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GOVERNMENT NOTICES

DEPARTMENT OF TRANSPORT

No. R. 283

8 March 2002

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 8 April 2002.

SCHEDULE 1

Proposal to amend Part 61 of the Civil Aviation Regulations of 1997

Proposer

Civil Aviation Authority
Private Bag X08
0145 Waterkloof

Explanation of interest of the Proposer

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

1 Proposed Amendment of Sub-part 1 of Part 61

It is proposed to substitute sub-part 1 with the attached sub-part 1.

2 Motivation

Part 61 is in the process of being reviewed *in toto* to bring South African regulations in line with ICAO and best international practices.

3 Current Regulation

Part 61 has never been put in operation.

Attachment:**SUBPART 1
GENERAL****Applicability**

61.01.1 (1) This Part shall apply to –

- (a) the issuing of pilot licences and ratings, the privileges and limitations of such licences and ratings, and matters related thereto;
- (b) the designation of examiners;
- (c) the validation of foreign pilot licences and ratings and the privileges and limitations of such validations; and
- (d) the conversion of foreign pilot licences and ratings, and matters related thereto.

(2) Exemptions to this Part may be provided for in Part 94 in respect of the operation of certain non-type certificated aircraft.

Authority to act as pilot

61.01.2 (1) No person shall act as a pilot of a South African registered aircraft unless such person holds a valid –

- (a) appropriate pilot licence and ratings issued, renewed or reissued by the Commissioner in terms of this Part or Part 62; or
- (b) pilot licence and ratings issued by an appropriate authority and validated by the Commissioner in terms of this Part or Part 62.

(2) The holder of a pilot licence shall not exercise privileges other than the privileges granted by the licence and ratings held by such holder.

(3) Notwithstanding the provisions of sub-regulation (1), the Commissioner may from time to time –

- (a) authorise a person to act as pilot of a South African registered aircraft without such person holding the appropriate valid licence or rating; or

- (b) exempt a person from a particular regulation;

if in the opinion of the Commissioner strict adherence to the Regulations would have anomalous consequences: Provided that such authorisation or exemption will ensure or at least lead to an equivalent level of safety.

Pilot licences

61.01.3 (1) The pilot licences, issued in terms of this Part, are –

- (a) student pilot licence – (SPL);
- (b) private pilot licence (aeroplane) – (PPL(A));
- (c) private pilot licence (helicopter) – (PPL(H));
- (d) restricted commercial pilot licence – (ResCPL);
- (e) commercial pilot licence (aeroplane) – CPL(A);
- (f) commercial pilot licence (helicopter) – CPL(H);
- (g) airline transport pilot licence (aeroplane) – (ATPL(A));
- (h) airline transport pilot licence (helicopter) – (ATPL(H));
- (i) glider pilot licence – (GPL);
- (j) free-balloon pilot licence – (FBPL);
- (k) airship pilot licence – (ASPL).

- (2) In addition to the pilot licences, referred to in sub-regulation (1), a recreational pilot licence is issued in terms of Part 62.

Ratings for pilots

61.01.4 The ratings for pilots are –

- (a) category rating;
- (b) class rating;
- (c) type rating;
- (d) group type rating; and
- (e) rating for special purposes.

Category ratings

61.01.5 The category ratings issued in terms of this Part are for –

- (a) aeroplanes;
- (b) helicopters;
- (c) microlight aeroplanes;
- (d) gliders;
- (e) free balloons; and
- (f) airships.

Class ratings

61.01.6 The class ratings issued in terms of this Part comprise –

- (a) in the case of aeroplanes –
 - (i) single-engine, land;
 - (ii) single-engine, sea;
 - (iii) multi-engine, land; and
 - (iv) multi-engine, sea;
- (b) in the case of helicopters –
 - (i) single-engine helicopters;
 - (ii) multi-engine helicopters.
- (c) microlight aeroplanes-
 - (i) three-axis controlled (conventional) microlight aeroplanes;
 - (ii) weight-shift controlled microlight aeroplanes;
- (d) in the case of gliders –
 - (i) gliders;
 - (ii) power-assisted gliders; and
 - (i) (iii) touring gliders;
- (e) in the case of airships –
 - (i) rigid airships; and
 - (ii) non-rigid airships;

Type ratings and group type ratings

61.01.7 (1) The type ratings and group type ratings for aeroplanes issued in terms of this Part comprise –

- (a) a group type rating for reciprocating engine aeroplanes with a maximum certificated mass of 2 700 kilograms or less;
- (b) a group type rating for reciprocating engine aeroplanes with a maximum certificated mass of 5 700 kilograms or less;
- (c) a type rating by name for each aeroplane with a maximum certificated mass exceeding 5 700 kilograms;

- (d) a type rating by name for each turbo-propeller and turbojet aeroplane;
 - (e) a type rating by name for each aeroplane with unconventional handling characteristics that requires additional flying or simulator training; and
 - (f) a type rating by name for each aeroplane certificated for operation with a minimum flight crew of at least two pilots.
- (2) Type ratings for helicopters shall comprise a type rating by name.
- (3) Group type ratings for gliders shall comprise –
- (a) a group type rating for conventional gliders;
 - (b) a group type rating for self-launching gliders;
 - (c) a group type rating for touring gliders; and
 - (d) a type rating by name for unconventional gliders.
- (4) Type ratings for microlight aeroplanes shall comprise –
- (a) a type rating or a group type rating for three-axis controlled (conventional) microlight aeroplanes; and
 - (b) a type rating or a group type rating for weight-shift controlled microlight aeroplanes.
- (5) Group type rating for free balloons comprise –
- (a) a group type rating for free balloons up to and including 15 000m³ in size; and
 - (b) a group type rating for free balloons larger than 15 000 m³.
- (6) Type ratings for aircraft of a category other than those listed in regulation 61.01.5 comprise a rating by name for each make and model of aircraft.

Ratings for special purposes

- 61.01.8** (1) The ratings for special purposes in respect of the appropriate licence comprise –
- (a) night rating;
 - (b) instrument rating;
 - (c) flight instructor rating;
 - (d) flight test rating;
 - (e) tug pilot rating;

- (f) safety pilot rating;
- (g) external load rating (helicopter);
- (h) winching rating (helicopter);
- (i) game or livestock cull rating (helicopter); and
- (j) agricultural pilot rating.

(2) Flight instructor ratings comprise –

(a) Category A –

- (i) Grade I aeroplane flight instructor rating;
- (ii) Grade II aeroplane flight instructor rating; and
- (iii) Grade III aeroplane flight instructor rating;

(b) Category B –

- (i) Grade I helicopter flight instructor rating;
- (ii) Grade II helicopter flight instructor rating; and
- (iii) Grade III helicopter flight instructor rating.

(c) Category C –

- (i) Grade I glider flight instructor rating;
- (ii) Grade II glider flight instructor rating;
- (iii) free balloon flight instructor rating; and
- (vi) airship flight instructor rating.

(3) Flight test ratings comprise –

- (a) Class I flight test rating;
- (b) Class II flight test rating; and
- (c) Class III flight test rating.

Competency

- 61.01.9** (1) No holder of a pilot licence or rating shall exercise the privileges granted by the licence or rating unless such holder maintains competency by complying with the appropriate requirements prescribed in this Part or Part 62, as the case may be.
- (2) Unless the holder of a pilot licence is subject, in terms of these Regulations, to periodic proficiency checks for the renewal of a rating, he or she shall not exercise the privileges of that licence unless he or she has successfully passed a general proficiency check or an initial licence skills test within the previous 24 months.

