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CONTENTS • INHOUD

No.	Page No. Gazette No.
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GOVERNMENT NOTICES

Transport, Department of

Government Notices

R. 247 Aviation Act (74/1962): Amendment: Civil Aviation Regulations, 1997.....	3	22142
R. 248 do.: do.....	12	22142

GOVERNMENT NOTICES

DEPARTMENT OF TRANSPORT

No. R. 247

16 March 2001

AVIATION ACT 1962**PROPOSED AMENDMENT TO THE CIVIL AVIATION
REGULATIONS, 1997**

Under regulation 11.03.2(1)(a) of the Civil Aviation Regulations, the Chairperson of the Civil Aviation Regulations Committee (CARCOM) hereby publishes for comment the proposed amendments to the Civil Aviation Regulations, 1997, as set out in the schedules. Any comments or representations on the proposed amendments should be lodged in writing with the Chairperson of the Regulations Committee, for attention Mr. Kim Gorringer or Mr. Herman Wildenboer, Private Bag X08, Waterkloof, 0145, fax: (012) 346-5979, or e-mail at gorringerk@caa.co.za or wildenboerh@caa.co.za, before or on 17 April 2001.

Proposal to amend Part 127 of the CAR, 1997**Proposer:**

Civil Aviation Authority
Private Bag X08
Waterkloof
0145

Explanation of interest of the Proposer

The Proposer administers the Aviation Act, 1962 (Act No. 74 of 1962) and regulations and technical standards issued in terms thereof.

SCHEDULE 1**1.1 Proposed amendment of Regulation 127.01.3 'Admission to cockpit'**

Insert new sub-regulation (5):

"(5) For the purpose of this Part, the expression 'cockpit' shall have the same meaning as the expression 'flight deck'."

1.2 Current regulation:

No current regulation exists.

1.3 Motivation:

In the CAR, the expression 'cockpit' has generally been replaced by the expression 'flight deck'. However, the expression 'cockpit' has been retained in Part 127 and, therefore, requires definition.

SCHEDULE 2**2.1 Proposal to amend regulation 127.02.1(8)(e):**

"(e) the pilot concerned shall have a minimum of 50 hours flight time on the specific type or class of helicopter at night or under IFR of which 10 hours shall be as pilot-in-command;"

2.2 Current regulation:

"(e) the pilot concerned shall have a minimum of 50 hours flight time on the specific type or class of helicopter under IFR of which 10 hours shall be as pilot-in-command;"

2.3 Motivation:

If 'under IFR' is considered to mean 'by sole reference to flight instruments', it will be difficult for a helicopter pilot to gain the necessary experience. By allowing night flying time to count towards the required experience, this problem may be overcome.

SCHEDULE 3**3.1 Proposal to amend sub-regulation 127.02.1(8)(f)(i):**

"(f) the minimum required recent experience for a pilot engaged in a single-pilot operation under IFR or by night shall be –

- (i) under IFR, executed at least two approaches either under actual or simulated conditions with reference to flight instruments only;"

3.2 Current sub-regulation:

- "(f) the minimum required recent experience for a pilot engaged in a single-pilot operation under IFR or by night shall be –
 - (i) under IFR:
 - (aa) executed at least two actual approaches with reference to flight instruments only;
 - (bb) executed at least two approaches either under actual or simulated conditions with reference to flight instruments only;

3.3 Motivation:

The to be deleted current sub-regulation (aa) is already included in sub-regulation (bb).

SCHEDULE 4**4.1 Proposal to amend sub-regulation 127.02.1(8)(f)(ii):**

- "(f) the minimum required recent experience for a pilot engaged in a single-pilot operation under IFR or by night shall be –
 - (i) ...
 - (ii) by night when passengers are to be carried: Executed not less than five circuits (including take-off and landing) by night in a helicopter of the same class as that in which such passenger-carrying flight is to be undertaken;"

4.2 Current sub-regulation:

- "(f) the minimum required recent experience for a pilot engaged in a single-pilot operation under IFR or by night shall be –
 - (i) ...
 - (ii) by night when passengers are to be carried: Executed not less than five circuits (including take-off and landing) by night in a helicopter of the same category as that in which such passenger-carrying flight is to be undertaken;"

4.3 Motivation:

The current reference to 'category' is a mistake and should be a reference to 'class' (see regulation 127.08.1 'Classification').

