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## GOVERNMENT NOTICES

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### DEPARTMENT OF TRANSPORT

No. R. 1233

20 December 2007

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

#### THIRTIETH AMENDMENT TO THE CIVIL AVIATION REGULATIONS, 1997

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

#### SCHEDULE

##### Definition

1. In these regulations unless the context otherwise indicates "the Regulations" means the Civil Aviation Regulations, 1997, published by Government Notice No R.1219 of 26 September 1997 and R.1255 of 17 October 1997, as amended by Government Notice No R. 1735 of 24 December 1997, Government Notice No R. 1041 of 14 August 1998, Government Notice No R. 1148 of 18 September 1998, Government Notice No R. 1664 of 14 December 1998, and Government Notice No R. 1701 of 31 December 1998, Government Notice No 1702 of 31 December 1998, Government Notice No R.639 of 21 May 1999, Government Notice No R. 170 of 17 February 2000, Government Notice No R. 171 of 18 February 2000, Government Notice No R. 558 of 22 June 2001 Government Notice No R. 559 of 30 August 2002, Government Notice No R. 1367 of 15 November 2002, Government Notice No R. 1368 of 15 November 2002, Government Notice No 1369 of 15 November 2002, Government Notice No R. 1370 of 15 November 2002, Government Notice No R. 1371 of 15 November 2002, Government Notice No R. 1372 of 15 November 2002, Government Notice No R. 434 of 28 March 2003, Government Gazette No 435 of 28 March 2003 Government Gazette No R.1375 of 1 October 2003 and Government Gazette No R.1340 of 31 March 2004, Government Notice No R.807 dated 4 August 2006, Government Notice No R. 1371 dated 28 December 2006, Government Notice No R. 364 dated 26 April 2006, Government Notice No R. 571 dated 13 July 2007, Government Notice No R. 572 dated 13 July 2007, Government Notice No R. 573 dated 13 July 2007, and Government Notice No R. 574 dated 13 July 2007.

##### Amendment of Part 1 of the Regulations

2. Regulation 1.00.1 of the Regulations is herewith amended by—
  - (a) the insertion of the following definitions after the definition of "aircraft":

“**aircraft avionics**” means an electronic device, including its electrical part, for use in an aircraft, including radio, automatic flight control and instrument systems;

**'aircraft certificated for single-pilot operation'** means a type of aircraft which the State of Registry has determined, during the certification process, can be operated safely with a minimum crew of one pilot;"

**'aircraft required to be operated with a co-pilot'** means a type of aircraft that is required to be operated with a co-pilot, as specified in the flight manual or by the air operator certificate;"

- (b) the insertion of the following definition after the definition of "aircraft stand taxilane":

**"'aircraft — type'** means all aircraft of the same basic design including all modifications thereto except those modifications which result in a change in handling or flight characteristics;"

- (c) the insertion of the following definition after the definition of "air navigation infrastructure":

**"'airmanship'** means the consistent use of good judgment and well developed knowledge, skills and attitudes to accomplish flight objectives;"

- (d) the insertion of the following definition after the definition of "approved":

**"'approved maintenance organization'** means an organization approved by the Commissioner in terms of Part 145, or by a Contracting State, to perform maintenance of aircraft or parts thereof, and operating under supervision of the appropriate Authority;"

- (e) the insertion of the following definition after the definition of "approved person":

**"'approved training'** means training conducted under special curricula and supervision approved by a Contracting State that, in the case of flight crew members, is conducted within an approved training organization;"

- (f) the insertion of the following definition after the definition of "certificate of proficiency":

**"'certify as airworthy (to)'** means to certify that an aircraft or parts thereof comply with current airworthiness requirements after maintenance has been performed on the aircraft or parts thereof;"

- (g) the insertion of the following definitions after the definition of "company":

**"'competency'** means a combination of skills, knowledge and attitudes required to perform a task to the prescribed standard;

“**competency element**’ means an action that constitutes a task that has a triggering event and a terminating event that clearly defines its limits, and an observable outcome;

“**competency unit**’ means a discrete function consisting of a number of competency elements;”;

- (h) the insertion of the following definition after the definition of “courier service”:

“**credit**’ means recognition of alternate means or prior qualifications;”;

- (i) the insertion of the following definition after the definition of “ensure”:

“**error**’ as used in the context of operating an aircraft means an action or inaction by the flight crew that leads to deviations from organisational or flight crew intentions or expectations;

‘**error management**’ means the process of detecting and responding to errors, as defined, with countermeasures that reduce or eliminate the consequences of errors, and mitigate the probability of further errors or undesired aircraft conditions;”;

- (j) the insertion of the following definition after the definition of “flight level”:

“**flight plan**’ means specified information provided to air traffic services units, relative to an intended flight or portion of a flight of an aircraft;

‘**flight procedures trainer**’: See Flight Simulation Training Device (FSTD);”;

- (k) the insertion of the following definition after the definitions of “flight recorder”:

“**flight simulation training device (FSTD)**’ means any one of the following three types of apparatus in which flight conditions are simulated on the ground:

- (i) A flight simulator, which provides an accurate representation of the flight deck of a particular aircraft type to the extent that the mechanical, electrical, electronic, etc. aircraft systems control functions, the normal environment of flight crew members, and the performance and flight characteristics of that type of aircraft are realistically simulated;
- (ii) A flight procedures trainer, which provides a realistic flight deck environment, and which simulates instrument responses, simple control functions of mechanical, electrical, electronic, etc. aircraft

systems, and the performance and flight characteristics of aircraft of a particular class;

- (iii) A basic instrument flight trainer, which is equipped with appropriate instruments, and which simulates the flight deck environment of an aircraft in flight in instrument flight conditions;";
- (l) the insertion of the following definitions after the definitions of "flight time":
  - "**flight time – aeroplanes**" means the total time from the moment an aeroplane first moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight;
  - "**flight time – helicopters**" means the total time from the moment a helicopter's rotor blades start turning until the moment the helicopter finally comes to rest at the end of the flight, and the rotor blades are stopped;
  - "**flight time – glider**" means the total time occupied in flight, whether being towed or not, from the moment the glider first moves for the purpose of taking off until the moment it comes to rest at the end of the flight;";
- (m) the insertion of the following definition after the definition of "instrument flight time":
  - "**instrument ground time**" means time during which a pilot is practicing, on the ground, simulated instrument flight in a synthetic flight trainer approved by the Commissioner;";
- (n) the insertion of the following definition after the definition of "instrument meteorological conditions":
  - "**instrument time**" means instrument flight time or instrument ground time, as defined;";
- (o) the substitution for the definition of "integrated training" of the following definition:
  - "**integrated training**" as used in the context of flight training, means training conducted under special curricula and supervision approved by a Contracting State that, in the case of flight crew members, is conducted within an approved training organization and allows for reduced flight time experience for the issuance of a licence;";
- (p) the insertion of the following definition after the definition of "letter of TSO design approval":
  - "**licensing authority**" means the authority designated by a Contracting State as responsible for the licensing of personnel;";