- (3) The proficiency check, referred to in sub-regulation (2), may be conducted by a Grade I or II flight instructor with the appropriate rating, except that in the case of the holder of a commercial pilot licence the proficiency check shall be conducted by an appropriately rated designated examiner.
- (4) The proficiency check shall consist of a flight check, to be conducted in an aircraft of the category for which he or she is licensed, and of a review of applicable regulations, NOTAMS and AIC.
- (5) The person, conducting the proficiency check, shall enter the outcome of a successful proficiency check in the pilot's logbook and sign it accordingly. Whether the test was successful or not, the testing officer shall submit the relevant test report to the Commissioner
- (6) Where a pilot fails a proficiency check –
 - (a) the relevant test report, referred to in sub-regulation (5) shall be countersigned by the pilot, and the pilot concerned shall be provided with a copy thereof;
 - (b) the pilot shall undergo corrective training with a flight instructor, other than the person who conducted the failed proficiency check, before submitting himself or herself for a retest;
 - (c) at least three days shall pass before the pilot may submit himself or herself for a retest; and
 - (d) no retest shall be conducted without a letter of recommendation by the flight instructor, referred to in sub-regulation (b).
- (7)
 - (a) The holder of a pilot licence shall submit to the Commissioner at least annually a certified copy of the summary of his or her logbook in the format prescribed in Document SA-CATS-FCL. The summary shall be signed by the licence holder to certify that it is a true reflection of his or her flying experience during the period summarised, and shall accompany the payment of the currency fee, referred to in regulation 61.01.23.
 - (b) Notwithstanding the provisions of sub-regulation (a), no summary shall be required to accompany the currency fee if

during the preceding 12 months a six-monthly or annual summary was submitted as part of an application for the issue of a higher grade pilot licence or for the issue or renewal of a rating.

- (8) If the Commissioner suspects that a person, licensed in terms of this Part, has failed to maintain the minimum standard required to exercise the privileges of any licence or rating which he or she holds, the Commissioner may, after having afforded the licensee an opportunity to respond, give in writing the licensee reasonable notice of such suspicion. The Commissioner may then require the person to undergo, on a date and at a time and place specified by the Commissioner, the skill test or all or some of theoretical knowledge examinations prescribed in this Part in respect of such licence or rating.
- (9) Should the tests or examinations, referred in sub-regulation (8), show that the standard of the licence or rating holder is below that required for the licence or rating concerned, the Commissioner shall suspend the holder from exercising all or any of the privileges of that licence or rating until such time as the holder can show that he or she is again able to meet the skill or theoretical knowledge requirements for that licence or rating.
- (10) If the person, who has been duly notified in terms of sub-regulation (8), fails without reasonable cause to present himself or herself on the specified date, time and place to undergo the test or examination prescribed, his or her standard shall be deemed to be below that required for the licence or rating concerned and the provisions of sub-regulation (9) shall *mutatis mutandis* apply.

Medical requirements and fitness

- 61.01.10** (1) An applicant for a pilot licence to be issued in terms of this Part shall hold an appropriate valid medical certificate issued in terms of Part 67 of these Regulations.
- (2) The holder of a pilot licence issued in terms of this Part shall –
 - (a) not exercise the privileges of that licence –
 - (i) unless that person –
 - (aa) holds an appropriate valid medical certificate issued in terms of Part 67; and

- (bb) complies with all medical endorsements on that medical certificate;
 - (ii) while he or she is aware of having a medical deficiency that would make him or her unable to meet the medical standards for his or her medical certificate, until he or she has been assessed medically fit again by an aviation medical examiner designated in terms of Part 67; or
 - (iii) when he or she is unable to act as a flight crew member of an aircraft because of the circumstances prescribed in sub-regulations 91.02.3 (1) and (2) of Part 91 of these Regulations;
- (b) subject himself or herself on demand of an authorised officer, inspector or authorised person to any test required to establish whether or not the person is under the influence of any narcotic substance or drug which may affect his or her faculties in any manner that may jeopardise aviation safety, or to establish that person's blood alcohol level. Refusal to do so shall automatically mean the immediate suspension of the pilot licence; and
- (c) shall carry the medical certificate, referred to in sub-regulation (a)(i), at all times when exercising the privileges of such licence, and shall produce such certificate on demand by the Commissioner, an authorised officer, inspector or authorised person.

Language

61.01.11 The applicant for a pilot licence, to be issued under this Part, shall have sufficient ability in reading, speaking and understanding the English language to enable him or her to adequately carry out his or her responsibilities as a pilot.

Logging of flight time

61.01.12 (1) The holder of a pilot licence shall maintain in a pilot logbook a record of all his or her flight time, instrument time and instruction time. Electronic logbooks may be used, provided that the electronic data is printed onto paper at least every 90 days and the printed pages are filed sequentially in a binder.

(2) The form of and information to be contained in the logbook, referred to in sub-regulation (1), and the manner in which such

logbook shall be maintained, shall be as prescribed in Document SA-CATS-FCL.

- (3) Entries in pilot logbooks shall be made within the following periods after the completion of the flight to be recorded –
 - (a) in the case of flights not for hire and reward (Part 91 operations), flight training, and domestic commercial air transport operations - 7 days;
 - (b) in the case of international commercial air transport operations – 14 days;
 - (c) where a pilot is engaged in flight operations away from the base where the pilot logbook is normally kept, the periods specified in sub-regulations (a) and (b) may be extended to 48 hours after return to base.
- (4) Pilot logbooks shall be retained by their holders for at least 60 months from the date of the last flight recorded therein.
- (5) If the holder of a pilot licence carries out a number of flights upon the same day and the interval between successive flights does not exceed thirty minutes, such series of flights may be recorded as a single entry, provided that in the case of a cross-country flight the route and intermediate stops shall be recorded,

Pilot-in-command time

- (6) The holder of a pilot licence may log as pilot-in-command time only that flight time during which he or she is –
 - (a) the designated pilot-in-command of the aircraft; this shall be the case also if the designated pilot-in-command provides command supervision to another pilot under a scheme approved by the Commissioner;
 - (b) a pilot-in-command under supervision under a scheme approved by the Commissioner, provided there is no intervention by the supervising pilot-in-command and "PICUS" is indicated in the remarks column and the entry certified by the supervising pilot-in-command;
 - (c) carrying out a student solo flight, is the *sole* occupant of the aircraft (except in the case of an airship requiring an additional crew member) and "SOLO" is indicated in the remarks column;

- (d) giving flight instruction while occupying a pilot seat with access to the controls, provided that the time shall also be logged as instructor time;
- (e) acting as flight examiner who is occupying a pilot seat while carrying out a test, whether as the designated pilot in command or not, provided the examiner holds the appropriate valid group type rating or type rating by name for the particular aircraft; the flight time may furthermore be logged as flight instructor time, in the capacity of Flight Examiner, if the examiner holds the appropriate valid flight instructor rating.

Co-pilot time

- (7) Any appropriately rated pilot occupying a pilot seat as co-pilot of an aircraft requiring more than one pilot under the type certification of the aircraft, or as prescribed by the regulations under which the flight is conducted, shall log the flight time as co-pilot.

Dual flight time

- (8) Flight time during which the holder of a pilot licence is receiving dual instruction shall be logged as dual flight time, and shall include a record of the air exercises undertaken.

Instrument flight time

- (9) The pilot controlling an aircraft under actual or simulated instrument meteorological conditions solely by reference to instruments may log that time as instrument flight time.
- (10) An instructor conducting instrument flight training or an examiner conducting a skill or proficiency instrument test may log as instrument flight time all flight time in actual (not simulated) instrument meteorological conditions.

Simulator time

- (11) All instrument flight time accumulated during training on a simulator approved for instrument flight training may be logged as instrument flight time, but must be clearly recorded as simulator time and must be certified by the instructor in the pilot's logbook.
- (12) Instructor and examiners, provided that they are rated on the simulated aircraft type, and holders of flight simulator authorisations

issued in terms of this Part shall keep a record of all instruction and examiner time carried out on an approved simulator and log the time as simulator time.

Crediting of flight time and theoretical knowledge

61.01.13 (1) Flight time, entered in a pilot logbook that has been lost or destroyed, shall only be accepted by the Commissioner for crediting purposes if it can be substantiated by means acceptable to the Commissioner.

(2) A person acting as pilot of an aircraft while not complying with any requirement of this Part applicable to that person, shall not credit that flight time for any purpose.

(3) A student pilot shall be entitled to be credited in full with all solo and dual instruction flight time towards the total flight time requirement for the initial issue of a pilot licence.

