for the use and guidance of operations personnel;
- (d) provide the flight deck crew and medical personnel with their own personal copy of the sections of the manual of procedure which are relevant to the duties assigned to them;
- (e) keep the manual of procedure up to date; and

(f) keep the manual of procedure in a safe place.

(8) The structure and contents of the manual of procedure shall be as prescribed in Document SA-CATS-OPS 138.

(9) The manual of procedure shall be reviewed every six months and updated in accordance with the quality control system established by the owner or operator in terms of regulation 138.02.3.

Training records

138.05.2 (1) The owner or operator of an aircraft engaged in an emergency medical service operation shall retain records of all -

- (a) training undertaken by the flight deck crew and medical personnel in his, her or its employ, and such records shall incorporate certificates indicating the completion of such training; and
- (b) training assistance provided to the operations personnel referred to in regulation 138.04.6.

(2) The owner or operator shall retain the records of each flight deck crew member, medical personnel member and operations personnel member for a period of at least 12 months from the date on which the flight deck crew member, medical personnel member or operations personnel member has left the employ of such owner or operator.

(3) The certificate referred to in subregulation (1) shall be made available by the owner or operator to the flight deck crew member or medical personnel member concerned on request.

(4) All training successfully completed by a flight deck crew member or medical personnel member in terms of Subpart 4, shall be recorded by the flight deck crew member or medical personnel member in his or her logbook or file, as the case may be.

Presumption

138.05.3 For the purposes of this Subpart, a medical personnel member shall be deemed to be in the employ of the owner or operator if the medical personnel member is assigned to flight duties by such owner or operator, irrespective of whether such medical personnel member is remunerated by such owner or operator.

SUBPART 6**INSTRUMENTS AND EQUIPMENT****General**

138.06.1 (1) The owner or operator of an aircraft engaged in an emergency medical service operation shall ensure that the aircraft which is to be used in the emergency medical service operation, is configured in such a way that -

- (a) the medical personnel have access to a patient in order to begin and maintain basic and advanced life-support treatment; and
- (b) there is access and the necessary space to ensure that the patient's airway is maintained, and that adequate ventilatory support from the secured seat-belted position of the medical personnel, is provided.

(2) All equipment, supplies and other items in the aircraft shall be -

- (a) properly secured; and
- (b) so positioned that they do not, or are not likely to, cause injury to any person on board the aircraft.

(3) Medical equipment in the aircraft shall function without interfering with the avionic equipment of the aircraft and such avionic equipment shall not interfere with the functioning of the medical equipment.

(4) If the owner or operator has to modify the aircraft in order to comply with the provisions of this Subpart, such owner or operator shall obtain prior written approval from the Commissioner for such modification.

(5) The design and configuration of an aircraft which is to be used in an emergency medical service operation shall not compromise patient stability or the functioning of medical equipment while loading or unloading.

Patient restraints and stretchers

138.06.2 The owner or operator of an aircraft engaged in an emergency medical service operation shall not operate the aircraft unless such aircraft is equipped with -

- (a) an approved restraining strap for each patient;
- (b) an additional restraining device for a child or small adult who will not be adequately restrained with the restraining strap referred to in paragraph (a);
- (c) a stretcher and mounting system which is strong enough to support a person weighing not less than 100 kilograms, and

which is sufficiently rigid to withstand the forces incurred during cardiopulmonary resuscitation;

- (d) a device to protect the pilot, aircraft controls and radios from any interference whatsoever by the patient, medical personnel or medical equipment on board the aircraft.

Incubator

138.06.3 If an aircraft engaged in an emergency medical service operation is equipped with an incubator, the incubator shall be properly secured in position.

Oxygen and other gases

138.06.4 (1) If an aircraft engaged in an emergency medical service operation is equipped with gas cylinders for medical purposes, the cylinders shall -

- (a) be carried in accordance with the provisions of Part 92; and
- (b) if the cylinders are inside the cabin, be positioned in such a way that no part of the fitment constitutes a hazard to any person inside the cabin, the pressure gauges are fitted and visible for use, and shut-off and change-over valves are readily accessible; or
- (c) if the cylinders are positioned outside the cabin, be positioned in such a way that the in-line pressure gauges are visible for use and shut-off and change-over valves are installed inside the cabin.

(2) All portable gas cylinders shall be properly secured during flight.

(3) All gas outlets shall be clearly marked for identification.

(4) The owner or operator shall serialise and keep a register of all oxygen bottles used on board the aircraft.

Intravenous fluids

138.06.5 (1) Intravenous glass containers shall not be used in an aircraft engaged in an emergency medical service operation unless required by medical specifications.

(2) An adequate supply of conveniently placed hangers or hooks shall be available and all such supports shall be soft, padded or flush-mounted to prevent head trauma to any person on board the aircraft in the event of a hard landing or an emergency situation.

Cardiac monitoring and defibrillating equipment

138.06.6 If an aircraft engaged in an emergency medical service operation is fitted with cardiac monitoring and defibrillating equipment, such cardiac monitoring and defibrillating equipment shall be positioned in a manner that the screen can be easily read and the machine be readily accessible in the event of a medical emergency.

Lighting and electrical equipment

- 138.06.7**
- (1) Adequate lighting equipment shall be provided in the patient care area.
 - (2) Portable lighting equipment for use in the event of a failure of the main electrical system, shall be provided.
 - (3) The cockpit or the flight deck, as the case may be, shall be screened from lights in the patient care area during night operations.
 - (4) The electrical outlets 28v DC and 115v AC shall be provided to accommodate specialised medical equipment.
 - (5) The electrical outlets referred to in subregulation (4) shall have sufficient capacity to power all medical equipment without compromising the operation of the normal aircraft equipment.

Interphone system

138.06.8 The owner or operator of an aircraft engaged in an emergency medical service operation shall not operate the aircraft unless such aircraft is equipped with an interphone system which provides a means of two-way communication between the flight deck crew members and medical personnel members and from which the pilot is able to isolate himself or herself.

Supplementary equipment

138.06.9 The owner or operator of an aircraft engaged in an emergency medical service operation shall not operate the aircraft unless such aircraft is equipped with floor sealing measures to protect such aircraft against fluid contamination.

Communication equipment

138.06.10 The owner or operator of an aircraft engaged in an emergency medical service operation shall not operate the aircraft unless such aircraft is equipped with a radio capable of communicating with the dispatching base and other emergency medical services.

SUBPART 7**FLIGHT OPERATIONS****Dispatching base**

138.07.1 (1) The owner or operator of an aircraft engaged in an emergency medical service operation shall ensure that a competent person with a thorough understanding of aviation, air traffic service, safety and emergency procedures, navigation techniques and the influence of weather, is assigned to the dispatching base.

(2) The owner or operator shall ensure that the dispatching base has at its disposal for immediate use, a detailed aeronautical map of the area covered by the operation, a copy of the local emergency procedures and a list of telephone numbers of all relevant contact persons.

Infection control

138.07.2 (1) The owner or operator of an aircraft engaged in an emergency medical service operation shall ensure that each person in his or her employ -

- (a) is familiar with any infection control procedure which may apply in respect of the aircraft; and
- (b) takes appropriate precautions before performing duty on or cleaning such aircraft.

(2) Any flight deck crew member of an aircraft engaged in an emergency medical service operation shall wear gloves and take appropriate protective measures, including eye and mouth protection, when in contact with a patient on board the aircraft.

Unprepared landing areas

138.07.3 (1) The pilot-in-command of a helicopter engaged in an emergency medical service operation, may land by day at any suitable and safe landing area if such landing area -

- (a) is large enough to permit a safe approach and take-off;
- (b) has been secured against the public prior to landing; and
- (c) has been cleared of ground debris.

(2) The pilot-in-command shall ensure that the power required for an approach to, landing at and take-off from an unprepared landing area with the load, is within the helicopter performance limitations specified in the aircraft flight manual referred to in regulation 91.03.2.

- (3) The pilot-in-command shall only land on a public road if -
- (a) no other viable alternative exists;
 - (b) all other traffic has been brought to a complete stop; and
 - (c) law enforcement personnel is on hand to secure the landing area.

Loading and unloading

138.07.4 The pilot-in-command of a helicopter engaged in an emergency medical service operation shall only perform the loading or unloading of a patient with the rotors turning -

- (a) under strictly controlled circumstances;
- (b) in times of a serious emergency; and
- (c) if the loading or unloading of a patient is undertaken by appropriately trained personnel.

Night flying

138.07.5 The pilot-in-command of a single-engine helicopter used in an emergency medical service operation shall not undertake any emergency medical service flight by night.

High altitude flights

138.07.6 The owner, operator or pilot-in-command of an unpressurised aircraft engaged in an emergency medical service operation shall, in consultation with the medical personnel members, determine whether altitude limitations need to be imposed on the flight deck crew members and medical personnel members on board the aircraft.

SUBPART 8**MAINTENANCE****General**

138.08.1 (1) The owner or operator of an aircraft engaged in an emergency medical service operation shall not operate the aircraft unless such aircraft is maintained in accordance with the regulations in Part 43.

(2) The owner or operator shall ensure that any person involved in the maintenance of the aircraft has, and any such person shall have, a thorough knowledge of the interior modifications to, and medical fitments of, such aircraft.

(3) The maintenance of the aircraft shall be carried out in accordance with any infection control measure which may apply in respect of such aircraft.

Maintenance of medical equipment

138.08.2 The maintenance of an aircraft engaged in an emergency medical service operation, carried out in accordance with the regulations in Part 43, shall not include the maintenance of any medical equipment fitted to, or installed in, the aircraft.

PART 139

**AERODROMES AND HELIPORTS :
LICENSING AND OPERATION**

LIST OF REGULATIONS**SUBPART 1 : GENERAL**

- 139.01.1 Applicability
- 139.01.2 Use of military aerodromes and heliports
- 139.01.3 Restrictions
- 139.01.4 Publication of restrictions and deviations
- 139.01.5 Flights by night
- 139.01.6 Register of licences
- 139.01.7 Safety inspections and audits
- 139.01.8 Suspension and cancellation of licence and appeal
- 139.01.09 Storage of flammable goods
- 139.01.10 Safety measures against fire
- 139.01.11 Lights which endanger the safety of aircraft
- 139.01.12 Use of runways or taxiways and landing at or taking off from aerodrome
- 139.01.13 Points of entry to or exit from restricted area
- 139.01.14 Movement of aircraft or vehicles in restricted area on direction of aerodrome operator
- 139.01.15 Access to apron
- 139.01.16 Points of access to or egress from apron
- 139.01.17 Movement of aircraft or vehicles on apron
- 139.01.18 Parking of aircraft on apron
- 139.01.19 Movement of aircraft on apron on direction of aerodrome operator
- 139.01.20 Movement of vehicles on apron on direction of aerodrome operator
- 139.01.21 Securing of parked aircraft
- 139.01.22 Embarkation or disembarkation of persons in or from aircraft
- 139.01.23 Loading or unloading of cargo in or from aircraft
- 139.01.24 Loading or unloading of dangerous cargo in or from aircraft
- 139.01.25 Supply of fuel to aircraft

- 139.01.26 Boarding or tampering with aircraft
- 139.01.27 Test-running of aircraft engines
- 139.01.28 Regulation of vehicular or other traffic in restricted area
- 139.01.29 Entering or leaving aerodrome or heliport
- 139.01.30 Animals in restricted area of aerodrome or heliport
- 139.01.31 Acts prohibited in terminal building
- 139.01.32 Acts prohibited on aerodrome or heliport
- 139.01.33 Obstacle limitation and marking outside aerodrome or heliport

SUBPART 2 : LICENSING AND OPERATION OF AERODROMES

- 139.02.1 Requirement for licence
- 139.02.2 Aerodrome design requirements
- 139.02.3 Operations manual
- 139.02.4 Quality control system
- 139.02.5 Personnel requirements
- 139.02.6 Establishment of aerodrome emergency management system
- 139.02.7 Aerodrome rescue and fire fighting
- 139.02.8 Establishment of aerodrome environment management programme
- 139.02.9 Notification of aerodrome data and information
- 139.02.10 Application for licence or amendment thereof
- 139.02.11 Processing of application for licence or amendment thereof
- 139.02.12 Adjudication of application for licence or amendment thereof
- 139.02.13 Issuing of licence
- 139.02.14 Period of validity
- 139.02.15 Transferability
- 139.02.16 Changes in quality control system
- 139.02.17 Renewal of licence
- 139.02.18 Licence of intent
- 139.02.19 General duties of holder of licence

- 139.02.20 Works on aerodrome
- 139.02.21 Maintenance of aerodrome emergency management system
- 139.02.22 Aerodrome rescue and fire fighting
- 139.02.23 Maintenance of aerodrome environment management programme
- 139.02.24 Aerodrome inspection programme
- 139.02.25 Demarcation of restricted area
- 139.02.26 Control of entry into restricted area
- 139.02.27 Demarcation of routes on apron
- 139.02.28 Safety measures against fire
- 139.02.29 Access of ground vehicles to aerodrome movement area
- 139.02.30 Protection of navigation aids
- 139.02.31 Aerodrome abandoned or not maintained

SUBPART 3 : LICENSING AND OPERATION OF HELIPORTS

- 139.03.1 Requirement for licence
- 139.03.2 Heliport design requirements
- 139.03.3 Operations manual
- 139.03.4 Quality control system
- 139.03.5 Personnel requirements
- 139.03.6 Establishment of heliport emergency management system
- 139.03.7 Heliport rescue and fire fighting
- 139.03.8 Establishment of heliport environment management programme
- 139.03.9 Notification of heliport data and information
- 139.03.10 Application for licence or amendment thereof
- 139.03.11 Processing of application for licence or amendment thereof
- 139.03.12 Adjudication of application for licence or amendment thereof
- 139.03.13 Issuing of licence
- 139.03.14 Period of validity
- 139.03.15 Transferability

- 139.03.16 Changes in quality control system
- 139.03.17 Renewal of licence
- 139.03.18 Licence of intent
- 139.03.19 General duties of holder of licence
- 139.03.20 Works on heliport
- 139.03.21 Maintenance of heliport emergency management system
- 139.03.22 Heliport rescue and fire fighting
- 139.03.23 Maintenance of heliport environment management programme
- 139.03.24 Heliport inspection programme
- 139.03.25 Demarcation of restricted area
- 139.03.26 Control of entry into restricted area
- 139.03.27 Safety measures against fire
- 139.03.28 Access of ground vehicles to heliport movement area
- 139.03.29 Protection of navigation aids
- 139.03.30 Heliport abandoned or not maintained

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

139.01.1 (1) This Part shall apply to -

- (a) the licensing of areas demarcated for the development of aerodromes;
- (b) the licensing and operation of aerodromes; and
- (c) the approval or licensing and operation of heliports.

(2) No place in the Republic shall be used as a place of landing or departure

by -

- (a) aircraft with a maximum certificated mass exceeding 5 700 kilograms, used in commercial air transport operations; or
- (b) aircraft used in aviation training;

unless it has been licensed in terms of the regulations in this Part.

(3) No place in an urban area in the Republic shall be used as a place of landing or departure by helicopters, unless it has been approved in terms of the regulations in this Part.

(4) No area on any land, water or building shall be used for the landing or take-off of aircraft if the air traffic in such area will in any way interfere with existing established procedures regarding controlled airspace.

Use of military aerodromes and heliports

139.01.2 (1) Subject to the approval of the Minister of Defence, the Commissioner may, upon application in writing by any operator of an aircraft who desires to use a military aerodrome or heliport for civil aviation purposes, authorise the use of the military aerodrome or heliport for such purposes.

(2) An authorisation referred to in subregulation (1) may be granted under such conditions and for such period which the Commissioner may determine, if the Commissioner is satisfied that the use of such military aerodrome or heliport by such operator will not jeopardise aviation safety.

Restrictions

139.01.3 The Commissioner may impose restrictions as to the use of an aerodrome or a heliport and may limit or totally prohibit the operation of any aircraft -

- (a) not equipped with radio equipment; or
- (b) the radio equipment of which is not complementary to the radio equipment installed for the control of air traffic at such aerodrome or heliport, if the Commissioner is satisfied that such restriction, limitation or prohibition is necessary in the interests of aviation safety.

Publication of restrictions and deviations

139.01.4 The Commissioner shall, upon the -

- (a) imposition of any restriction, limitation or prohibition referred to in regulation 139.01.3;
- (b) issuing of an aerodrome licence in terms of regulation 139.02.13;
- (c) renewal of an aerodrome licence in terms of regulation 139.02.17;
- (d) issuing of a heliport licence in terms of regulation 139.03.13; or
- (e) renewal of a heliport licence in terms of regulation 139.03.17,

publish in an AIP, according to the provisions of Part 175 -

- (i) particulars of the restriction, limitation or prohibition referred to in paragraph (a);
- (ii) the category for which the aerodrome is licensed;
- (iii) the restrictions, if any, relating to non-compliance with, or deviations from -
 - (aa) the appropriate aerodrome design, operation or equipment standards prescribed in this Part; or
 - (bb) the appropriate airspace classification requirements prescribed in Part 172;
- (iv) the restrictions, if any, relating to non-compliance with, or deviations from -
 - (aa) the appropriate heliport design, operation and equipment standards prescribed in this Part; or
 - (bb) the appropriate airspace classification requirements prescribed in Part 172.

Flights by night

139.01.5 The Commissioner may prohibit flights by night from or at any aerodrome or any heliport at which adequate facilities for night flights are lacking or where the terrain or other objects in the vicinity of the aerodrome or the heliport are such as to endanger operators of aircraft used in night flights.

Register of licences

139.01.6 (1) The Commissioner shall maintain a register of all licences of intent, aerodrome licences and heliport licences issued in terms of the regulations in this Part.

(2) The register shall contain the following particulars:

- (a) The full name and, if any, the trade name of the holder of the licence;
- (b) the postal address of the holder of the licence;
- (c) the name and the location of the aerodrome for which the licence was issued;
- (d) the name and the location of the heliport for which the licence was issued;
- (e) the proposed name and the location of the area demarcated for the development of an aerodrome, for which the licence of intent was issued;
- (f) the number of the licence issued to the holder;
- (g) the date on which the licence was issued;
- (h) file reference numbers of initial and subsequent safety inspection records and audit reports in respect of all aerodromes and heliports licensed; and
- (i) 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 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.

Safety inspections and audits

139.01.7 (1) An applicant for the issuing of an aerodrome or heliport licence shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to verify the validity of the application concerned.

(2) The holder of an aerodrome licence shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits of such holder's aerodrome, documents and records which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

(3) The holder of a heliport licence shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits of such holder's heliport, documents and records which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

Suspension and cancellation of licence and appeal

139.01.8 (1) An authorised officer, inspector or authorised person may suspend for a period not exceeding 30 days, an aerodrome or heliport licence issued under this Part, if -

(a) after a safety inspection and audit carried out in terms of regulation 139.01.7, it is evident that the holder of the licence 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 authorised officer, inspector or authorised person to do so; or

(b) the authorised officer, inspector or authorised person is prevented by the holder of the licence to carry out a safety inspection and audit in terms of regulation 139.01.7; or

(c) the suspension is necessary in the interests of aviation safety.

(2) The authorised officer, inspector or authorised person who has suspended a licence 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 should be cancelled.

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

(4) The holder of a licence who feels aggrieved by the suspension of the licence or approval 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 authorised officer, inspector or authorised person concerned and shall furnish proof of such submission for the information of the Commissioner.

(7) The authorised officer, inspector or authorised person 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 authorised officer, inspector or authorised person 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 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 concerned.

Storage of flammable goods

139.01.9 Fuel, pyrotechnic stores and all highly flammable matter shall be stored on a licensed aerodrome or heliport only in buildings or receptacles which comply with the appropriate standards prescribed in the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), or any other law.

Safety measures against fire

139.01.10 No person shall on a licensed aerodrome or heliport -

(a) smoke in, or bring an open flame into -

(i) any place where such act is prohibited by a notice displayed; or

(ii) any place within 15 metres of an aircraft or of any vehicle used for the supply of fuel to an aircraft or a store or dump of liquid fuel or explosives;

- (b) wilfully give a false fire alarm;
- (c) tamper or interfere with any fire hose reel, hydrant or any other item of equipment provided for fire-fighting purposes;
- (d) keep, store, discard or discharge any flammable liquid, gas, signal flares or other like material except in an aircraft in the receptacle appropriate for the purpose or in a place on the aerodrome or heliport specifically approved by the aerodrome or heliport operator for the purpose, or
- (e) store or stack any material or equipment in a manner which constitutes, or is likely to constitute, a fire hazard.

Lights which endanger the safety of aircraft

139.01.11 Whenever in the Republic any light or pattern of lights is exhibited -

- (a) in the neighbourhood of an aeronautical light or system of aeronautical lights which by reason of the possibility of it being mistaken for such aeronautical light or lights, is likely to endanger the safety of aircraft; or
- (b) which, being in the neighbourhood of a licensed aerodrome or heliport, is liable by its glare to endanger the safety of aircraft arriving at or departing from such aerodrome or heliport,

the Commissioner may cause a notice to be served upon the owner of the place where the light is exhibited or upon the person having charge of the light or upon the person owning or having charge of the pattern of lights or any portion of such pattern, directing such owner or person within the period specified in such notice to extinguish or screen effectively the light or lights under his, her or its control and to prevent in the future the exhibition of any light or particular type of light either at all or when ineffectively screened.

Use of runways or taxiways and landing at or taking off from aerodrome

139.01.12 Save in an emergency -

- (a) or on the direction of the aerodrome operator given in terms of regulation 139.01.14, no person shall move an aircraft in the restricted area except on a runway or taxiway;
- (b) no person shall move an aircraft or vehicle onto a runway or a taxiway or go onto a runway or a taxiway -
 - (i) without the permission of the air traffic service unit operating at the licensed aerodrome, if the air traffic service unit is manned at the time;

- (ii) except according to the instructions issued by the air traffic service unit operating at such aerodrome, if the air traffic service unit is not manned at the time;
- (iii) except in a manner that shall not endanger aircraft traffic, if the air traffic service unit is not manned at the time and no instructions have been issued by such air traffic service unit;
- (c) or with the approval of such holder, no person shall use a portion of a licensed aerodrome other than a runway for landing an aircraft or for taking off; and
- (d) no person shall land on a runway an aircraft fitted with a tailskid nor take off from a runway using such aircraft.

Points of entry to or exit from restricted area

139.01.13 (1) No -

- (a) person other than a person carried in an aircraft or in or on a vehicle;
- (b) aircraft travelling on the surface of a licensed aerodrome or heliport; or
- (c) vehicle,

may enter or leave the restricted area except at points established by the aerodrome or heliport operator for such purpose.

(2) Save in an emergency no person -

- (a) other than a person carried in an aircraft or in or on a vehicle shall enter or leave the restricted area; or
- (b) shall move an aircraft travelling on the surface of a licensed aerodrome or heliport, or a vehicle into or from the restricted area,

except at an appropriate point of entry or exit stipulated in terms of subregulation (1).

Movement of aircraft or vehicles in restricted area on direction of aerodrome operator

139.01.14 (1) The operator of an aircraft which is travelling on the surface of a licensed aerodrome and which is in the restricted area but not on a runway or a taxiway or the person in lawful charge of a vehicle which is in the restricted area shall, on being directed to do so by the aerodrome operator, move that aircraft along the surface of the aerodrome or that vehicle -

- (a) to another place in the restricted area indicated by the aerodrome operator; or
- (b) from the restricted area,

and if such operator or person refuses or fails or is not present to comply forthwith with such direction, the aerodrome operator may have that aircraft or vehicle moved to comply with such

direction and may recover from such operator or person the costs incurred in having that aircraft or vehicle so moved and any such action by the aerodrome operator shall not exempt such operator or person from a prosecution in respect of such refusal or failure.

- (2) Any direction given by the aerodrome operator in terms of subregulation (1) shall not authorise any person to move the aircraft or a vehicle onto a runway or a taxiway -
- (a) without the permission of the air traffic service unit operating at the licensed aerodrome, if the air traffic service unit is manned at the time;
 - (b) except according to the instructions issued by the air traffic service unit operating at such aerodrome, if the air traffic service unit is not manned at the time;
 - (c) except in a manner that shall not endanger aircraft traffic, if the air traffic service unit is not manned at the time and no instructions have been issued by such air traffic service unit.

Access to apron

139.01.15 (1) Except with the approval of the aerodrome operator no person other than -

- (a) a person carried in an aircraft travelling on the surface of a licensed aerodrome or in or on a vehicle;
 - (b) a person about to embark in an aircraft parked on the apron, who is proceeding under the supervision of the operator of that aircraft or his or her employee from the terminal building to that aircraft;
 - (c) a person who has disembarked from an aircraft parked on the apron, who is proceeding under the supervision of the operator of that aircraft or his or her employee from that aircraft to the terminal building;
 - (d) the operator of an aircraft parked on or moving on the surface of the apron or his or her employee only when the performance of his or her duties or the course of his or her employment requires his or her presence on the apron; or
 - (e) the holder of a licence referred to in section 2(3) of the Businesses Act, 1991 (Act No. 71 of 1991), or his or her employee only when the performance of his or her duties or the course of his or her employment requires his or her presence on the apron,
- shall have access to the apron.

(2) Except with the approval of the aerodrome operator no person shall move an aircraft travelling on the surface of a licensed aerodrome or a vehicle onto the apron.

(3) The aerodrome operator shall determine procedures according to which permission to have access to the apron shall be granted.

Points of access to or egress from apron**139.01.16 (1) No -**

- (a) person other than a person carried in an aircraft or in or on a vehicle;
- (b) aircraft travelling on the surface of a licensed aerodrome; or
- (c) vehicle,

may enter or leave the apron except at points established by the aerodrome operator for such purpose.

(2) Save in an emergency no person -

- (a) other than a person carried in an aircraft or in or on a vehicle shall enter or leave the apron; or
- (b) shall move an aircraft travelling on the surface of a licensed aerodrome or a vehicle onto or from the apron,

except at an appropriate point of access or egress stipulated in terms of subregulation (1).

Movement of aircraft or vehicles on apron**139.01.17 (1) No person shall move an aircraft or any vehicle on the apron of a licensed aerodrome -**

- (a) if there is any reasonably foreseeable danger of a collision with a person or any object on the aerodrome; and
- (b) unless a speed is maintained which is safe and reasonable under the circumstances, but which does not in any case exceed 30 km per hour:

Provided that any signals given by hand or otherwise by an official on duty at the aerodrome by instruction of the aerodrome operator to a pilot in control of an aircraft which is being moved on the aerodrome or to a driver or other person in control of any vehicle which is being moved on the apron, or any mark or light on the aerodrome having the purpose of serving as an aid to a pilot in control of an aircraft or driver or person in control of a vehicle to indicate a specific route or parking bay on the aerodrome, by no means exempts such pilot, driver or other person from the obligation to stop such aircraft or vehicle or to take any other steps which might under the specific circumstances be imperative in order to avoid such collision or damage to property or loss of life.

(2) No person shall move an aircraft travelling under its own power on the surface of a licensed aerodrome on the apron unless he or she is the holder of an appropriate licence issued in terms of Part 61 which entitles him or her to pilot that aircraft: Provided that a student pilot who is not the holder of a student pilot licence, may move an aircraft on the apron while undergoing training with and accompanied in the aircraft by the holder of a flight instructor rating.

Parking of aircraft on apron

139.01.18 (1) The operator of an aircraft shall ensure -

- (a) that the aircraft is parked in the place on the apron allocated to it by the aerodrome operator; and
- (b) that the aircraft is parked in the place so allocated in the position required by the aerodrome operator,

and if such operator refuses or fails or is not present to comply forthwith with the terms of such allocation or requirement, the aerodrome operator may have that aircraft parked or positioned so as to comply with the terms of such allocation or requirement and may recover the costs incurred in so parking or positioning that aircraft from the operator of that aircraft and any such action by the aerodrome operator shall not exempt such operation for a prosecution in respect of such refusal or failure.

(2) Save in an emergency no person shall move an aircraft -

- (a) from the parking place allocated to it in terms of subregulation (1)(a); or
- (b) from the position in which it was placed in terms of subregulation (1)(b),

except with the approval of the aerodrome operator.

Movement of aircraft on apron on direction of aerodrome operator

139.01.19 (1) The operator of an aircraft which is on the apron shall, on being directed to do so by the aerodrome operator, move such aircraft -

- (a) from the position in which it was placed in terms of regulation 139.01.18(1)(a) to another position in the same parking place;
- (b) from the parking place in which it was parked in terms of regulation 139.01.18(1)(b) to any other parking place on the apron; or
- (c) from the apron,

and if the operator of such aircraft refuses or fails or is not present to comply forthwith with such direction, the aerodrome operator may have such aircraft moved to comply with such direction and may recover the costs incurred in having such aircraft so moved from the operator of such aircraft and any such action by the aerodrome operator shall not exempt such operator from a prosecution in respect of such refusal or failure.

(2) An aircraft moved to another position under the provisions of subregulation (1)(a) shall be deemed to have been placed in its new position in terms of regulation 139.01.18(1)(b) and an aircraft moved to another parking place under the provisions of subregulation (1)(b) shall be deemed to have been parked in its new parking place in terms of regulation 139.01.18(1)(a).

Movement of vehicles on apron on direction of aerodrome operator

139.01.20 The person in lawful charge of a vehicle on the apron shall, on being directed to do so by the aerodrome operator, move such vehicle -

- (a) to another place on the apron indicated by the aerodrome operator; or
- (b) from the apron,

and if such person refuses or fails or is not present to comply forthwith with such direction, the aerodrome operator may have such vehicle moved to comply with such direction and may recover from such person the costs incurred in having such vehicle so moved and any such action by the aerodrome operator shall not exempt such person from a prosecution in respect of such refusal or failure.

Securing of parked aircraft

139.01.21 An aircraft parked on the apron and unattended shall be properly moored or otherwise secured by the operator of such aircraft.

Embarkation or disembarkation of persons in or from aircraft

139.01.22 (1) The operator of an aircraft in which persons are to be embarked or from which persons are to be disembarked on the apron shall -

- (a) supervise the embarking or disembarking of persons from such aircraft;
- (b) if the construction of such aircraft requires the use of passenger steps for embarking or disembarking persons in or from such aircraft, ensure that passenger steps have been correctly and securely placed at each aircraft door which is to be used for embarking or disembarking persons in or from such aircraft before persons embark in or disembark from such aircraft.

(2) Save in an emergency or with the approval of the aerodrome operator, no person shall on a licensed aerodrome embark in or disembark from an aircraft except on the apron.

Loading or unloading of cargo in or from aircraft

139.01.23 (1) The operator of an aircraft which is to be loaded or unloaded on the apron shall -

- (a) ensure that all working holds and doors of such aircraft are open to permit the efficient loading or unloading of such aircraft;
- (b) ensure that proper labels are affixed to all items of cargo which are to be carried in such aircraft; and
- (c) supervise the loading or unloading of such aircraft and ensure, when such aircraft is being loaded, that each item of cargo is placed in its appropriate place in such aircraft.

(2) Save in an emergency or with the approval of the aerodrome operator, no person shall, on a licensed aerodrome, load cargo in or unload cargo from an aircraft except on the apron.

Loading or unloading of dangerous cargo in or from aircraft

139.01.24 (1) The operator of an aircraft in which dangerous cargo is to be loaded or from which dangerous cargo is to be unloaded, as the case may be, on the apron, shall before loading or unloading such dangerous cargo inform the aerodrome operator of the nature of such dangerous cargo and the proposed time and method of its loading or unloading.

(2) If the operator of an aircraft has in terms of subregulation (1), informed the aerodrome operator of the proposed loading or unloading and the aerodrome operator considers that persons or property on the licensed aerodrome will be endangered by the proposed loading or unloading, the aerodrome operator may -

- (a) permit such loading or unloading subject to such conditions as the aerodrome operator may deem necessary to impose with a view to safeguarding persons or property on the aerodrome; or
- (b) prohibit such loading or unloading; or
- (c) direct that such loading or unloading be undertaken at another time or by another method or both at another time and by another method and the aerodrome operator may, in addition, impose any condition which the aerodrome operator may deem necessary for the purpose of safeguarding persons or property on the aerodrome.