- (q) the insertion of the following definitions after the definition of “medically compromised passenger”:

“**medical assessment**’ means the evidence issued by a Contracting State that the licence holder meets specific requirements of medical fitness;

“**medical assessor**’ means a physician qualified and experienced in the practice of aviation medicine who evaluates medical reports submitted to the Authority by medical examiners;

“**medical examiner**’ means a physician, with training in aviation medicine and practical knowledge and experience of the aviation environment, who is designated by the Commissioner to conduct medical examinations of fitness of applicants for licences or ratings for which medical requirements are prescribed and in the context of these Regulations refers to the aviation medical examiner designated by the Commissioner in terms of Part 67;”;

- (r) the insertion of the following definition after the definition of “Notice to Airmen”:

“**official examiner**’ means a person designated by the commissioner who may carry out the duties and functions of a Designated Flight Examiner (DFE) as specifically authorised by the Commissioner for a period of not more than 90 days;”;

- (s) the insertion of the following definitions after the definition of “passenger aircraft” :

“**performance criteria**’ means a simple, evaluative statement on the required outcome of the competency element and a description of the criteria used to judge if the required level of performance has been achieved;”;

- (t) the insertion of the following definition after the definition of “pilot-in-command” :

“**pilot (to)**’ means to manipulate the flight controls of an aircraft during flight time and may also be referred to as ‘Pilot Flying’ (PF);”;

- (u) the insertion of the following definition after the definition of “public air transport service”:

“**quality system**’ means documented organisational procedures and policies; internal audit of those policies and procedures; management review and recommendation for quality improvement;”;

- (v) the insertion of the following definition after the definition of “rapid exit taxiway”:

“**rated air traffic controller**’ means an air traffic controller holding a licence and valid ratings appropriate to the privileges to be exercised;”;

- (w) the insertion of the following definition after the definition of “release to service”:

“**rendering (a licence) valid**’ means the action taken by a Contracting State, as an alternative to issuing its own licence, in accepting a licence issued by any other Contracting State as the equivalent of its own licence;”;

- (x) the insertion of the following definition after the definition of “SIGMET information”:

“**significant**’ in the context of the medical provisions in Part 67, means to a degree or of a nature that is likely to jeopardize flight safety;”;

- (y) the substitution for the definition of “simulator” of the following definition:

“**simulator**’: See ‘flight simulation training device’;”;

- (z) the insertion of the following definition after the definition of “student pilot-in-command instrument time”:

“**student-pilot-in-command**’: See ‘pilot-in-command-under-supervision’;”;

- (zA) the insertion of the following definitions after the definition of “these Regulations”:

“**threat**’ as used in the context of operating an aircraft, means events or errors, as defined, that occur beyond the influence of the flight crew, increase operational complexity and which must be managed to maintain the margin of safety;

“**threat management**’ means the process of detecting and responding to the threats with countermeasures that reduce or eliminate the consequences of threats, and mitigate the probability of errors, as defined, or undesired aircraft conditions;”;

- (zB) the insertion of the following definition after the definition of “touring glider”:

“**tow pilot rating**’ means the rating required by a pilot who intends to act as pilot-in-command of an aircraft while towing a banner;”;

- (zC) the insertion of the following definition after the definition of “TSO authorisation glider”:

“**tug pilot rating**’ means the rating required by a pilot who intends to act as pilot in command of an aircraft while having under tow another aircraft;”.

**Amendment of Regulation 1.00.2 of Part 61 of the Regulations**

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

(a) the insertion of the following abbreviation after the abbreviation of “ATMS”:

“‘ATPL’ means Airline Transport Pilot Licence;”;

(b) the insertion of the following abbreviation after the abbreviation of “CPA” :

“‘CPL’ means Commercial Pilot Licence;”;

(c) the insertion of the following abbreviation after the abbreviation of “DAME”:

“‘DFE’ means Designated Pilot Examiner;”;

(d) the insertion of the following abbreviation after the abbreviation of “FPT”:

“‘FSTD’ means a Flight simulation training device;”;

(e) the insertion of the following abbreviation after the abbreviation of “PIB”:

“‘PICUS’ means ‘pilot-in-command-under-supervision’;”;

(f) the insertion of the following abbreviation after the abbreviation of “PPI”:

“‘PPL’ means Private Pilot Licence;”;

(g) the insertion of the following abbreviation after the abbreviation of “SA-CAR”:

“‘SPL’ means Student Pilot Licence;”.

**Amendment of regulation 61.01.3 of Part 61 of the Regulations**

4. Regulation 61.01.3 of the Regulations is herewith amended by the substitution for sub-regulation (4) of the following sub-regulation:

“(4) In order to act as a flight crew member of another variant of the aircraft within a particular class rating, differences or familiarisation training may be required as prescribed in regulation 61.13.7(2).”.

**Amendment of regulation 61.01.5 of Part 61 of the Regulations**

5. Regulation 61.01.5 of the Regulations is herewith amended by the substitution for sub-regulations (1), (2) and (3) of the following sub-regulations:

“(1) Unless the holder of a pilot licence or rating maintains competency and recency by complying with the appropriate requirements prescribed in this Part or Part 62, and

Part 91 of these Regulations, as the case may be, the licence holder shall not exercise the respective privileges granted by the licence or rating.

(2) Unless the holder of a pilot licence is subject, in terms of these Regulations, to periodic proficiency checks for the revalidation of a rating, he or she shall not exercise the privileges of that licence unless he or she has successfully passed a revalidation check or an initial licence skill test in the same category of aircraft within the previous 24 months.

(3) The revalidation check, referred to in Sub-regulation (2), must be conducted by a Designated Flight Examiner.”.

#### **Amendment of regulation 61.01.6 of Part 61 of the Regulations**

6. Regulation 61.01.6 of the Regulations is herewith amended by the substitution for sub-regulation (4) of the following sub-regulation:

“(4) Should the licence holder refuse to submit to the test referred to in Sub-regulation (3), the authorised officer, inspector or authorised person must suspend the licence with immediate effect in terms of regulation 61.01.11.”.

#### **Substitution of regulation 61.01.7 of Part 61 of the Regulations**

7. The following regulation is herewith substituted for regulation 61.01.7 of the Regulations:

##### **“Language**

61.01.7 No person may be issued with a pilot licence under this Part unless he or she has demonstrated ability to use the English language as set out in Document SA CATS-FCL 61.”.

