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GOVERNMENT NOTICE

DEPARTMENT OF TRANSPORT

No. R. 1375

1 October 2003

AVIATION ACT, 1962 (ACT NO. 74 OF 1962)

TWENTY- FIRST AMENDMENT OF THE CIVIL AVIATION REGULATIONS, 1997

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

SCHEDULE

Definition

1. In these Regulations unless the context otherwise indicates "the Regulations" means the Civil Aviation Regulations, 1997, published by Government Notice No R.1219 of 26 September 1997 and Government Notice R.1255 of 17 October 1997, as amended by Government Notice No R. 1735 of 24 December 1997, Government Notice No R. 1041 of 14 August 1998, Government Notice No R. 1148 of 18 September 1998, Government Notice No R. 1664 of 14 December 1998 and Government Notice No R. 1702 of 31 December 1998, Government Notice No R. 1701 of 31 December 1998, Government Notice No R.639 of 21 May 1999, Government Notice No R. 170 of 17 February 2000, Government Notice No R. 171 of 18 February 2000, Government Notice No R. 558 of 22 June 2001, Government Notice No R. 559 of 30 August 2002, Government Notice No R. 1367 of 15 November 2002, Government Notice No R. 1368 of 15 November 2002, Government Notice No 1369 of 15 November 2002, Government Notice No R. 1370 of 15 November 2002, Government Notice No R. 1371 of 15 November 2002, Government Notice No R. 1372 of 15 November 2002, Government Notice No R.434 of 28 March and Government Notice No R.435 of 28 March 2003.

Amendment of Regulation 1.00.1 of Part 1 of the Regulations

2. Regulation 1.00.1 of the Regulations is herewith amended by –
 - (a) the insertion of the following definitions before the definition of "accelerate-stop distance available":
 - (i) **"ACAS current'**
means that a pilot has either undergone ACAS II initial training or ACAS II renewal training within the prescribed period";
 - (ii) **"ACAS cycle training'**
means training conducted in accordance with an ACAS II syllabus by an approved ATO of which part of the tests and checks are subject to approval by the Commissioner";
 - (iii) **"ACAS initial training'**
means training in accordance with the initial training component of an ACAS II syllabus";
 - (iv) **"ACAS instructor'**
means an appropriately rated flight Instructor who is an ACAS- current pilot";

- (v) **"ACAS renewal training'**
means training in accordance with the renewal training component of an ACAS II syllabus;"; and
 - (vi) **"ACAS syllabus'**
means a syllabus of training in the use of ACAS II as published in Appendix I to TS 121.03.8A."
- (b) the insertion of the following definition after the definition of "air ambulance operation":
- "airborne collision avoidance system'** means an aircraft system based on secondary surveillance radar (SSR) transponder signals that operates independently of ground-based equipment to provide advice to the pilot on potential conflicting aircraft that are equipped with SSR transponders by issuing either a traffic alert, a traffic advisory or a traffic resolution;";
and
- (c) the insertion of the following definition after the definition of "touch down area available":
- "traffic alert and collision avoidance system'** is the term used by the US FAA for US-developed ACAS equipment, a term also used *inter alia* by the New Zealand authorities;".

Amendment of Regulation 1.00.2 of Part 1 of the Regulations

3. Regulation 1.00.2 of the Regulations is herewith amended by –

- (a) the insertion of the following abbreviations before the abbreviation "AGL":
 - (i) **"ACAS'** means airborne collision avoidance system and in these Regulations unless the context indicates otherwise, refers to ACAS II"; and
 - (ii) **'ACAS II'** means an airborne collision avoidance system meeting ICAO specifications;";
- (b) the insertion of the following abbreviations after the abbreviation "AIP SUP":
"ALIM' means altitude limit;";
- (c) the insertion of the following abbreviation after the abbreviation "ARAC":
"ATMS' means air traffic management system";
- (d) the insertion of the following abbreviation after the abbreviation "CDL":
"CPA' means the closest part of approach;";
- (e) the insertion of the following abbreviation after the abbreviation "IMC":
"LOFT' means line-orientated flight training;";
- (f) the insertion of the following abbreviation after the abbreviation "PBE":
"PF' means pilot flying;";
- (g) the insertion of the following abbreviation after the abbreviation "PIB":
"PNF' means pilot not flying;";
- (h) the insertion of the following abbreviation after the abbreviation "PPI":
"RA' means resolution advisory;";