(3) If dangerous cargo has been loaded in or unloaded from an aircraft without the permission of the aerodrome operator, the aerodrome operator may direct that such dangerous cargo be unloaded from or reloaded in such aircraft, or give such other directions or impose such conditions as the aerodrome operator may deem necessary with a view to safeguarding persons or property on the aerodrome.

(4) The operator of an aircraft which is carrying dangerous cargo on an aerodrome shall, if directed to do so by the aerodrome operator, move such aircraft to another place on the aerodrome and keep such aircraft in that place until the aerodrome operator grants permission for such aircraft to be moved.

(5) If the operator of an aircraft in which dangerous cargo is carried refuses or fails or is not present to comply forthwith with any prohibition made by the aerodrome operator in terms of subregulation (2) or with any direction given by the aerodrome operator in terms of subregulations (2), (3) or (4) or refuses or fails or is not present to comply forthwith with a condition imposed by the aerodrome operator in terms of subregulation (2) or (3), the aerodrome operator may take all steps necessary to ensure that any such prohibition, direction or condition is complied with as expeditiously and safely as possible and may recover from the operator of such aircraft the costs incurred in ensuring compliance with such prohibition, direction or condition and any such action by the aerodrome operator shall not exempt such operator from a prosecution in respect of such refusal or failure.

Supply of fuel to aircraft

139.01.25 (1) No person shall on a licensed aerodrome or heliport supply any fuel to any aircraft except at a place and in a manner approved by the aerodrome or heliport operator.

(2) The aerodrome or heliport operator may subject any approval granted in terms of subregulation (1), to compliance with such conditions as the aerodrome or heliport operator may consider necessary to impose in order to safeguard persons or property on the aerodrome.

Boarding or tampering with aircraft

139.01.26 Except with the permission of the person in lawful charge of an aircraft no person shall, on a licensed aerodrome or heliport -

- (a) board such aircraft; or
- (b) tamper or interfere in any way whatsoever with such aircraft or anything used in connection with such aircraft.

Test-running of aircraft engines

139.01.27 No person shall test-run an aircraft engine on a licensed aerodrome or heliport except at a place designated for the purpose by the aerodrome or heliport operator.

Regulation of vehicular or other traffic in restricted area

139.01.28 Chapter VII of the Road Traffic Act, 1989 (Act No. 29 of 1989), shall apply *mutatis mutandis* to all roads inside the restricted area of a licensed aerodrome or heliport.

Entering or leaving aerodrome or heliport

139.01.29 (1) No person, other than a person entering or leaving a licensed aerodrome or heliport by means of an aircraft landing at or taking off from the aerodrome or heliport, shall enter or leave the aerodrome or heliport otherwise than through a gate or entrance provided by the aerodrome or heliport operator.

(2) Any person who is directed by an authorised officer, inspector or authorised person to leave the aerodrome or heliport, or any part thereof, shall forthwith do so.

Animals in restricted area of aerodrome or heliport

139.01.30 (1) No person shall cause or permit any animal to graze or feed in the restricted area of a licensed aerodrome or heliport.

(2) Any person bringing an animal into the restricted area of the aerodrome or heliport, or receiving an animal in the restricted area of the aerodrome or heliport, shall ensure that such animal is at all times under proper control while it remains in the restricted area of the aerodrome or heliport.

Acts prohibited in terminal building

139.01.31 Except with the approval of the aerodrome or heliport operator, no person shall -

- (a) bring a vehicle into or drive a vehicle in or into the terminal building; or
- (b) obstruct an entrance to or a passage in the terminal building in such a manner as to inconvenience other users of the entrance or passage concerned.

Acts prohibited on aerodrome or heliport

139.01.32 (1) No person shall on a licensed aerodrome or heliport -

- (a) obstruct or interfere with the proper use of the aerodrome or heliport;
- (b) obstruct any person in the full-time employment of the aerodrome or heliport operator acting in the execution of his or her duty in relation to the aerodrome or heliport;
- (c) remove any notice board erected by the aerodrome or heliport operator, or with the permission of the aerodrome or heliport

operator, or any writing or document displayed on such notice board, or deface any such writing or document or any marking on such notice board or document;

- (d) throw, leave or drop anything capable of causing injury to any person or animal or damage to any property;
- (e) dump any waste matter whatsoever elsewhere than at a place approved for the purpose by the aerodrome or heliport operator;
- (f) commit any nuisance or disorderly or indecent act or be in a state of intoxication or behave in a violent or offensive manner to the offence or annoyance of other persons on the aerodrome or heliport or make use of offensive language;
- (g) write, draw or affix any profane, obscene, indecent or abusive word, matter, presentation or character on the aerodrome or heliport, or on property on the aerodrome or heliport;
- (h) dump or spill any substance capable of causing water pollution, whether such substance is a solid, liquid, vapour or gas or combination thereof, elsewhere than at a place approved for that purpose by the aerodrome or heliport operator.

(2) Except with the permission of the aerodrome or heliport operator, no person shall on a licensed aerodrome or heliport -

- (a) damage, interfere or tamper with any part of the aerodrome or heliport or any equipment associated with the operation of the aerodrome or heliport;
- (b) climb any wall, fence, barrier, railing, gate or post;
- (c) wash or otherwise clean or polish a vehicle elsewhere than at a place approved for that purpose by the aerodrome or heliport operator;
- (d) cut, dig, damage or remove any soil, grass, tree, shrub or flower;
- (e) go on to or damage any flower-bed or anything growing therein;
- (f) remove, pick or otherwise damage any tree, shrub, plant or flower;
- (g) go on to a lawn or on to ground which has been seeded or planted for the purpose of growing grass to form a lawn;
- (h) advertise;
- (i) display any poster, banner or anything similar; or
- (j) handle any baggage or confront passengers to carry their baggage.

Obstacle limitation and marking outside aerodrome or heliport

139.01.33 (1) No buildings or structure higher than 45 metres above the mean level of the landing area, or, in the case of a water aerodrome or heliport, the normal level of water,

shall without the approval of the Commissioner be erected within a distance of 8 km measured from the nearest point on the boundary of an aerodrome or heliport which has been licensed under this Part.

(2) No building, structure or other obstruction which projects above a slope of 1 in 20 and which is within 3 000 metres measured from the nearest point on the boundary of a licensed aerodrome or heliport shall, without the prior approval of the Commissioner, be erected or be allowed to come into existence.

(3) No building, structure or other obstruction which will project above the approach, transitional or horizontal surfaces of a licensed aerodrome or heliport shall, without the prior approval of the Commissioner be erected or allowed to come into existence.

SUBPART 2**LICENSING AND OPERATION OF AERODROMES****Requirement for licence**

139.02.1 (1) No person shall operate an aerodrome which serves -

- (a) aircraft with a maximum certificated mass exceeding 5 700 kilograms, used in public air transport operations; or
 - (b) aircraft used in aviation training,
- except under the authority of, and in accordance with the provisions of, an aerodrome licence issued under this Subpart.

(2) An aerodrome operator who is not required under paragraph (a) to hold an aerodrome licence, may apply for an aerodrome licence in terms of this Subpart.

Aerodrome design requirements

139.02.2 (1) An applicant for the issuing of an aerodrome licence shall ensure that the aerodrome is provided with -

- (a) physical characteristics;
- (b) obstacle limitation surfaces;
- (c) visual aids for -
 - (i) navigation;
 - (ii) denoting obstacles; and
 - (iii) denoting the restricted area;
- (d) equipment and installations; and
- (e) an airspace classification referred to in Part 172,

appropriate to the characteristics of the aircraft it intends to serve, the lowest meteorological minima for each runway, and the ambient light conditions during the operation of aircraft.

(2) The physical characteristics, obstacle limitation surfaces, visual aids, and equipment and installations provided at the aerodrome shall comply with the appropriate aerodrome design standards as prescribed in Document SA-CATS-AH.

Operations manual

139.02.3 An applicant for the issuing of an aerodrome licence shall provide the Commissioner with an operations manual which shall contain -

- (a) a statement by the accountable manager and compliance officer confirming that the operations manual and any included manuals define the organisation of the applicant and demonstrate the procedures and methods for ensuring that the provisions of the regulations in this Part will be complied with at all times;
- (b) particulars of the personnel referred to in regulation 139.02.5(1);
- (c) an organisational chart showing lines of responsibility of the personnel referred to in regulation 139.02.5(1);
- (d) the limitations on the use of the aerodrome referred to in regulation 139.02.3;
- (e) a description of the characteristics of and the infrastructure available at the aerodrome, which, taking into consideration the limitations referred to in paragraph (d), comply with the aerodrome design requirements referred to in regulation 139.02.2;
- (f) the aerodrome emergency management system referred to in regulation 139.02.7;
- (g) a description of the aerodrome's rescue and fire fighting capability which, taking into consideration the limitations referred to in paragraph (d), complies with the requirements prescribed in regulation 139.02.8;
- (h) the aerodrome environment management programme referred to in regulation 139.02.9;
- (i) the procedures for the notification of aerodrome data and information referred to in regulation 139.02.10;
- (j) the quality control system referred to in regulation 139.02.5;
- (k) a description of the security measures taken at the aerodrome to comply with the provisions of the Civil Aviation Offences Act, 1972 (Act No. 10 of 1972), and the regulations made thereunder;
- (l) the procedures to control, amend and distribute the operations manual; and
- (m) where applicable, the intended air traffic services and the approach and airspace categories.

Quality control system

139.02.4 (1) The applicant shall establish a quality control system containing an aviation safety programme, for the control and supervision of the operation and maintenance of the aerodrome and its services and facilities.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-AH.

Personnel requirements

139.02.5 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting the aviation safety programme; and
- (c) adequate personnel, including an aerodrome manager and air traffic service personnel, to operate and maintain the aerodrome and its services and facilities according to the requirements prescribed in this Subpart.

(2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in operating and maintaining the aerodrome and its services and facilities.

Establishment of aerodrome emergency management system

139.02.6 (1) The applicant shall establish an aerodrome emergency management system designed to minimise the possibility and extent of personal injury and property damage on, or in the vicinity of, the aerodrome.

(2) The aerodrome emergency management system referred to in subregulation (1) shall -

- (a) provide for all types of emergencies likely to take place on, or in the vicinity of, the aerodrome; and
- (b) include -
 - (i) an index depicting all aspects contained in the system;
 - (ii) the types of emergencies planned for;
 - (iii) call out procedures for prompt response to the emergencies planned for;
 - (iv) the persons involved in executing the allocated tasks;
 - (v) sufficient detail to provide adequate guidance to each person responsible for executing such system;
 - (vi) provision for a fully equipped emergency operations centre and command post for each type of emergency which may be encountered;
 - (vii) a description of all available rescue and medical equipment and the location of such equipment;
 - (viii) information on the particulars of personnel and persons to be contacted in the case of a particular emergency; and
 - (ix) a grid map of the aerodrome and its immediate vicinity up to a radius of at least 10 kilometres.

(3) The applicant shall -

- (a) coordinate the proposed emergency management system with all personnel and persons who have allocated responsibilities in terms of the system; and
- (b) to the extent practicable, provide for participation of all personnel and persons referred to in paragraph (a), in the establishment of the system.

Aerodrome rescue and fire fighting

139.02.7 (1) The applicant shall ensure that the aerodrome is provided with a rescue and fire fighting service, capable to provide the required level of protection necessary for maintaining the minimum level of protection required for the appropriate category of aerodrome.

(2) The rescue and fire fighting category of the aerodrome shall be determined as prescribed in Document SA-CATS-AH.

Establishment of aerodrome environment management programme

139.02.8 The applicant shall, in the area within its authority and where any bird and wildlife presents or is likely to present a hazard to aircraft operating to or from the aerodrome, establish an aerodrome environment management programme to minimise the effects of such hazard or potential hazard, taking due cognisance of the provisions of the Environment Conservation Act, 1989 (Act No. 73 of 1989), and the regulations made thereunder.

Notification of aerodrome data and information

139.02.9 (1) An applicant for the issuing of an aerodrome licence shall establish a procedure to notify the air traffic service unit concerned and the Commissioner -

- (a) of the aerodrome data and information;
- (b) of any limitation on the use of the aerodrome contemplated in regulation 139.02.3;
- (c) as soon as practicable, of any change which may affect the use of the aerodrome; and
- (d) any other information required in terms of the regulations in Part 175.

(2) A notification contemplated in subregulation (1) shall be made in the appropriate form as prescribed in Document SA-CATS-AH.

Application for licence or amendment thereof

139.02.10 An application for the issuing of an aerodrome licence, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AH; and
- (b) accompanied by -
 - (i) the operations manual referred to in regulation 139.02.4;
 - (ii) the plans of the aerodrome;
 - (iii) written approval from the local government concerned;
 - (iv) an environmental impact report, if required in terms of the Environment Conservation Act, 1989;
 - (v) written approval from all interested Government institutions;
 - (vi) proof that the applicant is financially capable of operating the aerodrome;
 - (vii) particulars of non-compliance with, or deviations from -

(aa) the appropriate aerodrome design, operation or equipment standards prescribed in this Part; or

(bb) the appropriate airspace classification requirements prescribed in Part 172; and

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

Processing of application for licence or amendment thereof

139.02.11 (1) The Commissioner shall, as soon as practicable after the receipt of an application for an aerodrome licence, or an amendment thereof, publish by notice in the *Gazette* the following particulars in respect of the application concerned:

(a) The full name of the applicant;

(b) full particulars of the location of the aerodrome; and

(c) 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 licence or amendment thereof

139.02.12 (1) The Commissioner shall as soon as practicable consider an application referred to in regulation 139.02.11 together with all representations, information and other documents relating to such application which are received within the period specified in the notice published in terms of regulation 139.02.12(1).

(2) The Commissioner may grant the application if the Commissioner is satisfied that -

(a) the applicant complies with the requirements prescribed in regulations 139.02.2 to 139.02.10 inclusive; and

(b) granting the application will not jeopardise aviation safety.

Issuing of licence

139.02.13 (1) An aerodrome licence shall be issued on the appropriate form as prescribed in Document SA-CATS-AH.

(2) The licence shall specify -

(a) the category for which the aerodrome is licensed; and

- (b) the restrictions, if any, relating to non-compliance with, or deviations from -
 - (i) the appropriate aerodrome design, operation or equipment standards prescribed in this Part; and
 - (ii) the appropriate airspace classification requirements prescribed in Part 172.

Period of validity

139.02.14 (1) An aerodrome licence shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date on which the licence is issued or renewed.

(2) The licence shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Commissioner, in terms of regulation 139.01.8.

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

(4) The holder of a licence which is suspended, shall forthwith produce the licence upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

139.02.15 (1) Subject to the provisions of subregulation (2), an aerodrome licence shall not be transferable.

(2) A change in ownership of the holder of a licence shall be deemed to be a change of significance referred to in regulation 139.02.17.

Changes in quality control system

139.02.16 (1) If the holder of an aerodrome licence desires to make any change in the quality control system referred to in regulation 139.02.5, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 139.02.11 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to his, her or its operations manual, that the applicant will continue to comply with the provisions of regulations 139.02.2 to 139.02.10 inclusive, after the implementation of such approved change.

Renewal of licence

139.02.17 (1) An application for the renewal of an aerodrome licence shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AH; and
- (b) accompanied by -
 - (i) the operations manual referred to in regulation 139.02.4;
 - (ii) proof of adequate funding;
 - (iii) particulars of non-compliance with, or deviations from -
 - (aa) the appropriate aerodrome design, operation or equipment standards prescribed in this Part; or
 - (bb) the appropriate airspace classification requirements prescribed in Part 172; and
 - (iv) the appropriate fee as prescribed in Part 187.

(2) The holder of the licence shall at least 60 days immediately preceding the date on which such licence expires, apply for the renewal of such licence.

Licence of intent

139.02.18 (1) Where a particular area has been demarcated for the development of an aerodrome, the proposed holder of an aerodrome licence in respect of the aerodrome, may apply to the Commissioner for the issuing of a licence of intent for such area.

(2) An application for the issuing of a licence of intent shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AH; and
- (b) accompanied by -
 - (i) full particulars of the particular area demarcated for the development of the aerodrome, and the location thereof;
 - (ii) written approval from the local government concerned;
 - (iii) an environmental impact study;
 - (iv) written approval from all interested Government institutions;
 - (v) proof of adequate funding for the development of the aerodrome; and
 - (vi) the appropriate fee as prescribed in Part 187.

(3) The provisions of regulations 139.02.11 and 139.02.12(1) shall apply *mutatis mutandis* to the processing of an application for the issuing of a licence of intent.

(4) The Commissioner may grant the application if the Commissioner is satisfied that the development of the aerodrome will not jeopardise aviation safety.

(5) A licence of intent shall be issued on the appropriate form as prescribed in Document SA-CATS-AH.

(6) The licence of intent shall specify the conditions and the restrictions which the Commissioner deems necessary in the interests of aviation safety.

(7) A licence of intent shall -

- (a) not be transferable; and
- (b) be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date on which the licence of intent is issued.

General duties of holder of licence

139.02.19 (1) The holder of an aerodrome licence shall -

- (a) hold at least one complete and current copy of the operations manual referred to in regulation 139.02.3, at the aerodrome;
- (b) comply with all procedures detailed in such operations manual;
- (c) make each applicable part of such operations manual available to the personnel who require those parts to carry out their duties; and
- (d) continue to comply with the appropriate requirements prescribed in this Part.

(2) The holder of the licence shall ensure that -

- (a) the aerodrome is maintained in a serviceable condition;
- (b) the aerodrome is kept free of unauthorised persons, vehicles or animals not under proper control, in compliance with the Civil Aviation Offences Act, 1972, and the regulations made thereunder;
- (c) all obstructions are marked as prescribed in Document SA-CATS-AH;
- (d) the Commissioner is informed of any alterations to or obstructions or workings on the aerodrome;
- (e) an apparatus to show the surface direction of the wind, is installed and functions satisfactorily;
- (f) the markings as prescribed in Document SA-CATS-AH, are maintained in a conspicuous condition, readily visible to aircraft in the air or manoeuvring on the ground;
- (g) the accommodation and facilities offered to the public are available and in a serviceable condition;

- (h) all apparatus installed by such holder to promote safety in flight, is functioning efficiently;
- (i) unserviceable areas on the landing terrain are appropriately marked as prescribed in document SA-CATS-AH;
- (j) the Commissioner is informed whenever an aerodrome becomes unserviceable through any cause or whenever any portion of the surface of the landing area deteriorates to such extent that the safety of an aircraft may thereby be endangered, and aircraft operations are limited to those portions of the aerodrome not rendered unsafe by those conditions;
- (k) such reports on the condition of the aerodrome as may be required from time to time by the Commissioner, are submitted to the Commissioner;
- (l) the particulars of a foreign operator's permit are obtained and verified, in the case where a foreign aircraft which is used by virtue of such foreign operator's permit issued in terms of section 26(1) of the International Air Services Act, 1993 (Act No. 60 of 1993), lands at the aerodrome; and
- (m) an annual survey is carried out on the aerodrome for the purposes of the approval of let-down procedures by the Commissioner;

(3) The holder of the licence shall -

- (a) furnish the Commissioner with the aerodrome financial data and the aerodrome traffic statistics as prescribed in Document SA-CATS-AH;
- (b) in the case of an aerodrome which serves aircraft used in international public air transport operations, establish a facilitation committee and compile a facilitation plan in accordance with the requirements and standards as prescribed in Document SA-CATS-AH;
- (c) from 1 January 2003, be responsible for the monitoring of aircraft noise on and in the vicinity of an aerodrome, and the reporting of violations to the Commissioner, in accordance with the requirements and standards as prescribed in Document SA-CATS-AH; and
- (d) when the air traffic service unit at the aerodrome is not in operation, be responsible for the maintenance of flying discipline on, and in the vicinity of, such aerodrome.

Works on aerodrome

139.02.20 (1) The holder of an aerodrome licence shall establish procedures and take precautions to ensure that any works carried out on the aerodrome, do not endanger any aircraft operations.

(2) The procedures to be established and precautions to be taken in terms of subregulation (1), shall be established and taken in accordance with the requirements and standards as prescribed in Document SA-CATS-AH.

Maintenance of aerodrome emergency management system

139.02.21 The holder of an aerodrome licence shall -

- (a) establish procedures to ensure that all participants to the effectiveness of the aerodrome emergency management system with allocated duties or responsibilities, are familiar with, and are properly trained for, their assignments;
- (b) test the effectiveness of such aerodrome emergency management system by -
 - (i) undertaking a full-scale aerodrome emergency exercise at intervals not exceeding two years; and
 - (ii) arranging special emergency exercises in the intervening year to correct any deficiencies identified during the full-scale aerodrome emergency exercise;
- (c) submit a comprehensive written report to the Commissioner within 14 days from the date on which -
 - (i) a full-scale aerodrome emergency exercise referred to in paragraph (b)(i); or
 - (ii) a special emergency exercise referred to in paragraph (b)(ii), has been undertaken or arranged; and
- (d) review such aerodrome emergency management system for effectiveness after each of the exercises referred to in paragraph (b), as well as after an actual emergency, to address any deficiencies identified and to adapt such system for the enhancement of its efficiency.

Aerodrome rescue and fire fighting

139.02.22 (1) The holder of an aerodrome licence shall provide on the aerodrome the rescue and fire fighting capability which complies with the minimum requirements prescribed in regulation 139.02.7.

(2) The rescue and fire fighting capability shall be provided in accordance with the requirements and standards as prescribed in Document SA-CATS-AH.

(3) The holder of the licence may deviate from any requirement prescribed in this Subpart to the extent required to attend to an emergency arising from any aviation accident or incident which occurs on, or within a radius of 10 kilometres from, the aerodrome.

(4) A deviation in terms of subregulation (3) shall only be permitted -

- (a) for the period during which the emergency exists; and
- (b) for the sole purpose of protecting life or property.

(5) The holder of the licence shall ensure that the remainder of the rescue and fire fighting personnel and equipment will be able to attend to any possible aviation accident or incident which may occur as a result of the emergency referred to in subregulation (3) until assistance is obtained from other participants in the aerodrome emergency management system.

(6) The holder of the licence who deviates in terms of subregulation (3) from any requirement prescribed in this Subpart, shall -

- (a) notify the Commissioner immediately of the nature of the emergency and the extent of the deviation; and
- (b) submit a comprehensive report to the Commissioner within 14 days from the date on which the emergency arose.

Maintenance of aerodrome environment management programme

139.02.23 The holder of an aerodrome licence shall -

- (a) maintain the aerodrome environment management programme referred to in regulation 139.02.10; and
- (b) operate the aerodrome in accordance with the provisions of the Environment Conservation Act, 1989, and the regulations made thereunder, together with the recommendations and requirements prescribed in any relevant Specifications or Codes of Practice published under the Standards Act, 1993 (Act No. 29 of 1993).

Aerodrome inspection programme

139.02.24 The holder of an aerodrome licence shall establish and maintain an aerodrome inspection programme, including -

- (a) procedures to ensure that competent aerodrome personnel execute the programme effectively; and
- (b) a reporting system to ensure prompt correction of unsafe aerodrome conditions noted during any inspection,

to ensure compliance with the regulations in this Subpart.

Demarcation of restricted area

139.02.25 (1) The holder of an aerodrome licence shall, on the aerodrome, demarcate a restricted area and indicate its boundaries by means of -

- (a) markings on the surface of such aerodrome;
- (b) fences or obstructions or notices erected along the boundaries of such restricted area; or
- (c) a combination of such markings, fences, obstructions or notices.

(2) Subject to the provisions of subregulation (1) relating to the manner in which such boundary shall be indicated, the holder of the licence may alter any boundary or any portion of a boundary of the restricted area.

Control of entry into restricted area

139.02.26 (1) The holder of an aerodrome licence shall exercise control over entry into a restricted area.

(2) The control referred to in subregulation (1) shall be exercised according to the procedures and criteria approved by such holder.

(3) An authorised officer, inspector or authorised person may -

- (a) prohibit any person from entering a restricted area;
- (b) order any person to leave a restricted area immediately, whether such person has been granted permission to be within a restricted area or not.

Demarcation of routes on apron

139.02.27 (1) The holder of an aerodrome licence may by means of markings on the surface of an aerodrome or by notices, or by means of both such markings and notices demarcate routes on the apron for use by -

- (a) a person other than a person carried in an aircraft or in or on a vehicle;
- (b) an aircraft travelling on the surface of an aerodrome; or
- (c) a vehicle,

and such holder may similarly restrict any such route to use by such person or aircraft or vehicle for the purpose of movement in one direction only.

(2) Save in an emergency no person -

- (a) other than a person carried in an aircraft or in or on a vehicle shall proceed on foot on the apron; or
- (b) shall move an aircraft travelling on the surface of an aerodrome or a vehicle on the apron,

except along an appropriate route demarcated in terms of subregulation (1).

Safety measures against fire

139.02.28 (1) The holder of an aerodrome licence shall establish preventative measures against possible fires on the aerodrome and identify a person or group of persons to maintain a fire prevention programme for the aerodrome and aerodrome buildings.

(2) If the aerodrome has no fire brigade service designated in terms of the Fire Brigade Services Act, 1987 (Act No. 99 of 1987), the holder of the licence shall arrange with the local government concerned to maintain a fire prevention programme for the aerodrome and to advise such holder of any dangerous conditions for rectification.

(3) The holder of the licence shall ensure that no unsafe practice is performed on the aerodrome or within its parameters.

(4) If unsafe practices have to be performed during any day-to-day maintenance of, or on, the aerodrome, the holder of the licence shall alert the rescue and fire fighting service concerned to be on standby for the duration of such practices.

Access of ground vehicles to aerodrome movement area

139.02.29 The holder of an aerodrome licence shall -

- (a) limit access to the aerodrome manoeuvring area of those ground vehicles which are necessary for aerodrome and aircraft operations;

- (b) if an air traffic service unit is in operation at the aerodrome, provide adequate procedures for the safe and orderly access to, and operation in the aerodrome manoeuvring area of ground vehicles, in order to ensure that each ground vehicle operating in the aerodrome manoeuvring area is controlled by -
 - (i) two-way radio communication between the vehicle and the air traffic service unit;
 - (ii) if the vehicle has no radio, an accompanying vehicle with two-way radio communication with the air traffic service unit; or
 - (iii) if it is not practical to have two-way radio communication or an escort vehicle, adequate measures including signs, signals or guards for controlling the vehicle;
- (c) if an air traffic service unit is not in operation at the aerodrome, provide adequate measures to ensure that ground vehicles operating in the aerodrome movement area are controlled by the signs, prearranged signals or standards as prescribed in Document SA-CATS-AH; and
- (d) ensure that each employee, tenant or contractor who operates a ground vehicle on any portion of the aerodrome which has access to the aerodrome movement area is familiar with, and complies with, the rules and procedures for the operation of ground vehicles as prescribed in Document SA-CATS-AH.

Protection of navigation aids

139.02.30 The holder of an aerodrome licence shall -

- (a) prevent any construction of facilities on the aerodrome which may adversely affect the operation of any electronic or visual navigation aid or air traffic service facility on such aerodrome;
- (b) prevent, as far as it is within the authority of the such holder, any interruption of visual or electronic signals of navigation aids; and
- (c) liaise with the local government concerned and the Commissioner with regard to any structure higher than the obstacle limitation surfaces on or in the vicinity of the aerodrome.

Aerodrome abandoned or not maintained

139.02.31 (1) In order that adequate warning may be given to the users of an aerodrome, the holder of an aerodrome licence shall give the Commissioner at least 60 days

written notice of its intention to discontinue the maintenance of the aerodrome or to abandon the aerodrome.

(2) If, after the expiry of the period of notice referred to in subregulation (1), an aerodrome is abandoned or is not being maintained in accordance with the conditions of the licence, the holder of the licence shall remove, obliterate or modify the appropriate aerodrome markings referred to in regulation 139.02.2.

SUBPART 3**LICENSING AND OPERATION OF HELIPORTS****Requirement for licence**

139.03.1 (1) No person shall operate a heliport in an urban area, unless the heliport is approved by the Commissioner.

(2) Any heliport operator may apply for a heliport licence in terms of this Subpart.

Heliport design requirements

139.03.2 (1) An applicant for the issuing of a heliport licence shall ensure that the heliport is provided with -

- (a) physical characteristics;
- (b) obstacle limitation surfaces;
- (c) visual aids for -
 - (i) navigation;
 - (ii) denoting obstacles; and
 - (iii) denoting the restricted area;
- (d) equipment and installations; and
- (e) an airspace classification referred to in Part 172,

appropriate to the characteristics of the helicopters it intends to serve, the lowest meteorological minima for each touch-down area, and the ambient light conditions during the operation of helicopters.

(2) The physical characteristics, obstacle limitation surfaces, visual aids, and equipment and installations provided at the heliport shall comply with the appropriate heliport design standards as prescribed in Document SA-CATS-AH.

Operations manual

139.03.3 An applicant for the issuing of a heliport licence shall provide the Commissioner with an operations manual which shall contain -

- (a) a statement by the accountable manager and compliance officer confirming that the operations manual and any included manuals define the organisation of the applicant and demonstrate the

- procedures and methods for ensuring that the provisions of the regulations in this Part will be complied with at all times;
- (b) particulars of the personnel referred to in regulation 139.03.5(1);
 - (c) an organisational chart showing lines of responsibility of the personnel referred to in regulation 139.03.5(1);
 - (d) the limitations on the use of the heliport referred to in regulation 139.03.3;
 - (e) a description of the characteristics of and the infrastructure available at the heliport, which, taking into consideration the limitations referred to in paragraph (d), comply with the heliport design requirements referred to in regulation 139.03.2;
 - (f) the heliport emergency management system referred to in regulation 139.03.7;
 - (g) a description of the heliport's rescue and fire fighting capability which, taking into consideration the limitations referred to in paragraph (d), complies with the requirements prescribed in regulation 139.03.8;
 - (h) the heliport environment management programme referred to in regulation 139.03.9;
 - (i) the procedures for the notification of heliport data and information referred to in regulation 139.03.10;
 - (j) the quality control system referred to in regulation 139.03.5;
 - (k) a description of the security measures taken at the heliport to comply with the provisions of the Civil Aviation Offences Act, 1972 (Act No. 10 of 1972), and the regulations made thereunder;
 - (l) the procedures to control, amend and distribute the operations manual; and
 - (m) where applicable, the intended air traffic services and the approach and airspace categories.

Quality control system

139.03.4 (1) The applicant shall establish a quality control system containing an aviation safety programme, for the control and supervision of the operation and maintenance of the heliport and its services and facilities.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-AH.

Personnel requirements

139.03.5 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting the aviation safety programme; and
- (c) adequate personnel, including a heliport manager and air traffic service personnel, to operate and maintain the heliport and its services and facilities according to the requirements prescribed in this Subpart.

(2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in operating and maintaining the heliport and its services and facilities.

Establishment of heliport emergency management system

139.03.6 (1) The applicant shall establish a heliport emergency management system designed to minimise the possibility and extent of personal injury and property damage on, or in the vicinity of, the heliport.

(2) The heliport emergency management system referred to in subregulation (1) shall -

- (a) provide for all types of emergencies likely to take place on, or in the vicinity of, the heliport; and
- (b) include -
 - (i) an index depicting all aspects contained in the system;
 - (ii) the types of emergencies planned for;
 - (iii) call out procedures for prompt response to the emergencies planned for;
 - (iv) the persons involved in executing the allocated tasks;
 - (v) sufficient detail to provide adequate guidance to each person responsible for executing such system;
 - (vi) provision for a fully equipped emergency operations centre and command post for each type of emergency which may be encountered;
 - (vii) a description of all available rescue and medical equipment and the location of such equipment;
 - (viii) information on the particulars of personnel and persons to be contacted in the case of a particular emergency; and
 - (ix) a grid map of the heliport and its immediate vicinity up to a radius of at least 10 kilometres.

