

- (b) list the types of design work and the categories of products, parts and appliances or changes thereto, for which the approval is held; and
- (c) contain the functions and duties which the design organisation is approved to perform with regard to the airworthiness of products, parts and appliances.

Privileges

147.02.9 (1) Subject to the provisions of regulation 147.01.4, the Director may accept without further verification, any document submitted in terms of Part 21, by the holder of a design organisation approval to design products, parts and appliances or changes thereto, for the purpose of obtaining –

- (a) a type certificate or the approval of a major change to a type design;
- (b) a supplemental type certificate; or
- (c) a ZA-TSO authorisation.

(2) The holder of a design organisation approval shall be entitled to, within its terms of approval –

- (a) classify design changes as “major” or “minor” under a procedure approved by the Director;
- (b) obtain approval of minor design changes under modification procedures approved by the Director and issue corresponding information or instructions containing a statement that the technical content is approved;
- (c) when a major change to a type design has been approved by the Director, issue corresponding information or instructions containing a statement that the technical content is approved;
- (d) obtain approval of documentary changes to the MMEL and to the AFM under a procedure approved by the Director, and issue such changes containing a statement that the changes are approved; and
- (e) issue information or instructions not associated with changes except for actions required under Part 21.

Period of validity

147.02.10 (1) A design organisation approval shall be valid for the period determined by the Director, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Director.

(3) The holder of an approval which expires, shall forthwith surrender the approval to the Director.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

(5) The holder of an approval which is cancelled, shall, within 30 days from the date on which the approval is cancelled, surrender such approval to the Director.

Transferability

147.02.11 (1) Subject to the provisions of sub-regulation (2), a design organisation approval shall not be transferable.

(2) A change in ownership of the holder of an approval shall be deemed to be a change of significance referred to in regulation 147.02.12.

Changes in design control system

147.02.12 (1) If the holder of a design organisation approval desires to make any change in the design control system referred to in regulation 147.02.3, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, or to the airworthiness of the product, part or appliance, such holder shall apply to the Director for the approval of such change.

(2) The provisions of regulation 147.02.6 shall apply with the necessary changes to an application for the approval of a change in the design control system.

(3) An application for the approval of a change in the design control system shall be granted by the Director if the applicant satisfies the Director, upon submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 147.02.2 to 147.02.5 inclusive, after the implementation of such approved change.

Changes in terms of approval

147.02.13 (1) If the holder of a design organisation approval desires to make any change in the terms of approval referred to in regulation 147.02.8, such holder shall apply to the Director for the approval of such change.

(2) The provisions of regulation 147.02.6 shall apply with the necessary changes to an application for the approval of a change in the terms of approval.

(3) An application for the approval of a change in the terms of approval shall be granted by the Director if the applicant satisfies the Director that it complies with the appropriate requirements prescribed in this subpart.

Duties of holder of approval

147.02.14 The holder of a design organisation approval shall –

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 147.02.2, at each work location specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties;

- (d) continue to meet the appropriate requirements prescribed in this Part;
- (e) determine that the design of products, parts and appliances or changes thereto, as the case may be, comply with the appropriate requirements prescribed in Part 21 and have no unsafe feature; and
- (f) submit to the Director statements and supporting documents which confirm compliance with the provisions of paragraph (e).

Renewal of approval

147.02.15 (1) An application for the renewal of a design organisation approval shall be –

- (a) made in the prescribed form and manner ; and
- (b) accompanied by –
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 147.02.2.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

PART 148: MANUFACTURING ORGANISATIONS

List of regulations

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SUBPART 1: GENERAL

Applicability

148.01.1 (1) This Part applies to the approval and operation of manufacturing organisations that –

- (a) manufacture specified products, parts or appliances;
- (b) apply specified processes to products, parts or appliances; or
- (c) carry out specified tests on products, parts or appliances.

(2) This Part also prescribes rules governing the holders of such approvals for showing conformity of products, parts or appliances with the applicable approved data.

Eligibility

148.01.2 The Director shall approve an application for a manufacturing organisation approval if –

- (a) he or she is satisfied that for a defined scope of work, such an approval is appropriate for the purpose of showing conformity with a specific design; and
- (b) the applicant –
 - (i) holds, or has applied for, an approval of such a design; or
 - (ii) has a suitable arrangement with a holder of, or an applicant for, an approval of such a design; that ensures satisfactory co-ordination between production and design.

Display of manufacturing organisation approval

148.01.3 The holder of a manufacturing organisation approval shall display the approval in a prominent place at such holder's principal place of business, generally accessible to the public, and, if a copy of the approval is displayed, shall produce the original approval to an authorised officer, inspector or authorised person if so requested by such officer, inspector or person.

Advertisements

148.01.4 Any advertisement by an organisation, indicating that it is a manufacturing organisation, shall reflect the number of the manufacturing organisation approval issued by the Director.

Safety Inspections and audits

148.01.5 (1) An applicant for a manufacturing organisation approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits as may be necessary to verify the validity of any application made in terms of regulation 148.02.2.

(2) The holder of a manufacturing organisation approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits, including safety inspections and audits of its partners or subcontractors, which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

(3) Inspection and audit fees, as prescribed in Part 187, shall be payable in respect of the inspections referred to in sub-regulation (1), and for any inspection considered necessary by the Director in order to adjudicate on the suspension of an approval issued in terms of this Part.

Ratings

148.01.6 The ratings for a manufacturing organisation approval are –

- (a) an M rating, to manufacture specified products, parts or appliances;
- (b) a P rating, to apply specified processes to products, parts or appliances; and
- (c) a T rating, to carry out specified tests on products, parts or appliances.

Register of approvals

148.01.7 (1) The Director shall maintain a register of all manufacturing organisation approvals issued in terms of this Part.

(2) The register shall contain the following particulars –

- (a) full names of the holder of the approval;
- (b) postal address of the holder of the approval;
- (c) the date on which the approval was issued or renewed;
- (d) particulars of the rating issued to the holder of the approval; and
- (e) the nationality of the holder of the approval.

(3) The particulars, referred to in sub-regulation (2), shall be recorded in the register within seven days from the date on which the approval is issued.

(4) The register shall be kept in a safe place at the office of the Director.

(5) A copy of the register shall be furnished by the Director, on payment of the appropriate fee as prescribed in Part 187, to any person who requests the copy.

SUBPART 2: APPROVAL OF MANUFACTURING ORGANISATION

Approval requirements

148.02.1 The applicant for a manufacturing organisation approval must show, on the basis of the information submitted in the manual of procedures, requested in terms of regulation 148.02.5, that he or she meets the following requirements:

- (a) General:

The facilities, working conditions, equipment and tools, processes and associated materials, personnel numbers and competence, and general organisation have to be of such a nature as to ensure that manufacturing organisations are able to discharge the responsibilities in terms of regulation 148.02.13.

(b) Data:

- (i) The manufacturing organisation –
 - (aa) is in receipt of all approved data from the Director and from the holder of, or an applicant for, the approval of the type design, as appropriate, to determine conformity with the applicable design data; and
 - (bb) has a procedure to ensure that approved data are correctly incorporated in its production data;
- (ii) keeps above data up to date and has made it available to all personnel who need access to such data to perform their duties.

(c) Organisation:

- (i) A manager, accountable to the Director, has been nominated; with responsibility within the organisation to ensure that all production is performed to the required standards and that the production organisation is continuously in compliance with the data and procedures identified in the manual of procedures.
- (ii) A manager or group of managers has been nominated to ensure that the organisation is in compliance with the requirements of this Subpart, and who has or have been identified together with the extent of his, her or their authority. In this respect, such person or persons must be directly responsible to the manager identified in sub-paragraph (i) of this paragraph.
- (iii) Staff at all levels have been given appropriate authority to be able to discharge their allocated responsibilities with full and effective co-ordination within the production organisation in respect of airworthiness matters.

(d) Certifying staff:

- (i) Certifying staff is defined as those personnel who are authorised by the manufacturing organisation to sign the documents issued under the scope or terms of its approval. The knowledge, background (including other functions in the organisation), and experience of the certifying staff shall be appropriate to discharge their allocated responsibilities.
- (ii) The manufacturing organisation maintains a record of all certifying staff that shall include details of the scope of their authorisation.
- (iii) Certifying staff is provided with evidence of the scope of their authorisation.

Application

148.02.2 An application for the issuing, renewal or amendment of a manufacturing organisation approval shall:

- (a) be made to the Director in the appropriate prescribed form and shall include –
 - (i) an outline of the information required by regulation 148.02.5;
 - (ii) the terms of approval requested to be issued under regulation 148.02.9; and
- (b) be accompanied by the appropriate fee as prescribed in Part 187.

Issuing of approval

148.02.3 (1) The Director shall issue a manufacturing organisation approval if the applicant complies with the requirements of regulation 148.02.1.

(2) The approval with the relevant rating shall be issued on the appropriate prescribed form .

Quality system

148.02.4 (1) The manufacturing organisation shall show that it has established and can maintain a quality system, which has to be documented.

(2) This quality system shall be such as to enable the organisation to ensure that –

- (a) each product, part or appliance produced by the organisation or by its partners, or supplied from or subcontracted to outside parties, conforms to the applicable design data and is in a condition for safe operation;
- (b) the processing of products, parts or appliances is controlled and supervised to ensure conformation with the conditions of the approval; and
- (c) the testing of products, parts or appliances is controlled and supervised to ensure conformation with the conditions of the approval; and thus may exercise the privileges set forth in regulation 148.02.12.

(3) The quality system shall include, as applicable within the scope of approval, control procedures for those elements shown in document SA-CATS 148.

Manual of procedure

148.02.5 (1) An applicant for a manufacturing organisation approval shall provide the Director with his or her manual of procedure, which shall –

- (a) comply with the requirements prescribed in this Subpart;
- (b) contain the information prescribed in Document SA-CATS 148; and
- (c) be amended, as necessary to remain an up-to-date description of the organisation. Two copies of amendments shall be supplied to the Director.

Changes to the Organisation

148.02.6 (1) If the holder of a manufacturing organisation approval desires to make any change to the organisation, which is significant to the showing of compliance with the appropriate requirements prescribed in this Subpart, such holder shall apply to the Director for the approval of such change.

(2) The provisions of regulation 148.02.2 shall apply with the necessary changes to an application for the approval of a change to the organisation.

(3) An approval of a change to the organisation shall be granted by the Director if the applicant satisfies the Director, upon submission of appropriate proposed changes to its manual of procedure that he or she will continue to comply with the provisions of regulation 148.02.1 after the implementation of such approved change.

Changes in location

148.02.7 A change in the location of the manufacturing, processing or testing facilities of the approved manufacturing organisation shall be regarded as a change of significance to the organisation which shall, therefore, comply with the provisions of regulation 148.02.6.

Transferability

148.02.8 (1) Subject to the provisions of sub-regulation (2), a manufacturing organisation approval shall not be transferable.

(2) A change in ownership of the holder of an approval shall be deemed to be a change of significance to the organisation, referred to in regulation 148.02.6.

Terms of approval

148.02.9 The terms of approval shall –

- (a) be issued as part of the manufacturing organisation approval;
- (b) specify the rating(s) relevant for the activity of the organisation; and
- (c) specify the products or the categories of parts and appliances to be manufactured, processed or tested.

Changes to the terms of approval

148.02.10 (1) Application for a change to the terms of approval –

- (a) shall be made in a manner acceptable to the Director, as prescribed in document SA-CATS 148; and
- (b) be accompanied by the appropriate fee as prescribed in Part 187.

(2) The applicant shall comply with the provisions of regulations 148.02.5 and 148.02.6.

Period of validity

148.02.11 (1) A manufacturing organisation approval shall be valid for the period determined by the Director, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until –

- (a) the manufacturing organisation fails to demonstrate compliance with the applicable requirements of this Part; or
- (b) it expires or is suspended by an authorised officer, inspector, or authorised person, or cancelled by the Director; or
- (c) there is evidence that the manufacturing organisation cannot maintain satisfactory control of the manufacture, processing or testing of products, parts or appliances under the approval; or
- (d) the manufacturing organisation no longer meets the requirements of regulation 148.02.1; or the approval certificate has been revoked.

(2) The holder of an approval that is suspended shall forthwith produce the approval upon suspension thereof to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

(3) The holder of an approval that is revoked shall, within thirty (30) days from the date on which the approval is revoked, surrender such approval to the Director.

Privileges

148.02.12 The holder of a manufacturing organisation approval may, within the terms of approval issued in accordance with regulation 148.02.9:

- (a) in the case of a complete aircraft and upon presentation of an aircraft statement of conformity in the prescribed format, obtain a certificate of airworthiness (standard or export) in accordance with Part 21 Subpart B without further showing;
- (b) in the case of any other Class I product and upon presentation of a statement of conformity in the format as prescribed in Document SA-CATS 148, obtain from the Director an authorised release certificate without further showing;
- (c) in the case of products, parts or appliances, other than a Class I product, issue authorised release certificates in the format as prescribed by the Director without further showing; and
- (d) carry out maintenance on a new aircraft produced by the organisation to the extent necessary to keep it in an airworthy condition, and that does not require an approval in terms of Part 145, and issue a certificate of release to service in respect of such maintenance in accordance with Part 43.

Duties of approval holders

148.02.13 The holder of a manufacturing organisation approval shall:

- (a) ensure that the manufacturing organisation's manual of procedure, furnished in accordance with regulation 148.02.5 and the documents to which it refers, are used as the basic working documents within the organisation;
- (b) maintain the manufacturing organisation in conformity with the data and procedures approved for the manufacturing organisation approval;
- (c) determine that –
 - (i) each completed aircraft conforms to the type design and is in condition for safe operation prior to submitting statements of conformity to the Director; or
 - (ii) other products, parts or appliances are complete and conform to the approved design data and are in condition for safe operation for the issuing of authorised release certificates to certify airworthiness or conformity, as applicable;
- (d) record all details of work carried out in a form acceptable to the Director;
- (e) report to the holder of the type certificate or design approval all cases where products, parts or appliances have been released by the manufacturing organisation and subsequently identified to have deviations from the applicable design data, and investigate with the holder of the type certificate or design approval to identify those deviations that may lead to an unsafe condition;

- (f) provide assistance to the holder of the type certificate or design approval in dealing with any continuing airworthiness actions that are related to the products, parts or appliances that have been produced;
- (g) institute an archiving system incorporating requirements to its partners, suppliers and subcontractors, ensuring conservation of the data used to justify conformity of the products, parts or appliances, to be held at the disposal of the Director and be retained in order to provide the information necessary to ensure the continuing airworthiness of the products, parts or appliances; and
- (h) where under the terms of approval, a certificate of release to service is to be issued, determine that each completed aircraft has been subjected to necessary maintenance and is in a condition for safe operation, prior to the issuing of the certificate.

Renewal of approval

148.02.14 An application for the renewal of a manufacturing organisation approval to manufacture products, part or appliance, shall be –

- (a) made to the Director in the appropriate prescribed form; and
- (b) accompanied by –
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 148.02.5.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

PART 149: AVIATION RECREATION ORGANISATIONS

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149.02.16	Operational and maintenance procedures

SUBPART 1: GENERAL

Applicability

149.01.1 (1) This Part applies to the approval and operation of organisations whose members operate, for recreational purposes, –

- (a) microlight aeroplanes and powered paragliders;
- (b) gliders;
- (c) free balloons;
- (d) gyroplanes;
- (e) hang gliders and non-powered paragliders;
- (f) parachutes; or
- (g) non-certificated aircraft.

(2) This Part does not apply to –

- (a) the holder of an air service licence issued in terms of the Air Services Licensing Act, 1990;
- (b) any person who wishes to operate an air service as defined in section 1 of the Air Services Licensing Act, 1990; or
- (c) any person exempted by the Director in terms of Part 11.

Designation of body or Institution

149.01.2 (1) The Director may designate a body or institution to –

- (a) establish safety standards relating to aviation recreation;
- (b) exercise control over an aviation recreation organisation designated under the provisions of this Part;
- (c) determine standards for the operation or airworthiness of aircraft involved in aviation recreation;
- (d) issue special flight permits;
- (e) determine standards for the licensing of personnel involved in aviation recreation;

- (f) issue licences to such personnel; and
- (g) advise the Director on any matter connected with the operation or airworthiness of aircraft or the licensing of personnel involved in aviation recreation.

(2) The designation referred to in sub-regulation (1) shall be made in writing and shall be published in the *Gazette* within 30 days from the date of such designation.

(3) The powers and duties referred to in sub-regulation (1) shall be exercised and performed according to the conditions, rules, requirements, procedures or standards as prescribed in Document SA-CATS 149.

Display of aviation recreation organisation approval

149.01.3 The holder of an aviation recreation organisation approval shall display the approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the approval is displayed, shall produce the original approval to an authorised officer, inspector or authorised person if so requested by such officer, inspector or person.

Advertisements

149.01.4 Any advertisement by an organisation indicating that it is an aviation recreation organisation, shall –

- (a) reflect the number of the aviation recreation organisation approval issued by the Director; and
- (b) contain a reference to the aviation recreation for which such approval was issued.

Safety inspections and audits

149.01.5 (1) An applicant for an aviation recreation organisation approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to verify the validity of any application made in terms of regulation 149.02.6.

(2) The holder of an aviation recreation organisation approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

Register of approvals

149.01.6 (1) The Director shall maintain a register of all aviation recreation organisation approvals issued in terms of these regulations .

(2) The register shall contain the following particulars –

- (a) the full name of the holder of the approval;
- (b) the postal address of the holder of the approval;

- (c) the date on which the approval was issued or renewed;
- (d) particulars of the scope of the approval issued to the holder of the approval; and
- (e) the nationality of the holder of the approval.