(i) the insertion of the following abbreviations after the abbreviation "STOL":

- (i) "TA' means traffic advisory";
- (ii) "TAS' means traffic avoidance system";
- (iii) "TCAS' means traffic alert and collision avoidance system (USA/New Zealand);
- (iv) "TCAS I' means ACAS equipment meeting FAA TSO-C118 specifications";
- (v) "TCAS II' means ACAS equipment meeting FAA TSO-C119 specifications; the equipment comes in two versions, namely 'version 6.04A' meeting TSO C119a specifications, and 'version 7' meeting both TSO-C119b and ICAO ACAS II specifications"

and

(j) the insertion of the following abbreviation after the abbreviation "VOR":

"ZTHR' means altitude threshold";

Insertion of Regulation 43.02.19 into Part 43 of the Regulations

4. The following Regulation is herewith inserted after Regulation 43.02.18 into Part 43 of the Regulations.

"ACAS maintenance

43.02.19 Any person who carries out maintenance on airborne collision avoidance systems shall perform such maintenance as prescribed in Document SA-CATS-GMR."

Amendment of Regulation 91.04.31 of Part 91 of the Regulations

5. Regulation 91.04.31 of the Regulations is herewith amended by the substitution for the said regulation of the following regulation:

"Airborne Collision Avoidance System

91.04.31 (1) As from 1 July 2003, whenever an aircraft is equipped with an airborne collision avoidance system (ACAS), such system shall –

- (a) function in accordance with the relevant provisions of Document SA-CATS-OPS 91; and
- (b) when serviceable, be activated at all times during flight in all airspace, including oceanic, international, foreign and domestic airspace, even if in terms of these Regulations the carriage of ACAS equipment is not compulsory for that particular type of aircraft or the type of operation.

- (2) Whenever an ACAS becomes unserviceable during flight when operation of ACAS is mandatory, the pilot-in-command of that aeroplane shall inform the responsible air traffic service unit as soon as is practical."

Insertion of Regulation 91.07.30 into Part 91 of the Regulations

6. The following Regulation is herewith inserted after Regulation 91.07.29 into Part 91 of the Regulations:

"Airborne Collision Avoidance System Operations**91.07.30**

- (1) As from 1 July 2003 only an ACAS-current pilot may act as pilot-in-command of a South African registered aircraft during any period while an airborne collision avoidance system is activated. The mandatory activation of such system is prescribed in regulation 91.04.31.
- (2) When a flight crew receives an ATC traffic avoidance instruction that is in conflict with the resolution advisory message issued by the aircraft's approved ACAS, the ACAS resolution advisory takes priority over the ATC instruction.
- (3) Document SA-CATS-OPS 91 contains instructions in respect of ACAS operational use and event reporting.
- (4) For the purpose of this regulation, an ACAS-current pilot means a pilot who –
 - (a) completed within the immediately preceding 12 months initial ACAS II training; or
 - (b) within the immediately preceding two (2) years completed initial ACAS training and subsequently completed ACAS II renewal training more than 9 months and less than 12 months after the earlier training; or
 - (c) completed within the immediately preceding 12 months on two or more days a session of ACAS II cyclic training.
- (5) ACAS II training shall be provided by the holder of an aviation training organisation, issued in terms of Part 141, or in terms of an approved ACAS training programme, as contemplated in Regulation 121.03.8A."