(3) The applicant shall -

- (a) coordinate the proposed emergency management system with all personnel and persons who have allocated responsibilities in terms of the system; and
- (b) to the extent practicable, provide for participation of all personnel and persons referred to in paragraph (a), in the establishment of the system.

Heliport rescue and fire fighting

139.03.7 (1) The applicant shall ensure that the heliport is provided with a rescue and fire fighting service, capable to provide the required level of protection necessary for maintaining the minimum level of protection required for the appropriate category of heliport.

(2) The rescue and fire fighting category of the heliport shall be determined as prescribed in Document SA-CATS-AH.

Establishment of heliport environment management programme

139.03.8 The applicant shall, in the area within its authority and where any bird and wildlife presents or is likely to present a hazard to helicopters operating to or from the heliport, establish a heliport environment management programme to minimise the effects of such hazard or potential hazard, taking due cognisance of the provisions of the Environment Conservation Act, 1989 (Act No. 73 of 1989), and the regulations made thereunder.

Notification of heliport data and information

139.03.9 (1) An applicant for the issuing of a heliport licence shall establish a procedure to notify the air traffic service unit concerned and the Commissioner -

- (a) of the heliport data and information;
- (b) of any limitation on the use of the heliport contemplated in regulation 139.03.3;
- (c) as soon as practicable, of any change which may affect the use of the heliport; and
- (d) any other information required in terms of the regulations in Part 175.

(2) A notification contemplated in subregulation (1) shall be made in the appropriate form as prescribed in Document SA-CATS-AH.

Application for licence or amendment thereof

139.03.10 An application for the issuing of a heliport licence, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AH; and
- (b) accompanied by -
 - (i) the operations manual referred to in regulation 139.03.4;
 - (ii) the plans of the heliport;
 - (iii) written approval from the local government concerned;
 - (iv) an environmental impact report, if required in terms of the Environment Conservation Act, 1989;
 - (v) written approval from all interested Government institutions;
 - (vi) proof that the applicant is financially capable of operating the heliport;
 - (vii) particulars of non-compliance with, or deviations from -

- (aa) the appropriate heliport design, operation or equipment standards prescribed in this Part; or
- (bb) the appropriate airspace classification requirements prescribed in Part 172;
- and
- (viii) the appropriate fee as prescribed in Part 187.

Processing of application for licence or amendment thereof

139.03.11 (1) The Commissioner shall, as soon as practicable after the receipt of an application for a heliport licence, or an amendment thereof, publish by notice in the *Gazette* the following particulars in respect of the application concerned:

- (a) The full name of the applicant;
- (b) full particulars of the location of the heliport; and
- (c) 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 licence or amendment thereof

139.03.12 (1) The Commissioner shall, as soon as practicable, consider an application referred to in regulation 139.03.11, together with all representations, information and other documents relating to such application which are received within the period specified in the notice published in terms of regulation 139.03.12(1).

(2) The Commissioner may grant the application if the Commissioner is satisfied that -

- (a) the applicant complies with the requirements prescribed in regulations 139.03.2 to 139.03.10 inclusive; and
- (b) granting the application will not jeopardise aviation safety.

Issuing of licence

139.03.13 (1) A heliport licence shall be issued on the appropriate form as prescribed in Document SA-CATS-AH.

(2) The licence shall specify -

- (a) the category for which the heliport is licensed; and

- (b) the restrictions, if any, relating to non-compliance with, or deviations from -
 - (i) the appropriate heliport design, operation or equipment standards prescribed in this Part; and
 - (ii) the appropriate airspace classification requirements prescribed in Part 172.

Period of validity

139.03.14 (1) A heliport licence shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date on which the licence is issued or renewed.

(2) The licence shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Commissioner, in terms of regulation 139.01.8.

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

(4) The holder of a licence which is suspended, shall forthwith produce the licence upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

139.03.15 (1) Subject to the provisions of subregulation (2), a heliport licence shall not be transferable.

(2) A change in ownership of the holder of a licence shall be deemed to be a change of significance referred to in regulation 139.03.17.

Changes in quality control system

139.03.16 (1) If the holder of a heliport licence desires to make any change in the quality control system referred to in regulation 139.03.5, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 139.03.11 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to his, her or its operations manual, that the applicant will continue to comply with the provisions of regulations 139.03.2 to 139.03.10 inclusive, after the implementation of such approved change.

Renewal of licence

139.03.17 (1) An application for the renewal of a heliport licence shall be -

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

(b) accompanied by -

(i) the operations manual referred to in regulation 139.03.4;

(ii) proof of adequate funding;

(iii) particulars of non-compliance with, or deviation from -

(aa) the appropriate heliport design, operation or equipment standards prescribed in this Part; or

(bb) the appropriate airspace classification requirements prescribed in Part 172;

and

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

(2) The holder of the licence shall at least 60 days immediately preceding the date on which such licence expires, apply for the renewal of such licence.

Licence of intent

139.03.18 (1) Where a particular area has been demarcated for the development of a heliport, the proposed holder of a heliport licence in respect of the heliport, may apply to the Commissioner for the issuing of a licence of intent for such area.

(2) An application for the issuing of a licence of intent shall be -

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

(b) accompanied by -

(i) full particulars of the particular area demarcated for the development of the heliport, and the location thereof;

(ii) written approval from the local government concerned;

(iii) an environmental impact study;

(iv) written approval from all interested Government institutions;

(v) proof of adequate funding for the development of the heliport; and

LIST OF REGULATIONS**SUBPART 1 : GENERAL**

- 141.01.1 Applicability
- 141.01.2 Designation of body or institution
- 141.01.3 Display of aviation training organisation approval
- 141.01.4 Advertisements
- 141.01.5 Safety inspections and audits
- 141.01.6 Suspension and cancellation of aviation training organisation approval and appeal
- 141.01.7 Register of approvals

SUBPART 2 : APPROVAL OF ORGANISATION (STANDARD AVIATION TRAINING)

- 141.02.1 Requirement for approval
- 141.02.2 Manual of procedure
- 141.02.3 Quality control system
- 141.02.4 Personnel requirements
- 141.02.5 Accommodation, facilities and equipment
- 141.02.6 Accreditation
- 141.02.7 Application for approval or amendment thereof
- 141.02.8 Issuing of approval
- 141.02.9 Scope of approval
- 141.02.10 Period of validity
- 141.02.11 Transferability
- 141.02.12 Changes in quality control system
- 141.02.13 Renewal of approval
- 141.02.14 Duties of holder of approval
- 141.02.15 Documents and records

SUBPART 3 : APPROVAL OF ORGANISATION (TEMPORARY AVIATION TRAINING)

141.03.1 Requirement for approval

141.03.2 Application for approval

141.03.3 Issuing of approval

141.03.4 Scope of approval

141.03.5 Period of validity

141.03.6 Transferability

141.03.7 Duties of holder of approval

141.03.8 Records

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

- 141.01.1** (1) This Part shall apply to the approval and operation of organisations conducting -
- (a) standard aviation training; and
 - (b) temporary aviation training.
- (2) This Part shall not apply in respect of -
- (a) training conducted for familiarisation purposes; and
 - (b) training or instruction conducted in the interests of aviation safety: Provided that such training or instruction is not conducted for the issuing, renewal, reissuing, validation or revalidation of any licence, certificate or rating in terms of the Regulations.

Designation of body or institution

- 141.01.2** (1) The Commissioner may, subject to the provisions of section 4(2) and (3) of the Act, designate a body or institution to -
- (a) exercise control over the aviation training specified in the Regulations, and over the persons conducting such aviation training;
 - (b) determine standards for such aviation training and for the training of such persons;
 - (c) issue, confirm, suspend or withdraw certificates for the successful completion of such aviation training, and keep all books or documents regarding such aviation training; and
 - (d) advise the Commissioner on any matter connected with such aviation training or persons.
- (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-ATO.

Display of aviation training organisation approval

141.01.3 The holder of an aviation training organisation approval shall display the approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the approval is displayed, shall produce the original approval to an authorised officer, inspector or authorised person if so requested by such officer, inspector or person.

Advertisements

141.01.4 Any advertisement by an organisation indicating that it is an aviation training organisation, shall -

- (a) reflect the number of the aviation training organisation approval issued by the Commissioner; and
- (b) contain a reference to the aviation training for which such approval was issued.

Safety inspections and audits

141.01.5 (1) An applicant for the issuing of an aviation training organisation approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to verify the validity of any application made in terms of regulation 141.02.7 or regulation 141.03.2, as the case may be.

(2) The holder of an aviation training organisation approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

Suspension and cancellation of aviation training organisation approval and appeal

141.01.6 (1) An authorised officer, inspector or authorised person may suspend for a period not exceeding 30 days, an aviation training organisation approval issued under this Part, if -

- (a) after a safety inspection and audit carried out in terms of regulation 141.01.5, it is evident that the holder of the approval 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 authorised officer, inspector or authorised person to do so; or

(b) the authorised officer, inspector or authorised person is prevented by the holder of the approval to carry out a safety inspection and audit in terms of regulation 141.01.5; or

(c) the suspension is necessary in the interests of aviation safety.

(2) The authorised officer, inspector or authorised person who has suspended an approval 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 approval should be cancelled.

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

(4) The holder of an approval who feels aggrieved by the suspension of the approval 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 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 authorised officer, inspector or authorised person concerned and shall furnish proof of such submission for the information of the Commissioner.

(7) The authorised officer, inspector or authorised person 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 authorised officer, inspector or authorised person 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 an approval is suspended in terms of subregulation (1) and the holder thereof does not appeal against such suspension in terms of subregulation (4),

cancel the approval concerned.

Register of approvals

141.01.7 (1) The Commissioner shall maintain a register of all aviation training organisation approvals 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 approval;
- (b) the postal address of the holder of the approval;
- (c) the date on which the approval was issued or renewed;
- (d) particulars of the scope of the approval issued to the holder of the approval; and
- (e) the nationality of the holder of the approval.

(3) The particulars referred to in subregulation (2) shall be recorded in the register within seven days from the date on which the approval 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**APPROVAL OF ORGANISATION (STANDARD AVIATION TRAINING)****Requirement for approval**

141.02.1 No organisation shall conduct standard aviation training except under the authority of, and in accordance with the provisions of, an aviation training organisation approval issued under this Subpart.

Manual of procedure

141.02.2 An applicant for the issuing of an aviation training organisation approval to conduct standard aviation training, shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-ATO.

Quality control system

141.02.3 (1) The applicant shall establish a quality control system for the control and supervision of the standard aviation training covered by the application.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-ATO.

Personnel requirements

141.02.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other

persons rendering service under contract with, the organisation;

- (ii) full rights of consultation with any such person in respect of such compliance by him or her;
- (iii) powers to order cessation of any activity where such compliance is not effected;
- (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
- (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);

- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and
- (c) adequate personnel to plan, conduct and supervise the standard aviation training covered by the application.

(2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, conducting or supervising the standard aviation training covered by the application.

(3) The applicant shall ensure that those personnel responsible for training or assessing students, have a combination of competence and experience adequate for the level of competence required for such training or assessment.

Accommodation, facilities and equipment

141.02.5 The applicant shall ensure that the accommodation, facilities and equipment are adequate to enable the personnel to conduct the standard aviation training covered by the application.

Accreditation

141.02.6 The applicant shall obtain accreditation from the body or institution designated by the Commissioner in terms of regulation 141.01.2, for conducting the standard aviation training covered by the application.

Application for approval or amendment thereof

141.02.7 An application for the issuing of an aviation training organisation approval to conduct standard aviation training, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-ATO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187;
 - (ii) the manual of procedure referred to in regulation 141.02.2; and
 - (iii) proof of the accreditation referred to in regulation 141.02.6.

Issuing of approval

141.02.8 (1) The Commissioner shall issue an aviation training organisation approval to conduct standard aviation training, if the applicant complies with the requirements prescribed in regulations 141.02.2 and 141.02.6 inclusive.

(2) The Commissioner shall issue the approval on the appropriate form as prescribed in Document SA-CATS-ATO.

Scope of approval

141.02.9 An aviation training organisation approval to conduct standard aviation training shall specify the standard aviation training which the holder of the approval is entitled to conduct.

Period of validity

141.02.10 (1) An aviation training organisation approval to conduct standard aviation training, shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Commissioner, in terms of regulation 141.01.6.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

141.02.11 (1) Subject to the provisions of subregulation (2), an aviation training organisation approval to conduct standard aviation training, shall not be transferable.

(2) A change in ownership of the holder of an approval to conduct standard aviation training, shall be deemed to be a change of significance referred to in regulation 141.02.12.

Changes in quality control system

141.02.12 (1) If the holder of an aviation training organisation approval to conduct standard aviation training, desires to make any change in the quality control system referred to in regulation 141.02.3, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 141.02.7 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 141.02.2 to 141.02.6 inclusive, after the implementation of such approved change.

Renewal of approval

141.02.13 (1) An application for the renewal of an aviation training organisation approval to conduct standard aviation training, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-ATO; and
- (b) be accompanied by -
 - (i) the appropriate fee as prescribed in Part 187;
 - (ii) the manual of procedure referred to in regulation 141.02.2; and
 - (iii) proof of the accreditation referred to in regulation 141.02.6.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

Duties of holder of approval

141.02.14 The holder of an aviation training organisation approval to conduct standard aviation training, shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 141.02.2, at each training facility specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties; and
- (d) continue to comply with the appropriate requirements prescribed in this Part.

Documents and records

141.02.15 (1) The holder of an aviation training organisation approval to conduct standard aviation training, shall -

- (a) keep copies of all relevant documents which may be necessary -
 - (i) for the specified standard aviation training conducted by such holder; and
 - (ii) to determine compliance with the appropriate requirements prescribed in this Subpart; and
 - (b) establish procedures to control the documents referred to in paragraph (a).
- (2) The procedures referred to in subregulation (1)(b) shall ensure that -
- (a) all documents are reviewed and authorised by the appropriate personnel before the issuing thereof;
 - (b) current issues of all relevant documents are available to those personnel involved in planning, conducting or supervising the

specified standard aviation training undertaken by the holder of the approval;

- (c) all obsolete documents are promptly removed from all points of issue or use; and
- (d) changes to documents are reviewed and authorised by the appropriate personnel.

(3) The holder of the approval shall establish procedures to identify, collect, index, store and maintain all records which may be necessary -

- (a) for the specified standard aviation training conducted by such holder;
- (b) to determine compliance with the appropriate requirements prescribed in this Subpart.

(4) The procedures referred to in subregulation (3) shall ensure that -

- (a) a record is kept of each quality control review of the holder of the approval;
- (b) a record is kept of each person who conducts the specified standard aviation training, including particulars of the competence assessments and experience of each such person;
- (c) a record is kept of each student being trained or assessed by the holder of the approval, including particulars of enrolment, attendance, modules, instructor comments and any flight or similar practical sessions and assessments of each such student;
- (d) all records are legible; and
- (e) all records are kept for a period of at least five years calculated from the date of the last entry made in such records.

SUBPART 3**APPROVAL OF ORGANISATION (TEMPORARY AVIATION TRAINING)****Requirements for approval**

141.03.1 (1) No organisation shall conduct temporary aviation training except under the authority of, and in accordance with the provisions of, an aviation training organisation approval issued under this Subpart.

(2) An applicant for the issuing of an aviation training organisation approval to conduct temporary aviation training, shall -

- (a) engage, employ or contract adequate personnel to plan, conduct and supervise the temporary aviation training covered by the application;
- (b) ensure that those personnel responsible for conducting the temporary aviation training, have a combination of competence and experience adequate for the level of competence required for such training;
- (c) ensure that the facilities and resources are adequate to enable the personnel to conduct such temporary aviation training; and
- (d) have documented procedures for conducting such temporary aviation training.

Application for approval

141.03.2 An application for the issuing of an aviation training organisation approval to conduct temporary aviation training, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-ATO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) proof of compliance with the requirements prescribed in regulation 141.03.1.

Issuing of approval

141.03.3 (1) The Commissioner shall issue an aviation training organisation approval to conduct temporary aviation training, if the applicant complies with the requirements prescribed in regulation 141.03.1.

(2) The Commissioner shall issue the approval on the appropriate form as prescribed in Document SA-CATS-ATO.

Scope of approval

141.03.4 An aviation training organisation approval to conduct temporary aviation training, shall specify the temporary aviation training which the holder of the approval is entitled to conduct.

Period of validity

141.03.5 (1) An aviation training organisation approval to conduct temporary aviation training, shall be valid for the period required to conduct the specified temporary aviation training.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Commissioner, in terms of regulation 141.01.6.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

141.03.6 An aviation training organisation approval to conduct temporary aviation training, shall not be transferable.

Duties of holder of approval

141.03.7 The holder of an aviation training organisation approval to conduct temporary aviation training, shall -

- (a) continue to comply with the appropriate requirements prescribed in this Part;
- (b) ensure that -
 - (i) a record is kept of each person who conducts the specified temporary aviation training, including particulars of the competence and experience of each such person;
 - (ii) a record is kept of enrolment, which record shall include particulars of enrolment, attendance, modules and any flight operations covered by the specified temporary aviation training, any flight times, instructor comments and the results of any such training;
- (c) all records are legible; and
- (d) all records are kept for a period of at least five years calculated from the date of the last entry made in such records.

PART 145

ORGANISATIONS : AIRCRAFT MAINTENANCE ORGANISATIONS

LIST OF REGULATIONS**SUBPART 1 : GENERAL**

- 145.01.1 **Applicability**
- 145.01.2 **Requirement for approval**
- 145.01.3 **Display of aircraft maintenance organisation approval**
- 145.01.4 **Advertisements**
- 145.01.5 **Safety inspections and audits**
- 145.01.6 **Suspension and cancellation of aircraft maintenance organisation approval and appeal**
- 145.01.7 **Categories of ratings**
- 145.01.8 **Privileges of approved aircraft maintenance organisation**
- 145.01.9 **Limitations on approved aircraft maintenance organisation**
- 145.01.10 **Register of approvals**
- 145.01.11 **Designation of airworthiness representatives**

SUBPART 2 : APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION (CATEGORY A RATING)

- 145.02.1 **Manual of procedure**
- 145.02.2 **Quality control system**
- 145.02.3 **Accommodation and facilities**
- 145.02.4 **Personnel requirements**
- 145.02.5 **Equipment, tools and material**
- 145.02.6 **Application for approval or amendment thereof**
- 145.02.7 **Issuing of approval**
- 145.02.8 **Privileges**
- 145.02.9 **Period of validity**
- 145.02.10 **Transferability**
- 145.02.11 **Renewal of approval**
- 145.02.12 **Changes in quality control system**
- 145.02.13 **Duties of holder of approval**
- 145.02.14 **Record of certifying personnel**

- | | | |
|-----------|--|---------|
| 145.02.15 | Maintenance records | 1.10.94 |
| 145.02.16 | Reports on defects or non-airworthy conditions | 1.10.94 |
| 145.02.17 | Airworthiness data | 1.10.94 |

SUBPART 3 : APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION (CATEGORY B

RATING)

- | | | |
|-----------|--|---------|
| 145.03.1 | Manual of procedure | 1.10.94 |
| 145.03.2 | Quality control system | 1.10.94 |
| 145.03.3 | Accommodation and facilities | 1.10.94 |
| 145.03.4 | Personnel requirements | 1.10.94 |
| 145.03.5 | Equipment, tools and material | 1.10.94 |
| 145.03.6 | Application for approval or amendment thereof | 1.10.94 |
| 145.03.7 | Issuing of approval | 1.10.94 |
| 145.03.8 | Privileges | 1.10.94 |
| 145.03.9 | Period of validity | 1.10.94 |
| 145.03.10 | Transferability | 1.10.94 |
| 145.03.11 | Renewal of approval | 1.10.94 |
| 145.03.12 | Changes in quality control system | 1.10.94 |
| 145.03.13 | Duties of holder of approval | 1.10.94 |
| 145.03.14 | Record of certifying personnel | 1.10.94 |
| 145.03.15 | Maintenance records | 1.10.94 |
| 145.03.16 | Reports on defects or non-airworthy conditions | 1.10.94 |
| 145.03.17 | Airworthiness data | 1.10.94 |

SUBPART 4 : APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION (CATEGORY C

RATING)

- | | | |
|----------|---|---------|
| 145.04.1 | Manual of procedure | 1.10.94 |
| 145.04.2 | Quality control system | 1.10.94 |
| 145.04.3 | Accommodation and facilities | 1.10.94 |
| 145.04.4 | Personnel requirements | 1.10.94 |
| 145.04.5 | Equipment, tools and material | 1.10.94 |
| 145.04.6 | Application for approval or amendment thereof | 1.10.94 |

- 145.04.7 Issuing of approval
- 145.04.8 Privileges
- 145.04.9 Period of validity
- 145.04.10 Transferability
- 145.04.11 Renewal of approval
- 145.04.12 Changes in quality control system
- 145.04.13 Duties of holder of approval
- 145.04.14 Record of certifying personnel
- 145.04.15 Maintenance records
- 145.04.16 Reports on defects or non-airworthy conditions
- 145.04.17 Airworthiness data

SUBPART 5 : APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION (CATEGORY D RATING)

- 145.05.1 Manual of procedure
- 145.05.2 Quality control system
- 145.05.3 Accommodation and facilities
- 145.05.4 Personnel requirements
- 145.05.5 Equipment, tools and material
- 145.05.6 Application for approval or amendment thereof
- 145.05.7 Issuing of approval
- 145.05.8 Privileges
- 145.05.9 Period of validity
- 145.05.10 Transferability
- 145.05.11 Renewal of approval
- 145.05.12 Changes in quality control system
- 145.05.13 Duties of holder of approval
- 145.05.14 Record of certifying personnel
- 145.05.15 Maintenance records
- 145.05.16 Reports on defects or non-airworthy conditions
- 145.05.17 Airworthiness data

SUBPART 6 : APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION (CATEGORY E RATING)

- 145.06.1 Manual of procedure
- 145.06.2 Quality control system
- 145.06.3 Accommodation and facilities
- 145.06.4 Personnel requirements
- 145.06.5 Equipment, tools and material
- 145.06.6 Application for approval or amendment thereof
- 145.06.7 Issuing of approval
- 145.06.8 Privileges
- 145.06.9 Period of validity
- 145.06.10 Transferability
- 145.06.11 Renewal of approval
- 145.06.12 Changes in quality control system
- 145.06.13 Duties of holder of approval
- 145.06.14 Record of certifying personnel
- 145.06.15 Maintenance records
- 145.06.16 Reports on defects or non-airworthy conditions
- 145.06.17 Airworthiness data

SUBPART 7 : APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION (CATEGORY W RATING)

- 145.07.1 Manual of procedure
- 145.07.2 Quality control system
- 145.07.3 Accommodation and facilities
- 145.07.4 Personnel requirements
- 145.07.5 Equipment, tools and material
- 145.07.6 Application for approval or amendment thereof
- 145.07.7 Issuing of approval
- 145.07.8 Privileges
- 145.07.9 Period of validity
- 145.07.10 Transferability

- 145.07.11 Renewal of approval
- 145.07.12 Changes in quality control system
- 145.07.13 Duties of holder of approval
- 145.07.14 Record of certifying personnel
- 145.07.15 Maintenance records
- 145.07.16 Reports on defects or non-airworthy conditions
- 145.07.17 Airworthiness data

SUBPART 8 : APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION (CATEGORY X RATING)

- 145.08.1 Manual of procedure
- 145.08.2 Quality control system
- 145.08.3 Accommodation and facilities
- 145.08.4 Personnel requirements
- 145.08.5 Equipment, tools and material
- 145.08.6 Application for approval or amendment thereof
- 145.08.7 Issuing of approval
- 145.08.8 Privileges
- 145.08.9 Period of validity
- 145.08.10 Transferability
- 145.08.11 Renewal of approval
- 145.08.12 Changes in quality control system
- 145.08.13 Duties of holder of approval
- 145.08.14 Record of certifying personnel
- 145.08.15 Maintenance records
- 145.08.16 Reports on defects or non-airworthy conditions
- 145.08.17 Airworthiness data

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

145.01.1 (1) This Part shall apply to the approval and operation of organisations for the maintenance of aircraft and aircraft components.

(2) An aircraft maintenance organisation located outside the Republic may be approved by the Commissioner if -

- (a) the Commissioner is satisfied that a need exists for such approval; and
- (b) the aircraft maintenance organisation complies with the provisions of this Part.

Requirement for approval

145.01.2 (1) No organisation shall perform maintenance on or release to service -

- (a) an aircraft used or intended to be used for flight operations; or
- (b) an aircraft component fitted or intended to be fitted to the aircraft,

except under the authority of, and in accordance with the provisions of, an aircraft maintenance organisation approval with the appropriate rating issued under this Part.

(2) No organisation other than the holder of an aircraft maintenance organisation approval with the appropriate rating issued under this Part, shall carry out -

- (a) the overhaul of an aircraft component;
- (b) maintenance on an aircraft or aircraft component where the relevant airworthiness data require the use of a jig which is -
 - (i) approved or certified by the manufacturer; or
 - (ii) approved by the Commissioner;
- (c) maintenance on an aircraft component where the maintenance involves the disturbance of any part of the component which is supplied as a bench tested unit, except where -
 - (i) the disturbance is for the replacement or adjustment of a part or parts normally replaceable or adjustable in service; and
 - (ii) subsequent functioning of the part or parts disturbed can be proved without the use of test apparatus which is additional to the test apparatus used for normal functioning checks;

(d) maintenance on an aircraft engine where the maintenance involves -

- (i) dismantling and assembly of a piston engine except where this is to obtain access to the piston or cylinder assembly;
- (ii) dismantling and assembly of any main casing or main rotating assembly of a turbine engine, except where this is for replacement of a main casing or rotating assembly, whether comprising the whole or part of a rotating system, and the maintenance manual for the engine provides instruction for the replacement, and the removal from the engine is achieved solely by disconnecting the flanges of main casings; or
- (iii) disturbance of reduction gear;

(e) aircraft propeller balancing other than *in situ* dynamic propeller balancing in accordance with the aircraft manufacturer's instructions; and

(f) maintenance on a rotorcraft where the maintenance involves the dismantling of any transmission gearbox, except where this is for the separation of casings to obtain access for the purpose of internal inspection in accordance with the rotorcraft manufacturer's instructions.

(3) No organisation shall release to service an aircraft or aircraft component which has undergone the maintenance referred to in subregulation (2), except under the authority of, and in accordance with the provisions of, an aircraft maintenance organisation approval with the appropriate rating issued under this Part.

(4) The provisions of subregulations (2) and (3) shall not apply in respect of any amateur-built aircraft, microlight aeroplane, gyroplane, airship, glider or free balloon, unless it is used in commercial operations.

Display of aircraft maintenance organisation approval

145.01.3 The holder of an aircraft maintenance organisation approval shall display the approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the approval is displayed, shall produce the original approval to an authorised officer, inspector or authorised person if so requested by such officer, inspector or person.

Advertisements

145.01.4 Any advertisement by an organisation indicating that it is an aircraft maintenance organisation, shall -

- (a) reflect the number of the aircraft maintenance organisation approval issued by the Commissioner; and
- (b) contain a reference to the category under which and the aircraft or aircraft component for which the organisation is rated.

Safety inspections and audits

145.01.5 (1) An applicant for the issuing of an aircraft maintenance organisation approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to verify the validity of any application made in terms of this Part.

(2) The holder of an aircraft maintenance organisation approval shall permit an authorised officer, inspector or authorised person 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 and cancellation of aircraft maintenance organisation approval and appeal

145.01.6 (1) An authorised officer, inspector or authorised person may suspend for a period not exceeding 30 days, an aircraft maintenance organisation approval issued under this Part, if -

- (a) after a safety inspection and audit carried out in terms of regulation 145.01.5, it is evident that the holder of the approval 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 authorised officer, inspector or authorised person to do so; or
- (b) the authorised officer, inspector or authorised person is prevented by the holder of the approval, or any of its partners or subcontractors, to carry out a safety inspection and audit in terms of regulation 145.01.5; or
- (c) the suspension is necessary in the interests of aviation safety.

(2) The authorised officer, inspector or authorised person who has suspended an approval 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 approval should be cancelled.

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

(4) The holder of an approval who feels aggrieved by the suspension of the approval 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 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 authorised officer, inspector or authorised person concerned and shall furnish proof of such submission for the information of the Commissioner.

(7) The authorised officer, inspector or authorised person 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 authorised officer, inspector or authorised person 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 an approval is suspended in terms of subregulation (1) and the holder thereof does not appeal against such suspension in terms of subregulation (4),

cancel the approval concerned.

Categories of ratings

145.01.7 The categories of ratings for an aircraft maintenance organisation approval are -

(a) Category A ratings and Category B ratings for all types of aircraft, either singly or in the classes as prescribed in Document SA-CATS-AMO;

(b) Category B ratings for rotorcraft only, excluding the engine or engines, either singly or in the classes as prescribed in Document SA-CATS-AMO;

- (c) Category C ratings for all types of engines, excluding engines to be installed in rotorcraft, and Category D ratings for all types of engines, either singly or in the classes as prescribed in Document SA-CATS-AMO;
- (d) Category E ratings for all types of rotorcraft, either singly or in the classes as prescribed in Document SA-CATS-AMO;
- (e) Category W ratings for all types of -
 - (i) electrical installations in all types of aircraft, excluding radio apparatus installations, either singly or in the classes as prescribed in Document SA-CATS-AMO;
 - (ii) instrument installations in all types of aircraft, either singly or in the classes as prescribed in Document SA-CATS-AMO; and
 - (iii) radio apparatus installations in all types of aircraft, either singly or in the classes as prescribed in Document SA-CATS-AMO; and
- (f) Category X ratings for aircraft equipment, instruments, components, accessories, auxiliaries or parts, either singly or in the classes as prescribed in Document SA-CATS-AMO.

Privileges of approved aircraft maintenance organisation

145.01.8 (1) The holder of an aircraft maintenance organisation approval with the appropriate rating shall ensure that the privileges of such rating are not exercised unless the aircraft maintenance organisation has the necessary facilities, current technical data, tools, equipment, materials and competent personnel to perform the work in accordance with all current requirements regarding the maintenance and airworthiness of the particular type of aircraft, airframe, engine, aircraft component or other equipment.

(2) Notwithstanding anything to the contrary contained in the Regulations, the holder of an approval with the appropriate rating may, in circumstances where -

- (a) no appropriately licensed and rated aircraft maintenance engineer;
or
- (b) no other approved and appropriately rated aircraft maintenance organisation,

is available, rectify any defect in a similar type of aircraft for which the approval is rated.

(3) Where a defect referred to in subregulation (2) is rectified, the holder of the approval shall notify the Commissioner in writing, within 48 hours from the moment the defect is rectified, of the reasons for, and nature of, such rectification.

(4) Where a defect in an aircraft which is not similar to the type of aircraft for which the approval is rated, is rectified, the holder of such approval shall obtain the prior written permission from the Commissioner to effect such rectification.

Limitations on approved aircraft maintenance organisation

145.01.9 (1) The holder of an aircraft maintenance organisation approval may only maintain an aircraft or aircraft component for which it is approved.

(2) The holder of an approval shall not maintain an aircraft or aircraft component for which it is approved unless such holder has available all the facilities, equipment, tooling, airworthiness data and certifying personnel necessary to maintain the aircraft or aircraft component in accordance with its manual of procedure and the requirements prescribed in this Part.

Register of approvals

145.01.10 (1) The Commissioner shall maintain a register of all aircraft maintenance organisation approvals 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 approval;
- (b) the postal address of the holder of the approval;
- (c) the date on which the approval was issued or renewed;
- (d) particulars of the rating issued to the holder of the approval; and
- (e) the nationality of the holder of the approval.

(3) The particulars referred to in subregulation (2) shall be recorded in the register within seven days from the date on which the approval 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.

Designation of airworthiness representatives

145.01.11 (1) The Commissioner may, subject to the provisions of section 4(2) and (3) of the Act, designate an airworthiness representative to perform the functions as prescribed in Document SA-CATS-AMO.

(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-AMO.

