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## GOVERNMENT NOTICE

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### DEPARTMENT OF TRANSPORT

No. R. 1060

10 September 2004

### 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 schedule/s. 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 [mamabolom@caa.co.za](mailto:mamabolom@caa.co.za) or [wildenboerh@caa.co.za](mailto:wildenboerh@caa.co.za), before or on 10 October 2004.

#### PROPOSER OF ALL SCHEDULES

Civil Aviation Authority  
Private Bag X08  
0145 Waterkloof

#### Explanation of interest of the Proposer in regard to all Schedules

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

#### SCHEDULE 1

- 1.1. **Proposed Amendment of regulation 1.00.1** (relating to Part 61.15 instrument rating) by the insertion of the following definitions:

#### Definitions

- (1) *Instrument Flight Time (IFT)* means time during which the aircraft is piloted solely by reference to instruments and without external reference points, whether under actual or simulated flight conditions;
- (2) *Instrument Ground Time (IGT)* means time which is accumulated under instruction from a person authorised by these regulations in a procedures trainer or simulator approved by the Commissioner for instrument training. All IGT logbook entries must be signed by the person providing the instruction.

- (3) *Instrument Time (IT)* means instrument flight time or instrument ground time.
- (4) *Instrument Rating - Single Engine Aeroplane* means an instrument rating of which the privileges may only be exercised in a single engine aeroplane.
- (5) *Instrument Rating - Multi Engine Aeroplane* means an instrument rating of which the privileges may be exercised in any aeroplane, unless endorsed "centreline-thrust only".
- (6) *Instrument Rating - Single Engine Helicopter* means an instrument rating of which the privileges may only be exercised in a single engine helicopter.
- (7) *Instrument Rating - Multi Engine Helicopter* means an instrument rating of which the privileges may be exercised in any helicopter.
- (8) *Instrument Rating - Airship* means an instrument rating of which the privileges may only be exercised in an airship.
- (9) *Instrument Rating* means either –
  - (a) Instrument Rating – Single-Engine Aeroplane;
  - (b) Instrument Rating – Multi-Engine Aeroplane;
  - (c) Instrument Rating – Single-Engine Helicopter
  - (d) Instrument Rating – Multi-engine Helicopter; or
  - (e) Instrument Rating - Airship;.

## **1.2 Motivation**

These definitions relate to Part 61 which, due to practical difficulties experienced in the implementation Part 61, has never been put into operation.

## **1.3 Current regulation**

New definitions

## **Schedule 2**

### **2.1 Proposed deletion of Part 61.20 and the substitution thereof by Part 61.15**

**Requirements for an instrument rating**

**61.15.1 (1)** An applicant for the issuing of an instrument rating shall –

- (a) be not less than 18 years of age;
  - (b) hold a valid private pilot licence or commercial pilot licence (aeroplane or helicopter), airline transport pilot licence (helicopter) or an airship pilot licence;
  - (c) hold a valid night rating, unless such rating is an integral part of the pilot licence;
  - (d) hold a valid Class 1 medical certificate issued in terms of Part 67: Provided that in the case of the holder of a private pilot licence a valid Class 2 medical certificate suffices;
  - (e) have acquired the experience referred to in regulation 61.15.2;
  - (f) have successfully completed the training referred to in regulation 61.15.3 at an approved Part 141 ATO;
  - (g) have passed the theoretical knowledge examination referred to in regulation 61.15.4; and
  - (h) have undergone the skill test referred to in regulation 61.15.5, in an aircraft appropriate to the rating.
- (2) The holder of a valid instrument rating who applies for an instrument rating for a different category of aircraft shall be deemed to have met the requirements of sub-regulations (1) (a) to (g), and shall have undergone at least three hours of instrument flight training in the new category of aircraft.

**Experience**

- 61.15.2 (1)** An aircraft, used for the purpose of acquiring instrument flight time with an instructor or in a skills test, must have fully functioning dual controls unless otherwise agreed to in writing by the Commissioner.
- (2) An applicant for an instrument rating shall have completed at least 50 hours cross-country flight time as pilot-in-command of an aeroplane, helicopter or airship, of which at least ten hours shall have been in the category of aircraft for which the instrument rating is sought.

- (3) An applicant for an instrument rating shall have completed a practical training course of at least 40 hours instrument time, with an appropriately rated instructor, including –
- (a) a minimum of 20 hours instrument flight time with at least 10 hours in the applicable category of aircraft;
  - (b) for an instrument rating in a multi-engine aircraft, at least 10 hours instrument flight time, including flight with one engine simulated inoperative, in a multi-engine aircraft of the applicable category. Where a centreline-thrust aeroplane is used, the instrument rating will be endorsed “centreline-thrust only”;
  - (c) instruction and practice in departures, *en route* flying, holding, arrivals and all types of approved instrument approach procedures (including the missed approach);
  - (d) at least one cross-country flight of more than 100 NM in instrument, or simulated instrument conditions on an IFR flight plan. The flight must include at least three different types of instrument approaches down to minima, utilising at least two different aerodromes
- (4) In the case of an application for an instrument rating in a category of aircraft other than that for which a valid instrument rating is already held, the applicant shall be required to have met all the category specific requirements in (3) above in the new category.

**Training****61.15.3**

An applicant for the issuing of an instrument rating shall have successfully completed the appropriate training as prescribed in Document SA-CATS-FCL.

**Theoretical knowledge examination****61.15.4**

An applicant for the issuing of an instrument rating shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL.

**Skill test****61.15.5 (1)**

An applicant for an instrument rating shall demonstrate to a designated examiner, in a suitable aircraft in the category for which the particular instrument rating is sought, the ability to perform the procedures and manoeuvres prescribed in Document SA-CATS-FCL, with a degree of competency appropriate to the privileges granted to the holder of the instrument rating.

- (2) The applicant shall undergo the skill test referred to in sub-regulation (1), within 24 months of passing the theoretical knowledge examination referred to in regulation 61.15.4, within 30 days of the last period of dual instruction and within the 90 days immediately preceding the date of application. In the case of the holder of a valid instrument rating applying for an additional instrument rating, the theoretical knowledge requirement does not apply.

**Application for instrument rating**

**61.15.6** An application for the issuing of an instrument rating shall be made to the Commissioner on the appropriate form as prescribed in Document SA-CATS-FCL, and shall be accompanied by the appropriate fee as prescribed in Part 187.

**Issuing of instrument rating**

- 61.15.7** (1) The Commissioner shall issue an instrument rating if the applicant complies with all the requirements referred to in regulation 61.15.1.
- (2) An instrument rating shall be issued in the form prescribed in Document SA-CATS-FCL.

**Privileges of instrument rating**

- 61.15.8** (1) The holder of a valid instrument rating shall be entitled --
- (a) to act, within the limitations of his or her pilot licence and particular instrument rating, as pilot of an aircraft in compliance with IFR and under IMC, by day or by night; and
  - (b) to carry out an approach and a landing under IMC with the aid of approved approach aids and procedures.
- (2) Whenever the examiner, or another pilot, functions as a flight crew member during an initial instrument rating skill test, the privileges of the instrument rating shall be restricted to multi-pilot operations only. To remove this restriction, the applicant must be tested in a single-pilot aircraft without any assistance from the examiner or another pilot.

**Period of validity**

**61.15.9** An instrument rating shall be valid for a period of 12 months calculated from the end of the month of the date of issue or revalidation of the rating

**Revalidation**

**61.15.10 (1)** To revalidate an instrument rating, the applicant shall

- (a) if the validation period has not lapsed, or has lapsed for a period not exceeding 24 months, pass a proficiency check with a designated examiner, as prescribed in Document SA-CATS-FCL, in an aircraft appropriate to the particular instrument rating being revalidated.
  - (b) if a validation period has lapsed for more than 24 months but less than 5 years –
    - (i) acquire at least three hours instrument time, including at least three instrument approach procedures and a missed approach; and
    - (ii) within 30 days of having acquired the instrument time pass a proficiency check with a designated examiner, as prescribed in Document SA-CATS-FCL, in an aircraft of the category appropriate to the particular instrument rating being revalidated.
  - (c) if an instrument rating has lapsed for five years or more, the applicant shall apply to the Commissioner for revalidation requirements.
- (2) Where a pilot holds an instrument rating in more than one category of aircraft, revalidation shall be required in respect of each category, as prescribed in sub-regulation (1).
- (3) Where a pilot holds an instrument rating in a particular category of aircraft for both single-engine and multi-engine aircraft, the revalidation of these ratings may be carried out alternately in a single-engine aircraft and a multi-engine aircraft of the particular category. Such test would revalidate both of these instrument ratings.
- (4) When the holder of an instrument rating passes the proficiency check(s) referred to in sub-regulation (1), the designated examiner shall –
- (a) complete the appropriate form as prescribed in Document SA-CAT-FCL;
  - (b) submit the above form to the Commissioner; and
  - (c) endorse the applicable page in the holder's pilot licence.

**SCHEDULE 3****3.1 Proposed deletion of Part 61.23 and the substitution thereof by Part 61.16****SUB PART 16 GRADE III AEROPLANE FLIGHT INSTRUCTOR RATING****Requirements for Grade III aeroplane flight instructor rating**

**61.16.1** An applicant for the issuing of a Grade III aeroplane flight instructor rating shall –

- (a) hold or have held a valid commercial pilot licence (aeroplane) or airline transport pilot licence (aeroplane): Provided that in the case of the applicant not no longer holding a valid commercial or higher pilot licence (aeroplane) he or she shall at least hold a valid private pilot licence (aeroplane) with night rating;
- (b) have successfully completed the training referred to in regulation 61.16.2;
- (c) have passed the theoretical knowledge examination referred to in regulation 61.16.3; and
- (d) have undergone the skill test referred to in regulation 61.16.4.

**Training**

**61.16.2** An applicant for the issuing of a Grade III aeroplane flight instructor rating shall have successfully completed a training course, as prescribed in Document SA-CATS- FCL 61, with an approved aviation training organisation, during which not less than 25 hours of flight training in an aeroplane or simulator approved for the purpose shall have been received from a Grade I or a Grade II aeroplane flight instructor with the appropriate endorsement: Provided that the prescribed number of hours may be reduced if the applicant is the holder of a flight instructor rating in another category of aircraft.

**Theoretical knowledge examination**

**61.16.3 (1)** An applicant for the issuing of a Grade III aeroplane flight instructor rating shall have passed the appropriate written examination, conducted by the Civil Aviation Authority, as prescribed in Document SA-CATS-FCL 61.

- (2) An applicant, who is the holder of a flight instructor rating in another category of aircraft, shall be exempted from that portion of the theoretical knowledge examination dealing with fundamentals of



instruction and other matters of a common nature already passed.

### **Skill test**

- 61.16.4** (1) An applicant for the issuing of a Grade III aeroplane flight instructor rating shall have demonstrated to an appropriately rated designated examiner the ability to perform as a Grade III aeroplane flight instructor the procedures and manoeuvres prescribed in Document SA-CATS-FCL 61 with a degree of competency appropriate to the privileges granted to the holder of a Grade III aeroplane flight instructor rating.
- (2) The applicant shall undergo the skill test referred to in sub-regulation (1) within 24 months of passing the theoretical knowledge examination referred to in regulation 61.16.3 and within the 90 days immediately preceding the date of application.
- (3) The skill test shall be conducted in an aeroplane, fitted with fully functional dual controls, or in a simulator approved for the purpose.
- (4) Before an applicant submits himself or herself for an initial skill test, he or she shall provide the examiner with a written confirmation by the chief flying instructor of the aviation training organisation that conducted the training that he or she has completed the required training and is considered to be ready for the test.

### **Application for a Grade III aeroplane flight instructor rating**

- 61.16.5** An application for the issuing of a Grade III aeroplane flight instructor rating shall --
- (a) be made to the Commissioner on the appropriate form as prescribed in Document SA-CATS-FCL 61; and
- (b) be accompanied by the appropriate fee as prescribed in Part 187.