(4) A student, attending the integrated course referred to in regulation 61.01.21, shall be entitled to be credited with pilot-in-command instrument time when receiving instruction, provided the entries have been certified by the instructor in the 'Remarks' column; of these hours up to 50 hours may be credited towards the pilot-in-command time required for the issue of a class or multi-engine type rating and the issue of a commercial or airline transport pilot licence.

(5) (a) The holder of a valid private pilot licence shall be entitled to be credited in full with all solo, dual flight instruction and pilot-in-command flight time towards the total flight time experience required for the issue of a rating or the commercial pilot licence in the same category.

(b) The holder of a valid private pilot licence, when acting as co-pilot in an aircraft required to be operated with a co-pilot, shall be entitled to be credited with not more than 50 per cent of such co-pilot flight time towards the total flight time experience required for a rating or the commercial pilot licence in the same category: Provided that the flight time so credited shall not exceed 20 hours.

(6) The holder of a commercial pilot licence shall be entitled to be credited with the total flight time during which he or she acted as the designated pilot-in-command towards the total pilot-in-

command flight time experience required for a rating or the airline transport pilot licence in the same category.

- (7) The holder of a commercial pilot licence, when acting as co-pilot in an aircraft required to be operated with more than one pilot under its type certification or in terms of these Regulations, shall be entitled to be credited with not more than 50 per cent of such co-pilot flight time towards the total flight time experience required for a rating or the airline transport pilot licence in the same category.
- (8) The holder of a commercial pilot licence, when acting as co-pilot performing under the supervision of the pilot-in-command the functions and duties of a pilot-in-command, shall be entitled to be credited to a maximum of 500 hours with such flight time towards the pilot-in-command flight time experience required for the airline transport pilot licence in the same category, provided such pilot-in-command time under supervision has been countersigned by the pilot-in-command, and furthermore provided that the supervision is in accordance with a programme approved by the Commissioner. 'Pilot-in-command under supervision' means that the co-pilot carried out all the functions and duties required of the pilot-in-command on that flight carried out in such way that the intervention of the designated pilot-in-command was not required in the interest of safety, and includes the functions prescribed in Document SA-CATS-FCL.
- (9) The holder of an airline transport pilot licence shall be entitled to be credited with the total flight time during which he or she acted as the designated pilot-in-command, or as co-pilot of an aircraft required to be operated with a co-pilot provided that such pilot is the holder of the appropriate type or group type rating towards the total pilot-in-command flight time experience required for a flight instructor rating in the same category.
- (10) The holder of a glider or gyroplane pilot licence, or of a recreational pilot licence endorsed for the category microlight aeroplane, shall be entitled to be credited with not more than 25 hours flight time acquired in a microlight aeroplane, glider or gyroplane, as the case may be, towards the total flight time experience prescribed for the issuing of a private or higher grade pilot licence (aeroplane).
- (11) Except as provided for in sub-regulation (12), an applicant for the issuing of a private pilot licence (aeroplane) shall have acquired the appropriate flight time required by this Part in aeroplanes, except when he or she is the holder of a valid pilot licence (helicopter) issued in terms of this Part, where in such case he or she may have

acquired up to 50 per cent of the required flight time experience in helicopters in the ratio of 2 helicopter hours equals 1 aeroplane hour.

- (12) An applicant for the issuing of a private pilot licence (helicopter) shall have acquired the appropriate flight time experience required by this Part in helicopters, except when he or she is the holder of a valid pilot licence (aeroplane) issued in terms of this Part, where in such case he or she may have acquired up to 50 per cent of the required flight time in aeroplanes in the ratio of 2 aeroplane hours equals 1 helicopter hour.
- (13) A pilot manipulating the flight controls of an aircraft under actual or simulated instrument flight conditions solely by reference to instruments and without external reference points shall be entitled to be credited with the instrument flight time thus acquired toward the total instrument flight time experience required for –
 - (a) a higher grade pilot licence;
 - (b) an instrument rating; and
 - (c) keeping an instrument rating current.
- (14) Dual instruction time shall be counted in full towards the total flight time experience required for a higher grade pilot licence.
- (15) Time acquired on a for the purpose approved simulator, while under the supervision of an appropriately qualified instructor may be credited towards –
 - (a) required flight time experience for the issue of a pilot licence or rating, but only to the extent specified in each case in these Regulations;
 - (b) the instrument flight time experience required in terms of this Part and of Parts 91, 121, 127 or 135 for keeping the instrument rating current; and
 - (c) the renewal of the instrument rating.
- (16) A pilot-in command, when supervising a pilot manipulating the flight controls of an aircraft under actual (but not simulated) instrument flight conditions, is entitled to be credited with the instrument flight time thus acquired towards the total instrument

flight experience required as recent experience to maintain the currency of his or her instrument rating.

(17) (a) A flight examiner is entitled to be credited towards the experience requirements for a rating or higher pilot licence with all flight time accrued while carrying out a skill or proficiency test and logged in terms of regulation 61.01 as --

(i) pilot-in-command time by an examiner who holds the appropriate valid rating for the particular aircraft (whether the examiner was the designated pilot-in-command or not);

(ii) flight instructor time, in the capacity of Flight Examiner, by an examiner who holds the appropriate valid flight instructor rating; or

(iii) instrument flight time for the time the flight was conducted under instrument meteorological conditions, by an examiner who holds a valid instrument rating.

(b) The provisions of sub-regulations (a)(i) and (a)(ii) shall apply whether the flight examiner was occupying a prescribed pilot or co-pilot seat or not.

(c) For the purposes of calculating flight and duty times, as regulated by Parts 91, 121, 127 and 135 of the Regulations respectively, any flight time accrued as flight examiner shall be deemed to be 'other flying', whether the examiner occupied a prescribed pilot or co-pilot seat or not.

(18) A flight instructor is entitled to be credited with all instruction time acquired while giving flight instruction for the purpose of initial flight training, instrument training, instructor training, conversion to type training, safety training as defined in Part 141, and training for various ratings, towards a higher grade flight instructor rating or the renewal of the existing rating in that category and class of aircraft.

(19) Instruction time acquired in route training of pilots shall only be recognised and logged as such if the Part 121, Part 127 or Part 135 operator has an approved scheme for route training. A flight instructor is entitled to be credited with not more than three hours instruction time per flight so acquired towards a higher grade flight instructor rating.

- (20) A flight instructor is entitled to be credited with 25% of the instruction time acquired as a simulator instructor towards the renewal of a flight instructor rating and towards a higher grade instructor rating. Instruction time so credited shall not exceed 100 hours in the case of a Grade II flight instructor, or 500 hours in the case of a Grade I flight instructor.
- (21) The holder of a flight simulator authorisation, issued in terms of this Part, is entitled to be credited for all the instruction time acquired in an approved simulator towards the maintenance of competency prescribed for such authorisation.
- (22) The experience, skill and knowledge gained in military service by (ex-)military flight crew members applying for licences and ratings specified in this Part shall be credited as follows:
- (a) flight time will be credited in full;
 - (b) the applicant shall pass the theoretical knowledge examinations in the subjects of air law, procedures, flight planning and performance as prescribed in this Part for the applicable licence and rating; and
 - (c) if the applicant has actively been flying during the five years immediately preceding the application, he or she may at the discretion of the Commissioner be exempted from examination in all or some of the theoretical knowledge subjects, other than those prescribed as mandatory in sub-regulation (b), prescribed in this Part for the applicable licence and rating.
- (23) The holder of an instrument rating on aeroplanes shall be exempted from the theoretical knowledge instruction and examination requirements for an instrument rating on helicopters, and *vice versa*.
- (24) A student pilot having undergone all or part of the integrated course, referred to in regulation 61.01.21, having passed the theoretical knowledge –
- (a) for the commercial pilot licence, shall be deemed to have passed the theoretical knowledge examinations prescribed for the issue of the private and restricted commercial pilot licence in the same category; and
 - (b) for the airline transport pilot licence, shall be deemed to have passed the theoretical knowledge examinations prescribed

for the issue of the private, restricted commercial, and commercial pilot licence in the same category.