SCHEDULE 5

5.1 Proposal to amend sub-regulation 127.03.6(a)(ii):

"The operator of a commercial air transport helicopter shall ensure that –

- (a) a holder of a commercial pilot licence (helicopter) does not operate as a pilot-in-command of a helicopter, certificated in the flight manual referred to in Regulation 91.03.2 for single-pilot operations, unless –
 - (i) when conducting passenger carrying operations under VFR outside a radius of 50 nautical miles from a heliport of departure, the pilot has a minimum of 300 hours total flight time on helicopter or holds a valid instrument rating; or
 - (ii) when operating under IFR, the pilot has a minimum of 400 hours total flight time on helicopters which includes 200 hours as pilot-in-command of which 50 hours have been under IFR: Provided that the 200 hours as pilot-in-command may be substituted by hours operating as co-pilot on the basis of two hours co-pilot is equivalent to one hour as pilot-in-command if these hours were gained within an established multi-pilot flight crew system prescribed in the operations manual referred to in Regulation 127.04.2;"

5.2 Current regulation:

"The operator of a commercial air transport helicopter shall ensure that –

- (a) a holder of a commercial pilot licence (helicopter) does not operate as a pilot-in-command of a helicopter certificated in

the flight manual referred to in Regulation 91.03.2 for single-pilot operations unless –

- (i) when conducting passenger carrying operations under VFR outside a radius of 50 nautical miles from a heliport of departure, the pilot has a minimum of 300 hours total flight time on helicopter or holds a valid instrument rating; or
- (ii) when operating under IFR, the pilot has a minimum of 400 hours total flight time on helicopters which includes 200 hours as pilot-in-command of which 100 hours have been under IFR: Provided that the 200 hours as pilot-in-command may be substituted by hours operating as co-pilot on the basis of two hours co-pilot is equivalent to one hour as pilot-in-command: Provided further that these hours are gained within an established multi-pilot flight crew system prescribed in the operations manual referred to in Regulation 127.04.2;”

5.3 Motivation:

If ‘under IFR’ is considered to mean ‘by sole reference to flight instruments’, it will be difficult for a helicopter pilot to gain the necessary 100 hours experience. Reducing the requirement to 50 hours is not considered to be unreasonable or unsafe.

SCHEDULE 6

6.1 Proposal to amend Division Four:

“Division Four: Training of other crew members

Training

127.03.16

- “(1) The operator of a commercial air transport helicopter shall provide an initial, recurrent and refresher training course for any –
 - (a) load master;
 - (b) winch operator; and

- (c) any other crew member essential to safe operations;
if the operator has such operations personnel in his or her employ.
- (2) The training course referred to in sub-regulation (1) shall be specified in the operations manual referred to in regulation 127.04.2."

6.2 Current heading and regulation:

"Division Four: Training of other flight crew members

Training

127.03.16

- "(1) The operator of a commercial air transport helicopter shall provide an initial, recurrent and refresher training course for any –
 - (a) load master;
 - (b) winch operator;
 - (c) navigator; or
 - (d) if the operator has such operations personnel in his or her employ, other flight crew member essential to safe operations.
- (2) The training course referred to in sub-regulation (1) shall be specified in the operations manual referred to in regulation 127.04.2."

6.3 Motivation:

- (1) In South Africa, the function of navigator is not longer recognized.
- (2) Load masters, winch operators and other operational crew members do not fall under the definition of 'flight crew'.

- (3) Sub-regulation (1) has been rephrased in order to remove any ambiguity.

SCHEDULE 7

7.1 Proposal to delete regulation 127.05.8

7.2 Current regulation:

Helicopters certificated for operating on water

127.05.8 The operator of a commercial air transport helicopter certificated for operating on water, shall not operate the helicopter on water unless such helicopter is equipped with –

- (a) a sea anchor and other equipment necessary to facilitate the mooring, anchoring or manoeuvring such helicopter on water, appropriate to its size, weight and handling characteristics; and
- (b) equipment for making the sound signals prescribed in the International Regulations for Preventing Collisions at Sea, where applicable.

7.3 Motivation

This regulation is a duplication of regulation 91.04.30, which is applicable to Part 127 operators.

SCHEDULE 8

8.1 Proposal to amend sub-regulation 127.07.7(1) 'Heliport Operating Minima'

- "(1) The operator of a commercial air transport helicopter to be used under IMC shall establish heliport 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 heliport and aerodrome intended to be used either as destination or alternate heliport."

8.2 Current sub-regulation:

- (1) The operator of a commercial air transport helicopter shall establish heliport 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 heliport and aerodrome intended to be used either as destination or alternate heliport.

8.3 Motivation:

There should be no need to establish heliport operating minima for helicopters operated under VFR.