### **Issuing of a Grade III aeroplane flight instructor rating**

- 61.16.6** (1) The Commissioner shall issue a Grade III aeroplane flight instructor rating if the applicant complies with the requirements referred to in regulation 61.16.1.
- (2) A Grade III aeroplane flight instructor rating shall be issued in the appropriate format as prescribed in Documents SA-CATS-FCL 61.

**Period of validity**

- 61.16.7** A Grade III aeroplane flight instructor rating shall be valid for a period of one year calculated from –
- (a) the date of issue or reissue; or
  - (b) the beginning of the month following the date of –
    - (i) expiry of the rating if such rating is revalidated within 90 days immediately prior to expiry; or
    - (ii) revalidation of such rating if revalidated prior to the period referred to in sub-paragraph (i).

**Privileges and limitations of a Grade III aeroplane flight instructor rating**

- 61.16.8** (1) The holder of a valid Grade III aeroplane flight instructor rating shall, under the supervision of a Grade I or Grade II aeroplane flight instructor with the appropriate class ratings or type ratings by name and endorsements, and with due regard for the provisions of sub-regulations (2) and (3), be entitled to give flight instruction, in aeroplanes in respect of which he or she is the holder of –
- (a) the appropriate class rating or type rating by name as an instructor; or
  - (b) in respect of aeroplanes for which no type rating by name exists, endorsement as instructor in respect of the particular aeroplane model, including any variants of such model; and
  - (c) if applicable, the appropriate flight instructor type rating by name endorsements referred to in sub-regulation (2).
- (2) The flight instruction, which a Grade III instructor is entitled to give in terms of sub-regulation (1), is limited to flight instruction towards
- (a) the issue of a private pilot licence and any additional single-engine class rating;
  - (b) night flying, other than instrument flight training;
  - (c) differences and familiarisation training;
  - (d) recurrent training; and
  - (e) route training.
- (3) In order for the holder of a valid Grade III aeroplane flight instructor rating to exercise the privileges, referred to in sub-regulation (2), in any of the fields listed below, he or she shall have demonstrated to

a Grade I aeroplane flight instructor with the appropriate class rating or type rating by name and endorsement, or to a person authorised for the purpose in writing by the Commissioner, the ability to provide flight instruction in that field with a degree of competency appropriate to the privileges granted by the rating and endorsement. The examiner shall endorse the flight instructor's logbook accordingly. The relevant fields are:

- (a) instrument flight training;
- (b) turbine-engine aeroplane flight training;
- (c) multi-engine aeroplane flight training;
- (d) aerobatic flight training; and
- (e) flight simulator training.

- (4) For a flight instructor rating to be endorsed for the specific fields, referred to in sub-regulation (3), the flight instructor shall be the holder of a valid instrument, turbine, multi-engine or aerobatic rating, as applicable, have completed --

- (a) the appropriate training; and
- (b) the appropriate instructor skill test;

and meet the other applicable conditions prescribed in Document SA-CATS-FCL 61.

- (5) For the purposes of sub-regulation (1), **supervision** means guidance and supervision provided by the chief flying instructor, or a Grade I or Grade II aeroplane flight instructor who has been approved for the purpose by the chief flying instructor, and includes the following:

- (a) periodic surveillance;
- (b) assessment of the standard of instruction provided;
- (c) standardisation of the methods of instruction used;
- (d) guidance on the conduct of all aviation training organisation operations,

as prescribed in Document SA-CATS-FCL 61 for inclusion in the approved manual of procedure of the aviation training organisation.

- (6) Notwithstanding the provisions of sub-regulation (1), the holder of a Grade III aeroplane flight instructor rating, who has been the holder of a Grade I or Grade II aeroplane flight instructor rating in the past, may apply to the Commissioner to retain all or some of the privileges of a Grade II aeroplane flight instructor.

**Revalidation**

**61.16.9 (1)** To revalidate a Grade III aeroplane flight instructor rating, the holder of the rating shall comply with the following requirements:

- (a) within the 90 days immediately preceding the date of expiry of such rating pass –
  - (i) the skill test referred to in regulation 61.16.4 with a Grade I instructor who is instructor-rated on the aeroplane used for the test, or with a Designated Examiner; or
  - (ii) a skill test for an endorsement of his or her flight instructor rating as contemplated in sub-regulation 61.16.8(3) ; and
- (b) within the 12 months immediately preceding the date of expiry of such rating either –
  - (i) have given not less than 20 hours of flight instruction in aeroplanes; or
  - (ii) have attended a flight instructor refresher seminar as prescribed in Document SA-CATS-FCL 61, conducted by an approved aviation training organisation.
- (2) The designated examiner, referred to in sub-regulation (1)(a), and – if applicable – the aviation training organisation referred to in sub-regulation (1)(b)(ii), shall upon compliance by the holder of the rating with the requirements referred to in sub-regulation (1) --
  - (a) provide the flight instructor rating holder with the skill test report as prescribed in Document SA-CATS-FCL 61, and – if applicable – the attendance certificate issued by the aviation training organisation referred to in sub-regulation (1)(b)(ii);
  - (b) sign the appropriate page of the licence of such holder; and
  - (c) endorse the logbook of such holder.
- (3) The holder of the revalidated Grade III aeroplane flight instructor rating shall submit to the Commissioner, within ninety days of the date of revalidation, certified copies or the originals of the documents referred to in sub-regulation (2), together with the applicable fee as prescribed in Part 187.

- (3) If the result of the skill test contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 61.16.8, the designated examiner shall –

- (a) report such result to the Commissioner; and
- (b) not sign the appropriate page of the licence of the holder of the rating.

In such a case, the holder of the aeroplane flight instructor rating shall cease to exercise the privileges of his or her rating with immediate effect until such time he or she meets the requirements for the revalidation or reissue of the rating *in toto*.

### Reissue

- 61.16.10** (1) The holder of a Grade III aeroplane flight instructor rating that has expired due to the lapse of the period referred to in regulation 61.16.7, may, before a further period of 60 months calculated from the date of expiry of the rating has lapsed, apply for the reissuing of a Grade III aeroplane flight instructor rating.

- (2) The Commissioner shall reissue the expired rating if the applicant has -

- (a) attended a flight instructor refresher seminar as prescribed in Document SA-CATS-FCL 61, conducted by an approved aviation training organisation; and

- (b) undergone the skill test referred to in regulation 61.16.4.

- (3) An application for the reissuing of the expired rating shall be made on the prescribed form and be accompanied by the appropriate fee as prescribed in Part 187.

- (4) If a period of 60 months or more has lapsed after the date of expiry of the rating, the holder of the expired rating may apply to the Commissioner for the reissuing of the rating, and the Commissioner shall reissue the rating if the applicant complies with the requirements for a Grade III aeroplane flight instructor rating referred to in regulation 61.16.1 as for initial issue.

- (5) The provisions of regulation 61.16.5 shall apply *mutatis mutandis* to an application referred to in this regulation.

**SCHEDULE 4****4.1 Proposed deletion of Part 61.22 and the substitution thereof by Part 61.17****SUBPARTS 17          GRADE II AEROPLANE FLIGHT INSTRUCTOR RATING****Requirements for Grade II aeroplane flight instructor rating**

**61.17.1** An applicant for the issuing of a Grade II aeroplane flight instructor rating shall -

- (a) hold a valid commercial pilot licence (aeroplane) or an airline transport pilot licence (aeroplane);
- (b) hold a valid instrument rating;
- (c) hold or obtain the instrument flight training endorsement referred to in sub-regulation 61.16.8(2)(a);
- (d) hold, or have held during the immediately preceding 90 days, a valid Grade III aeroplane flight instructor rating;
- (e) have acquired the experience referred to in regulation 61.17.2;
- (f) have successfully completed the training referred to in regulation 61.17.3;
- (g) have passed the theoretical knowledge examination referred to in regulation 61.17.4: and
- (h) have undergone the skill test referred to in regulation 61.17.5.

**Experience**

**61.17.2** An applicant for the issuing of a Grade II aeroplane flight instructor rating shall -

- (a) have held a Grade III aeroplane flight instructor rating for at least 12 months;
- (b) have given not less than 200 hours of flight instruction as a Grade III aeroplane flight instructor; and
- (c) have acquired at least 10 hours of instrument flight time during the six months immediately preceding the application.

**Training**

- 61.17.3** An applicant for the issuing of a Grade II aeroplane flight instructor rating shall have successfully completed the appropriate training course, as prescribed in Document SA-CATS-FCL 61, with an approved aviation training organisation.

**Theoretical Knowledge Examination**

- 61.17.4 (1)** An applicant for the issuing of a Grade II aeroplane flight instructor rating shall have passed the appropriate written examination, conducted by the Civil Aviation Authority, as prescribed in Document SA-CATS-FCL 61.
- (2) An applicant, who is the holder of a Grade II flight instructor rating in another category of aircraft, shall be exempted from that portion of the theoretical knowledge examination dealing with fundamentals of instruction and other matters of a common nature already passed.

**Skill test**

- 61.17.5 (1)** An applicant for the issuing of a Grade II aeroplane flight instructor rating shall have demonstrated to an appropriately rated designated examiner the ability to perform as a Grade II aeroplane flight instructor the procedures and manoeuvres prescribed in Document SA-CATS-FCL 61 with a degree of competency appropriate to the privileges granted to the holder of a Grade II aeroplane flight instructor rating.
- (2) The applicant shall undergo the skill test referred to in sub-regulation (1) within 24 months of passing the theoretical knowledge examination referred to in regulation 61.17.4 and within the 90 days immediately preceding the date of application.
- (3) The skill test shall be conducted in an aeroplane, fitted with fully functional dual controls, or in a simulator approved for the purpose.
- (4) Before an applicant submits himself or herself for an initial skill test, he or she shall provide the examiner with written proof that he or she has completed the required training and is considered to be ready for the test.

**Application for Grade II aeroplane flight instructor rating**

- 61.17.6** An application for the issuing of a Grade II aeroplane flight instructor rating shall --
- (a) be made to the Commissioner on the appropriate form as prescribed in Document SA-CATS-FCL 61; and

- (b) be accompanied by the appropriate fee as prescribed in Part 187.

**Issuing of Grade II aeroplane flight instructor rating**

**61.17.7** (1) The Commissioner shall issue a Grade II aeroplane flight instructor rating if the applicant complies with the requirements referred to in regulation 61.17.1.

- (2) A Grade II aeroplane flight instructor rating shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL 61.

**Period of validity**

**61.17.8** A Grade II aeroplane flight instructor rating shall be valid for a period of three years calculated from the beginning of the month following the date of –

- (a) issue or reissue of the rating;
- (b) expiry of the rating if such rating is revalidated within 90 days immediately prior to expiry; or
- (c) revalidation of such rating if revalidated prior to the period referred to in sub-regulation (b).