Insertion of Regulation 121.02.11 into Part 121 of the Regulations

7. The following Regulation is herewith inserted after Regulation 121.02.10 into Part 121 of the Regulations.

"ACAS II qualification**121.02.11**

- (1) The operator of a commercial air transport aeroplane that is, in terms of these Regulations, required to be operated with an approved, serviceable airborne collision avoidance system (ACAS), shall ensure that the pilot-in-command of such aeroplane is an ACAS-current pilot.
- (2) For the purpose of this regulation, an ACAS-current pilot means a pilot who –
 - (a) completed within the immediately preceding 12 months ACAS II training; or
 - (b) within the immediately preceding 2 years completed ACAS training and subsequently completed ACAS II renewal training more than 9 months and less than 12 months after the earlier training; or

- (c) completed within the immediately preceding 12 months on two or more days a session of ACAS II cycling training;

as prescribed in regulation 121.03.8A.”.

Insertion of Regulation 121.03.8A into Part 121 of the Regulations

8. The following Regulation is herewith inserted after regulation 121.03.8 into Part 121 of the Regulations:

“ACAS II training

- 121.03.8A** (1) The operator of a commercial air transport aeroplane that is required to be equipped with an approved, serviceable airborne collision avoidance system (ACAS II), shall establish and maintain an ACAS II training programme for the flight crew members in its employ.
- (2) The training programme, contemplated in sub-regulation (1) shall provide for either –
- (a) (i) ACAS II initial training; and
 - (ii) ACAS II renewal training; or
 - (b) ACAS II cyclic training;

as prescribed in Document SA-CATS-OPS 121.”.

Insertion of Regulation 121.05.15 into Part 121 of the Regulations

9. The following Regulation is herewith inserted after Regulation 121.05.14 into Part 121 of the Regulations:

“Airborne Collision Avoidance System

- 121.05.15** (1) (a) As from 1 July 2003, the operator of a turbine-engine commercial air transport aeroplane with a maximum certificated mass in excess of 15 000 kg or with a maximum approved passenger seating configuration in excess of thirty (30) passengers; or
- (b) as from 1 January 2005, the operator of a turbine-engine commercial air transport aeroplane of a maximum certificated mass in excess of 5 700 kg or with a maximum approved passenger seating configuration in excess of nineteen (19) passengers

shall not operate the aeroplane unless such aeroplane is equipped with a serviceable airborne collision avoidance system (ACAS) meeting ACAS II specifications, as prescribed in Document SA-CATS-OPS 121.

- (2) Notwithstanding the provisions of sub-regulation (1), such aeroplane may be flown –

- (a) for the purpose of moving the aeroplane to a place to have an approved but unserviceable ACAS that is fitted to the aeroplane repaired, removed, substituted or overhauled; or
 - (b) if the aeroplane is fitted with an approved ACAS that is unserviceable at the beginning of the flight –
 - (i) if not more than 10 days have passed since the ACAS became unserviceable, excluding the day of discovery, or for such shorter duration as prescribed by the authority responsible for a particular airspace; or
 - (ii) if the TA and RA are inoperative on the non-flying pilot side, the TA and RA elements and audio functions are operative on the flying pilot side, and on intercontinental flights the TA and RA functions are visible to the non-flying pilot.
- (3) Notwithstanding the provisions of sub-regulation (1)(b), such aeroplane may be flown, if on 31 December 2004, the aeroplane was fitted with a serviceable ACAS system not meeting ACAS II specifications. For such aeroplanes, upgrading to ACAS II specification shall be required only when the fitted system becomes unserviceable beyond reasonable repair.
- (4) The pilot-in-command of an aeroplane that is fitted with a serviceable ACAS system shall take all reasonable steps to ensure that the system is activated at all times during flight, and that its use is consistent with the conditions prescribed for the area of operation.
- (5) Whenever an ACAS becomes unserviceable during flight, the pilot-in-command of that aeroplane shall inform the responsible air traffic service unit as soon as practical.
- (6) The pilot-in-command of an aeroplane to which sub-regulation (2) applies shall inform the relevant air traffic service unit before take-off that the aeroplane does not have a serviceable ACAS, and that the intended flight is either –
- (a) for the purpose of moving the aeroplane to a place to have an approved but unserviceable ACAS fitted to the aeroplane repaired, removed, substituted or overhauled; or
 - (b) if a foreign aeroplane, which is fitted with an approved ACAS that is unserviceable at the beginning of the flight, the unserviceability is permitted for the aeroplane under a law in force in the country or registry of the aeroplane: Provided that not more than 10 days may have passed since the ACAS became unserviceable, and the aeroplane has been in South African territory for not more than a total of 72 hours during those days.”