(3) The particulars referred to in sub-regulation (2) shall be recorded in the register within seven days from the date on which the approval is issued.

(4) The register shall be kept in a safe place at the office of the Director.

(5) A copy of the register shall be furnished by the Director, on payment of the appropriate fee as prescribed in Part 187, to any person who requests the copy.

SUBPART 2 : APPROVAL OF AVIATION RECREATION ORGANISATION

Requirement of approval

149.02.1 No organisation shall undertake aviation recreation except under the authority of, and in accordance with the provisions of, an aviation recreation organisation approval issued under this Subpart.

Manual of procedure

149.02.2 An applicant for an aviation recreation organisation approval shall provide the Director with its manual of procedure which shall –

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS 149.

Quality assurance system

149.02.3 (1) The applicant shall establish a quality assurance system for the control and supervision of the aviation covered by the application.

(2) The minimum standards for a quality assurance system shall be as prescribed in Document SA-CATS 149.

Personnel requirements

149.02.4 (1) The applicant shall engage, employ or contract –

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:

- (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Director with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Director, and to facilitate liaison between the Director and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and
- (c) adequate personnel to carry out and supervise the aviation recreation covered by the application.
- (2) The applicant shall –
- (a) establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel authorised by the applicant to carry out and supervise the aviation recreation covered by the application; and
 - (b) provide the personnel referred to in paragraph (a) with written proof of the scope of their authorisation.

Resource requirements

149.02.5 The applicant shall ensure that the resources are adequate to enable the personnel to carry out and supervise the aviation recreation covered by the application.

Application for approval or amendment thereof

149.02.6 An application for the issuing of an aviation recreation organisation approval or an amendment thereof, shall be –

- (a) made to the Director in the appropriate prescribed form; and
- (b) accompanied by –
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 149.02.2.

Issuing of approval

149.02.7 (1) The Director shall issue an aviation recreation organisation approval if the applicant complies with the requirements prescribed in regulations 149.02.2 to 149.02.5 inclusive.

(2) The Director shall issue the approval on the appropriate prescribed form.

Scope of approval

149.02.8 An aviation recreation organisation approval shall specify –

- (a) the aviation recreation which the holder of the approval is entitled to undertake; and
- (b) the procedures which the holder of the approval is authorised to establish and administer.

Period of validity

149.02.9 (1) An aviation recreation organisation approval shall be valid for the period determined by the Director, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Director.

(3) The holder of an approval which expires, shall forthwith surrender the approval of the Director.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

(5) The holder of an approval which is cancelled, shall, within 30 days from the date on which the approval is cancelled, surrender such approval to the Director.

Transferability

149.02.10 (1) Subject to the provisions of sub-regulation (2), an aviation recreation organisation approval shall not be transferable.

(2) A change in ownership of the holder of an approval to undertake aviation recreation, shall be deemed to be a change of significance referred to in regulation 149.02.11.

Changes in quality assurance system

149.02.11 (1) If the holder of an aviation recreation organisation approval desires to make any change in the quality assurance system referred to in regulation 149.02.3, which is significant to

the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Director for the approval of such change.

(2) The provisions of regulation 149.02.6 shall apply with the necessary changes to an application for the approval of a change in the quality assurance system.

(3) An application for the approval of a change in the quality assurance system shall be granted by the Director if the applicant satisfies the Director, upon submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 149.02.2 to 149.02.5 inclusive, after the implementation of such approved change.

Renewal of approval

149.02.12 (1) An application for the renewal of an aviation recreation organisation approval shall be –

- (a) made to the Director in the appropriate prescribed form ; and
- (b) accompanied by –
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 149.02.2.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

Duties of holder of approval

149.02.13 The holder of an aviation recreation organisation approval shall –

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 149.02.2, at each recreation facility specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties; and
- (d) continue to comply with the appropriate requirements prescribed in this Part.

Technical and regulatory data

149.02.14 (1) The holder of an aviation recreation organisation approval shall keep copies of all relevant equipment manuals, technical bulletins and instructions, legislation, and any other documents which may be necessary to establish procedures for the aviation recreation specified in its manual of procedure.

(2) The holder of the approval shall establish procedures to control and amend the documents referred to in sub-regulation (1).

(3) The procedures referred to in sub-regulation (2) shall ensure that –

- (a) all documents are reviewed and authorised before the issuing thereof;
- (b) changes to documents are reviewed and authorised by the holder of the approval;
- (c) the current version of each document can be identified to preclude the use of out of date editions;
- (d) current issues of data and documents are held by those personnel within the aviation recreation organisation who require such data and documents to carry out their duties; and
- (e) obsolete documents are promptly removed from circulation.

Records

149.02.15 (1) The holder of an aviation recreation organisation approval shall establish procedures to identify, collect, index, store, maintain and dispose of, the records which are necessary for the aviation recreation specified in its manual of procedure.

(2) The procedures referred to in sub-regulation (1) shall ensure that –

- (a) a record is kept of each quality control review of the holder of the approval;
- (b) all records are legible; and
- (c) all records are kept for a period of at least five years calculated from the date of the last entry made in such records.

Operational and maintenance procedures

149.02.16 (1) The holder of an aviation recreation organisation approval which authorises operational and maintenance procedures to be established, shall establish operational and maintenance procedures for the aviation recreation specified in its manual of procedure.

(2) The procedures referred to in sub-regulation (1) shall –

- (a) be relevant and not in conflict with the appropriate procedures prescribed in the Regulations; and
- (b) be administered to ensure that the requirements –
 - (i) remain valid for their intended use; and
 - (ii) are reviewed on a regular basis.

(3) The procedures referred to in sub-regulation (1) shall include details of –

- (a) the manner in which the holder selects launching, flying and landing sites;
- (b) the holder's use of ground signals;
- (c) the holder's use of aerodromes or heliports;
- (d) the holder's launching methods; and
- (e) an emergency response plan.

**PART 171: AERONAUTICAL TELECOMMUNICATION SERVICE PROVIDERS
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SUBPART 1: GENERAL

Applicability

171.01.1 This Part prescribes the –

- (a) regulatory requirements and standards for the approval of organisations that provide, operate, and maintain aeronautical telecommunications used for air traffic services, and radio-navigation services used for air navigation; and
- (b) operating and technical standards for aeronautical telecommunication services used for air traffic services, and aeronautical radio-navigation services used for air navigation.

Requirement for approval

171.01.2 (1) No person or organisation shall install, maintain, repair, modify or calibrate –

- (a) equipment for the use of aeronautical telecommunication services used for air traffic services; or
- (b) equipment for the use of aeronautical radio-navigation services, used for air navigation,

except, under the authority of, and in accordance with the provisions of, an electronic services organisation approval with the appropriate rating issued under this Part and in accordance with the requirements prescribed in Document SA-CATS 171.

Display of electronic services organisation approval

171.01.3 The holder of an electronic services organisation approval shall display the approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the approval is displayed, shall produce the original approval to an authorised officer, inspector or authorised person if so requested by such officer, inspector or person.

Advertisements

171.01.4 Any advertisement by an organisation indicating that it is an electronic services organisation, shall –

- (a) reflect the number of the electronic services organisation approvals issued by the Director; and
- (b) contain a reference to the category for which the organisation is rated.

Safety inspections and audits

171.01.5 (1) An applicant for the issuing of an electronic services organisation approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits, which may be necessary to verify the validity of any application made in terms of this Part.

(2) The holder of an electronic services organisation approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits, including safety inspections and audits of its partners or subcontractors, which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

Categories of ratings

171.01.6 The categories of ratings for an electronic services organisation approval are –

- (a) Category A rating;
- (b) Category B rating which allows for the supply and installation of any electronic equipment used for air traffic, and for air navigation services that form part of a service approved under Part 172 and level 3 maintenance, including commissioning, decommissioning, refurbishing and upgrading of telecommunication, surveillance and navigation systems to the standard prescribed in the document SA-CATS 171; and
- (c) Category F rating which allows for the flight inspection of any electronic equipment used for air traffic, surveillance and for air navigation services to which the Director may have a requirement, to the standard prescribed in the document SA-CATS 171.

Privileges of approved electronic services organisation

171.01.7 The holder of an electronic services organisation approval with the appropriate rating shall ensure that the privileges of such rating are not exercised unless the electronic services organisation has the necessary facilities, current technical data, tools, equipment, materials and qualified personnel to perform the work in accordance with all current requirements regarding the maintenance of the particular type of equipment.

Limitations on approved electronic services organisation

171.01.8 (1) The holder of an electronic services organisation approval may only maintain equipment for which it is approved.

(2) The holder of an approval shall not maintain equipment for which it is approved unless such holder has available all the facilities, equipment, tooling, technical data and qualified personnel necessary to maintain the equipment in accordance with its manual of procedure and the requirements prescribed in this Part.

Register of approvals

171.01.9 (1) The Director shall maintain a register of all electronic services organisation approvals issued in terms of these regulations..

(2) The register shall contain the following particulars –

- (a) The full name of the holder of the approval;
- (b) the postal address and physical address of the holder of the approval;
- (c) the date on which the approval was issued or renewed;
- (d) particulars of the rating issued to the holder of the approval.

(3) The particulars referred to in sub-regulation (2) shall be recorded in the register within seven days from the date on which the approval is issued.

(4) The register shall be kept in a safe place at the office of the Director.

(5) A copy of the register shall be furnished by the Director, on payment of the appropriate fee as prescribed in Part 187, to any person who requests the copy.

SUBPART 2: APPROVAL OF ELECTRONIC SERVICES ORGANISATION

Manual of procedure

171.02.1 An applicant for the issuing of an electronic services organisation approval shall provide the Director with its manual of procedure, which shall –

- (a) comply with the requirements prescribed in this Subpart; and
- (b) contain the information as prescribed in Document SA-CATS 171.

Quality assurance system

171.02.2 (1) The applicant shall establish a quality assurance system for the control and supervision of the management of electronic equipment, covered by the application.

(2) The minimum standards for a quality assurance system shall be as prescribed in Document SA-CATS 171.

Accommodation and facilities

171.02.3 The applicant shall satisfy the Director that –

- (a) it has adequate facilities for all services to be performed by the electronic services organisation;
- (b) the working environment is appropriate for each task carried out and, in particular, complies with any special requirements specified in the applicable equipment specification;
- (c) appropriate office accommodation is provided for the administration of the services performed and, in particular, for the administration of the organisation's safety, planning and technical records;
- (d) storage facilities are provided for parts, equipment, tools and materials required by the organisation.

Personnel requirements

171.02.4 (1) The applicant shall engage, employ or contract –

- (a) a senior person identified as the accountable manager and compliance officer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with the Director with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Director, and to facilitate liaison between the Director and the organisation concerned; and
 - (v) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
 - (b) a competent person who is responsible for safety management, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting aviation safety; and
 - (c) adequate personnel to plan, perform, supervise, inspect and certify all services undertaken by such organisation.
- (2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising, inspecting or certifying the maintenance undertaken by the organisation.
- (3) The applicant shall ensure that –

- (a) the personnel in all technical departments are of sufficient numbers and experience and have been given appropriate written authority to be able to discharge their allocated responsibilities; and
- (b) there is full and efficient coordination between departments and within departments.

Equipment, tools and material

171.02.5 The applicant shall satisfy the Director that it has –

- (a) the equipment, tools and material necessary to perform adequately the approved scope of work as required by the applicable equipment specification, its manual of procedure and the Regulations in this Part; and
- (b) established a procedure to control and, where necessary, calibrate test equipment at a frequency and to a standard to ensure serviceability, accuracy and traceability.

Application for approval or amendment thereof

171.02.6 An application for the issuing of an electronic services organisation approval, or an amendment thereof, shall be –

- (a) made to the Director in the appropriate prescribed form ; and
- (b) accompanied by –
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 171.02.1.

Issuing of approval

171.02.7 (1) The Director shall issue an electronic services organisation approval, if the applicant complies with the requirements prescribed in regulations 171.02.1 to 171.02.5 inclusive.

(2) The Director shall issue the approval on the appropriate form as prescribed.

Privileges

171.02.8 The privileges of an electronic services organisation approval shall be limited to services authorised by the approval and the appropriate specifications as prescribed in Document SA-CATS 171.

Period of validity

171.02.9 (1) An electronic services organisation approval shall be valid for the period determined by the Director, which period shall not exceed five years, calculated from the date of issuing or renewal thereof.

- (2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Director.
- (3) The holder of an approval, which expires, shall forthwith surrender the approval to the Director.
- (4) The holder of an approval, which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.
- (5) The holder of an approval, which is cancelled, shall, within 30 days from the date on which the approval is cancelled, surrender such approval to the Director.

Transferability

171.02.10 (1) Subject to the provisions of sub-regulation (2), an electronic services organisation approval shall not be transferable.

(2) A change in ownership of the holder of an approval shall be deemed to be a change of significance referred to in regulation 171.02.12.

Renewal of approval

171.02.11 (1) An application for the renewal of an electronic services organisation approval, shall be –

- (a) made to the Director in the appropriate prescribed form ; and
- (b) be accompanied by –
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 171.02.1.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

Changes in quality assurance system

171.02.12 (1) If the holder of an electronic services organisation approval desires to make any change in the quality assurance system referred to in regulation 171.02.2, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, such holder shall apply to the Director for the approval of such change.

(2) The provisions of regulation 171.02.6 shall apply with the necessary changes to an application for the approval of a change in the quality assurance system.

(3) An application for the approval of a change in the quality assurance system shall be granted by the Director if the applicant satisfies the Director, upon submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 171.02.1 to 171.02.5 inclusive, after the implementation of such approved change.

Duties of holder of approval

171.02.13 (1) The holder of an electronic services organisation approval shall –

- (a) hold at least one complete and current copy of its manual of procedure referred to in regulation 171.02.1, at each workplace specified in the manual of procedure;
- (b) comply with all procedures detailed in the manual of procedure;
- (c) make each applicable part of the manual of procedure available to the who require those parts to carry out their duties; and
- (d) continue to comply with the appropriate requirements prescribed in this Part.

(2) The holder of an approval shall ensure that all persons who will be directly in charge of any maintenance, inspection or commissioning performed on behalf of the electronic services organisation are appropriately authorised and rated.

Record of authorised personnel

171.02.14 (1) The holder of an electronic services organisation shall maintain a record of all authorised personnel, which record shall include particulars of the scope of their authorisation.

(2) The holder of an approval to provide its authorised personnel with evidence of the scope of their authorisation.

(3) The record referred to in sub-regulation (1) shall be retained by the holder of the approval for a period of five years from the date on which the personnel member ceases to be an employee.

Services records

171.02.15 (1) The holder of an electronic services organisation approval shall keep adequate records of all services performed by such organisation.

(2) The records referred to in sub-regulation (1) shall –

- (a) indicate the name of each person who performed the work;
- (b) indicate the name of each person who inspected the work; and
- (c) be retained for at least five years from the date on which the electronic or electronic component to which the work relates, was released to service.

(3) The holder of an approval provide a copy of each certificate of release to service to the operator of the electronic, together with a copy of any specific equipment specification used for repairs or modifications carried out.

(4) The holder of an approval shall establish a procedure for recording maintenance details and for the retention of such maintenance records.

Equipment specification

171.02.16 (1) The holder of an electronic services organisation approval shall –

- (a) keep all equipment specification and documentation necessary to support the services to be performed by the organisation; and
- (b) make the equipment specification and documentation available to all personnel who need access to such data to discharge their allocated responsibilities.

SUBPART 3: COMMUNICATION, NAVIGATION, SURVEILLANCE AND METEOROLOGICAL EQUIPMENT

Radio site approval

171.03.1 (1) No radio site shall be allowed to come into existence without the prior approval of the Director.

(2) An application for approval shall be made to the Director on the appropriate form and shall comply with the requirements prescribed in SA-CATS 171.

(3) An approval shall be granted if the Director being satisfied:

- (a) as to the intended purpose of the equipment; and
- (b) that the person or organisation is competent to operate the equipment and that the equipment is fit for its intended purpose.

(3) The Director shall be notified to the type and availability of operation, of any service, which is available for use by any aircraft.

(4) The Director may approve a person or organisation to provide particular services in connection with approved equipment.

(5) The Director may require the flight calibration and/or commissioning of such equipment by an authorised person or organisation.

(6) The Director may require that the information in sub-regulation (3) be published.

Frequencies, identification codes and call signs

171.03.2 (1) No person shall operate –

- (a) a radio navigation aid, unless it has been allocated an operating frequency and identification code by the Director;
- (b) a radio communication transmitter on an aeronautical radio frequency, unless it has been allocated an operating frequency and call sign by the Director;
- (c) a radio apparatus licence has been granted in terms of the Electronic Communications Act, 2005 (Act No. 36 of 2005).

(2) The Director shall allocate an identification code for a navigation aid or call sign for a aeronautical radio communication facility if he or she is satisfied that the allocation of a code or call sign is not contrary to the interest of aviation safety.

Protection of radio sites

171.03.3 No structure or object, whether natural or artificial, which have the potential of interfering or degrading radio signals for the purpose of aviation safety, shall be allowed to come in existence or to move or be moved within the surfaces and slopes as prescribed in the Document SA-CATS 171.

Interference

171.03.4 (1) The Director shall be notified of any electromagnetic interference to any facility providing radio signals for the purpose of aviation safety, or any source of interference degrading radio signals for the purpose of aviation safety.

(2) The Director shall investigate, or cause to be investigate, all reports of interference and may require further action to be taken.