**Privileges and limitations of Grade II aeroplane flight instructor rating**

**61.17.9** (1) The holder of a valid Grade II aeroplane flight instructor rating shall, with due regard for the provisions of sub-regulation (2), be entitled to exercise all the privileges of a Grade III aeroplane flight instructor, as prescribed in Subpart 61.16 and may in addition in respect of aeroplanes of which he or she is the holder of the appropriate class ratings and type ratings by name or aeroplane types and endorsement as a flight instructor -

- (a) send the holder of a student pilot licence on his or her initial solo flight;
- (b) conduct the training for an aeroplane type rating by name;
- (c) conduct training for a turbine-engine aeroplane, provided he or she is the holder of the turbine instructor rating endorsement;
- (d) conduct the training for a commercial pilot licence;
- (e) conduct the training for an airline transport pilot licence if he or she is the holder of an airline transport licence;



- (f) an instrument rating, provided he or she is the holder of the instrument instructor rating endorsement;
  - (g) conduct the training for the issue of –
    - (i) a tug pilot rating;
    - (ii) an agricultural pilot rating;
    - (iii) an aerobatics rating;provided he or she is the holder of the appropriate instructor rating endorsement, as prescribed in Document SA-CATS-FCL 61;
  - (h) conduct multi-engine training for a multi-engine class rating if –
    - (ii) he or she is the holder of the appropriate valid class rating and type rating by name or aeroplane type endorsement and multi-engine flight instructor endorsement.
  - (i) conduct the training for the issue of a Grade II or Grade III aeroplane flight instructor rating;
  - (j) issue certificates of competency in respect of –
    - (i) class ratings; and
    - (ii) type ratings by name;
  - (k) conduct the proficiency checks for the revalidation of a private pilot licence (aeroplane) without instrument rating, and enter the appropriate endorsements; and
  - (l) endorse pilot's logbooks in respect of –
    - (i) familiarisation and differences training; and
    - (ii) the entries required by the private pilot training syllabus.
- (2) In order for the holder of a valid Grade II aeroplane flight instructor rating to exercise the privileges, referred to in sub-regulation (1), in any of the fields listed below, he or she shall have demonstrated to a Grade I aeroplane flight instructor with the appropriate class or type rating by name and endorsement, or to a person authorised for the purpose in writing by the Commissioner, the ability to provide

flight instruction in that field with a degree of competency appropriate to the privileges granted by the rating and endorsement. The examiner shall endorse the flight instructor's logbook accordingly. The relevant fields are:

- (a) instrument flight training;
  - (b) turbine-engine aeroplane flight training;
  - (c) multi-engine aeroplane flight training;
  - (d) agricultural flight training; and
  - (e) aerobatics flight training.
- (3) For a flight instructor rating to be endorsed for the specific fields, referred to in sub-regulations (1) or (2), the flight instructor shall have completed --
- (a) the appropriate training; and
  - (b) the appropriate instructor skill test;

as prescribed in Document SA-CATS-FCL 61.

### **Revalidation**

**61.17.10** (1) To revalidate a Grade II aeroplane flight instructor rating, the holder of the rating shall comply with the following requirements:

- (a) within the 90 days immediately preceding the date of revalidation, but not later than the date of expiry of such rating, have undergone with a designated examiner or Grade I instructor ....., the skill test referred to in Document SA-CATS-FCL 61; and
  - (b) within the 12 months immediately preceding the date of revalidation either –
    - (i) have given not less than 10 hours flight instruction in aeroplanes; or
    - (ii) have attended a flight instructor refresher seminar as prescribed in Document SA-CATS-FCL 61, conducted by an approved aviation training organisation.
- (2) The examiner, referred to in sub-regulation (1)(a), and – if applicable – the aviation training organisation, referred to in sub-regulation (1)(b)(ii), shall upon compliance by the holder of the rating with the requirements referred to in sub-regulation (1) –
- (a) provide the flight instructor rating holder with the skill test report as prescribed in Document SA-CATS-FCL 61, and –

if applicable - the attendance certificate issued by the aviation training organisation referred to in sub-regulation (1)(b)(ii);

- (b) sign the appropriate page of the licence of such holder; and
  - (c) endorse the logbook of such holder.
- (3) The holder of the revalidated Grade II aeroplane flight instructor rating shall submit to the Commissioner, within ninety days of the date of revalidation, certified copies or the originals of the documents referred to in sub-regulation (2), together with the applicable fee as prescribed in Part 187.
- (4) If the result of the skill test contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in regulation 61.17.9 the examiner shall --
- (a) report such result to the Commissioner; and
  - (b) not sign the appropriate page of the licence of the holder of the rating.

In such a case, the holder of the aeroplane flight instructor rating shall cease to exercise the privileges of his or her rating with immediate effect until such time he or she meets the requirements for the revalidation or reissue of the rating *in toto*.

### Reissue

- 61.17.11** (1) The holder of a Grade II aeroplane flight instructor rating that has expired due to the lapse of the period referred to in regulation 61.17.8 may, before a further period of 60 months, calculated from the date of expiry of the rating, apply for the reissuing of a Grade II aeroplane flight instructor rating.
- (2) The Commissioner shall reissue a Grade II aeroplane flight instructor rating if the applicant has --
- (a) complied with the requirements for the reissue of an expired Grade III aeroplane flight instructor rating prescribed in regulation 61.16.11(1);
  - (b) given not less than 50 hours flight instruction as the holder of a Grade III aeroplane flight instructor rating reissued in terms

- of regulation 61.16.11; and
- (c) undergone the skill test referred to in regulation 61.17.5.
- (3) An application for the reissuing of a Grade II aeroplane flight instructor rating shall be accompanied by -
- (a) the skill test report as prescribed in Document SA-CATS-FCL 61 on which the designated examiner shall confirm that the applicant has met the requirement prescribed in sub-regulation (2)(b); and
- (b) the appropriate fee as prescribed in Part 187.
- (4) If a period of 60 months has lapsed after the date of expiry of the rating, the holder of the expired rating may apply to the Commissioner for the reissuing of the rating and the Commissioner shall reissue the rating if the applicant complies with the requirements for a Grade II aeroplane flight instructor rating referred to in regulation 61.17.3 and sub-regulations 61.17.11(2)(b) and (c).
- (5) The provisions of regulation 61.17.6 shall apply *mutatis mutandis* to an application referred to in this regulation.

## **SCHEDULE 5**

### **5.1 Proposed deletion of Part 61.21 and the substitution thereof by Part 61.18**

## **SUBPART 18: GRADE I AEROPLANE FLIGHT INSTRUCTOR RATING**

### **Requirements for Grade I aeroplane flight instructor rating**

- 61.18.1** An applicant for the issuing of a Grade I aeroplane flight instructor rating shall –
- (a) hold a valid airline transport pilot licence (aeroplane);
- (b) hold, or have held within the immediately preceding 90 days a valid Grade II aeroplane flight instructor rating;
- (c) hold or obtain the multi-engine flight instructor endorsement, referred to in sub-regulation 61.16.8(2)(a);
- (d) have acquired the experience referred to in regulation 61.18.2;

- (e) have successfully completed the training referred to in regulation 61.18.3; and
- (f) have undergone the skill test referred to in regulation 61.18.5.

**Experience**

- 61.18.2** An applicant for the issuing of a Grade I aeroplane flight instructor rating shall –
- (a) have held a Grade II aeroplane flight instructor rating for at least 36 months; and
  - (b) have given not less than 1500 hours of flight instruction as an aeroplane flight instructor.

**Training**

- 61.18.3** An applicant for the issuing of a Grade I aeroplane flight instructor rating shall have successfully completed the appropriate training course, as prescribed in Document SA-CATS-FCL 61, with an approved aviation training organisation.

**Theoretical knowledge Examination**

- 61.18.4** (1) An applicant for the issuing of a Grade I aeroplane flight instructor rating shall have passed the appropriate theory examination, conducted by a panel of at least three designated examiners, convened by the Commissioner, as prescribed in Document SA-CATS-FCL 61.
- (2) An applicant, who is the holder of a Grade I flight instructor rating in another category of aircraft, may – at the discretion of the panel members – be exempted from that portion of the theoretical knowledge examination dealing with fundamentals of instruction and other matters of a common nature already passed.

**Skill test**

- 61.18.5** (1) An applicant for the issuing of a Grade I aeroplane flight instructor rating shall have demonstrated to an appropriately rated designated examiner, appointed from the panel by the Commissioner for conducting this particular test, the ability to perform the procedures and manoeuvres prescribed in Document SA-CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a Grade I aeroplane flight instructor rating.
- (2) The applicant shall undergo the skill test referred to in sub-regulation (1) within the 90 days immediately preceding the date of application.

- (3) The skill test referred to in sub-regulation (1) shall be conducted in a multi-engine aeroplane with fully functional dual controls, or in a simulator approved for the purpose.
- (4) Before an applicant submits himself or herself for the skill test, he or she shall provide the examiner with written proof that he or she has completed the required training and is considered to be ready for the test.

**Application for Grade I aeroplane flight instructor rating**

**61.18.6** An application for the issuing of a Grade I aeroplane flight instructor rating shall –

- (a) be made to the Commissioner on the appropriate form as prescribed in Document SA-CATS-FCL 61; and
- (b) be accompanied by the appropriate fee as prescribed in Part 187.

**Issuing of Grade I aeroplane flight instructor rating**

**61.18.7** (1) The Commissioner shall issue a Grade I aeroplane flight instructor rating if the applicant complies with the requirements referred to in Regulation 61.18.1.

- (2) A Grade I aeroplane flight instructor rating shall be issued on the appropriate form as prescribed in Document SA-CATS-FCL 61.

**Period of validity**

**61.18.8** A Grade I aeroplane flight instructor rating shall be valid for a period of one year calculated from –

- (a) the date of issue or reissue; or
- (b) the beginning of the month following the date of –
  - (i) expiry of the rating if such rating is revalidated within 90 days immediately prior to expiry; or
  - (ii) revalidation of such rating if revalidated prior to the period referred to in sub-paragraph (i).

**Privileges and limitations of Grade I aeroplane flight instructor rating**

**61.18.9** (1) The holder of a valid Grade I aeroplane flight instructor rating shall, with due regard for the provisions of sub-regulation (2), be entitled –

- (a) to exercise all the privileges of a Grade II or Grade III aeroplane flight instructor, as prescribed in Subparts 61.16 and 61.17 of Part 61 the Regulations; and
  - (b) to conduct the skill tests for –
    - (i) the issue of a turboprop/jet type rating by name, provided he or she is the holder of the appropriate rating; and
    - (ii) the revalidation of an instrument flight rating, a flight instructor rating, a commercial pilot licence, and an airline transport pilot licence.
- (2) The skill tests, referred to in sub-regulation (1)(b), may be conducted –
- (a) in any piston-engine aeroplane with a maximum certificated mass of 5 700 kg or less;
  - (b) in an aeroplane of which the examiner is the holder of the appropriate type rating by name as instructor; and
  - (c) in any turbine-engine aeroplane for which no type rating by name exists, provided the examiner is endorsed as an instructor thereon.
- (3) In order for the holder of a valid Grade I aeroplane flight instructor rating to exercise the privilege, referred to in sub-regulation (1), in any of the fields listed below, he or she shall have demonstrated to a Grade I aeroplane flight instructor with the appropriate class rating or type rating by name and instructor endorsement, or to a person authorised for the purpose in writing by the Commissioner, the ability to provide flight instruction in that field with a degree of competency appropriate to the privileges granted by the instructor rating and endorsement. The examiner shall endorse the flight instructor's logbook accordingly. The relevant fields are:
- (a) turbine-engine aeroplane flight training;
  - (b) agricultural pilot flight training; and
  - (c) aerobatics flight training.
- (4) For a flight instructor rating to be endorsed for the specific fields, referred to in sub-regulation (3), the flight instructor shall have completed --
- (a) the appropriate training; and

- (b) the appropriate instructor skill test;

and meet the other applicable conditions prescribed in Document SA-CATS-FCL 61.

### **Revalidation**

**61.18.10** (1) To revalidate a Grade I aeroplane flight instructor rating, the holder of the rating shall comply with the following requirements:

- (a) within the 90 days immediately preceding the date of revalidation, but not later than the date of expiry of such rating, have undergone with a Grade I instructor who is instructor-rated on the aeroplane used for the test, or with a designated examiner, the skill test referred to in Document SA-CATS-FCL 61; and
- (b) within the 12 months immediately preceding the date of revalidation either –
  - (i) have given not less than 10 hours of flight instruction in aeroplanes; or
  - (ii) have attended a flight instructor refresher seminar as prescribed in Document SA-CATS-FCL 61, conducted by an approved aviation training organization.

