

No. R. 599

9 July 2010

PROPOSED AMENDMENT TO THE CIVIL AVIATION REGULATIONS, 1997

Under regulation 11.03.2(1)(a) of the Civil Aviation Regulations, the Chairperson of the Civil Aviation Regulations Committee (CARCOM) hereby publishes for comment the proposed amendments to the Civil Aviation Regulations, 1997, as set out in the schedules hereto. Any comments or representations on the proposed amendments should be lodged in writing with the Chairperson of the Regulations Committee, for attention Ms. Monica Sonjani or Mr. Herman Wildenboer, Private Bag 73 Halfway House, 1685, fax: (011) 545-1201, or e-mail at sonjanim@caa.co.za or wildenboerh@caa.co.za, before or on 09 August 2010

PROPOSAL FOR THE AMENDMENT OF PART 67 OF THE CIVIL AVIATION REGULATIONS, 1997**A. PROPOSER**

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1685

B. PROPOSER'S INTEREST

The proposer has been established in terms of the Civil Aviation Act, 2009, (Act No. 13 of 2009), to control and regulate civil aviation in South Africa and to oversee the functioning and development of the civil aviation industry, and, in particular, to control, regulate and promote civil aviation safety and security.

C. MOTIVATION

The current requirement has always been a typing error when the regulations were initially drafted. The current requirement does not make any sense from an aviation medical perspective, as the greatest risk to aviation safety related to crew pregnancy occurs during the first and the last trimesters. The proposed regulation aims to align the regulation with ICAO requirements and international best practice. The standards related to this regulation are detailed in the Document SA-CATS-MR.

D. GENERAL EXPLANATORY NOTE

Words in strike through indicate deletions from the existing regulations
Words underlined with a solid line indicate insertions in the existing regulations

1. PROPOSAL FOR THE AMENDMENT OF REGULATION 67.00.9

- 1.1 Regulation 67.00.9 is hereby amended by the substitution for sub-regulation (1) of the following sub-regulations:

“Duties of holder of medical certificate

67.00.9 (1) The holder of a medical certificate shall –

- (a) carry such medical certificate on his or her person when carrying out the duties as a flight crew member, an air traffic service personnel member or a cabin crew member, as the case may be;
 - (b) not under any circumstances act as a pilot-in-command, or in any other capacity as a flight crew member, an air traffic service personnel member or a cabin crew member, as the case may be –
 - (i) while he or she is aware of any medical condition which could affect the validity of such medical certificate;
 - (ii) while she is pregnant during periods and under circumstances as provided for in Document SA-CATS-MR”.
~~while he or she is receiving medical treatment, unless otherwise provided for in Document SA-CATS-MR;~~
 - (iii) if the holder has entered the thirtieth week of pregnancy; during the first trimester (from first week to end of twelfth week of pregnancy), and from the 27th week of the gestational period: Provided that this prohibition does not apply to an air traffic service personnel member;
 - (iv) if the holder has given birth in the preceding eight ~~six~~ weeks; or
 - (v) after such medical certificate has expired;
 - (c) without undue delay, notify the designated body or institution of any –
 - (i) injury;
 - (ii) hospitalisation;
 - (iii) surgical operation or invasive procedure;
 - (iv) regular use of medication;
 - (v) pregnancy;
 - (vi) absence due to illness for a period of more than 21 days; or
 - (vii) psychiatric treatment, which renders such holder unable to comply with the appropriate medical requirements and standards referred to in regulation 67.00.2(6).”.
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