Short title and commencement

10. This Amendment is called the Twenty-First Amendment of the Civil Aviation Regulations, 1997 and shall come into operation on 1 October 2003.
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UMNYANGO WEZOKUTHUTHA

No. R. 1375

1 October 2003

UMTHETHO WEZOKUSHAYELA AMABHANOYI, KA 1962
(UMTHETHO 74 KA 1962)

ISICHIBIYELO SAMA – 21st SEZINQUBOMIGOMO ZOKUSHAYELA AMABHANOYI
OMPHAKATHI, KA 1997

U Ngqongqoshe wezokuthutha usenze lezi zinqubomigomo ngaphansi kwesigaba 22(1) so Mthetho wezokushayela amabhanoyi, ka 1962 (Umthetho 74 ka 1962).

ISHEDULI

Izincazelo

1. Kulezi zinqubomigomo ngaohandle kokuthi ingqikithi ikhomba ngokunye “izinqubomigomo” zisho izinqubomigomo zokushayela amabhanoyi omphakathi, ka 1997, ezakhishwa kwi Phephandaba lika Hulumeni eliyizinamba R.1219 ka 26 kuMfumfu 1997 no R.1255 ka 17 kuMaNdulo 1997, njengoba zachibiyelwa yisaziso sika Hulumeni esingunamba R. 1735 somhlaka 24 kuZibandlela 1997, isaziso sika Hulumeni esingunamba R. 1041 somhlaka 14 kuNcwaba 1998, isaziso sika Hulumeni esingunamba R. 1148 somhlaka 18 uMfumfu 1998, isaziso sika Hulumeni esingunamba R. 1664 somhlaka 14 kuZibandlela 1998, isaziso sika Hulumeni esingunamba R. 1701 somhlaka 31 kuZibandlela 1998, isaziso sika Hulumeni esingunamba R.639 somhlaka 21 kuNhlaba 1999, isaziso sika Hulumeni esingunamba R. 170 somhlaka 17 kuNhlolanja 2000, isaziso sika Hulumeni esingunamba R. 171 somhlaka 18 Nhlolanja 2000, isaziso sika Hulumeni esingunamba R. 558 somhlaka 22 ku Nhlanguvana 2001, isaziso sika Hulumeni esingunamba R. 559 somhlaka 22 June 2001, isaziso sikaHulumeni esingunamba R 1134 somhlaka 30 kuNcwaba 2002, isaziso sikaHulumeni esingunamba R 1367 somhlaka 15 kuLwezi 2002, isaziso sikaHulumeni esingunamba R 1368 somhlaka 15 kuLwezi 2002, isaziso sikaHulumeni esingunamba R 1369 somhlaka 15 kuLwezi 2002, isaziso sikaHulumeni esingunamba R 1370 somhlaka 15 kuLwezi 2002, isaziso sikaHulumeni esingunamba R 1371 somhlaka 15 kuLwezi 2002, kanye nesaziso sikaHulumeni esingunamba R 1372 somhlaka 15 kulwezi 2002 nesixwayiso sikaHulumeni senombolo 435 yangezi 28 ku Ndasa 2003.

Isichibiyelo somthethonkambiso 1.00.1 kusigaba sokuqala somthethonkambiso.

2. Umthethonkambiso 1.00.1 womthethonkambiso uchtshiyelwe ngoku –
 - (a) Ngokufakwa kwezincazelo ezilandelayo ngaphambi kwencanzelo ethi “Ibanga elikhona lokugijimisa ngokushesha – nokuma
 - (i) ACAS manje
Isho ukuthi umshayeli wezindiza ufundisiwe okokuqala nge ACASII nom,a ufundisiwe kokuvuselelwa kwi ACSAII ukuya ngesikhathi esibekiwe.
 - (ii) ACAS ukufundiswa ngomjikelezo
Isho ukuthi izifundo ze ACASII ziqhutshwa ukuya ngohlelo oluvunyelwe yinhlangano yezifundo zohambo ngomoya, okuwukuthi inxenye yezivivinyo ingaphansi kokuvunyelwa ngukhomishinali.