(2) The designated examiner referred to in sub-regulation (1)(a), and – if applicable – the aviation training organisation referred to in sub-regulation (1)(b)(ii), shall upon compliance by the holder of the rating with the requirements referred to in sub-regulation (1) –

- (a) provide the flight instructor rating holder with the skill test report as prescribed in Document SA-CATS-FCL 61, and – if applicable – the attendance certificate issued by the aviation training organisation referred to in sub-regulation (1)(b)(ii); and
- (b) sign the appropriate page of the licence of such holder; and
- (c) endorse the logbook of such holder.

(3) The holder of the revalidated Grade I aeroplane flight instructor rating shall submit to the Commissioner, within ninety days of the date of revalidation, certified copies or the originals of the documents referred to in sub-regulation (2), together with the applicable fee as prescribed in Part 187.



- (4) If the result of the skill test contemplated in sub-regulation (1) reveals that the holder of the rating has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 61.18.9, the designated examiner shall –
- (a) report such result to the Commissioner; and
  - (b) not sign the appropriate page of the licence of the holder of the rating.

In such a case, the holder of the aeroplane flight instructor rating shall cease to exercise the privileges of his or her rating with immediate effect until such time he or she meets the requirements for the revalidation or reissue of the rating *in toto*.

### **Reissue**

- 61.18.11** (1) The holder of a Grade I aeroplane flight instructor rating that has expired due to the lapse of the period referred to in Regulation 61.18.8 may, before a further period of 60 months, calculated from the date of expiry of the rating, apply for the reissuing of Grade I aeroplane flight instructor rating.
- (2) The Commissioner shall reissue a Grade I aeroplane flight instructor rating if the applicant has –
- (a) complied with the requirements for the reissue of an expired Grade II aeroplane flight instructor rating as prescribed in regulation 61.17.11(2);
  - (b) given not less than 50 hours flight instruction as the holder of a Grade II aeroplane flight instructor rating reissued in terms of Regulation 61.17.11; and
  - (c) undergone the skill test referred to in Regulation 61.18.5.
- (3) An application for the reissuing of a Grade I aeroplane flight instructor rating shall be accompanied by –
- (a) the skill test report as prescribed in Document SA-CATS-FCL 61 on which the designated examiner shall confirm that the applicant has met the requirement prescribed in sub-regulation (2)(b); and
  - (b) the appropriate fee as prescribed in Part 187.

- (4) If a period of 60 months has lapsed after the date of expiry of the rating, the holder of the expired rating may apply to the Commissioner for the reissuing of the rating and the Commissioner shall reissue the rating if the applicant complies with the requirements for a Grade I aeroplane flight instructor rating referred to in Regulation 61.18.3 and sub-regulations 61.17.11(2)(b) and (c).
- (5) The provisions of Regulation 61.18.6 shall apply *mutatis mutandis* to an application referred to in this regulation.

## **SCHEDULE 6**

### **6.1 Proposed deletion of Part 61.24 and the substitution thereof with Part 61.22**

#### **SUBPART 22: SIMULATOR FLIGHT INSTRUCTOR AUTHORISATION**

##### **General**

- 61.22.1** No person shall conduct training in a simulator towards obtaining a licence or a rating, or for the purposes of prescribed recurrent or refresher training, unless he or she is the holder of a valid simulator flight instructor authorisation appropriate to the category or type of simulator in which the training is conducted.

##### **Classes of authorisation**

- 61.22.2** A simulator flight instructor authorisation may be issued for any of the following courses in either the category aeroplanes or the category helicopters:
- (a) training towards type ratings by name, and any other aircraft for which there is an approved flight simulator (training restricted to flight simulators);
  - (b) instrument flight training;
  - (c) recurrent training;
  - (d) refresher training; and
  - (e) other training.

##### **Requirements for simulator flight instructor authorisation**

- 61.22.3** (1) An applicant for the issuing of a simulator flight instructor authorisation in the category aeroplanes shall –
- (a) hold or have held a valid commercial pilot licence (aeroplane) with instrument rating, or airline transport pilot licence (aeroplane), issued by a Contracting State;

- (b)
    - (i) hold or have held a valid aeroplane flight instructor rating issued by a Contracting State; or
    - (ii) have acquired the experience referred to in regulation 61.22.4;
  - (c) have successfully completed the training referred to in regulation 61.22.5;
  - (d) have passed the theoretical knowledge examination referred to in regulation 61.22.6.; and
  - (e) have undergone the skill test referred to in regulation 61.22.7.
- (2) An applicant for the issuing of a simulator flight instructor authorisation in the category helicopters shall –
  - (a) hold or have held a valid commercial pilot licence (helicopter), or an airline transport pilot licence (helicopter) with instrument rating, issued by a Contracting State;
  - (b)
    - (i) hold or have held a valid helicopter flight instructor rating issued by a Contracting State; or
    - (ii) have acquired the experience referred to in regulation 61.22.4;
  - (c) have successfully completed the training referred to in regulation 61.22.5;
  - (d) have passed the theoretical knowledge examination referred to in regulation 61.22.6.; and
  - (e) have undergone the skill test referred to in regulation 61.22.7.

**Experience**

**61.22.4** (1) An applicant for the issuing of a simulator flight instructor authorisation in the category aeroplanes shall –

- (a) if the authorisation is sought for training in a multi-pilot simulator:

- (i) in the case of a person no longer holding a valid pilot licence, have completed at least 1 500 hours of flight time as pilot of a multi-pilot aeroplane; or
    - (ii) in all other cases, have completed at least 500 hours of flight time as pilot of a multi-pilot aeroplane; and
    - (iii) in both cases, within the 12 months immediately preceding the date of application, have completed at least four route sectors on type as supernumerary crew of an aeroplane; or
  - (b) if the authorisation is sought for training in a flight simulator other than a multi-pilot simulator: 500 hours of flight time as pilot of an aeroplane.
- (2) An applicant for the issuing of a simulator flight instructor authorisation in the category helicopters shall –
- (a) if the authorisation is sought for training in a multi-pilot simulator:
    - (i) in the case of a person no longer holding a valid pilot licence, have completed at least 1 500 hours of flight time as pilot of a multi-pilot helicopter; or
    - (ii) in all other cases, have completed at least 500 hours of flight time as pilot of a multi-pilot helicopter; and
    - (iii) in both cases, within the 12 months immediately preceding the date of application, have completed at least four route sectors on type as supernumerary crew of a helicopter; or
  - (b) if the authorisation is sought for training in a flight simulator other than a multi-pilot simulator: 500 hours of flight time as pilot of a helicopter.
- (3) For the purpose of this Subpart, the expression 'multi-pilot aeroplane' or 'multi-pilot helicopter' shall be understood to be an aeroplane or a helicopter required to be operated by more than one pilot, or an aeroplane or helicopter required to be operated in terms of these Regulations with more than one pilot, and for which the operator's operations manual provide for a division of the tasks between the pilot flying and the pilot not flying.

**Training**

- 61.22.5** (1) An applicant for the issuing of a simulator flight instructor authorisation shall have successfully completed the simulator content of the course for which the authorisation is sought.
- (2) If the authorisation is sought for training in a multi-pilot simulator, the applicant shall have attended an approved crew resource management (CRM) course.
- (3) In the case of a course leading to the authorisation for conducting training for any of the courses referred to in sub-regulation 61.22.2(a), the applicant shall have presented the applicable course *in toto* under the direct supervision of a Grade I or Grade II flight instructor who is the holder of the appropriate rating by name as flight instructor, or of a person authorised in writing for the purpose by the Commissioner: Provided that this requirement shall not apply to the holder of a valid flight instructor rating with the appropriate instructor type rating for the aircraft referred to in sub-regulation 61.22.2(a).
- (4) All training shall be recorded in an appropriate logbook of the applicant.

**Theoretical knowledge examination**

- 61.22.6** An applicant for the issuing of a simulator flight instructor authorisation shall have passed the appropriate written examination as prescribed in Document SA-CATS-FCL 61: Provided that the holder of a valid flight instructor rating may be exempted from those parts of the examination already passed for the issue of his or her flight instructor rating.

**Skill test**

- 61.22.7** (1) An applicant for the issuing of a simulator flight instructor authorisation shall demonstrate the ability to perform as a simulator flight instructor the procedures and manoeuvres, as prescribed in Document SA-CATS-FCL 61, with a degree of competency appropriate to the privileges to be granted to the holder of the simulator flight instructor authorisation.
- (2) The skill test, referred to in sub-regulation (1) shall be conducted—
- (a) by a designated flight examiner, who shall be the holder of the appropriate type rating by name and the appropriate simulator flight instructor authorisation, if the authorisation is sought for a type rating by name; or in all other cases

- (b) by a Grade I or a Grade II flight instructor with the appropriate rating and endorsement as a flight instructor, or by a person authorised in writing for the purpose by the Commissioner.
- (3) The applicant shall undergo the skill test referred to in sub-regulation (1), within the six months of passing the theoretical knowledge examination referred to in regulation 61.22.6, and within the 90 days immediately preceding the date of application.
- (4) The skill test referred to in sub-regulation (1)(a) shall be conducted in an appropriate simulator.
- (5) The examiner shall, upon compliance with the requirements referred to in sub-regulation (1) by the applicant –
  - (a) sign the appropriate page of the authorisation of such holder; and
  - (b) endorse the logbook of such holder.

**Application for simulator flight instructor authorisation**

**61.22.8** An application for the issuing of a simulator flight instructor authorisation shall –

- (a) be made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL 61; and
- (b) be accompanied by –
  - (i) proof that the applicant has been the holder of a commercial pilot licence with instrument rating or airline transport pilot licence in the appropriate category if not currently holding such pilot licence;
  - (ii) a certified summary of the applicant's logbook or logbooks reflecting his or her pilot flying hours and the flight simulator training required by sub-regulation 61.22.5; and
  - (iii) the appropriate fee as prescribed in Part 187.

**Issuing of simulator flight instructor authorisation**

**61.22.9** (1) The Commissioner shall issue a simulator flight instructor authorisation if the applicant complies with the requirements referred to in regulations 61.22.3 and 61.22.8.

- (2) A simulator flight instructor authorisation shall be issued in the appropriate form as prescribed in Document SA-CATS-FCL 61.

**Period of validity**

**61.22.10** A simulator flight instructor authorisation shall be valid for a period of three years calculated –

- (a) from the date of issue or reissue of the authorisation; or
- (b) from the date of expiry of the authorisation if such authorisation is revalidated in accordance with the provisions of Regulation 61.22.11.

**Revalidation**

**61.22.11** (1) To revalidate a simulator flight instructor authorisation, the holder of the authorisation shall –

- (a) within the 12 months immediately preceding the date of expiry of such authorisation –
    - (i) have conducted a type rating, a refresher, or a recurrent training course;
    - (ii) have completed an exercise of at least one hour duration in the role of pilot flying in the simulator comprising at least two approaches and, where applicable, two take-offs and landings; and
    - (iii) in the case of a type rating training authorisation, have completed at least four route sectors as an observer on the flight deck of the applicable type of aircraft; and
  - (b) within the 90 days immediately preceding the date of expiry of such authorisation, have undergone the skill test referred to in regulation 61.22.7.
- (2) If the result of the skill test contemplated in sub-regulation (1)(b) reveals that the holder of the authorisation has failed to maintain the minimum standard required to exercise the privileges referred to in Regulation 61.22.11, the examiner shall –
- (a) report such result to the Commissioner; and
  - (b) not sign the appropriate page of the authority of the holder of the authority.

- (3) The simulator flight instructor authority shall be suspended with immediate effect when its holder fails the revalidation skill test, referred to in sub-regulation (1)(b), until such time that its holder passes the revalidation test.
- (4) The provisions of sub-regulations 61.22.8 and 61.22.9 shall apply *mutatis mutandis* in respect of an application for the revalidation of a simulator flight instructor authorisation.