Information provided by an aeronautical facility

171.03.5 No facility providing radio signals for the purpose of aviation safety shall be allowed to continue in operation, if there is a suspicion or any cause to suspect that the information being provided by that facility is erroneous.

Test transmissions

171.03.6 (1) No test transmission for the purpose of evaluating a radio site, or the operational viability of a facility or equipment, for the purpose of aviation safety, shall be done without the prior approval of the Director.

(2) The Director shall be notified as to the purpose and duration of such test transmissions.

(3) Test transmissions shall contain information indicating that it is a test transmission and comply with the requirements prescribed in Document SA-CATS 171.

(4) Frequencies allocated for the purpose of testing shall be valid for the duration of the test only and shall not be deemed to negate the requirement in regulation 171.03.2.

(5) The operation of a temporary facility shall not cause any interference with any other operational facility.

Specifications regarding navigation aids

171.03.7 Navigation Aids shall comply with the Electronic Communications Act, 2005 and the technical standards prescribed in Document SA-CATS 171.

Specifications regarding communication procedures

171.03.8 Communication procedures shall comply to the standards prescribed in Document SA-CATS 171.

Specifications data and voice communication systems

171.03.9 Data and voice communication systems shall comply with the Electronic Communications Act, 2005 and the technical standards prescribed in Document SA-CATS 171.

Specifications regarding surveillance and collision avoidance systems

171.03.10 Surveillance and collision avoidance systems shall comply with the Electronic Communications Act, 2005 and the technical standards prescribed in Document SA-CATS 171.

Specifications regarding radio frequency spectrum utilisation

171.03.11 Radio frequency spectrum utilisation shall comply with the Electronic Communications Act, 2005 and the standards prescribed in Document SA-CATS 171.

Specifications regarding meteorological equipment

171.03.12 Meteorological equipment shall comply with the standards prescribed in Document SA-CATS 171.

Flight inspection of navigation equipment

171.03.13 Navigation equipment is subject to commissioning and periodic flight inspection as prescribed in Document SA-CATS 171.

Station (site) logs

171.03.14 Site logs shall be kept for all facilities used to provide an aeronautical telecommunication service or a radio navigation service as prescribed in Document SA-CATS 171.

PART 172 : AIRSPACE AND AIR TRAFFIC SERVICES

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SUBPART 1: GENERAL**Applicability**

172.01.1 This Part applies to –

- (a) the allocation of air traffic services;
- (b) the designation and classification of airspace;
- (c) the approval and operation of ATSUs which provide air traffic services;
- (d) the designation of search and rescue regions; and
- (e) the provision of search and rescue services within those regions, and matters

Allocation of air traffic services

172.01.2 (1) The Director shall determine the portions of airspace and the aerodromes which shall be provided with air traffic services to –

- (a) prevent collisions between aircraft;
- (b) prevent collisions between aircraft on the manoeuvring area of the aerodrome concerned and obstructions on such area;
- (c) expedite and maintain an orderly flow of air traffic;
- (d) provide advice and information useful for the safe and efficient conduct of flights; and
- (e) provide search and rescue and related support services.

(2) The need for the provision of air traffic services and the discontinuation thereof shall be determined after consideration of *inter alia*:

- (a) The sustainable commercial viability of a proposed air traffic service, including the costs incurred in setting up the service as well as the projected maintenance costs;
- (b) Forecast of air traffic movements and their composition;
- (c) The level of communication services available;
- (d) The adequacy of appropriate surveillance;
- (e) The availability of flight information systems;
- (f) The proximity of other aerodromes;
- (g) Surrounding terrain;
- (h) Navigation and approach systems;
- (i) Abnormal circuit patterns;
- (j) The flexibility of use of airspace;
- (k) Environmental aspects;
- (l) Seasonal weather patterns;
- (m) National security requirements; and
- (n) Any other factors which may be relevant.

(3) The study, referred to in sub-regulation (2), shall be accompanied by a detailed business case, safety case and risk assessment, must be conducted in accordance with Document SA-CATS 172.

Providing of an ATS at own initiative

172.01.3 The provisions of regulation 172.01.2(2) does not preclude an aerodrome licence holder from providing at his or her own initiative air traffic services that comply with the minimum required level.

Requirement for ATSU approval

172.01.4 No ATSU shall provide air traffic services including –

- (a) aerodrome control services;
- (b) approach control services;
- (c) area control services;
- (d) approach surveillance services;
- (e) area surveillance control services;
- (f) flight information services; and
- (g) aerodrome flight information service,

in those portions of airspace and the aerodromes determined by the Director in terms of regulation 172.01.2, except under the authority of and in accordance with the provisions of an ATSU approval issued under this Part.

Display of ATSU approval

172.01.5 The holder of an ATSU approval shall display the approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the approval is displayed, shall produce the original approval to an ATS inspector if so requested by such inspector.

Safety inspections and audits

172.01.6 (1) An applicant for an ATSU approval shall permit an ATS inspector to carry out such safety inspections and audits which may be necessary to verify the validity of any application made in terms of regulation 172.03.5.

(2) The holder of an ATSU approval shall permit an ATS inspector to carry out such safety inspections and audits which may be necessary to determine compliance with the appropriate requirements prescribed in this part.

Register of approvals

172.01.7 (1) The Director shall maintain a register of all ATSU approvals issued in terms of the regulations in this Part.

(2) The register shall contain the following particulars:

- (a) The full name of the holder of the approval;
- (b) the business address of the holder of the approval;
- (c) the postal address of the holder of the approval;
- (d) the date on which the approval was issued or renewed;
- (e) the type of ATS in respect of which the approval was issued;
- (f) the date on which the approval was suspended, if applicable; and
- (g) the date on which the approval expires.

(3) The particulars referred to in sub-regulation (2) shall be recorded in the register within seven days from the date on which the approval is issued.

(4) The register shall be kept in a safe place at the office of the Director.

(5) A copy of the register shall be furnished by the Director, on payment of the appropriate fee as prescribed in Part 187, to any person who requests the copy.

Substitute ATS provider

172.01.8 The Director may, if the Director considers it necessary in the interests of aviation safety, appoint the holder of an ATSU approval as a substitute ATS provider to provide an ATS in respect on an approval which has been suspended by an ATS inspector for the duration of such suspension

SUBPART 2: DESIGNATION AND CLASSIFICATION OF AIRSPACE

Designation of airspace

172.02.1 (1) The Director may designate a particular portion of the airspace as a –

- (a) flight information region;
- (b) advisory area;
- (c) control area;
- (d) control zone;
- (e) special rules area;
- (f) aerodrome traffic area;
- (g) aerodrome traffic zone;
- (h) prohibited area;
- (i) restricted area; or
- (j) danger area.

(2) A particular portion of the airspace must only be designated in terms of sub-regulation (1) –

- (a) after consultation with the National Airspace Committee instituted in terms of Part 11; and

(b) in relation to the air traffic services which are to be provided.

(3) The Director must publish the designation of a particular portion of the airspace in accordance with the AIRAC cycle in the AIP, AIP SUP or NOTAM.

(4) The Director may, on a temporary basis, designate a particular portion of the airspace after consultation with all ATS providers operating in the designated portions of the airspace adjacent to such portion.

Classification of airspace and level of service provision

172.02.2 (1) The Director may classify airspace in accordance with the classes as prescribed in Document SA-CATS 172, for the purposes of providing air traffic services, and may also prescribe the type of air traffic surveillance systems and the level of air traffic services to be implemented in such airspace.

(2) The Director shall publish the classification of airspace in accordance with the AIRAC cycle in the AIP, AIP SUP or NOTAM.

Designation of control areas

172.02.3 (1) The Director shall, when designating a particular portion of the airspace as a control area in terms of regulation 172.02.1, prescribe the horizontal and vertical limits of such area.

(2) The lowest limit of designated control areas shall be at least 700 feet above the ground or water.

(3) Control zones and aerodrome traffic zones shall extend upwards from the surface of the earth.

Designation of flight information regions

172.02.4 The Director shall, when designating a particular portion of the airspace as a flight information region in terms of regulation 172.02.1, prescribe the borders of such region and make such designation in accordance with the requirements as prescribed in document SA-CATS 172.

Designation of advisory areas

172.02.5 The Director shall, when designating a particular portion of the airspace as an advisory area in terms of regulation 172.02.1, prescribe the horizontal and vertical limits of such area.

SUBPART 3: APPROVAL OF AIR TRAFFIC SERVICE UNIT

Manual of procedure

172.03.1 An applicant for an ATSU approval to provide air traffic services, shall provide the Director with its manual of procedure which shall –

- (a) comply with the requirements prescribed in this subpart; and
- (b) contain the information as prescribed in Document SA-CATS 172.

Quality assurance system

172.03.2 (1) The applicant shall establish a quality assurance system for the control and supervision of the services covered by the application.

(2) The minimum standards for a quality assurance system shall be as prescribed in Document SA-CATS 172.

Personnel requirements

172.03.3 (1) The applicant shall engage, employ or contract –

- (a) a senior person identified as the accountable manager and compliance officer of the unit concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the unit are carried out in accordance with the applicable requirements prescribed in this subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) Unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the unit;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (i) a duty to establish liaison mechanisms with the Director with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Director, and to facilitate liaison between the Director and the unit concerned; and
 - (v) powers to report directly to the management of the unit on his or her investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) standards officer who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting aviation safety; and

- (c) adequate licensed personnel to plan, provide and supervise the services listed in its manual of procedure, in a safe and efficient manner.

(2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of the personnel required to operate and maintain the unit concerned.

(3) The applicant shall ensure that its personnel are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities.

Facility requirements

172.03.4 The applicant shall ensure that all facilities used in the provision of the services listed in its manual of procedure are adequate to comply with the requirements as prescribed in Document SA-CATS 172.

Application for approval or amendment thereof

172.03.5 An application for an ATSU approval or an amendment thereof, shall be –

- (a) made to the Director on the appropriate prescribed form; and
- (b) accompanied by –
 - (i) the manual of procedure referred to in regulation 172.03.1; and
 - (ii) the appropriate fees prescribed in Part 187.

Issuing of approval

172.03.6 (1) The Director shall issue an ATSU approval if the applicant complies with the requirements prescribed in regulations 172.03.1 to 172.03.4 inclusive.

(2) The Director shall issue the approval on the appropriate prescribed form.

(3) The approval shall authorise the provision of –

- (a) a single ATS by means of a single ATSU; or
- (b) a combination of air traffic services by means of a network of ATSUs.

Scope of approval

172.03.7 The holder of an approval shall be entitled to provide one or a combination of the services listed in its manual of procedure.

Period of validity

172.03.8 (1) An approval shall be valid for a period of one year, calculated from the date of issuing or renewal thereof.

- (2) The approval shall remain in force until it expires or is suspended by an ATS inspector, or cancelled by the Director.
- (3) The holder of an approval which expires, shall forthwith surrender the approval to the Director.
- (4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the ATS inspector concerned for the appropriate endorsement.
- (5) The holder of an approval which is cancelled, shall, within 30 days from the date on which the approval is cancelled, surrender such approval to the Director.

Renewal of approval

172.03.9 (1) An application for the renewal of an ATSU approval shall be –

- (a) made to the Director in the appropriate prescribed form ; and
- (b) accompanied by –
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the manual of procedure referred to in regulation 172.03.1.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.

Transferability

172.03.10 (1) Subject to the provisions of sub-regulation (2), an approval shall not be transferable.

(2) A change in ownership of the holder of an approval shall be deemed to be a change of significance referred to in regulation 172.03.11.

Changes in quality assurance system

172.03.11 (1) if the holder of an approval desires to make any change in the quality assurance system referred to in regulation 172.03.2, which is significant to the showing of compliance with the appropriate requirements prescribed in this part, such holder shall apply to the Director for the approval of such change.

(2) The provisions of regulation 172.03.5 shall apply with the necessary changes to an application for the approval of a change in the quality assurance system.

(3) An application for the approval of a change in the quality assurance system shall be granted by the Director if the applicant satisfies the Director, upon submission of appropriate proposed changes to its manual of procedure, that it will continue to comply with the provisions of regulations 172.03.1 to 172.03.4 inclusive, after the implementation of such approved change.

Duties of holder of approval**172.03.12** The holder of an approval must –

- (a) provide the services listed in its manual of procedure, and comply with the required standards, in accordance with the standards and procedures as prescribed in Document SA-CATS 172;
- (b) hold at least one complete and current copy of its manual of procedure referred to in regulation 172.03.1; at each ATSU specified in the manual of procedure;
- (c) comply with all procedures detailed in the manual of procedure;
- (d) make each applicable part of the manual of procedure available to the personnel who require those parts to carry out their duties;
- (e) continue to comply with the appropriate requirements prescribed in this Part;
- (f) keep the records of all internal inspections conducted in terms of regulation 172.03.15 for a period of five years from the date of each inspection;
- (g) furnish the Director with the en route facility financial data and en route facility traffic statistics as prescribed in Document SA-CATS 172;
- (h) replace or upgrade any obsolete installation;
- (i) apply the procedures as prescribed in Document SA-CATS 172, when notified of an accident or incident in terms of regulations 12.02.1, 12.02.2 or 12.02.3, as the case may be;
- (j) investigate any ATS incident of which such holder is notified in terms of regulation 12.02.2 (3) and report to the investigator-in-charge in the appropriate prescribed form;
- (k) where PBN has been implemented, monitor the system to ensure maintenance of system safety, air navigation performance and make periodic safety assessments in accordance with SA-CATS 172;
- (l) establish and implement formal procedures for co-ordination between ATS and Operators, Military Authorities, Meteorological Services and AIS, where required;
- (m) develop and implement contingency plans for implementation in the event of disruption or potential disruption, of air traffic services and related supporting services in the airspace for which they are responsible for the provision of such services; and

- (n) ensure that the plans referred to in paragraph (m) are closely coordinated with the air traffic services authorities responsible for the provision of services in adjacent portions of airspace and submitted for approval to the ICAO Council.

Station standing instructions manual

172.03.13 The holder of an approval shall provide each ATSU listed in its manual of procedure referred to in regulation 172.03.1, a station standing instructions manual which shall –

- (a) set out the procedures for the operation of the ATSU concerned;
and
- (b) contain the information as prescribed in document SA-CATS 172.

Documentation

172.03.14 (1) The holder of an approval shall provide each ATSU listed in its manual of procedure referred to in regulation 172.03.1, with copies of the documentation as prescribed in Document SA-CATS 172.

(2) The holder shall ensure that –

- (a) the documentation is reviewed and authorised by appropriate personnel before issue;
- (b) current issues of relevant documentation are available to personnel at all locations where they need access to such documentation for the provision of the services listed in its manual of procedure referred to in regulation 172.03.1;
- (c) obsolete documentation is removed from all points of issue or use;
- (d) changes to documentation are reviewed and approved by appropriate personnel;
and
- (e) the current version of each item of documentation can be identified to preclude the use of obsolete editions.

Internal inspection

172.03.15 The holder of an approval shall conduct –

- (a) internal inspections of each ATSU listed in its manual of procedure referred to in regulation 172.03.1;
- (b) internal inspections, testing and calibration of each facility listed in its manual of procedure referred to in regulation 172.03.1, in accordance with the requirements as prescribed in Document SA-CATS 172.

Air traffic control clearances

172.03.16 The contents of an air traffic control clearance given by an air traffic control unit and the coordination of air traffic control clearances between air traffic control units, shall be as prescribed in Document SA-CATS 172.

Responsibility for control

172.03.17 (1) Only one air traffic control unit shall control a controlled flight at any given time.

(2) An air traffic control unit may transfer the responsibility for control of an aircraft or group of aircraft to another air traffic control unit: Provided that coordination between such air traffic control units are effected in terms of regulation 172.03.18.

Transfer of responsibility for control

172.03.18 (1) The holder of an approval shall ensure that, where transfer of responsibility for control takes place between one air traffic control unit and any other air traffic control unit, the procedures as prescribed in the letter of agreement are complied with, to ensure safe coordination.

(2) The conditions and requirements for and the rules, procedures and standards connected with a transfer of responsibility for control referred to in sub-regulation (1) shall be as prescribed in Document SA-CATS 172.

Reporting and investigation of accidents and incidents

172.03.19 (1) The holder of an approval shall report to the Director any accident or incident reported to or witnessed by the ATS such holder, to the Director.

(2) The types of incidents and their associated definition that shall be reported are prescribed in the Document SA-CATS 172

(3) The reporting and investigation of accidents and incidents by the holder of an approval, shall be done in accordance with the requirements as prescribed in Part 12.

Reporting of aeronautical information

172.03.20 The holder of an approval shall as soon as practicable after obtaining any aeronautical information, notify the Director of –

- (a) information on aerodrome aeronautical conditions, and any change thereto, which are relevant and applicable in its area of responsibility;
- (b) the operational and serviceability status of associated facilities, services and navigation aids within its area of responsibility;
- (c) any other information considered to be of operational significance; and
- (d) meteorological information as required for the safe and expeditious operation of flights.