- (iii) ACAS ukufundiswa kokuqala
Isho ukuthi ukundiswa ngohlelo lwezifundo zokuqala ze ACASII,
(iv, v, vi)
 - (iv) ACAS umqeqeshi
Isho ukuthi wenqeqeshi wezindiza olungele kahle ukuqeqesha futhi
owumshayeli wezindiza owazi nge ACAS
 - (v) ACAS ukuvuselelwa kokufundiswa
Isho ukuthi ukufundiswa ngokwezifundo zokuvuselwa kweACASii
ngendlela okuhlelwa ngayo.
 - (vi) ACAS ukuhlelwa kwezifundo
Isho ukuthi ukuhlelwa kwezifundo ngokufundiswa nge ACASII
ngendlela okumenyezelwe ngayo kwisithasiselo I kuya ku TS
121.03.8A.
- (b) Ukufakwa kwencazelo elandelayo ngemuva kwencazelo ethi “
ukusetshenziswa kwe Ambulensi yomoya

Uhlelo oluvikela ukungqubuzana kwezindiza emoyeni.

Kusho ukuthi uhlelo lwendizamshini olusekwe kwinklabamkhosi yomshini okhombisa imininginingwane elekiwe yendiza esebenza ngokumela emshinini esekwe phansi ukucebisa umshayeli wezindizamshini ngodweshu olunokwenzeka ezindizeni ezifakwe umshini okhombisa imininginingwane elekiwe yezindiza ngokukhipha isixwayiso sendiza, noma iseluleko sendiza noma isinqumo sendiza noma

- (c) Ukufakwa kwenzazelo elandelayo ngemuva kwencazelo ethi ubungako bendawo yokuthinta phansi etholakalayo.
“uhlelo lokuxwayisa nokuvikela ukungqubuzana kwezindiza wumkhawulo osetshenziswa yinklangano yamazwe yezomoya ephetheyo yasemelika, yemishini esonjululwe yiMelika, yeACAS, lomkhawulo usetshenziswa futhi phakathi kweminye yiziphathimandla zaseNyuzilandi.

Isichibiyivelo somthethonkambiso 1.00.2 kusigaba sokuqala somthethonkambiso.

3. Umthethonkambiso 1.00.2 womthethonkambiso uchitshiyelwe ngoku –

- (a) Ngokufakwa kwezinciphiso ezilandelayo emuva kwalesisinciphiso “indawo ethetha ngaphezu komhlaba (AGL)
 - (i) ACAS isho ukuthi uhlelo oluvikela ukungqubuzana emoyeni futhi kulezingqubomgomo ngaphandle kokuba ingqikithi yendaba isho okunye, bhekisa ku ACASII, futhi.