**Reissue**

- 61.22.12** (1) The holder of a simulator flight instructor authorisation which has expired due to the lapse of the period referred to in regulation 61.22.10, shall apply for the reissuing of the expired authorisation.
- (2) The Commissioner shall reissue the expired rating if the applicant complies with the requirements for a simulator flight instructor rating referred to in regulation 61.22.3.
- (3) The provisions of regulations 61.22.8 and 61.22.9 shall apply *mutatis mutandis* to an application referred to in this regulation.

**Privileges and limitations of simulator flight instructor authorisation**

- 61.22.13** (1) The holder of a valid simulator flight instructor authorisation shall be entitled to give simulator training in the class of instruction and in simulators for which he or she has been authorised.
- (2) The holder of a valid multi-pilot simulator flight instructor authorisation shall be entitled to instruct the holder of a pilot licence in a flight simulator towards a type rating in the multi-pilot aircraft for which he or she holds authorisation.

**Responsibilities of authorisation holder**

- 61.22.14** The holder of a simulator flight instructor authorisation shall –
- (a) maintain a logbook detailing –
    - (i) all training undergone and conducted; and
    - (ii) showing all flights as an observer; and
  - (b) produce the authorisation whilst conducting training in a simulator when so required by an authorised officer, inspector, or authorised person.



**SCHEDULE 7****7.1 Proposed new Part 61.36**

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**SUBPART 36 FLIGHT EXAMINERS**

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**Role of flight examiners**

- 61.36.1** (1) Designated flight examiners (DFEs) are persons with considerable experience as pilot and instructor. They conduct skill tests and proficiency checks on behalf of the Civil Aviation Authority (CAA) for the initial issue, revalidation or reissue of pilot licences and ratings as required by this Part of the Regulations.
- (2) Approved persons to act as flight examiner (APFEs) are persons with considerable experience as pilot and generally as instructor. They conduct skill tests and proficiency checks on behalf of the CAA for the purposes contemplated in regulation 61.36.2(4).

**Categories of flight examiners**

- 61.36.2** (1) Designation or authorisation of flight examiners may be in one or more of the following categories:
- (a) Designated Flight Examiner I (DFE I);
  - (b) Designated Flight Examiner II (DFE II);
  - (c) Designated Flight Examiner III (DFE III);
  - (d) Approved Person to act as Flight Examiner (APFE)

*Note: Any reference in this subpart to 'examiner' shall mean a reference to each and every category of the above examiners.*

- (2) Designation or authorisation in any of the categories referred to in sub-regulation (1) may be in any of the aircraft categories and will be indicated in parenthesis after the designation by the letters A, H, G, B or S for Aeroplane, Helicopter, Glider, Free Balloon or Airship respectively.
- (3) Examiners may be designated in more than one of the categories, referred to in sub-regulation (1), provided that they meet the qualification and experience requirements set out in this Subpart for each of the categories for which authorisation is sought.
- (4) To provide for certain specific circumstances, as set out below, the following persons may be authorised as an Approved Person to act as Flight Examiner (APFE) without meeting the requirements

prescribed for any of the designated flight examiners referred to in paragraphs (a) to (c) of sub-regulation (1) above:

- (a) Experienced pilots in the permanent employ of a South African air service operator, approved by the Commissioner for the revalidation of instrument ratings of pilots in the full-time employ of that operator;
- (b) Experienced helicopter pilots, approved by the Commissioner for the purpose of conducting skill tests or competency checks for the issue, revalidation or reissue of the various helicopter add-on ratings;
- (c) Experienced agricultural pilots, approved by the Commissioner for the purpose of conducting skill tests or proficiency checks for the issue, revalidation or reissue of the agricultural pilot rating; and
- (d) Persons who are the holder of similar qualifications as those prescribed in paragraph (b) of sub-regulation 61.36.2(1), and issued by an appropriate authority.

Such appointments shall be made by the Commissioner in exceptional circumstances only, and shall be published in an AIC for general information if made for a period exceeding 90 days.

### **General requirements**

**61.36.3 (1)** An applicant for the initial designation or approval as examiner shall

- (a) be at least 21 years of age;
- (b) hold a valid licence and rating, issued in terms of this Part, at least equal to the licence or rating for which he or she seeks authorisation to conduct skill tests or proficiency checks and, unless specified otherwise, the appropriate valid flight instructor rating and instructor endorsement;
- (c) be qualified to act as pilot-in-command of the aircraft during a skill test or proficiency check contemplated in sub-regulation 61.36.13(1), provided that this requirement will not apply to a designated simulator flight instructor (DSFE);
- (d) meet the applicable experience requirements as prescribed in regulation 61.36.4;

- (e) have attended a flight examiner assessment course, as prescribed in Document SA-CATS-FCL 61;
  - (f) have conducted at least one skill test in the role of an examiner for which authorisation is sought, including briefing, conduct of the skill test, assessment of the person to whom a skill test is given, de-briefing and recording / documentation. This 'Examiner Designation Acceptance Test' shall be supervised by a flight inspector of the CAA or by a senior examiner authorised for the purpose by the Commissioner in writing; and
  - (g) be currently active in the field of aviation for which the designation is sought.
- (2) Notwithstanding the provisions of sub-regulation (1)(b), the examiner conducting a skill test or proficiency check in respect of the issue, revalidation or reissue of a commercial pilot licence, airline transport pilot licence, or an instrument rating, shall not be required to be rated on the aircraft used for the skill test or proficiency check, provided an appropriately rated flight instructor occupies a pilot seat with access to fully functional dual controls.
- (3) Notwithstanding the provisions of sub-regulation (1), an approved person as contemplated in sub-regulations 61.36.2(1)(f) and (4)(a), may be designated without meeting the requirements prescribed in sub-regulation (1)(f) above.

### **Specific Requirements**

**61.36.4** In addition to the general requirements prescribed in regulation 61.36.3, the following specific requirements shall apply, as applicable:

- (1) An applicant for designation as a Designated Flight Examiner III (Aeroplanes) (DFE III(A)) shall meet the following requirements:
  - (a) Hold at least a valid commercial pilot licence (aeroplane) with current instrument rating and Grade I or Grade II flight instructor rating (aeroplane);
  - (b) Have accumulated in aeroplanes not less than 1 000 flying hours, of which at least:
    - (i) 50 hours shall be night flight time;

- (ii) 50 hours shall be instrument flight time; and
  - (iii) 500 hours shall be flight instruction time.
- (2) An applicant for designation as a Designated Flight Examiner II (Aeroplanes) (DFE II (A)) shall meet the following requirements:
  - (a) Hold at least a valid airline transport pilot licence (aeroplane) and a valid Grade I flight instructor rating (aeroplane);
  - (b) Have accumulated in aeroplanes not less than 2 000 flying hours, of which at least:
    - (i) 250 hours shall be in multi-engine aeroplanes;
    - (ii) 100 hours shall be instrument flight time; and
    - (iii) 100 hours shall be flight instruction time on multi-engine aeroplanes.
  - (c) A Designated Flight Examiner II (Aeroplanes) who requires authorisation to act as examiner for the issue of any of the following ratings:
    - (i) a first multi-engine class rating;
    - (ii) a first turbine-engine rating;
    - (iii) an instrument rating; or
    - (iv) a flight instructor rating;shall meet the applicable experience requirements for the particular authorisation as prescribed for a Designated Flight Examiner I in paragraph (3)(b)(ii) to (vii) below.
- (3) An applicant for designation as a Designated Flight Examiner I (Aeroplanes) (DFE I(A)) shall meet the following requirements:
  - (a) Hold at least a valid airline transport pilot licence (aeroplane) and a valid Grade I flight instructor rating (aeroplane);
  - (b) Have accumulated in aeroplanes not less than 3 000 flying hours, of which at least:
    - (i) 500 hours shall be in a multi-crew environment;;
    - (ii) 100 hours shall be instrument flight time;
    - (iii) 500 hours shall be in multi-engine aeroplanes;
    - (iv) 200 hours shall be flight instruction time on multi-engine aeroplanes;
    - (v) 50 hours shall be flight instruction on turbine-engine aeroplanes;

- (vi) 250 hours shall be instrument flight instruction time; and
  - (vii) 50 hours shall be flight instruction time towards a flight instructor rating.
- (4) An applicant for authorisation to act as examiner in a skill test or a proficiency check in respect of an aeroplane sea/amphibian rating, an aeroplane agricultural pilot rating, a conventional microlight aeroplane rating, or a touring glider rating, shall be the holder of the applicable valid rating.
- (5) An applicant for designation as a Designated Flight Examiner III (Helicopters) (DFE III(H)) shall meet the following requirements:
  - (a) Hold at least a valid commercial pilot licence (helicopter) with current night and flight instructor ratings (helicopter);
  - (b) Have accumulated in helicopters not less than 1 000 hours flying hours, of which at least:
    - (i) 50 hours accumulated at night; and
    - (ii) 250 hours shall be flight instruction time.
- (6) An applicant for designation as Designated Flight Examiner II (Helicopters) (DFE II(H)) shall meet the following requirements:
  - (a) Hold at least a valid commercial pilot licence (helicopters) with current night and flight instructor ratings (helicopter);
  - (b) Have accumulated in helicopters not less than 2 000 flying hours, of which at least:
    - (i) 250 hours accumulated in multi-engine helicopters; and
    - (ii) 500 hours shall be flight instruction time.
  - (c) A Designated Flight Instructor (Helicopters), who requires authorisation to act as examiner for the issue of any of the following ratings:
    - (i) a night rating;
    - (ii) a first rating in the class single-engine piston helicopters;
    - (iii) a first rating in the class single-engine turbine helicopters;

- (iv) a first type rating for a helicopter with an MCM in excess of 3 175 kg;
- (v) a multi-engine rating;
- (vi) a multi-crew rating;
- (vii) an instrument rating; or
- (viii) a flight instructor rating;

shall meet the applicable experience requirements as prescribed for a Grade I Designated Flight Examiner in paragraph (7)(b) below.

(7) An applicant for designation as a Designated Flight Examiner I (Helicopters) (DFE I(H)) shall meet the following requirements:

- (a) Hold at least a valid airline transport pilot licence (helicopter) and valid instrument and flight instructor ratings (helicopter);
- (b) Have accumulated in helicopters not less than 3 000 hours flying hours, of which at least:
  - (i) 500 hours accumulated in multi-engine helicopters;
  - (ii) 500 hours accumulated in a multi-crew environment;
  - (iii) 100 hours shall be instrument flight time; and
  - (iv) 1000 hours shall be flight instruction time, of which at least:
    - (aa) 100 hours shall be flight instruction time on multi engine helicopters;
    - (bb) 50 hours shall be instrument flight instruction time; and
    - (cc) 50 hours shall be flight instruction time towards a flight instructor rating.

(8) An applicant for authorisation to act as examiner in a skill test or a proficiency check in respect of a helicopter sea rating, a helicopter agricultural pilot rating, a helicopter sling load rating, a helicopter winching rating, or a helicopter game or livestock cull rating, shall be the holder of the applicable valid rating.

**Application**

**61.36.5 (1)** An applicant for designation as flight examiner shall be made to the Commissioner on the form prescribed in Document SA-CATS-FCL 61 and be accompanied by –

- (a) original or certified proof of the applicant's flying experience;

- (b) certified proof of the applicant's current active involvement in aviation;
  - (c) original or certified proof of the applicant having attended the flight examiner assessment course as prescribed in sub-regulation 61.36.3(1)(e);
  - (d) original or certified proof of the applicant having passed the examiner designation acceptance test as prescribed in sub-regulation 61.36.3(1)(f); and
  - (e) the applicable fee as prescribed in Part 187 of the CAR.
- (2) An application for the issue, revalidation or reissue of an authorisation as an approved person to act as flight examiner shall –
- (a) in respect of the person contemplated in paragraph (a) of sub-regulation 61.36.2(4) be made and motivated to the Commissioner by the holder of the air service licence;
  - (b) in respect by the persons contemplated in paragraphs (b) to (d) of sub-regulation 61.36.2(4) be made and motivated to the Commissioner by the person applying for authorisation; and
  - (c) be accompanied by the appropriate fee as prescribed in Part 187.
- (3) Any incorrect, false or misleading information given or made on the application form shall disqualify the applicant with immediate effect.