SUBPART 4: GNSS ATS PROVISIONS**GNSS ATS requirements**

172.04.1 ATS requirements for GNSS operations are prescribed in Document SA-CATS 172.

PART 173: FLIGHT PROCEDURE DESIGN**List of regulations****SUBPART 1: GENERAL**

- 173.01.1 Applicability
- 173.01.2 Requirement for approval
- 173.01.3 Display of flight procedure design approval
- 173.01.4 Safety inspections and audits
- 173.01.5 Ratings
- 173.01.6 Register of approvals
- 173.01.7 Training and checking
- 173.01.8 Quality assurance system
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- 173.01.10 Facilities and equipment
- 173.01.11 Application for approval or amendment of a flight procedure design approval
- 173.01.12 Issuing of a flight procedure design approval
- 173.01.13 Period of validity of a flight procedure design approval
- 173.01.14 Renewal of a flight procedure design approval
- 173.01.15 Documents and records

SUBPART 2: APPROVAL OF FLIGHT PROCEDURE DESIGN ORGANISATION (CATEGORY A)

- 173.02.1 Operations manual
- 173.02.2 Personnel requirements
- 173.02.3 Privileges
- 173.02.4 Duties of approval holder
- 173.02.5 Transferability of maintenance of flight procedures

SUBPART 3: APPROVAL OF FLIGHT PROCEDURE DESIGN ORGANISATION (CATEGORY B)

- 173.03.1 Operations manual
- 173.03.2 Personnel requirements
- 173.03.3 Privileges
- 173.03.4 Duties of approval holder

173.03.5 Transferability of maintenance of flight procedures**SUBPART 1: GENERAL****Applicability****173.01.1 (1) This Part applies to –**

- (a) the design, maintenance, revision, amendment and adaptation of flight procedures; and
- (b) the approval and operation of organisations conducting flight procedure design, maintenance, revision, amendment or adaptation.

(2) This Part does not apply to –

- (a) the design of flight procedures for use by aircraft in circumstances where one or more engines of the aircraft have become inoperative while on an IFR flight, unless such flight procedures are designed under a PBN including RNP-AR rating; and
- (b) an organisation which carries out flight procedure design on procedures for use by aircraft in circumstances where one or more engines of the aircraft have become inoperative while on an IFR flight, unless such flight procedures are designed under a PBN including RNP-AR rating.

Requirement for approval

173.01.2 No organisation shall design, maintain, review, amend or adapt flight procedures except under the authority of, and in accordance with the provisions of, a flight procedure design approval with the appropriate rating issued under this Part.

Display of flight procedure design approval

173.01.3 The holder of a flight procedure design approval shall display the approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the approval is displayed, shall produce the original approval to an authorised officer, inspector or authorised person if so requested by such officer, inspector or person.

Safety inspections and audits

173.01.4 (1) An applicant for a flight procedure design approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to verify the validity of any application made in terms of this Part.

(2) The holder of a flight procedure design approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

(3) The holder of a flight procedure design approval shall, permit an authorised officer, inspector or authorised person to –

- (a) observe the practices and procedures of the holder in performing flight procedure design;
- (b) inspect and test any systems and equipment used for, or in relation to, flight procedure design.

Ratings

173.01.5 The ratings for a flight procedure design approval are –

- (a) a conventional non-precision rating as prescribed in Document SA-CATS 173;
- (b) a conventional precision rating as prescribed in Document SA-CATS 173;
- (c) a PBN excluding RNP-AR rating as prescribed in Document SA-CATS 173; and
- (d) a PBN including RNP-AR rating as prescribed in Document SA-CATS 173.

Register of approvals

173.01.6 (1) The Director shall maintain a register of all flight procedure design approvals issued in terms of this Part.

(2) The register shall contain the following particulars:

- (a) The full name of the holder of the approval;
- (b) the postal address of the holder of the approval;
- (c) the date on which the approval was issued or renewed;
- (d) particulars of the scope of the approval issued to the holder of the approval; and
- (e) the nationality of the holder of the approval.

(3) The particulars referred to in sub-regulation (2) shall be recorded in the register within seven days from the date on which the approval is issued.

(4) The register shall be kept in a safe place at the office of the Director.

(5) A copy of the register shall be furnished by the Director, on payment of the appropriate fee as prescribed in Part 187, to any person who requests the copy.

Training and checking

173.01.7 (1) The holder of a flight procedure design approval shall establish and maintain a training and checking programme for all personnel referenced in this Subpart that will ensure such personnel are adequately trained and qualified to perform their assigned duties.

(2) The training programme referred to in sub-regulation (1) shall be approved by the Director as provided in sub-regulation (7).

(3) The holder shall ensure that –

(a) prior to assignment to duty, each person required to receive training in accordance with this Subpart, shall, whether employed on a full or part time basis, receives such training as appropriate to his or her duties; and

(b) the training facilities, equipment and personnel are acceptable to the Director and, in the case of training checking personnel, meeting the requirements prescribed in Document SA-CATS 173.

(4) The training programme referred to in sub-regulation (1) shall include a system of record keeping as prescribed in regulation 173.01.14.

(5) The training records referred to in sub-regulation (4) shall be retained as prescribed in regulation 173.01.14(3).

(6) The holder shall publish the training programme referred to in sub-regulation (1) in the operations manual referred to in regulations 173.02.1 and 173.03.1 as applicable.

(7) The holder shall submit for the approval of the Director as prescribed in Document SA-CATS 173, its training programme and any amendments thereto.

(8) The holder shall provide training to its personnel that includes at least the following training components:

- (a) Flight procedure design training on an initial basis pertinent to the rating held; and
- (b) Recurrent flight procedure training;

(9) Only approved training as prescribed in Document SA-CATS 173 shall be considered for the initial and recurrent training referred to in sub-regulation (8).

(10) The training required by sub-regulation (8)(b) shall be provided on a recurrent basis at intervals not exceeding the duration specified in Document SA-CATS 173.

Quality assurance system

173.01.8 (1) The applicant shall establish a quality assurance system for the control and supervision of the services covered by the application.

(2) The minimum standards for a quality assurance system shall be as prescribed in Document SA-CATS 173.

Facilities and equipment

173.01.9 (1) The applicant shall satisfy the Director that it has facilities and equipment necessary to perform adequately the approved scope of flight procedure design, including –

- (a) providing premises and equipment appropriate for the applicant's personnel to perform flight procedure design taking into account the critical effect that human factors can have on the quality of the work of the personnel; and
- (b) ensuring that those employees have access to all necessary data for designing flight procedures including but not limited to –
 - (i) accurate and current databases or charts detailing terrain and obstacle information; and
 - (ii) accurate and current navigation aid coordinate data; and
 - (iii) accurate and current aerodrome survey data.

(2) The applicant shall, if an aeronautical database and aeronautical data is utilised for designing flight procedures, have, and put into effect, procedures as prescribed in Document SA-CATS 173 and approved by the Director to ensure the integrity of the database and the data.

Application for approval or amendment of flight procedure design approval

173.01.10 (1) An application for a flight procedure design approval, or an amendment thereof, shall be –

- (a) made to the Director in the appropriate prescribed form; and
- (b) accompanied by –
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the operations manual referred to in regulations 173.02.1 and 173.03.1 as applicable.

(2) If an applicant was previously issued with a flight procedure design approval, and the approval was cancelled, the applicant shall include with the application any information to prove that the applicant would be in a position to comply with all requirements pertaining to the design of flight procedures of the rating or ratings concerned.

Issuing of a flight procedure design approval

173.01.11 (1) The Director may issue a flight procedure design approval if the Director is satisfied that –

- (a) the applicant meets the requirements prescribed in this Part;
- (b) the applicant's personnel required by this Part are competent personnel;
- (c) the applicant's senior personnel have not held a senior position in an organisation whose approval was cancelled by the Director or the Minister;
- (d) the granting of the approval is not contrary to the interests of aviation safety.

(2) The flight procedure design approval referred to in sub-regulation (1) shall contain –

- (a) the organisation's name and principal place of business;
- (b) the rating or ratings covered by the approval;
- (c) any conditions applicable to the approval;
- (d) the date when the approval becomes effective; and
- (e) any other information that the Director deems necessary.

(3) The Director may grant an approval in respect of only some or all of the ratings sought in the application.

(4) A replacement approval shall be issued by the Director on payment of the appropriate fee as prescribed in Part 187, in the event that the original certificate is no longer valid or has been lost or destroyed.

Period of validity of a flight procedure design approval

173.01.12 (1) A flight procedure design approval is valid for the period of one year, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Director.

(3) The holder of an approval which expires shall forthwith surrender the approval to the Director.

(4) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

(5) The holder of an approval which is cancelled, shall, within 30 days from the date on which the approval is cancelled, surrender such approval to the Director.

Renewal of flight procedure design approval

173.01.13 (1) An application for the renewal of a flight procedure design approval, shall be –

- (a) made to the Director on the appropriate prescribed form; and
- (b) be accompanied by –
 - (i) the appropriate fee as prescribed in Part 187; and
 - (ii) the operations manual referred to in regulations 173.02.1 and 173.03.1 as applicable.

(2) The holder of an approval shall, at least 90 days immediately preceding the date on which such approval expires, apply to the Director for the renewal of such approval.

Documents and records

173.01.14 (1) The holder of a flight procedure design approval, shall –

- (a) keep copies of all relevant documents which may be necessary as prescribed in Document SA-CATS 173 –
 - (i) for the specified flight procedure design conducted by such holder; and
 - (ii) to determine compliance with the appropriate requirements prescribed in this Subpart; and
- (b) establish procedures to control the documents referred to in paragraph (a).

(2) The holder of the approval shall establish procedures to identify, collect, index, store and maintain all records which may be necessary –

- (a) for the specified flight procedure design conducted by such holder; and
- (b) to determine compliance with the appropriate requirements prescribed in this Subpart.

(3) The procedures referred to in sub-regulation (3) shall be made to ensure that –

- (a) a record is kept of each quality control review of the holder of the approval;
- (b) a record is kept of each person who conducts the specified flight procedure design, including particulars of the competence assessments and experience of each such person;
- (c) a record is kept of each student being trained or assessed by the holder of the approval, including particulars of enrolment, attendance, modules, instructor comments and any design or similar practical sessions and assessments of each such student;
- (d) all records are legible; and

- (e) records are kept for the period specified per type of record as prescribed in Document SA-CATS 173, calculated from the date of the last entry made in such records.

SUBPART 2: APPROVAL OF FLIGHT PROCEDURE DESIGN ORGANISATION (CATEGORY A)

Operations manual

173.02.1 (1) An applicant for a flight procedure design approval issued in terms of this subpart shall provide the Director with its operations manual which –

- (a) complies with the requirements prescribed in this Subpart;
- (b) contains the information prescribed in Document SA-CATS 173; and
- (c) shall be subject to approval as prescribed in Document SA-CATS 173.

(2) The holder of an approval shall –

- (a) keep the operations manual in a readily accessible form and place;
- (b) ensure that each amendment to its operations manual meets the applicable requirements of this Part;
- (c) comply with the amendment procedures contained in its operations manual.

(3) The holder of an approval who intends to change any part of its operations manual shall apply to and obtain the prior approval of the Director before effecting such change.

(4) The Director may specify conditions under which an approval holder must operate during or following any changes applied for as referred to in sub-regulation (3), to ensure continued compliance with the requirements of this Part.

(5) The holder of an approval shall comply with all conditions specified as referred to in sub-regulation (4).

(6) If any change to an operations manual referred to in this regulation requires an amendment to the approval, the holder shall forward the operations manual to the Director immediately after the amended operations manual has been issued.

(7) The holder of an approval shall make such amendments to its operations manual which the Director may deem necessary in the interests of aviation safety.

Personnel requirements

173.02.2 (1) The applicant shall engage, employ or contract –

- (a) a person identified as the chief designer of the organisation concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
 - (i) access to design work performed or design activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the organisation;
 - (ii) full rights of consultation with any such person in respect of such compliance by him or her;
 - (iii) powers to order cessation of any design activity where such compliance is not effected;
 - (iv) powers to report directly to the management of the organisation on his or her investigations and consultations generally, and in cases referred to in subparagraph (iii), and with regard to the results of the liaison referred to in subparagraph (v);
 - (v) a duty to establish liaison mechanisms with the Director with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Director, and to facilitate liaison between the Director and the organisation concerned;
 - (vi) a duty to ensure that any flight procedure design covered by the approval is performed as prescribed in Document SA-CATS 173;
- (b) supervisory personnel, if the applicant intends to provide on-the-job training to designers and such supervisory personnel may also be the chief designer;
- (c) sufficient qualified designers to plan, supervise, conduct and verify the design of flight procedures covered by the approval.

(2) The applicant's chief designer referred to in paragraph (a) of sub-regulation (1) shall meet the minimum requirements prescribed in Document SA-CATS 173.

(3) Should the applicant engage, employ or contract a person as supervisory personnel referred as contemplated in paragraph (b) of sub-regulation (1), such person shall meet the minimum requirements prescribed in Document SA-CATS 173.

(4) The applicant's qualified designers referred to in paragraph (b) of sub-regulation (1) shall meet the minimum requirements prescribed in Document SA-CATS 173.

(5) An applicant shall not engage, employ or contract a person as a chief designer unless prior notification has been given to the Director.

(6) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, supervising, conducting or verifying the design activities covered by the approval, as prescribed in SA-CATS 173.

Privileges

173.02.3 The privileges of a flight procedure design approval shall be limited to flight procedure design for which the approval is rated and shall be to design, maintain, revise, amend and adapt flight procedures.

Duties of approval holder

173.02.4 (1) The holder of a flight procedure design approval shall –

- (a) keep at least one complete and current copy of its operations manual referred to in regulation 173.02.1, at each workplace specified in the operations manual;
- (b) comply with all procedures detailed in the operations manual;
- (c) make each applicable part of the operations manual available to the personnel who require those parts to carry out their duties;
- (d) continue to comply with the appropriate requirements prescribed in this Part; and
- (e) ensure that flight procedures are designed to the appropriate standard as prescribed in Document SA-CATS 173.

(2) In performing flight procedure design, the holder of a flight procedure design approval shall

- (a) design each flight procedure as prescribed in Document SA-CATS 173; and
- (b) verify each designed flight procedure as prescribed in Document SA-CATS 173; and
- (c) submit flight procedures designed and verified as referred to in paragraphs (a) and (b) to the Director for ground and flight validation as prescribed in Document SA-CATS 173;
- (d) adhere to the approval process defined in Document SA-CATS 173; and
- (e) ensure that flight procedures submitted as required in paragraph (c) are accompanied by the appropriate fee prescribed in Part 187.

(3) The holder of a flight procedure design approval shall, subject to regulation 173.02.4, maintain each flight procedure as prescribed in Document SA-CATS 173 periodically at intervals and upon the conditions prescribed in Document SA-CATS 173.

(4) The holder of a flight procedure design approval shall ensure that a flight procedure covered by the holder's approval shall not make use of a ground-based radio-navigation aid other than one that is operated and approved in terms of Part 171.

(5) The holder of a flight procedure design approval shall ensure that each person who is occupying or acting in a supervisory position in the holder's organisation in relation to flight procedure design, meets the standards for supervisory personnel as prescribed in regulation 173.02.2(3).

(6) If the holder of a flight procedure design approval intends to cease to perform flight procedure design of a particular rating, the holder shall apply to the Director for an amendment as prescribed regulation in 173.01.10(1).

(7) If the holder of a flight procedure design approval ceases to be responsible for the maintenance of a flight procedure, the holder shall give written notice to that effect to the Director as soon as practicable after ceasing to perform the flight procedure design concerned.

Transferability of maintenance of flight procedures

173.02.5 (1) The holder of a flight procedure design approval may transfer its responsibility for maintaining a flight procedure under regulation 173.02.4(3) to another organisation whose flight procedure design approval authorises that organisation to design flight procedures of the same rating as the flight procedure concerned.

(2) If the organisation referred to in sub-regulation (1) accepts responsibility for the maintenance of a flight procedure under this Part, the organisation concerned shall –

- (a) give written notice to the transferor to that effect;
- (b) give written notice of the transfer to the Director within 14 days after the transfer; and
- (c) include in the notices referred to in paragraphs (a) and (b), the date on which the transfer takes effect.

(3) If the holder of a flight procedure design approval transfers its responsibility for maintaining a flight procedure, it shall give written notice of the transfer to the Director within 14 days after the transfer.

SUBPART 3: APPROVAL OF FLIGHT PROCEDURE DESIGN ORGANISATION (CATEGORY B)

Operations manual

173.03.1 (1) An applicant for a flight procedure design approval in terms of this subpart shall provide the Director with its operations manual which –

- (a) complies with the requirements prescribed in this Subpart; and
- (b) contains the information prescribed in Document SA-CATS 173.
- (c) shall be subject to approval as prescribed in Document SA-CATS 173.

(2) The holder of a flight procedure design approval must ensure that the details in its operations manual provide a current description of the organisation.

(3) The holder of an approval must –

- (a) keep the operations manual in a readily accessible form and place;
- (b) ensure that each amendment to its operations manual meets the applicable requirements of this Part;
- (c) comply with the amendment procedures contained in its operations manual.

(4) The holder of an approval must provide the Director with a copy of each amendment to its operations manual as soon as practicable after the amendment has been incorporated into the operations manual.

(5) If any change referred to in sub-regulation (4) requires an amendment to the approval, the holder must forward the operations manual to the Director immediately after the amended operations manual has been issued.

(6) The holder of an approval must make such amendments to its operations manual as the Director may consider necessary in the interests of aviation safety.

Personnel requirements

173.03.2 (1) The applicant shall engage, employ or contract a person identified as the qualified designer of the organisation concerned, to whom contractual authority has been granted to ensure that all design activities undertaken by the organisation are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with a duty to ensure that any flight procedure design covered by the approval is performed as prescribed in Document SA-CATS 173.

(2) The applicant's qualified designer referred to in sub-regulation (1) shall meet the minimum requirements prescribed in Document SA-CATS 173.