(3) The Commissioner shall sign and issue to each designated airworthiness representative a document which shall state the full name of such airworthiness representative and contain a statement that -

- (a) such airworthiness representative has been designated in terms of subregulation (1); and
- (b) such airworthiness representative is empowered to perform the functions referred to in subregulation (1).

SUBPART 2**APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION
(CATEGORY A RATING)****Manual of procedure**

145.02.1 An applicant for the issuing of an aircraft maintenance organisation approval with a Category A rating shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-AMO.

Quality control system

145.02.2 (1) The applicant shall establish a quality control system for the control and supervision of the maintenance of aircraft and aircraft components, covered by the application.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-AMO.

Accommodation and facilities

145.02.3 The applicant shall satisfy the Commissioner that -

- (a) it has adequate accommodation and facilities for all maintenance to be performed by the aircraft maintenance organisation, ensuring in particular, protection from the weather;
- (b) specialised work areas are segregated as appropriate to ensure that environmental and work area contamination does not occur;
- (c) appropriate office accommodation is provided for the administration of the maintenance performed and, in particular, for the administration of the organisation's quality, planning and technical records;
- (d) the working environment is appropriate for each task carried out and, in particular, complies with any special requirements specified in the applicable airworthiness data;
- (e) storage facilities are provided for parts, equipment, tools and materials required by the organisation;

- (f) the storage facilities referred to in paragraph (e) provide security for serviceable parts and segregation of serviceable from unserviceable parts, and control deterioration of, and damage to, stored items; and
- (g) it has established procedures to ensure compliance with the requirements prescribed in paragraphs (d), (e) and (f).

Personnel requirements

145.02.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and

- (c) adequate personnel to plan, perform, supervise, inspect and certify all maintenance undertaken by such organisation.
- (2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising, inspecting or certifying the maintenance undertaken by the organisation.
- (3) The applicant shall ensure that -
 - (a) the personnel in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities; and
 - (b) there is full and efficient coordination between departments and within departments in respect of airworthiness matters.

Equipment, tools and material

145.02.5 The applicant shall satisfy the Commissioner that it has -

- (a) the equipment, tools and material necessary to perform adequately the approved scope of work as required by the applicable airworthiness data, its manual of procedure and the regulations in this Part; and
- (b) established a procedure to control and, where necessary, calibrate tools and other equipment at a frequency and to a standard to ensure serviceability, accuracy and traceability.

Application for approval or amendment thereof

145.02.6 An application for the issuing of an aircraft maintenance organisation approval with a Category A rating, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AMO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 145.02.1.

Issuing of approval

145.02.7 (1) The Commissioner shall issue an aircraft maintenance organisation approval with a Category A rating, if the applicant complies with the requirements prescribed in regulations 145.02.1 to 145.02.5 inclusive.

(2) The Commissioner shall issue the approval on the appropriate form as prescribed in Document SA-CATS-AMO.

Privileges

145.02.8 (1) The privileges of an aircraft maintenance organisation approval with a Category A rating shall be limited to aircraft for which the approval is rated and shall be -

- (a) to release to service an aircraft, excluding its engine or engines;
- (b) to certify in the manner prescribed in the Regulations -
 - (i) work which the maintenance schedule relating to an aircraft authorises the holder of the approval to certify;
 - (ii) the assembly of an aircraft and any adjustment or minor modification of an aircraft; and
 - (iii) the installation or replacement of completed subassemblies, equipment, instruments and minor components of an aircraft, excluding its engine or engines; and
- (c) to release to service an aircraft, excluding its engine or engines, for a test flight.

(2) For the purpose of subregulation (1)(b)(iii), a completed subassembly comprises a unit built up of individual components to form a complete unit which may include a wing, aileron, landing gear shockstrut, wheel, complete landing gear, tailplane, fin, rudder and elevator.

Period of validity

145.02.9 (1) An aircraft maintenance organisation approval with a Category A rating shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Commissioner, in terms of regulation 145.01.5.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

145.02.10 (1) Subject to the provisions of subregulation (2), an aircraft maintenance organisation approval with a Category A rating, shall not be transferable.

(2) A change in ownership of the holder of an approval with a Category A rating, shall be deemed to be a change of significance referred to in regulation 145.02.12.

Renewal of approval

145.02.11 (1) An application for the renewal of an aircraft maintenance organisation approval with a Category A rating, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AMO; and
- (b) be accompanied by
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 145.02.1.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

Changes in quality control system

145.02.12 (1) If the holder of an aircraft maintenance organisation approval with a Category A rating desires to make any change in the quality control system referred to in regulation 145.02.2, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 145.02.6 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to its manual of procedure, that it will continue

to comply with the provisions of regulations 145.02.1 to 145.02.5 inclusive, after the implementation of such approved change.

Duties of holder of approval

145.02.13 (1) The holder of an aircraft maintenance organisation approval with a Category A rating shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 145.02.1, at each workplace specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties; and
- (d) continue to comply with the appropriate requirements prescribed in this Part.

(2) The holder of an approval with a Category A rating shall ensure that -

- (a) all persons who will be directly in charge of any maintenance or inspection performed on behalf of the aircraft maintenance organisation;
- (b) all personnel who are authorised to issue on behalf of the aircraft maintenance organisation certificates of release to service and certificates relating to the maintenance of an aircraft,

are appropriately licensed and rated in terms of Part 66.

Record of certifying personnel

145.02.14 (1) The holder of an aircraft maintenance organisation with a Category A rating shall maintain a record of all certifying personnel, which record shall include particulars of the scope of their authorisation.

(2) The holder of an approval with a Category A rating shall provide its certifying personnel with evidence of the scope of their authorisation.

(3) The record referred to in subregulation (1) shall be retained by the holder of the approval for a period of five years from the date on which the certifying personnel member ceases to be authorised by such holder.

Maintenance records

145.02.15 (1) The holder of an aircraft maintenance organisation approval with a Category A rating shall keep adequate records of all maintenance performed by the aircraft maintenance organisation.

(2) The records referred to in subregulation (1) shall -

- (a) indicate the name of each person who performed the work;
- (b) indicate the name of each person who inspected the work; and
- (c) be retained for at least five years from the date on which the aircraft or aircraft component to which the work relates, was released to service.

(3) The holder of an approval with a Category A rating shall provide a copy of each certificate of release to service to the operator of the aircraft, together with a copy of any specific airworthiness data used for repairs or modifications carried out.

(4) The holder of an approval with a Category A rating shall establish a procedure for recording maintenance details and for the retention of such maintenance records.

Reports on defects or non-airworthy conditions

145.02.16 (1) The holder of an aircraft maintenance organisation approval with a Category A rating shall report to the Commissioner any defect or condition of an aircraft or aircraft component which may hazard the aircraft, within 48 hours from the moment the defect or condition to which the report relates, has been identified.

(2) The holder of an approval with a Category A rating shall establish a procedure for reporting such defects or conditions to the Commissioner.

(3) Where the holder of an approval with a Category A rating is contracted to perform maintenance, such holder shall inform the operator or owner of the aircraft of any such defect or condition.

Airworthiness data

145.02.17 (1) The holder of an aircraft maintenance organisation approval with a Category A rating shall -

- (a) keep all airworthiness data necessary to support the maintenance work performed by the aircraft maintenance organisation; and
- (b) make the airworthiness data available to all personnel who need access to such data to discharge their allocated responsibilities.

(2) The airworthiness data referred to in subregulation (1) shall include all relevant data issued by -

- (a) the Commissioner; and
- (b) the holder of a type certificate issued -
 - (i) in terms of Part 21; or
 - (ii) by an appropriate authority.

(3) The Commissioner may classify in Document SA-CATS-AMO, data issued by an appropriate authority or the holder of a type certificate as mandatory, in which case the holder of an approval with a Category A rating shall keep such data.

(4) The holder of an approval with a Category A rating shall establish a procedure to control and amend the data referred to in subregulations (1), (2) and (3).

(5) If the holder of an approval with a Category A rating intends to produce its own airworthiness data, additional to the data referred to in subregulation (1), such holder shall establish a procedure for producing and controlling such additional data.

SUBPART 3**APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION
(CATEGORY B RATING)****Manual of procedure**

145.03.1 An applicant for the issuing of an aircraft maintenance organisation approval with a Category B rating shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-AMO.

Quality control system

145.03.2 (1) The applicant shall establish a quality control system for the control and supervision of the maintenance of aircraft and aircraft components, covered by the application.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-AMO.

Accommodation and facilities

145.03.3 The applicant shall satisfy the Commissioner that -

- (a) it has adequate accommodation and facilities for all maintenance to be performed by the aircraft maintenance organisation, ensuring in particular, protection from the weather;
- (b) specialised work areas are segregated as appropriate to ensure that environmental and work area contamination does not occur;
- (c) appropriate office accommodation is provided for the administration of the maintenance performed and, in particular, for the administration of the organisation's quality, planning and technical records;
- (d) the working environment is appropriate for each task carried out and, in particular, complies with any special requirements specified in the applicable airworthiness data;
- (e) storage facilities are provided for parts, equipment, tools and materials required by the organisation;

- (f) the storage facilities referred to in paragraph (e) provide security for serviceable parts and segregation of serviceable from unserviceable parts, and control deterioration of, and damage to, stored items; and
- (g) it has established procedures to ensure compliance with the requirements prescribed in paragraphs (d), (e) and (f).

Personnel requirements

145.03.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and

- (c) adequate personnel to plan, perform, supervise, inspect and certify all maintenance undertaken by such organisation.

(2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising, inspecting or certifying the maintenance undertaken by the organisation.

- (3) The applicant shall ensure that -

- (a) the personnel in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities; and
- (b) there is full and efficient coordination between departments and within departments in respect of airworthiness matters.

Equipment, tools and material

145.03.5 The applicant shall satisfy the Commissioner that it has -

- (a) the equipment, tools and material necessary to perform adequately the approved scope of work as required by the applicable airworthiness data, its manual of procedure and the regulations in this Part; and
- (b) established a procedure to control and, where necessary, calibrate tools and other equipment at a frequency and to a standard to ensure serviceability, accuracy and traceability.

Application for approval or amendment thereof

145.03.6 An application for the issuing of an aircraft maintenance organisation approval with a Category B rating, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AMO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 145.03.1.

Issuing of approval

145.03.7 (1) The Commissioner shall issue an aircraft maintenance organisation approval with a Category B rating, if the applicant complies with the requirements prescribed in regulations 145.03.1 to 145.03.5 inclusive.

(2) The Commissioner shall issue the approval on the appropriate form as prescribed in Document SA-CATS-AMO.

Privileges

145.03.8 The privileges of an aircraft maintenance organisation approval with a Category B rating shall be limited to aircraft for which the approval is rated and shall be -

- (a) to certify in the manner prescribed in the Regulations -
 - (i) any overhaul, repair or modification of an aircraft, excluding its engine or engines, except -
 - (aa) the overhaul, repair or modification of such item, equipment or apparatus which is to be certified by the holder of an approval with a Category X rating; and
 - (bb) the installation and testing of such instrument, electrical equipment or radio apparatus which is to be certified by the holder of an approval with a Category W rating; and
 - (ii) the manufacturing of components and parts in accordance with the appropriate approved specifications as prescribed in Document SA-CATS-AMO, if the manufacturing of the components and parts are necessary for the holder of the approval to complete a repair, modification or overhaul which it will certify;
- (b) in respect of rotorcraft for which the approval is rated under Category A, to release to service a rotorcraft, excluding its engine or engines; and
- (c) in respect of rotorcraft for which the approval is rated under Category E, to release to service a rotorcraft, excluding its engine or engines.

Period of validity

145.03.9 (1) An aircraft maintenance organisation approval with a Category B rating shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Commissioner, in terms of regulation 145.01.5.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

145.03.10 (1) Subject to the provisions of subregulation (2), an aircraft maintenance organisation approval with a Category B rating, shall not be transferable.

(2) A change in ownership of the holder of an approval with a Category B rating, shall be deemed to be a change of significance referred to in regulation 145.03.12.

Renewal of approval

145.03.11 (1) An application for the renewal of an aircraft maintenance organisation approval with a Category B rating, shall be -

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

(b) be accompanied by -

(i) the appropriate fee as prescribed in Part 187; and

(ii) the manual of procedure referred to in regulation 145.03.1.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

Changes in quality control system

145.03.12 (1) If the holder of an aircraft maintenance organisation approval with a Category B rating desires to make any change in the quality control system referred to in regulation 145.03.2, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 145.03.6 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 145.03.1 to 145.03.5 inclusive, after the implementation of such approved change.

Duties of holder of approval

145.03.13 (1) The holder of an aircraft maintenance organisation approval with a Category B rating shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 145.03.1, at each workplace specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties; and
- (d) continue to comply with the appropriate requirements prescribed in this Part.

(2) The holder of an approval with a Category B rating shall ensure that -

- (a) all persons who will be directly in charge of any maintenance or inspection performed on behalf of the aircraft maintenance organisation;
- (b) all personnel who are authorised to issue on behalf of the aircraft maintenance organisation certificates of release to service and certificates relating to the maintenance of an aircraft,

are appropriately licensed and rated in terms of Part 66.

Record of certifying personnel

145.03.14 (1) The holder of an aircraft maintenance organisation with a Category B rating shall maintain a record of all certifying personnel, which record shall include particulars of the scope of their authorisation.

(2) The holder of an approval with a Category B rating shall provide its certifying personnel with evidence of the scope of their authorisation.

(3) The record referred to in subregulation (1) shall be retained by the holder of the approval for a period of five years from the date on which the certifying personnel member ceases to be authorised by such holder.

Maintenance records

145.03.15 (1) The holder of an aircraft maintenance organisation approval with a Category B rating shall keep adequate records of all maintenance performed by the aircraft maintenance organisation.

(2) The records referred to in subregulation (1) shall -

(a) indicate the name of each person who performed the work;

(b) indicate the name of each person who inspected the work; and

(c) be retained for at least five years from the date on which the aircraft or aircraft component to which the work relates, was released to service.

(3) The holder of an approval with a Category B rating shall provide a copy of each certificate of release to service to the operator of the aircraft, together with a copy of any specific airworthiness data used for repairs or modifications carried out.

(4) The holder of an approval with a Category B rating shall establish a procedure for recording maintenance details and for the retention of such maintenance records.

Reports on defects or non-airworthy conditions

145.03.16 (1) The holder of an aircraft maintenance organisation approval with a Category B rating shall report to the Commissioner any defect or condition of an aircraft or aircraft component which may hazard the aircraft, within 48 hours from the moment the defect or condition to which the report relates, has been identified.

(2) The holder of an approval with a Category B rating shall establish a procedure for reporting such defects or conditions to the Commissioner.

(3) Where the holder of an approval with a Category B rating is contracted to perform maintenance, such holder shall inform the operator or owner of the aircraft of any such defect or condition.

Airworthiness data

145.03.17 (1) The holder of an aircraft maintenance organisation approval with a Category B rating shall -

- (a) keep all airworthiness data necessary to support the maintenance work performed by the aircraft maintenance organisation; and
- (b) make the airworthiness data available to all personnel who need access to such data to discharge their allocated responsibilities.

(2) The airworthiness data referred to in subregulation (1) shall include all relevant data issued by -

- (a) the Commissioner; and
- (b) the holder of a type certificate issued -
 - (i) in terms of Part 21; or
 - (ii) by an appropriate authority.

(3) The Commissioner may classify in Document SA-CATS-AMO, data issued by an appropriate authority or the holder of a type certificate as mandatory, in which case the holder of an approval with a Category B rating shall keep such data.

(4) The holder of an approval with a Category B rating shall establish a procedure to control and amend the data referred to in subregulations (1), (2) and (3).

(5) If the holder of an approval with a Category B rating intends to produce its own airworthiness data, additional to the data referred to in subregulation (1), such holder shall establish a procedure for producing and controlling such additional data.

SUBPART 4**APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION
(CATEGORY C RATING)****Manual of procedure**

145.04.1 An applicant for the issuing of an aircraft maintenance organisation approval with a Category C rating shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-AMO.

Quality control system

145.04.2 (1) The applicant shall establish a quality control system for the control and supervision of the maintenance of aircraft and aircraft components, covered by the application.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-AMO.

Accommodation and facilities

145.04.3 The applicant shall satisfy the Commissioner that -

- (a) it has adequate accommodation and facilities for all maintenance to be performed by the aircraft maintenance organisation, ensuring in particular, protection from the weather;
- (b) specialised work areas are segregated as appropriate to ensure that environmental and work area contamination does not occur;
- (c) appropriate office accommodation is provided for the administration of the maintenance performed and, in particular, for the administration of the organisation's quality, planning and technical records;
- (d) the working environment is appropriate for each task carried out and, in particular, complies with any special requirements specified in the applicable airworthiness data;
- (e) storage facilities are provided for parts, equipment, tools and materials required by the organisation;

- (f) the storage facilities referred to in paragraph (e) provide security for serviceable parts and segregation of serviceable from unserviceable parts, and control deterioration of, and damage to, stored items; and
- (g) it has established procedures to ensure compliance with the requirements prescribed in paragraphs (d), (e) and (f).

Personnel requirements

145.04.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:

- (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
- (ii) full rights of consultation with any such person in respect of such compliance by him or her;
- (iii) powers to order cessation of any activity where such compliance is not effected;
- (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
- (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);

- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and

- (c) adequate personnel to plan, perform, supervise, inspect and certify all maintenance undertaken by such organisation.
- (2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising, inspecting or certifying the maintenance undertaken by the organisation.
- (3) The applicant shall ensure that -
 - (a) the personnel in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities; and
 - (b) there is full and efficient coordination between departments and within departments in respect of airworthiness matters.

Equipment, tools and material

145.04.5 The applicant shall satisfy the Commissioner that it has -

- (a) the equipment, tools and material necessary to perform adequately the approved scope of work as required by the applicable airworthiness data, its manual of procedure and the regulations in this Part; and
- (b) established a procedure to control and, where necessary, calibrate tools and other equipment at a frequency and to a standard to ensure serviceability, accuracy and traceability.

Application for approval or amendment thereof

145.04.6 An application for the issuing of an aircraft maintenance organisation approval with a Category C rating, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AMO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 145.04.1.

Issuing of approval

145.04.7 (1) The Commissioner shall issue an aircraft maintenance organisation approval with a Category C rating, if the applicant complies with the requirements prescribed in regulations 145.04.1 to 145.04.5 inclusive.

(2) The Commissioner shall issue the approval on the appropriate form as prescribed in Document SA-CATS-AMO.

Privileges

145.04.8 The privileges of an aircraft maintenance organisation approval with a Category C rating shall be limited to engines for which the approval is rated and shall be -

- (a) to release to service an engine installed in an aeroplane;
- (b) to certify in the manner prescribed in the Regulations -
 - (i) work which the maintenance schedule relating to an aeroplane authorises the holder of the approval to certify;
 - (ii) the installation of an engine in an aeroplane;
 - (iii) any adjustment or minor modification of an aeroplane engine and the replacement of external components and of piston and cylinder assemblies;
 - (iv) the overhaul and testing of spark plugs; and
 - (v) any installation and maintenance, other than the overhaul, major modification or major repair, of propellers and the reassembly of variable-pitch propellers which may have been dismantled for transport purposes; and
- (c) to release to service an aeroplane engine for a test flight.

Period of validity

145.04.9 (1) An aircraft maintenance organisation approval with a Category C rating shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Commissioner, in terms of regulation 145.01.5.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

145.04.10 (1) Subject to the provisions of subregulation (2), an aircraft maintenance organisation approval with a Category C rating, shall not be transferable.

(2) A change in ownership of the holder of an approval with a Category C rating, shall be deemed to be a change of significance referred to in regulation 145.04.12.

Renewal of approval

145.04.11 (1) An application for the renewal of an aircraft maintenance organisation approval with a Category C rating, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AMO; and
- (b) be accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 145.04.1.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

Changes in quality control system

145.04.12 (1) If the holder of an aircraft maintenance organisation approval with a Category C rating desires to make any change in the quality control system referred to in regulation 145.04.2, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 145.04.6 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to its manual of procedure, that it will continue

to comply with the provisions of regulations 145.04.1 to 145.04.5 inclusive, after the implementation of such approved change.

Duties of holder of approval

145.04.13 (1) The holder of an aircraft maintenance organisation approval with a Category C rating shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 145.04.1, at each workplace specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties; and
- (d) continue to comply with the appropriate requirements prescribed in this Part.

(2) The holder of an approval with a Category C rating shall ensure that -

- (a) all persons who will be directly in charge of any maintenance or inspection performed on behalf of the aircraft maintenance organisation;
- (b) all personnel who are authorised to issue on behalf of the aircraft maintenance organisation certificates of release to service and certificates relating to the maintenance of an aircraft,

are appropriately licensed and rated in terms of Part 66.

Record of certifying personnel

145.04.14 (1) The holder of an aircraft maintenance organisation with a Category C rating shall maintain a record of all certifying personnel, which record shall include particulars of the scope of their authorisation.

(2) The holder of an approval with a Category C rating shall provide its certifying personnel with evidence of the scope of their authorisation.

(3) The record referred to in subregulation (1) shall be retained by the holder of the approval for a period of five years from the date on which the certifying personnel member ceases to be authorised by such holder.

Maintenance records

145.04.15 (1) The holder of an aircraft maintenance organisation approval with a Category C rating shall keep adequate records of all maintenance performed by the aircraft maintenance organisation.

(2) The records referred to in subregulation (1) shall -

- (a) indicate the name of each person who performed the work;
- (b) indicate the name of each person who inspected the work; and
- (c) be retained for at least five years from the date on which the aircraft or aircraft component to which the work relates, was released to service.

(3) The holder of an approval with a Category C rating shall provide a copy of each certificate of release to service to the operator of the aircraft, together with a copy of any specific airworthiness data used for repairs or modifications carried out.

(4) The holder of an approval with a Category C rating shall establish a procedure for recording maintenance details and for the retention of such maintenance records.

Reports on defects or non-airworthy conditions

145.04.16 (1) The holder of an aircraft maintenance organisation approval with a Category C rating shall report to the Commissioner any defect or condition of an aircraft or aircraft component which may hazard the aircraft, within 48 hours from the moment the defect or condition to which the report relates, has been identified.

(2) The holder of an approval with a Category C rating shall establish a procedure for reporting such defects or conditions to the Commissioner.

(3) Where the holder of an approval with a Category C rating is contracted to perform maintenance, such holder shall inform the operator or owner of the aircraft of any such defect or condition.

Airworthiness data

145.04.17 (1) The holder of an aircraft maintenance organisation approval with a Category C rating shall -

- (a) keep all airworthiness data necessary to support the maintenance work performed by the aircraft maintenance organisation; and
- (b) make the airworthiness data available to all personnel who need access to such data to discharge their allocated responsibilities.

(2) The airworthiness data referred to in subregulation (1) shall include all relevant data issued by -

- (a) the Commissioner; and
- (b) the holder of a type certificate issued -
 - (i) in terms of Part 21; or
 - (ii) by an appropriate authority.

(3) The Commissioner may classify in Document SA-CATS-AMO, data issued by an appropriate authority or the holder of a type certificate as mandatory, in which case the holder of an approval with a Category C rating shall keep such data.

(4) The holder of an approval with a Category C rating shall establish a procedure to control and amend the data referred to in subregulations (1), (2) and (3).

(5) If the holder of an approval with a Category C rating intends to produce its own airworthiness data, additional to the data referred to in subregulation (1), such holder shall establish a procedure for producing and controlling such additional data.

SUBPART 5**APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION
(CATEGORY D RATING)****Manual of procedure**

145.05.1 An applicant for the issuing of an aircraft maintenance organisation approval with a Category D rating shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-AMO.

Quality control system

145.05.2 (1) The applicant shall establish a quality control system for the control and supervision of the maintenance of aircraft and aircraft components, covered by the application.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-AMO.

Accommodation and facilities

145.05.3 The applicant shall satisfy the Commissioner that -

- (a) it has adequate accommodation and facilities for all maintenance to be performed by the aircraft maintenance organisation, ensuring in particular, protection from the weather;
- (b) specialised work areas are segregated as appropriate to ensure that environmental and work area contamination does not occur;
- (c) appropriate office accommodation is provided for the administration of the maintenance performed and, in particular, for the administration of the organisation's quality, planning and technical records;
- (d) the working environment is appropriate for each task carried out and, in particular, complies with any special requirements specified in the applicable airworthiness data;
- (e) storage facilities are provided for parts, equipment, tools and materials required by the organisation;

- (f) the storage facilities referred to in paragraph (e) provide security for serviceable parts and segregation of serviceable from unserviceable parts, and control deterioration of, and damage to, stored items; and
- (g) it has established procedures to ensure compliance with the requirements prescribed in paragraphs (d), (e) and (f).

Personnel requirements

145.05.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and

- (c) adequate personnel to plan, perform, supervise, inspect and certify all maintenance undertaken by such organisation.
- (2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising, inspecting or certifying the maintenance undertaken by the organisation.
- (3) The applicant shall ensure that -
 - (a) the personnel in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities; and
 - (b) there is full and efficient coordination between departments and within departments in respect of airworthiness matters.

Equipment, tools and material

145.05.5 The applicant shall satisfy the Commissioner that it has -

- (a) the equipment, tools and material necessary to perform adequately the approved scope of work as required by the applicable airworthiness data, its manual of procedure and the regulations in this Part; and
- (b) established a procedure to control and, where necessary, calibrate tools and other equipment at a frequency and to a standard to ensure serviceability, accuracy and traceability.

Application for approval or amendment thereof

145.05.6 An application for the issuing of an aircraft maintenance organisation approval with a Category D rating, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AMO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 145.05.1.

Issuing of approval

145.05.7 (1) The Commissioner shall issue an aircraft maintenance organisation approval with a Category D rating, if the applicant complies with the requirements prescribed in regulations 145.05.1 to 145.05.5 inclusive.

(2) The Commissioner shall issue the approval on the appropriate form as prescribed in Document SA-CATS-AMO.

Privileges

145.05.8 The privileges of an aircraft maintenance organisation approval with a Category D rating shall be limited to engines for which the approval is rated and shall be -

(a) to release to service an engine; and

(b) to certify in the manner prescribed in the Regulations -

(i) any overhaul, repair or modification of an engine or its accessories, except the overhaul, repair or modification of the ignition equipment, other than the spark plugs, and of the propeller, starter and generator which is to be certified by the holder of an approval with a Category X rating; and

(ii) the manufacturing of components and parts in accordance with the appropriate approved specifications as prescribed in Document SA-CATS-AMO, if the manufacturing of the components and parts are necessary for the holder of the approval to complete a repair, modification or overhaul which it will certify.

Period of validity

145.05.9 (1) An aircraft maintenance organisation approval with a Category D rating shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Commissioner, in terms of regulation 145.01.5.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

145.05.10 (1) Subject to the provisions of subregulation (2), an aircraft maintenance organisation approval with a Category D rating, shall not be transferable.

(2) A change in ownership of the holder of an approval with a Category D rating, shall be deemed to be a change of significance referred to in regulation 145.05.12.

Renewal of approval

145.05.11 (1) An application for the renewal of an aircraft maintenance organisation approval with a Category D rating, shall be -

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

(b) be accompanied by -

(i) the appropriate fee as prescribed in Part 187; and

(ii) the manual of procedure referred to in regulation 145.05.1.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

Changes in quality control system

145.05.12 (1) If the holder of an aircraft maintenance organisation approval with a Category D rating desires to make any change in the quality control system referred to in regulation 145.05.2, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 145.05.6 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 145.05.1 to 145.05.5 inclusive, after the implementation of such approved change.

Duties of holder of approval

145.05.13 (1) The holder of an aircraft maintenance organisation approval with a Category D rating shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 145.05.1, at each workplace specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties; and
- (d) continue to comply with the appropriate requirements prescribed in this Part.

(2) The holder of an approval with a Category D rating shall ensure that -

- (a) all persons who will be directly in charge of any maintenance or inspection performed on behalf of the aircraft maintenance organisation;
- (b) all personnel who are authorised to issue on behalf of the aircraft maintenance organisation certificates of release to service and certificates relating to the maintenance of an aircraft,

are appropriately licensed and rated in terms of Part 66.

Record of certifying personnel

145.05.14 (1) The holder of an aircraft maintenance organisation with a Category D rating shall maintain a record of all certifying personnel, which record shall include particulars of the scope of their authorisation.

(2) The holder of an approval with a Category D rating shall provide its certifying personnel with evidence of the scope of their authorisation.

(3) The record referred to in subregulation (1) shall be retained by the holder of the approval for a period of five years from the date on which the certifying personnel member ceases to be authorised by such holder.

Maintenance records

145.05.15 (1) The holder of an aircraft maintenance organisation approval with a Category D rating shall keep adequate records of all maintenance performed by the aircraft maintenance organisation.

(2) The records referred to in subregulation (1) shall -

- (a) indicate the name of each person who performed the work;
- (b) indicate the name of each person who inspected the work; and
- (c) be retained for at least five years from the date on which the aircraft or aircraft component to which the work relates, was released to service.

(3) The holder of an approval with a Category D rating shall provide a copy of each certificate of release to service to the operator of the aircraft, together with a copy of any specific airworthiness data used for repairs or modifications carried out.

(4) The holder of an approval with a Category D rating shall establish a procedure for recording maintenance details and for the retention of such maintenance records.

Reports on defects or non-airworthy conditions

145.05.16 (1) The holder of an aircraft maintenance organisation approval with a Category D rating shall report to the Commissioner any defect or condition of an aircraft or aircraft component which may hazard the aircraft, within 48 hours from the moment the defect or condition to which the report relates, has been identified.

(2) The holder of an approval with a Category D rating shall establish a procedure for reporting such defects or conditions to the Commissioner.

(3) Where the holder of an approval with a Category D rating is contracted to perform maintenance, such holder shall inform the operator or owner of the aircraft of any such defect or condition.

Airworthiness data

145.05.17 (1) The holder of an aircraft maintenance organisation approval with a Category D rating shall -

- (a) keep all airworthiness data necessary to support the maintenance work performed by the aircraft maintenance organisation; and
- (b) make the airworthiness data available to all personnel who need access to such data to discharge their allocated responsibilities.

(2) The airworthiness data referred to in subregulation (1) shall include all relevant data issued by -

- (a) the Commissioner; and
- (b) the holder of a type certificate issued -
 - (i) in terms of Part 21; or
 - (ii) by an appropriate authority.

(3) The Commissioner may classify in Document SA-CATS-AMO, data issued by an appropriate authority or the holder of a type certificate as mandatory, in which case the holder of an approval with a Category D rating shall keep such data.

(4) The holder of an approval with a Category D rating shall establish a procedure to control and amend the data referred to in subregulations (1), (2) and (3).

(5) If the holder of an approval with a Category D rating intends to produce its own airworthiness data, additional to the data referred to in subregulation (1), such holder shall establish a procedure for producing and controlling such additional data.

SUBPART 6**APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION
(CATEGORY E RATING)****Manual of procedure**

145.06.1 An applicant for the issuing of an aircraft maintenance organisation approval with a Category E rating shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-AMO.

Quality control system

145.06.2 (1) The applicant shall establish a quality control system for the control and supervision of the maintenance of aircraft and aircraft components, covered by the application.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-AMO.

Accommodation and facilities

145.06.3 The applicant shall satisfy the Commissioner that -

- (a) it has adequate accommodation and facilities for all maintenance to be performed by the aircraft maintenance organisation, ensuring in particular, protection from the weather;
- (b) specialised work areas are segregated as appropriate to ensure that environmental and work area contamination does not occur;
- (c) appropriate office accommodation is provided for the administration of the maintenance performed and, in particular, for the administration of the organisation's quality, planning and technical records;
- (d) the working environment is appropriate for each task carried out and, in particular, complies with any special requirements specified in the applicable airworthiness data;
- (e) storage facilities are provided for parts, equipment, tools and materials required by the organisation;

- (f) the storage facilities referred to in paragraph (e) provide security for serviceable parts and segregation of serviceable from unserviceable parts, and control deterioration of, and damage to, stored items; and
- (g) it has established procedures to ensure compliance with the requirements prescribed in paragraphs (d), (e) and (f).