#### **Amendment of regulation 61.01.8 of Part 61 of the Regulations**

8. Regulation 61.01.8 of the Regulations is herewith amended by the substitution for sub-regulation (16) of the following sub-regulation:

“(16) Flight time, accumulated by a person, other than a designated flight examiner, approved by the Commissioner to carry out duties as flight examiner must be marked in the remarks COLUMN as ‘person approved to act as flight examiner (APFE) time’ as per example in Document SA CATS-FCL 61.”.



**Amendment of regulation 61.01.9 of Part 61 of the Regulations**

9. Regulation 61.01.9 of the Regulations is herewith amended by the substitution in sub-regulation (16) for the words preceding paragraph (a) of the following words:

“(16) A flight examiner may be credited towards the experience requirements for a rating or higher pilot licence with all flight time accrued while carrying out skill testing or proficiency checking and logged in terms of regulation 61.01.08 as –”.

**Amendment of regulation 61.01.10 of Part 61 of the Regulations**

10. Regulation 61.01.10 of the Regulations is herewith amended by the substitution for sub-regulation (5) of the following sub-regulation:

“(5) An applicant for the issuing of a pilot licence or the issuing, revalidation or reissuing of a rating, who fails a theoretical knowledge examination required for such licence or rating conducted by the Authority, may apply to the Commissioner for re-mark in accordance with Document SA CATS-FCL 61.”.

**Amendment of regulation 61.01.14 of Part 61 of the Regulations**

11. Regulation 61.01.14 of the Regulations is herewith amended by the substitution for sub-regulation (25) of the following sub-regulation:

“(25) The application for the issuing of a South African pilot licence or any rating on the strength of a foreign pilot licence or rating must be made to the Commissioner in the form set out in Document SA CATS-FCL 61 and the applicant must meet all the requirements laid down for the use of that document in the country of issue, such as having completed a flight test or review or equivalent in the country of issue, and holding a valid medical certificate of the appropriate level issued in that country: Provided that if the foreign medical certificate recently expired, the latter requirement may be waived as long as an appropriate South African medical certificate is obtained in terms of Part 67.”.

**Amendment of regulation 61.01.16 of Part 61 of the Regulations**

12. Regulation 61.01.16 of the Regulations is herewith amended by the substitution for sub-regulation (2) of the following sub-regulation:

“(2) For training towards the issue of a pilot licence to be recognised as integrated training, such training must be conducted in accordance with an approved training course, meeting the conditions, requirements, rules, procedures and standards as prescribed in Appendix 3 to SA CATS-FCL 61 – ATPL (A)/IR Integrated Course.”.

**Amendment of regulation 61.01.18 of Part 61 of the Regulations**

13. Regulation 61.01.18 of the Regulations is herewith amended by the substitution for sub-regulation (1) of the following sub-regulation:

“(1) The approvals for flight simulation training devices must be issued based on the criteria set out in Document SA CATS-FCL 61.”.

**Amendment of regulation 61.01.19 of Part 61 of the Regulations**

14. Regulation 61.01.19 of the Regulations is herewith amended by the substitution for sub-regulation (1) of the following sub-regulation:

“(1) An applicant for a class or type rating or any familiarisation or differences training for an aircraft within a class rating must have the applicable rating endorsed in the pilot logbooks.”.

**Amendment of Regulation 61.02.1 of Part 61 of the Regulations**

15. Regulation 61.02.1 of the Regulations is herewith amended by –

(a) the substitution for sub-regulation (2) of the following sub-regulation:

“(2) The applicant must receive *ab initio* flight training at a Part 141 approved training organisation to the level of knowledge, understanding, and skill required in terms of Document SA CATS FCL 61.”;

(b) the deletion of sub-regulations (3), (4), (5), (6) and (7).”.

**Insertion of regulation 61.02.1A, 61.02.1B and 61.02.1C of Part 61 of the Regulations**

16. The following regulations are herewith inserted after regulation 61.02.1 of the Regulations:

**“Application for Student Pilot Licence**

61.02.1A The application must be made to the Commissioner on the appropriate form as prescribed in Document SA-CATS-FCL 61 and must be accompanied by –

- (a) an original or certified proof of the identity of the applicant;
- (b) proof of the age of the applicant;
- (c) a valid Class 1 or Class 2 medical certificate issued in terms of Part 67;
- (d) an application for the appropriate category, class and type rating;
- (e) two recent passport size photographs of the applicant; and
- (f) the appropriate fee as prescribed in Part 187.

**Issuing of Student Pilot Licence**

61.02.1B (1) The Commissioner shall issue a student pilot licence in the appropriate format as prescribed in Document SA-CATS-FCL 61, if the applicant complies with the requirements referred to in regulation 61.02.1A.

(2) Upon receipt of the student pilot licence, the holder must immediately affix his or her signature thereon in ink in the space provided for such purpose.”.

**Validity of student Pilot Licence**

61.02.1C (1) A Student Pilot Licence is valid for a period of 2 years from the date of issue, provided the annual currency fees are paid.

(2) The holder of a Student Pilot Licence may not exercise the privileges of that licence unless he or she –

- (a) is in possession of a valid Class 1 or Class 2 medical certificate, issued to him or her in terms of Part 67;
- (b) has submitted a copy of the medical certificate to the licensing authority, as required in Regulation 61.01.6 (5), in the event that the aviation medical examiner is unable to submit electronic data to the Commissioner.”.

**Amendment of regulation 61.03.1 of Part 61 of the Regulations**

17. Regulation 61.03.1 of the Regulations is herewith amended by –

- (a) the substitution for paragraph (e) of sub-regulation (1) of the following paragraph:

“(e) have acquired the experience referred to in regulation 61.03.2A;” and

- (b) the deletion of paragraph (h) of sub-regulation (1); and
- (c) the deletion of sub-regulations (2), (3) and (5).

**Insertion of regulation 61.03.2A and 61.03.2B of Part 61 of the Regulations**

18. The following regulations are herewith inserted after 61.03.2 of the Regulations:

**“Experience**

61.03.2A (1) An applicant for a Private Pilot Licence (Aeroplane) must have completed not less than 45 hours flight time as a pilot of an aeroplane, of which –

- (a) At least 25 hours are dual instruction in aeroplanes, which must include 5 hours instrument instruction time;

- (b) at least 15 hours are accumulated in solo flight, of which at least five hours are cross-country flight time; which must include one triangular cross-country flight of at least 150 NM, on which at least one point must be not less than 50 NM from base and must include full-stop landings at two different aerodromes away from base; and
- (c) a maximum of five hours dual instruction must be in an approved FSTD.

(2) Notwithstanding the provisions in sub-regulation (1) above, the experience required for the holder of a glider or gyroplane pilot licence or of a recreational pilot licence endorsed with the category micro light aeroplane, may be substituted by the experience obtained to the maximum specified in Regulation 61.01.9 (9).