Theoretical knowledge examinations

- 61.01.14** (1) General procedures to be followed by a person, applying to be entered for a theoretical knowledge examination, as well as the conditions for theoretical knowledge examinations conducted by the Civil Aviation Authority, may be set by the Commissioner and shall be published in an Aeronautical Information Circular from time to time.
- (2) An applicant for the issuing of a pilot licence or the issuing, renewal or reissuing of a rating, who fails a theoretical knowledge examination required for such licence or rating conducted by the Civil Aviation Authority, may apply for re-testing after the appropriate period specified in Document SA-CATS-FCL.
- (3) The pass mark for any theoretical knowledge examination referred to in this Part is 75%.

Suspension and withdrawal of privileges and appeal

- 61.01.15** (1) An authorised officer, inspector or authorised person may suspend, for a period not exceeding 30 days, a person from exercising all or any of the privileges of his or her pilot licence, ratings or validation if –
- (a) immediate suspension is necessary in the interests of aviation safety; or
- (b) it is evident that the holder of the licence, rating or validation does not comply with the relevant requirements prescribed in this Part.

The notice of suspension shall be given in writing, stating the reasons for the suspension.

- (2) The person to be suspended in terms of sub-regulation (1)(a) shall be given the opportunity to respond, before the suspension takes effect.
- (3) The person to be suspended in terms of sub-regulation (1)(b) shall be given the opportunity to respond and to remedy such non-compliance within thirty days before the suspension takes effect.

- (2) (4) The authorised officer, inspector or authorised person who has suspended a person from exercising all or any of the privileges of his or her licence, rating or validation in terms of sub-regulation (1), shall within 7 days deliver a report in writing to the Commissioner, stating the reasons why, in his or her opinion, the suspended privileges should be withdrawn.
- (5) The authorised officer, inspector or authorised person concerned shall within 7 days submit a copy of the report, referred to in sub-regulation (4), to the holder of the licence, rating or validation of which all or some of the privileges have been suspended, and shall furnish proof of such submission to the Commissioner.
- (6) The holder of a licence, rating or validation who feels aggrieved by any suspension in terms of sub-regulation (1) may appeal against such suspension to the Commissioner within 30 days after such holder has been notified of such suspension.
- (7) The appeal, referred to in sub-regulation (6), shall be in writing, stating the reasons why, in the appellant's opinion, the suspension should be varied or set aside.
- (8) 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 to the Commissioner.
- (9) The authorised officer, inspector or authorised person concerned shall, within 30 days of receipt of the copy of the appeal referred to in sub-regulation (8), deliver his or her written reply to such appeal to the Commissioner.
- (10) The Commissioner may -
- (a) at any time -
 - (i) extend the period of suspension for further periods each not exceeding 30 days, if necessary to deal fairly with the appeal; and
 - (ii) either confirm, vary or set aside the suspension referred to in sub-regulation (1); and
 - (b) either adjudicate the appeal on the basis of the documents submitted to him or her; or

- (c) order the appellant and the authorised officer, inspector or authorised person concerned to appear before him or her to give evidence, either in person or through a representative, at a time and place determined by him or her.
- (11) Before the Commissioner withdraws any privileges in terms of sub-regulation (12), he or she shall permit the holder, if he or she so wishes, to meet the relevant requirements for the issue, renewal or re-issue of the said licence, rating or validation in order to restore the privileges thereof.
- (12) With due regard for the provisions of sub-regulation (11), the Commissioner shall withdraw the privileges of the licence, rating or validation concerned if –
 - (a) he or she confirms the suspension in terms of sub-regulation (10)(a)(ii); or
 - (b) the holder does not appeal against such suspension in terms of sub-regulation (6).

Curtailment of privileges of licence holders aged 60 years or more

- 61.01.16** (1) No holder of a pilot licence who has attained the age of 60 years shall act as pilot of an aircraft engaged in international commercial air transport operations except as a member of a multi-pilot crew and provided that such holder is the only member of the multi-pilot crew who has attained the age of 60 years.
- (2) No holder of a pilot licence who has attained the age of 65 years shall act as pilot of an aircraft engaged in international commercial air transport operations.

Flight simulators and flight training devices

- 61.01.17** (1) Except as provided for in sub-regulation (2), each simulator – as defined in Part 1 – used for training, and for which a candidate for the issue, renewal, reissue or maintenance of competency requirement is to receive credit, shall be approved by the Commissioner for each particular purpose, taking into consideration –
 - (a) the training, testing or checking for which it is to be used;
 - (b) the particular manoeuvre, procedure, or crew member function to be performed; and

- (c) the representation of the specific category and class of aircraft, type of aircraft, particular variation within the type of aircraft, or group of aircraft.
- (2) The Commissioner may approve any other device for a specific training purpose.

Validation of pilot licences and ratings issued by an appropriate authority of a Contracting State

61.01.18 General

- (1) The holder of a licence or rating issued by the appropriate authority of a Contracting State, who desires to act as a pilot of a South African registered aircraft, may apply to the Commissioner on the appropriate form as prescribed in Document SA-CATS-FCL, for a Certificate of Validation of such pilot licence or rating.
- (2) No validation will be considered by the Commissioner if the applicant has in the past—
 - (a) been refused a South African pilot licence or validation; or
 - (b) had a South African pilot licence or validation revoked;for reasons other than failing a skill test, a proficiency test, or a theoretical knowledge test.
- (3) An applicant for a Certificate of Validation shall be an individual of whom it may be expected that he or she will exercise the privileges of his or her certificate in a safe and responsible manner and in respect of whom no proven reason or concern is known to exist as to why the person should not hold such certificate.
- (4) A Certificate of Validation may be issued for the following purposes:
 - (a) To fly South African registered aircraft based outside of South Africa;
 - (b) To fly as a private pilot in a South African registered aircraft;
 - (c) To ferry a South African registered aircraft from one foreign country to another, or from a foreign country to South Africa;
 - (d) To conduct demonstration flights in South African registered aircraft;
 - (e) To conduct endorsement training of South African flight crew; or
 - (f) To undertake a combination of the above.

Note: A pilot not wishing to act as pilot-in-command, or as co-pilot of an aircraft requiring to be operated with a co-pilot, is not required to obtain a Certificate of Validation, provided the pilot-in-command is an appropriately rated flight instructor and the aircraft is equipped for instruction purposes.

- (5) A pilot licence and ratings issued by an appropriate authority of a Contracting State may be validated by the Commissioner –
- (a) subject to the same restrictions which apply to such pilot licence and ratings;
 - (b) subject to such conditions and limitations as the Commissioner may deem necessary in the interest of aviation safety;
 - (c) in accordance with and subject to the requirements and conditions as prescribed in these regulations; and
 - (d) on the appropriate form as prescribed in Document SA-CATS-FCL; but
 - (e) shall not permit privileges in excess of the equivalent South African pilot licence or rating.
- (6) Where, in the opinion of the Commissioner, the requirements for the issue of a pilot licence or rating by a particular Contracting State deviate from those set by the Republic, the Commissioner may direct that the applicant meets the latter requirements before issuing a Certificate of Validation.

Application

- (7) The application for a Certificate of Validation, referred to in sub-regulation (1) shall be accompanied by –
- (a) the appropriate fee as prescribed in Part 187;
 - (b) a certified true copy of the pilot licence and ratings to which the validation refers;
 - (c) a certified true copy of a valid medical certificate;
 - (d) a certified true copy of a valid radiotelephony certificate or, in the case where the Contracting State does not prescribe such certificate for its licence holders, certified proof that the applicant has passed a practical skill test with an approved radio licence examiner;
 - (e) a summary of the applicant's logbook, certified by the applicant to be a true reflection of the hours flown; and
 - (f) the documents prescribed in Documents SA-CATS-FCL.
- (8) Where a practical flight test is required, such test shall be undertaken in an aircraft of the category, class and type,

appropriate to the pilot licence for which a Certificate of Validation is sought, or in a simulator approved for the purpose.