Personnel requirements

145.06.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and

- (c) adequate personnel to plan, perform, supervise, inspect and certify all maintenance undertaken by such organisation.
- (2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising, inspecting or certifying the maintenance undertaken by the organisation.
- (3) The applicant shall ensure that -
 - (a) the personnel in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities; and
 - (b) there is full and efficient coordination between departments and within departments in respect of airworthiness matters.

Equipment, tools and material

145.06.5 The applicant shall satisfy the Commissioner that it has -

- (a) the equipment, tools and material necessary to perform adequately the approved scope of work as required by the applicable airworthiness data, its manual of procedure and the regulations in this Part; and
- (b) established a procedure to control and, where necessary, calibrate tools and other equipment at a frequency and to a standard to ensure serviceability, accuracy and traceability.

Application for approval or amendment thereof

145.06.6 An application for the issuing of an aircraft maintenance organisation approval with a Category E rating, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AMO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 145.06.1.

Issuing of approval

145.06.7 (1) The Commissioner shall issue an aircraft maintenance organisation approval with a Category E rating, if the applicant complies with the requirements prescribed in regulations 145.06.1 to 145.06.5 inclusive.

(2) The Commissioner shall issue the approval on the appropriate form as prescribed in Document SA-CATS-AMO.

Privileges

145.06.8 The privileges of an aircraft maintenance organisation approval with a Category E rating shall be limited to rotorcraft for which the approval is rated and shall be -

- (a) to release to service a rotorcraft;
- (b) to certify in the manner prescribed in the Regulations -
 - (i) work which the maintenance schedule relating to a rotorcraft authorises the holder of the approval to certify;
 - (ii) the assembly of a rotorcraft and any adjustment or minor modification of a rotorcraft;
 - (iii) the installation or replacement of completed subassemblies, equipment, instruments and minor components of a rotorcraft;
 - (iv) any adjustment or minor modification of a rotorcraft engine and the replacement of external components and of piston and cylinder assemblies;
 - (v) the overhaul and testing of spark plugs; and
 - (vi) any installation and maintenance, other than the overhaul, major modification or major repair, of rotors and the reassembly of rotors which may have been dismantled for transport purposes; and
- (c) to release to service a rotorcraft for a test flight.

Period of validity

145.06.9 (1) An aircraft maintenance organisation approval with a Category E rating shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Commissioner, in terms of regulation 145.01.5.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

145.06.10 (1) Subject to the provisions of subregulation (2), an aircraft maintenance organisation approval with a Category E rating, shall not be transferable.

(2) A change in ownership of the holder of an approval with a Category E rating, shall be deemed to be a change of significance referred to in regulation 145.06.12.

Renewal of approval

145.06.11 (1) An application for the renewal of an aircraft maintenance organisation approval with a Category E rating, shall be -

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

(b) be accompanied by -

(i) the appropriate fee as prescribed in Part 187; and

(ii) the manual of procedure referred to in regulation 145.06.1.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

Changes in quality control system

145.06.12 (1) If the holder of an aircraft maintenance organisation approval with a Category E rating desires to make any change in the quality control system referred to in regulation 145.06.2, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 145.06.6 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon

submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 145.06.1 to 145.06.5 inclusive, after the implementation of such approved change.

Duties of holder of approval

145.06.13 (1) The holder of an aircraft maintenance organisation approval with a Category E rating shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 145.06.1, at each workplace specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties; and
- (d) continue to comply with the appropriate requirements prescribed in this Part.

(2) The holder of an approval with a Category E rating shall ensure that -

- (a) all persons who will be directly in charge of any maintenance or inspection performed on behalf of the aircraft maintenance organisation;
- (b) all personnel who are authorised to issue on behalf of the aircraft maintenance organisation certificates of release to service and certificates relating to the maintenance of an aircraft,

are appropriately licensed and rated in terms of Part 66.

Record of certifying personnel

145.06.14 (1) The holder of an aircraft maintenance organisation with a Category E rating shall maintain a record of all certifying personnel, which record shall include particulars of the scope of their authorisation.

(2) The holder of an approval with a Category E rating shall provide its certifying personnel with evidence of the scope of their authorisation.

(3) The record referred to in subregulation (1) shall be retained by the holder of the approval for a period of five years from the date on which the certifying personnel member ceases to be authorised by such holder.

Maintenance records

145.06.15 (1) The holder of an aircraft maintenance organisation approval with a Category E rating shall keep adequate records of all maintenance performed by the aircraft maintenance organisation.

(2) The records referred to in subregulation (1) shall -

- (a) indicate the name of each person who performed the work;
- (b) indicate the name of each person who inspected the work; and
- (c) be retained for at least five years from the date on which the aircraft or aircraft component to which the work relates, was released to service.

(3) The holder of an approval with a Category E rating shall provide a copy of each certificate of release to service to the operator of the aircraft, together with a copy of any specific airworthiness data used for repairs or modifications carried out.

(4) The holder of an approval with a Category E rating shall establish a procedure for recording maintenance details and for the retention of such maintenance records.

Reports on defects or non-airworthy conditions

145.06.16 (1) The holder of an aircraft maintenance organisation approval with a Category E rating shall report to the Commissioner any defect or condition of an aircraft or aircraft component which may hazard the aircraft, within 48 hours from the moment the defect or condition to which the report relates, has been identified.

(2) The holder of an approval with a Category E rating shall establish a procedure for reporting such defects or conditions to the Commissioner.

(3) Where the holder of an approval with a Category E rating is contracted to perform maintenance, such holder shall inform the operator or owner of the aircraft of any such defect or condition.

Airworthiness data

145.06.17 (1) The holder of an aircraft maintenance organisation approval with a Category E rating shall -

- (a) keep all airworthiness data necessary to support the maintenance work performed by the aircraft maintenance organisation; and
- (b) make the airworthiness data available to all personnel who need access to such data to discharge their allocated responsibilities.

(2) The airworthiness data referred to in subregulation (1) shall include all relevant data issued by -

- (a) the Commissioner; and
- (b) the holder of a type certificate issued -
 - (i) in terms of Part 21; or
 - (ii) by an appropriate authority.

(3) The Commissioner may classify in Document SA-CATS-AMO, data issued by an appropriate authority or the holder of a type certificate as mandatory, in which case the holder of an approval with a Category E rating shall keep such data.

(4) The holder of an approval with a Category E rating shall establish a procedure to control and amend the data referred to in subregulations (1), (2) and (3).

(5) If the holder of an approval with a Category E rating intends to produce its own airworthiness data, additional to the data referred to in subregulation (1), such holder shall establish a procedure for producing and controlling such additional data.

SUBPART 7**APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION
(CATEGORY W RATING)****Manual of procedure**

145.07.1 An applicant for the issuing of an aircraft maintenance organisation approval with a Category W rating shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-AMO.

Quality control system

145.07.2 (1) The applicant shall establish a quality control system for the control and supervision of the maintenance of aircraft and aircraft components, covered by the application.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-AMO.

Accommodation and facilities

145.07.3 The applicant shall satisfy the Commissioner that -

- (a) it has adequate accommodation and facilities for all maintenance to be performed by the aircraft maintenance organisation, ensuring in particular, protection from the weather;
- (b) specialised work areas are segregated as appropriate to ensure that environmental and work area contamination does not occur;
- (c) appropriate office accommodation is provided for the administration of the maintenance performed and, in particular, for the administration of the organisation's quality, planning and technical records;
- (d) the working environment is appropriate for each task carried out and, in particular, complies with any special requirements specified in the applicable airworthiness data;
- (e) storage facilities are provided for parts, equipment, tools and materials required by the organisation;

- (f) the storage facilities referred to in paragraph (e) provide security for serviceable parts and segregation of serviceable from unserviceable parts, and control deterioration of, and damage to, stored items; and
- (g) it has established procedures to ensure compliance with the requirements prescribed in paragraphs (d), (e) and (f).

Personnel requirements

145.07.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and

- (c) adequate personnel to plan, perform, supervise, inspect and certify all maintenance undertaken by such organisation.
- (2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising, inspecting or certifying the maintenance undertaken by the organisation.
- (3) The applicant shall ensure that -
 - (a) the personnel in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities; and
 - (b) there is full and efficient coordination between departments and within departments in respect of airworthiness matters.

Equipment, tools and material

145.07.5 The applicant shall satisfy the Commissioner that it has -

- (a) the equipment, tools and material necessary to perform adequately the approved scope of work as required by the applicable airworthiness data, its manual of procedure and the regulations in this Part; and
- (b) established a procedure to control and, where necessary, calibrate tools and other equipment at a frequency and to a standard to ensure serviceability, accuracy and traceability.

Application for approval or amendment thereof

145.07.6 An application for the issuing of an aircraft maintenance organisation approval with a Category W rating, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AMO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 145.07.1.

Issuing of approval

145.07.7 (1) The Commissioner shall issue an aircraft maintenance organisation approval with a Category W rating, if the applicant complies with the requirements prescribed in regulations 145.07.1 to 145.07.5 inclusive.

(2) The Commissioner shall issue the approval on the appropriate form as prescribed in Document SA-CATS-AMO.

Privileges

145.07.8 The privileges of an aircraft maintenance organisation approval with a Category W rating shall be limited to equipment for which the approval is rated and shall be -

- (a) to release to service the equipment; and
 - (b) to certify in the manner prescribed in the Regulations -
 - (i) work which the maintenance schedule relating to the aircraft authorises the holder of the approval to certify;
 - (ii) any adjustment, maintenance or modification of such equipment; and
 - (iii) any installation of such equipment in aircraft and the replacement of components and parts of such equipment:
- Provided that no equipment shall be dismantled for the purpose of making internal replacements.

Period of validity

145.07.9 (1) An aircraft maintenance organisation approval with a Category W rating shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Commissioner, in terms of regulation 145.01.5.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

145.07.10 (1) Subject to the provisions of subregulation (2), an aircraft maintenance organisation approval with a Category W rating, shall not be transferable.

(2) A change in ownership of the holder of an approval with a Category W rating, shall be deemed to be a change of significance referred to in regulation 145.07.12.

Renewal of approval

145.07.11 (1) An application for the renewal of an aircraft maintenance organisation approval with a Category W rating, shall be -

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

(b) be accompanied by -

(i) the appropriate fee as prescribed in Part 187; and

(ii) the manual of procedure referred to in regulation 145.07.1

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

Changes in quality control system

145.07.12 (1) If the holder of an aircraft maintenance organisation approval with a Category W rating desires to make any change in the quality control system referred to in regulation 145.07.2, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 145.07.6 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 145.07.1 to 145.07.5 inclusive, after the implementation of such approved change.

Duties of holder of approval

145.07.13 (1) The holder of an aircraft maintenance organisation approval with a Category W rating shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 145.07.1, at each workplace specified in the manual of procedure;
 - (b) comply with all procedures detailed in the manual of procedure;
 - (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties; and
 - (d) continue to comply with the appropriate requirements prescribed in this Part.
- (2) The holder of an approval with a Category W rating shall ensure that -
- (a) all persons who will be directly in charge of any maintenance or inspection performed on behalf of the aircraft maintenance organisation;
 - (b) all personnel who are authorised to issue on behalf of the aircraft maintenance organisation certificates of release to service and certificates relating to the maintenance of an aircraft,
- are appropriately licensed and rated in terms of Part 66.

Record of certifying personnel

145.07.14 (1) The holder of an aircraft maintenance organisation with a Category W rating shall maintain a record of all certifying personnel, which record shall include particulars of the scope of their authorisation.

(2) The holder of an approval with a Category W rating shall provide its certifying personnel with evidence of the scope of their authorisation.

(3) The record referred to in subregulation (1) shall be retained by the holder of the approval for a period of five years from the date on which the certifying personnel member ceases to be authorised by such holder.

Maintenance records

145.07.15 (1) The holder of an aircraft maintenance organisation approval with a Category W rating shall keep adequate records of all maintenance performed by the aircraft maintenance organisation.

(2) The records referred to in subregulation (1) shall -

- (a) indicate the name of each person who performed the work;
- (b) indicate the name of each person who inspected the work; and
- (c) be retained for at least five years from the date on which the aircraft or aircraft component to which the work relates, was released to service.

(3) The holder of an approval with a Category W rating shall provide a copy of each certificate of release to service to the operator of the aircraft, together with a copy of any specific airworthiness data used for repairs or modifications carried out.

(4) The holder of an approval with a Category W rating shall establish a procedure for recording maintenance details and for the retention of such maintenance records.

Reports on defects or non-airworthy conditions

145.07.16 (1) The holder of an aircraft maintenance organisation approval with a Category W rating shall report to the Commissioner any defect or condition of an aircraft or aircraft component which may hazard the aircraft, within 48 hours from the moment the defect or condition to which the report relates, has been identified.

(2) The holder of an approval with a Category W rating shall establish a procedure for reporting such defects or conditions to the Commissioner.

(3) Where the holder of an approval with a Category W rating is contracted to perform maintenance, such holder shall inform the operator or owner of the aircraft of any such defect or condition.

Airworthiness data

145.07.17 (1) The holder of an aircraft maintenance organisation approval with a Category W rating shall -

- (a) keep all airworthiness data necessary to support the maintenance work performed by the aircraft maintenance organisation; and
- (b) make the airworthiness data available to all personnel who need access to such data to discharge their allocated responsibilities.

(2) The airworthiness data referred to in subregulation (1) shall include all relevant data issued by -

- (a) the Commissioner; and
- (b) the holder of a type certificate issued -
 - (i) in terms of Part 21; or
 - (ii) by an appropriate authority.

(3) The Commissioner may classify in Document SA-CATS-AMO, data issued by an appropriate authority or the holder of a type certificate as mandatory, in which case the holder of an approval with a Category W rating shall keep such data.

(4) The holder of an approval with a Category W rating shall establish a procedure to control and amend the data referred to in subregulations (1), (2) and (3).

(5) If the holder of an approval with a Category W rating intends to produce its own airworthiness data, additional to the data referred to in subregulation (1), such holder shall establish a procedure for producing and controlling such additional data.

SUBPART 8**APPROVAL OF AIRCRAFT MAINTENANCE ORGANISATION
(CATEGORY X RATING)****Manual of procedure**

145.08.1 An applicant for the issuing of an aircraft maintenance organisation approval with a Category X rating shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-AMO.

Quality control system

145.08.2 (1) The applicant shall establish a quality control system for the control and supervision of the maintenance of aircraft and aircraft components, covered by the application.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-AMO.

Accommodation and facilities

145.08.3 The applicant shall satisfy the Commissioner that -

- (a) it has adequate accommodation and facilities for all maintenance to be performed by the aircraft maintenance organisation, ensuring in particular, protection from the weather;
- (b) specialised work areas are segregated as appropriate to ensure that environmental and work area contamination does not occur;
- (c) appropriate office accommodation is provided for the administration of the maintenance performed and, in particular, for the administration of the organisation's quality, planning and technical records;
- (d) the working environment is appropriate for each task carried out and, in particular, complies with any special requirements specified in the applicable airworthiness data;
- (e) storage facilities are provided for parts, equipment, tools and materials required by the organisation;

- (f) the storage facilities referred to in paragraph (e) provide security for serviceable parts and segregation of serviceable from unserviceable parts, and control deterioration of, and damage to, stored items; and
- (g) it has established procedures to ensure compliance with the requirements prescribed in paragraphs (d), (e) and (f).

Personnel requirements

145.08.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and

- (c) adequate personnel to plan, perform, supervise, inspect and certify all maintenance undertaken by such organisation.
- (2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising, inspecting or certifying the maintenance undertaken by the organisation.
- (3) The applicant shall ensure that -
 - (a) the personnel in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities; and
 - (b) there is full and efficient coordination between departments and within departments in respect of airworthiness matters.

Equipment, tools and material

145.08.5 The applicant shall satisfy the Commissioner that it has -

- (a) the equipment, tools and material necessary to perform adequately the approved scope of work as required by the applicable airworthiness data, its manual of procedure and the regulations in this Part; and
- (b) established a procedure to control and, where necessary, calibrate tools and other equipment at a frequency and to a standard to ensure serviceability, accuracy and traceability.

Application for approval or amendment thereof

145.08.6 An application for the issuing of an aircraft maintenance organisation approval with a Category X rating, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AMO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 145.08.1.

Issuing of approval

145.08.7 (1) The Commissioner shall issue an aircraft maintenance organisation approval with a Category X rating, if the applicant complies with the requirements prescribed in regulations 145.08.1 to 145.08.5 inclusive.

(2) The Commissioner shall issue the approval on the appropriate form as prescribed in Document SA-CATS-AMO.

Privileges

145.08.8 The privileges of an aircraft maintenance organisation approval with a Category X rating shall be limited to aircraft equipment, instruments, components, auxiliaries or parts for which the approval is rated and shall be -

- (a) to release to service the aircraft equipment, instruments, components, auxiliaries or parts; and
- (b) to certify in the manner prescribed in the Regulations -
 - (i) their overhaul, repair, testing and modification; and
 - (ii) the manufacturing of components and parts for the equipment, instruments, components, auxiliaries or parts in accordance with the appropriate approved specifications as prescribed in Document SA-CATS-AMO, if the manufacturing of the components and parts are necessary for the holder of the approval to complete a repair, overhaul, test or modification which it will certify.

Period of validity

145.08.9 (1) An aircraft maintenance organisation approval with a Category X rating shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Commissioner, in terms of regulation 145.01.5.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

145.08.10 (1) Subject to the provisions of subregulation (2), an aircraft maintenance organisation approval with a Category X rating, shall not be transferable.

(2) A change in ownership of the holder of an approval with a Category X rating, shall be deemed to be a change of significance referred to in regulation 145.08.12.

Renewal of approval

145.08.11 (1) An application for the renewal of an aircraft maintenance organisation approval with a Category X rating, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-AMO; and
- (b) be accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 145.08.1.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

Changes in quality control system

145.08.12 (1) If the holder of an aircraft maintenance organisation approval with a Category X rating desires to make any change in the quality control system referred to in regulation 145.08.2, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 145.08.6 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 145.08.1 to 145.08.5 inclusive, after the implementation of such approved change.

Duties of holder of approval

145.08.13 (1) The holder of an aircraft maintenance organisation approval with a Category X rating shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 145.08.1, at each workplace specified in the manual of procedure;
 - (b) comply with all procedures detailed in the manual of procedure;
 - (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties; and
 - (d) continue to comply with the appropriate requirements prescribed in this Part.
- (2) The holder of an approval with a Category X rating shall ensure that -
- (a) all persons who will be directly in charge of any maintenance or inspection performed on behalf of the aircraft maintenance organisation;
 - (b) all personnel who are authorised to issue on behalf of the aircraft maintenance organisation certificates of release to service and certificates relating to the maintenance of an aircraft,

are appropriately licensed and rated in terms of Part 66.

Record of certifying personnel

145.08.14 (1) The holder of an aircraft maintenance organisation with a Category X rating shall maintain a record of all certifying personnel, which record shall include particulars of the scope of their authorisation.

(2) The holder of an approval with a Category X rating shall provide its certifying personnel with evidence of the scope of their authorisation.

(3) The record referred to in subregulation (1) shall be retained by the holder of the approval for a period of five years from the date on which the certifying personnel member ceases to be authorised by such holder.

Maintenance records

145.08.15 (1) The holder of an aircraft maintenance organisation approval with a Category X rating shall keep adequate records of all maintenance performed by the aircraft maintenance organisation.

(2) The records referred to in subregulation (1) shall -

- (a) indicate the name of each person who performed the work;
- (b) indicate the name of each person who inspected the work; and
- (c) be retained for at least five years from the date on which the aircraft or aircraft component to which the work relates, was released to service.

(3) The holder of an approval with a Category X rating shall provide a copy of each certificate of release to service to the operator of the aircraft, together with a copy of any specific airworthiness data used for repairs or modifications carried out.

(4) The holder of an approval with a Category X rating shall establish a procedure for recording maintenance details and for the retention of such maintenance records.

Reports on defects or non-airworthy conditions

145.08.16 (1) The holder of an aircraft maintenance organisation approval with a Category X rating shall report to the Commissioner any defect or condition of an aircraft or aircraft component which may hazard the aircraft, within 48 hours from the moment the defect or condition to which the report relates, has been identified.

(2) The holder of an approval with a Category X rating shall establish a procedure for reporting such defects or conditions to the Commissioner.

(3) Where the holder of an approval with a Category X rating is contracted to perform maintenance, such holder shall inform the operator or owner of the aircraft of any such defect or condition.

Airworthiness data

145.08.17 (1) The holder of an aircraft maintenance organisation approval with a Category X rating shall -

- (a) keep all airworthiness data necessary to support the maintenance work performed by the aircraft maintenance organisation; and
- (b) make the airworthiness data available to all personnel who need access to such data to discharge their allocated responsibilities.

(2) The airworthiness data referred to in subregulation (1) shall include all relevant data issued by -

- (a) the Commissioner; and
- (b) the holder of a type certificate issued -
 - (i) in terms of Part 21; or
 - (ii) by an appropriate authority.

(3) The Commissioner may classify in Document SA-CATS-AMO, data issued by an appropriate authority or the holder of a type certificate as mandatory, in which case the holder of an approval with a Category X rating shall keep such data.

(4) The holder of an approval with a Category X rating shall establish a procedure to control and amend the data referred to in subregulations (1), (2) and (3).

(5) If the holder of an approval with a Category X rating intends to produce its own airworthiness data, additional to the data referred to in subregulation (1), such holder shall establish a procedure for producing and controlling such additional data.

PART 147

ORGANISATIONS : DESIGN ORGANISATIONS FOR PRODUCTS, PARTS AND APPLIANCES

LIST OF REGULATIONS**SUBPART 1 : GENERAL**

- 147.01.1 Applicability
- 147.01.2 Display of design organisation approval
- 147.01.3 Advertisements
- 147.01.4 Safety inspections and audits
- 147.01.5 Suspension and cancellation of design organisation approval and appeal
- 147.01.6 Register of approvals

SUBPART 2 : APPROVAL OF DESIGN ORGANISATION (PRODUCTS)

- 147.02.1 Requirement for approval
- 147.02.2 Manual of procedure
- 147.02.3 Design control system
- 147.02.4 Personnel requirements
- 147.02.5 Accommodation, facilities and equipment
- 147.02.6 Application for approval or amendment thereof
- 147.02.7 Issuing of approval
- 147.02.8 Terms of approval
- 147.02.9 Privileges
- 147.02.10 Period of validity
- 147.02.11 Transferability
- 147.02.12 Changes in design control system
- 147.02.13 Changes in terms of approval
- 147.02.14 Duties of holder of approval
- 147.02.15 Renewal of approval

SUBPART 3 : APPROVAL OF DESIGN ORGANISATION (PARTS AND APPLIANCES)

- 147.03.1 Requirement for approval
- 147.03.2 Manual of procedure
- 147.03.3 Design control system
- 147.03.4 Personnel requirements
- 147.03.5 Accommodation, facilities and equipment
- 147.03.6 Application for approval or amendment thereof
- 147.03.7 Issuing of approval
- 147.03.8 Terms of approval
- 147.03.9 Period of validity
- 147.03.10 Transferability
- 147.03.11 Changes in design control system
- 147.03.12 Changes in terms of approval
- 147.03.13 Duties of holder of approval
- 147.03.14 Renewal of approval

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

147.01.1 This Part shall apply to the approval and operation of design organisations which design -

- (a) products or changes thereto; and
- (b) parts and appliances or changes thereto.

Display of design organisation approval

147.01.2 The holder of a design organisation approval shall display the approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the approval is displayed, shall produce the original approval to an authorised officer, inspector or authorised person if so requested by such officer, inspector or person.

Advertisements

147.01.3 Any advertisement by an organisation indicating that it is a design organisation, shall reflect the number of the design organisation approval issued by the Commissioner.

Safety inspections and audits

147.01.4 (1) An applicant for the issuing of a design organisation approval shall permit an authorised officer, inspector or authorised person 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 regulation 147.02.6 or regulation 147.03.6, as the case may be.

(2) The holder of a design organisation approval shall permit an authorised officer, inspector or authorised person 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 and cancellation of design organisation approval and appeal

147.01.5 (1) An authorised officer, inspector or authorised person may suspend for a period not exceeding 30 days, a design organisation approval issued under this Part, if -

- (a) after a safety inspection and audit carried out in terms of regulation 147.01.4, it is evident that the holder of the approval 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 authorised officer, inspector or authorised person to do so; or
- (b) the authorised officer, inspector or authorised person is prevented by the holder of the approval, or any of its partners or subcontractors, to carry out a safety inspection and audit in terms of regulation 147.01.4; or
- (c) the suspension is necessary in the interests of aviation safety.

(2) The authorised officer, inspector or authorised person who has suspended an approval 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 approval should be cancelled.

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

(4) The holder of an approval who feels aggrieved by the suspension of the approval 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 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 authorised officer, inspector or authorised person concerned and shall furnish proof of such submission for the information of the Commissioner.

(7) The authorised officer, inspector or authorised person 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 authorised officer, inspector or authorised person 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 an approval is suspended in terms of subregulation (1) and the holder thereof does not appeal against such suspension in terms of subregulation (4),

cancel the approval concerned.

Register of approvals

147.01.6 (1) The Commissioner shall maintain a register of all design organisation approvals 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 approval;
- (b) the postal address of the holder of the approval;
- (c) the date on which the approval was issued or renewed;
- (d) particulars of the terms of approval issued to the holder of the approval; and
- (e) the nationality of the holder of the approval.

(3) The particulars referred to in subregulation (2) shall be recorded in the register within seven days from the date on which the approval 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**APPROVAL OF DESIGN ORGANISATION (PRODUCTS)****Requirement for approval**

147.02.1 No organisation shall design any product or a change thereto, except under the authority of, and in accordance with the provisions of, a design organisation approval issued under this Subpart.

Manual of procedure

147.02.2 An applicant for the issuing of a design organisation approval to design products or changes thereto, shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-DO.

Design control system

147.02.3 (1) The applicant shall establish a design control system for the control and supervision of the design of products or changes thereto, covered by the application.

(2) The minimum standards for a design control system shall be as prescribed in Document SA-CATS-DO.

Personnel requirements

147.02.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other

persons rendering service under contract with, the organisation;

- (ii) full rights of consultation with any such person in respect of such compliance by him or her;
- (iii) powers to order cessation of any activity where such compliance is not effected;
- (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
- (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);

- (b) a competent person who is responsible for design control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and
- (c) adequate personnel to plan, perform, supervise and inspect the design of products or changes thereto, undertaken by the design organisation.

(2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising or inspecting the design of products or changes thereto, undertaken by the design organisation.

(3) The applicant shall ensure that -

- (a) the personnel in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities; and
- (b) there is full and efficient coordination between departments and within departments in respect of airworthiness matters.

Accommodation, facilities and equipment

147.02.5 The applicant shall ensure that the accommodation, facilities and equipment are adequate to enable the personnel to achieve the airworthiness objectives for the product.

Application for approval or amendment thereof

147.02.6 An application for the issuing of a design organisation approval to design products or changes thereto, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-DO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187;
 - (ii) the manual of procedure referred to in regulation 147.02.2; and
 - (iii) the terms of approval referred to in regulation 147.02.8, for which application is being made.

Issuing of approval

147.02.7 (1) Subject to the provisions of subregulation (2), the Commissioner shall issue a design organisation approval to design products or changes thereto, if the applicant complies with the requirements prescribed in regulations 147.02.2 to 147.02.5 inclusive.

(2) The Commissioner shall refuse to issue the approval if the application concerned is not being made in association with an application for the issuing of a type certificate, a supplemental type certificate or a ZA-TSO authorisation in terms of Part 21.

(3) The Commissioner shall issue the approval on the appropriate form as prescribed in Document SA-CATS-DO.

Terms of approval

147.02.8 The terms of approval shall -

- (a) be issued as part of a design organisation approval;
- (b) list the types of design work and the products or changes thereto, for which the approval is held; and
- (c) contain the functions and duties which the design organisation is approved to perform with regard to the airworthiness of products.

Privileges

147.02.9 (1) Subject to the provisions of regulation 147.01.4, any document submitted to the Commissioner in terms of Part 21, by the holder of a design organisation approval to design products or changes thereto, for the purpose of obtaining -

- (a) a type certificate or the approval of a major change in a type design;
- (b) a supplemental type certificate; or
- (c) a ZA-TSO authorisation,

may be accepted by the Commissioner without further verification.

(2) The holder of an approval to design products or changes thereto, shall be entitled to, within its terms of approval -

- (a) classify design changes as "major" or "minor" under a procedure approved by the Commissioner;
- (b) obtain approval of minor design changes under modification procedures approved by the Commissioner and issue corresponding information or instructions containing a statement that the technical content is approved;
- (c) when a major change in a type design has been approved by the Commissioner, issue corresponding information or instructions containing a statement that the technical content is approved;
- (d) obtain approval of documentary changes to the MMEL and to the aircraft flight manual under a procedure approved by the Commissioner, and issue such changes containing a statement that the changes are approved; and
- (e) issue information or instructions not associated with changes except for actions required under Part 21.

Period of validity

147.02.10 (1) A design organisation approval to design products or changes thereto, shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector of authorised person, or cancelled by the Commissioner, in terms of regulation 147.01.5.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

147.02.11 (1) Subject to the provisions of subregulation (2), a design organisation approval to design products or changes thereto, shall not be transferable.

(2) A change in ownership of the holder of an approval to design products or changes thereto, shall be deemed to be a change of significance referred to in regulation 147.02.12.

Changes in design control system

147.02.12 (1) If the holder of a design organisation approval to design products or changes thereto, desires to make any change in the design control system referred to in regulation 147.02.3, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, or to the airworthiness of the product, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 147.02.6 shall apply *mutatis mutandis* to an application for the approval of a change in the design control system.

(3) An application for the approval of a change in the design control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 147.02.2 to 147.02.5 inclusive, after the implementation of such approved change.

Changes in terms of approval

147.02.13 (1) If the holder of a design organisation approval to design products or changes thereto, desires to make any change in the terms of approval referred to in regulation 147.02.8, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 147.02.6 shall apply *mutatis mutandis* to an application for the approval of a change in the terms of approval.

(3) An application for the approval of a change in the terms of approval shall be granted by the Commissioner if the applicant satisfies the Commissioner that it complies with the appropriate requirements prescribed in this Subpart.

Duties of holder of approval

147.02.14 The holder of a design organisation approval to design products or changes thereto, shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 147.02.2, at each work location specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties;
- (d) continue to meet the appropriate requirements prescribed in this Part;
- (e) determine that the design of products or changes thereto, as the case may be, comply with the appropriate requirements prescribed in Part 21 and have no unsafe feature; and
- (f) submit to the Commissioner statements and supporting documents which confirm compliance with the provisions of paragraph (e).

Renewal of approval

147.02.15 (1) An application for the renewal of a design organisation approval to design products or changes thereto, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-DO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 147.02.2.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

SUBPART 3**APPROVAL OF DESIGN ORGANISATION (PARTS AND APPLIANCES)****Requirement for approval**

147.03.1 No organisation shall design any part or appliance, or a change thereto, except under the authority of, and in accordance with the provisions of, a design organisation approval issued under this Subpart.

Manual of procedure

147.03.2 An applicant for the issuing of a design organisation approval to design parts or appliances, or changes thereto, shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-DO.

Design control system

147.03.3 (1) The applicant shall establish a design control system for the control and supervision of the design of parts and appliances, or changes thereto, covered by the application.

(2) The minimum standards for a design control system shall be as prescribed in Document SA-CATS-DO.

Personnel requirements

147.03.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:

- (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for design control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and
 - (c) adequate personnel to plan, perform, supervise and inspect the design of parts and appliances, or changes thereto, undertaken by the design organisation.

(2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising or inspecting the design of parts and appliances, or changes thereto, undertaken by the design organisation.

(3) The applicant shall ensure that -

- (a) the personnel in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities; and
- (b) there is full and efficient coordination between departments and within departments in respect of airworthiness matters.