#### **Skill test for Private Pilot Licence (Aeroplane)**

61.03.2B (1) The applicant must pass the skill test demonstrating, to a Designated Flight Examiner (Aeroplanes), the ability to execute as pilot-in-command of an aeroplane the procedures and manoeuvres prescribed in Document SA-CATS-FCL 61 with a degree of competence appropriate to the privileges granted to the holder of a Private Pilot Licence (Aeroplane).

(2) The applicant must undergo the skill test within six months of passing the theoretical knowledge examination referred to in Sub-regulation (1) (g), and within the 90 days of the date of application.”.

#### **Amendment of regulation 61.03.4 of Part 61 of the Regulations**

19. Regulation 61.03.4 of the Regulations is herewith amended by –

- (a) the substitution for paragraph (a) of sub-regulation (1) of the following paragraph:
  - “(a) the annual currency fees prescribed in Part 187 are paid on or before the anniversary of the original date of issue. Annual currency fees are to be submitted together with:
    - (i) the completed form as prescribed in Document SA-CATS-FCL 61; and
    - (ii) certified copies of the last entries in the pilot logbook containing a summary or the last 3 pages of the logbook indicating a record of flight time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months;”;
- (b) the substitution for paragraph (b) of sub-regulation (2) of the following paragraph:

- “(b) has submitted a copy of the medical certificate to the licensing authority as required in regulation 61.01.6 (5), in the event that the aviation medical examiner is unable to submit electronic data to the Commissioner;”.

#### **Amendment of regulation 61.03.6 of Part 61 of the Regulations**

20. Regulation 61.03.6 of the Regulations is herewith amended in sub-regulation (1) by the substitution for paragraph (h) of the following paragraph:

“(h) tow pilot rating.”.

#### **Amendment of regulation 61.03.7 of Part 61 of the Regulations**

21. Regulation 61.03.7 of the Regulations is herewith amended by –

- (a) the substitution for paragraph (b) of sub-regulation (1) of the following paragraph:

“(b) within the 90 days immediately preceding the flight by night, carried out at least three take-off and landings at night to a full stop;”;

- (b) the addition of the following sub-regulation after sub-regulation (3):

“(4) In the event of the requirements of a private pilot licence (aeroplane) not being complied with the holder of a private pilot licence (aeroplane) may automatically continue to exercise the privileges of a student pilot licence as the case may be, without being subjected to the requirements of flight authorisation by a flight instructor acting at a Part 141 Training Organisation.”.

#### **Amendment of regulation 61.04.2 of Part 61 of the Regulations**

22. Regulation 61.04.2 of the Regulations is herewith amended by –

- (a) the deletion of the reference to sub-regulation (1) in the existing sub-regulation; and

- (b) the substitution for paragraph (h) of the said regulation of the following paragraph:

“(h) have passed the skill test demonstrating, to a Designated Flight Examiner (Aeroplanes), the ability to execute as pilot-in-command of an aeroplane the procedures and maneuvers prescribed in Document SA-CATS-FCL 61.”.

#### **Amendment of regulation 61.04.3 of Part 61 of the Regulations**

23. Regulation 61.04.3 of the Regulations is herewith amended by the substitution for paragraph (a) of sub-regulation (1) of the following paragraph:

- “(a) at least 25 hours are dual instruction in helicopters, which may include 5 hours instrument instruction time;”.

**Amendment of regulation 61.04.6 of Part 61 of the Regulations**

24. Regulation 61.04.6 of the Regulations is herewith amended by –

- (a) the substitution for sub-regulation (1) of the following sub-regulation:

“(1) A Private Pilot Licence (helicopter) issued is valid for a period of 10 years provided that the annual currency fees prescribed in Part 187 are paid on or before the anniversary of the original date of issue. Annual currency fees are to be submitted together with:

- (a) the completed form as prescribed in Document SA-CATS-FCL 61; and
  - (b) certified copies of the last entries in the pilot logbook containing a summary or the last 3 pages of the logbook indicating a record of flight time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months.”.
- (b) the substitution for paragraph (b) of sub-regulation (2) of the following paragraph:

“(b) has submitted a copy of the medical certificate to the licensing authority as required in Regulation 61.01.6 (5), in the event that the aviation medical examiner is unable to submit electronic data to the Commissioner;”.

**Substitution of regulation 61.04.8 of Part 61 of the Regulations**

25. The following regulation is herewith substituted for regulation 61.04.8 of the Regulations:

**“Rating for special purposes**

(1) The ratings for special purposes associated with a Private Pilot Licence (helicopter) are –

- (a) night rating;
- (b) instrument rating;
- (c) test flight rating; and
- (d) agricultural pilot rating.

(2) An application for any rating must be made in accordance with the Regulations in Subparts 14, 15 and 27 and 35 as the case may be.”.

**Amendment of regulation 61.04.9 of Part 61 of the Regulations**

26. Regulation 61.04.9 of the Regulations is herewith amended by the substitution for sub-regulation (2) of the following sub-regulation:

“(2) The holder of a Private Pilot Licence (helicopter) may not act as pilot-in-command of a helicopter, transporting passengers by night, unless such pilot has, within the 90 days immediately preceding the flight, executed as the pilot manipulating the controls not less than three circuits including three take-offs and three landings by night in a helicopter of the same class as that in which such passenger-carrying flight is to be undertaken, or in a flight simulator training device approved for the purpose: Provided that where this requirement is satisfied in a multi-engine helicopter, the requirement shall be deemed to have been met in respect of single-engine helicopters as well.”.

**Amendment of regulation 61.05.4 of Part 61 of the Regulations**

27. Regulation 61.05.4 of the Regulations is herewith amended by –

- (a) the deletion of sub-regulation (2); and
- (b) the deletion of the reference to sub-regulation (1).

**Insertion of regulation 61.05.4A into the Part 61 of the Regulations**

28. The following regulation is herewith inserted after regulation 61.05.4:

**“Issuing of a Commercial Pilot Licence (aeroplane)**

61.05.4A (1) The Commissioner shall issue a Commercial Pilot Licence (aeroplane), in the appropriate format as prescribed in Document SA CATS-FCL 61, if the applicant complies with the requirements referred to in Regulation 61.05.1.

(2) Upon receipt of the Commercial Pilot Licence (aeroplane), the holder must forthwith affix his or her signature thereon in ink in the space provided for such purpose.”.