- (9) The minimum knowledge, experience and skill requirements for the issuing of a Certificate of Validation for the various pilot licences and ratings are those prescribed in Document SA-CATS-FCL.
- (10) The holder of a Certificate of Validation issued by the Commissioner shall comply with all the applicable provisions prescribed in these regulations.

Privileges and limitations

- (11) Notwithstanding the privileges that may have been granted by the appropriate authority to the holder of the foreign licence or rating, a Certificate of Validation shall not exceed the privileges that are granted in terms of these regulations to the holder of the equivalent South African pilot licence or rating.
- (12) Any additions to a validated pilot licence will have to be endorsed by the appropriate authority first before the privileges of the additional rating may be exercised in terms of the Certificate of Validation.
- (13) For the purpose of upgrading to a higher grade pilot licence, a validated pilot licence will have the same standing as its equivalent South African pilot licence.

Period of validity

- (14) The period of validity of a Certificate of Validation issued by the Commissioner shall be the lesser of -
 - (a) six months calculated from the date of issue of such Certificate of Validation by the Commissioner; or
 - (b) the period of validity of the pilot licence and rating issued by the appropriate authority concerned.
- (15) A Certificate of Validation issued by the Commissioner is not renewable.
- (16) In exceptional cases, at the discretion of the Commissioner, a Certificate of Validation may be reissued subject to the applicant submitting proof that he or she has complied with all requirements of the country of issue of the foreign licence or rating in respect of maintenance of competency.

Exemptions

- (17) In exceptional cases, such as ferry flights, demonstration flights, specific instruction on aircraft new for the Republic, etc., the Commissioner may issue a Certificate of Validation of a foreign licence to meet short-term operational requirements, by exempting the applicant from all or some of the requirements of this Part, subject to conditions set by him or her in each particular case.

Conversion of pilot licences and ratings issued by an appropriate authority of a Contracting State

61.01.19 General

- (1) A current pilot licence, issued by the appropriate authority of a Contracting State may be recognised and accepted as a basis for the issue of an equivalent or lower level South African pilot licence, provided that an arrangement exists between the Republic and the other State. This arrangement shall be one, established on the basis of reciprocity of licence acceptance, and an equivalent level of safety in the training and testing procedures of the Republic and the other State.
- (2) A licence, converted according to such an arrangement, shall have an entry indicating the issuing foreign Contracting State of the licence upon which the conversion is based.
- (3) The applicant for the issuing of a South African pilot licence on the strength of a foreign pilot licence shall be an individual of whom it may be expected that he or she will exercise the privileges of his or her licence or rating in a safe and responsible manner, and in respect of whom no proven reason or concern is known to exist as to why the person should not hold a licence or rating.
- (4) In the case of a pilot or flight engineer, holding a foreign licence, seeking a South African licence the following provisions shall apply:
- (a) The term 'current', when used in relation to foreign qualifications, means 'at the time of presentation for recognition purposes'.
 - (b) The holder of the licence must meet all the requirements laid down for the use of that document in the country of issue, such as having completed a flight test or review or equivalent in the country of issue, and holding a valid

medical certificate of the appropriate level issued in that country: Provided that if the foreign medical certificate recently expired, the latter requirement may be waived as long as a South African medical certificate is obtained in terms of Part 67.

- (c) In cases where an applicant's licence is not current for reasons other than an expired medical certificate and as provided for in sub-regulation (b), a conversion of licence is not possible. In such case it will be necessary for the person concerned to pass all the South African written examinations and the skill test, appropriate to the level of the South African licence sought.
- (d) For the issuing of a South African pilot licence, the Commissioner does not recognise foreign examination credits in isolation; i.e. for a conversion, the applicant must hold the appropriate licence; otherwise the applicant must pass all the relevant South African examinations.
- (e) Before applying for the issue of a South African commercial or airline transport pilot licence on the strength of a foreign licence, the applicant must have his or her foreign qualifications and experience assessed by the Commissioner. Following such assessment, the person who meets the South African recognition requirements will be issued by the Commissioner with written advice as to what requirements must be met and what action must be taken in order to be issued with the South African pilot licence.
- (f) A foreign licence, if qualifying for the issue of a Certificate of Validation in terms of regulation 61.01.18, may be accepted as the entry requirement for a higher South African pilot licence.
- (g) Where an applicant is unable to provide the evidence of having completed the by this regulation prescribed commercial experience, it will be necessary for that person to pass all written examinations appropriate to the level of the South African pilot licence sought.
- (h) A person, seeking the conversion of a foreign instrument rating to a South African instrument rating, must pass with a Designated Flight Examiner the skill test prescribed in Document SA-CATS-FCL for such rating.

Application for type rating

- (5) (a) In the case of the holder of a South African pilot licence, seeking the issuing of a type rating for which the training was completed outside the Republic, the applicant shall be required to demonstrate to an appropriately qualified South African flight instructor or Designated Examiner satisfactory technical knowledge and the ability to competently perform all normal, abnormal and emergency manoeuvres in the aircraft type concerned. The Commissioner may require submission of the syllabus followed in acquiring the type rating. In order for the training to be acceptable, it shall be of a standard at least equivalent to the training standard set for a similar type or class of aircraft in South Africa.
- (b) Type ratings will not be issued in respect of aircraft types that do not appear on the South African Civil Aircraft Register unless the aircraft is to be imported to South Africa and the appropriate application for importation and registration in terms of Part 47 has been made.

Application for private pilot licence

- (6) (a) An applicant, seeking the issue of a South African private pilot licence on the strength of a current equivalent or higher pilot licence issued by the appropriate authority of a Contracting State, shall submit to the Chief Flying Instructor of an approved flying training organisation for assessment his or her current foreign pilot licence, current medical certificate, and pilot logbook.
- (b) Provided that all the minimum flight experience requirements for the issue of a South African private pilot licence are met, the applicant shall –
- (i) pass with the approved flying training organisation a written air law examination;
 - (ii) pass with a Grade I or Grade II flight instructor the skill test prescribed in this Part for the issue to private pilot licence, which test shall include a navigation test if deemed necessary by the Chief Flying Instructor;
 - (iii) where a night rating is sought, pass the prescribed night skill test, provided he or she has the appropriate level of instrument or night flying experience as prescribed for a night rating;
 - (iv) apply for the issue of a private pilot licence on the form prescribed in Document SA-CATS-FCL, which

application shall be accompanied with all of the following:

- (aa) the application fee as prescribed in Part 187;
 - (bb) certified copies of the applicant's current foreign licence and of the last page of his or her logbook, certified by the Chief Flying Instructor referred to in sub-regulation (6)(a);
 - (cc) a Class 1 or Class 2 medical certificate, issued in terms of Part 67;
 - (dd) a summary of the applicant's flight experience.
- (c) The skill test, referred to in paragraph (b)(ii) shall be undertaken in an aircraft of the appropriate category and class.
- (d) An applicant, who is unable to produce all of the documents, prescribed in paragraph (b)(iv) (bb) to (dd), is not eligible for the issue of a South African private pilot licence under the provisions of this regulation.

Application for restricted commercial pilot licence

- (7) (a) An applicant, seeking the issue of a South African restricted commercial pilot licence on the strength of a current equivalent or higher pilot licence issued by the appropriate authority of a Contracting State, shall –
- (i) meet the minimum flight experience requirements for the issue of a (restricted) commercial pilot licence as prescribed in this Part;
 - (ii) produce evidence of having completed at least 250 hours experience as pilot-in-command in commercial air transport operations subsequent to the issue of the foreign pilot licence that has been presented for recognition, of which at least 25 hours shall have been acquired during the 12 months immediately preceding the application. Such experience must have been acquired while operating out of areas that fall under the jurisdiction of the authority that issued the licence;
 - (iii) pass the written examination in Air Law, and in any other subject prescribed in terms of these regulations for the issue of a restricted commercial pilot licence

as deemed necessary by the Commissioner to ensure a standard expected of a restricted commercial pilot;

- (iv) if he or she does not meet the requirements of sub-regulation (ii), pass with an appropriately rated flight examiner the skill and navigation cross-country tests prescribed in this Part for the issue of a restricted commercial pilot licence;
- (v) apply for the issue of a restricted commercial pilot licence on the form prescribed in Document SA-CATS-FCL, which application shall be accompanied with all of the following:
 - (aa) the application fee as prescribed in Part 187;
 - (bb) certified photocopies of the applicant's current foreign licence and of the last page of his or her logbook;
 - (cc) a Class 2 medical certificate, issued in terms of Part 67;
 - (dd) a summary of the applicant's flight experience;
 - (ee) the completed skill test form;
 - (ff) the completed flight experience assessment form as prescribed in Document SA-CATS-FCL; and
 - (gg) certified copies of the applicant's examination results.

