

- (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;