**Substitution of regulation 61.05.5 of Part 61 of the Regulations**

29. The following regulation is herewith substituted for regulation 61.05.5 of the Regulations:

**“Validity of Commercial Pilot Licence (aeroplane)**

61.05.5 (1) A Commercial Pilot Licence (aeroplane) issued is valid for a period of 10 years provided that –

- (a) the annual currency fees prescribed in Part 187 are paid on or before the anniversary of the original date of issue. Annual currency fees are to be submitted together with:
    - (i) the completed form as prescribed in Document SA-CATS-FCL 61 and;
    - (ii) certified copies of the last entries in the pilot logbook containing a summary or the last 3 pages of the logbook indicating a record of flight time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months;
  - (b) the validity requirements of the licence are maintained.
- (2) The holder of a Commercial Pilot Licence may not exercise the privileges of that licence unless he or she –
- (a) holds a valid Class 1 medical certificate, issued in terms of Part 67;
  - (b) has submitted a copy of the medical certificate to the licensing authority as required in Regulation 61.01.6 (5), in the event that the aviation medical examiner is unable to submit electronic data to the Commissioner;
  - (c) complies with the provisions of Regulation 61.05.8;
  - (d) holds a valid, appropriate class rating or type rating; and
  - (e) complies with the licence revalidation requirements.”.

#### **Amendment of regulation 61.05.7 of Part 61 of the Regulations**

30. Regulation 61.05.7 of the Regulations is herewith amended by the substitution for sub-regulation (2) of the following regulation:

“(2) An application for any rating referred to in Sub-regulation (1) must be made in accordance with the Regulations in Subparts 15, 16, 17, 27, 28, 29, 30, 31, 35 and 38, as the case may be.”.

#### **Amendment of regulation 61.05.8 of Part 61 of the Regulations**

31. Regulation 61.05.8 of the Regulations is herewith amended by –

- (a) the substitution for paragraph (a) of sub-regulation (1) of the following paragraph:

“(a) fly as a pilot in command of an aeroplane carrying passengers by day unless he or she, within the 90 days immediately preceding the flight, has executed as the pilot manipulating the controls not less than three take-offs and three landings,



either by day or by night in an aeroplane of the same class as that in which such passenger-carrying flight is to be undertaken, or in an FSTD approved for the purpose;"; and

(b) the substitution for paragraph (c) of sub-regulation (1) of the following paragraph:

"(c) As the holder of a licence that does not include a valid instrument rating (aeroplane) act as pilot in command of an aeroplane carrying passengers at night unless during the previous 90 days at least three take-offs and three landings required in paragraph (a) has been carried out at night."

#### **Amendment of regulation 61.06.4 of Part 61 of the Regulations**

32. Regulation 61.06.4 is herewith amended by the deletion of sub-regulations (3), (4) and (5).

#### **Insertion of regulation 61.06.4A and 61.06.4B into the Part 61 of the Regulations**

33. The following regulations are herewith inserted after regulation 61.06.4:

##### **"Issuing of a Commercial Pilot Licence (helicopter)**

61.06.4A (1) The Commissioner may issue a Commercial Pilot Licence (aeroplane), in the appropriate format as prescribed in Document SA CATS-FCL 61, if the applicant complies with the requirements referred to in Regulation 61.06.1.

(2) Upon receipt of the Commercial Pilot Licence (aeroplane), the holder must forthwith affix his or her signature thereon in ink in the space provided for such purpose.

##### **Validity of a Commercial Pilot Licence (helicopter)**

61.06.4B (1) An Commercial Pilot Licence (helicopter) issued is valid for a period of 10 years provided that –

- (a) the annual currency fees prescribed in Part 187 are paid on or before the anniversary of the original date of issue. Annual currency fees are to be submitted together:
  - (i) with the completed form as prescribed in Document SA-CATS-FCL 61 and ;
  - (ii) certified copies of the last entries in the pilot logbook containing a summary or the last 3 pages of the logbook indicating a record of flight time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months.

- (b) the validity requirements of the licence are maintained.
- (2) The holder of a Commercial Pilot Licence may not exercise the privileges of that licence unless he or she –
- (a) holds a valid Class 1 medical certificate, issued in terms of Part 67;
  - (b) has submitted a copy of the medical certificate to the licensing authority as required in Regulation 61.01.6 (5), in the event that the aviation medical examiner is unable to submit electronic data to the Commissioner;
  - (c) complies with the provisions of Regulation 61.06.7;
  - (d) holds a valid, appropriate class rating or type rating; and
  - (e) complies with the licence revalidation requirements.”.

**Amendment of regulation 61.06.6 of Part 61 of the Regulations**

34. Regulation 61.06.6 of the Regulations is herewith amended by the substitution for paragraph (f) of sub-regulation (1) of the following paragraph:

“(f) helicopter sling load rating;”.

**Amendment of regulation 61.07.2 of Part 61 of the Regulations**

35. Regulation 61.07.2 of the Regulations is herewith amended by the substitution for paragraph (c) of sub-regulation (1) of the following paragraph:

“(c) 200 hours must be cross-country flight time, of which 100 hours may be as co-pilot or pilot-in-command under supervision;”;

**Amendment of regulation 61.07.4 of Part 61 of the Regulations**

36. Regulation 61.07.4 of the Regulations is herewith amended by–

- (a) the substitution for paragraph (b) of sub-regulation (2) of the following paragraph:

“(b) the original or a certified copies of the documents specified in regulation 61.07.1 (1)(c) held by the applicant, or certified proof that the applicant has completed the relevant integrated training;”;
- (b) the deletion of sub-regulation (3).

**Insertion of regulation 61.07.4A of Part 61 of the Regulations**

37. The following regulation is herewith inserted after regulation 61.07.4 of the Regulations:

**“Issuing of Airline Transport Pilot Licence (aeroplane)**

61.07.4A (1) The Commissioner shall issue an Airline Transport Pilot Licence (aeroplane), in the appropriate format as prescribed in Document SA CATS-FCL 61, if the applicant complies with the requirements referred to in Regulation 61.07.1.

(2) Upon receipt of the Airline Transport Pilot Licence (aeroplane), the holder must forthwith affix his or her signature thereon in ink in the space provided for such purpose.”.

**Substitution of regulation 61.07.5 of Part 61 of the Regulations**

38. The following regulation is hereby substituted for regulation 61.07.5 of the Regulations:

**“Validity of Airline Transport Pilot Licence (aeroplane)**

61.07.5(1) An Airline Transport Pilot Licence (aeroplane) issued is valid for a period of 10 years provided that –

- (a) the annual currency fees prescribed in Part 187 are paid on or before the anniversary of the original date of issue. Annual currency fees are to be submitted together:
    - (i) with the completed form as prescribed in Document SA-CATS-FCL 61 and ;
    - (ii) certified copies of the last entries in the pilot logbook containing a summary or the last 3 pages of the logbook indicating a record of flight time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months.
  - (b) the validity requirements of the licence are maintained.
- (2) The holder of an Airline Transport Pilot Licence may not exercise the privileges of that licence unless he or she –
- (a) holds a valid Class 1 medical certificate, issued in terms of Part 67;
  - (b) in the event that the aviation medical examiner is unable to submit electronic data to the Commissioner, the licence holder has

submitted a copy of the medical certificate to the licensing authority as required in Regulation 61.01.6 (5);

- (c) complies with the provisions of Regulation 61.07.8;
- (d) holds a valid, appropriate class rating or type rating; and
- (e) complies with the licence revalidation requirements.”.