Privileges

173.03.3 The privileges of a flight procedure design approval issued in terms of this Subpart are limited to flight procedure design for which the approval is rated and are –

- (a) to adapt to the conservative a flight procedure for use by South African registered aircraft operating at, or in the vicinity of an aerodrome in a foreign country, as prescribed in Document SA-CATS 173;
- (b) to design, maintain, review or amend a flight procedure for use by South African registered aircraft operating at, or in the vicinity of an off-shore installation located no closer than 30NM from the nearest land.

Duties of approval holder

173.03.4 (1) The holder of a flight procedure design approval shall –

- (a) keep at least one complete and current copy of its operations manual referred to in regulation 173.03.1, at each workplace specified in the operations manual;
- (b) comply with all procedures detailed in the operations manual;
- (c) continue to comply with the appropriate requirements prescribed in this Part.
- (d) ensure that flight procedures are designed, reviewed, amended and adapted as prescribed in Document SA-CATS 173.

(2) In performing flight procedure design, the holder of a flight procedure design approval shall design, adapt and verify each flight procedure as prescribed in Document SA-CATS 173.

(3) The holder of a flight procedure design approval shall, subject to regulation 173.03.5, maintain each flight procedure or adaptation thereof upon the conditions prescribed in Document SA-CATS 173.

(4) If the holder of a flight procedure design approval ceases to be responsible for the maintenance of a flight procedure, the holder shall give written notice to that effect to the Director as soon as practicable after ceasing to perform the flight procedure design concerned.

Transferability of maintenance of flight procedures

173.03.5 (1) The holder of a flight procedure design approval may transfer its responsibility for maintaining a flight procedure under regulation 173.03.4(3) to another organisation whose flight procedure design approval authorises that organisation to design flight procedures of the same rating as the flight procedure concerned.

(2) If the organisation referred to in sub-regulation (1) accepts responsibility for the maintenance of a flight procedure under this Part, the organisation concerned shall –

- (a) give written notice to the transferor to that effect;

- (b) give written notice of the transfer to the Director within 30 days after the transfer; and
- (c) include in the notices referred to in paragraphs (a) and (b), the date on which the transfer takes effect.

(3) If the holder of a flight procedure design approval transfers its responsibility for maintaining a flight procedure, it shall give written notice of the transfer to the Director within 30 days after the transfer.

PART 174 : METEOROLOGICAL INFORMATION SERVICES

List of regulations

- 174.00.1 Applicability
- 174.00.2 Designation of meteorological information organisation

Applicability

174.00.1 This Part applies to the provision of meteorological information services.

Designation of meteorological information organisation

174.00.2 (1) The South African Weather Service (SAWS) is designated as the aviation meteorological authority to fulfil the international obligations of the Government under the Convention in terms of section 3 of the South African Weather Service Act, 2001 (Act No 8 of 2001).

(2) The services rendered by SAWS include the following –

- (a) climatology services for the development and supply of climatological summaries;
- (b) forecast services for the supply of forecast meteorological information for the specific aerodrome, area or portion of airspace;
- (c) information dissemination service for the collection and dissemination of meteorological information;
- (d) meteorological briefing service to aeronautical users (air traffic services, operators and flight crew members) for the supply of written and oral meteorological information on existing and expected meteorological conditions;
- (e) meteorological reporting service for the supply of aerodrome meteorological reports;

- (f) meteorological watch services for the monitoring and prediction of meteorological conditions affecting aircraft operations in a specific area and at specific aerodromes;
- (g) provision of flight documentation;
- (h) meteorological support for search and rescue; and
- (i) any other meteorological service which is deemed as desirable by recognised aviation organisations and/or service providers or to which an operational requirement may exist.

PART 175: AERONAUTICAL INFORMATION SERVICES

List of regulations

SUBPART 1: GENERAL

- 175.01.1 Applicability
- 175.01.2 Requirements for the AIS certificate
- 175.01.3 Provision of AIS at own initiative
- 175.01.4 Display of AIS certificate
- 175.01.5 Safety inspections and audits
- 175.01.6 Register of certificates

SUBPART 2: REQUIREMENTS FOR AIS CERTIFICATE

- 175.02.1 Manual of procedure
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- 175.02.6 Issuing of certificate
- 175.02.7 Period of validity
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- 175.03.1 Provision of AIS

- 175.03.2 Collection of information
- 175.03.3 Publication of aeronautical information or IAIIP
- 175.03.4 Pre-flight and post-flight information service
- 175.03.5 Error correction in published information

SUBPART 1: GENERAL

Applicability

175.01.1 This Part applies to –

- (a) the certification and operation of organisations providing an aeronautical information service; and
- (b) the provision of the IAIIP.

Requirements for AIS certificate

175.01.2 No organisation shall provide an aeronautical information service unless such organization holds a certificate complying with the requirements in this Part and appropriate to the duties being performed.

Provision of AIS at own initiative

175.01.3 The provisions of this Part does not preclude an aerodrome licence holder from providing at his or her own initiative aeronautical information services, excluding NOTAM, that comply with the minimum required level for the issue of a license.

Display of AIS certificate

175.01.4 The holder of AIS certificate shall display the certificate in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the certificate is displayed, shall produce the original to an authorized officer if so requested by such authorized officer.

Safety inspections and audits

175.01.5 An applicant for the issuing of AIS certificate shall permit an authorised officer to carry out such inspections and audits which may be necessary to verify the validity of any application made in terms of this Part.

Register of certificates

175.01.6 (1) The Director shall maintain a register of all AIS certificates issued in terms of this Part.

(2) The register shall contain the following particulars:

- (a) The full name of the holder of the certificate;
- (b) the business address of the holder of the certificate;
- (c) the postal address of the holder of the certificate;
- (d) the date on which the certificate was issued or renewed;
- (e) the type of AIS in respect of which the certificate was issued;
- (f) the date on which the certificate was suspended, if applicable; and
- (g) the date on which the certificate expires.

(3) The particulars referred to in sub-regulation (2) shall be recorded in the register within seven (7) working days from the date on which the certificate is issued.

(4) A copy of the register shall be furnished by the Director, on payment of the appropriate fee as prescribed in Part 187, to any person who requests the copy.

SUBPART 2: REQUIREMENTS FOR AIS CERTIFICATE

Manual of procedure

175.02.1 An applicant for an AIS certificate shall provide the Director with its manual of procedure which shall –

- (a) comply with the requirements prescribed in this subpart for the service to be provided.; and
- (b) contain the information as prescribed in Document SA-CATS 175.

Quality assurance system

175.02.2 (1) The applicant shall establish a quality assurance system for the management of the services covered by the application.

(2) The minimum standards for a quality assurance system shall be as prescribed in Document SA-CATS 175.

(3) Should the organization already have an established quality assurance system approved under an alternate Part of these Regulations, such quality assurance system may be approved in terms of this Part provided the provisions of sub-regulation (2) are met.

Personnel requirements

175.02.3 (1) The applicant shall engage, employ or contract –

- (a) a senior person identified as the accountable manager and compliance officer of the unit concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the unit are carried out in accordance with the applicable requirements prescribed in this subpart, and who shall in addition be vested with the following powers and duties in respect of compliance with such requirements:
 - (i) unrestricted access to work performed or activities undertaken by all other persons as employees of, and other persons rendering service under contract with, the unit;
 - (ii) full rights of consultation with any such persons in respect of such compliance by him or her;
 - (iii) powers to order cessation of any activity where such compliance is not effected;
 - (iv) a duty to establish liaison mechanisms with Director with a view to ascertain correct manners of compliance with the said requirements, and interpretations of such requirements by the Director, and to facilitate liaison between the Director and the unit concerned; and
 - (v) powers to report directly to the management of the unit on his or her investigations and consultations generally, and in case contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);
- (b) standards officer who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting aviation safety; and
- (c) adequate trained personnel to –
 - (i) plan, provide and supervise the services listed in its manual of procedure, in a safe efficient manner; and
 - (ii) collect, collate, check, coordinate, edit, and publish aeronautical information for the aeronautical information services listed in the applicant's manual.

(2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of the personnel as prescribed in Document SA-CATS 175.

(3) The applicant shall ensure that its personnel are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities.

Facility requirements

175.02.4 The applicant shall ensure that all facilities used in the provision of services listed in its manual of procedures are adequate and comply with the minimum requirements as prescribed in SA-CATS 175.

Application for approval or amendment of certificate

175.02.5 (1) An application for an AIS certificate or an amendment thereof, shall be –

- (a) made to the Director on the appropriate form as prescribed by the Director; and
- (b) accompanied by –
 - (i) the manual of procedure referred to in regulation 175.02.1; and
 - (ii) the appropriate fees prescribed in Part 187.

Issuing of certification

175.02.6 (1) The Director shall issue an AIS certificate if the Director is satisfied that –

- (a) the applicant meets the requirements prescribed in Subpart 2;
- (b) the senior personnel of the applicant required by regulation 175.02.3 are fit and competent persons and have never held a senior position in an organisation whose AIS certificate was cancelled by the Director or the Minister; and
- (c) the granting of the certificate is not contrary to the interests of aviation safety.

(2) The certificate issued in terms of sub-regulation (1) shall specify the AIS that the certificate holder is authorized to provide.

Period of validity

175.02.7 (1) An AIS certificate shall be valid for a period of one year, calculated from the date of issuing or renewal thereof.

(2) A certificate shall remain in force until it expires or is suspended or cancelled in terms of these Regulations.

(3) The holder of a certificate which expires or is cancelled, shall, within 30 days from the date on which the approval expires or is cancelled, surrender the certificate to the Director.

Renewal of certificate

175.02.8 (1) The holder of an AIS certificate shall at least 60 days immediately preceding the date on which such certificate expires, apply for the renewal of such certificate.

(2) The provisions of regulation 175.02.5 apply with the necessary changes to an application for the renewal of an AIS certificate.

Duties of holder of certificate

175.02.9 (1) The holder of an AIS certificate shall –

- (a) ensure that their manual of procedure is amended so as to remain current;
- (b) ensure that any amendments made to the holder's manual of procedure meet the applicable requirements of this Part and comply with the amendment procedures contained in the holder's certificate.
- (c) submit to the Director for approval, any amendment to the holder's manual of procedure.

(2) Where any of the changes referred to in sub-regulation (1) requires an amendment to the certificate, the certificate holder shall forward the certificate to the Director within 28 working days.

Station standing instructions manual

175.02.10 (1) The holder of an AIS certificate shall develop a station standing instructions manual which shall –

- (a) set out the procedures for the operation of the AIS concerned; and
- (b) contain the information as prescribed in SA-CATS 175.

(2) The holder of an AIS certificate shall provide each AIS unit listed in its manual of procedure with a station standing instructions manual.

Documentation

175.02.11 (1) The holder of an AIS certificate shall provide each AIS unit listed in its manual of procedure with copies of the documentation as prescribed in Document SA-CATS 175.

(2) The holder shall ensure that –

- (a) the documentation is reviewed and authorised by appropriate personnel before issue;
- (b) current issues of relevant documentation are available to personnel at all locations where they need access to such documentation for the provision of the services listed in its manual of procedure referred to in regulation 175.02.1;
- (c) obsolete documentation is removed from all points of issue or use;
- (d) changes to documentation are reviewed and approved by appropriate personnel; and

- (e) the current version of each item of documentation can be identified to preclude the use of obsolete editions.

Continued compliance

175.02.12 (1) The holder of an AIS certificate shall –

- (a) hold at least one complete and current copy of their manual at each office listed in their certificate;
- (b) comply with all procedures and standards detailed in their manual;
- (c) make each applicable part of their manual available to personnel who require those parts to carry out their duties;
- (d) continue to meet the standards and comply with the requirements of Subpart 2 of this Part;
- (e) notify the Director of any change of address for service, telephone number, or facsimile number within 28 days of the change.

SUBPART 3: OPERATING REQUIREMENTS

Provision of AIS

175.03.1 (1) The holder of an AIS certificate shall –

- (a) be responsible for the provision of aeronautical information services to ensure that the information necessary for the safety, regularity or efficiency of air navigation is available in a form suitable for the operational requirements of –
 - (i) flight operations personnel including flight crew and the personnel responsible for the provision of pre-flight information; and
 - (ii) providers of air traffic services; and
- (b) publish and distribute the aeronautical information as an IAIP.

Collection of information

175.03.2 The holder of an AIS certificate shall establish procedures to collect, collate and edit the information required for the aeronautical information services listed in their manual of procedure as prescribed in Document SA-CATS 175.

Publication of aeronautical information or IAIP

175.03.3 (1) The holder of an AIS certificate shall establish procedures to check, co-ordinate, publish and disseminate aeronautical information for the services listed in the applicant's manual of procedure as prescribed in Document SACATS-AIRS.

(2) The conditions, requirements, rules, procedures and standards for the publication of aeronautical information in an AIP shall be prescribed in Document SA-CATS 175.

(3) The fees for the purchase of the AIP or AIP annual amendment service shall be as prescribed in Part 187.

Pre-flight and post flight information services

175.03.4 The holder of an AIS certificate shall make available to flight operations personnel and flight crew members as prescribed in Document SA-CATS 175, aeronautical information that –

- (a) is essential for the safety, regularity and efficiency of air navigation;
- (b) relates to the geographic area, aerodromes and air routes listed in the certificate holder's manual.

Error correction in published information

175.03.5 The holder of an AIS certificate shall establish procedures to record, investigate, correct, and report any errors that are detected in the aeronautical information published under the authority of their certificate as prescribed in Document SA-CATS 175.

PART 176: ALLOCATION OF RADIO TELEPHONY (RTF) CALL SIGNS, 3-LETTER AIRCRAFT DESIGNATORS AND LOCATION INDICATORS

List of regulations

- 176.00.1 Applicability
- 176.00.2 Allocation of RTF call signs and 3-letter aircraft designators
- 176.00.3 Allocation of location indicators

Applicability

176.00.1 This Part applies to applications for –

- (a) new allocations, changes or deletion of radio telephony call signs and 3-letter aircraft designators; and
- (b) applications for new allocations, changes or deletion of location indicators.

Allocation of Radio Telephony (RTF) call signs and 3-letter aircraft designators

176.00.2 An application for the allocation of RTF call signs and 3-letter designators shall be made to the Director and accompanied by –

- (a) documentary proof of having been issued with an Air Services Licence or an International Air Service Licence in terms of the Air Services Licensing Act, 1990 or the International Air Services Act, 1993, as the case may be;
- (b) the suggested RTF call signs for consideration; and
- (c) the appropriate fee as prescribed in Part 187.

Allocation of location indicators

176.00.3 An application for the allocation of location indicators shall be made to the Director and accompanied by –

- (a) documentary proof of having been issued with an aerodrome licence; and
- (b) the preferred location indicator for consideration.

PART 177: INSTRUMENT FLIGHT PROCEDURES AND ICAO AERONAUTICAL CHARTS**List of regulations**

177.00.1	Applicability
177.00.2	Provision of instrument flight procedures and ICAO aeronautical charts
177.00.3	Minimum standards

Applicability

177.00.1 This Part applies to the provision of instrument flight procedures and ICAO aeronautical charts.

Provision of instrument flight procedures

177.00.2 The Director shall be responsible for the provision of instrument flight procedures and ICAO aeronautical charts in accordance with Document SA-CATS 177.

Minimum standards for the provision of instrument flight and ICAO aeronautical charts

177.00.3 The conditions, requirements, rules, procedures and standards for the design, approval and provision of instrument flight procedures and ICAO aeronautical charts, shall be prescribes in Document SA-CATS 177.

PART 185: ENFORCEMENT

List of regulations

- 185.00.1 Offences
- 185.00.2 Presumptions and evidence
- 185.00.3 Administrative monetary penalties
- 185.00.4 Suspension, cancellation, downgrade or endorsements
- 185.00.5 Appeal against decisions of authorised officers, authorised persons and inspectors
- 185.00.6 Appeal against refusal, cancellation, endorsement of medical certification or declaration of unfitness
- 185.00.7 Appeal against decisions of Director

Offences

185.00.1 (1) A person commits an offence if that person –

- (a) hinders or obstructs an authorised officer, inspector or authorised person in the exercising of his or her powers or the performance of his or her duties;
- (b) when called upon by an authorised officer, inspector or authorised person to do so, refuses or fails to give his or her name and address, or gives a false name or address;
- (c) obstructs or impedes any other person acting in the exercising or performance of any privileges, powers or duties conferred on such other person by or under the regulations;
- (d) makes or causes to be made, either orally or in writing –
 - (i) any fraudulent, misleading or false statement for the purpose of obtaining any licence, rating, certificate, permit, approval, authorisation, exemption or other document in terms of the regulations;
 - (ii) any fraudulent, misleading or false entry in any logbook, record or report which is required to be kept, maintained, made or used to show compliance with any provision of the regulations;
- (e) falsifies, counterfeits, alters, defaces or mutilates, or adds anything to, any licence, rating, certificate, permit, approval, authorisation, exemption or other document issued in terms of the regulations;

- (f) does or causes, or permits to be done or caused, any act contrary to, or who fails to comply with, any provision of the regulations, or a direction given or a prohibition made or a condition imposed in terms thereof;
- (g) exercises a privilege granted by, or uses, any licence, rating, certificate, permit, approval, authorisation, exemption or other document issued under the regulations, of which he, she or it is not the holder;
- (h) unless otherwise authorised in the regulations, permits a licence, rating, certificate, permit, approval, authorisation, exemption or other document issued under the regulations, of which he, she or it is the holder, to be used, or a privilege granted thereby, to be exercised, by any other person;
- (i) operates or attempts to operate any aircraft in respect of which no valid certificate of registration or valid certificate of airworthiness have been issued;
- (j) commits any act, whether by interference with any flight crew member, ATS personnel member or AME, by tampering with any aircraft, or any part thereof, or by disorderly conduct or otherwise, which is likely to endanger the safety of any aircraft or its occupants;
- (k) without the permission of an aerodrome or heliport operator, enters any place within the boundaries of a licensed aerodrome or heliport which has been closed to the public;
- (l) gives false information pertaining to the investigation of any aviation accident or incident; and
- (m) contravenes in any manner the provisions of the Act, and regulations promulgated in terms of the Act which are administered by the Authority.