SCHEDULE 9**9.1 Proposal to amend sub-regulation 127.07.20(4):****"Passenger services****127.07.20 (1) ...**

(2) ...

(3) ...

(4) The cabin crew members shall complete securing of the cabin before the approach for landing of the helicopter is commenced, if cabin crew members are carried.

(5) ..."

9.2 Current regulation:**"Passenger services****127.07.20 (1) ...**

(2) ...

(3) ...

(4) Securing of the cabin shall be completed by the cabin crew members before the approach for landing of the helicopter is commenced, if cabin crew members are carried.

(5) ..."

9.3 Motivation:

To provide for the instances when no cabin crew members are carried and improving language.

No. R. 248

16 March 2001

AVIATION ACT 1962**PROPOSED AMENDMENT TO THE CIVIL AVIATION
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Proposal to amend Part 133 of the CAR, 1997**PROPOSER:**

Civil Aviation Authority
Private Bag X08
Waterkloof
0145

Explanation of interest of the Proposer

The Proposer administers the Aviation Act, 1962 (Act No. 74 of 1962) and regulations and technical standards issued in terms thereof.

SCHEDULE 1**1.1 Proposal to amend sub-Regulation 133.02.1(2) of Part 133 of the
CAR, 1997:**

- (2) The owner, operator or pilot-in-command shall not operate the helicopter unless –

- (a) a standard category type certificate or a restricted category type certificate has been issued in respect of such helicopter in terms of Part 21;
- (b) a valid certificate of airworthiness has been issued in respect of such helicopter in terms of Part 21; and
- (c) such helicopter complies with the certification provisions of sub-Part 3 that apply to the applicable class of helicopter load combination.

1.2 Current sub-Regulation:

- (2) The owner, operator or pilot-in-command shall not operate the helicopter unless –
 - (a) a standard category type certificate or a restricted category type certificate has been issued in respect of such helicopter in terms of Part 21;
 - (b) a valid certificate of airworthiness has been issued in respect of such helicopter in terms of Part 21; and
 - (c) such helicopter complies with the applicable certification provisions of Part 127 which apply to the helicopter load combinations of the operation.

1.3 Motivation:

The current Sub-regulation (2)(c) makes an incorrect reference in respect of the certification provisions that have to be met. Part 127 makes no specific provisions for external-load operations.

SCHEDULE 2

2.1 Proposal to amend sub-Regulation 133.02.1(5) of Part 133 of the CAR, 1997:

“(5) Notwithstanding the provisions of Part 91 and except as prescribed in Regulation 133.03.3, the owner or operator of a helicopter engaged in an external-load operation may conduct the operation, including an approach, departure, and load positioning manoeuvre necessary for the operation, below 500 feet above the surface and closer than 500 feet to persons, vessels, vehicles, and structures, if such operation is conducted without creating a hazard to persons or property on the surface.

2.2 Current sub-regulation:

"(5) Notwithstanding the provisions of Part 91 and except as prescribed in Regulation 133.04.3(4), the owner or operator of a helicopter engaged in an external-load operation may conduct the operation, including an approach, departure, and load positioning manoeuvre necessary for the operation, below 500 feet above the surface and closer than 500 feet to persons, vessels, vehicles, and structures, if such operation is conducted without creating a hazard to persons or property on the surface.

2.3 Motivation:

This is a correction: The reference to Regulation 133.04.3(4) is not correct.

SCHEDULE 3**3.1 Proposal to amend sub-Regulation 133.02.1(6) of Part 133 of the CAR, 1997:**

"(6) No owner, operator or pilot-in-command of a helicopter engaged in an external-load operation shall conduct the operation under IMC, except with the prior approval of the Commissioner: Provided that no person shall be carried as part of the external load under IMC."

3.2 Current regulation:

(6) No owner, operator or pilot-in-command of a helicopter engaged in an external-load operation shall conduct the operation under IFR, except with the prior approval of the Commissioner: Provided that no person shall be carried as part of the external load under IFR.

3.3 Motivation:

The restriction is supposed to be in respect of the meteorological conditions under which the flight is conducted, and not so much the flight rules.

SCHEDULE 4**4.1 Proposal to amend sub-Regulations 133.02.3(2), (3) and (4) of Part 133 of the CAR, 1997:**

Flight crew member training, currency and testing requirements

133.02.3 (1) The owner or operator of a helicopter engaged in an external-load operation shall ensure that the pilot-in-command –

- (a) ...
- (b) ...
- (c) ...