#### **Amendment of regulation 61.08.2 of Part 61 of the Regulations**

39. Regulation 61.08.2 of the Regulations is herewith amended by the substitution for paragraph (c) of sub-regulation (1) of the following paragraph:

- “(c) 30 hours shall be instrument flight instruction time, of which not more than 10 hours may be acquired in a helicopter FSTD approved for the purpose by the Commissioner, during the six months immediately preceding the date of application if he or she is not the holder of an instrument rating; and;”;

#### **Amendment of regulation 61.08.4 of Part 61 of the Regulations**

40. Regulation 61.08.4 of the Regulations is herewith amended by—

- (a) the substitution for paragraph (b) of sub-regulation (2) of the following paragraph:

“(b) the original or certified copies of the documents specified in Regulation 61.08.1 (1)(c), or certified proof that the applicant has completed the relevant integrated training;”;
- (b) the deletion of sub-regulations (3) and (4).

#### **Insertion of regulation 61.08.4A and 61.08.4B into the Part 61 of the Regulations**

41. The following regulations is herewith inserted after regulation 61.07.4 of the Regulations:

##### **“Issuing of a Airline Transport Pilot Licence (helicopter)**

61.08.4A (1) The Commissioner may issue an Airline Transport Pilot Licence (helicopter), in the appropriate format as prescribed in Document SA CATS-FCL 61, if the applicant complies with the requirements referred to in Regulation 61.07.1.

(2) Upon receipt of the Commercial Pilot Licence (helicopter), the holder must forthwith affix his or her signature thereon in ink in the space provided for such purpose.

**Validity of an Airline Transport Pilot Licence (helicopter)**

61.08.4B (1) An Airline Transport Pilot Licence (helicopter) issued is valid for a period of 10 years provided that –

- (a) the annual currency fees prescribed in Part 187 are paid on or before the anniversary of the original date of issue. Annual currency fees are to be submitted together:
  - (i) with the completed form as prescribed in Document SA-CATS-FCL 61 and ;
  - (ii) certified copies of the last entries in the pilot logbook containing a summary or the last 3 pages of the logbook indicating a record of flight time as well as certified copies of any endorsements entered into the logbook in the preceding 12 months.
- (b) the validity requirements of the licence are maintained.”.

**Amendment of regulation 61.08.5 of Part 61 of the Regulations**

42. Regulation 61.08.5 is herewith amended by the substitution for sub-regulation (1) of the following sub-regulation:

“(1) The holder of a Airline Transport Licence (Helicopter) may not exercise the privileges of that licence unless he or she -

- (a) holds a valid Class 1 medical certificate, issued in terms of Part 67;
- (b) in the event that the aviation medical examiner is unable to submit electronic data to the Commissioner, the licence holder has submitted a copy of the medical certificate to the licensing authority as required in Regulation 61.01.6 (5);
- (c) complies with the provisions of Regulation 61.06.7;
- (d) holds a valid, appropriate class rating or type rating; and
- (e) complies with the licence revalidation requirements.”.

**Amendment of regulation 61.13.7 of Part 61 of the Regulations**

43. Regulation 61.13.7 of the Regulations is herewith amended by the substitution for sub-regulation (6) of the following sub-regulation:

“(6) Familiarisation training requires acquisition of additional knowledge specific to the individual aircraft under consideration.”.

**Amendment of regulation 61.14.2 of Part 61 of the Regulations**

44. Regulation 61.14.2 of the Regulations is herewith amended by the substitution for paragraph (c) of sub-regulation (1) of the following paragraph:

“(c) in the case of a night rating on helicopters, not less than 5 hours helicopter night training and 5 solo night circuits. Each circuit shall include a take-off and landing; and;”.

**Amendment of regulation 61.16.1 of Part 61 of the Regulations**

45. Regulation 61.16.1 of the Regulations is herewith amended by the substitution for paragraph (b) of sub-regulation (1) of the following paragraph:

(b) have successfully completed the training as prescribed in Document SA CATS-FCL 61, conducted by a Grade I or a Grade II aeroplane flight instructor of which 25 hours of flight training must be in an aeroplane of which five hours may be in an approved FSTD, or FNPT II.”.

**Amendment of regulation 61.20.1 of Part 61 of the Regulations.**

46. Regulation 61.20.1 of the Regulations is herewith amended by the substitution for paragraph (e) of sub-regulation (1) of the following paragraph:

“(e) have passed the oral theoretical knowledge examination as prescribed in SA CATS-FCL 61;”;

**Substitution of regulation 61.30.1 of Part 61 of the Regulations.**

47. The following regulation is herewith substituted for regulation 61.30.1 of the Regulations:

**“Requirements for tug pilot training**

61.30.1 (1) An applicant for a tug pilot rating must –

- (a) hold at least a valid Private Pilot Licence (aeroplane);
- (b) hold the appropriate endorsement for an aircraft within a class rating or type rating for the aeroplane;
- (c) have acquired suitable experience that includes at least completion of 10 tug operations under the supervision of an appropriately rated Grade I or Grade II flight instructor, or by the holder of a tug pilot rating designated for such purpose in writing by the Commissioner; and
- (d) have demonstrated, to an appropriately rated Grade I or Grade II flight instructor or the holder of a tug pilot rating designated for such purpose in

writing by the Commissioner, the ability to act as pilot-in-command of a tug aeroplane whilst having an aircraft in tow.

(2) The Grade 1 or Grade II flight instructor who oversees the skill test must endorse the pilots' logbook and submit notification of the endorsement to the Authority as per Document SA CATS-FCL 61.”.

#### **Substitution of regulation 61.31.1 of Part 61 of the Regulations.**

48. The following regulation is herewith substituted for regulation 61.31.1 of the Regulations:

##### **“Requirements for Tow Rating**

“61.31.(1) An applicant for a tow rating must –

- (a) hold at least a valid Private Pilot Licence (aeroplane);
- (b) hold the appropriate endorsement for an aircraft within a class rating or type rating for the aeroplane;
- (c) have acquired suitable experience that includes at least completion of 10 tow operations under the supervision of an appropriately rated Grade I or Grade II flight instructor, or by the holder of a tow pilot rating designated for such purpose in writing by the Commissioner;
- (d) and have demonstrated, to an appropriately rated Grade I or Grade II flight instructor or the holder of a tow pilot rating designated for such purpose in writing by the Commissioner, the ability to act as pilot-in-command of a tug aeroplane whilst having a banner in tow.