(b) The skill test, referred to in paragraph (a)(iv), shall be undertaken in an aircraft of the applicable category and class.

(c) An applicant, who is unable to produce all of the documents, prescribed in paragraph (a)(v) (bb) to (gg), is not eligible for the issue of a South African restricted commercial pilot licence under the provisions of this regulation.

Application for commercial pilot licence

- (8) (a) An applicant, seeking the issue of a South African commercial pilot licence on the strength of a current equivalent or higher pilot licence issued by the appropriate authority of a Contracting State, shall –
 - (i) meet the minimum flight experience requirements for the issue of a commercial pilot licence as prescribed in this Part;

- (ii) produce evidence of having completed at least 500 hours experience as pilot-in-command in commercial air transport operations subsequent to the issue of the foreign pilot licence that has been presented for recognition, of which at least 50 hours shall have been acquired during the 12 months immediately preceding the application. Such experience must have been acquired while operating out of areas that fall under the jurisdiction of the authority that issued the licence;
- (iii) pass the written examination in Air Law, and in any other subject prescribed in terms of these regulations for the issue of a commercial pilot licence as deemed necessary by the Commissioner to ensure a standard expected of a commercial pilot;
- (iv) if he or she not meet the requirements of sub-regulation (ii), pass): with a Designated Flight Examiner the skill and navigation cross-country tests prescribed in this Part for the issue of a commercial pilot licence (aeroplane or helicopter);
- (v) apply for the issue of a commercial pilot licence on the form prescribed in Document SA-CATS-FCL, which application shall be accompanied with all of the following:
 - (aa) the application fee as prescribed in Part 187;
 - (bb) certified photocopies of the applicant's current foreign licence and of the last page of his or her logbook;
 - (cc) a Class 1 medical certificate, issued in terms of Part 67;
 - (dd) a summary of the applicant's flight experience;
 - (ee) the completed skill test form;
 - (ff) the completed flight experience assessment form as prescribed in Document SA-CATS-FCL; and
 - (gg) copies of the applicant's examination results.
- (b) The skill test, referred to in paragraph (a)(iv), shall be undertaken in an aircraft of the applicable category and class.

- (c) An applicant, who is unable to produce all of the documents, prescribed in paragraph (a)(v) (bb) to (gg), is not eligible for the issue of a South African commercial pilot licence under the provisions of this regulation.

Application for airline transport pilot licence (aeroplane)

- (9) (a) An applicant, seeking the issue of a South African airline transport pilot licence (aeroplane) on the strength of a current equivalent pilot licence issued by the appropriate authority of a Contracting Member State, shall –
- (i) meet the minimum flight experience requirements for the issue of an airline transport pilot licence (aeroplane) as prescribed in this Part;
 - (ii) produce evidence of having completed at least 1 500 hours experience as pilot-in-command or 2 000 hours as co-pilot in multi-engine, multi-crew aeroplanes in commercial air transport operations subsequent to the issue of the foreign pilot licence that has been presented for recognition, of which at least 50 hours shall have been acquired during the 12 months immediately preceding the application. Such experience must have been acquired while operating out of areas that fall under the jurisdiction of the authority that issued the licence;
 - (iii) pass the written examination in Air Law, and in any other subject prescribed in terms of this Part for the issue of an airline transport pilot licence (aeroplane) as deemed necessary by the Commissioner to ensure a standard expected of an airline transport aeroplane pilot;
 - (iv) pass the skill test prescribed in this Part for the issue of an airline transport pilot licence (aeroplane) with a Designated Flight Examiner;
 - (v) apply for the issue of an airline transport pilot licence (aeroplane) on the form prescribed in Document SA-CATS-FCL, which application shall be accompanied with all of the following:
 - (aa) the application fee as prescribed in Part 187;

- (bb) certified photocopies of the applicant's current foreign licence and of the last page of his or her logbook;
 - (cc) a Class 1 medical certificate, issued in terms of Part 67;
 - (dd) a summary of the applicant's flight experience;
 - (ee) the completed skill test form;
 - (ff) the completed flight experience assessment form as prescribed in Document SA-CATS-FCL; and
 - (gg) copies of the applicant's examination results.
- (b) For crediting purposes towards the required command time, pilot-in-command under supervision and similar flight time shall be limited to maximum 200 hours.
- (c) The skill test, referred to in paragraph (a)(iv), shall be undertaken in a multi-engine aeroplane, or in a simulator approved for the purpose.
- (d) An applicant, who is unable to produce all of the documents, prescribed in paragraph (a)(v) (bb) to (gg), is not eligible for the issue of a South African airline transport pilot licence under the provisions of this regulation.

Application for airline pilot licence (helicopter)

- (10) (a) An applicant, seeking the issue of a South African airline transport pilot licence (helicopter) on the strength of a current equivalent pilot licence issued by the appropriate authority of a Contracting State, shall—
- (i) meet the minimum flight experience requirements for the issue of an airline transport pilot licence (helicopter) as prescribed in this Part;
 - (ii) produce evidence of having completed at least 1 000 hours experience as pilot-in-command in turbine helicopters used in commercial air transport operations or 1 500 hours as co-pilot in multi-crew helicopters in commercial air transport operations subsequent to the issue of the foreign pilot licence that has been presented for recognition, of which at least 50 hours shall have been during the 12 months immediately preceding the application. Such experience must have been acquired while operating

out of areas that fall under the jurisdiction of the authority that issued the licence;

- (iii) pass the written examination in Air Law, and in any other subject prescribed in terms of these regulations for the issue of an airline transport pilot licence (helicopter) as deemed necessary by the Commissioner to ensure a standard expected of an airline transport helicopter pilot;
- (iv) pass the skill test prescribed for the issue of an airline transport pilot licence (helicopter) with a Designated Flight Examiner;
- (v) apply for the issue of an airline transport pilot licence (helicopter) on the form prescribed in Document SA-CATS-FCL, which application shall be accompanied with all of the following:
 - (aa) the application fee as prescribed in Part 187;
 - (bb) certified photocopies of the applicant's current foreign licence and of the last page of his or her logbook;
 - (cc) a Class 1 medical certificate, issued in terms of Part 67;
 - (dd) a summary of the applicant's flight experience;
 - (ee) the completed skill test form;
 - (ff) the completed flight experience assessment form as prescribed in Document SA-CATS-FCL; and
 - (gg) copies of the applicant's examination results.

(b) The skill test, referred to in paragraph (a)(iv), shall be undertaken in a turbine helicopter or in a simulator, approved for the purpose.

(c) An applicant, who is unable to produce all of the documents, prescribed in paragraph (a)(v) (bb) to (gg), is not eligible for the issue of a South African airline transport pilot licence under the provisions of this regulation.