(2) Any person who –

- (a) contravenes any provision of Part 5 of the Act, except section 111; or
- (b) contravenes or fails to comply with any provision of a safety plan approved by the Minister and whereof the contents have been brought to his or her notice,

is guilty of an offence and shall be liable on conviction to a fine not exceeding R50 000 or imprisonment not exceeding 10 years or to both such fine and imprisonment.

(3) Any aviation participant who fails to comply with section 111 of the Act or fails to comply with the national aviation security program instituted in terms of that section is guilty of an offence and on conviction liable to a fine or to imprisonment for a period not exceeding ten years or to both such fine or imprisonment.

(4) Any person who is convicted of an offence in terms of sub-regulation (1), shall be liable to the penalties prescribed in section 144 of the Act, read with section 332 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).

Presumptions and evidence

185.00.2 In criminal proceedings under the regulations –

- (a) a written statement purported to be signed by the Director that a licence, rating, certificate, permit, approval, authorisation or exemption, as the case may be, has not been granted or issued to a specific person shall, upon the mere production thereof, be accepted as *prima facie* proof of the facts mentioned therein;
- (b) a document purporting to be a copy of a licence, certificate, permit, approval, authorisation or exemption signed by the Director shall, upon the mere production thereof, be accepted as *prima facie* proof of the fact that the person whose name appears as the holder of the licence, certificate, permit, approval, authorisation or exemption, as the case may be, on that copy, was the holder of the licence, certificate, permit, approval, authorisation or exemption at the time when the offence was committed
- (c) a document purporting to be an extract certified by the Director or a copy signed by the Director, of any register maintained in terms of the regulations shall, upon the mere production thereof, be accepted as *prima facie* proof of the facts mentioned therein; and
- (d) evidence supplied by the duly designated enforcement officer and obtained by the use of specialised equipment, such as weighing scales, video recorders, small hand-held recording devices, navigation and communication transceivers and secondary equipment, shall be accepted as *prima facie* proof of facts mentioned therein.

Administrative monetary penalties

185.00.3 (1) An enforcement officer may assess and impose administrative monetary penalties for offences referred to in regulation 185.00.1.

(2) The administrative monetary penalty may be a spot fine or a fine following an investigation.

(3) The following administrative penalties, in respect of the offences referred to in the table below, shall be applicable to individuals in the event of a criminal prosecution not being instituted:

REGULATION	PENALTY: INDIVIDUALS		
	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE
185.00.1(1)(a)	R5 000	R10 000	R16 000
185.00.1(1)(b)	R5 000	R10 000	R16 000
185.00.1(1)(c)	R5 000	R10 000	R16 000
185.00.1(1)(d)	R10 000	R20 000	R32 000
185.00.1(1)(e)	R10 000	R20 000	R32 000
185.00.1(1)(f)	R10 000	R20 000	R32 000
185.00.1(1)(g)	R10 000	R20 000	R32 000
185.00.1(1)(h)	R10 000	R20 000	R32 000

185.00.1(1)(i)	R10 000	R20 000	R32 000
185.00.1(1)(j)	R10 000	R20 000	R32 000
185.00.1(1)(k)	R5 000	R10 000	R16 000
185.00.1(1)(l)	R10 000	R20 000	R32 000
185.00.1(1)(m)	Discretionary	Discretionary	Discretionary

(4) In the event of a conviction where a criminal prosecution has been instituted in accordance with the table above, the penalties referred to in the table may be used as guidance in determining the appropriate sentence.

(5) The following administrative penalties, in respect of the offences referred to in the table below, shall be applicable to organisations:

REGULATION	PENALTY: ORGANISATIONS		
	1ST OFFENCE	2ND OFFENCE	3RD OFFENCE
185.00.1(1)(a)	R16 000	R32 000	R64 000
185.00.1(1)(b)	R16 000	R32 000	R64 000
185.00.1(1)(c)	R16 000	R32 000	R64 000
185.00.1(1)(d)	R24 000	R48 000	R96 000
185.00.1(1)(e)	R24 000	R48 000	R96 000
185.00.1(1)(f)	R24 000	R48 000	R96 000
185.00.1(1)(g)	R40 000	R80 000	R160 000
185.00.1(1)(h)	R40 000	R80 000	R160 000
185.00.1(1)(i)	R40 000	R80 000	R160 000
185.00.1(1)(j)	R24 000	R48 000	R96 000
185.00.1(1)(k)	R16 000	R32 000	R64 000
185.00.1(1)(l)	R40 000	R80 000	R160 000
185.00.1(1)(m)	Discretionary	Discretionary	Discretionary
185.00.1(2)(a)	R10 000	R20 000	R32 000
185.00.1(2)(b)	R10 000	R20 000	R32 000
185.00.1(3)	R10 000	R20 000	R32 000

(6) In the event of a conviction where a criminal prosecution has been instituted in accordance with the table above, the penalties referred to in the table may be used as guidance in determining the appropriate sentence.

(7) An enforcement officer may issue a penalty notice as a spot fine to a suspected offender and such notice must be in the appropriate prescribed form, and shall –

- (a) specify the offence allegedly committed;
- (b) disclose possible evidence of the alleged offence;
- (c) specify the reasons for the action taken;
- (d) specify the rights and obligations arising there from, including time frames; and
- (e) invite the alleged offender to pay to the Authority the admission of guilt fine as stipulated by the enforcement officer in the penalty notice within 30 (thirty) days of the issue or service of the penalty notice.

(8) The enforcement officer who has issued a penalty notice for the payment of a spot fine must submit to the Director, within 7 (seven) days after the issue or service of a penalty notice, a written report on the enforcement action taken which report must –

- (a) specify the nature of the alleged offence committed;
- (b) include possible evidence of the alleged offence;
- (c) include a copy of the penalty notice issued to the alleged offender;
- (d) specify the reasons for the action taken; and
- (e) include proof of service of the penalty notice on the alleged offender.

(9) An enforcement officer must serve the alleged offender with a notice of intended enforcement action, before issuing and serving a penalty notice for a fine following investigation.

(10) The notice of intended enforcement action must be served in person, by email or by registered mail, on the appropriate form prescribed, and must –

- (a) specify the alleged offence to be investigated;
- (b) disclose evidence of the alleged offence;
- (c) specify the reasons for the action taken;
- (d) specify the rights and obligations arising there from, including time frames;
- (e) invite the alleged offender to make representation either orally or in writing on the allegation(s) within 30 (thirty) days of the issue or service of the notice of intended investigation; and
- (f) provide an opportunity to the alleged offender to obtain assistance in making representations; and
- (g) specify the administrative action that may follow.

(11) The enforcement officer must assess all the relevant evidence before him or her and verify with the Legal Division of the Authority prior to issuing a penalty notice.

(12) The enforcement officer must issue a penalty notice following an investigation if he or she is satisfied that the alleged offender has committed the offence in question.

(13) An enforcement officer who has issued a penalty notice must submit to the Director within 7 (seven) days after the issue of the penalty notice a written report on the enforcement action taken, as detailed in the penalty notice.

(14) An enforcement officer must issue within 7 (seven) days of receipt of the representations referred to in sub-regulation (10)(e) to the alleged offender a notice of no further action if he or she is satisfied that the alleged offender has not committed the offence in question.

(15) If a penalty notice is served on an alleged offender, he or she has a period of 30 (thirty) days within which to pay the monetary penalty specified.

(16) If an alleged offender pays the monetary penalty as mentioned in sub-regulation (15) –

- (a) any liability of the alleged offender specified in the notice is taken to be discharged;
- (b) the alleged offender shall not be regarded as having been convicted of the offence.

(17) A copy of the penalty notice and proof of payment of the penalty must be placed in the official file of the Authority relating to the individual or organisation, as the case may be.

(18) If payment is made in the form of a cheque, the amount will be regarded as being paid only after the cheque is honoured upon presentation.

(19) An alleged offender, who feels aggrieved by the penalty notice issued in terms of sub-regulation (7) or (12), may appeal to the Director against the terms of the penalty notice within 14 days of the issue of penalty notice.

(20) The enforcement officer must, within 14 days of receipt of the copy of the appeal referred to in sub-regulation (19), deliver his or her written reply to such an appeal to the Director.

(21) The Director must make a final decision on the appeal in the appropriate form, which decision may include withdrawal, confirmation or amendment of the fine prescribed in the penalty notice.

(22) If the penalty notice is withdrawn by the Director on appeal, after the alleged offender has paid the monetary penalty, the Director must direct or instruct that the amount paid as the monetary penalty be refunded.

(23) Nothing in this Part –

- (a) prevents the service of a penalty notice on an individual or organisation for repeating a prescribed offence;
- (b) limits the amount of the fine that may be imposed by a court, subject to its punitive jurisdiction, on an individual or organisation convicted of a prescribed offence; or
- (c) limits the Director in the exercise of any other powers granted to him or her elsewhere in these Regulations.

(24) The Director or an enforcement officer may serve a penalty notice, a final decision or a notice of no further action –

(a) on an individual –

- (i) by giving it to the individual personally;
- (ii) by leaving it at, or by sending it per registered mail to, the address of the place of residence or business of the individual last known to the Director or the enforcement officer;
- (iii) by giving it, at the place of residence or business of the individual last known to the Director or enforcement officer, to a person who is, or is reasonably believed to be, above the age of 16 years and apparently an occupant of, or employed at the place; or
- (iv) by sending it to the email address of the individual last known to the Director or the enforcement officer; and

(b) on an organisation –

- (i) by sending it per registered mail to the head office, registered office, principal office or other postal address of the organisation;
- (ii) by giving it to a person who is, or is reasonably believed to be, an officer of, or in the service of the organisation and above the age of 16 years, at the head office, registered office, principal office or other place of business of the organisation; or
- (iii) by sending it to the email address of the organisation or a representative of the organisation last known to the Director or the enforcement officer.

(25) The Authority must keep proper records of all enforcement actions taken in terms of this regulation, and retain on the individual's or organisation's file copies of all notices issued, reports written and decisions taken in respect of any alleged offence and any investigation undertaken in terms of this Part.

Suspension, cancellation, downgrade or endorsements

185.00.4 (1) An authorised officer, inspector or authorised person may endorse, suspend, downgrade or vary a registration, certificate, approval, licence or authorisation issued under these Regulations, if –

- (a) immediate endorsement, suspension, downgrade or varying is necessary in the interests of aviation safety;
- (b) an authorised officer, inspector or authorised person is prevented by the holder of the registration, certificate, approval, licence or authorisation from carrying out any safety inspection and audit or from performing any of the functions that the authorised officer,

inspector or authorised person is permitted to perform in terms of the Act and these Regulations; or

- (c) it is evident that the holder of the registration, certificate, approval, licence or authorisation does not comply with the relevant requirements prescribed in the Regulations, after such holder has been given at least 14 days within which to comply therewith.

(2) The notice of endorsement, suspension, downgrade or varying must be given in writing, and must comply with the provisions of section 117 of the Act .

(3) An authorised officer, inspector or authorised person who has endorsed, suspended, downgraded or varied a registration, certificate, approval, licence or authorisation must, within 7 days, submit a report in writing to the Director with a proof that a copy thereof has been submitted to the person concerned, stating the reasons why, in his or her opinion, such registration, certificate, approval or authorisation should be withdrawn or restored.

Appeal against decisions of authorised officers, authorised persons and inspectors

185.00.5. (1) Any aggrieved person or entity whose rights have been detrimentally affected by an administrative action taken by an inspector, authorised officer or authorised person in terms of the Act or in terms of regulation 185.00.4, may, after payment of the fee prescribed in Part 187, appeal against a decision to –

- (a) refuse such person's or entity's application for registration, licence, certificate, approval or authorisation;
- (b) issue, subject to any condition or restriction, such person's or entity's, registration, licence, certificate, approval or authorisation;
- (c) suspend, cancel, endorse, downgrade or vary such person's or entity's registration, licence, certificate, approval or authorisation;
- (d) issue a compliance notice or a refusal to issue a compliance certificate in terms of section 114(1) and (2) of the Act;
- (e) ground an aircraft or close an aviation related facility in terms section 115(1);or
- (f) prohibit the exercising of certain privileges of any aviation certificate, permit or authorisation in terms of section 116(1) of the Act.

(2) An appeal in terms of subsection (1) must be lodged with the Director within 30 days after the furnishing of reasons for the decision.

(3) The Director must within three days of receiving such appeal in writing confirm, amend or withdraw the decision.

(4) The Director must within 14 days furnish written reasons to the appellant for any decision taken in terms of sub-regulation (3).

(5) Any person aggrieved by a decision taken in terms of sub-regulation (3) may appeal against such decision within five days of receipt of the reasons referred to in sub-regulation (3) to an appeal committee contemplated under section 122 of the Act.

(6) In adjudicating the appeal contemplated in sub-regulation (3) the Director may afford the appellant—

- (a) a reasonable opportunity to make representations;
- (b) the opportunity to present and dispute information and arguments; and
- (c) the opportunity to appear in person.

(7) The Director may on good cause shown condone any non-compliance with the time period contemplated in sub-regulation (1).

(8)(a) If the Director sets aside any decision of an authorised officer, authorised person or inspector, the fees referred to in sub-regulation (1) must be refunded to the appellant.

(b) If the Director varies any such decision, he or she may direct that the whole or any part of such fees be refunded to the appellant.

(9) An appeal lodged in terms of this section does not suspend the decision of the authorised officer, authorised person or inspector.

Appeal against refusal, cancellation, endorsement of medical certificate or declaration of unfitness

185.00.6 (1)(a) An applicant for, or the holder of any class of medical certificate who feels aggrieved by—

- (i) a decision by the designated body or institution to cancel his or her medical certificate;
- (ii) a decision by a DAME, declaring him or her unfit or temporarily unfit;
- (iii) any endorsement made by the designated body or institution on his or her medical certificate; or
- (iv) any endorsement made by a DAME on his or her medical certificate, may appeal against such decision or endorsement to the Director on the payment of the fees prescribed in Part 187.

(b) Such appeal must be lodged on the appropriate form within 60 days—

- (i) after receipt of the reasons for the decision; or
- (ii) after or he or she became aware of such decision or endorsement.

(2) An appeal lodged in terms of this regulation must be considered and decided by the Director assisted by at least two medical practitioners, one of whom must have experience in aviation medicine.

(3) An appeal lodged in terms of sub-regulation (2) must be considered and decided by the Director within 60 days of receipt thereof.

- (4) After considering an appeal the Director may, in agreement with the medical practitioners, confirm the decision in respect of which the appeal was lodged or give such other decision as the Director and the medical practitioners may consider equitable.
- (5) Any person affected by a decision referred to in sub-regulation (4) may appeal to the appeal committee against the decision.
- (6) The person appealing in terms of sub-regulation (1) is entitled to legal representation.
- (7) The Director may on good cause shown condone any non-compliance with the time period referred to in sub-regulation (1).
- (8) An appeal lodged in terms of this section does not suspend the decision or endorsement in respect of which the appeal is lodged.

Appeal against decisions of Director

185.00.7 (1) Any person or entity aggrieved by a decision taken by the Director referred to in sub-regulation (2) (a) to (e) may file a written appeal with the appeal committee against such decision within 30 days after receipt of the reasons for the decision.

- (2) Any person or entity, as the case may be, may appeal against—
- (a) a decision or decisions taken in terms of sections 98(5) and 118(3) of the Act;
 - (b) a decision by the Director to—
 - (i) refuse such person's or entity's application for exemption, registration, licence, certificate, approval or authorisation, or to designate one or more persons as inspectors, authorised officers or persons in terms of the Act;
 - (ii) issue, subject to any condition or restriction, such person's or entity's exemption, registration, licence, certificate, approval or authorisation in terms of the Act; or
 - (iii) suspend, cancel, endorse or vary such person's or entity's exemption, registration, licence, certificate, approval or authorisation in terms of the Act;
 - (c) a decision taken in regard to the designation or withdrawal of a designation as inspectors, authorised officers or authorised persons contemplated in section 88(1) of the Act;
 - (d) a decision refusing to lift the grounding order as contemplated in section 115(2) of the Act;
 - (e) any decision taken in terms of section 130 of the Act; or
 - (f) the issuance, amendment or withdrawal of technical standards for civil aviation in terms of section 162(1)(a).
- (3) The Director must within 14 days furnish written reasons to the appellant for any decision taken in terms of sub-regulation (2)(a) to (f).