(2) The Grade 1 or Grade II flight instructor who oversees the skill test must endorse the pilots' logbook and submit notification of the endorsement to the Authority as per Document SA CATS-FCL 61.”.

#### **Amendment of regulation 61.32.1 of Part 61 of the Regulations**

49. Regulation 61.32.1 of the Regulations is herewith amended by the substitution for sub-regulation (1) of the following sub-regulation:

“(1), For the purpose of this subpart, the definition of ‘Helicopter Sling Load’ includes rappelling, towing and the lifting and laying down of external cargo while they are being fixed to or disassembled from a surface during the helicopter operation.”.

**Amendment of regulation 61.32.3 of Part 61 of the Regulations**

50. Regulation 61.32.3 of the Regulations is herewith amended by the substitution for sub-regulation (3) of the following sub-regulation:

“(3) Notwithstanding the provisions of sub-regulation (1), the privileges may be exercised in IMC under IFR by an appropriately rated helicopter pilot who is also the holder of a valid helicopter instrument rating provided that the uplift and laying down of the sling load is carried out with the use of external visual references by day or night and prior approval is received from the Commissioner.”.

**Amendment of regulation 61.33.1 of Part 61 of the Regulations**

51. Regulation 61.33.1 of the Regulations is herewith amended by the substitution for paragraph (e) of the said regulation (1) of the following paragraph:

“(e) have successfully passed the prescribed skill test thereby demonstrating, to an appropriately rated Grade I flight instructor, or to a person designated by the Commissioner in writing for the purpose, the ability to perform as pilot-in-command of a helicopter the procedures and manoeuvres as prescribed in Document SA CATS-FCL 61, with a degree of competency appropriate to the privileges granted to the holder of a helicopter winching rating referred to in regulation 61.33.3.”.

**Amendment of regulation 61.35.1 of Part 61 of the Regulations.**

52. Regulation 61.35.1 of the Regulations is herewith amended by-

- (a) the renumbering of the first sub-regulation as sub-regulation (1); and
- (b) the substitution for paragraph (a) of sub-regulation (1) of the following sub-regulation:

“(1) An applicant for an agricultural pilot rating must -

- (a) hold at least a valid Private Pilot Licence and in the event of acting for remuneration, hold at least a valid Commercial Pilot Licence;”.

**Amendment of regulation 61.36.2 of Part 61 of the Regulations**

53. Regulation 61.36.2 of the Regulations is herewith amended by the substitution for paragraph (a) of sub-regulation (1) of the following paragraph:

“(a) hold at least a valid Airline Transport Pilot Licence (aeroplane) and a valid Grade I flight instructor rating;”.



**Substitution of regulation 121.06.1 of Part 121 of the Regulations**

54. The following regulation is herewith substituted for regulation 121.06.1 of the Regulations:

**“Operating certificate**

121.06.1 The operator of a large commercial air transport aeroplane shall not operate the aeroplane unless such operator is the holder of, and in compliance with, a valid –

- (a) licence issued in terms of the Air Services Licensing Act, 1990, or the International Air Services Act, 1993; and
- (b) operating certificate issued by the Commissioner in terms of Regulation 121.06.3; and
- (c) operations specification as an attachment to the operating certificate which addresses at least the following operational and maintenance areas:
  - (i) Part A General provisions
  - (ii) Part B En-route authorisations and limitations
  - (iii) Part C Aerodrome authorisations and limitations
  - (iv) Part D Maintenance
  - (v) Part E Mass and balance
  - (vi) Part F Interchange of equipment operations
  - (vii) Part G Aircraft leasing operations.”.

**Substitution of regulation 121.06.2 of Part 127 of the Regulations**

55. The following regulation is herewith substituted for regulation 121.06.2 of the Regulations:

**“Application for operating certificate and operations specification**

121.06.2 An application for an operating certificate and operations specification shall be made to the Commissioner in a form and manner as prescribed by the Commissioner in Document SA-CATS-OPS 121 and shall be accompanied by the appropriate fee as prescribed in Part 187.”.

**Substitution of regulation 127.06.1 of Part 127 of the Regulations**

56. The following regulation is herewith substituted for regulation 127.06.1 of the Regulations:

**“Operating certificate**

127.06.1 The operator of a large commercial air transport aeroplane shall not operate the aeroplane unless such operator is the holder of and in compliance with, a valid –

- (a) licence issued in terms of the Air Services Licensing Act, 1990, or the International Air Services Act, 1993; and
- (b) operating certificate issued by the Commissioner in terms of Regulation 121.06.1; and
- (c) operations specification as an attachment to the operating certificate which addresses at least the following operational and maintenance areas:
  - (i) Part A General provisions
  - (ii) Part B En-route authorisations and limitations
  - (iii) Part C Aerodrome authorisations and limitations
  - (iv) Part D Maintenance
  - (v) Part E Mass and balance
  - (vi) Part F Interchange of equipment operations
  - (viii) Part G Aircraft leasing operations.”.

**Substitution of regulation 127.06.2 of Part 127 of the Regulations**

57. The following regulation is herewith substituted for regulation 127.06.2 of the Regulations:

**“Application for operating certificate and operations specification**

127.06.2 An application for an operating certificate and operations specification shall be made to the Commissioner in a form and manner as prescribed by the Commissioner in Document SA-CATS-OPS 127 and shall be accompanied by the appropriate fee as prescribed in Part 187.”.

**Substitution of regulation 135.06.1 of Part 135 of the Regulations**

58. The following regulation is herewith substituted for regulation 135.06.1 of the Regulations:

**“Operating certificate**

135.06.1 The operator of a large commercial air transport aeroplane shall not operate the aeroplane unless such operator is the holder of and in compliance with, a valid –

- (a) licence issued in terms of the Air Services Licensing Act, 1990, or the International Air Services Act, 1993; and

- (b) operating certificate issued by the Commissioner in terms of Regulation 135.06.3; and
- (c) operations specification as an attachment to the operating certificate which addresses at least the following operational and maintenance areas:
  - (i) Part A General provisions
  - (ii) Part B En-route authorisations and limitations
  - (iii) Part C Aerodrome authorisations and limitations
  - (iv) Part D Maintenance
  - (v) Part E Mass and balance
  - (vi) Part F Interchange of equipment operations
  - (vii) Part G Aircraft leasing operations.”.

### **Substitution of regulation 135.06.2 of Part 127 of the Regulations**

59. The following regulation is herewith substituted for regulation 135.06.2 of the Regulations:

#### **“Application for operating certificate and operations specification**

135.06.2 An application for an operating certificate and operations specification shall be made to the Commissioner in a form and manner as prescribed by the Commissioner in Document SA-CATS-OPS 135 and shall be accompanied by the appropriate fee as prescribed in Part 187.”.

