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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF TRANSPORT DEPARTEMENT VAN VERVOER

No. R. 1381

15 December 2000

AVIATION ACT, 1962 (ACT NO 74 OF 1962)

NINTH AMENDMENT OF THE CIVIL AVIATION REGULATIONS, 1997

The Minister of Transport has under section 22(1) of the Aviation Act, 1962 (Act No 74 of 1962) made the regulations in the Schedule hereto.

SCHEDULE

Definition

1. In these regulations unless the context otherwise indicates "the Regulations" means the Civil Aviation Regulations, 1997, published by Government Notice Nos. R.1219 of 26 September 1997 and R.1255 of 17 October 1997, as amended by Government Notice No R. 1735 of 24 December 1997, Government Notice No R. 1041 of 14 August 1998, Government Notice No R.1148 of 18 September 1998, Government Notice No R.1664 of 14 December 1998, Government Notice No R.1701 of 31 December 1998, Government Notice No R.639 of 21 May 1999, Government Notice No R170 of 17 February 2000 and Government Notice No R.171 of 18 February 2000.

Insertion of regulation 21.08.1A into Part 21 of the Regulations.

2. Regulation 21.08.1A is herewith inserted after regulation 21.08.1 into the Regulations:

"Requirements for Certificate of Airworthiness

21.08.1A No aircraft shall be operated in the Republic unless such aircraft has been issued with a certificate of airworthiness and unless the conditions on which such certificate was issued or rendered effective are complied with."

Insertion of regulation 11.05.1 into Part 11 of the Regulations.

3. Regulation 11.05.1 is herewith inserted after regulation 11.04.5 into the Regulations:

"Exemption from regulation 21.08.1A

- 11.05.1(1) The Commissioner may, on application, exempt in writing any aircraft to which conditions determined by the Commissioner and contained in Document LS/1 dated 30 November 2000 are applicable, from the provisions of regulation 21.08.1A.
- (2) In respect of aircraft exempt from the provisions of regulation 21.08.1A, the requirements of Parts 21, 121, 127, 135 and 145 shall not apply as from the date that regulation 21.08.1A comes into force, until the repeal thereof insofar as the provisions contained in the mentioned Parts correspond with the provisions contained in the conditions in Document LS/1.
- (3) Where there are no provisions in Parts 21, 121, 127, 135 and 145 that correspond with provisions in the Document LS/1, then the provisions of the Parts aforementioned shall be complied with.
- (4) If the conditions contained in Document LS/1 are not complied with at all times, any aircraft subject to these conditions, shall not be operated."

Insertion of regulation 183.00.3A into Part 183 of the Regulations.

4. Regulation 183.00.3A is herewith inserted after regulation 183.00.3 into the Regulations:

"Deeming Provisions

- 183.00.3A (1) Any exemption purportedly granted by the Commissioner in terms of regulation 1.10.1(b)(ii) of the Air Navigation Regulations, 1976, during the period 1 January 1998 until the date that regulation 21.08.1A comes into force, shall be deemed:
- a) to have been an exemption granted in terms of regulation 11.05.1(1), and
- b) to have taken effect from the date on which the exemption in terms of regulation 1.10.1(b)(ii) of the Air Navigation Regulations, 1976, purportedly was granted.
- (2) Any conditions purportedly imposed by the Commissioner in terms of repealed regulation 1.10.1(b)(ii) of the Air Navigation Regulations, 1976 and made applicable to aircraft during the period 1 January 1998 until the date that regulation 21.08.1A comes into force, shall be deemed to be those conditions issued in terms of regulation 11.05.1(1)."

Short title and commencement.

5. These Regulations are called the Ninth Amendment of the Civil Aviation Regulations, 1997, and will come into operation on the date of publication thereof.