**Issuing of designation****61.36.6**

- (1) The Commissioner may, but is not compelled to, issue a designation as flight examiner if the applicant –
- (a) meets the requirements prescribed in regulations 61.36.3 and 61.36.4; and
  - (b) has - with the CAA - a good record as pilot and, if applicable, as flight instructor, as far as safety and adherence to the regulations are concerned.
- (2) The designation as examiner shall be issued on the form prescribed in Document SA-CATS-FCL 61, indicating the period for

which the designation is valid, its category, and any endorsements, restrictions or limitations that may apply.

- (3) Where designation is refused, notwithstanding that the applicant meets the requirements referred to in sub-regulation (1)(a), the Commissioner shall supply the applicant in writing with the reasons for the refusal and the application fee shall be refunded.
- (4) Where no qualified examiner is available, the Commissioner may, by means of a letter of authorisation, authorise a Senior Flight Inspector of the CAA, an experienced flight instructor, or an experienced commercial or airline transport pilot, to conduct a specific skill test or proficiency check. This dispensation shall be limited to circumstances in which a qualified examiner cannot be made available. Such circumstances may, for example, include skill tests on a new or rare type of aircraft, for which the examiner should at least have experience on an aircraft having the same kind and number of engines and of the same order of mass.
- (5) Authorisation of an Approved Person to act as Flight Examiner, as contemplated in paragraph (a) of sub-regulation 61.36.2(4), shall be considered by the Commissioner only if the air service operator has demonstrated a need (e.g. no suitably-qualified designated flight examiner is available) and such person is in the full-time employ of the operator.
- (6) Flight inspectors in the employ of the Civil Aviation Authority, who observe training and testing by flight examiners only, are not required to meet the requirements of this Subpart.

#### **Period of validity**

**61.36.7** An initial designation or authorisation as examiner is issued for a maximum period of one year, ending the 31<sup>st</sup> of December of that year.

#### **Revalidation**

- 61.36.8(1)** Designations may be revalidated for three calendar years, except that such revalidation may be for shorter periods at the Commissioner's discretion. Notwithstanding the foregoing, an authorisation contemplated in sub-regulation 61.36.6(5) shall never be revalidated for more than one calendar year.
- (2) Application for revalidation shall be made on the form prescribed in Document SA-CATS-FCL 61, to reach the Commissioner by not later than the 31<sup>st</sup> of October of the year in which the authority expires.



- (3) With due regard for the provisions of paragraph (a) of sub-regulation 61.36.2(4) in respect of Approved Persons to act as Flight Examiner, revalidation is conditional on the applicant having conducted at least two skill tests or proficiency checks during the calendar year in which the application for revalidation is made, of which one skill test or proficiency check shall have been observed by a flying inspector of the CAA or by a senior examiner specifically authorised by the Commissioner for the purpose.
- (4) In addition to the publication requirements prescribed in sub-regulation 61.36.2(4), the Commissioner shall publish annually, before the 31<sup>st</sup> of December, in an aeronautical information circular the names and details of designated flight examiners and designated simulator flight instructors for the following year. containing at least the grades and categories of the designated flight examiners, as well as the examiners' ordinary location. The names of the Approved Persons to act as Flight Examiner contemplated in paragraph (a) of sub-regulation 61.36.2(4) shall be incorporated in the operator's operations manual.

**Reissue****61.36.9**

Where the validity of designation as examiner has ~~expired~~, it may be reissued after the applicant submits an application, meeting all the requirements prescribed in regulation 61.36.5 as for a first issue.

**Suspension, withdrawal or curtailment of designation or authorisation**

- 61.36.10** (1) A designation or authorisation to act as flight examiner is a privilege and not a right. The examiner conducts tests or checks on behalf of the Civil Aviation Authority. Accordingly, the Commissioner may at any time and by any means suspend or revoke a person's designation as examiner, or curtail the privileges thereof.
- (2) No appeal is possible against a suspension, withdrawal or curtailment of designation. However, the Commissioner shall provide in writing his or her reasons for the suspension, withdrawal, or curtailment. Such reasons do not necessarily have to be of a negative nature or reflect badly on the individual, but could be, for example, a desire to have all tests or checks conducted by flight inspectors in the employ of the CAA.
  - (3) In the case of a suspension, the Commissioner shall indicate under what conditions the suspension may be lifted.

**Transitional arrangements**

**61.36.11** Any pilot who, at the time of this Subpart coming into operation, is the holder of a flight examiner authority shall be deemed to have demonstrated his or her ability to perform the duties of a flight examiner. Such authorisation shall expire on the date as reflected on the authorisation, but not later than by the end of the year of this Subpart coming into operation. Such pilot shall meet the requirements of regulation 61.36.8 for the revalidation of the designation or authorisation as flight examiner.

**Privileges and limitations**

**61.36.12** (1) The privileges and limitations of a designated flight examiner are, within the limits of his or her pilot licence, –

- (a) In the case of a DFE III (A), to conduct the skill tests / proficiency checks for the issue, revalidation or reissue of a private pilot licence (aeroplane) and a single-engine aeroplane class rating.
- (b) In the case of a DFE III (H), to conduct the skill tests / proficiency checks for the issue, revalidation or reissue of a private pilot licence (helicopter) and any rating for any single-engine, single-pilot helicopter with an MCM of 3 175 kg or less.
- (c) In the case of a DFE II (A): to exercise the privileges of a DFE III (A), and to conduct the skill tests / proficiency checks --
  - (i) for the issue, revalidation or reissue of a commercial pilot licence (aeroplane);
  - (ii) for the issue, revalidation or reissue of an instrument rating, a flight instructor rating, and - in respect of aeroplanes not requiring a type rating by name - of class ratings, provided he or she has the appropriate flight instructor endorsement, and – if applicable – meet the appropriate requirements prescribed in regulation 61.36.4; and
  - (iii) for the revalidation of a simulator flight instructor authorisation (aeroplane), provided he or she holds a valid simulator flight instructor authorisation (aeroplane).

- (d) In the case of a DFE II (H): to exercise the privileges of a DFE III (H), and to conduct the skill tests / proficiency checks –
    - (i) for the issue, revalidation or reissue of a commercial pilot licence (helicopter);
    - (ii) for the issue, revalidation or reissue of a night rating, an instrument rating, a flight instructor rating, and of type ratings by name for single-pilot, single-engine helicopters with an MCM in excess of 3 175 kg, on multi-engine helicopters, and on helicopters requiring a flight crew of more than one pilot, provided he or she has the appropriate flight instructor endorsement, and – if applicable – meet the appropriate requirements prescribed in regulation 61.36.4; and
    - (iii) for the revalidation of a simulator flight instructor authorisation (helicopter), provided he or she holds a valid simulator flight authorisation (helicopter).
  - (e) In the case of a DFE I (A): to exercise the privileges of a DFE II (A), and to conduct the skill tests / proficiency checks for the issue of an airline transport pilot licence (aeroplane), and a type rating by name for aeroplanes on which he or she is instructor-rated.
  - (f) In the case of a Grade DFE I (H): to exercise the privileges of a Grade DFE II (H), and to conduct the skill tests / proficiency checks for the issue, revalidation or reissue of an airline transport pilot licence (helicopter).
  - (g) Whenever a skill test or proficiency check involves a rating for special purposes the examiner shall be the holder of such special purpose rating him- or herself.
  - (h) Whenever a skill test or proficiency check is carried out by a person contemplated in sub-regulations (e) or (f), such tests or checks may be carried out either in an aircraft, or - to the extent allowed by this Part - in a simulator approved for the purpose.
- (2) The privileges and limitations of an approved person to act as a flight examiner are, within the limits of his or her pilot licence, to

exercise the privileges granted to him or her by the Commissioner, and – if applicable - as reflected in the operator's operations manual.

- (3) The privileges listed in sub-regulation (1)(a) to (f) may also be exercised in respect of proficiency checks for the validation or conversion of a foreign pilot licence or rating.
- (4) Where a designated flight examiner exercises the privileges of his designation as an observer in flight or in a simulator, and not as a required flight crew member, the holder is not required to hold a valid medical certificate.
- (5) An examiner shall limit the number of skill tests and proficiency checks to three tests or checks per working day, subject to the limitations of Part 91.

#### **Crew member status**

**61.36.13** (1) When an examiner in an aircraft acts as a required flight crew member or as pilot-in-command when conducting a skill test or proficiency check, he or she shall do so only by prior written agreement, proof of which shall be retained at the point of departure.

- (2) In all other cases the status of the examiner shall be that of observer.

#### **Conducting of skill test and proficiency check**

**61.36.14** Guidelines in respect of conducting skill tests and proficiency checks are contained in Document SA-CATS-FCL 61.

#### **Logging of flight time**

**61.36.15** (1) When acting as flight examiner and occupying a pilot seat, whether as the designated pilot-in-command or not, and provided the examiner holds the appropriate valid class rating and –where applicable - type rating by name for the particular aircraft, the flight time may be logged as pilot-in-command time. Furthermore, the flight time may be logged as flight instructor time, in the capacity of examiner, if the examiner holds the appropriate valid flight instructor rating.

- (2) When a flight examiner administers a skill test or proficiency check from a seat, other than a pilot seat, he or she may log the flight time as co-pilot time, provided he or she holds the appropriate valid rating for the particular aircraft, but may not log the time as flight instructor time.

- (3) Flight time accumulated as a designated flight examiner shall be marked in the remarks COLUMN as designated flight examiner (DFE) time. Flight time accumulated as an Approved Person to act as Flight Examiner shall be marked in the remarks COLUMN as Approved Person to act as Flight Examiner (APFE) time.

#### **Register of designated flight examiners**

**61.36.16** The Commissioner shall keep a register of designated flight examiners and of approved persons to act as flight examiner, which register shall contain the following details: name, category of designation or approval, licences and ratings held, and expiry date of such designation or approval.

#### **Duties of flight examiners**

**61.36.17** Flight examiners are required to:

- (a) ensure that the original form for each test/check conducted, whether such test/check was successful or not, is submitted to the CAA;
- (b) keep a record of each test/check carried out with suitable notes explaining the outcome of the test/check;
- (c) submit a quarterly report of tests/checks conducted on the appropriate form as prescribed in Document SA-CATS-FCL 61. The report shall be submitted even if no tests/checks were conducted during the report period;
- (d) have access to and be conversant with current Civil Aviation Regulations, Technical Standards, the AIP, AICs, and applicable NOTAMs;
- (e) if applicable, be conversant with the types of approach charts in use;
- (f) conduct a skill test or proficiency check under the supervision of a CAA flight inspector, if required by the Commissioner;
- (g) charge no more than the maximum fees specified in Part 187;
- (h) sign all forms, clearly indicating his or her licence number, and the date and outcome of the test/check; and

- (i) if the candidate has demonstrated that he or she meets the required standards, sign the appropriate sections of the tested/checked pilot's licence and logbook where and when required, indicating the date, nature and outcome of the test/check.

## **7.2 Motivation**

Due to practical difficulties in the implementation of Part 61 the said Part has never been put into operation.

The workgroup responsible for reviewing Personnel Licensing requirements has concluded its deliberations in respect of certain subparts of the proposed new part 61, namely subparts 15-18,22 and 36 which are herewith published for comments

## **7.3 Current Regulations**

Presently Chapters 1,2 and 3 of the Air Navigation Regulations, 1976 regulates licensing issues. The said chapters are contained in Volume 1 of Beek: Aviation Legislation in South Africa.

The proposed document SA-CATS-FCL 61 relating to technical standards 61.15-18, 22 and 36 will be made available on the CAA website.