PART 187: FEES AND CHARGES

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SUBPART 1: USER FEES

Fees relating to Part 11

187.01.1	The following fees are payable:	R
(a)	For an exemption	1130.00
(b)	For an exemption to be considered within 3 working days of request	2 610.00

Fees relating to Part 21

187.01.2	The following fees are payable:	R
(a)	For a copy of the register of certificates (regulation 21.01.7(5)), per page	1.40
(b)(i)	For the type certification approval evaluation, per type, for Class I products (regulation 21.02.2(1)), per hour	580.00
(ii)	For the issuing of a type certificate for Class I products or an amendment thereof (regulation 21.02.2(1))	1 410.00
(c)(i)	For the type acceptance certification approval evaluation, per type, for Class I products (regulation 21.04.2), per hour	580.00
(ii)	For the issuing of a type acceptance certificate for Class I products or amendment thereto (regulation 21.04.2)	1 410.00
(d)	For the issuing of a supplemental type certificate (regulation 21.05.2)	1 020.00
(e)	For the issuing of a production certificate or an amendment thereof (regulation 21.07.2)	1 400.00
(f) (i)	For the issuing or re-issuing of a standard or restricted certificate of airworthiness (regulation 21.08.2(2)), as prescribed in Table 1 below ;	
(ii)	For the amendment of a standard or restricted certificate of airworthiness (regulation 21.08.2(2))	660.00
(g) (i)	For the issuing of an experimental certificate (regulation 21.08.2(3)) in respect of –	
(aa)	an aircraft with a maximum certificated mass exceeding 5 700 kg	2 750.00
(bb)	an aircraft with a maximum certificated mass of 5 700 kg or less	1 380.00
(ii)	For the amendment of an experimental certificate (regulation	660.00

21.08.2(3))

- (h) (i) For the issuing of a special flight permit (regulation 21.08.5(3)) 340.00
- (ii) For the amendment of a special flight permit (regulation 21.08.5(3)) 120.00
- (i) (i) For the issuing of a ZA-PMA (regulation 21.09.3(2)) 390.00
- (ii) For review of submitted documentation for purposes of issuing ZA-PMA, per hour 580.00
- (j) (i) For the issuing of an export airworthiness approval in respect of Class 1 products (regulation 21.11.2(3)), as prescribed in Table 1 below;
- (ii) For the issuing of an export airworthiness approval in respect of products other than Class 1 products (regulation 21.11.2(3)) 1 410.00
- (k) (i) For the issuing of a ZA-TSO authorisation (regulation 21.12.2(2)) 390.00
- (ii) For review of submitted documentation for purposes of issuing ZA-TSO authorisation, per hour 580.00
- (l) For the issuing of a duplicate of any certificate, approval or authorisation issued under Part 21 280.00

TABLE 1

Weight category	Issue/reissue: Certificate of airworthiness/Export airworthiness approval R	Currency fee R
0 – 1 800 kg	3, 690.00	760.00
1 801 – 3 600 kg	4, 610.00	1, 120.00
3 601 – 5 700 kg	5, 520.00	1, 500.00
5 701 – 20 000 kg	7, 360.00	2, 240.00

20 001 – 50 000 kg	11, 060.00	2, 970.00
50 001 kg +	14,730.00	4, 490.00

Fees relating to Part 24

		R
187.01.3	The following fees are payable:	
(a)	For the issuing of an authority to fly or an amendment thereof (regulation 24.02.2)	200.00
(b)	Currency fee on the anniversary of the authority to fly (regulation 24.02.8)	200.00

Fees relating to Part 34

		R
187.01.4	The following fees are payable:	
(a)	For the issuing of a fuel venting certificate (regulation 34.02.3)	500.00
(b)	For a copy of the register of fuel venting certificates (regulation 34.01.4), per page	1.40
(c)	For the issuing of an engine emissions certificate (regulation 34.03.3)	500.00
(d)	For a copy of the register of engine emissions certificates (regulation 34.01.4), per page	1.40

Fees relating to Part 36

		R
187.01.5	The following fees are payable:	
(a)	For the issuing of a noise certificate (regulation 36.00.5)	500.00
(b)	For a copy of the register of noise certificates (regulation 36.00.11), per page	1.40

Fees relating to Part 43

		R
187.01.6	The following fees are payable:	
(a)	For the approval of modifications, repairs and installations on an aircraft (regulation 43.02.15)	420.00

- | | | |
|-----|--|--------|
| (b) | For the evaluation of documentation for purposes of an approval of modifications, repairs and installations on an aircraft, per hour (regulation 43.02.15) | 580.00 |
|-----|--|--------|

Fees relating to Part 47**R****187.01.7** The following fees are payable:

- | | | |
|-----|--|----------|
| (a) | For registration of an aircraft (regulation 47.00.5(2)) | 570.00 |
| (b) | For the amendment of a certificate of registration (regulation 47.00.8) | 410.00 |
| (c) | For the issuing of a duplicate certificate of registration (regulation 47.00.9(2)) | 410.00 |
| (d) | For the uplifting of a grounding (regulation 47.00.10(6)) | 570.00 |
| (e) | For the cancellation of a certificate of registration (regulation 47.00.11) | 570.00 |
| (f) | For an excerpt from the South African Civil Aircraft Register (regulation 47.00.14(3)), per page | 7.20 |
| (g) | For the allocation of special registration marks (regulation 47.00.3(2)) | 2 000.00 |
| (h) | For the re-allocation of aircraft registration marks (regulation 47.00.3(2)) | 2 000.00 |

Fees relating to Part 48**R****187.01.8** The following fees are payable:

- | | | |
|-----|---|----------|
| (a) | For the approval of dry lease-in of aircraft (regulation 48.03.1(1)) | 1 130.00 |
| (b) | For the approval of wet lease-in of aircraft (regulation 48.03.3(1)) | 1 130.00 |
| (c) | For the approval of wet lease-out of aircraft (regulation 48.03.4(4)) | 1 130.00 |

Fees relating to Part 61**R****187.01.9** The following fees are payable:

- | | | |
|------|--|--------|
| (a) | For validation of the following air crew licences: | |
| (i) | Airline transport pilot licence | 550.00 |
| (ii) | Commercial pilot licence | 500.00 |

(iii)	Private pilot licence	340.00
(iv)	Airship pilot licence	340.00
(b)	For a copy of the register of pilot licences	210.00
(c)	For the issuing or reissuing of the following air crew licences:	
(i)	Student pilot licence	370.00
(ii)	Private pilot licence	470.00
(iii)	Airship pilot licence	470.00
(iv)	Commercial pilot licence	510.00
(v)	Airline transport pilot licence	560.00
(d)	For the issuing or reissuing of any rating that will be reflected on a licence:	
(i)	Instructor rating:	
	Category A & B for Aeroplane and Helicopter	390.00
(ii)	Other ratings	240.00
(iii)	Any authorisation or approval pertaining to a licence	240.00
(e)	For examinations provided by the Director in respect of any pilot licence or rating, per subject:	
(i)	On-line PPL examinations	70.00
(ii)	All other on-line examinations	240.00
(iii)	Out-station (hand written) examinations	350.00
(f)	For the remarking of examinations by the Director in respect of any pilot licence or rating, per subject	350.00
(g)	For the issuing of the following duplicate pilot licences:	
(i)	Student pilot licence	290.00
(ii)	Private pilot licence	330.00
(iii)	Airship pilot licence	330.00
(iv)	Commercial pilot licence	500.00
(v)	Airline transport pilot licence	550.00
(h)	For the annual currency of the following air crew licences:	
(i)	Student pilot licence	320.00
(ii)	Private pilot licence	340.00
(iii)	Airship pilot licence	340.00

(iv)	Commercial pilot licence	370.00
(v)	Airline transport pilot licence	420.00
(i)	For the initial designation and the renewal thereof in respect of the following examiners:	
(i)	Flight examiner	1 040.00
(ii)	Radio telephone operator examiner	810.00
(j)	For the monitoring of the process of Flight instructor Grade 1 upgrade	1 040.00

Fees relating to Part 62**R****187.01.10** The following fees are payable:

(a)	For validation of the following foreign air crew licences:	
(i)	Weight shift controlled microlight pilot licence	340.00
(ii)	Conventionally controlled microlight pilot licence	340.00
(iii)	Light Sport aeroplane pilot licence	340.00
(iv)	Gyroplane pilot licence	340.00
(v)	Touring motor glider pilot licence	340.00
(b)	For the issuing or reissuing of the following air crew licences:	
(i)	National pilot learner licence	370.00
(ii)	Weight shift controlled microlight pilot licence	370.00
(iii)	Conventionally controlled microlight pilot licence	370.00
(iv)	Light sport aeroplane pilot licence	370.00
(v)	Gyroplane pilot licence	370.00
(vi)	Touring motor glider pilot licence	370.00
(c)	For the issuing or reissuing of any rating that will be reflected on a licence:	
(i)	Instructor rating	390.00
(ii)	Other ratings	240.00
(iii)	Part 96 Authorisation	500.00
(d)	For examinations provided by the designated body in respect of any pilot licence or rating:	
(i)	On-line (new licence)	200.00
(ii)	Online (Category conversion)	100.00
(e)	For the annual currency of the following air crew licences:	

(i)	National pilot learner licence	320.00
(ii)	Weight shift controlled microlight pilot licence	290.00
(iii)	Conventionally controlled microlight pilot licence	290.00
(iv)	Light sport aeroplane pilot licence	290.00
(v)	Gyroplane pilot licence	290.00
(vi)	Touring motor glider pilot licence	290.00
(f) For the issuing of the following duplicate pilot licences:		
(i)	National pilot learner licence	290.00
(ii)	Weight shift controlled microlight pilot licence	290.00
(iii)	Conventionally controlled microlight pilot licence	290.00
(iv)	Light sport aeroplane pilot licence	290.00
(v)	Gyroplane pilot licence	290.00
(vi)	Touring motor glider pilot licence	290.00
(g) For the initial designation and review thereof in respect of the following examiners:		
(i)	Flight examiner	810.00
(ii)	Radio telephone operator examiner	810.00

Fees relating to Part 63

R

187.01.11 The following fees are payable:

(a)	For validation of a flight engineer licence	500.00
(b)	For a copy of the register of flight engineer licences	210.00
(c)	For the issuing or reissuing of a flight engineer licence	500.00
(d)	For the issuing or reissuing of the following ratings that will be reflected on flight engineer licences:	
(i)	Flight engineer instructor rating	390.00
(ii)	Other	240.00
(e) For examinations provided by the Director in respect of any flight engineer licence or rating, per subject —		
(i)	On-line	240.00
(ii)	Out-station	350.00
(f)	For remarking of examinations in respect of any flight engineer licence or rating, per subject	340.00

(g)	For the issuing of a duplicate flight engineer licence	500.00
(h)	For the annual currency of a flight engineer licence	310.00
(i)	For the designation of a flight engineer examiner (annually)	790.00

Fees relating to Part 64**R****187.01.12** The following fees are payable:

(a)	For a copy of the register of cabin crew member licences	210.00
(b)	For the issuing or reissuing of a cabin crew member licence	310.00
(c)	For examinations provided by the Director in respect of any cabin crew member licence or rating, per subject —	
(i)	On-line	240.00
(ii)	Out-station	350.00
(d)	For remarking of examinations in respect of any cabin crew member licence or rating, per subject	340.00
(e)	For the issuing of a duplicate cabin crew member licence	310.00
(f)	For the annual currency of a cabin crew member licence	240.00
(g)	For the designation of a cabin crew member examiner (annually)	790.00
(h)	For the validation of a cabin crew member licence or equivalent Document	470.00

Fees relating to Part 65**R****187.01.13** The following fees are payable:

(a)	For the conversion of a foreign air traffic service licence or rating	610.00
(b)	For a copy of the register of air traffic service licences	140.00
(c)	For the issuing or reissuing of an air traffic service licence	500.00
(d)	For an addition of a rating to an air traffic service licence	250.00
(e)	For endorsement of an air traffic service licence	250.00
(f)	For the issuing of a duplicate air traffic service licence	500.00
(g)	For the currency of an air traffic service licence	310.00

Fees relating to Part 66**R****187.01.14** The following fees are payable:

(a)	For the validation of an aircraft maintenance engineer licence	570.00
(b)	For a copy of the register of aircraft maintenance engineer licences	210.00
(c)	For the issuing or reissuing of an aircraft maintenance engineer licence	570.00
(d)	For amendment of or addition to an aircraft maintenance engineer licence	350.00
(e)	For the renewal of an aircraft maintenance engineer licence	580.00
(f)	For the issuing of a duplicate aircraft maintenance engineer licence	580.00
(g)	For the writing and remarking of examinations in respect of any aircraft maintenance engineer licence or rating, per subject	340.00
(h)	For the issuing of a letter of confirmation of an aircraft maintenance engineer experience/qualifications to interested parties	610.00
(i)	For the designation of an aircraft maintenance engineer examiner (annually)	750.00

Fees relating to Part 67**R****187.01.15** The following fees are payable:

(a)	For appeal against being found medically unfit	1 700.00
(b)	For designation of the following medical examiners:	
(i)	Senior examiner	780.00
(ii)	Regular examiner	390.00
(c)	For the designation of a medical cabin crew examiner	730.00
(d)	For other services to be provided, per hour	580.00

Fees relating to Part 68**R****187.01.16** The following fees are payable:

(a)	For the issuing or reissuing of the following air crew licences:	
(i)	Glider pilot licence	370.00
(ii)	Commercial glider pilot licence	370.00
(b)	For validation of the following foreign air crew licences:	
(i)	Glider pilot licence	340.00

(c)	For issuing of duplicates of the following licences:	
(i)	Glider pilot licence	290.00
(ii)	Commercial glider pilot licence	290.00
(d)	For the annual currency of the following air crew licences:	
(i)	Glider pilot licence	290.00
(ii)	Commercial glider pilot licence	290.00
(e)	For the issuing issuing or reissuing of any rating that will be reflected on a licence:	
(i)	Instructor rating: Category A & B for Aeroplane and Helicopter	370.00
(ii)	Other ratings	240.00
(iii)	Any authorisation or approval pertaining to a licence	240.00
(f)	For the issuing of the following duplicate pilot licences:	
(i)	Student pilot licence	290.00
(h)	For the annual currency of the following air crew licences:	
(i)	Student pilot licence	320.00

Fees relating to Part 69**R****187.01.17** The following fees are payable:

(a)	For the issuing or reissuing of the Free balloon pilot licence	470.00
(b)	For validation of the Free balloon pilot licence	340.00
(c)	For issuing of duplicates of the Free balloon pilot licence	330.00
(d)	For the annual currency of the Free balloon pilot licence	340.00

Fees relating to Part 91**R****187.01.18** The following fees are payable:

(a)	For the issuing of a duplicate mass and balance report	480.00
(b)	For the issuing of a duplicate flight manual approval	330.00
(c)	For the issuing of a duplicate aircraft equipment list	480.00
(d)	For the issuing or reissuing of Reduced Vertical Separation	

	Minima certificate	480.00
(e)	For the issuing or reissuing of Minimum Navigation Performance Specification certificate	330.00
(f)	For the issuing or reissuing of FM Immunity certificate	320.00
(g)	For the issuing or reissuing of area navigation certificate	340.00
(h)	For the issuing or reissuing of transponder binary / decimal / hexadecimal codes	250.00
(i)	For the issuing or reissuing of a certificate of permission to import an aircraft	340.00

Fees relating to Part 92**R****187.01.19** The following fees are payable:

(a)	For an exemption in terms of regulation 92.00.3	1 130.00
(b)	For an exemption to be considered within 3 working days of request	2 610.00
(c)	For the validation of a foreign certificate issued for the handling of goods to be conveyed by air in terms of regulation 92.00.9	300.00
(d)	For the issuing of dangerous goods approval	870.00

Fees relating to Part 105**R****187.01.20** This fee is payable for the authorisation of a parachute jump 180.00**Fees relating to Part 108****R****187.01.21** (1) The following fees are payable:

(a)	For the initial issue of certificate of approval	3 000.00
(b)	For the renewal of certificate of approval	1 500.00
(c)	For the validation of certificate of approval	1 500.00
(d)	For the validation of training certificate	100.00
(e)	For an amendment to a security manual, per page	12.50
(f)	For an extract of the register of certificates of approval	50.00

(2) The following fees are payable per site in respect of prescribed inspections:

(a)	Sites up to 1 000m ²	1 000.00
(b)	Sites in excess of 1 000m ² up to and including 5 000m ²	1 400.00

(c)	Sites exceeding 5 000m ²	1 800.00
(3)	The following fees are payable in respect of the initial approval of a security manual:	
(a)	Per manual consisting of 100 or less pages	1 000.00
(b)	Per manual consisting of 101 to 200 pages	2 000.00
(c)	Per manual consisting of more than 200 pages	5 000.00

Fees relating to Part 109**R****187.01.22** The following fees are payable:

(a)	For a copy of the register of aviation security training organization approvals	180.00
(b)	For the issuing of an aviation security training organization approval	2 050.00
(c)	For an amendment of an aviation security training organization approval	1 010.00
(d)	For the renewal of an aviation security training organization approval	1 070.00
(e)	For the issuing of an aviation security training organization temporary approval to conduct aviation security training	480.00

Fees relating to Part 110**R****187.01.23** The following fees are payable:

(a)	For the issuing of an aviation security screener certificate	260.00
(b)	For the reissuing of an aviation security screener certificate	260.00
(c)	For the issuing of a duplicate aviation security screener certificate	180.00
(d)	For the designation as an aviation security screener examiner (annually)	660.00
(e)	For a copy of the register of security screeners certificates	180.00
(f)	For examination provided by the Director in respect of aviation security screener certification, per subject:	
(i)	On-line	210.00
(ii)	At Authority examination centre	290.00
(g)	For the remarking of examination in respect of an aviation security screener certificate, per subject	280.00
(h)	For the annual recertification of a security screener	210.00
(i)	For the validation of an aviation security screener certification or equivalent document	390.00

Fees relating to Part 121**R**

187.01.24	(1) The following fees are, subject to the provisions of sub-regulation (2), payable:	
(a)	For the issuing of an operating certificate in terms of regulation 121.06.2 for aeroplanes in the certificated mass class of –	
(i)	5 701 kg - 20 000 kg	13 090.00
(ii)	20 001 kg - 130 000 kg	16 380.00
(iii)	Greater than 130 000 kg	19 660.00
(b)	For each aeroplane placed on the operating certificate in the mass classes referred to below –	
(i)	5 701 kg - 20 000 kg	1 290.00
(ii)	20 001 kg - 130 000 kg	1 430.00
(iii)	Greater than 130 000 kg	2 870.00
(c)	For the renewal of an operating certificate referred to in paragraph (a) above in respect of aeroplanes in the certificated mass class of –	
(i)	5 701 kg - 20 000 kg	11 990.00
(ii)	20 001 kg - 130 000 kg	15 950.00
(iii)	Greater than 130 000 kg	19 910.00
(d)	For the placing of each aeroplane on the renewed operating certificate, the fees referred to in paragraph (b) above	
(e)	For a copy of the register of operating certificates in respect of Part 121	143.00
(f)	For the issuing of a certificate of approval for an operations manual in respect of Part 121	5 610.00
(g)	For the approval of the following amendments to an operations manual in respect of Part 121:	
(i)	A text or content amendment, per page	1.40
(ii)	A name or numbering change, per page	2.90
(h)	For the removal of an aeroplane from the certificate of approval	150.00

(2) Where an application for an operating certificate or an application for a renewal thereof relates to more than one aeroplane, the fee payable is in respect of an aeroplane in the highest all-up certificated mass class applicable to Part 121.