### **Amendment of regulation 145.02.7 of Part 145 of the Regulations**

60. Regulation 145.02.7 of the Regulations is herewith amended by the substitution for sub-regulation (2) of the following sub-regulation:

“(2) The approval with the relevant rating shall be issued on the appropriate form and Operation Specifications as prescribed in document SA-CATS-AMO.”.

### **Amendment of regulation 145.03.7 of Part 145 of the Regulations**

61. Regulation 145.03.7 of the Regulations is herewith amended by the substitution for sub-regulation (2) of the following sub-regulation:

(2) The approval with the relevant rating shall be issued on the appropriate form and Operation Specifications as prescribed in document SA-CATS-AMO.”.

### **Amendment of regulation 145.04.7 of Part 145 of the Regulations**

62. Regulation 145.04.7 of the Regulations is herewith amended by the substitution for sub-regulation (2) of the following sub-regulation:

(2) The approval with the relevant rating shall be issued on the appropriate form and Operation Specifications as prescribed in document SA-CATS-AMO.”.

**Amendment of regulation 145.05.7 of Part 145 of the Regulations**

63. Regulation 145.05.7 of the Regulations is herewith amended by the substitution for sub-regulation (2) of the following sub-regulation:

(2) The approval with the relevant rating shall be issued on the appropriate form and Operation Specifications as prescribed in document SA-CATS-AMO.”.

**Amendment of regulation 145.06.7 of Part 145 of the Regulations**

64. Regulation 145.06.7 of the Regulations is herewith amended by the substitution for sub-regulation (2) of the following sub-regulation:

(2) The approval with the relevant rating shall be issued on the appropriate form and Operation Specifications as prescribed in document SA-CATS-AMO.”.

**Amendment of regulation 145.07.7 of Part 145 of the Regulations**

65. Regulation 145.07.7 of the Regulations is herewith amended by the substitution for sub-regulation (2) of the following sub-regulation:

(2) The approval with the relevant rating shall be issued on the appropriate form and Operation Specifications as prescribed in document SA-CATS-AMO.”.

**Amendment of regulation 145.08.7 of Part 145 of the Regulations**

66. Regulation 145.08.7 of the Regulations is herewith amended by the substitution for sub-regulation (2) of the following sub-regulation:

(2) The approval with the relevant rating shall be issued on the appropriate form and Operation Specifications as prescribed in document SA-CATS-AMO.”.

**Insertion of regulations 183.00.1A, 183.00.1B and 183.00.1C of Part 183 the Regulations**

67. The following regulations are herewith inserted after regulation 183.00.1 of Part 183 of the Regulations:

**“Qualification criteria for the Commissioner**

183.00.1A In considering whether to appoint a person as Commissioner under section 5(1) of the Act, the Minister must have regard to the following factors:

- (a) such person's management and technical knowledge and experience in a field related to aviation;
- (b) such person's fitness for the efficient discharge of the Commissioner's powers and duties;
- (c) any special skills, qualifications, expertise or experience in matters concerning aviation;
- (d) any other factor or factors which the Minister considers, in his or her reasonable discretion, to be appropriate."

### **Conflict of Interest for officers**

183.00.1B (1) Any person appointed to perform any function in terms of the Act or the Regulations must disclose to the Commissioner (and in the case of the Commissioner, to the Minister) details of all employment, positions, offices, allegiances, interests or any activities, which may compromise his or her independence in carrying out his or her duties and functions in terms of the Act or the Regulations.

(2) A person referred to in sub-regulation (1) or his or her spouse, immediate family member, life partner or business associate, may not hold any direct or indirect financial interest in any civil aviation activity or the civil aviation industry without a prior written approval of the Commissioner (or the Minister in the case of the Commissioner).

(3) Non-compliance with this regulation may result in the termination of such person's appointment.

### **Implementation of the provisions of the Act**

183.00.1C (1) Except to the extent that the Commissioner has powers, duties and functions under the Act or the Regulations, or the Minister has granted powers or assigned duties or functions to the Commissioner or any other person under the Act or the Regulations, the Convention and the International Air Transit Agreement, including the making of technical decisions related to aviation safety, in line with section 4(1) of the Act, vests solely in the Minister or his or her lawful delegate, to the exclusion of any other person.

(2) All powers, duties and functions assigned or granted to or imposed on the Commissioner under the Act and the Regulations must be performed by the Commissioner or his or her lawful delegate, as provided under regulation 183.00.1B to the exclusion of any other person, including the Authority, its Board and Chief Executive Officer.

(3) In the exercise of the powers and performance of duties referred to in sub-regulation (2), the Commissioner is accountable solely and directly to the Minister."

**Amendment of regulation 183.00.3 of the regulations**

68. Regulation 183.00.3 of the Regulations is herewith amended by the addition of the following sub-regulations after sub-regulation (2):

“(3) Notwithstanding the coming into operation of Part 61 on 1 January 2008, any application for the renewal or reissue of a licence, certificate or rating, which was issued in terms of the Air Navigation Regulations, 1976, and which is made in the period from 1 January 2008 to 30 June 2008, may be made and adjudicated upon according to the provisions of the said Regulations.

(4) As from 1 January 2008, any application for the issuing of a new licence, certificate or rating, shall be made and adjudicated upon in terms of the provisions of the Civil Aviation Regulations, 1997.

(5) Any person, who at the time of the coming into operation of Part 61, is holding credits for subjects passed for the acquisition of a pilot licence in terms of the Air Navigation Regulations, 1976, shall be permitted to complete the particular examinations under the terms as prescribed in the Air Navigation Regulations, 1976.

(6) As from 1 January 2009, all examinations for the acquisition of a pilot licence shall be conducted in terms of the Civil Aviation Regulations, 1997.

(7) Notwithstanding the provisions of regulation 27 of the Twenty-Seventh Amendment, published in the Government Gazette dated 13 July 2007, the provisions of item 5, relating to part 62 (national pilot licensing), shall come into operation on 1 July 2008.”.

**Amendment of Regulation 183.00.4 of the Regulations**

69. Regulation 183.00.4 of the Regulations is herewith amended by –

- (a) the deletion in sub-regulation (1) of paragraph (d);
- (b) the substitution for paragraph (a) of sub-regulation (4) of the following sub-paragraph:
  - “(a) Notwithstanding the provisions of sub-regulations (1), (2) and (3), Part 105, as well as Regulation 66.01.9 of Part 66, shall come into operation on a date to be determined by the Minister.”.

**Short title and commencement**

70. This Amendment is called the Thirtieth Amendment of the Civil Aviation Regulations, 1997, and comes into operation on 01 January 2008.