Accommodation, facilities and equipment

147.03.5 The applicant shall ensure that the accommodation, facilities and equipment are adequate to enable the personnel to achieve the airworthiness objectives for the part or appliance.

Application for approval or amendment thereof

147.03.6 An application for the issuing of a design organisation approval to design parts and appliances, or changes thereto, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-DO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187;
 - (ii) the manual of procedure referred to in regulation 147.03.2; and
 - (iii) the terms of approval referred to in regulation 147.03.8, for which application is being made.

Issuing of approval

147.03.7 (1) Subject to the provisions of subregulation (2), the Commissioner shall issue a design organisation approval to design parts and appliances, or changes thereto, if the applicant complies with the requirements prescribed in regulations 147.03.2 to 147.03.5 inclusive.

(2) The Commissioner shall refuse to issue the approval if such approval is not appropriate for the purpose of assisting applicants for or holders of type certificates or supplemental type certificates in showing compliance with the appropriate airworthiness requirements prescribed in Part 21.

(3) The Commissioner shall issue the approval on the appropriate form as prescribed in Document SA-CATS-DO.

Terms of approval

147.03.8 The terms of approval shall -

- (a) be issued as part of a design organisation approval;
- (b) list the types of design work and the parts and appliances or changes thereto, for which the approval is held; and

- (c) contain the functions and duties which the design organisation is approved to perform with regard to the airworthiness of parts and appliances.

Period of validity

147.03.9 (1) A design organisation approval to design parts and appliances, or changes thereto, shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector of authorised person, or cancelled by the Commissioner, in terms of regulation 147.01.5.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

147.03.10 (1) Subject to the provisions of subregulation (2), a design organisation approval to design parts and appliances, or changes thereto, shall not be transferable.

(2) A change in ownership of the holder of an approval to design parts and appliances, or changes thereto, shall be deemed to be a change of significance referred to in regulation 147.03.11.

Changes in design control system

147.03.11 (1) If the holder of a design organisation approval to design parts and appliances, or changes thereto, desires to make any change in the design control system referred to in regulation 147.03.3, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, or to the airworthiness of the part or appliance, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 147.03.6 shall apply *mutatis mutandis* to an application for the approval of a change in the design control system.

(3) An application for the approval of a change in the design control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 147.03.2 to 147.03.5 inclusive, after the implementation of such approved change.

Changes in terms of approval

147.03.12 (1) If the holder of a design organisation approval to design parts and appliances, or changes thereto, desires to make any change in the terms of approval referred to in regulation 147.03.8, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 147.03.6 shall apply *mutatis mutandis* to an application for the approval of a change in the terms of approval.

(3) An application for the approval of a change in the terms of approval shall be granted by the Commissioner if the applicant satisfies the Commissioner that it complies with the appropriate requirements prescribed in this Subpart.

Duties of holder of approval

147.03.13 The holder of a design organisation approval to design parts and appliances, or changes thereto, shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 147.03.2, at each work location specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties; and
- (d) continue to meet the appropriate requirements prescribed in this Part.

Renewal of approval

147.03.14 (1) An application for the renewal of a design organisation approval to design parts and appliances, or changes thereto, shall be -

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

(b) be accompanied by -

- (i) the appropriate fee as prescribed in Part 187; and
- (ii) the manual of procedure referred to in regulation 147.03.2.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

PART 148

ORGANISATIONS : MANUFACTURING ORGANISATIONS

LIST OF REGULATIONS

SUBPART 1 : GENERAL

- 148.01.1 Applicability
- 148.01.2 Display of manufacturing organisation approval
- 148.01.3 Advertisements
- 148.01.4 Safety inspections and audits
- 148.01.5 Suspension and cancellation of manufacturing organisation approval and appeal
- 148.01.6 Ratings
- 148.01.7 Register of approvals

SUBPART 2 : APPROVAL OF MANUFACTURING ORGANISATION (M RATING)

- 148.02.1 Requirement for approval
- 148.02.2 Manual of procedure
- 148.02.3 Quality control system
- 148.02.4 Personnel requirements
- 148.02.5 Accommodation, facilities and equipment
- 148.02.6 Application for approval or amendment thereof
- 148.02.7 Issuing of approval
- 148.02.8 Privileges
- 148.02.9 Period of validity
- 148.02.10 Transferability
- 148.02.11 Changes in quality control system
- 148.02.12 Duties of holder of approval
- 148.02.13 Documentation
- 148.02.14 Production acceptance test procedure
- 148.02.15 Renewal of approval

SUBPART 3 : APPROVAL OF MANUFACTURING ORGANISATION (P RATING)

- 148.03.1 Requirement for approval
- 148.03.2 Manual of procedure
- 148.03.3 Quality control system

- 148.03.4 Personnel requirements
- 148.03.5 Accommodation, facilities and equipment
- 148.03.6 Application for approval or amendment thereof
- 148.03.7 Issuing of approval
- 148.03.8 Privileges
- 148.03.9 Period of validity
- 148.03.10 Transferability
- 148.03.11 Changes in quality control system
- 148.03.12 Duties of holder of approval
- 148.03.13 Documentation
- 148.03.14 Production acceptance test procedure
- 148.03.15 Renewal of approval

SUBPART 4 : APPROVAL OF MANUFACTURING ORGANISATION (T RATING)

- 148.04.1 Requirement for approval
- 148.04.2 Manual of procedure
- 148.04.3 Quality control system
- 148.04.4 Personnel requirements
- 148.04.5 Accommodation, facilities and equipment
- 148.04.6 Application for approval or amendment thereof
- 148.04.7 Issuing of approval
- 148.04.8 Privileges
- 148.04.9 Period of validity
- 148.04.10 Transferability
- 148.04.11 Changes in quality control system
- 148.04.12 Duties of holder of approval
- 148.04.13 Documentation
- 148.04.14 Production acceptance test procedure
- 148.04.15 Renewal of approval

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

148.01.1 This Part shall apply to the approval and operation of manufacturing organisations which -

- (a) manufacture specified products, parts or appliances;
- (b) apply specified processes to products, parts or appliances; and
- (c) carry out specified tests on products, parts or appliances.

Display of manufacturing organisation approval

148.01.2 The holder of a manufacturing organisation approval shall display the approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the approval is displayed, shall produce the original approval to an authorised officer, inspector or authorised person if so requested by such officer, inspector or person.

Advertisements

148.01.3 Any advertisement by an organisation indicating that it is a manufacturing organisation, shall reflect the number of the manufacturing organisation approval issued by the Commissioner.

Safety inspections and audits

148.01.4 (1) An applicant for the issuing of a manufacturing organisation approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to verify the validity of any application made in terms of regulation 148.02.6, regulation 148.03.6 or regulation 148.04.6, as the case may be.

(2) The holder of a manufacturing organisation approval shall permit an authorised officer, inspector or authorised person 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 and cancellation of manufacturing organisation approval and appeal

148.01.5 (1) An authorised officer, inspector or authorised person may suspend for a period not exceeding 30 days, a manufacturing organisation approval issued under this Part, if -

- (a) after a safety inspection and audit carried out in terms of regulation 148.01.4, it is evident that the holder of the approval 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 authorised officer, inspector or authorised person to do so; or
- (b) the authorised officer, inspector or authorised person is prevented by the holder of the approval, or any of its partners or subcontractors, to carry out a safety inspection and audit in terms of regulation 148.01.4; or
- (c) the suspension is necessary in the interests of aviation safety.

(2) The authorised officer, inspector or authorised person who has suspended an approval 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 approval should be cancelled.

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

(4) The holder of an approval who feels aggrieved by the suspension of the approval 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 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 authorised officer, inspector or authorised person concerned and shall furnish proof of such submission for the information of the Commissioner.

(7) The authorised officer, inspector or authorised person 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 authorised officer, inspector or authorised person 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 an approval is suspended in terms of subregulation (1) and the holder thereof does not appeal against such suspension in terms of subregulation (4),

cancel the approval concerned.

Ratings

148.01.6 The ratings for a manufacturing organisation approval are -

- (a) a M rating, to manufacture specified products, parts or appliances;
- (b) a P rating, to apply specified processes to products, parts or appliances; and
- (c) a T rating, to carry out specified tests on products, parts or appliances.

Register of approvals

148.01.7 (1) The Commissioner shall maintain a register of all manufacturing organisation approvals 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 approval;
- (b) the postal address of the holder of the approval;
- (c) the date on which the approval was issued or renewed;
- (d) particulars of the rating issued to the holder of the approval; and
- (e) the nationality of the holder of the approval.

(3) The particulars referred to in subregulation (2) shall be recorded in the register within seven days from the date on which the approval 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**APPROVAL OF MANUFACTURING ORGANISATION (M RATING)****Requirement for approval**

148.02.1 No organisation other than the holder of an aircraft maintenance organisation approval with the appropriate rating issued in terms of Part 145, shall manufacture any product, part or appliance except under the authority of, and in accordance with the provisions of, a manufacturing organisation approval with a M rating issued under this Subpart.

Manual of procedure

148.02.2 An applicant for the issuing of a manufacturing organisation approval with a M rating shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-MORG.

Quality control system

148.02.3 (1) The applicant shall establish a quality control system for the control and supervision of the manufacturing of products, parts or appliances, covered by the application.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-MORG.

Personnel requirements

148.02.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:

- (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and
 - (c) adequate personnel to plan, perform, supervise and inspect the manufacturing of products, parts or appliances, undertaken by the manufacturing organisation.

(2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising or inspecting the manufacturing of products, parts or appliances, undertaken by the manufacturing organisation.

(3) The applicant shall ensure that -

- (a) the personnel in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities; and
- (b) there is full and efficient coordination between departments and within departments in respect of airworthiness matters.

Accommodation, facilities and equipment

148.02.5 The applicant shall satisfy the Commissioner that it has -

- (a) adequate accommodation, facilities and equipment to enable the personnel to manufacture the products, parts or appliances for which the rating is required;
- (b) the technical literature, equipment, materials and facilities necessary to perform adequately all functions appropriate to the rating required;
- (c) suitable accommodation for the proper storage, segregation and protection of the products, parts or appliances concerned and for the materials and supplies to be used;
- (d) established a procedure to control and, where necessary, calibrate tools and other equipment at a frequency and to a standard to ensure serviceability, accuracy and traceability; and
- (e) adequate accommodation, facilities and equipment to enable the personnel to perform all phases of manufacturing satisfactorily.

Application for approval or amendment thereof

148.02.6 An application for the issuing of a manufacturing organisation approval with a M rating, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-MORG; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 148.02.2.

Issuing of approval

148.02.7 (1) The Commissioner shall issue a manufacturing organisation approval with a M rating if the applicant complies with the requirements prescribed in regulations 148.02.2 to 148.02.5 inclusive.

(2) The Commissioner shall issue the approval with the rating on the appropriate form as prescribed in Document SA-CATS-MORG.

Privileges

148.02.8 The holder of a manufacturing organisation approval with a M rating shall be entitled to -

- (a) manufacture the products, parts or appliances for which it is rated; and
- (b) provide the Commissioner with such statements of conformity which may be required under Part 21.

Period of validity

148.02.9 (1) A manufacturing organisation approval with a M rating shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector of authorised person, or cancelled by the Commissioner, in terms of regulation 148.01.5.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

148.02.10 (1) Subject to the provisions of subregulation (2), a manufacturing organisation approval with a M rating shall not be transferable.

(2) A change in ownership of the holder of an approval with a M rating shall be deemed to be a change of significance referred to in regulation 148.02.11.

Changes in quality control system

148.02.11 (1) If the holder of a manufacturing organisation approval with a M rating desires to make any change in the quality control system referred to in regulation 148.02.3, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 148.02.6 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon

submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 148.02.2 to 148.02.5 inclusive, after the implementation of such approved change.

Duties of holder of approval

148.02.12 The holder of a manufacturing organisation approval with a M rating shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 148.02.2, at each work location specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties;
- (d) continue to comply with the appropriate requirements prescribed in this Part;
- (e) have a suitable arrangement with the holder of a design organisation approval issued in terms of Part 147, for the purpose of complying with the appropriate requirements prescribed in terms of Part 21; and
- (f) keep records of the calibrations and the standards referred to in regulation 148.02.5(d) for a period of at least five years calculated from the date of the last entry made in such records.

Documentation

148.02.13 (1) The holder of a manufacturing organisation approval with a M rating shall supply the owner of an aircraft with -

- (a) a certificate of airworthiness for the aircraft, or an export airworthiness approval, as the case may be;
- (b) a copy of the flight manual, approved by the Commissioner; and
- (c) such other documents as such holder or the Commissioner deems necessary for the safe operation of the aircraft.

(2) Subsequent to the issuing of any statement of conformity which may be required under Part 21, the holder of the approval shall institute a system whereby maintenance and operational shortcomings and corrective measures are drawn to the attention of the Commissioner and, after the Commissioner has granted approval, made available to aircraft owners.

Production acceptance test procedure

148.02.14 (1) The holder of a manufacturing organisation approval with a M rating shall establish a production acceptance test procedure and every product, part or appliance manufactured shall be subjected to a test flight in accordance with that procedure.

(2) The procedure referred to in subregulation (1) shall be approved by the Commissioner before it is implemented by the holder of the approval.

Renewal of approval

148.02.15 (1) An application for the renewal of a manufacturing organisation approval with a M rating, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-MORG; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 148.02.2.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

SUBPART 3**APPROVAL OF MANUFACTURING ORGANISATION (P RATING)****Requirement for approval**

148.03.1 No organisation other than the holder of an aircraft maintenance organisation approval with the appropriate rating issued in terms of Part 145, shall apply any specified process to any product, part or appliance except under the authority of, and in accordance with the provisions of, a manufacturing organisation approval with a P rating issued under this Subpart.

Manual of procedure

148.03.2 An applicant for the issuing of a manufacturing organisation approval with a P rating shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-MORG.

Quality control system

148.03.3 (1) The applicant shall establish a quality control system for the control and supervision of the processing of products, parts or appliances, covered by the application.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-MORG.

Personnel requirements

148.03.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:

- (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and
 - (c) adequate personnel to plan, perform, supervise and inspect the processing of products, parts or appliances, undertaken by the manufacturing organisation.

(2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising or inspecting the processing of products, parts or appliances, undertaken by the manufacturing organisation.

(3) The applicant shall ensure that -

- (a) the personnel in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities; and
- (b) there is full and efficient coordination between departments and within departments in respect of airworthiness matters.

Accommodation, facilities and equipment

148.03.5 The applicant shall satisfy the Commissioner that it has -

- (a) adequate accommodation, facilities and equipment to enable the personnel to process the products, parts or appliances for which the rating is required;
- (b) the technical literature, equipment, materials and facilities necessary to perform adequately all functions appropriate to the rating required;
- (c) suitable accommodation for the proper storage, segregation and protection of the products, parts or appliances concerned and for the materials and supplies to be used;
- (d) established a procedure to control and, where necessary, calibrate tools and other equipment at a frequency and to a standard to ensure serviceability, accuracy and traceability; and
- (e) adequate accommodation, facilities and equipment to enable the personnel to perform all phases of processing satisfactorily.

Application for approval or amendment thereof

148.03.6 An application for the issuing of a manufacturing organisation approval with a P rating, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-MORG; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 148.03.2.

issuing of approval

148.03.7 (1) The Commissioner shall issue a manufacturing organisation approval with a P rating if the applicant complies with the requirements prescribed in regulations 148.03.2 to 148.03.5 inclusive.

(2) The Commissioner shall issue the approval with the rating on the appropriate form as prescribed in Document SA-CATS-MORG.

Privileges

148.03.8 The holder of a manufacturing organisation approval with a P rating shall be entitled to -

- (a) apply to the products, parts or appliances, the processes for which it is rated; and
- (b) issue the necessary process release certificates or reports.

Period of validity

148.03.9 (1) A manufacturing organisation approval with a P rating shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector of authorised person, or cancelled by the Commissioner, in terms of regulation 148.01.5.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

148.03.10 (1) Subject to the provisions of subregulation (2), a manufacturing organisation approval with a P rating shall not be transferable.

(2) A change in ownership of the holder of an approval with a P rating shall be deemed to be a change of significance referred to in regulation 148.03.11.

Changes in quality control system

148.03.11 (1) If the holder of a manufacturing organisation approval with a P rating desires to make any change in the quality control system referred to in regulation 148.03.3, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 148.03.6 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to its manual of procedure, that it will continue

to comply with the provisions of regulations 148.03.2 to 148.03.5 inclusive, after the implementation of such approved change.

Duties of holder of approval

148.03.12 The holder of a manufacturing organisation approval with a P rating shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 148.03.2, at each work location specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties;
- (d) continue to comply with the appropriate requirements prescribed in this Part;
- (e) have a suitable arrangement with the holder of a design organisation approval issued in terms of Part 147, for the purpose of complying with the appropriate requirements prescribed in terms of Part 21; and
- (f) keep records of the calibrations and the standards referred to in regulation 148.03.5(d) for a period of at least five years calculated from the date of the last entry made in such records.

Documentation

148.03.13 (1) The holder of a manufacturing organisation approval with a P rating shall supply the owner of an aircraft with -

- (a) a certificate of airworthiness for the aircraft, or an export airworthiness approval, as the case may be;
- (b) a copy of the flight manual, approved by the Commissioner;
- (c) such other documents as such holder or the Commissioner deems necessary for the safe operation of the aircraft.

(2) Subsequent to the issuing of any process release certificate or report, the holder of the approval shall institute a system whereby maintenance and operational shortcomings and corrective measures are drawn to the attention of the Commissioner and, after the Commissioner has granted approval, made available to aircraft owners.

Production acceptance test procedure

148.03.14 (1) The holder of a manufacturing organisation approval with a P rating shall establish a production acceptance test procedure and every product, part or appliance processed shall be subjected to a test flight in accordance with that procedure.

(2) The procedure referred to in subregulation (1) shall be approved by the Commissioner before it is implemented by the holder of the approval.

Renewal of approval

148.03.15 (1) An application for the renewal of a manufacturing organisation approval with a P rating, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-MORG; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 148.03.2.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

SUBPART 4**APPROVAL OF MANUFACTURING ORGANISATION (T RATING)****Requirement for approval**

148.04.1 No organisation other than the holder of an aircraft maintenance organisation approval with the appropriate rating issued in terms of Part 145, shall carry out any specified test on any product, part or appliance except under the authority of, and in accordance with the provisions of, a manufacturing organisation approval with a T rating issued under this Subpart.

Manual of procedure

148.04.2 An applicant for the issuing of a manufacturing organisation approval with a T rating shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-MORG.

Quality control system

148.04.3 (1) The applicant shall establish a quality control system for the control and supervision of the testing of products, parts or appliances, covered by the application.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-MORG.

Personnel requirements

148.04.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and

- other persons rendering service under contract with, the organisation;
- (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and
 - (c) adequate personnel to plan, perform, supervise and inspect the testing of products, parts or appliances, undertaken by the manufacturing organisation.
- (2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising or inspecting the testing of products, parts or appliances, undertaken by the manufacturing organisation.
- (3) The applicant shall ensure that -
- (a) the personnel in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities; and
 - (b) there is full and efficient coordination between departments and within departments in respect of airworthiness matters.

Accommodation, facilities and equipment

148.04.5 The applicant shall satisfy the Commissioner that it has -

- (a) adequate accommodation, facilities and equipment to enable the personnel to test the products, parts or appliances for which the rating is required;
- (b) the technical literature, equipment, materials and facilities necessary to perform adequately all functions appropriate to the rating required;
- (c) suitable accommodation for the proper storage, segregation and protection of the products, parts or appliances concerned and for the materials and supplies to be used;
- (d) established a procedure to control and, where necessary, calibrate tools and other equipment at a frequency and to a standard to ensure serviceability, accuracy and traceability; and
- (e) adequate accommodation, facilities and equipment to enable the personnel to perform all phases of testing satisfactorily.

Application for approval or amendment thereof

148.04.6 An application for the issuing of a manufacturing organisation approval with a T rating, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-MORG; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 148.04.2.

Issuing of approval

148.04.7 (1) The Commissioner shall issue a manufacturing organisation approval with a T rating if the applicant complies with the requirements prescribed in regulations 148.04.2 to 148.04.5 inclusive.

(2) The Commissioner shall issue the approval with the rating on the appropriate form as prescribed in Document SA-CATS-MORG.

Privileges

148.04.8 The holder of a manufacturing organisation approval with a T rating shall be entitled to -

- (a) carry out on the products, parts or appliances, the tests for which it is rated; and
- (b) issue the necessary reports upon completion of such tests.

Period of validity

148.04.9 (1) A manufacturing organisation approval with a T rating shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector of authorised person, or cancelled by the Commissioner, in terms of regulation 148.01.5.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

148.04.10 (1) Subject to the provisions of subregulation (2), a manufacturing organisation approval with a T rating shall not be transferable.

(2) A change in ownership of the holder of an approval with a T rating shall be deemed to be a change of significance referred to in regulation 148.04.11.

Changes in quality control system

148.04.11 (1) If the holder of a manufacturing organisation approval with a T rating desires to make any change in the quality control system referred to in regulation 148.04.3, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 148.04.6 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to its manual of procedure, that it will continue

to comply with the provisions of regulations 148.04.2 to 148.04.5 inclusive, after the implementation of such approved change.

Duties of holder of approval

148.04.12 The holder of a manufacturing organisation approval with a T rating shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 148.04.2, at each work location specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties;
- (d) continue to comply with the appropriate requirements prescribed in this Part;
- (e) have a suitable arrangement with the holder of a design organisation approval issued in terms of Part 147, for the purpose of complying with the appropriate requirements prescribed in terms of Part 21; and
- (f) keep records of the calibrations and the standards referred to in regulation 148.04.5(d) for a period of at least five years calculated from the date of the last entry made in such records.

Documentation

148.04.13 (1) The holder of a manufacturing organisation approval with a T rating shall supply the owner of an aircraft with -

- (a) a certificate of airworthiness for the aircraft, or an export airworthiness approval, as the case may be;
- (b) a copy of the flight manual, approved by the Commissioner;
- (c) such other documents as such holder or the Commissioner deems necessary for the safe operation of the aircraft.

(2) Subsequent to the issuing of any report upon completion of a test carried out on the product, part or appliance, the holder of the approval shall institute a system whereby maintenance and operational shortcomings and corrective measures are drawn to the attention of the Commissioner and, after the Commissioner has granted approval, made available to aircraft owners.

Production acceptance test procedure

148.04.14 (1) The holder of a manufacturing organisation approval with a T rating shall establish a production acceptance test procedure and every product, part or appliance tested shall be subjected to a test flight in accordance with that procedure.

(2) The procedure referred to in subregulation (1) shall be approved by the Commissioner before it is implemented by the holder of the approval.

Renewal of approval

148.04.15 (1) An application for the renewal of a manufacturing organisation approval with a T rating, shall be -

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

(b) accompanied by -

(i) the appropriate fee as prescribed in Part 187; and

(ii) the manual of procedure referred to in regulation 148.04.2.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

PART 149**ORGANISATIONS : AVIATION RECREATION
ORGANISATIONS**

LIST OF REGULATIONS**SUBPART 1 : GENERAL**

- 149.01.1 Applicability
- 149.01.2 Designation of body or institution
- 149.01.3 Display of aviation recreation organisation approval
- 149.01.4 Advertisements
- 149.01.5 Safety inspections and audits
- 149.01.6 Suspension and cancellation of aviation recreation organisation approval and appeal
- 149.01.7 Register of approvals

SUBPART 2 : APPROVAL OF AVIATION RECREATION ORGANISATION

- 149.02.1 Requirement for approval
- 149.02.2 Manual of procedure
- 149.02.3 Quality control system
- 149.02.4 Personnel requirements
- 149.02.5 Resource requirements
- 149.02.6 Application for approval or amendment thereof
- 149.02.7 Issuing of approval
- 149.02.8 Scope of approval
- 149.02.9 Period of validity
- 149.02.10 Transferability
- 149.02.11 Changes in quality control system
- 149.02.12 Renewal of approval
- 149.02.13 Duties of holder of approval
- 149.02.14 Technical and regulatory data
- 149.02.15 Records
- 149.02.16 Operational and maintenance procedures

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

149.01.1 (1) This Part shall apply to the approval and operation of organisations whose members operate for recreational purposes -

- (a) microlight aeroplanes and powered paragliders;
- (b) gliders;
- (c) free balloons;
- (d) gyroplanes;
- (e) hang gliders and non-powered paragliders;
- (f) parachutes; or
- (g) non-certificated aircraft.

(2) This Part shall not apply in respect of -

- (a) the holder of an air service licence issued in terms of the Air Services Licensing Act, 1990 (Act No. 115 of 1990);
- (b) any person who wishes to operate an air service as defined in section 1 of the Air Services Licensing Act, 1990; or
- (c) any person exempted by the Commissioner in terms of Part 11.

Designation of body or institution

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

- (a) establish safety standards relating to aviation recreation;
- (b) exercise control over an aviation recreation organisation approved under the provisions of this Part;
- (c) determine standards for the operation or airworthiness of aircraft involved in aviation recreation;
- (d) issue special flight permits;
- (e) determine standards for the licensing of personnel involved in aviation recreation;
- (f) issue licences to such personnel; and
- (g) advise the Commissioner on any matter connected with the operation or airworthiness of aircraft or the licensing of personnel involved in aviation recreation.

(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-ARO.

Display of aviation recreation organisation approval

149.01.3 The holder of an aviation recreation organisation approval shall display the approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the approval is displayed, shall produce the original approval to an authorised officer, inspector or authorised person if so requested by such officer, inspector or person.

Advertisements

149.01.4 Any advertisement by an organisation indicating that it is an aviation recreation organisation, shall -

- (a) reflect the number of the aviation recreation organisation approval issued by the Commissioner; and
- (b) contain a reference to the aviation recreation for which such approval was issued.

Safety inspections and audits

149.01.5 (1) An applicant for the issuing of an aviation recreation organisation approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to verify the validity of any application made in terms of regulation 149.02.6.

(2) The holder of an aviation recreation organisation approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

Suspension and cancellation of aviation recreation organisation approval and appeal

149.01.6 (1) An authorised officer, inspector or authorised person may suspend for a period not exceeding 30 days, an aviation recreation organisation approval issued under this Part, if -

- (a) after a safety inspection and audit carried out in terms of regulation 149.01.5, it is evident that the holder of the approval 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 authorised officer, inspector or authorised person to do so; or
- (b) the authorised officer, inspector or authorised person is prevented by the holder of the approval to carry out a safety inspection and audit in terms of regulation 149.01.5; or
- (c) the suspension is necessary in the interests of aviation safety.

(2) The authorised officer, inspector or authorised person who has suspended an approval 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 approval should be cancelled.

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

(4) The holder of an approval who feels aggrieved by the suspension of the approval 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 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 authorised officer, inspector or authorised person concerned and shall furnish proof of such submission for the information of the Commissioner.

(7) The authorised officer, inspector or authorised person 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;
- (b) order the appellant and the authorised officer, inspector or authorised person 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 an approval is suspended in terms of subregulation (1) and the holder thereof does not appeal against such suspension in terms of subregulation (4),

cancel the approval concerned.

Register of approvals

149.01.7 (1) The Commissioner shall maintain a register of all aviation recreation organisation approvals 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 approval;
- (b) the postal address of the holder of the approval;
- (c) the date on which the approval was issued or renewed;
- (d) particulars of the scope of the approval issued to the holder of the approval; and
- (e) the nationality of the holder of the approval.

(3) The particulars referred to in subregulation (2) shall be recorded in the register within seven days from the date on which the approval 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**APPROVAL OF AVIATION RECREATION ORGANISATION****Requirement for approval**

149.02.1 No organisation shall undertake aviation recreation except under the authority of, and in accordance with the provisions of, an aviation recreation organisation approval issued under this Subpart.

Manual of procedure

149.02.2 An applicant for the issuing of an aviation recreation organisation approval to undertake aviation recreation, shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-ARO.

Quality control system

149.02.3 (1) The applicant shall establish a quality control system for the control and supervision of the aviation recreation covered by the application.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-ARO.

Personnel requirements

149.02.4 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:

- (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and
 - (c) adequate personnel to carry out and supervise the aviation recreation covered by the application.
- (2) The applicant shall -
- (a) establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel authorised by the applicant to carry out and supervise the aviation recreation covered by the application; and
 - (b) provide the personnel referred to in paragraph (a) with written proof of the scope of their authorisation.

Resource requirements

149.02.5 The applicant shall ensure that the resources are adequate to enable the personnel to carry out and supervise the aviation recreation covered by the application.

Application for approval or amendment thereof

149.02.6 An application for the issuing of an aviation recreation organisation approval to undertake aviation recreation, or an amendment thereof, shall be -

- (a) made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-ARO; and
- (b) accompanied by -
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 149.02.2.

Issuing of approval

149.02.7 (1) The Commissioner shall issue an aviation recreation organisation approval to undertake aviation recreation, if the applicant complies with the requirements prescribed in regulations 149.02.2 to 149.02.5 inclusive.

(2) The Commissioner shall issue the approval on the appropriate form as prescribed in Document SA-CATS-ARO.

Scope of approval

149.02.8 An aviation recreation organisation approval to undertake aviation recreation shall specify -

- (a) the aviation recreation which the holder of the approval is entitled to undertake; and
- (b) the procedures which the holder of the approval is authorised to establish and administer.

Period of validity

149.02.9 (1) An aviation recreation organisation approval to undertake aviation recreation, shall be valid for the period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Commissioner, in terms of regulation 149.01.6.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

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

Transferability

149.02.10 (1) Subject to the provisions of subregulation (2), an aviation recreation organisation approval to undertake aviation recreation, shall not be transferable.

(2) A change in ownership of the holder of an approval to undertake aviation recreation, shall be deemed to be a change of significance referred to in regulation 149.02.11.

Changes in quality control system

149.02.11 (1) If the holder of an aviation recreation organisation approval to undertake aviation recreation, desires to make any change in the quality control system referred to in regulation 149.02.3, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 149.02.6 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 149.02.2 to 149.02.5 inclusive, after the implementation of such approved change.

Renewal of approval

149.02.12 (1) An application for the renewal of an aviation recreation organisation approval to undertake aviation recreation, shall be -

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

(b) accompanied by -

(i) the appropriate fee as prescribed in Part 187; and

(ii) the manual of procedure referred to in regulation 149.02.2.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

Duties of holder of approval

149.02.13 The holder of an aviation recreation organisation approval to undertake aviation recreation, shall -

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 149.02.2, at each recreation facility specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties; and
- (d) continue to comply with the appropriate requirements prescribed in this Part.

Technical and regulatory data

149.02.14 (1) The holder of an aviation recreation organisation approval shall keep copies of all relevant equipment manuals, technical bulletins and instructions, legislation, and any other documents which may be necessary to establish procedures for the aviation recreation specified in its manual of procedure.

(2) The holder of the approval shall establish procedures to control and amend the documents referred to in subregulation (1).

- (3) The procedures referred to in subregulation (2) shall ensure that -
 - (a) all documents are reviewed and authorised before the issuing thereof;
 - (b) changes to documents are reviewed and authorised by the holder of the approval;
 - (c) the current version of each document can be identified to preclude the use of out of date editions;
 - (d) current issues of data and documents are held by those personnel within the aviation recreation organisation who require such data and documents to carry out their duties; and
 - (e) obsolete documents are promptly removed from circulation.

Records

149.02.15 (1) The holder of an aviation recreation organisation approval shall establish procedures to identify, collect, index, store, maintain and dispose of, the records which are necessary for the aviation recreation specified in its manual of procedure.

- (2) The procedures referred to in subregulation (1) shall ensure that -
- (a) a record is kept of each quality control review of the holder of the approval;
 - (b) all records are legible; and
 - (c) all records are kept for a period of at least five years calculated from the date of the last entry made in such records.

Operational and maintenance procedures

149.02.16 (1) The holder of an aviation recreation organisation approval which authorises operational and maintenance procedures to be established, shall establish operational and maintenance procedures for the aviation recreation specified in its manual of procedure.