Application for instrument rating

- (11) (a) An applicant, other than one seeking the issuing of an airline transport pilot licence (aeroplane), seeking the issue of a South African instrument rating on the strength of a current

equivalent rating issued by the appropriate authority of a Contracting State, shall –

- (i) be the holder of, or apply simultaneously for the issue of a South African pilot licence;
 - (ii) meet the minimum flight time experience requirements for the issue of an instrument rating as prescribed in this Part;
 - (iii) pass the written examination in Air Law, and in any other subject prescribed in terms of these regulations for the issue of an instrument rating as deemed necessary by the Commissioner to ensure a standard expected of the holder of an instrument rating;
 - (iv) pass the appropriate instrument rating test with a Designated Flight Examiner;
 - (v) apply for the issue of the appropriate instrument rating on the form prescribed in Document SA-CATS-FCL, which application shall be accompanied with all of the following:
 - (aa) the application fee as prescribed in Part 187;
 - (bb) certified photocopies of the applicant's current foreign or South African pilot licence and of the last page of his or her logbook;
 - (cc) a Class 1 medical certificate, issued in terms of Part 67;
 - (dd) a summary of the applicant's instrument flight experience;
 - (ee) the completed skill test form; and
 - (ff) copies of the applicant's examination results.
- (b) The skill test, referred to in paragraph (a)(iv), shall be undertaken in a suitably equipped aircraft of the applicable category and class, or in a simulator approved for the purpose.
- (c) An applicant, who is unable to produce all of the documents, prescribed in paragraph (a)(v) (bb) to (ff), is not eligible for the issue of a South African instrument rating under the provisions of this regulation.

Application for flight instructor rating

- (12) (a) An applicant seeking the issue of a South African Grade II or Grade III flight instructor rating on the strength of a current equivalent rating issued by the appropriate authority of a Contracting State, shall –
- (i) be the holder of, or apply simultaneously for the issue of a South African commercial or airline transport pilot licence;
 - (ii) meet the minimum flight and instruction time experience requirements for the issue of the relevant flight instructor rating as prescribed in this Part;
 - (iii) pass the written examination in Air Law, and in any other subject prescribed in terms of these regulations for the issue of the relevant flight instructor rating as deemed necessary by the Commissioner to ensure a standard expected of the holder of the relevant flight instructor rating;
 - (iv) pass the appropriate flight instructor rating test with a Designated Flight Examiner;
 - (v) apply for the issue of the relevant flight instructor rating on the form prescribed in Document SA-CATS-FCL, which application shall be accompanied with all of the following:
 - (aa) the application fee as prescribed in Part 187;
 - (bb) certified photocopies of the applicant's current foreign or South African licence and of the last page of his or her logbook;
 - (cc) a Class 1 medical certificate, issued in terms of Part 67;
 - (dd) a summary of the applicant's flight instruction experience;
 - (ee) the completed skill test form; and
 - (ff) copies of the applicant's examination results.
- (b) The skill test, referred to in paragraph (a)(iv), shall be undertaken in a suitably equipped aircraft of the applicable category and class.
- (c) An applicant, who is unable to produce all of the documents, prescribed in paragraph (a)(v) (bb) to (ff), is not eligible for

the issue of a South African flight instructor rating under the provisions of this regulation.

Application for miscellaneous ratings

- (13) (a) An applicant seeking the issue of any South African rating, other than those referred to in sub-regulations (10) and (11), on the strength of a current equivalent rating issued by the appropriate authority of a Contracting State, shall –
- (i) be the holder of, or apply simultaneously for the issue of the applicable South African pilot licence;
 - (ii) meet the applicable requirements for the issue of the particular rating as prescribed in this Part;
 - (iii) pass the written examination in Air Law, and in any other subject – if any – prescribed in terms of these regulations for the issue of the particular rating as deemed necessary by the Commissioner to ensure a standard expected of the holder of the particular rating;
 - (iv) pass a skill test with an appropriately rated flight examiner;
 - (v) apply for the issue of the particular rating on the form prescribed in Document SA-CATS-FCL, which application shall be accompanied with all of the following:
 - (aa) the application fee as prescribed in Part 187;
 - (bb) certified photocopies of the applicant's current foreign or South African pilot licence and of the last page of his or her logbook;
 - (cc) the for the particular rating prescribed medical certificate, issued in terms of Part 67;
 - (dd) a summary of the applicant's flight experience, related to the rating applied for;
 - (ee) the completed skill test form; and
 - (ff) copies of the applicant's examination results, if applicable.
- (b) The skill test, referred to in paragraph (a)(iv), shall be undertaken in a suitably equipped aircraft of the applicable category and class.

- (c) An applicant, who is unable to produce all of the documents, prescribed in paragraph (a)(v) (bb) to (ff), is not eligible for the issue of a South African rating under the provisions of this regulation.

Documentation

- 61.01.20** The Commissioner shall ensure that a pilot licence or rating is issued in such a manner that the validity thereof may readily be determined by any appropriate authority.

Register of licences

- 61.01.21** (1) The Commissioner shall maintain a register of all pilot licences and ratings issued or validated in terms of this Part.
- (2) The register shall contain the following particulars:
- (a) the full name of the holder of the licence;
 - (b) the postal and residential address of the holder of the licence;
 - (c) the date on which the licence was issued or validated;
 - (d) particulars of the ratings held by the holder of the licence; and
 - (e) the nationality of the holder of the licence.
- (3) The particulars, referred to in sub-regulation (2), shall be recorded in the register within seven days from the date on which the licence or rating is issued or validated by the Commissioner.
- (4) The register shall be kept in a safe place at the office of the Commissioner.
- (5) A copy of the register shall be furnished by the Commissioner on payment of the appropriate fee as prescribed in Part 187, to any person who requests the copy.

Aviation training providers

- 61.01.22** (1) Training, as required by this Part, shall only be provided by the holder of an aviation training organisation approval issued in terms of Part 141.
- (2) For training towards the issue of a pilot licence to be recognised as integrated training such training shall be conducted in accordance with an approved training course, meeting the

conditions, requirements, rules, procedures and standards as prescribed in Document SA-CATS-FCL.

Payment of currency fee

61.01.23 The holder of a pilot licence shall pay the annual currency fee as prescribed in Part 187, applicable to the type of licence, on the anniversary date of the licence. Where applicable, the payment shall be accompanied by the annual summary as prescribed by regulation 61.01.9(7).

61.01.24 Radiotelephony certificates

In terms of section 30 of the Telecommunications Act of 1996 (Act 103/1996) no person may operate a transmitter without a certificate of proficiency (radiotelephony certificate). The requirements for the issue of a certificate of proficiency (aeronautical) to the holder of a pilot licence are prescribed in Document SA-CATS-FCL.

SPECIAL NOTICE

1. A proposal for the introduction and amendments of Technical Standards contained in Document SA-CATS-FCL, has been received in terms of Regulation 11.03.2 of the Civil Aviation Regulations, 1997 (CAR).
2. The Commissioner for Civil Aviation has in terms of sub-paragraph (3)(a) of Regulation 11.01.1 of the CAR found that publication of the above mentioned proposed Technical Standards by notice in an Aeronautical Information Circular (AIC), as required by sub-regulation 11.03.22(1)(a) is impractical. Currently, it is not possible to co-ordinate the simultaneous publication of the proposed technical standards relating to sub-part 1 of Part 61 of the CAR, with the last mentioned proposed regulations, which are due for publication for comment in the Government Gazette dated 8 March 2002. In order to properly consider the implications of the proposed regulatory requirements, it is necessary to cross reference the requirements of the proposed CAR with the applicable requirements of the proposed CATS. To ensure that the proposed CATS and CARS relating to sub-part 1 of Part 61 are simultaneously made available for consideration, the Commissioner has decided that the proposed Technical Standards will not be published in an AIC, but may be ordered from the CAA by those persons wishing to review these proposed Technical Standards.
3. Persons wishing to review the proposed Technical Standards for the purpose of commenting thereon are invited to apply for copies by visiting CAA website at www.caa.co.za to obtain the necessary application forms for these documents
4. For further clarification, please contact the Regulations Review project Team at the CAA by telephone (012) 426-0106, by fax (012) 426-0160, or by e-mail at beekc@caa.co.za.
5. The closing date for comments on the Technical Standards is 8 April 2002.

No. R. 284

8 March 2002

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 amendment(s) to the Civil Aviation Regulations, 1997, as set out in the schedule(s). Any comments or representations on the proposed amendment(s) 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 8 April 2002.