(2) The owner or operator of a helicopter engaged in an external-load operation, shall ensure that each flight crew member or other operations personnel member, successfully completes the appropriate training, as prescribed in SA-CATS-OPS 133.

(3) Training shall be given by the holder of the appropriate aviation training organization approval issued in terms of Part 141 of these Regulations.

(4) Upon successful completion of the training, the approved aviation training organization, referred to in sub-regulation (3), shall issue a certificate of competency to the flight crew member or other operations personnel member concerned.

(5) The owner or operator of a helicopter engaged in a commercial external-load operation shall ensure that a flight crew member or other operations personnel member, who has not performed a helicopter external-load operation of the same helicopter-load combination class and in a helicopter of the same type within the past 12 calendar months, shall undergo recurrent checking by an appropriate licensed and rated helicopter pilot designated by the owner or operator.

(6) The owner or operator of a helicopter engaged in a commercial external-load operation shall specify in the operations manual, referred to in Regulation 127.04.2 of Part 127 of the CAR, 1997, the kind and frequency of training or recurrent checking required in terms of this Part.

4.2 Current sub-regulations:

"Flight crew member training, currency and testing requirements

133.02.3 (1) The owner or operator of a helicopter engaged in an external-load operation shall ensure that the pilot-in-command –

- (a) ...
- (b) ...
- (d) ...

- (2) The owner or operator of a Class D helicopter engaged in an external-load operation, shall ensure that each flight crew member or other operations personnel member successfully completes, the appropriate initial or recurrent training, as the case may be.
- (3) Upon successful completion of the initial or recurrent training, the owner or operator shall issue a certificate of competency to the flight crew member or other operations 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.
- (4) Notwithstanding the provisions of sub-regulation (2), a flight crew member or other operations personnel member who has performed a helicopter external-load operation of the same class and in a helicopter of the same type within the past 12 calendar months need not undergo recurrent training.

4.3 Motivation:

The kind of training required needs to be prescribed, as well as by whom training and recurrent checking may be conducted. Furthermore, it is not considered necessary to put an expiry date on the certificate of competency. However, in the case of a commercial operator, currency checks should be prescribed.

SCHEDULE 5

5.1 Proposal to amend sub-regulation 133.03.3(2) of Part 133 of the CAR, 1997

- "(2) The operating limitations established by the owner or operator shall include –
- (a) the mass and center of gravity limitations established in accordance with Regulation 133.03.2(2), (3) or (4) within which the helicopter-load combination may be operated;
 - (b) the external load mass of the helicopter-load combination which shall not exceed the external load mass referred to in Regulations 133.03.1(2) and 133.03.2(2) respectively;
 - (c) the airspeeds at which the helicopter-load combination may be operated, which airspeeds shall not be greater than the airspeeds established in accordance with Regulations 133.03.1(3), (4) or (5);

- (d) a prohibition on the conducting of an external-load operation in terms of this part, with a helicopter, type certificated in the restricted category in terms of Part 21, over a densely inhabited area, in a congested airway, or near an aerodrome licensed in terms of Part 139; and
- (e) in the case of a Class D helicopter-load combination such combination may only be conducted in accordance with the following:
 - (i) the helicopter to be used shall be of a multi-engine type and shall provide hover capability with one engine inoperative at that operating mass and altitude;
 - (ii) the helicopter shall be equipped to allow direct radio inter-communication among required flight crew members;
 - (iii) the personnel lifting device shall be of an approved type; and
 - (iv) the lifting device shall have an emergency release requiring two distinct actions.

5.2 Current regulation:

- (2) The operating limitations established by the owner or operator shall include –
 - (a) the mass and center of gravity limitations established in accordance with Regulation 133.03.2(2) within which the helicopter-load combination may be operated;
 - (b) the external load mass of the helicopter-load combination which shall not exceed the external load mass referred to in Regulations 133.03.1 and 133.03.2;
 - (c) the airspeeds at which the helicopter-load combination may be operated, which airspeeds shall not be greater than the airspeeds established in accordance with Regulations 133.03.1(3), (4) or (5);
 - (d) a prohibition on the conducting of an external-load operation in terms of this part, with a helicopter, type certificated in the restricted category in terms of Part 21, over a densely

inhabited area, in a congested airway, or near an aerodrome licensed in terms of Part 139; and

- (e) in the case of a Class D helicopter-load combination such combination may only be conducted in accordance with the following:
 - (i) The helicopter to be used shall provide hover capability with one engine inoperative at that operating mass and altitude;
 - (ii) the helicopter shall be equipped to allow direct radio inter-communication among required flight crew members;
 - (iii) the personnel lifting device shall be of an approved type; and
 - (iv) the lifting device shall have an emergency release requiring two distinct actions.