- (ii) ACASII isho ukuthi uhlelo oluvikela ukungqubuzana emoyeni eyanelisa iminingiliso eyincasiselo ye ICAO.
- (b) Ukufakwa kwezinciphiso ezilandelayo emva kwesinciphiso "AIP SUP", "ALIM" isho ukuthi ukuthi umkhawulo wobude bokuphakama phezu kolwandle.
- (c) Ukufakwa kwesinciphiso esilandelayo emva kwalesinciphiso 'ARAC' "ATMS" isho ukuthi uhleo lokuphatha kwezomoya.
- (d) Ukufakwa kwesinciphiso esilandelayo emva kwalesinciphiso 'CDL' 'CPA' isho ukuthi indawo eseduze nesigaba sokulungisela ukuma kwendiza.
- (e) Ukufakwa kwalesinciphiso esilandelayo emuva kwalesinciphiso "IMC" LOFT siho ukuthi izifundo zezomoya ezihloliwe ukuthi zibhekephi.
- (f) Ukufakwa kwalesinciphiso esilandelayo emuva kwalesinciphiso "PBE" sisho ukuthi umshayeli wezindiza uyashayela indiza.
- (g) Ukufakwa kwalesinciphiso esilandelayo emuva kwalesinciphiso "PIB" "PF" sisho ukuthi umshayeli wezindiza akashayeli indiza.
- (h) Ukufakwa kwalesinciphiso esilandelayo emuva kwalesinciphiso "PPT" "RA" sisho ukuthi isinqumo esiqondisayo.
- (i) Ukufakwa kwalesinciphiso esilandelayo emuva kwalesinciphiso "STOL"
- (i) TA sisho ukuthi isinqumo sendiza.
- (ii) TAS isho inqubo yokuvikela ukugcwala kwezindiza
- (iii) TCAS isho ukuthi uhlelo lokuvikela ukungqubuzana kwezindiza emoyeni "USA/New Zealand)
- (iv) TCASI isho ukuthi imishini yohlelo oluvikela ukungqubuzana emoyeni eyanelisas iminingiliso ye FAA TSO-C118.
- (v) TCASII isho ukuthi imishini yohlelo oluvikela ukungqubuzana emoyeni eyanelisa iminingiliso ye FAA TSO – C119, lemishini itholakala ngamahumusha amabili, alandelayo 'ihumusho 6,04A eyanelisa iminingiliso ye TSO C119a, kanye nehumusho 7 eyanelisa iminingiliso yomibili ye TSO-C119b ne ICAO ACASII nokufakwa kwalesinciphiso esilandelayo emuva kwalesinciphiso "VOR" "ZTHR" sisho ukuthi umbundu wobude bokuphakama phezu kolwandle.

Ukufakwa kwenqubomgomo 43.02.19 esigabeni 43 senqubomgomo.

4. Lenqubomgomo elandelayo ifakwe emuva kwenqubomgomo 43.02.18 kusigaba 43 senqubomgomo.

Ukuphathwa kweACAS

43.02.19 omunyenomunye umuntu olungisa imishini yohlelo lokuvikela ukungqubuzana emoyeni uzakwenza lomsebenzi ngendlela okumiswe ngayo ezimcwadi ze SA-CATS-GMR.

Isichibiyelo senqubomgomo 91.04.31 kusigaba 91 senqubomgomo

5. Inqubomgomo 91.04.31 ichithsiyelwe ngokuguqulelwa kwenqubomgomo esishiwo yenqubomgomo elandelayo.

**“Uhlelo lokuvikela ukungqubuzana emoyeni
91.04.31**

(1) kusukela kumhlaka 1 kuNwaba 2003, uma indiza ifakwe uhlelo lokuvikela ukuvikela ukungqubuzana emoyeni (ACAS) lolohlelo luza –

- a. (a) Kufanele lusebenze ngendlela ebekiwe mayelana nezincwadi se SA-CATS-OPS 91, futhi.
- b. (b) Uma loluhlelo lusebenza, kumele lube bukhuphekhuphe ngzozonke izikhathi uma indiza isemoyeni, kuzozonke izindawo emoyeni, kanye nendawo engasolwandle, kuzizwe ezahlukeni, kuzindawo zangaphandle, nezangaphakathi ezweni lethu phezu emoyeni, noma ngabe ngokwenqubomgomo ukuhanjiswa kwemishini ye ACAS kungaphoqelekile ngokwaleyonhlobo yendiza noma ngabe ukusetshenziswa.

(2) Uma ngabe uhlelo lokuvikela ukungqubuzana emoyeni (ACAS) lungasasebenzi emoyeni. Uma ukusetshenziswa kwalo kuphoqelekile, umshayeli wezindiza ophethe kuleyondiza kumele azise abaphathe kwezomoya ngokushesha.