## **SCHEDULE 8**

### **8.1 Proposed new regulation 64.01.12 of Part 64 of the CAR**

"Recognition, validation and conversion of cabin crew licences, ratings, or competency cards issued by an appropriate authority of a Contracting State

**64.01.12** (1) General requirements and conditions for validation or conversion:

- (a) The Commissioner may recognise, through validation or conversion and on the conditions prescribed in this Part, cabin crew licences, ratings, or competency cards issued by an appropriate authority of a Contracting State if the standard of such foreign licence, rating, or competency card is deemed to be equivalent to, or higher than, the South African cabin crew licence and rating being sought.

- (b) Notwithstanding the provisions of paragraph (a) above, licences, ratings, and competency cards issued by a foreign authority to a South African citizen do not qualify for the issue of a Certificate of Validation or the conversion to a South African licence or rating, except if such South African citizen was issued therewith while holding permanent residence status in the country of issue.
- (c) For the purpose of this regulation, 'permanent residence status' shall –
  - (i) have been obtained after having lived in the particular country for at least five years after entering such country at the age of 18 years or older; or
  - (ii) having been obtained as a minor born or living in the country of issue; or
  - (iii) mean having lived in exile during the apartheid era.
- (2) Where in the opinion of the Commissioner the standards, referred to in sub-regulation (1)(a) are perceived not to be equal to those set by the South African Civil Aviation Authority, he or she may require the foreign licence or competency card holder to undergo bridging training, prescribe the extent of such bridging training on an individual basis, and require such licence holder to undergo further assessment of competence to ensure compatibility with the relevant South African licensing standards.
- (3) The Commissioner shall publish in an Aeronautical Information Circular a list of Contracting States of which the licences, ratings, or competency cards issued by their appropriate authority are deemed to be of a standard equal or higher than the equivalent licence issued by the South African Civil Aviation Authority, as well as prescribe any bridging training that may be required in respect of licences, ratings, or competency cards issued by a particular Contracting State.
- (4) Before the Commissioner validates or converts a foreign licence, rating, or competency card for a commercial air transport operation, he or she shall confirm the validity of the foreign licence, rating, or competency card with the appropriate authority of the issuing Contracting State.

- (5) Notwithstanding the provisions of sub-regulations (1)(a) and (2), any applicant for the validation or conversion of a foreign licence, rating, or competency card shall, as a prerequisite for the issue of a Certificate of Validation or of a South African licence or rating, have passed an examination in South African air law, and have demonstrated his or her competence in respect of the privileges to be granted by the licence or rating; provided that the Commissioner may waive all or part of this requirement in respect of a validation.
- (6) For the issuing of a South African cabin crew licence or rating, the Commissioner does not recognise foreign examination credits in isolation; i.e., for a conversion the applicant must be the holder of the appropriate licence, rating, or competency card. If such is not the case, the applicant must pass all the relevant South African examinations.
- (7) Validation by means of a Certificate of Validation:
  - (a) With due regard for paragraph (i) below, a Certificate of Validation of a foreign licence, rating, or competency card shall be issued for a limited period only, normally not exceeding twelve months, and for a particular purpose only. The period shall not exceed the validity period of the foreign document. Validation shall also expire, should the foreign document be suspended or withdrawn.
  - (b) Purposes for which a Certificate of Validation may be issued include:
    - (i) to ferry a South African registered aircraft from one foreign country to another, or from a foreign country to South Africa;
    - (ii) to conduct demonstration flights in South African registered aircraft;
    - (iii) to conduct endorsement training of South African cabin crew;
    - (iv) to provide its holder with time to complete prescribed bridging training for the conversion of the foreign licence and rating or competency card while acting as a flight crew member on a South African registered aircraft;



- (v) in terms of a dry- or damp-lease agreement in terms of Part 48; or
  - (vi) a combination of the foregoing.
- (c) A cabin crew licence and rating or competency card issued by an appropriate authority of a Contracting State may be validated by the Commissioner by means of a Certificate of Validation –
  - (i) subject to the same restrictions which apply to such licence and rating or competency card;
  - (ii) subject to such conditions and limitations as the Commissioner may deem necessary in the interest of aviation safety;
  - (iii) in accordance with, and subject to, the requirements and conditions as prescribed in the Civil Aviation Regulations of 1997; but
  - (iv) he or she shall not permit privileges in *excess* of the equivalent South African cabin crew licence or rating.
- (d) The minimum knowledge, experience and skill requirements for the issuing of a Certificate of Validation for the foreign cabin crew licence and rating or competency card, or for the issuing of a South African cabin crew licence, are those prescribed in Part 64 of the CAR for the South African cabin crew licence and ratings.
- (e) Where a practical test is required, such test shall be undertaken in an aircraft type, appropriate to the cabin crew licence or competency card for which a Certificate of Validation is sought, or in a simulator approved for the purpose.
- (f) The holder of a Certificate of Validation, issued by the Commissioner, shall comply with all the applicable provisions prescribed in the Regulations.
- (g) Before the privileges of an additional rating may be exercised in terms of the Certificate of Validation, such additional privileges shall have been endorsed on the foreign cabin crew licence or competency card by the appropriate authority first.

- (h) The period of validity of a Certificate of Validation issued by the Commissioner shall be the lesser of -
  - (i) twelve months calculated from the date of issue of such Certificate of Validation by the Commissioner; or
  - (ii) the period of validity of the cabin crew licence and rating or competency card issued by the appropriate authority concerned;

except if the validation is in terms of a lease agreement in terms of Part 48, when the period of validity shall be the duration of the lease agreement.

- (i) A Certificate of Validation shall become invalid as soon as the corresponding foreign licence or rating/s has/ve been suspended or revoked by the issuing authority.
  - (j) In exceptional cases, at the discretion of the Commissioner, a Certificate of Validation may be revalidated once, 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.
  - (k) To meet short-term operational requirements, the Commissioner may, in exceptional cases, issue a Certificate of Validation of a foreign licence 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.
- (8) Validation by means of conversion
- (a) The applicant for the issuing of a South African cabin crew licence on the strength of a foreign licence, rating or competency card shall be an individual of whom it may be expected that he or she will exercise the privileges of his or her licence 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.

- (b) The following provisions shall apply in respect of the holder of a foreign licence, rating, or competency card seeking its conversion to a South African cabin crew licence:
- (i) The term 'current', when used in relation to foreign qualifications, means 'at the time of presentation for recognition purposes'.
  - (ii) The holder of the licence, rating, or competency card shall meet all the requirements laid down for the use of that document in the country of issue and hold a valid medical certificate of the appropriate level issued in that country: Provided that if the foreign medical certificate expired within the ninety days immediately preceding the application, the latter requirement may be waived as long as an appropriate South African medical certificate is obtained in terms of Part 67.
  - (iii) In cases where an applicant's licence, rating, or competency card is not current for reasons other than an expired medical certificate, as provided for in sub-paragraph (ii), the conversion of the licence, rating, or competency card is not possible. In such a case, it will be necessary for the person concerned to pass all the South African written examinations, and undergo the skill test, appropriate to the level of the South African cabin crew licence sought.
  - (iv) Before applying for the issue of a South African cabin crew licence on the strength of a foreign licence, rating, or competency card, 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 cabin crew licence.

- (iv) The Commissioner may from time to time issue in the form of an Aeronautical Information Circular guidelines in respect of the requirements to be met for the conversion of a foreign licence, rating, or competency card to a South African cabin crew licence and ratings.
    - (vi) An applicant for the issue of a South African cabin crew licence and ratings shall submit proof that he or she has flown as a cabin crew member in commercial air transport operations in the country of issue for a minimum of one year.
  - (c) A South African cabin crew licence, issued wholly or in part on the strength of the foreign licence, rating, or competency card, shall indicate the Contracting State that issued the licence, rating, or competency card on which the conversion was based.
- (9) Application for validation of licence, rating, or competency card issued by an appropriate authority.
- (a) The holder of a licence, rating, or competency card issued by an appropriate authority, who desires to act as a cabin crew member on a South African registered aircraft, shall apply to the Commissioner in the appropriate form for a validation of such licence, rating or competency card.
  - (b) The application for a validation referred to in sub-regulation (a) shall be accompanied by-
    - (i) a certified true copy of the licence, rating, or competency card to which the validation refers;
    - (ii) a valid medical certificate; and
    - (iii) the appropriate fee as prescribed in Part 187.
- (10) Issuing, validity, privileges and limitations

The requirements for the issuing, the validity, the privileges and limitations of any South African cabin crew licence and ratings, issued on the strength of a foreign licence, rating, or competency card, are those prescribed in these Regulations for the issuing, the validity, the privileges and limitations of the equivalent South African licence or rating.

## **8.2 Motivation**

ICAO provides for the validation by a Contracting State of licences, ratings, and certificates, issued by another Contracting State. ICAO leaves it to the respective appropriate Authorities in what manner and on what conditions such validation may take place. Validation, therefore, may be in the form of a Certificate of Validation, attached to the foreign document, or in the form of the issue of its own licence, rating, or certificate on the strength of the foreign document.

A Certificate of Validation is always limited in validity and privileges to the validity and privileges of the foreign document. No privileges may be added to the Certificate of Validity that are not already endorsed on the foreign document.

The validating Authority has to rely on the holder of the Certificate of Validity to inform it of any suspension or cancellation of the foreign document or of any of its privileges. ICAO has expressed concern that too many Certificates of Validity are in circulation for which no longer a valid licence, rating, or certificate exists.

By validating foreign documents through conversion to a local licence, rating, or certificate, an Authority has full control over its holder, and needs no longer to rely on the foreign issuing Authority or the holder of a Certificate of Validity. It may add to, or delete from, the privileges of the licence, endorse, suspend, or cancel it. From the moment the holder has been issued with a local licence, all local regulations, conditions, oversight procedures, etc. apply as to local holders of such licence, rating, or certificate.

Before a foreign document is validated through conversion, the validating Authority confirms its validity with the issuing Authority.

The validating Authority, furthermore, establishes any differences in standards applied by the issuing Authority compared to those applied by itself and, where and to the extent applicable, prescribes bridging training, to ensure that the person issued with a local licence meets the same standards as local persons.

### 8.3 Current Regulation

#### **Validation of a licence and rating or competency card by appropriate authority.**

**64.01.12** (1) The holder of a licence and rating or competency card issued by an appropriate authority, who desires to act as a cabin crew member on a South African registered aircraft, shall apply to the Commissioner in the appropriate form as prescribed in Document SA-CATS-FCL, for a validation of such licence, rating or competency card.

- (2) The application for a validation referred to in sub-regulation (1) shall be accompanied by-
  - (a) a certified true copy of the licence, rating or competency card to which the validation refers;
  - (b) a valid medical certificate; (if applicable) and
  - (c) the appropriate fee as prescribed in Part 187.
- (3) A licence, rating or competency card issued by an appropriate authority may be validated by the Commissioner –
  - (a) subject to the same restrictions which apply to such licence, rating or competency card;
  - (b) in accordance with and subject to the requirements and conditions as prescribed in Document SA-CATS-FCL; and
  - (c) on the appropriate form as prescribed in Document SA-CATS-FCL.
- (4) The duration of a validation issued by the Commissioner shall be –
  - (a) 12 months calculated from the date of issue of such a validation by the Commissioner; or
  - (b) the period of validity of the licence, rating or competency card issued by the appropriate authority concerned, whichever period is the lesser period.
- (5) The holder of a validation issued by the Commissioner may, subject to the provisions of sub-regulation (6), apply to the Commissioner for the renewal of such validation which shall

be done at least 21 days immediately preceding the date of expiry of such validation.

- (6) The Commissioner may renew a validation of a licence, rating or competency card in the circumstances and on conditions as prescribed in Document SA-CATS-FCL: Provided that a validation of a licence, rating or competency card, the privileges of which are to be exercised for commercial purposes, may only be renewed for the same period as referred to in sub-regulation (4).
- (7) The holder of a validation by the Commissioner shall comply with the provisions prescribed in this part and the requirements and conditions as prescribed in Document SA-CATS-FCL.