5.3 Motivation:

The references in the current sub-regulations (a) and (b) are incomplete. Furthermore, it is not clear that for a Class D helicopter-load combination only multi-engine helicopters would be considered.

SCHEDULE 6

6.1 Proposal to amend sub-Regulation 133.03.4(4):

“(4) The operator of a helicopter engaged in commercial external-load operations shall include the helicopter-load combination flight manual in the operations manual referred to in Regulation 127.04.2.”

6.2 Current sub-Regulation:

(4) The operator shall include the helicopter-load combination flight manual in the operations manual referred to in Regulation 127.04.2.

6.3 Motivation:

No operations manual is required in respect of a Part 91 operator.

SCHEDULE 7

7.1 Proposal to amend Regulation 133.03.5 of Part 133 of the CAR, 1997

"Markings and placards

133.03.5 The owner or operator of a helicopter engaged in an external-load operation shall ensure that the following markings and placards are displayed in a conspicuous place and cannot be easily erased, disfigured, or obscured:

- (a) A placard displayed in the cockpit or cabin, stating the class of helicopter-load combination for which the helicopter has been approved and the occupancy limitation prescribed in Regulations 133.02.2(1) and 133.03.1(3) to (5); and
- (b) a placard, making, or instruction, displayed next to the external-load attaching means, stating the maximum external load prescribed as an operating limitation in Regulation 133.03.3(2)(c)."

7.2 Current regulation:

Markings and placards

133.03.5.1 The owner or operator of a helicopter engaged in an external-load operation shall ensure that the following markings and placards are displayed in a conspicuous place and cannot be easily erased, disfigured, or obscured:

- (a) A placard displayed in the cockpit or cabin, stating the class of helicopter-load combination for which the helicopter has been approved and the occupancy limitation prescribed in Regulation 133.03.3(a); and
- (b) a placard, making, or instruction, displayed next to the external-load attaching means, stating the maximum external load prescribed as an operating limitation in Regulation 133.03.3(c).

7.3 Motivation:

The various cross-references are corrected.

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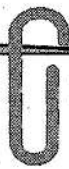
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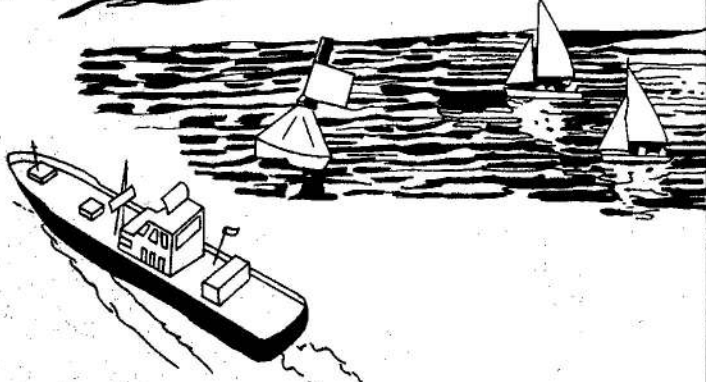
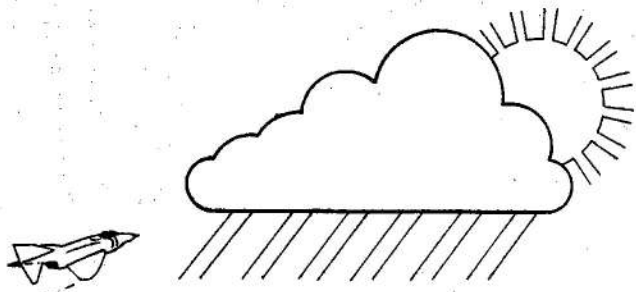
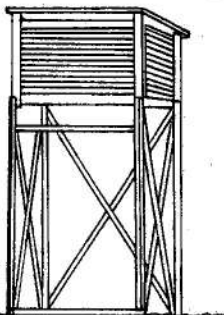
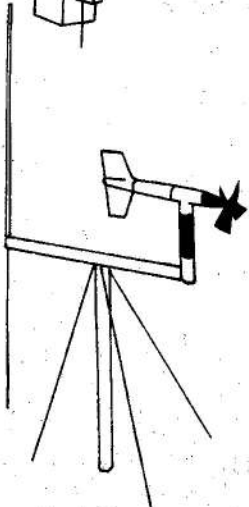
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