SCHEDULE 2**1. Proposal to amend Part 66 'Aircraft Maintenance Engineer Licensing'****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.

1.1 Proposed amendment of Regulation 66.01.5(Categories of ratings)

Delete sub-regulations (5), (6) and (7).

1.2 Motivation:

These sub-regulations have been inserted in error.

1.3 Current regulation:

- (5) A Category C rating for a particular type of engine installed in an aeroplane shall be granted only in conjunction with a Category A rating for the type of aeroplane in which the engine is installed.
- (6) A Category D rating for a particular type of engine installed in a rotorcraft shall be granted only in conjunction with a Category B rating for the type of rotorcraft in which the engine is installed.
- (7) A Category D rating for a particular type of engine installed in an aeroplane shall be granted only in conjunction with a Category B rating for the type of aeroplane in which the engine is installed.

**2.1 Proposed amendment of sub-Regulation
66.08.1(c)(Requirements for Grade One aircraft maintenance
instructor rating)**

- “(c) hold at least one valid rating: Provided that, where the applicant is the holder of a Category B or D rating for a particular type of aircraft or engine, he or she shall also be the holder of a Category A or C rating, as applicable, for that type of aircraft or engine.

2.2 Motivation:

In the case of an instructor to give academic or practical instruction, or to act as an examiner, on the overhaul of aircraft or an engine, without also being able to do so in respect of the aircraft's or engine's maintenance, is unacceptable.

2.3 Current regulation:

- (c) hold at least one valid rating;

**3.1 Proposed amendment of sub-Regulation 66.09.1(c)
(Requirements for Grade Two aircraft maintenance instructor
rating)**

- “(c) hold at least one valid rating: Provided that, where the applicant is the holder of a Category B or D rating for a particular type of aircraft or engine, he or she shall also be the holder of a Category A or C rating, as applicable, for that type of aircraft or engine.

3.2 Motivation:

In the case of an instructor to give academic or practical instruction on the overhaul of aircraft or an engine, without also being able to do so in respect of the aircraft's or engine's maintenance, is unacceptable.

3.3 Current regulation:

- (c) hold at least one valid rating;

No. R. 285

8 March 2002

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 8 April 2002.

SCHEDULE 3**Proposal to amend Part 91 of the Civil Aviation Regulations of 1997****Proposer**

Civil Aviation Authority
Private Bag X08
0145 Waterkloof

Explanation of interest of the Proposer

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

1 Proposed Amendment of Regulation 91.02.3

It is proposed to replace sub-regulation(3)(e)(i) with the following sub-regulation:

"Flight crew member responsibilities

91.02.3 (1) No person shall act as a flight crew member of an aircraft –

(2) ...

(3) ... if ... the flight time exceeds, or is likely to exceed, the permissible aggregate of –

(a) ...

- ...
(e) in the case of an operation carried out in terms of Part 121, Part 127, or Part 135 –

- (i) eight hours **during any flight time period;**”

2 Motivation

In the case of commercial air transport operators, the flight and duty times of air crew are regulated by means of an approved Flight and Duty Times Scheme. An anomaly exists in that under the current regulation a crew member may qualify for a full new duty period, but during that period may carry out flight duty for a limited number of hours only, as these hours are dictated by the number of hours flown during the previous flight and duty period, less than 24 hours ago. E.g., a pilot commencing duty at noon and accumulating 6 hours of flight time while flying three sectors, going off duty at, say 20h00, having a full prescribed rest period before commencing duty again the next day, at say 08h00, may fly only 2 hours before noon. Of course, this provides for a very inefficient rostering of available manpower.

The proposed amendment will ensure that the 8 hours flight time restriction is related to a particular flight and duty time period, rather than a revolving 24 hour period. Other restrictions in place will ensure that the prescribed rest and off-duty periods are adhered to, as well as flight time accumulation over longer periods.

3 Current Regulation

“Flight crew member responsibilities

91.02.3 (1) No person shall act as a flight crew member of an aircraft –

(2) ...

(3) ... if ... the flight time exceeds, or is likely to exceed, the permissible aggregate of –

(a) ...

...

(e) in the case of an operation carried out in terms of Part 121, Part 127, or Part 135 –

(i) eight hours, **during the preceding 24 hours;**”

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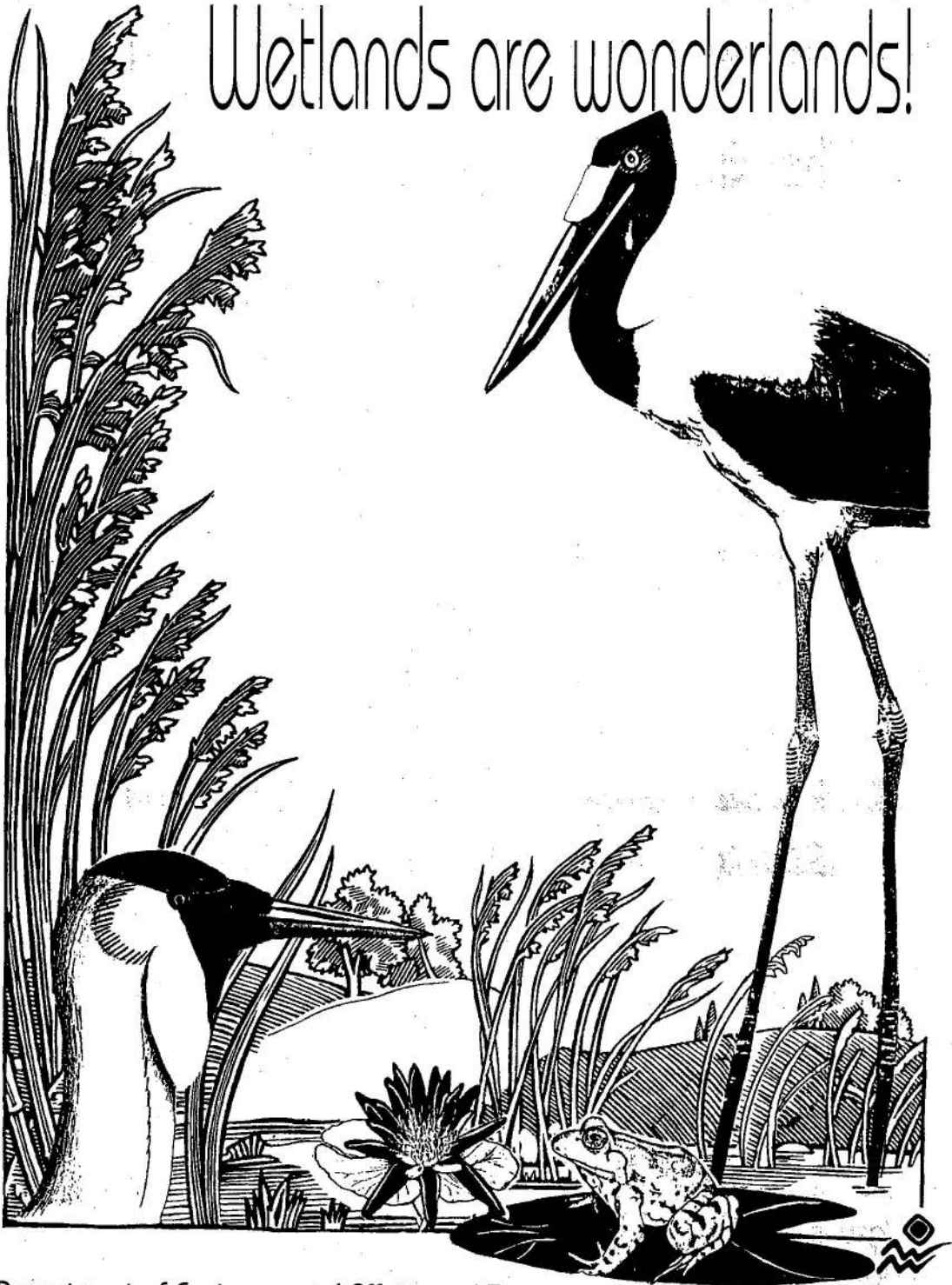
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