Ukufakwa kwenqubomgomo 91.07.30 esigabeni 139 senqubomgomo

6. Lenqubomgomo elandelayo ifakwe emuva kwenqubomgomo 91.07.29 kusigaba 91 senqubomgomo.

**“Ukusentshenziswa kohlelo oluvikela ukungqubuzana kwezindiza emoyeni.
91.07.30**

- (1) Kusukela kumhlaka 1 ku Ncwabe 2003, umshayeli wendiza ophethe endizeni ofundiswe nge ACAS kuphela onegunya lokushayela indiza ebhaliswe eNingizimu Africa, ngezinkathi zonke uma uhlelo lubukhuphekhuphe. Ukuphoqeleka kokwenza bukhuphekhuphe kwaloluhlelo kumiswe kunqubomgomo 91.04.31.
- (2) Uma abasebenzi ndizeni bathola imiyalo evela kwabaphethe kwezomoya mayelana nokugwema isiphithiphithi engahambelani nomyalezo wesimanyiso okuvunyelenwe ngawo wakhishwa wagunyazwa wuhlelo oluvikela ukungqubuzana emoyeni (ACAS) lwaleiyondiza kuzosethsenziswa uhlelo oluvikela ukungqubuzana emoyeni kwezindiza.
- (3) Izincwadi ze SA-CATS-OPS 91 ziqukethe imiyalo ngokusentshenziswa kohlelo oluvikela ukungqubuzana emoyeni kanye nokwazisa ngezehlakalo

- (4) Ngokwalenqubomgomo umshayeli wendiza ofundiswe okokuqala nge ACAS II noma ofundiswe kukuvuselelwa kwi ACASII ukuyangesikhathi esibekiwe usho ukuthi umshayeli wendiza o –
- (a) Esikhathini esingaphambilini noma ezinyangeni eziyishuminambili uqede ukufundiswa kokuqala nge ACAS II noma
 - (b) Ngaphakathi kweminyaka emibili uqede ukuqeqeshwa ngokokuqala kwi ACAS ubusu landela ngokuqedela isivuselelo soqeqeqsho ngokwe ACAS II ngaphansi kwezinyanga eziyishuminambili
 - (c) Oqede ngokushesha ngaphambi kwezinyanga ezingamashuni amabili ezinsukwini ezimbili noma ngaphezulu kunqubo ye ACASII ephindaphinda ukuqeqeshwa.
- (5) Ukuqeqeshwa ngokwe ACASII kunikezelwa umuntu onenhlango eeqeqesha ngokwezomoya, ngokwe Part 141 noma ngohlelo lwe ACAS oluvumelekile ngokugunyazwa umthetho 121 .-3.8A

Ukushicilelwa komthetho 121.02.11 kusigaba 121 semithetho

7. Lomthetho olandelayo ufakwa emthethweni ulandela umthetho 121.02.10 kusigaba 121 semithetho

Iziqu ze ACAS11

121.02.11 121.02.11 (1) Umnini wendiza ekudingeka ukuthi nokomthetho abe nenqubo yokuvikela ukungqubuzana emoyeni (ACAS) kumele aqiniseke ukuthi umshayeli wendiza uqeqeshiwe ngokwe ACAS.

(2) Ngokwezidingo zomthetho, umshayelindiza oqeqeshwe ngokwe ACAS umuntu ofeza lezidingo:

- (a) Esikhathini esingaphambilini noma ezinyangeni eziyishuminambili uqede ukufundiswa kokuqala nge ACAS II noma
- (b) Ngaphakathi kweminyaka emibili uqede ukuqeqeshwa ngokokuqala kwi ACAS ubusu landela ngokuqedela isivuselelo soqeqeqsho ngokwe ACAS II ngaphansi kwezinyanga eziyishuminambili
- (c) Oqede ngokushesha ngaphambi kwezinyanga ezingamashuni amabili ezinsukwini ezimbili noma ngaphezulu kunqubo ye ACASII ephindaphinda ukuqeqeshwa njengoba kushiciyelwe emthethweni wesigaba 121.03.8A

- a. Ukufakwa kwencazelo elandelayo ngemuva kwencazelo ethi “ ukusetshenziswa kwe

Ukushicilelwa komthetho 121.03.8A emthethweni we 121 wezomthetho

8. Lenqubomgomo elandelayo ifakwe emuva kwenqubomgomo 121.08A kusigaba 121 senqubomgomo.

Uqeqesho lwe ACAS11

121.08A Umninizindiza okudingeka ukuba abenegunya lokusebenzisa inqubo yokuvimbela ukungqubuzana kufanele enze futhi agcine inqubo yokuqeqesha abashayeli bezindiza abamsebenzelayo