## **SCHEDULE 9**

### **9.1 Proposed new Regulation 21.08.8A of Part 21 of the Civil Aviation Regulations**

#### **"RVSM Approval**

- 21.08.8A**
- (1) For aircraft, that are to be operated within airspace where Reduced Vertical Separation Minima (RVSM) apply, an airworthiness approval certificate is required.
  - (2) The requirements for such RVSM airworthiness approval certificate are contained in Section 6 of Technical Standard 91.07.31 of Document SA-CATS-OPS 91.
  - (3) Paragraph 8 of the aforementioned Section 6 provides for any variation or modification from the initial installation that affects RVSM approval.
  - (4) An application for the issuing of an RVSM approval certificate shall be made to the Commissioner as prescribed in sub-regulation 91.07.31(3) of Part 91."

## **SCHEDULE 10**

### **10.1 Proposed new Regulation 43.02.19A of Part 43 of the Civil Aviation Regulations**

**“RVSM Operations**

**43.02.19A** The additional maintenance requirements for aircraft holding an RVSM approval certificate shall be as prescribed in Document SA-CATS-GMR.”

**SCHEDULE 11**

**11.1 Proposed amendment of regulation 91.02.7 by the addition of paragraph (u) thereto.**

“(u) if flight in RVSM airspace is contemplated –

- (i) the aircraft has been approved for RVSM operations;
- (ii) the minimum required equipment pertaining to height keeping and alerting systems is installed and serviceable; and
- (iii) no airframe or operating restrictions prevent operation in the particular RVSM airspace.”

**SCHEDULE 12**

**12.1 Proposed amendment of regulation 91.07.31(4) by the addition of paragraph (k) thereto.**

“(k) report any incidence of height keeping errors encountered in an RVSM environment, as prescribed in paragraph (7) of Section 8 of Technical Standard 91.07.31 of SA-CATS-Documents SA-CATS OPS 91.”

**SCHEDULE 13**

**13.1 Proposed amendment of regulation 91.03.1 by the substitution of paragraph (x) with a new paragraph (x)**

“(x) the aircraft flight manual, referred to in regulation 91.03.2, or an equivalent document, which document shall include the statements referred to in paragraph (5) of Section 5 of Technical Standard 91.07.31 of Document SA-CATS-OPS 91, if flight in RVSM airspace is contemplated.”



**13.2 Current regulation**

“(x)the aircraft flight manual referred to in regulation 91.03.2, or an equivalent document;”;

**13.3 Proposed amendment of regulation 91.03.1(a) by the addition of paragraph (xvi)**

“(xvi) if flight in RVSM airspace is contemplated:

- (aa) a valid RVSM certificate; and
- (bb) if applicable, a valid RVSM operational approval for the particular RVSM airspace;”

**SCHEDULE 14****14.1 Proposed renumbering of regulation 91.04.5 as sub regulation 91.04.5(1)**

- (b) Add the following new sub-regulation (2) to regulation 91.04.5:

“(2) If flight in RVSM airspace is contemplated:

- (a) two independent altitude measurement systems;
- (b) equipment for measuring static pressure sensed by the static source, converting it to pressure altitude and displaying the pressure altitude to the flight crew;
- (c) equipment for providing a digitally encoded signal corresponding to the displayed pressure altitude, for automatic altitude reporting purposes;
- (d) static source error correction;
- (e) signals references to a pilot-selected altitude for automatic control and alerting; as contemplated in Section 5 of Technical Standard 91.07.31 of Document SA-CATS-OPS 91.”

**SCHEDULE 15****15.1 Proposed new regulation 91.07.31 of Part 91 of the Civil Aviation Regulations***“Reduced Vertical Separation Minima (RVSM) Operations*

**Note:** *For the purpose of this regulation, any reference to RVSM shall be deemed to include a reference to MNPS (Minimum Navigation Performance Specification) and to RNP (Required Navigation Performance), as applicable.*

- 91.07.31** (1) No aircraft shall enter airspace in which reduced vertical separate minima (RVSM) are applied, unless –
- (a) for such aircraft a valid RVSM certificate has been issued by an appropriate authority;
  - (b) the prescribed minimum equipment is serviceable; and
  - (c) the flight crew has completed satisfactorily the prescribed RVSM training.
- (2) The requirements for the issue of an RVSM certificate, including minimum equipment, maintenance and crew training requirements, are those specified in Documents SA-CATS-OPS 91.
- (3) An application for an RVSM certificate for a South African registered aircraft shall be made to the Commissioner in the format prescribed in Document SA-CATS-OPS 91, and shall be accompanied by –
- (a) in the case of a commercial air transport operator, two copies of the proposed relevant amendments to –
    - (i) the operations manual;
    - (ii) the aircraft maintenance schedule; and
    - (iii) the maintenance control manual;
  - (b) and in all cases –
    - (i) two copies of the proposed amendments to the aircraft flight manual and its minimum equipment list, confirming RVSM capability; and

- (ii) the appropriate fee as prescribed in Part 187.
- (4) In considering an application, contemplated in sub-regulation (3), the Commissioner may conduct the investigation he or she deems necessary to satisfy him- or herself that the applicant has complied with the requirements prescribed in Document SA-CATS-OPS 91 for RVSM operations.
- (5) If the Commissioner is not so satisfied, he or she shall notify the applicant thereof, stating the reasons in the notification, and grant the applicant the opportunity to rectify or supplement any shortcoming within the period determined by the Commissioner, after which period the Commissioner shall grant or refuse the application concerned.
- (6) The RVSM certificate shall be issued in the format as prescribed in Document SA-CATS-OPS 91.
- (7)
  - (a) The Commissioner shall maintain a register of all RVSM certificates issued in terms of this regulation.
  - (b) The register shall contain the following particulars:
    - (i) The make, model and registration marks of the aircraft;
    - (ii) The full name of the owner of the aircraft, or – if a licensed air service operator – the name of the licence holder and the air service licence number;
    - (iii) The postal address of the certificate holder; and
    - (iv) The date on which the certificate was issued.
  - (c) The particulars, referred to in sub-regulation (b), shall be recorded in the register within 30 days from the date on which the certificate is issued by the Commissioner.
  - (d) The register shall be kept in a safe place at the office of the Commissioner.
  - (e) 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.
- (8) If a RVSM certificate is lost, stolen, damaged or destroyed, the holder thereof, or an aircraft maintenance organisation approved under Part 145 and responsible for the servicing and maintenance of

the aircraft, may apply to the Commissioner for the issue of a duplicate of the RVSM certificate.

- (b) An application, referred to in sub-regulation (a), shall
  - (i) be made in the appropriate form as prescribed in Document SA-CATS-OPS 91; and
  - (ii) be accompanied by –
    - (aa) the data package referred to in Section 6 of TS 01.07.31 in Document SA-CATS-OPS 91; and
    - (bb) the appropriate fee as prescribed in Part 187.
- (9) A duplicate of the RVSM certificate shall be reissued on the appropriate form as prescribed in Document SA-CATS-OPS 91."

#### **SCHEDULE 16**

##### **16.1 Proposed new regulation 121.03.4A of Part 121 of the Civil Aviation Regulations**

###### **"RVSM training**

**121.03.4A** The operator of a large commercial air transport aeroplane who intends to operate such aeroplane in RVSM airspace shall ensure that the flight crew to operate such aeroplane shall have undergone the training specified in Document SA-CATS-OPS 121."

#### **SCHEDULE 17**

##### **17.1 Proposed renumbering of regulation 121.04.4 as sub regulation 121.04.4(1)**

##### **17.2 Proposed amendment of regulation 121.04.4 by the addition of sub regulation (2)**

- "(2) The aeroplane flight manual of an aeroplane, certified for operations in RVSM airspace, shall contain the data prescribed in Document SA-CATS-OPS 121.

#### **SCHEDULE 18**

##### **18.1 Proposed renumbering of regulation 121.06.7 as sub-regulation 121.06.7(1)**

**18.2 Proposed amendment of regulation 121.06.7 by the addition of sub- regulation (2)**

- “(2) The holder of an operating certificate endorsed for operations within RVSM airspace shall –
- (a) report within 72 hours to the Commissioner any occurrence involving poor height-keeping in an RVSM environment, as specified in Document SA-CATS-OPS 121; and
  - (b) make an effective, timely response to each height-keeping error.

*Note: The tolerable level of collision risk in RVSM airspace would be exceeded if an operator consistently experienced errors.”*

**SCHEDULE 19**

**19.1 Proposed renumbering of regulation 121.07.2 as sub- regulation 121.07.2(1)**

**19.2 Proposed amendment of regulation 121.07.2 by the addition of sub- regulation (2)**

- “(2) The minimum requirements for RVSM airspace procedures are contained in Document SA-CATS-OPS 121.”

**SCHEDULE 20**

**20.1 Proposed new regulation 135.03.4A of Part 121 of the Civil Aviation Regulations**

**“ RVSM training**

- 135.03.4A** The operator of a small commercial air transport aeroplane who intends to operate such aeroplane in RVSM airspace shall ensure that the flight crew to operate such aeroplane shall have undergone the training specified in Document SA-CATS-OPS 135.”.

**SCHEDULE 21**

**21.1 Proposed renumbering of regulation 135.04.4 as sub- regulation 135.04.4(1)**

**21.2 Proposed amendment of regulation 135.04.4 by the addition of sub-regulation (2)**

- "(2) The aeroplane flight manual of an aeroplane, certified for operations in RVSM airspace, shall contain the data prescribed in Document SA-CATS-OPS 135.

**SCHEDULE 22****22.1 Proposed renumbering of regulation 135.06.7 as sub-regulation 135.06.7(1)****22.2 Proposed amendment of regulation 135.06.7 by the addition of sub-regulation (2)**

- "(2) The holder of an operating certificate endorsed for operations within RVSM airspace shall –
- (a) report within 72 hours to the Commissioner any occurrence involving poor height-keeping in an RVSM environment, as specified in Document SA-CATS-OPS 135; and
  - (b) make an effective, timely response to each height-keeping error.

*Note: The tolerable level of collision risk in RVSM airspace would be exceeded if an operator consistently experienced errors."*

**SCHEDULE 23****23.1 Proposed renumbering of regulation 135.07.2 as sub-regulation 135.07.2(1)****23.2 Proposed amendment of regulation 135.07.2 by the addition of sub-regulation (2)**

- "(2) The minimum requirements for RVSM airspace procedures are contained in Document SA-CATS-OPS 137."

**SCHEDULE 24****24.1 Proposed new regulation 145.01.12 of Part 145 of the Civil Aviation Regulations****"Training and checking**

- 145.01.12 (1)** The holder of an aircraft maintenance approval, issued in terms of this Part, shall establish and maintain a training programme for aircraft maintenance personnel in his or her employ.

- (2) The approval holder shall ensure that aircraft maintenance personnel—
- (a) receive or has received type- or model-specific training in respect of the aircraft or aircraft components for which the organisation has received maintenance approval;
  - (b) receive periodically recurrent training with specific attention to new technologies and maintenance techniques; as prescribed in Document SA-CATS-AMO.
- (3) The training programme, contemplated in sub-regulation (1), shall be part of the organisation's manual of procedure.
- (4) Initial and recurrent training may be provided only by the holder of an aviation training organisation approval issued in terms of Part 141, or by or on behalf of the original equipment manufacturer."

## **SCHEDULE 25**

### **25.1 Proposed amendment of regulation 187.002(h) by the addition of paragraph (iii) thereto.**

"(iii) for the issuing of an RVSM approval (regulation 21.08.8A)

#### **Motivation for all RVSM related proposals (Schedules 9-25)**

There are no existing provisions regulating RVSM operations. This proposed amendments serve to rectify the situation.

All RVSM related amendments are new except for the amendment in Schedule 13.

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