No. R. 1381

15 Desember 2000

LUGVAARTWET, 1962 (WET NO 74 VAN 1962)**NEGENDE WYSIGING VAN DIE BURGERLUGVAARTREGULASIES, 1997**

Die Minister van Vervoer het ingevolge artikel 22(1) van die Lugvaartwet, 1962 (Wet No 74 van 1962) die regulasies in die Bylae hiervan uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken "die Regulasies" die Burgerlugvaartregulasies, 1997, soos afgekondig by Goewermenskennisgewing Nos R.1219 van 26 September 1997 en R.1255 van 17 Oktober 1997, soos gewysig deur Goewermenskennisgewing No. R.1735 van 24 Desember 1997, Goewermenskennisgewing No. R.1041 van 14 Augustus 1998, Goewermenskennisgewing No. R.1184 van 18 September 1998, Goewermenskennisgewing No. R.1614 van 14 Desember 1998 en No. R.1702 van 31 Desember 1998 en Goewermenskennisgewing No. R.1701 van 31 Desember 1998, Goewermenskennisgewing No. R.639 van 21 Mei 1999, Goewermenskennisgewing No. 170 van 17 Februarie 2000 en Goewermenskennisgewing No. R.171 van 18 Februarie 2000.

Invoeging van regulasie 21.08.1A in Deel 21 van die Regulasies

2. Regulasie 21.08.1A word hiermee na regulasie 21.08.1 ingevoeg:

"Vereistes vir Lugwaardigheidsertifikaat

21.08.1A Geen vliegtuig sal in die Republiek bedryf word tensy sodanige vliegtuig met 'n lugwaardigheidsertifikaat uitgereik is en tensy die voorwaardes waarop sodanige sertifikaat uitgereik is of effektief gemaak is, nagekom is nie."

Invoeging van regulasie 11.05.1 in Deel 11 van die Regulasies.

3. Regulasie 11.05.1 word hiermee na regulasie 11.04.5 in die Regulasies ingevoeg:

"Vrystelling van regulasie 21.08.1A

- 11.05.1 (1) Die Kommissaris kan op aansoek enige vliegtuig ten opsigte waarvan die voorwaardes deur die Kommissaris bepaal en vervat in Dokument LS/1 gedateer 30 November 2000, toepaslik is, skriftelik vrystel van die bepalings van regulasie 21.08.1A.

- (2) Met betrekking tot vliegtuie wat vrygestel is van die bepalings van regulasie 21.08.1A, sal die vereistes van Dele 21, 121, 127, 135 en 145 nie toepaslik wees vanaf die datum waarop regulasie 21.08.1A in werking tree tot die herroeping daarvan nie insoverre die bepalings in die gemelde Dele vervat met die bepalings in die voorwaardes in Dokument LS/1 vervat, ooreenstem.
- (3) Waar daar geen bepalings in Dele 21, 121, 127, 135 en 145 is wat ooreenstem met bepalings in die Dokument LS/1 nie, moet die bepalings van die gemelde Dele nagekom word.
- (4) Indien die voorwaardes in Dokument LS/1 vervat nie ten alle tye nagekom word nie, mag 'n vliegtuig wat onderworpe is aan dié voorwaardes, nie bedryf word nie.”.

Invoeging van regulasie 183.00.3A in Deel 183 van die Regulasies.

4. Regulasie 183.00.3A word hiermee na regulasie 183.00.3 in die Regulasies ingevoeg:

“Agtingsbepalings

183.00.3A (1) Enige vrystelling wat sogenaamd deur die Kommissaris ingevolge regulasie 1.10.1(b)(ii) van die Lugvaartregulasies, 1976, gedurende die periode 1 Januarie 1998 tot die datum dat regulasie 21.08.1A in werking kom, toegestaan is, sal geag word:

- a) om 'n vrystelling ingevolge regulasie 11.05.1(1) toegestaan, te wees; en
- b) om effektief vanaf die datum waarop die vrystelling ingevolge regulasie 1.10.1(b)(ii) van die Lugvaartregulasies, 1976, sogenaamd toegestaan gewees het, te wees.

- (2) Enige voorwaardes sogenaamd deur die Kommissaris ingevolge die herroepde regulasie 1.10.1(b)(ii) van die Lugvaartregulasies, 1976, opgelê en van toepassing gemaak op vliegtuie gedurende die periode 1 Januarie 1998 tot die datum dat regulasie 21.08.1A in werking tree, sal geag word om die voorwaardes uitgereik ingevolge regulasie 11.05.1(1) te wees.”.

Kort titel en inwerkingtreding.

5. Hierdie Regulasies heet die Negende Wysiging van die Burgerlugvaartregulasies, 1997, en tree in werking op die datum van publikasie daarvan.

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