(2) Lenquboqeqesho kufanele ifake lokhu okulandelayo:

- (a) (i) ACAS II, ukuqeqeshwa kokuqala
- (ii) ACASII, ukuvuselela kokuqeqeshwa
- (b) ACASII, ukuphindwaphindwa koqeqesho

Ukushicilelwa komthetho 121.05.15 emthethweni 121 wezomthetho

9. Lenqubomgomo elandelayo ifakwe emuva kwenqubomgomo 121.05.14 kusigaba 121 senqubomgomo

“Inqubo yokuvikela ukungqubuzana kwezindiza emoyeni

121.05.15 121.05.15 (1) (a) Kusuka ngomhlaka I kuNwabe 2003, uminindiza osebenzisa zindisa ezithwala abagibeli abangamashumi amathathu noma

- (b) Kusuka ngomhlaka 1 ku Masimngana 2003, uminindiza onezindiza ezithwala abagibeli abangamashumi nanye kufanele asebenzise leyondiza uma leyondiza inenqubo yokuvikela ukungqubuzana emoyeni ehloliwe ngokwe ACASII njengoba kushicilelwe ezincawdini ze SA-CATS-OPS 121.

(2) Uma izinqubo ezisemthetho wesigaba sokuqala singalandelwa, leyondiza kufanele indize –

- (a) Uma kudingeka indize ukuze kuyofakwa I – ACAS igunyaziwe noma
- (b) Uma leynqubo ye ACSA ifakiwe ingasebenzi.

- (i) Uma izinsuke ezilishumi zingadlulile makutholakala ukuthi indiza ifakwe I ACAS engasebenzi, noma esikhathini esifushane

- njengoba kushicilelwe umyango wezokugcina indawo yokundiza emoyeni noma
- (ii) Uma I- TA and RA zingasebenzi ecaleni lomshayeli wendiza ongashayeli amalunga e – RA kanye ne TA futhi amalunga ezemisindo ayasebenza ecaleni lomshayeli ondizisayo, noma indiza idabula amazwe e TA ne RA namalunga eRA abonakale ecaleni lomshayeli ongashayeli indiza.
- (3) Indiza leyo ingasebenza uma ngomhlaka 31 uzibandlela 2004 indiza leyo izobe isifakelwe inqubo ye ACAS elungisekayo ehambelana nezinkambiso zeACASII. Uma lezindiza kulendiza, kuzodingeka ukuba zifakelwe I-ACASII uma inqubo efakiwe isiphukile ingasalungiseki.
- (4) Umqhubi-ndiza wendiza, efakwe inqubo elungisekayo ye- ACAS, kudingeka ukuba athathe izinyathelo ezinqala ukuqiniseka ukuthi inqubo iyasebenza kanti zonke uma indiza isemoyeni kanye nokuthi ukusebenza kwayo kuyahambelana nemigomo yendawo indiza chamba khona.
- (5) Uma I-ACAS ingasebenzi kahle uma indiza isemoyeni, umshayeli ndiza kuzodingeka ukuba abikele abazomthetho wasemoyeni ngokushesha.
- (6) Umshayelindiza, wendiza engaphansi komthetho sigaba we sibili, kuzodingeka abikele abozomthetho wasemoyeni ngaphambi kokususa indiza esikhumulweni ukuthi indiza ayinayo I-ACAS elungisekayo kanye nokuthi uhambo oluzothathwa
- (a) uhambo oluya endaweni lapho I-ACAS izolungiswa noma izokhishwa noma kufakelwe enye noma
- (b) uma kuyandiza yangaphandle, efakelwe i –ICAS elungisekayo.

Inhlelo emfishane kanye nokuqala

10. Loshisntsho lolu lubizwa ngoshintsho lwamashumi amabili nanye lomthetho we Civil Aviation, 1997 futhi luzoqala ukusebenza ngomhlaka 1 October 2003.

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