- (2) The procedures referred to in subregulation (1) shall -
- (a) be relevant and not in conflict with the appropriate procedures prescribed in the Regulations; and
 - (b) be administered to ensure that the requirements -
 - (i) remain valid for their intended use; and
 - (ii) are reviewed on a regular basis.
- (3) The procedures referred to in subregulation (1) shall include details of -
- (a) the manner in which the holder selects launching, flying and landing sites;
 - (b) the holder's use of ground signals;
 - (c) the holder's use of aerodromes or heliports;
 - (d) the holder's launching methods; and
 - (e) an emergency response plan.

PART 172

AIR TRAFFIC SERVICES : AIRSPACE AND AIR TRAFFIC SERVICES

LIST OF REGULATIONS**SUBPART 1 : GENERAL**

- 172.01.1 Applicability
- 172.01.2 Allocation of air traffic services
- 172.01.3 Requirement for air traffic service unit approval
- 172.01.4 Display of air traffic service unit approval
- 172.01.5 Safety inspections and audits
- 172.01.6 Suspension and cancellation of air traffic service unit approval and appeal
- 172.01.7 Register of approvals
- 172.01.8 Substitute air traffic service provider

SUBPART 2 : DESIGNATION AND CLASSIFICATION OF AIRSPACE

- 172.02.1 Designation of airspace
- 172.02.2 Classification of airspace
- 172.02.3 Designation of control areas
- 172.02.4 Designation of flight information regions
- 172.02.5 Designation of advisory areas

SUBPART 3 : APPROVAL OF AIR TRAFFIC SERVICE UNIT

- 172.03.1 Manual of procedure
- 172.03.2 Quality control system
- 172.03.3 Personnel requirements
- 172.03.4 Facility requirements
- 172.03.5 Application for approval or amendment thereof
- 172.03.6 Issuing of approval
- 172.03.7 Scope of approval

- 172.03.8 Period of validity
- 172.03.9 Renewal of approval
- 172.03.10 Transferability
- 172.03.11 Changes in quality control system
- 172.03.12 Duties of holder of approval
- 172.03.13 Station standing instructions manual
- 172.03.14 Documentation
- 172.03.15 Internal inspection
- 172.03.16 Air traffic control clearances
- 172.03.17 Responsibility for control
- 172.03.18 Transfer of responsibility for control
- 172.03.19 Reporting and investigation of accidents and incidents
- 172.03.20 Reporting of aeronautical information

SUBPART 4 : SEARCH AND RESCUE

- 172.04.1 Establishment and provision of search and rescue services
- 172.04.2 Search and rescue action

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

172.01.1 This Part shall apply to -

- (a) the allocation of air traffic services;
- (b) the designation and classification of airspace;
- (c) the approval and operation of air traffic service units which provide air traffic services;
- (d) the designation of search and rescue regions;
- (e) the provision of search and rescue services within those regions, and matters related thereto.

Allocation of air traffic services

172.01.2 (1) The Commissioner shall determine the portions of airspace and the aerodromes which shall be provided with air traffic services to -

- (a) prevent collisions between aircraft;
- (b) prevent collisions between aircraft on the manoeuvring area of the aerodrome concerned and obstructions on such area;
- (c) expedite and maintain an orderly flow of air traffic;
- (d) provide advice and information useful for the safe and efficient conduct of flights; and
- (e) provide search and rescue and related support services.

(2) The need for the provision of air traffic services shall be determined after consideration of -

- (a) the types of air traffic involved;
- (b) the density of air traffic;
- (c) the meteorological conditions; and
- (d) any other factor which may be relevant.

Requirement for air traffic service unit approval

172.01.3 No air traffic service unit shall provide air traffic services in those portions of airspace and the aerodromes determined by the Commissioner in terms of regulation 172.01.2,

except under the authority of, and in accordance with the provisions of, an air traffic service unit approval issued under this Part.

Display of air traffic service unit approval

172.01.4 The holder of an air traffic service unit approval shall display the approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the approval is displayed, shall produce the original approval to an air traffic service inspector if so requested by such inspector.

Safety inspections and audits

172.01.5 (1) An applicant for the issuing of an air traffic service unit approval shall permit an air traffic service inspector to carry out such safety inspections and audits which may be necessary to verify the validity of any application made in terms of regulation 172.03.5.

(2) The holder of an air traffic service unit approval shall permit an air traffic service inspector to carry out such safety inspections and audits which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

Suspension and cancellation of air traffic service unit approval and appeal

172.01.6 (1) An air traffic service inspector may suspend for a period not exceeding 30 days, an air traffic service unit approval issued under this Part, if -

- (a) after a safety inspection and audit carried out in terms of regulation 172.01.5, it is evident that the holder of the approval 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 air traffic service inspector to do so; or
- (b) the air traffic service inspector is prevented by the holder of the approval to carry out a safety inspection and audit in terms of regulation 172.01.5; or
- (c) the suspension is necessary in the interests of aviation safety.

(2) The air traffic service inspector who has suspended an approval 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 approval should be cancelled.

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

(4) The holder of an approval who feels aggrieved by the suspension of the approval 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 air traffic service inspector concerned and shall furnish proof of such submission for the information of the Commissioner.

(7) The air traffic service 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 air traffic service 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 an approval is suspended in terms of subregulation (1) and the holder thereof does not appeal against such suspension in terms of subregulation (4),

cancel the approval concerned.

Register of approvals

172.01.7 (1) The Commissioner shall maintain a register of all air traffic service unit approvals 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 approval;

(b) the business address of the holder of the approval;

(c) the postal address of the holder of the approval;

(d) the date on which the approval was issued or renewed;

- (e) the type of air traffic service in respect of which the approval was issued;
 - (f) the date on which the approval was suspended, if applicable; and
 - (g) the date on which the approval expires.
- (3) The particulars referred to in subregulation (2) shall be recorded in the register within seven days from the date on which the approval 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.

Substitute air traffic service provider

172.01.8 The Commissioner may, if the Commissioner considers it necessary in the interests of aviation safety, appoint the holder of an air traffic service unit approval as a substitute air traffic service provider to provide an air traffic service in respect of an approval which has been suspended by an air traffic service inspector in terms of regulation 172.01.6, for the duration of such suspension.

SUBPART 2**DESIGNATION AND CLASSIFICATION OF AIRSPACE****Designation of airspace**

- 172.02.1** (1) The Commissioner may designate a particular portion of the airspace as
- a -
- (a) flight information region;
 - (b) advisory area;
 - (c) control area; or
 - (d) control zone.
- (2) A particular portion of the airspace shall only be designated in terms of subregulation (1) -
- (a) after consultation with the National Airspace Committee instituted in terms of Part 11; and
 - (b) in relation to the air traffic services which are to be provided.
- (3) The Commissioner shall publish the designation of a particular portion of the airspace in accordance with the AIRAC cycle in the AIP, AIP SUP or NOTAM.
- (4) The Commissioner may, on a temporary basis, designate a particular portion of the airspace after consultation with all air traffic service providers operating in the designated portions of the airspace adjacent to such portion.

Classification of airspace

- 172.02.2** (1) The Commissioner may classify airspace in accordance with the classes as prescribed in Document SA-CATS-ATS, for the purposes of providing air traffic services.
- (2) The Commissioner shall publish the classification of airspace in accordance with the AIRAC cycle in the AIP, AIP SUP or NOTAM.

Designation of control areas

- 172.02.3** (1) The Commissioner shall, when designating a particular portion of the airspace as a control area in terms of regulation 172.02.1, prescribe the horizontal and vertical limits of such area.
- (2) The lowest limit of designated control areas shall be at least 700 feet above the ground or water.

(3) Control zones and aerodrome traffic zones shall extend upwards from the surface of the earth.

Designation of flight information regions

172.02.4 The Commissioner shall, when designating a particular portion of the airspace as a flight information region in terms of regulation 172.02.1, prescribe the borders of such region and make such designation in accordance with the requirements as prescribed in document SA-CATS-ATS.

Designation of advisory areas

172.02.5 The Commissioner shall, when designating a particular portion of the airspace as an advisory area in terms of regulation 172.02.1, prescribe the horizontal and vertical limits of such area.

SUBPART 3**APPROVAL OF AIR TRAFFIC SERVICE UNIT****Manual of procedure**

172.03.1 An applicant for the issuing of an air traffic service unit approval to provide air traffic services, shall provide the Commissioner with its manual of procedure which shall -

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS-ATS.

Quality control system

172.03.2 (1) The applicant shall establish a quality control system for the control and supervision of the provision of the services covered by the application.

(2) The minimum standards for a quality control system shall be as prescribed in Document SA-CATS-ATS.

Personnel requirements

172.03.3 (1) The applicant shall engage, employ or contract -

- (a) a senior person identified as the accountable manager and compliance officer of the unit concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the unit are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the unit;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Commissioner with a view to ascertain correct manners of compliance with the said requirements, and interpretations of

such requirements by the Commissioner, and to facilitate liaison between the Commissioner and the unit concerned; and

- (v) powers to report directly to the management of the unit on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a standards officer who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting aviation safety; and
- (c) adequate licensed personnel to plan, provide and supervise the services listed in its manual of procedure, in a safe and efficient manner.

(2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of the personnel required to operate and maintain the unit concerned.

(3) The applicant shall ensure that its personnel are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities.

Facility requirements

172.03.4 The applicant shall ensure that all facilities used in the provision of the services listed in its manual of procedure are adequate to comply with the requirements as prescribed in Document SA-CATS-ATS.

Application for approval or amendment thereof

172.03.5 (1) An application for the issuing of an air traffic service unit approval to provide air traffic services, or an amendment thereof, shall be -

- (a) made to the Commissioner on the appropriate form as prescribed in Document SA-CATS-ATS; and
- (b) accompanied by -
 - (i) the manual of procedure referred to in regulation 172.03.1; and
 - (ii) the appropriate fee prescribed in Part 187.

Issuing of approval

172.03.6 (1) The Commissioner shall issue an air traffic service unit approval to provide air traffic services, if the applicant complies with the requirements prescribed in regulations 172.03.1 to 172.03.4 inclusive.

(2) The Commissioner shall issue the approval on the appropriate form as prescribed in Document SA-CATS-ATS.

(3) The approval shall authorise the provision of -

(a) a single air traffic service by means of a single air traffic service unit; or

(b) a combination of air traffic services by means of a network of air traffic service units.

Scope of approval

172.03.7 The holder of an approval shall be entitled to provide one or a combination of the services listed in its manual of procedure.

Period of validity

172.03.8 (1) An approval shall be valid for a period determined by the Commissioner, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an air traffic service inspector, or cancelled by the Commissioner, in terms of regulation 172.01.6.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Commissioner.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the air traffic service inspector concerned for the appropriate endorsement.

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

Renewal of approval

172.03.9 (1) An application for the renewal of an air traffic service unit approval shall be -

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

(b) accompanied by -

- (i) the appropriate fee as prescribed in Part 187; and
- (ii) the manual of procedure referred to in regulation 172.03.1.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

Transferability

172.03.10 (1) Subject to the provisions of subregulation (2), an approval shall not be transferable.

(2) A change in ownership of the holder of an approval shall be deemed to be a change of significance referred to in regulation 172.03.11.

Changes in quality control system

172.03.11 (1) If the holder of an approval desires to make any change in the quality control system referred to in regulation 172.03.2, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Commissioner for the approval of such change.

(2) The provisions of regulation 172.03.5 shall apply *mutatis mutandis* to an application for the approval of a change in the quality control system.

(3) An application for the approval of a change in the quality control system shall be granted by the Commissioner if the applicant satisfies the Commissioner, upon submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 172.03.1 to 172.03.4 inclusive, after the implementation of such approved change.

Duties of holder of approval

172.03.12 The holder of an approval shall -

- (a) provide the services listed in its manual of procedure, in accordance with the procedures as prescribed in Document SA-CATS-ATS;
- (b) hold at least one complete and current copy of its manual of procedure referred to in regulation 172.03.1; at each air traffic service unit specified in the manual of procedure;
- (c) comply with all procedures detailed in the manual of procedure;

- (d) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties;
- (e) continue to comply with the appropriate requirements prescribed in this Part;
- (f) keep the records of all internal inspections conducted in terms of regulation 172.03.15 for a period of five years from the date of each inspection;
- (g) furnish the Commissioner with the en route facility financial data and en route facility traffic statistics as prescribed in Document SA-CATS-ATS;
- (h) comply with the air traffic control instructions as prescribed in Document SA-CATS-ATS;
- (i) replace or upgrade any obsolete installation;
- (j) apply the procedures as prescribed in Document SA-CATS-ATS, when notified of an accident or incident in terms of regulation 12.02.1, 12.02.2 or 12.02.3, as the case may be; and
- (k) investigate any air traffic service incident of which such holder is notified in terms of regulation 12.02.2(3) and report to the investigator-in-charge in the appropriate form as prescribed in Document SA-CATS-ATS.

Station standing instructions manual

172.03.13 The holder of an approval shall provide each air traffic service unit listed in its manual of procedure referred to in regulation 172.03.1, a station standing instructions manual which shall -

- (a) set out the procedures for the operation of the air traffic service unit concerned; and
- (b) contain the information as prescribed in document SA-CATS-ATS.

Documentation

172.03.14 (1) The holder of an approval shall provide each air traffic service unit listed in its manual of procedure referred to in regulation 172.03.1, with copies of the documentation as prescribed in Document SA-CATS-ATS.

(2) The holder shall ensure that -

- (a) the documentation is reviewed and authorised by appropriate personnel before issue;
- (b) current issues of relevant documentation are available to personnel at all locations where they need access to such

documentation for the provision of the services listed in its manual of procedure referred to in regulation 172.03.1;

- (c) obsolete documentation is removed from all points of issue or use;
- (d) changes to documentation are reviewed and approved by appropriate personnel; and
- (e) the current version of each item of documentation can be identified to preclude the use of obsolete editions.

Internal inspection

172.03.15 The holder of an approval shall conduct -

- (a) internal inspections of each air traffic service unit listed in its manual of procedure referred to in regulation 172.03.1;
- (b) internal inspections, testing and calibration of each facility listed in its manual of procedure referred to in regulation 172.03.1, in accordance with the requirements as prescribed in Document SA-CATS-ATS.

Air traffic control clearances

172.03.16 The contents of an air traffic control clearance given by an air traffic control unit and the coordination of air traffic control clearances between air traffic control units, shall be as prescribed in Document SA-CATS-ATS.

Responsibility for control

172.03.17 (1) Only one air traffic control unit shall control a controlled flight at any given time.

(2) An air traffic control unit may transfer the responsibility for control of an aircraft or group of aircraft to another air traffic control unit: Provided that coordination between such air traffic control units are effected in terms of regulation 172.03.18.

Transfer of responsibility for control

172.03.18 (1) The holder of an approval shall ensure that, where transfer of responsibility for control takes place between one air traffic control unit and any other air traffic

control unit, the procedures as prescribed in the letter of agreement are complied with, to ensure safe coordination.

(2) The conditions and requirements for and the rules, procedures and standards connected with a transfer of responsibility for control referred to in subregulation (1) shall be as prescribed in Document SA-CATS-ATS.

Reporting and investigation of accidents and incidents

172.03.19 (1) The holder of an approval shall report any accident or incident reported to or witnessed by such holder, to the Commissioner.

(2) The reporting and investigation of accidents and incidents by the holder of an approval, shall be done in accordance with the requirements as prescribed in Part 12.

Reporting of aeronautical information

172.03.20 The holder of an approval shall as soon as practicable after obtaining any aeronautical information, notify the Commissioner of -

- (a) information on aerodrome aeronautical conditions, and any change thereto, which are relevant and applicable in its area of responsibility;
- (b) the operational and serviceability status of associated facilities, services and navigation aids within its area of responsibility;
- (c) any other information considered to be of operational significance; and
- (d) meteorological information as required for the safe and expeditious operation of flights.

SUBPART 4**SEARCH AND RESCUE****Establishment and provision of search and rescue services****172.04.1 The Commissioner shall -**

- (a) designate the search and rescue regions within which search and rescue services will be provided in the Republic, in accordance with the requirements as prescribed in Document SA-CATS-ATS;
- (b) designate the holder of an approval to establish search and rescue services for one or more regions designated in terms of paragraph (a);
- (c) designate an appropriate area control centre to act as an aeronautical rescue coordination centre; and
- (d) designate an air traffic service unit to act as a rescue sub-centre under the auspices of the aeronautical rescue coordination centre.

Search and rescue action**172.04.2 (1) Search and rescue action shall be instituted automatically in respect of -**

- (a) all flights between aerodromes where air traffic services are provided; and
- (b) all flights conducted in controlled airspace, excluding flights crossing an airway at right angles,

for which flight plans are filed prior to departure.

(2) Search and rescue action shall be instituted in respect of all domestic and international flights to aerodromes where air traffic services are not provided, for which flight plans are filed prior to departure and the pilot-in-command has specifically requested such search and rescue action.

(3) Search and rescue action shall be instituted in respect of flights for which flight plans are filed in flight when such action is specifically requested by the pilot-in-command.

(4) Pilots-in-command of flights for which search and rescue action has been requested, who fail to comply with the search and rescue requirements, shall be responsible for any costs incurred by the air traffic service unit concerned for the provision of alerting or supporting services.

(5) Search and rescue action shall be undertaken in accordance with the requirements as prescribed in Document SA-CATS-ATS.

PART 174

**AERONAUTICAL AND METEOROLOGICAL
INFORMATION SERVICES:
METEOROLOGICAL INFORMATION SERVICES**

LIST OF REGULATIONS

174.00.1 **Applicability**

174.00.2 **Designation of meteorological information organisation**

Applicability

174.00.1 This Part shall apply to the provision of meteorological information services.

Designation of meteorological information organisation

174.00.2 (1) The Commissioner may designate a meteorological information organisation to provide the following services in support of aviation:

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

(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 conditions, rules, requirements, procedures or standards of a designation referred to in subregulation (1) shall be as prescribed in Document SA-CATS-AIRS.

PART 175

**AERONAUTICAL AND METEOROLOGICAL
INFORMATION SERVICES:
AERONAUTICAL INFORMATION SERVICES**

LIST OF REGULATIONS

- 175.00.1 **Applicability**
- 175.00.2 **Provision of aeronautical information services**
- 175.00.3 **Publication of aeronautical information**

Applicability

175.00.1 This Part shall apply to the provision of aeronautical information services.

Provision of aeronautical information services

175.00.2 The Commissioner shall -

- (a) be responsible for the provision of aeronautical information services to ensure that the information necessary for the safety, regularity or efficiency of air navigation is available in a form suitable for the operational requirements of -
 - (i) flight operations personnel including flight crew and the personnel responsible for the provision of pre-flight information; and
 - (ii) providers of air traffic services;
- (b) collect, collate and edit aeronautical information concerning the territory of the Republic; and
- (c) publish the aeronautical information as an integrated aeronautical information package.

Publication of aeronautical information

175.00.3 The conditions, requirements, rules, procedures and standards for the publication of aeronautical information in an AIC, AIP, AIP SUP, NOTAM or PIB, as the case may be, shall be as prescribed in Document SA-CATS-AIRS.

PART 183

ADMINISTRATION : GENERAL

LIST OF REGULATIONS

- 183.00.1 Powers and duties of Commissioner
- 183.00.2 Withdrawal of Regulations
- 183.00.3 Transitional provisions
- 183.00.4 Short title and commencement

Powers and duties of Commissioner

183.00.1 Subject to the provisions of the Act -

- (a) the Commissioner shall administer and enforce the Regulations;
- (b) all powers granted to and duties imposed on the Commissioner in terms of the Regulations may be exercised or performed by the Commissioner in person, or by an authorised officer, inspector or authorised person designated by the Commissioner to act for him or her;
- (c) the Commissioner shall sign and issue to each authorised officer, inspector or authorised person a document which shall state the full name of such authorised officer, inspector or authorised person and contain a statement indicating that -
 - (i) such authorised officer, inspector or authorised person has been designated in terms of section 5(4)(a) of the Act; and
 - (ii) such authorised officer, inspector or authorised person is empowered to exercise any power entrusted to him or her in terms of the Regulations.

Withdrawal of Regulations

183.00.2 (1) The Regulations regarding the Investigation of Aircraft Accidents, 1973, published by Government Notice No. R.120 of 26 January 1973, as amended by Government Notices Nos. R.1003 of 16 May 1980, R.1977 of 17 September 1982, R.1077 of 17 May 1985, R. 3194 of 27 December 1991, R.1793 of 24 June 1992, R.158 of 5 February 1993 and R. 133 of 3 February 1995, are hereby withdrawn.

(2) The Rules of the Air, Air Traffic Services, Search and Rescue and Overflight Regulations, 1975, published by Government Notice No. R.1753 of 19 September 1975, as amended by Government Notices Nos. R.829 of 13 May 1977, R.2202 of 3 November 1978, R.1921 of 31 August 1979, R.475 of 14 March 1980, R.1143 of 6 June 1980, R.1209 of 5 June 1981, R.258 of 19 February 1982, R.132 of 28 January 1983, R.468 of 9 March 1984, R.1721 of 10 August 1984, R.228 of 7 February 1986, R. 1160 of 13 June 1986, R.1604 of 12 August 1988, R.217 of 17 February 1989, R.1974 of 15 September 1989, R.2606 of 25 October 1991, R. 2607 of 25 October 1991, R.3192 of 27 December 1991, R.2704 of 25 September 1992, R.222 of 19 February 1993, R.308 of 26 February 1993, R.515 of 26 March 1993, R.1329 of 23 July 1993, R.134 of 3 February 1995 and R. 364 of 1 March 1996, are hereby withdrawn.

(3) The Air Navigation Regulations, 1976, published by Government Notice No. R.141 of 30 January 1976, as amended by Government Notices Nos. R. 1283 of 23 July

1976, R.2380 of 18 November 1977, R.317 of 23 February 1979, R.259 of 19 February 1982, R.131 of 28 January 1983, R.509 of 11 March 1983, R.551 of 23 March 1984, R.1160 of 30 May 1985, R.1161 of 30 May 1985, R.2848 of 27 December 1985, R.517 of 13 March 1987, R.720 of 15 April 1988, R.1902 of 23 September 1988, R. 917 of 12 May 1989, R.2139 of 6 October 1989, R.2669 of 16 November 1990, R.1287 of 7 June 1991, R.1794 of 2 August 1991, R.3191 of 27 December 1991, R.2702 of 25 September 1992, R.2801 of 2 October 1992, R.3081 of 6 November 1992, R.156 of 5 February 1993, R.157 of 5 February 1993, R.2559 of 31 December 1993, R.39 of 7 January 1994, R.717 of 22 April 1994, R.830 of 29 April 1994, R.132 of 3 February 1995, R.443 of 24 March 1995, R.1747 of 10 November 1995, R.45 of 19 January 1996, R.100 of 26 January 1996, R.99 of 26 January 1996, R.131 of 2 February 1996, R.1338 of 16 August 1996, R.1560 of 27 September 1996 and R.1679 of 18 October 1996, are hereby withdrawn.

(4) The Airport Regulations, 1982, published by Government Notice No. R.2189 of 15 October 1982, as amended by Government Notices Nos. R.130 of 28 January 1983, R.1695 of 10 August 1984, R.546 of 15 March 1985, R. 3196 of 27 December 1991, R.2706 of 25 September 1992, R.131 of 3 February 1995, R.1725 of 10 November 1995 and R.1061 of 28 June 1996, are hereby withdrawn.

(5) The Regulations for the Conveyance in Aircraft of Dangerous Goods, 1994, published by Government Notice No. R.899 of 6 May 1994, are hereby withdrawn.

(6) The Company Airport Regulations, 1994, published by Government Notice No. R.130 of 3 February 1995, are hereby withdrawn.

Transitional provisions

183.00.3 (1) Anything done, or omitted, under, in terms of or by virtue of a provision of a regulation repealed by regulation 183.00.2, shall, unless the context otherwise indicates, or except where it is clearly inappropriate, be deemed to have been done, or omitted, as the case may be, under, in terms of or by virtue of a corresponding provision of these Regulations: Provided that where an applicable period of validity has on the date of the coming into operation of such corresponding provision not yet expired, such validity shall continue -

- (a) for the remaining unexpired applicable period of validity; or
- (b) for a period of six months after the coming into operation of such corresponding provision,

whichever period is the lesser period.

(2) The provisions of subregulation (1) shall *mutatis mutandis* apply in cases where qualifying periods of time or periods of time for purposes of crediting are involved.

Short title and commencement

183.00.4 (1) These regulations shall be called the Civil Aviation Regulations, 1997, and shall, subject to subregulation (2), come into operation on 1 January 1998.

(2) Notwithstanding the provisions of subregulation (1), any provision of these Regulations which provides in substance and objectives for a new requirement in respect of aircraft, aerodromes or heliports, or in respect of persons engaged in any civil aviation activity or civil aviation related services, facilities or equipment, within the contemplation of section 22(1) of the Act, whether in the form of a licence, certificate, manual, rating, approval, programme, certification, authorisation, standard, notification, inspection, investigation, testing, specification, instruction, determination, procedure, privilege, duty, permit, rule, condition, qualification, limitation, recommendation, allocation, classification, listing, prohibition, conversion, or otherwise, shall, except -

- (a) where such provision itself provides for a different date of coming into operation; or
- (b) where such provision itself is a corresponding provision envisaged in regulation 183.00.3(1),

come into operation on **31 December 1998**.

PART 185

ADMINISTRATION : OFFENCES

LIST OF REGULATIONS**185.00.1 Offences****185.00.2 Presumptions and evidence**

Offences**185.00.1 (1) Any person who -**

- (a) hinders or obstructs an authorised officer, inspector or authorised person in the exercising of his or her powers or the performance of his or her duties;
- (b) when called upon by an authorised officer, inspector or authorised person to do so, refuses or fails to give his or her name and address, or gives a false name or address;
- (c) obstructs or impedes any other person acting in the exercising or performance of any privileges, powers or duties conferred on such other person by or under the Regulations;
- (d) makes or causes to be made, either orally or in writing -
 - (i) any fraudulent, misleading or false statement for the purpose of obtaining any licence, rating, certificate, permit, approval, authorisation, exemption or other document in terms of the Regulations;
 - (ii) any fraudulent, misleading or false entry in any logbook, record or report which is required to be kept, maintained, made or used to show compliance with any provision of the Regulations;
- (e) falsifies, counterfeits, alters, defaces or mutilates, or adds anything to, any licence, rating, certificate, permit, approval, authorisation, exemption or other document issued in terms of the Regulations;
- (f) does or causes, or permits to be done or caused, any act contrary to, or who fails to comply with, any provision of the Regulations, or a direction given or a prohibition made or a condition imposed in terms thereof;
- (g) exercises a privilege granted by, or uses, any licence, rating, certificate, permit, approval, authorisation, exemption or other document issued under the Regulations, of which he, she or it is not the holder;
- (h) unless otherwise authorised in the Regulations, permits a licence, rating, certificate, permit, approval, authorisation, exemption or other document issued under the Regulations, of which he, she or it is the holder, to be used, or a privilege granted thereby, to be exercised, by any other person;
- (i) operates or attempts to operate any aircraft in respect of which no valid certificate of registration or valid certificate of airworthiness have been issued;
- (j) commits any act, whether by interference with any flight crew member, air traffic service personnel member or aircraft

maintenance engineer, by tampering with any aircraft, or any part thereof, or by disorderly conduct or otherwise, which is likely to endanger the safety of any aircraft or its occupants;

- (k) without the permission of an aerodrome or heliport operator, enters any place within the boundaries of a licensed aerodrome or heliport which has been closed to the public; or
- (l) gives false information pertaining to the investigation of any aviation accident or incident,

shall be guilty of an offence.

(2) Any person who is convicted of an offence in terms of subregulation (1), shall be liable to the penalties prescribed in section 19 of the Act, read with section 332 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).

Presumptions and evidence

185.00.2 In criminal proceedings under the Regulations -

- (a) a written statement purported to be signed by the Commissioner that a licence, rating, certificate, permit, approval, authorisation or exemption, as the case may be, has not been granted or issued to a specific person shall, upon the mere production thereof, be accepted as *prima facie* proof of the facts mentioned therein;
- (b) a document purporting to be a copy of a licence, certificate, permit, approval, authorisation or exemption signed by the Commissioner shall, upon the mere production thereof, be accepted as *prima facie* proof of the fact that the person whose name appears as the holder of the licence, certificate, permit, approval, authorisation or exemption, as the case may be, on that copy, was the holder of the licence, certificate, permit, approval, authorisation or exemption at the time when the offence was committed; and
- (c) a document purporting to be an extract certified by the Commissioner or a copy signed by the Commissioner, of any register maintained in terms of the Regulations shall, upon the mere production thereof, be accepted as *prima facie* proof of the facts mentioned therein.