Fees relating to Part 127**R**

- 187.01.25** (1) The following fees are, subject to the provisions of sub-regulation (2), payable:
- (a) For the issuing of an operating certificate in terms of regulation 127.06.2 for helicopters in the certificated mass class of –
- | | | |
|-------|-----------------------|-----------|
| (i) | Less than 1 500 kg | 7 050.00 |
| (ii) | 1 500 kg - 5 700 kg | 8 420.00 |
| (iii) | Greater than 5 700 kg | 11 090.00 |
- (b) For each helicopter placed on the operating certificate in the mass classes referred to below –
- | | | |
|-------|-----------------------|----------|
| (i) | Less than 1 500 kg | 1 060.00 |
| (ii) | 1 500 kg - 5 700 kg | 1 340.00 |
| (iii) | Greater than 5 700 kg | 1 500.00 |
- (c) For renewal of an operating certificate referred to in paragraph (a) above in respect of helicopters in the certificated mass class of –
- | | | |
|-------|-----------------------|----------|
| (i) | Less than 1 500 kg | 4 310.00 |
| (ii) | 1 500 kg - 5 700 kg | 5 750.00 |
| (iii) | Greater than 5 700 kg | 8 610.00 |
- (d) For the placing of each aeroplane on the renewed operating certificate, the fees referred to in paragraph (b) above
- (e) For a copy of the register of operating certificates in respect of Part 127 140.00
- (f) For the issuing of a certificate of approval for an operations manual in respect of Part 127 5 590.00
- (g) For the approval of the following amendments to an operations manual in respect of Part 127:
- | | | |
|------|---------------------------------------|------|
| (i) | A text or content amendment, per page | 1.40 |
| (ii) | A name or numbering change, per page | 2.90 |
- (h) For the removal of a helicopter from the certificate of approval 1.50
- (2) Where an application for an operating certificate or an application for a renewal thereof relates to more than one helicopter, the fee payable is in respect of a helicopter in the highest all up certificated mass class applicable to Part 127.

Fees relating to Part 135**R****187.01.26** The following fees are payable:

- | | | |
|------|---|----------|
| (a) | For the issuing of an operating certificate in terms of regulation 135.06.2 for aeroplanes with a maximum certificated mass of 5 700 kg or less | 8 470.00 |
| (b) | For each aeroplane placed on the operating certificate in the class referred to in paragraph (a) above | 1 460.00 |
| (c) | For renewal of an operating certificate referred to in paragraph (a) Above | 5 800.00 |
| (d) | For the placing of each aeroplane on the renewed operating certificate, the fees referred to in paragraph (b) above | 1 460.00 |
| (e) | For a copy of the register of operating certificates | 140.00 |
| (f) | For the issuing of a certificate of approval for an operations manual in respect of Part 135 | 6 530.00 |
| (g) | For the approval of the following amendments to an operations manual in respect of Part 135: | |
| (i) | A text or content amendment, per page | 1.40 |
| (ii) | A name or numbering change, per page | 2.90 |
| (h) | For the removal of an aeroplane from the Certificate of Approval | 150.00 |

Fees relating to Part 136**R****187.01.27** The following fees are payable:

- | | | |
|------|---|----------|
| (a) | For the initial issuing of an operating certificate | 3 500.00 |
| (b) | For each additional balloon placed on an operating certificate | 605.00 |
| (c) | For the renewal or variation of an operating certificate | 2 350.00 |
| (d) | For the renewal in respect of each additional balloon | 605.00 |
| (e) | For a copy of register of operating certificates | 120.00 |
| (f) | For an approval of the following amendments to an operations manual in respect of Part 136: | |
| (i) | A text or content amendment, per page | 1.40 |
| (ii) | A name or numbering change, per page | 2.90 |

- (g) For the removal of a balloon from the register of operating certificates 150.00

Fees relating to Part 137

R

187.01.28 The following fees are payable:

- (a) For an operating certificate prescribed by regulation 137.01.3 to be issued for Part 121, Part 127 or Part 135, as the case may be, the fees shall be as prescribed by the appropriate Part.

Fees relating to Part 138

R

187.01.29 The following fees are payable:

- (a) For an operating certificate prescribed by regulation 138.01.2 to be issued for Part 121, Part 127 or Part 135, as the case may be, the fees shall be as prescribed by the appropriate Part.

Fees relating to Part 139

- 187.01.30 (1) The fees reflected in **Table 2** below are payable for the services reflected therein.

TABLE 2

Cat	Fire services, Security and Dangerous Goods		Infrastructure	Lighting (Relevant to all the categories listed in the Table)	Instrumentation (Relevant to all the categories listed in the Table)
	National Aerodromes	International Aerodromes			
	R	R	R		R
1	530.00	3, 940.00	260.00	Instrument	VOR: 1 280.00
2	1, 970.00	7, 920.00	260.00	RWS: R2.40/metre	ILS: 1 510.00
3	3, 830.00	11,540.00	550.00	Non-Instrument	NDB: 410.00

4	6,640.00	17,860.00	1,250.00	RWS: R1.20/metre	PAPI (Audit): per set 770.00
5	8,590.00	23,180.00	1,460.00		
6	9,800.00	26,260.00	2,920.00		PAPI (Calibrate): per set 1 510.00
7	30,560.00	52,790.00	8,750.00		
8	67,380.00	137,250.00	20,650.00		VHF Spectrum: 990.00
9	137,920.00	264,900.00	27,540.00		
10	220,500.00	418,750.00	44,070.00		

(2) The following fees are payable:

R

- | | | |
|-----|---|----------|
| (a) | For a copy of the register of aerodrome licences, heliport approvals and heliport licences (regulation 139.01.6(5)), per page | 1.40 |
| (b) | For the issuing of a licence of intent (regulation 139.02.18(2)) | 4 290.00 |
| (c) | For the issuing of a heliport licence (regulation 139.03.10) | 3 630.00 |
| (d) | For the renewal of a heliport licence (regulation 139.03.17(1)) | 3 630.00 |
| (e) | For the approval and renewal of a helistop | 3 630.00 |
| (f) | For the issuing of an approval for the erection of a cellular telephone mast or any other obstacle | 650.00 |

Fees relating to Part 141

R

187.01.31 The following fees are payable:

- | | | |
|------|---|----------|
| (a) | For a copy of the register of aviation training organisation approvals | 210.00 |
| (b) | For the issuing of an aviation training organisation approval | 2 840.00 |
| (c) | For an amendment of an aviation training organisation approval | 1 180.00 |
| (d) | For the renewal of an aviation training organisation approval | 1 290.00 |
| (e) | For the issuing of a temporary aviation training organisation approval | 580.00 |
| (f) | For a copy of the register of operating certificates in respect of Part 141 | 143.00 |
| (g) | For the listing of the following aircraft type (as defined in Subpart 13 of Part 61) in the Operations Manual in respect of Part 141: | |
| (i) | aircraft with a maximum certificated mass of 5,700 kg or more | 1 460.00 |
| (ii) | aircraft with a maximum certificated mass of less than 5,700 kg | |

	but more than 2,700 kg	1 150.00
(iii)	aircraft with a maximum certificated mass of less than 2,700.00 kg	525.00
(h)	For the approval of the following amendments to an operations manual in respect of Part 141:	
(i)	A text or content amendment, per page	1.40
(ii)	A name or numbering change, per page	2.90
(iii)	For the temporary addition of an aircraft or instructor in the operations manual for temporary training approval per amendment	225.00

Fees relating to Part 145**R**

187.01.32	(1)	The following fees are payable for services rendered within the borders of South Africa:	
	(a)	For a copy of the register of aircraft maintenance organisation approvals (regulation 145.01.10 (5)), per page	1.40
	(b)	For the issuing of an aircraft maintenance organisation approval:	
	(i)	Per application	1 510.00
	(ii)	The hourly rate for inspection time	580.00
	(c)	For the amendment of an aircraft maintenance organisation approval	650.00
	(d)	For the renewal of an aircraft maintenance organisation approval:	
	(i)	Per application	700.00
	(ii)	The hourly rate for inspection time	580.00
	(e)	For the issuing of a duplicate aircraft maintenance organisation approval	100.00
	(2)	The following fees are payable for services rendered outside the borders of South Africa:	US\$
	(a)	For the issuing of an aircraft maintenance organisation approval, the hourly rate for inspection time	110.00
	(b)	For the renewal of an aircraft maintenance organisation approval, the hourly rate for inspection time	110.00

Fees relating to Part 147**R**

187.01.33	The following fees are payable:
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(a)	For a copy of the register of design organisation approvals (regulation 147.01.6(5)), per page	1.40
(b)(i)	For the issuing of a design organisation approval to design products or changes thereto (regulation 147.02.6)	3 530.00
(ii)	For the amendment of a design organisation approval to design products or changes thereto (regulation 147.02.6(b)(i))	130.00
(c)	For the renewal of a design organisation approval to design products or changes thereto (regulation 147.02.15(1))	280.00
(d)(i)	For the issuing of a design organisation approval to design parts and appliances or changes thereto (regulation 147.03.6)	3 530.00
(ii)	For the amendment of a design organisation approval to design parts and appliances or changes thereto (regulation 147.03.6)	130.00
(e)	For the renewal of a design organisation approval to design parts and appliances or changes thereto (regulation 147.03.14(1))	280.00
(f)	For the issuing of a duplicate design organisation approval	150.00

Fees relating to Part 148**R****187.01.34** The following fees are payable:

(a)	For a copy of the register of manufacturing organisation approvals (regulation 148.01.8(5)), per page	1.40
(b)(i)	For the issuing of a manufacturing organisation approval (regulation 148.02.2)	3 530.00
(ii)	For the amendment of a manufacturing organisation approval (regulation 148.02.2)	140.00
(c)	For the renewal of a manufacturing organisation approval (regulation 148.02.2)	280.00
(d)	For the issuing of a duplicate manufacturing organisation approval	150.00
(e)	For each additional rating (per application)	1 410.00
(f)	For the inspection of an organisation for issuance of a Certificate of Approval per hour per inspection	580.00
(g)	For the annual currency of a Certificate of Approval (regulation 148.02.14)	340.00
(h)	For the annual inspection in respect of continued approval per hour per inspection	580.00

Fees relating to Part 149**R****187.01.35** The following fees are payable:

- | | | |
|--------|--|----------|
| (a) | For a copy of the register of aviation recreation organisation approvals (regulation 149.01.7(5), per page | 1.40 |
| (b)(i) | For the issuing of an aviation recreation organisation approval (regulation 149.02.6) | 3 520.00 |
| (ii) | For the amendment of an aviation recreation organisation approval (regulation 149.02.6) | 130.00 |
| (c) | For the renewal of an aviation recreation organisation approval (regulation 149.02.12(1)) | 550.00 |
| (d) | For the issuing of a duplicate aviation recreation organisation approval | 150.00 |

Fees relating to Part 172**R****187.01.36** The following fees are payable:

- | | | |
|--------|---|-----------|
| (a) | For a copy of the register of air traffic service unit approvals (regulation 172.01.7(5)), per page | 1.40 |
| (b)(i) | For the issuing of an air traffic service unit approval (regulation 172.03.5) | 3 510.00 |
| (ii) | For the amendment of an air traffic service unit approval (regulation 172.03.5) | 80.00 |
| (c) | For the renewal of an air traffic service unit approval (regulation 172.03.9(1)) | 3 510.00 |
| (d) | For the issuing of a duplicate air traffic service unit approval | 110.00 |
| (e) | For the approval of: | |
| (i) | Aerodrome control service | 16 800.00 |
| (ii) | Approach control service | 20 760.00 |
| (iii) | Area control service | 20 760.00 |
| (iv) | Flight information service | 20 760.00 |
| (v) | Approach surveillance service | 34 570.00 |
| (vi) | Area surveillance service | 34 570.00 |
| (vii) | Aerodrome flight information service | 5 170.00 |

Fees relating to Part 175**R****187.01.37** The following fees are payable:

- | | | |
|-----|---|--------|
| (a) | For a copy of the South African Aeronautical Information Publication (regulation 175.00.2(a) excl postage) | 470.00 |
| (b) | For subscribing to the South African Aeronautical Information Publication annual amendment service (regulation 175.00.3(3)) | 340.00 |

Fees relating to Part 176**R****187.01.38** The following fees are payable:

- | | | |
|-----|---|--------|
| (a) | For a radio telephony call sign (regulation 176.00.2) | 390.00 |
|-----|---|--------|

Hourly rate

- | | | |
|------------------|--|-----------------------|
| 187.01.39 | (a) For services that are provided by the Authority in South Africa for which no specific fee has been set out in this Part, the following hourly rate is applicable: | R
580.00 |
| | (b) For services that are provided by the Authority outside South Africa for which no specific fee has been set out in this Part, the following hourly rate is applicable: | US\$
110.00 |

SUBPART 2: CIVIL AVIATION AUTHORITY PASSENGER SAFETY CHARGE**Liability to pay civil aviation authority passenger safety charge**

187.02.1 (1) A civil aviation authority passenger safety charge amounting to R16.00 shall be payable by aircraft passengers departing on an aircraft from an aerodrome within the Republic of South Africa on a scheduled public air transport flight or part of a flight to a destination within or outside the territory of the Republic of South Africa.

(2) The civil aviation authority passenger safety charge shall be included in the price payable in respect of the air ticket concerned.

(3) Value Added Tax is not payable on the civil aviation authority passenger safety charge.

Procedure for payment

187.02.2 (1) The civil aviation authority passenger safety charge becomes due to the Authority by an operator on the departure of a flight as contemplated in regulation 187.02.2(1).

(2) The operator shall pay, directly to the Authority, the civil aviation authority passenger safety charge, collected over a period of a calendar month, within twenty-one (21) days after the last day of the month to which the collected charge relates.

(3) The payment referred to in sub-regulation (2) shall be accompanied by a duly completed return prescribed form.

Data verification procedure

187.02.3 (1) Information relating to the total number of departing passengers per operator on domestic and international flights, as contemplated in regulation 187.02.2, shall be provided monthly –

- (a) by the Airports Company Limited of South Africa, in respect of flights departing from aerodromes owned or controlled by the said Company; and
- (b) by the relevant aerodrome licence holder or aerodrome operator in respect of flights departing from aerodromes not owned or controlled by the said Company.

(2) The Authority shall, on receipt of the information referred to in sub-regulation (1), verify the accuracy and completeness of data received from the operators involved.

(3) Interest at a rate of 2% above prime lending rate per annum, compounded monthly, is payable in respect of the outstanding balance of any civil aviation authority passenger safety charge after the due date.

(4) The operators of the relevant air services will be subjected to a compliance audit as instructed or done by the Authority at any period determined by the Authority.

PART 188: ADMINISTRATION

List of regulations

- 188.00.1 Repeal of regulations
- 188.00.2 Savings and transitional provisions
- 188.00.3 Short title and commencement

Repeal of regulations

188.00.1 The following Regulations are hereby repealed:

- (a) Civil Aviation Regulations, 1997;

- (b) Civil Aviation Authority Regulations, 2007;
- (c) The Civil Aviation Security Regulations, 2011;
- (d) Part 187 of the Civil Aviation Regulations, 2011;
- (e) The remaining provisions of the Air Navigation Regulations, 1976; and
- (f) The remaining provisions of the Rules of the Air, Air Traffic Services, Search and Rescue and Overflight Regulations, 1975.

Savings and transitional provisions

188.00.2 (1) Subject to these Regulations, any licence, authorisation, registration, certificate, permission, approval, decision, exemption, direction, order, suspension, determination or condition issued, given, granted, made or imposed under any provision of the Regulations repealed by regulation 188.00.1, and any other act or thing performed, done or omitted under such a provision is regarded as having been issued, given, granted, made, imposed, done or omitted under the corresponding provision of these Regulations.

(2) As from the date of commencement of these Regulations, any person who is the holder of a Level 3 certificate issued in terms of regulation 108.06.1 of the Civil Aviation Regulations, 1997, is deemed to be the holder of a Level 2 certificate until the expiry date of such certificate.

Short title and commencement

188.00.3 These Regulations are called the Civil Aviation Regulations, 2011, and shall come into operation two months after the date of publication in the Government Gazette.