PART 187

ADMINISTRATION : FEES

LIST OF REGULATIONS

187.00.1	Fees relating to Part 11
187.00.2	Fees relating to Part 21
187.00.3	Fees relating to Part 34
187.00.4	Fees relating to Part 36
187.00.5	Fees relating to Part 47
187.00.6	Fees relating to Part 61
187.00.7	Fees relating to Part 63
187.00.8	Fees relating to Part 64
187.00.9	Fees relating to Part 65
187.00.10	Fees relating to Part 66
187.00.11	Fees relating to Part 67
187.00.12	Fees relating to Part 121
187.00.13	Fees relating to Part 127
187.00.14	Fees relating to Part 135
187.00.15	Fees relating to Part 139
187.00.16	Fees relating to Part 141
187.00.17	Fees relating to Part 145
187.00.18	Fees relating to Part 147
187.00.19	Fees relating to Part 148
187.00.20	Fees relating to Part 149
187.00.21	Fees relating to Part 172

Fees relating to Part 11**187.00.1** The following fees shall be payable upon application -

	R
(a) for an exemption (regulation 11.04.1(2)(b))	500,00

Fees relating to Part 21**187.00.2** The following fees shall be payable upon application -

	R
(a) for a copy of the register of certificates (regulation 21.01.7(5)) (R1,00 per page up to a maximum of)	100,00
(b) for the issuing of a type certificate for a Class I product, or an amendment thereof (regulation 21.02.2(b)(ii))	1 000,00
(c) for the issuing of a type acceptance certificate for a Class I product (regulation 21.04.2(b)(i))	1 000,00
(d) for the issuing of a supplemental type certificate (regulation 21.05.2(b)(i))	750,00
(e) for the issuing of a production certificate, or an amendment thereof (regulation 21.07.2(b)(i))	1 000,00
(f) (i) for the issuing of a standard or restricted certificate of airworthiness for -	
(aa) an aircraft with a MCM exceeding 5 700 kg	2 000,00
(bb) an aircraft with a MCM of 5 700 kg or less (regulation 21.08.2(2)(b)(i))	1 000,00
(ii) for the amendment of a standard or restricted certificate of airworthiness (regulation 21.08.2(2)(b)(i))	500,00
(g) (i) for the issuing of an experimental certificate for -	
(aa) an aircraft with a MCM exceeding 5 700 kg	2 000,00
(bb) an aircraft with a MCM of 5 700 kg or less (regulation 21.08.2(3)(b)(i))	1 000,00
(ii) for the amendment of an experimental certificate (regulation 21.08.2(3)(b)(i))	500,00
(h) (i) for the issuing of a special flight permit (regulation 21.08.2(4)(b)(i))	100,00

- | | |
|--|-------------------------|
| (ii) for the amendment of a special flight permit
(regulation 21.08.2(4)(b)(i)) | 50,00 |
| (i) for the issuing of a ZA-PMA (regulation
21.09.3(2)(b)(v)) | scale 200,00 - 5 000,00 |
| (j) for the issuing of an export airworthiness
approval (regulation 21.11.2(3)(b)(iii)) | 1 000,00 |
| (k) for the issuing of a ZA-TSO authorisation
(regulation 21.12.2(2)(b)(iii)) | scale 200,00 - 5 000,00 |
| (l) for the issuing of a duplicate of any certificate,
approval or authorisation issued under Part 21 | 75,00 |

Fees relating to Part 34

187.00.3 The following fees shall be payable upon application -

- | | |
|--|--------|
| | R |
| (a) for the issuing of a fuel venting certificate
(regulation 34.00.4(b)(i)) | 50,00 |
| (b) for a copy of the register of fuel venting
certificates (regulation 34.00.7(5)) (R1,00 per
page up to a maximum of) | 100,00 |
| (c) for the issuing of an engine emissions certificate
(regulation 34.00.10(b)(i)) | 50,00 |
| (d) for a copy of the register of engine emissions
certificates (regulation 34.00.13(5)) (R1,00 per
page up to a maximum of) | 100,00 |

Fees relating to Part 36

187.00.4 The following fees shall be payable upon application -

- | | |
|---|--------|
| | R |
| (a) for the issuing of a noise certificate (regulation
36.00.4(b)(i)) | 50,00 |
| (b) for a copy of the register of noise certificates
(regulation 36.00.10(5)) (R1,00 per page up to a
maximum of) | 100,00 |

Fees relating to Part 47**187.00.5** The following fees shall be payable upon application -

R

- | | | |
|-----|---|--------|
| (a) | for the registration of an aircraft (regulation 47.00.5(2)(c)) | 200,00 |
| (b) | for the amendment of a certificate of registration (regulation 47.00.8(2)(b)(iii)) | 120,00 |
| (c) | for the reissuing of a certificate of registration (regulation 47.00.9(2)(b)) | 80,00 |
| (d) | for the cancellation of a certificate of registration (regulation 47.00.11(2)(b)(ii)) | 200,00 |
| (e) | for the cancellation of a certificate of registration (regulation 47.00.11(4)(b)(iv)) | 200,00 |
| (f) | for a copy of the register of South African aircraft (regulation 47.00.14(5)) (R1,00 per page up to a maximum of) | 100,00 |

Fees relating to Part 61**187.00.6** The following fees shall be payable upon application -

R

- | | | |
|-----|---|--------|
| (a) | for the validation of a pilot licence and rating issued by an appropriate authority (regulation 61.01.18(2)(a)) | 60,00 |
| (b) | for a copy of the register of pilot licences (regulation 61.01.20(5)) (R1,00 per page up to a maximum of) | 100,00 |
| (c) | for the issuing of a student pilot licence (regulation 61.02.5(b)(vii)) | 70,00 |
| (d) | for the reissuing of a student pilot licence (regulation 61.02.9(3)) | 70,00 |
| (e) | for the issuing of a private pilot licence (aeroplane) (regulation 61.03.6(b)(v)) | 70,00 |
| (f) | for the issuing of a private pilot licence (helicopter) (regulation 61.04.6(b)(v)) | 70,00 |
| (g) | for the issuing of a commercial pilot licence (aeroplane) (regulation 61.05.6(b)(v)) | 70,00 |
| (h) | for the issuing of a commercial pilot licence (helicopter) (regulation 61.06.6(b)(v)) | 70,00 |

(i)	for the issuing of an airline transport pilot licence (aeroplane) (regulation 61.07.6(b)(v))	70,00
(j)	for the issuing of an airline transport pilot licence (helicopter) (regulation 61.08.6(b)(v))	70,00
(k)	for the issuing of a microlight aeroplane pilot licence (regulation 61.09.6(b)(v))	70,00
(l)	for the issuing of a commercial microlight aero-plane pilot licence (regulation 61.10.6(b)(v))	70,00
(m)	for the issuing of a glider pilot licence (regulation 61.11.6(b)(v))	70,00
(n)	for the issuing of a commercial glider pilot licence (regulation 61.12.6(b)(v))	70,00
(o)	for the issuing of a free balloon pilot licence (regulation 61.13.6(b)(v))	70,00
(p)	for the issuing of an airship pilot licence (regulation 61.14.6(b)(v))	70,00
(q)	for the issuing of a gyroplane pilot licence (regulation 61.15.6(b)(v))	70,00
(r)	for the issuing of a powered paraglider pilot licence (regulation 61.16.6(b)(v))	70,00
(s)	for the issuing of a hang glider pilot licence (regulation 61.17.6(b)(v))	70,00
(t)	for the issuing of a paraglider pilot licence (regulation 61.18.6(b)(v))	70,00
(u)	for the issuing of a type rating, other than a type rating for a piston-engine aeroplane with a MCM of 5 700 kg or less, or a class rating (regulation 61.19.6(b)(iii))	60,00
(v)	for the issuing of an instrument rating (regulation 61.20.6(b)(iv))	60,00
(w)	for the reissuing of an instrument rating (regulation 61.20.12(6))	55,00
(x)	for the issuing of a Grade I aeroplane flight instructor rating (regulation 61.21.6(b)(iv))	60,00
(y)	for the reissuing of a Grade I aeroplane flight instructor rating (regulation 61.21.11(3)(d))	55,00
(z)	for the issuing of a Grade II aeroplane flight instructor rating (regulation 61.22.6(b)(iv))	60,00
(aa)	for the reissuing of a Grade II aeroplane flight instructor rating (regulation 61.22.11(3)(d))	55,00

(bb)	for the issuing of a Grade III aeroplane flight instructor rating (regulation 61.23.6(b)(iv))	60,00
(cc)	for the reissuing of a Grade III aeroplane flight instructor rating (regulation 61.23.11(3)(d))	55,00
(dd)	for the issuing of an aeroplane simulator flight instructor rating (regulation 61.24.6(b)(iv))	60,00
(ee)	for the reissuing of an aeroplane simulator flight instructor rating (regulation 61.24.11(3))	55,00
(ff)	for the issuing of a Grade I helicopter flight instructor rating (regulation 61.25.6(b)(iv))	60,00
(gg)	for the reissuing of a Grade I helicopter flight instructor rating (regulation 61.25.11(3)(d))	55,00
(hh)	for the issuing of a Grade II helicopter flight instructor rating (regulation 61.26.6(b)(iv))	60,00
(ii)	for the reissuing of a Grade II helicopter flight instructor rating (regulation 61.26.11(3)(d))	55,00
(jj)	for the issuing of a Grade III helicopter flight instructor rating (regulation 61.27.6(b)(iv))	60,00
(kk)	for the reissuing of a Grade III helicopter flight instructor rating (regulation 61.27.11(3)(d))	55,00
(ll)	for the issuing of a helicopter simulator flight instructor rating (regulation 61.28.6(b)(iv))	60,00
(mm)	for the reissuing of a helicopter simulator flight instructor rating (regulation 61.28.11(3))	55,00
(nn)	for the issuing of a Grade I microlight aeroplane flight instructor rating (regulation 61.29.6(b)(iv))	60,00
(oo)	for the reissuing of a Grade I microlight aeroplane flight instructor rating (regulation 61.29.11(3)(d))	55,00
(pp)	for the issuing of a Grade II microlight aeroplane flight instructor rating (regulation 61.30.6(b)(iv))	60,00
(qq)	for the reissuing of a Grade II microlight aeroplane flight instructor rating (regulation 61.30.11(3)(d))	55,00
(rr)	for the issuing of a Grade I glider flight instructor rating (regulation 61.31.6(b)(iv))	60,00
(ss)	for the reissuing of a Grade I glider flight instructor rating (regulation 61.31.11(3)(d))	55,00

(tt)	for the issuing of a Grade II glider flight instructor rating (regulation 61.32.6(b)(iv))	60,00
(uu)	for the reissuing of a Grade II glider flight instructor rating (regulation 61.32.11(3)(d))	55,00
(vv)	for the issuing of a free balloon flight instructor rating (regulation 61.33.6(b)(iv))	60,00
(ww)	for the reissuing of a free balloon flight instructor rating (regulation 61.33.11(3)(b))	55,00
(xx)	for the issuing of an airship flight instructor rating (regulation 61.34.6(b)(iv))	60,00
(yy)	for the reissuing of an airship flight instructor rating (regulation 61.34.11(3)(d))	55,00
(zz)	for the issuing of a gyroplane flight instructor rating (regulation 61.35.6(b)(iv))	60,00
(aaa)	for the reissuing of a gyroplane flight instructor rating (regulation 61.35.11(3)(d))	55,00
(bbb)	for the issuing of a powered paraglider flight instructor rating (regulation 61.36.6(b)(iv))	60,00
(ccc)	for the reissuing of a powered paraglider flight instructor rating (regulation 61.36.11(3)(d))	55,00
(ddd)	for the issuing of a hang glider flight instructor rating (regulation 61.37.6(b)(iv))	60,00
(eee)	for the reissuing of a hang glider flight instructor rating (regulation 61.37.11(3)(d))	55,00
(fff)	for the issuing of a paraglider flight instructor rating (regulation 61.38.6(b)(iv))	60,00
(ggg)	for the reissuing of a paraglider flight instructor rating (regulation 61.38.11(3)(d))	55,00
(hhh)	for the issuing of a night rating (regulation 61.39.5(b)(iv))	60,00
(iii)	for the issuing of a Class I flight test rating (regulation 61.40.4(b)(iv))	60,00
(jjj)	for the issuing of a Class II flight test rating (regulation 61.41.4(b)(iv))	60,00
(kkk)	for the issuing of a post maintenance flight test rating (regulation 61.42.6(b)(v))	60,00
(lll)	for the issuing of a tug pilot rating (regulation 61.43.3(b)(iii))	60,00
(mmm)	for the issuing of a safety pilot rating (regulation 61.44.3(b)(iii))	60,00
(nnn)	for the issuing of an external load rating (helicopter) (regulation 61.45.4(b)(iii))	60,00

(ooo)	for the issuing of a winching rating (regulation 61.46.4(b)(iii))	60,00
(ppp)	for the issuing of a game or livestock cull rating (helicopter) (regulation 61.47.3(b)(iii))	60,00
(qqq)	for the issuing of an agricultural pilot rating (regulation 61.48.4(b)(v))	60,00
(rrr)	for examinations arranged by the Commissioner in respect of any pilot licence or rating, per subject -	
	(i) at Pretoria	85,00
	(ii) outside Pretoria	120,00
(sss)	for the remarking of examination papers in respect of any pilot licence or rating, per subject	60,00
(ttt)	for the issuing of a duplicate pilot licence	65,00

Fees relating to Part 63

187.00.7 The following fees shall be payable upon application -

	R
(a) for the validation of a flight engineer licence and rating issued by an appropriate authority (regulation 63.01.3(2)(a))	60,00
(b) for a copy of the register of flight engineer licences (regulation 63.01.11(5)) (R1,00 per page up to a maximum of)	100,00
(c) for the issuing of a flight engineer licence (regulation 63.02.6(b)(vi))	70,00
(d) for the issuing of a type rating (regulation 63.03.6(b)(iii))	60,00
(e) for the issuing of a Grade I flight engineer instructor rating (regulation 63.04.6(b)(iv))	60,00
(f) for the reissuing of a Grade I flight engineer instructor rating (regulation 63.04.11(5))	55,00
(g) for the issuing of a Grade II flight engineer instructor rating (regulation 63.05.6(b)(iv))	60,00
(h) for the reissuing of a Grade II flight engineer instructor rating (regulation 63.05.11(4))	55,00
(i) for examinations arranged by the Commissioner in respect of a flight engineer licence or any rating, per subject -	

(i)	at Pretoria	85,00
(ii)	outside Pretoria	120,00
(j)	for the remarking of examination papers in respect of a flight engineer licence or any rating, per subject	60,00
(k)	for the issuing of a duplicate flight engineer licence	65,00

Fees relating to Part 64

187.00.8 The following fees shall be payable upon application -

		R
(a)	for a copy of the register of cabin crew member licences (regulation 64.01.7(5)) (R1,00 per page up to a maximum of)	100,00
(b)	for the issuing of a cabin crew member licence (regulation 64.02.5(b)(v))	70,00
(c)	for the issuing of a duplicate cabin crew member licence	65,00

Fees relating to Part 65

187.00.9 The following fees shall be payable upon application -

		R
(a)	for the conversion of an air traffic service licence or rating issued by an appropriate authority (regulation 65.01.3(2)(a))	60,00
(b)	for a copy of the register of air traffic service licences (regulation 65.01.7(5)) (R1,00 per page up to a maximum of)	100,00
(c)	for the issuing of an air traffic service licence (regulation 65.02.4(b)(v))	70,00
(d)	for the issuing of an air traffic service assistant rating (regulation 65.03.3(b)(iii))	60,00
(e)	for the validation of an air traffic service assistant rating (regulation 65.03.6(b)(iii))	60,00
(f)	for the renewal of an air traffic service assistant rating (regulation 65.03.11(3))	55,00
(g)	for the issuing of an air traffic service assistant (coordinator) rating (regulation 65.04.3(b)(iii))	60,00

(h)	for the validation of an air traffic service assistant (coordinator) rating (regulation 65.04.6(b)(iii))	60,00
(i)	for the renewal of an air traffic service assistant (coordinator) rating (regulation 65.04.11(3))	55,00
(j)	for the issuing of an air traffic service assistant (clearance delivery) rating (regulation 65.05.3(b)(iii))	60,00
(k)	for the validation of an air traffic service assistant (clearance delivery) rating (regulation 65.05.6(b)(iii))	60,00
(l)	for the renewal of an air traffic service assistant (clearance delivery) rating (regulation 65.05.11(3))	55,00
(m)	for the issuing of an air traffic service assistant (flight information service) rating (regulation 65.06.3(b)(iii))	60,00
(n)	for the validation of an air traffic service assistant (flight information service) rating (regulation 65.06.6(b)(iii))	60,00
(o)	for the renewal of an air traffic service assistant (flight information service) rating (regulation 65.06.11(3))	55,00
(p)	for the issuing of an air traffic service assistant (aerodrome flight information service) rating (regulation 65.07.3(b)(iii))	60,00
(q)	for the validation of an air traffic service assistant (aerodrome flight information service) rating (regulation 65.07.6(b)(iii))	60,00
(r)	for the renewal of an air traffic service assistant (aerodrome flight information service) rating (regulation 65.07.11(3))	55,00
(s)	for the issuing of an aerodrome control rating (regulation 65.08.3(b)(iii))	60,00
(t)	for the validation of an aerodrome control rating (regulation 65.08.6(b)(iii))	60,00
(u)	for the renewal of an aerodrome control rating (regulation 65.08.11(3))	55,00
(v)	for the issuing of an approach control rating (regulation 65.09.3(b)(iii))	60,00

(w)	for the validation of an approach control rating (regulation 65.09.6(b)(iii))	60,00
(x)	for the renewal of an approach control rating (regulation 65.09.11(3))	55,00
(y)	for the issuing of an area control rating (regulation 65.10.3(b)(iii))	60,00
(z)	for the validation of an area control rating (regulation 65.10.6(b)(iii))	60,00
(aa)	for the renewal of an area control rating (regulation 65.10.11(3))	55,00
(bb)	for the issuing of an approach control (radar) rating (regulation 65.11.3(b)(iii))	60,00
(cc)	for the validation of an approach control (radar) rating (regulation 65.11.6(b)(iii))	60,00
(dd)	for the renewal of an approach control (radar) rating (regulation 65.11.11(3))	55,00
(ee)	for the issuing of an area control (radar) rating (regulation 65.12.3(b)(iii))	60,00
(ff)	for the validation of an area control (radar) rating (regulation 65.12.6(b)(iii))	60,00
(gg)	for the renewal of an area control (radar) rating (regulation 65.12.11(3))	55,00
(hh)	for the issuing of a Grade One air traffic service instructor (operational) rating (regulation 65.13.3(b)(iii))	60,00
(ii)	for the validation of a Grade One air traffic service instructor (operational) rating (regulation 65.13.6(b)(iii))	60,00
(jj)	for the renewal of a Grade One air traffic service instructor (operational) rating (regulation 65.13.10(2)(b)(iii))	55,00
(kk)	for the issuing of a Grade Two air traffic service instructor (operational) rating (regulation 65.14.3(b)(iii))	60,00
(ll)	for the validation of a Grade Two air traffic service instructor (operational) rating (regulation 65.14.6(b)(iii))	60,00
(mm)	for the issuing of a Grade One air traffic service instructor (training organisation) certificate (regulation 65.15.3(b)(iii))	60,00

(nn)	for the renewal of a Grade One air traffic service instructor (training organisation) certificate (regulation 65.15.7(2)(b)(iii))	55,00
(oo)	for the issuing of a Grade Two air traffic service instructor (training organisation) certificate (regulation 65.16.3(b)(iii))	60,00
(pp)	for the renewal of a Grade Two air traffic service instructor (training organisation) certificate (regulation 65.16.7(2)(b)(iii))	55,00
(qq)	for the issuing of a duplicate air traffic service licence	65,00

Fees relating to Part 66

187.00.10 The following fees shall be payable upon application -

R

(a)	for the validation of an aircraft maintenance engineer licence issued by an appropriate authority (regulation 65.01.9(2)(a))	60,00
(b)	for a copy of the register of aircraft maintenance engineer licences (regulation 66.01.10(5)) (R1,00 per page up to a maximum of)	100,00
(c)	for the issuing of a Class II aircraft maintenance engineer licence with a Category A rating (regulation 66.02.5(1)(b)(iv))	70,00
(d)	for the amendment of a Class II aircraft maintenance engineer licence with a Category A rating (regulation 66.02.5(2)(b)(iv))	60,00
(e)	for the renewal of a Class II aircraft maintenance engineer licence with a Category A rating (regulation 66.02.9(2)(b)(ii))	60,00
(f)	for the reissuing of a Class II aircraft maintenance engineer licence with a Category A rating (regulation 66.02.10(3))	60,00
(g)	for the issuing of a Class II aircraft maintenance engineer licence with a Category C rating (regulation 66.03.5(1)(b)(iv))	70,00
(h)	for the amendment of a Class II aircraft maintenance engineer licence with a Category C rating (regulation 66.03.5(2)(b)(iv))	60,00

(i)	for the renewal of a Class II aircraft maintenance engineer licence with a Category C rating (regulation 66.03.9(2)(b)(ii))	60,00
(j)	for the reissuing of a Class II aircraft maintenance engineer licence with a Category C rating (regulation 66.03.10(3))	60,00
(k)	for the issuing of a Class II aircraft maintenance engineer licence with a Category W rating (regulation 66.04.5(1)(b)(iv))	70,00
(l)	for the amendment of a Class II aircraft maintenance engineer licence with a Category W rating (regulation 66.04.5(2)(b)(iv))	60,00
(m)	for the renewal of a Class II aircraft maintenance engineer licence with a Category W rating (regulation 66.04.9(2)(b)(ii))	60,00
(n)	for the reissuing of a Class II aircraft maintenance engineer licence with a Category W rating (regulation 66.04.10(3))	60,00
(o)	for the issuing of a Class I aircraft maintenance engineer licence with a Category B rating (regulation 66.05.5(1)(b)(iv))	70,00
(p)	for the amendment of a Class I aircraft maintenance engineer licence with a Category B rating (regulation 66.05.5(2)(b)(iv))	60,00
(q)	for the renewal of a Class I aircraft maintenance engineer licence with a Category B rating (regulation 66.05.9(2)(b)(ii))	60,00
(r)	for the reissuing of a Class I aircraft maintenance engineer licence with a Category B rating (regulation 66.05.10(3))	60,00
(s)	for the issuing of a Class I aircraft maintenance engineer licence with a Category D rating (regulation 66.06.5(1)(b)(iv))	70,00
(t)	for the amendment of a Class I aircraft maintenance engineer licence with a Category D rating (regulation 66.06.5(2)(b)(iv))	60,00
(u)	for the renewal of a Class I aircraft maintenance engineer licence with a Category D rating (regulation 66.06.9(2)(b)(ii))	60,00
(v)	for the reissuing of a Class I aircraft maintenance engineer licence with a Category D rating (regulation 66.06.10(3))	60,00

(w)	for the issuing of a Class I aircraft maintenance engineer licence with a Category X rating (regulation 66.07.5(1)(b)(iv))	70,00
(x)	for the amendment of a Class I aircraft maintenance engineer licence with a Category X rating (regulation 66.07.5(2)(b)(iv))	60,00
(y)	for the renewal of a Class I aircraft maintenance engineer licence with a Category X rating (regulation 66.07.9(2)(b)(ii))	60,00
(z)	for the reissuing of a Class I aircraft maintenance engineer licence with a Category X rating (regulation 66.07.10(3))	60,00
(aa)	for the issuing of a Grade One aircraft maintenance instructor rating (regulation 66.08.5(b)(iii))	60,00
(bb)	for the renewal of a Grade One aircraft maintenance instructor rating (regulation 66.08.9(2)(b)(ii))	55,00
(cc)	for the issuing of a Grade Two aircraft maintenance instructor rating (regulation 66.09.5(b)(iv))	60,00
(dd)	for the renewal of a Grade Two aircraft maintenance instructor rating (regulation 66.09.9(2)(b)(ii))	55,00
(ee)	for the issuing of a duplicate aircraft maintenance engineer licence	65,00

Fees relating to Part 67

187.00.11 The following fees shall be payable upon -

R

(a)	appeal against being found medically unfit (regulation 67.00.10(1))	250,00
-----	---	--------

Fees relating to Part 121

187.00.12 The following fees shall be payable upon application -

R

(a)	for the issuing of an operating certificate -
-----	---

- (i) for an aeroplane with a MCM exceeding 20 000 kg 5 000,00
- (ii) for an aeroplane with a MCM exceeding 5 700 kg but not exceeding 20 000 kg 4 000,00
(regulation 121.06.2)
- (b) for a copy of the register of operating certificates (regulation 121.06.8(5)) (R1,00 per page up to a maximum of) 100,00
- (c) for the issuing of an operating certificate for a period not exceeding 30 days, irrespective of the MCM of the aeroplane in respect of which application is made 100,00

Fees relating to Part 127

187.00.13 The following fees shall be payable upon application -

R

- (a) for the issuing of an operating certificate -
 - (i) for a multi-engine helicopter 3 500,00
 - (ii) for a single-engine helicopter 2 000,00
(regulation 127.06.2)
- (b) for a copy of the register of operating certificates (regulation 127.06.8(5)) (R1,00 per page up to a maximum of) 100,00
- (c) for the issuing of an operating certificate for a period not exceeding 30 days, irrespective of the MCM of the helicopter in respect of which application is made 100,00

Fees relating to Part 135

187.00.14 The following fees shall be payable upon application -

R

- (a) for the issuing of an operating certificate -
 - (i) for an aeroplane with a MCM exceeding 2 700 kg but not exceeding 5 700 kg 3 500,00
 - (ii) for an aeroplane with a MCM of 2 700 kg or less 2 000,00
(regulation 135.06.2)

- | | | |
|-----|--|--------|
| (b) | for a copy of the register of operating certificates (regulation 135.06.8(5)) (R1,00 per page up to a maximum of) | 100,00 |
| (c) | for the issuing of an operating certificate for a period not exceeding 30 days, irrespective of the MCM of the aeroplane in respect of which application is made | 100,00 |

Fees relating to Part 139

187.00.15 The following fees shall be payable upon application -

R

- | | | |
|-----|---|--------|
| (a) | for a copy of the register of aerodrome licences, heliport approvals and heliport licences (regulation 139.01.6(5)) (R1,00 per page up to a maximum of) | 100,00 |
| (b) | for the issuing of an aerodrome licence, or an amendment thereof (regulation 139.02.10(b)(viii)) | 500,00 |
| (c) | for the renewal of an aerodrome licence (regulation 139.02.17(1)(b)(iv)) | 400,00 |
| (d) | for the issuing of a licence of intent (regulation 139.02.18(2)(b)(vi)) | 400,00 |
| (e) | for the issuing of a heliport licence (regulation 139.03.10(b)(viii)) | 500,00 |
| (f) | for the renewal of a heliport licence (regulation 139.03.17(1)(b)(iv)) | 400,00 |
| (g) | for the issuing of a licence of intent (regulation 139.03.18(2)(b)(vi)) | 400,00 |

Fees relating to Part 141

187.00.16 The following fees shall be payable upon application -

R

- | | | |
|-----|--|--------|
| (a) | for a copy of the register of aviation training organisation approvals (regulation 141.01.7(5)) (R1,00 per page up to a maximum of) | 100,00 |
| (b) | for the issuing of an aviation training organisation approval to conduct standard aviation training, or an amendment thereof (regulation 141.02.7(b)(i)) | 500,00 |

- (c) for the renewal of an aviation training organisation approval to conduct standard aviation training (regulation 141.02.13(1)(b)(i)) 400,00
- (d) for the issuing of an aviation training organisation approval to conduct temporary aviation training (regulation 141.03.2(b)(i)) 100,00

Fees relating to Part 145

187.00.17 The following fees shall be payable upon application -

R

- (a) for a copy of the register of aircraft maintenance organisation approvals (regulation 145.01.10(5)) (R1,00 per page up to a maximum of) 100,00
- (b) (i) for the issuing of an aircraft maintenance organisation approval with a Category A rating (regulation 145.02.6(b)(i)) 2 500,00
- (ii) for the amendment of an aircraft maintenance organisation approval with a Category A rating (regulation 145.02.6(b)(i)) 500,00
- (c) for the renewal of an aircraft maintenance organisation approval with a Category A rating (regulation 145.02.11(1)(b)(i)) 200,00
- (d) (i) for the issuing of an aircraft maintenance organisation approval with a Category B rating (regulation 145.03.6(b)(i)) 2 500,00
- (ii) for the amendment of an aircraft maintenance organisation approval with a Category B rating (regulation 145.03.6(b)(i)) 500,00
- (e) for the renewal of an aircraft maintenance organisation approval with a Category B rating (regulation 145.03.11(1)(b)(i)) 200,00
- (f) (i) for the issuing of an aircraft maintenance organisation approval with a Category C rating (regulation 145.04.6(b)(i)) 2 500,00
- (ii) for the amendment of an aircraft maintenance organisation approval with a

	Category	C rating	(regulation	
	145.04.6(b)(i))			500,00
(g)	for the renewal of an aircraft maintenance organisation approval with a Category C rating (regulation 145.04.11(1)(b)(i))			200,00
(h)	(i) for the issuing of an aircraft maintenance organisation approval with a Category D rating (regulation 145.05.6(b)(i))			2 500,00
	(ii) for the amendment of an aircraft maintenance organisation approval with a Category D rating (regulation 145.05.6(b)(i))			500,00
(i)	for the renewal of an aircraft maintenance organisation approval with a Category D rating (regulation 145.05.11(1)(b)(i))			200,00
(j)	(i) for the issuing of an aircraft maintenance organisation approval with a Category E rating (regulation 145.06.6(b)(i))			2 500,00
	(ii) for the amendment of an aircraft maintenance organisation approval with a Category E rating (regulation 145.06.6(b)(i))			500,00
(k)	for the renewal of an aircraft maintenance organisation approval with a Category E rating (regulation 145.06.11(1)(b)(i))			200,00
(l)	(i) for the issuing of an aircraft maintenance organisation approval with a Category W rating (regulation 145.07.6(b)(i))			2 500,00
	(ii) for the amendment of an aircraft maintenance organisation approval with a Category W rating (regulation 145.07.6(b)(i))			500,00
(m)	for the renewal of an aircraft maintenance organisation approval with a Category W rating (regulation 145.07.11(1)(b)(i))			200,00
(n)	(i) for the issuing of an aircraft maintenance organisation approval with a Category X rating (regulation 145.08.6(b)(i))			2 500,00
	(ii) for the amendment of an aircraft maintenance organisation approval with a Category X rating (regulation 145.08.6(b)(i))			500,00

- | | | |
|-----|---|--------|
| (o) | for the renewal of an aircraft maintenance organisation approval with a Category X rating (regulation 145.08.11(1)(b)(i)) | 200,00 |
| (p) | for the issuing of a duplicate aircraft maintenance organisation approval | 75,00 |

Fees relating to Part 147

187.00.18 The following fees shall be payable upon application -

R

- | | | |
|-----|---|----------|
| (a) | for a copy of the register of design organisation approvals (regulation 147.01.6(5)) (R1,00 per page up to a maximum of) | 100,00 |
| (b) | (i) for the issuing of a design organisation approval to design products or changes thereto (regulation 147.02.6(b)(i)) | 2 500,00 |
| | (ii) for the amendment of a design organisation approval to design products or changes thereto (regulation 147.02.6(b)(i)) | 500,00 |
| (c) | for the renewal of a design organisation approval to design products or changes thereto (regulation 147.02.15(1)(b)(i)) | 200,00 |
| (d) | (i) for the issuing of a design organisation approval to design parts and appliances, or changes thereto (regulation 147.03.6(b)(i)) | 2 500,00 |
| | (ii) for the amendment of a design organisation approval to design parts and appliances, or changes thereto (regulation 147.03.6(b)(i)) | 500,00 |
| (e) | for the renewal of a design organisation approval to design parts and appliances, or changes thereto (regulation 147.03.14(1)(b)(i)) | 200,00 |
| (f) | for the issuing of a duplicate design organisation approval | 75,00 |

Fees relating to Part 148**187.00.19** The following fees shall be payable upon application -

R

- | | | |
|-----|--|----------|
| (a) | for a copy of the register of manufacturing organisation approvals (regulation 148.01.7(5))
(R1,00 per page up to a maximum of) | 100,00 |
| (b) | (i) for the issuing of a manufacturing organisation approval with a M rating
(regulation 148.02.6(b)(i)) | 2 500,00 |
| | (ii) for the amendment of a manufacturing organisation approval with a M rating
(regulation 148.02.6(b)(i)) | 500,00 |
| (c) | for the renewal of a manufacturing organisation approval with a M rating
(regulation 148.02.15(1)(b)(i)) | 200,00 |
| (d) | (i) for the issuing of a manufacturing organisation approval with a P rating
(regulation 148.03.6(b)(i)) | 2 500,00 |
| | (ii) for the amendment of a manufacturing organisation approval with a P rating
(regulation 148.03.6(b)(i)) | 500,00 |
| (e) | for the renewal of a manufacturing organisation approval with a P rating
(regulation 148.03.15(1)(b)(i)) | 200,00 |
| (f) | (i) for the issuing of a manufacturing organisation approval with a T rating
(regulation 148.04.6(b)(i)) | 2 500,00 |
| | (ii) for the amendment of a manufacturing organisation approval with a T rating
(regulation 148.04.6(b)(i)) | 500,00 |
| (g) | for the renewal of a manufacturing organisation approval with a T rating
(regulation 148.04.15(1)(b)(i)) | 200,00 |
| (h) | for the issuing of a duplicate manufacturing organisation approval | 75,00 |

Fees relating to Part 149**187.00.20** The following fees shall be payable upon application -

R

- | | | |
|-----|---|----------|
| (a) | for a copy of the register of aviation recreation organisation approvals (regulation 149.01.7(5)) (R1,00 per page up to a maximum of) | 100,00 |
| (b) | (i) for the issuing of an aviation recreation organisation approval (regulation 149.02.6(b)(i)) | 2 500,00 |
| | (ii) for the amendment of an aviation recreation organisation approval (regulation 149.02.6(b)(ii)) | 500,00 |
| (c) | for the renewal of an aviation recreation organisation approval (regulation 149.02.12(1)(b)(i)) | 400,00 |
| (d) | for the issuing of a duplicate aviation recreation organisation approval | 75,00 |

Fees relating to Part 172**187.00.21** The following fees shall be payable upon application -

R

- | | | |
|-----|---|----------|
| (a) | for a copy of the register of air traffic service unit approvals (regulation 172.01.7(5)) (R1,00 per page up to a maximum of) | 100,00 |
| (b) | (i) for the issuing of an air traffic service unit approval (regulation 172.03.5(1)(b)(ii)) | 2 500,00 |
| | (ii) for the amendment of an air traffic service unit approval (regulation 172.03.5(b)(ii)) | 500,00 |
| (c) | for the renewal of an air traffic service unit approval (regulation 172.03.9(3)) | 400,00 |
| (d) | for the issuing of a duplicate air traffic service unit approval | 75,00 |

CONTENTS

No.

Page
No. Gazette
No.**GOVERNMENT NOTICE**Transport, Department of
Government Notice

R. 1219 Aviation Act (74/1962): Regulations..... 1 18286